

**BOARD, COMMISSION, &
COMMITTEE HANDBOOK for
NON-ELECTED VOLUNTEERS**



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INTRODUCTION

Without the dedication of the many volunteers who serve and contribute countless hours as board, commission, and committee members, the City would be unable to function. These volunteers help to make the City of Middleton a great place to live, work, and play.

Citizen knowledge, interest and action are important ingredients to the delivery of top-quality public services. More than ever, citizen participation is playing an important role in local government. The richness that comes from citizens serving on a City board, commission, or committee is one of the things that make Middleton exceptional.

The City has established 28 boards, commissions, and committees to advise and assist the Council in dealing with specific projects, policies, and issues of concern, and play an integral and important role in the City's decision-making process. The City benefits from the expertise of the dedicated individuals that make up these boards, commissions, and committees.

Being a member of a City board, commission, or committee requires work and commitment, and it is hopefully a very rewarding experience. It offers a means to participate in community affairs, to work with interesting people, and to help shape City policy.

This handbook has been prepared to:

1. Outline the role and function of each City board, commission, and committee.
2. Review important guidelines for all boards, commissions, and committees, as well as the responsibilities of appointed members.
3. Provide information about the history and composition of the City's organization.
4. Provide members with the information necessary to understand areas of responsibility for their respective board, commission, or committee, and their role in serving the City.

CITY ADMINISTRATION

Board, commission, and committee members need to be familiar with the City organization and develop an understanding of the City departments and their operations. The easiest way to do this is to review the [organizational chart](#).

RELATIONSHIPS

Relationship with the Common Council

A good relationship with the Common Council is essential. The primary responsibility of boards, commissions, and committees is to advise and make recommendations to the Common Council. Those bodies are responsible for providing additional avenues of communication among the general public. As they provide their recommendations to the Common Council, advisory body members should keep in mind that no advisory body has the final authority to establish City policy or administrative direction. It is the Common Council's role to receive the recommendations made by the boards, commissions, and committees, and to consider them as part of its decision making. Regardless of one's individual position, it is helpful for a board or commission member to understand that the policy decisions of the Common Council are final once they are made.

Official communications with the Common Council should be in written form from the entire appointed body. Communications will then be forwarded through the staff liaison to the Common Council and the City Administrator. The role of the staff typically is to *communicate* the position of a board or commission rather than to *advocate* it. Whenever a board, commission, or committee has an item before the Common Council, the Chair or a representative of that appointed body is not required to attend the Council meeting, but is encouraged to be present at the Common Council meeting to speak to the topic or answer questions and especially when the staff recommendation differs from that of the board, commission, and committee. Staff will

always indicate in the agenda report recommendation if the staff recommendation differs from that of the board, commission, and committee.

When an appointed member addresses the Common Council at a public meeting, it should be made clear whether or not he/she is speaking on behalf of the board, commission, or committee, or as an individual. If the member is speaking on behalf of a board or commission (normally this would be the Chair or Vice Chair), only the majority position of the board or commission should be advocated. If the member is expressing his/her own personal viewpoint on a particular subject, it should be stated as such.

Appointed members of boards, commissions, and committees assist the Common Council and staff by:

1. Focusing attention on specific issues of community concern;
2. Encouraging citizen participation and involvement in the ongoing management of their community;
3. Providing a grass roots perspective on issues of importance;
4. Making recommendations based on thorough review of alternatives from a citizen's perspective.

The City Attorney recommends that citizens seeking to provide comment at committee meetings on non-agenda items should be directed to do so at Council meetings so that their elected representatives are aware of the concern. The Council may refer items back to committees for greater policy development at that level.

Generally, Roberts Rules of Order are followed for committee meeting procedure, and chairpersons have some discretion in running meetings. Fairness is very important. If a committee allows public comments on agenda items, then it should be very judicious in doing so.

Relationship with City Staff

The staff liaisons to the Council appointed bodies are valuable resources. They do research and provide relevant information that enhances a body's ability to get things done. Staff is available to answer questions and follow-up on items brought before the board, commission or committee. Appointed members should be aware of the time involved on the part of staff in preparing studies and reports, and should make sure that all staff requests are consistent with the appointive body's approved work program.

