



**CITY OF CEDARBURG
A MEETING OF THE LANDMARKS COMMISSION
THURSDAY, JUNE 25, 2026 – 8:30 AM**

A meeting of the Landmark's Commission of the City of Cedarburg, Wisconsin, will be held on Thursday, June 25, 2026 at 8:30 AM. The meeting will be held in-person at City Hall, W63 N645 Washington Avenue, Cedarburg, WI., on the lower level, Room 1.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
 - A. Chairperson Tom Kubala, Vice Chairperson James Pape, Council Member Amanda Didier, Tomi Fay Forbes, Doug Yip, Elizabeth Krimmel, Erin Puro
3. STATEMENT OF PUBLIC NOTICE
4. APPROVAL OF MINUTES
 - A. May 14, 2026
5. COMMENTS AND SUGGESTIONS FROM CITIZENS
6. REGULAR BUSINESS; AND ACTION THEREON
 - A. Applicant Paul Hackbarth, d/b/a Camp Bar, requests approval of a decal window sign located in the window of the front door of his business located at W63 N664 Washington Avenue. This .24-acre site, owned by John Roth Building LLC, is zoned B-3 Central Business District w/ HPD Historic Preservation Overlay District.
 - B. Applicant/property owner Cedarburg Art Museum and Society, Inc., in c/o Cole Felmer as the contractor, requests approval of their plans for front porch post and framing repairs along with deck replacement. This .42-acre property, located at W63 N675 Washington Avenue, is zoned B-3 Central Business District w/ HPD Historic Preservation Overlay District.
 - C. Discussion and possible action on annual certification of the Ethics Code.
7. COMMENTS AND ANNOUNCEMENTS BY LANDMARKS COMMISSIONERS
8. ADJOURNMENT

City of Cedarburg is an affirmative action and equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, age, sexual orientation, gender identity, national origin, veteran status, or genetic information.

City of Cedarburg is committed to providing access, equal opportunity and reasonable accommodation for individuals with disabilities in employment, its services, programs, and activities. To request reasonable accommodation, contact the Clerk's Office, (262) 375-7606, email: cityhall@cityofcedarburg.wi.gov.

MEMBERS – PLEASE NOTIFY CITY PLANNER'S OFFICE IF UNABLE TO ATTEND THIS MEETING.

**City of Cedarburg
Landmarks Commission
May 14, 2026**

Unapproved

A regular meeting of the Landmarks Commission, City of Cedarburg, Wisconsin, was held Thursday, May 14, 2026 at Cedarburg City Hall, W63 N645 Washington Avenue, lower level, Room 1.

The meeting was called to order by Chairperson Tom Kubala at 8:30 a.m.

Roll Call: Present – Chairperson Tom Kubala, Vice Chairperson James Pape, Council Member Amanda Didier, Tomi Fay Forbes, Doug Yip, Erin Puro
Excused – Vice Chairperson James Pape, Elizabeth Krimmel.
Also Present – City Planner Mary Censky, Megan Hanusa, Amy Herbst-Cox

STATEMENT OF PUBLIC NOTICE

Chairperson Kubala acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

APPROVAL OF MINUTES

Motion made by Commissioner Yip and seconded by Commissioner Puro to approve the minutes of the April 30, 2026 meeting. Motion carried without a negative vote. James Pape and Elizabeth Krimmel excused.

COMMENTS AND SUGGESTIONS FROM CITIZENS – none

REGULAR BUSINESS

Review, discussion and possible approval of the request by tenant applicant Megan Hanusa, d/b/a Cedarburg Toy Company, to place a lemonade stand in the alleyway located between her tenant space in the building at W62 N583 Washington Avenue and the Amy's Candy Kitchen tenant space in the building located at W62 N579 Washington Avenue. This walkway, zoned B-3 Central Business District with HPD Historic Preservation Overlay District, is the subject of an easement agreement among three properties/owners. For the most part, it is located on the W62 N479 Washington Avenue property owned by Washington House Group LLC.

