



ETHICS COMMITTEE AGENDA

FRIDAY, JUNE 30, 2023 AT 1:00 PM

MUNICIPAL BUILDING - ROOM 0041 – 106 JONES STREET, WATERTOWN, WI 53094

1. CALL TO ORDER

2. PUBLIC COMMENT

Each individual who would like to address the Committee will be permitted up to three minutes for their comments

3. NEW BUSINESS

A. Review and Approve Minutes from April 21, 2023

B. Review and take action: approve letter from the Ethics Committee permitting use of approved sponsor logos

C. Review and take possible action: amendment to the Employee Handbook regarding nepotism

4. OLD BUSINESS

5. ADJOURNMENT

Persons requiring other reasonable accommodations for any of the above meetings, may contact the office of the City Clerk at mdunneisen@watertownwi.gov, phone 920-262-4006

A quorum of any City of Watertown Council, Committee, Board, Commission, or other body, may be present at this meeting for observing and gathering of information only



ETHICS COMMITTEE
Meeting Minutes
Municipal Building Council Chambers
106 Jones Street
Watertown, WI 53094
Friday, April 21, 2023 at 1:00 PM

Section 3, Item A.

Members Present: Brenda Kujawski, Mike Nienow and Renee Westphall

Others Present: City Attorney Steven T. Chesebro

1. CALL TO ORDER

Meeting called to order at 1:00 p.m.

2. PUBLIC COMMENT

None.

3. NEW BUSINESS

a. Review and approve Minutes from prior meeting

Steven T. Chesebro noted that his name needed to be added to the blank line of the minutes for calling the meeting to order.

Brenda Kujawski made a motion to approve the Minutes, seconded by Renee Westphall. Unanimously passed.

Renee Westphall made a motion to approve the Closed Session Minutes, seconded by Brenda Kujawski. Unanimously passed.

b. Review and Discuss Terms for Members of the Committee

Mike Nienow made a motion for the following terms for Members of the Committee: Brenda Kujawski one (1) year term, Renee Westphall two (2) year term and Mike Nienow three (3) year term, seconded by Brenda Kujawski. Unanimously passed.

c. Mike Nienow made a motion to convene into Closed Session: Ethics Advice. Considering request for confidential written advice from municipal ethics board pursuant to Wis. Stat. Sec. 19.85(1)(h). (Employee Handbook Policy III.E. Supervision of Relatives/Nepotism), seconded by Renee Westphall. Unanimously passed.

d. Mike Nienow made a motion to reconvene into open session, seconded by Brenda Kujawski. Unanimously passed.

e. Mike Nienow made a motion to convene into Closed Session: Ethics Advice. Considering request for confidential written advice from municipal ethics board pursuant to Wis. Stat. Sec. 19.85(1)(h). (Sponsor recognition at Town Square Events), seconded by Renee Westphall. Unanimously passed.

f. Brenda Kujawski made a motion to reconvene into open session, seconded by Mike Nienow. Unanimously passed.

4. ADJOURNMENT

Mike Nienow made a motion to adjourn, seconded by Renee Westphall. Unanimously passed. Meeting adjourned.

Respectfully submitted,

Steven T. Chesebro
City Attorney

Note: The minutes are uncorrected. Any correction made thereto will be noted in the minutes of the proceedings at which these minutes are approved.

June 22, 2023

Kristine Butteris
Director of Parks, Recreation and Forestry
City of Watertown
514 South First Street
Watertown, WI 53094

RE: Use of Approved Sponsor Logos

Dear Mrs. Butteris:

You have requested an opinion as to whether the City may include logos of private or non-profit sponsors on cups or other memorabilia at City sponsored events. The Ethics Committee agrees that the City may use logos approved by the Parks, Recreation, & Forestry Commission of private or non-profit sponsors on cups or other memorabilia during City sponsored events under the City's Ethics Code and Policies.

Sincerely,

Ethics Committee

Mike Nienow
Chairperson

E. SUPERVISION OF RELATIVES/NEPOTISM

For the protection of the City's assets and development and maintenance of an equitable working environment, the City limits the employment, volunteering, interning, hiring, promotion, and transfer rights of persons who have an immediate family member employed by the City or serving as an elected official of the City.

For purposes of this policy, immediate family member includes anyone in the direct relationship by blood or marriage up to and including first cousin. Included are spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew, and first cousin of the employee or the employee's spouse or any person residing in the employee's household.

No immediate family member of a current employee or elected official will be hired, where such personnel action would result in:

- A direct or indirect reporting relationship between family members; or
- Immediate family members would be working in the same department or unit, and one would be responsible for auditing, controlling, or reviewing the work of the other; or
- Any situation where the employment of the two family members would result in the possibility of fraud.

A Department Head, or the Mayor if the department head is the one with the family connection, may apply to the Ethic's Committee for an exception to an indirect reporting relationship between immediate family members should they determine that the applicant would be the preferred candidate to hire. The Ethic's Committee shall determine if the candidate's relative has had any involvement in the hiring decision and may interview the candidate or any other applicants for the position to determine if they believe the candidate to be the best candidate for the position. If the Ethic's Committee believes the candidate's relative has had any involvement in the hiring decision the candidate will be disqualified for the position by the Ethic's Committee.

If an immediate family member is hired within the same department as a supervisor or department head, the supervisor or department head will abstain from any and all performance reviews and writeups involving the individual. Any interference with the reviews and writeups shall be reported to the City Attorney and Ethic's Committee for evaluation. If interference is determined to have occurred it will lead to disciplinary action up to and including termination.

Wisconsin Ethics Commission

For public officials

Nepotism

Although the Wisconsin Ethics Commission believes it is improper for a person to be hired by the state or a local government because he or she is a relative of a public official, it also understands that a person, otherwise qualified, should not be denied employment with the state or a local government because he or she is related to a public official. A problem arises only when the official is involved, directly or indirectly, in the hiring or promotion or supervision of a relative.

A public official may not use his or her office to bring about the state's or a local government's employment of the official's spouse or a dependent relative. [19.45(2) and 19.59(1)(a), *Wisconsin Statutes*] On the other hand, if the official is not involved in any way in the hiring, promotion or conditions of employment, there is no good reason why a person, otherwise qualified, should be denied employment by the state or a local government, or promotion in a state or local position because he or she is related to an official. Other statutory sections neither part of the Ethics Code nor administered by the Commission may also prohibit the hiring of relatives by public officials.

Nepotism involving relatives other than a spouse or legal dependent, although not specifically prohibited by the Ethics Code, should be avoided. The Commission recommends that a public official neither (1) hire or promote as an employee of the state or of a local government, nor (2) advocate the state's or a local government's employment or promotion of, nor (3) exercise jurisdiction, supervision or direction over a person to whom he or she is related as a parent, grandparent, child, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law, uncle, aunt, niece, nephew or spouse.