Appointed bodies may not direct staff to initiate major projects without approval from the Common Council, and individual members may not direct staff to initiate any program or study. In addition, appointed members should not become involved in the operational matters of City departments unless specifically provided for in their prescribed powers and duties (e.g. the Library Board). For more information about the powers and duties of the Middleton Public Library Board of Trustees, please see the Board section of the Library website at: <http://www.midlibrary.org/Board>.

Relationship with Fellow Members

Cooperation among fellow board, commission, and committee members plays an important role in the successful efforts of City boards, commissions, and committees. In order to build consensus around common goals and objectives, members should first show a willingness objectively to define the issues at hand and then work to reconcile opposing viewpoints. When appointed members interact positively, the group as a whole will be more effective. Important points to keep in mind in working with other appointed members are:

1. Respect an individual's viewpoint, even though it may be different from your own
2. Allow other members adequate time to present their views before making comments
3. Be open and honest
4. Welcome new members and help them become acquainted with their board, commission, or committee
5. Accept responsibility, voice opinions, be fair and factual

Relationships with the Public

Good relations with the public are vital for all City boards, commission, and committees. In many cases each body serves as a link between the Common Council and the public, helping to inform the public, to reconcile opposing viewpoints, and to explain City programs and policies. Appointed members should welcome citizen input at meetings and be considerate of all interests, attitudes, and differences of opinion. Each body provides a channel for citizen expression by listening to comments, opinions, and concerns from the public. Therefore, it is important to be responsive and in tune with the community.

Relationship with Other Council Appointed Bodies

From time to time, an issue will come before the City that involves two or more appointed bodies. When this occurs, each body should focus on their own advisory responsibilities, not on areas that are under the jurisdiction of other appointed bodies. The responsibilities of appointed bodies are, at times, very close to one another, and care should be taken to avoid overlapping to the greatest degree possible.

For example, the Plan Commission, Public Works Committee, Sustainability Committee, Conservancy Lands Commission, Parks, Recreation and Forestry Commission and Water Resources Management Commission can all easily become involved in the consideration of a single project.

This can get confusing, and it is often difficult to resist getting involved in decisions that are really not the responsibility of one's board, commission, or committee. On a particularly complex project, or when appointed members' objectives contradict one another, it may be appropriate to have joint meetings to improve communication and facilitate a common ground.

Business Relationships

Members of boards, commissions, or committees may not have a financial interest in a contract with the City if there is any possibility they will have to review a project or changes to a project they are undertaking via that contract. ***It is not enough for a member to simply abstain or disqualify themselves from participation. The member needs to inform others on the body of this issue and be very cautious when these situations arise.***

APPOINTMENT PROCESS & EXPECTATIONS

Appointed Member Requirements and Appointment Process

Appointed members of almost all City advisory bodies must be residents of the City of Middleton. Interested applicants apply for appointment. Appointments are made by the Mayor, and confirmed by the Common Council.

Oath of Office

Every officer of the City, including members of City boards, commissions, or committees shall, before entering upon his or her duties and within five (5) days of his or her election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the City Clerk.

Training for Appointed Members

Continuing education to further one's knowledge of the various issues that face Wisconsin municipalities is essential to serving the public interest. Appointed members are encouraged to attend conferences and workshops, read relevant publications, and utilize other opportunities for personal and professional training that will bring new ideas into the community.

General Guidelines for Appointed Members

The Council encourages active citizen participation in the business of city government. Boards, commissions, and committees provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Boards, commissions, and committees can improve the quality of city government by providing the Council with resources to make better-informed decisions. Other benefits of these bodies include improved lines of communication between the public and Council, greater opportunities for discussion of public issues and more citizen involvement in city government.

Appointment to a City board, commission, or committee is an honor. It provides an opportunity for genuine public service. Each appointed member should be aware of the responsibilities that go along with officially serving the City. The specific duties of each body vary with the purpose for which it was formed.

There are, however, many responsibilities common to all appointed members:

1. Understand the role and responsibility of the board, commission, or committee. Be informed of its functions, work programs and relationship with other bodies.
2. Represent the overall public good, not the exclusive point of view of a sole group or interest.
3. Keep all lines of communication open. Each appointed member serves as a communication link between the community, the Common Council, and staff.
4. Do your homework and be prepared. Appointed members should become familiar with items under consideration prior to meetings in order to be fully prepared to discuss, evaluate, and act on matters scheduled for consideration. Feel free to seek staff's advice and assistance in advance of a meeting.
5. Establish a good working relationship with fellow appointed members, the Common Council, and your staff liaison.
6. Understand the scope and authority of your appointed body's responsibility and strive to work within that scope.
7. Be a participant, an active representative, and be enthusiastic.