Megan Hanusa is proposing permitting kids to hold a fundraiser once or twice a month for two hours on a Saturday during the summer for a non-profit of their choice. Students will sign up and run the fundraiser. Ms. Hanusa will purchase the supplies and facilitate the stand. The stand will be constructed of wood with a sign on the top naming the non-profit. The sign on the front will state, "Lemonade for a Cause." It will be placed in

the middle of the alley, against the wall. The alleyway will not be blocked. The stand will be stored away between uses.

Planner Censky explained that the three property owners share the lot, an arrangement made at the time it was cast as a walkway. This type of request is generally handled at the staff level except this is also located in the HPD. Commissioner Purin suggested it might be a good idea to draw chalk lines on the pavement to indicate where to cue up to the west, so customers waiting to be served are not infringing on the sidewalks. Commissioner Puro made a motion to approve the project, subject to the conditions of the planner's report (application for a temporary sign permit, permission of the owners involved in the land easement, and securing of any necessary food permits). The Sign will state, "Lemonade for a Cause." Commissioner Yip seconded the motion. Motion carried without a negative vote. James Pape and Elizabeth Krimmel excused.

Review, discussion and possible approval of the request by tenant applicant Amy Herbst-Cox, d/b/a Pompette Creperie & Café, to change the front door color, add/replace lights and hang window boxes on the east façade of the building located at W63 N631 Washington Avenue. This property, owned by Collins Investments LLC, is zoned B-3 Central Business District with HPD Historic Preservation Overlay District.

Ms. Herbst-Cox is requesting the addition of flower boxes to improve the aesthetic of the building façade. The boxes (9" x 27") will be painted black to match the door, which will also be painted black (SW 6258). She is also requesting that the present façade light be replaced with a gooseneck, barn-style lamp, and that two other identical lights be added over the windows.

Commissioner Puro made a motion that the proposed changes be approved pending receipt of the building and/or electrical permit necessary to install the light fixtures. Commissioner Yip seconded the motion. Motion carried without a negative vote. James Pape and Elizabeth Krimmel excused.

Review, discussion, and possible approval of the Sign Plan request by tenant applicant Amy Herbst-Cox, d/b/a Pompette Creperie & Café, in support of her new tenant occupancy in the building located at W63 N631 Washington Avenue. This property, owned by Collins Investments LLC, is zoned B-3 Central Business District with HPD Historic Preservation Overlay District.

The new sign, as proposed, will use the existing brackets. It is the same size, Chairperson Kubala stated it is a handsome sign.

Commissioner Pape made a motion that the sign be approved as presented. Commissioner Puro seconded the motion. Motion carried without a negative vote. James Pape and Elizabeth Krimmel excused.

ADJOURNMENT

A motion was made by Commissioner Yip, seconded by Commissioner Puro, to adjourn the meeting at 8:50 a.m.

Tomi Fay Forbes
Secretary

PLANNERS REPORT

To: City of Cedarburg Landmarks Commission

By: Mary Censky

Date Prepared: June 25, 2026

General Information:

Agenda Item: **6.A.**

Applicant: Paul Hackbarth, d/b/a Camp Bar

Property Owner: John Roth Building LLC

Request: Review, discussion and possible approval of a decal window sign in the front door.

Current Zoning: B-3 Central Business District with (HPD) Historic Preservation District Overlay

Current Master Plan Classification: Commercial

Surrounding Zoning/Land Use: North: B-3 w/ HPD
South: B-3 w/ HPD
East: Cedar Creek
West: B-3 w/ HPD

Lot Size: .24-acre

Location: W63 N664 Washington Avenue

Discussion:

The applicant requests approval of his 20” diameter / 2.18 sq. ft. logo decal sign located in the front door window. The window itself is 25” x 55” / 9.53 sq. ft. in area. The preceding sizes were measured by the Building Inspector. Pursuant to [Section 15-5-14\(d\)\(3\)a.5.](#) of the City Code, “Permanent window signs shall not exceed 25 percent of the total area of the window in which the sign(s) is placed”. In this case sign decal covers 22.87% of the window area.