Your role as an appointed representative of the Common Council carries with it a significant responsibility. As an "ambassador" of the City of Middleton, the Common Council hopes that you conduct yourself with politeness and courtesy with staff and whenever in the public eye. Yours is a position of service that is charged with maintaining the public trust. It is important that you not abuse that trust.

Electronic Communications Policy

The City encourages the use of electronic media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the City should remember that electronic media and services provided by the City are City property and their purpose is to facilitate and support City business. Please read the entire [Electronic Communications Policy](#) for more specific information on how this applies to alders.

Social Media Policy

Social media consists of networks and online publications that enable individuals and groups to communicate between one another for different purposes (e.g. Facebook, Twitter, LinkedIn, YouTube, blogs, etc.). The City of Middleton uses these various social media in order to reach out to the public and educate individuals on certain events, activities, awards, and other news releases. For more information on how this applies to alders, please read the complete [Social Media Policy](#).

Sexual and Other Workplace Harassment

Effective: January 1, 2000

All employees of the City of Middleton are required to be familiar with, and comply with, the policy of the City of Middleton prohibiting sexual (or other forms of unlawful) harassment in the workplace. This policy prohibits harassing another employee. Prohibited sexual harassment includes, but is not limited to: unwelcome sexual advances or requests for sexual favors; unwelcome verbal or physical conduct of a sexual nature making submission to (or rejection of) such conduct a factor in employment decisions affecting the employee; and/or permission of such conduct to interfere with an employee's work performance, or to create a hostile, intimidating or offensive work environment.

An employee who believes he/she has been the subject of sexual harassment should report the matter as soon as possible to his/her immediate supervisor. If the employee believes that a supervisor is involved in sexual harassment, the matter should be brought to the attention of the City Administrator who will then undertake an investigation to determine the facts. If the employee believes the City Administrator is involved in sexual harassment, the matter should be brought to the attention of the personnel committee, which will then take up the investigation to determine the facts.

After an appropriate investigation, any employee found to have sexually harassed another employee shall be subject to appropriate discipline. Depending upon all the circumstances, such discipline could include termination of employment.

It is the City's desire to continue to maintain a pleasant working environment for all employees, free of discrimination. It is also the policy of the City of Middleton not to permit other forms of harassment based upon race, religion, national origin or other protected status. This includes ethnic jokes, slurs or name-calling. The standards and procedures set forth above apply equally to these forms of unlawful discrimination. We encourage employees to raise any questions, regarding this policy as it applies to any suspected discrimination in the workplace, with the appropriate authority or committee as set forth in this section.

Workplace Violence

Effective: November 7, 2011

Policy Statement: The City of Middleton is committed to a safe work environment and to the safety and security of its employees. The City of Middleton does not tolerate workplace violence. The City of Middleton will take appropriate steps to prevent workplace violence from occurring, to enable employees to respond appropriately in the event of workplace violence, and to provide for follow up in the event that workplace violence does occur. No intimidating, threatening or violent behavior is acceptable and no violent incident will be ignored. Workplace violence is actions or words that endanger or harm another employee or result in other employees having a reasonable belief that they are in danger.

Such actions include:

- Written, verbal or physical intimidation/harassment.
- Written, verbal or physical threats.
- Assaults or other violence.
- Any behavior that causes others to feel unsafe.

City employees are expected to conduct themselves in a manner conducive to positive relationships and effective teamwork. Behavior that escalates a situation toward aggressive or violent acts is not appropriate for employees or external visitors. Employees and visitors are prohibited from bringing weapons into the workplace unless a weapon is part of the standard equipment required for the job.

An employee or visitor may use a reasonable amount of force in self-defense or defense of another during an unprovoked attack. It is the responsibility of Middleton city employees to report incidents of intimidating, threatening or violent behavior to their supervisors, their department head or the City Administrator. It is the responsibility of the department head or City Administrator to document the report. If there is a complaint or incident, a Threat Assessment Team will conduct or ensure a thorough investigation of the facts and based on the results, will consider and determine appropriate mitigation measures. There will be no retaliation against an employee that makes a good faith report of such behavior.

Workplace Violence Management Team: The Workplace Violence Management Team (WVMT) is responsible for developing and implementing city workplace violence prevention policy and procedures. The WVMT is responsible for identifying potential threats and training employees and management how to respond to these threats. Training will take place annually. The WVMT will ensure that physical security site surveys are conducted and solicit feedback from city employees to identify potential and actual threats. The WVMT will develop and implement training for all city employees on workplace violence policy including prevention, identification, reporting, response, discipline and documentation. The WVMT membership will include the Mayor, City Administrator, Chief of Police, City Attorney, City Personnel Officer or their designees.

Workplace Violence Threat Assessment Team: The Threat Assessment Team (TAT) is an ad hoc team convened to assess a potential workplace violence threat and to develop a management response plan. A TAT is typically activated by the City Administrator at the request of a department head or his/her designee in response to concerns about a potential workplace violence threat. When there is an active direct physical threat or occurrence of violence, the Police Department must be notified immediately to respond and stabilize the situation. Once the situation is stabilized a TAT can be assembled. The composition of a TAT will depend on the nature and origin of the reported threat. The team will typically include a representative of the agency affected, City Personnel Officer, the Police Department, the Employee Assistance Program (EAP) Representative, the City Attorney and a Union Representative if applicable. A clinical psychologist or psychiatrist may meet with the team or be consulted by one or more members of the team as well.

The threat assessment has three parts:

1. An evaluation of the threat itself; that is, the assessment of the credibility and overall viability of an expression of intent to do harm.
2. An evaluation of the person making the threats.
3. The development of a management response plan.

Once the TAT has completed their assessment they will turn over their plan to the Incident Response Team (IRT) for implementation. **Incident Response Team:** The IRT is responsible for carrying out the TAT's management response plan. The IRT is tasked with threat management and not assessment. The IRT will consist of the affected department head, the Police Department, the Personnel Officer and a representative of the city's EAP. IRT members will receive specialized training in dealing with potentially violent persons.

Mitigation: Each city department will follow their own policies and procedures for mitigation of a workplace violence incident. Incidents that threaten the security of employees shall be mitigated as soon as possible following their discovery.

Mitigation actions include:

- Notification of the Police Department when a potential criminal act has occurred.
- Provision of emergency medical care in the event of any violent act upon an employee. • Post-event trauma counseling available for employees.
- EAP referral.
- Thorough and consistent investigation and documentation of all reported incidents following city policy.
- Changing an employee's assignment or work location pending mitigation of an incident.
- Paid or unpaid leave of an employee while awaiting the results of an investigation, criminal proceedings or medical assessment.
- Disciplinary action where appropriate up to and including discharge.

CODE OF ETHICS (Chapter 2 – City Code of Ordinances)

(a) STATEMENT OF PURPOSE

(1) The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that the public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this Chapter a Code of Ethics for all City of Middleton officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the City, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the City.

(2) The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City of Middleton and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the City. The Common Council believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this City in their elected and appointed officials and employees. The Common Council hereby reaffirms that each elected and appointed City official and employee holds his or her position as a public trust and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interests of the City of Middleton.

(b) DEFINITIONS.

(1) Public Official. Means those persons serving in statutory elected or appointed offices provided for in Chapter 62 of the Wisconsin Statutes and all members appointed to boards, committees and commissions established or appointed by the Mayor and/or Common Council pursuant to this Code of Ordinances, whether paid or unpaid.

(2) Public Employee. Means any person excluded from the definition of a public official who is employed by the City.

(3) Anything of Value. Means any gift, favor, loan, service or promise of future employment, but does not include reasonable fees and honorariums, or the exchange of seasonal, anniversary or customary gifts among relatives and friends.

(4) Business. Means any corporation, partnership, proprietorship, firm, enterprise, franchise or association, organization, self-employed individual, or any other legal entity which engages in profit making activities.

(5) Personal Interest. Means the following specific blood or marriage relationships:

(a) A person's spouse, mother, father, child, brother or sister; or

(b) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half (1/2) support from such person or from whom such person receives, directly or indirectly, more than one-half (1/2) of his or her support.

(6) Significant Interest. Means owning or controlling, directly or indirectly, at least ten percent (10%), or Five Thousand Dollars (\$5,000.00) of the outstanding stock of any business.

(7) Financial interest. Any interest which shall yield, directly or indirectly a monetary or other material benefit to the officer or employee or to any person employing, or retaining the services of, the officer or employee.

(c) STATUTORY STANDARDS OF CONDUCT. There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:

(1) Sec. 946.10 Bribery of Public Officers and Employees

(2) Sec. 946.11 Special Privileges from Public Utilities

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(3) Sec. 946.12 Misconduct in Public Office

(4) Sec. 946.13 Private Interest in Public Contract Prohibited

(d) RESPONSIBILITY OF PUBLIC OFFICE. Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern.

(e) DEDICATED SERVICE.

(1) Officials and employees should adhere to the roles of work and performance established as the standard for their positions by the appropriate authority.

(2) Officials and employees should not exceed their authority or breach the law or ask others to do so and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality for their work.

(3) Members of the City staff are expected to follow their appropriate professional code of ethics.

(f) FAIR AND EQUAL TREATMENT.

(1) Use of public property. No official or employee shall use or permit the unauthorized use of City owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as City policy for the use of such official or employee in the conduct of official business, as authorized by the Common Council or authorizes board, commission or committee.

(2) Obligations to Citizens. No official or employee shall grant any special consideration, treatment or advantage to anyone beyond that which is available to every other person. No official or employee shall use or attempt to use his or her position with the City to secure any advantage, preference or gain, over and above his or her rightful remuneration and benefits, for him or herself or for a member of his or her immediate family.

(3) Political Contributions. No official shall personally solicit from any City employee, other than an elected official, a contribution to a political campaign or committee for which the person subject to this Chapter is a candidate or treasurer.

(g) CONFLICT OF INTEREST.

(1) Financial and Personal Interest Prohibited.

(a) No official or employee of the City, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provision of this Chapter or which would tend to impair independence of judgment or action in the performance of official duties.

(b) Any member of the Common Council who has a financial interest or personal interest in any proposed legislation before the Common Council shall disclose on the records of the Common Council shall disclose on the records of the Common Council the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation. If the matter before the Council involves a member's personal interest with persons involved, the member may participate in debate or

discussion and vote on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion and vote on the matter.

(c) Any non-elected official, other than a City employee, who has a financial interest or personal interest in any proposed legislative action of the Common Council or any board, commission or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Common Council or the appropriate board, commission or committee the nature and extent of such interest. Such official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.

(d) Any City employee who has a financial interest or personal interest in any proposed legislative action or the Common Council or any board, commission or committee upon which the employee has any influence or input, or of which the employee is a member, that is a make to recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Common Council or the appropriate board, commission or committee the nature and extent of such interest.

(2) Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall such information be used to advance the financial or other private interests of the official or employee or others.

(3) Gifts and Favors.

(a) No official or employee, personally or through a member of his or her immediate family, may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.

(b) No official or employee personally or through a member of his or her immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which may tend to impair his or her independence of judgment or action in the performance of his or her duties or grant in the discharge of his or her duties any improper favor, service or thing of value. However, it is not a conflict of interest for any public official or employee to receive a gift or gratuity that is an unsolicited item of nominal intrinsic value such as a meal and that is not intended to influence the official. Any official or employee who receives, directly or indirectly, any gift or gifts from any person who is known by said official or employee to be interested, directly or indirectly, in any manner whatsoever in business dealings with the City upon which the official or employee has any influence or input or over which the official or employee has any jurisdiction, discretion or control shall disclose the nature and value of such gifts to the Common Council by January 15 next following the year in which the gift or gifts are received.

(c) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a City official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

(d) Gifts received by an official or employee or his or her immediate family under unusual circumstances shall be referred to the Common Council within ten (10) days of receipt for recommended disposition. Any person subject to this Chapter who becomes aware that he is or has been offered any gift, the acceptance of which would constitute a violation of this Subsection, shall, within ten (10) days, disclose the details surrounding said offer to the Common Council. Failure to comply with this reporting requirement shall constitute an offense under this Chapter.

(e) Representing Private Interest Before City Agencies or Courts.

(1) Non-elected City officials and employees shall not appear on behalf of any private person (other than him or herself or spouse or minor children) before any City agency, board, commission or the Common Council if the official or employee or any board, commission or committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation.

(2) Elected City officials may appear before City agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations. However, in disclosure requirements of Subsection (a) above shall be applicable to such appearances.

(4) Ad Hoc Committee Exceptions. No violation of the conflict of interest restrictions of this Section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer or a client of that individual, has an interest so long as the individual discloses to the Common Council that such interest exists.

(5) Contracts with the City. No City official or employee who, in his or her capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his or her part shall enter into any contract with the City unless, within the confines of **Sec. 946.13, Wis. Stats.**

(a) The contract is awarded through a process of public notice and competitive bidding or the Common Council waives the requirement of this Section after determining that it is in the best interest of the City to do so.

(b) The provisions of this Subsection shall not apply to the designation of a public depository of public funds.

(h) ADVISORY OPINIONS Any questions as to the interpretation of any provisions of this Code of Ethics Chapter shall be referred to the City Attorney. Such requests shall be as detailed as possible and shall be made in writing. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor, in which case the request and opinion may be made public.

(i) HIRING RELATIVES

(1) This Section governs the proposed hiring of individuals for regular full-time or part-time work as City employees who are members of the immediate family of City employees or elected officials. Excluded from the provisions of this Section are seasonal or temporary employees. "Immediate family" includes those relatives by blood or marriage defined in Section 2.20(6)(2)(e) as personal interests.

(2) Hiring an immediate family member of any current City employee or elected City official is discouraged and will be considered only if that individual has the knowledge and skills, experience or other job related qualifications that warrant consideration for the position. It is required that either the current employee or the relative seeking employment will make the personal interest relationship known to the hiring authority (department head, City board or commission or Common Council) before a hiring decision is made; in every case, the decision to hire an immediate family member or former spouse will be subject to Common Council approval, with notice, before the new employee is permitted to begin work. Marriage between two (2) individuals already employed by the City or their relatives will not be considered a violation of this policy.

(3) This Section does not apply to non-elected officials who are asked to accept appointment as members of the City board, commission or committee; non-elected officials, however, will be expected to disqualify themselves from participation in matters under consideration which may affect the hiring, retention, classification or compensation of their immediate family if currently employed or being considered for employment by the City.

(j) SANCTIONS. A determination that an employee's actions constitute improper conduct under the provisions of this Chapter may constitute a cause of suspension, removal from office or employment or other disciplinary action. Sanctions, including any disciplinary action that may affect employees covered under a labor agreement, will be consistent with the terms and conditions set forth in the applicable labor agreement.

Adherence to Policy

Appointed members should not approve projects that violate adopted City policies. Members can make recommendations to the Common Council about exceptions to a City policy, and can also recommend policy changes when appropriate.

Open Records

Meaningful access to public records plays a vital role in facilitating government oversight. Please consider reading [Wisconsin Public Records Law Wis. Stat. §§ 19.31-19.39](#) for more information.

MEETINGS

Attendance

Regular attendance at meetings is critical to the effective operation of City boards, commissions, and committees. Therefore, all members are expected to attend all of their appointed board, commission, or committee meetings, including study sessions. If you are unable to attend a meeting, call your Chair or staff liaison prior to the meeting. If a problem with absenteeism arises, it should be handled between the appointed member and the respective Chair. If the issue cannot be resolved, the Chair should approach the staff liaison to help work toward a solution.

Role of the Chair

The principal role of the Chair is to manage the board, commission, or committee meeting. This includes helping to set meeting agendas, maintaining the order of business during the meeting, focusing discussion on the issues at hand, and ensuring that the public appearing before the body are treated courteously. The Chair must make certain that discussions do not get sidetracked. Duties of the Chair also include review of the agenda with the staff liaison before the meeting, representing the body at Common Council and community group meetings and, attending quarterly meetings with the Mayor.

Open Meetings

Effective citizen oversight of the workings of government is essential to our democracy and promotes confidence in it. Public access to meetings of governmental bodies is a vital aspect of this principle. Please consider reading [Wisconsin Open Meetings Law: A Compliance Guide](#). It offers explanations of some of the fundamental principles in Wisconsin Open Meetings Law, and answers questions that arise on a regular basis.

Middleton Comprehensive Plan

Middleton Comprehensive Plan