This building is rated as 'Pivotal' in the Washington Avenue Historic District (see excerpt attached in packet).

Recommendation:

If the Landmarks Commission is inclined toward an approval in this matter, the Planner recommends the following conditions be considered for attachment thereto:

- 1) No other signs may be displayed in this window except by issuance of a Temporary Sign Permit from the Building Inspector for limited occurrences and periods of time.
- 2) Applicant to apply for and receive an after-the-fact Sign Permit for this window decal sign.



LANDMARKS COMMISSION APPLICATION

PROPERTY LOCATION/ADDRESS: W63N664 Washington Ave

NAME OF EXISTING/PROPOSED BUSINESS (IF APPLICABLE): CAMP BAR

APPLICANT INFORMATION

APPLICANT NAME: PAUL HACKBARTH BUSINESS NAME: CAMP BAR

APPLICANT/BUSINESS ADDRESS: _____

STATUS OF APPLICANT: OWNER AGENT BUYER TENANT OTHER _____

PHONE: _____ EMAIL: _____

PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME (IF DIFFERENT): _____

PROPERTY OWNER MAILING ADDRESS: W63N674 Washington Ave.

PROPERTY OWNER PHONE: _____ PROPERTY OWNER EMAIL: _____

DESCRIBE REQUEST: LOGO GRAPHIC FOR ENTRANCE DOOR

PLEASE SUBMIT: TEN (10) COPIES OF WRITTEN DESCRIPTION OF PROPOSAL OR REQUEST * PLUS ELECTRONIC COPY
TEN (10) COPIES OF DRAWINGS, SKETCHES, PICTURES OR SURVEY MAPS (11" x 17" MAX)
*PLUS ELECTRONIC COPY
MATERIAL AND COLOR SAMPLES (WILL BE RETAINED BY THE CITY)

SUBMITTAL DEADLINE: Plans must be received no later than 16 days prior to Landmarks Commission meeting.

*ELECTRONIC COPIES MAY BE SENT TO THANAMAN@CITYOFCEDARBURG.WI.GOV OR PROVIDE A THUMB DRIVE

The undersigned certifies that he/she has familiarized themselves with the State and Local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct. This application shall be signed by the property owner(s).

APPLICANT SIGNATURE: DATE: 4/20/26

PROPERTY OWNER(S) SIGNATURE: DATE: 4/20/26

FOR CITY STAFF USE ONLY

LANDMARKS COMMISSION MEETING DATE: _____ PLAN COMMISSION REVIEW NEEDED? YES NO

ATTACHMENTS (CHECK IF RECEIVED):
 TEN WRITTEN DESCRIPTIONS TEN DRAWINGS, SKETCHES OR MAPS MATERIAL/COLOR SAMPLES (IF APPLICABLE)

PROPERTY TAX KEY NO: _____



AMP

AMMEDIATELY
FROM 12:00 PM - 12:00 AM
\$20
INCLUDES
WINE AND
APPETIZER

6.15	6PM
6.30	6PM
6.45	6PM
7.00	6PM
7.15	6PM
7.30	6PM
7.45	6PM

TRIVIA NIGHT
MONDAYS
@ 7PM

W63 N664



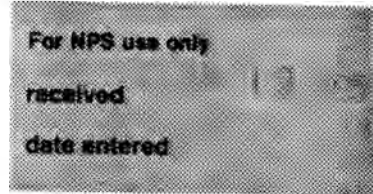
SHUTTLE
\$20
6:00 - 8:00
8:00 - 10:00
10:00 - 12:00
12:00 - 2:00
2:00 - 4:00
4:00 - 6:00

TRIVIA NIGHT
MONDAYS
6 PM
\$10.00



**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Inventory—Nomination Form**



Continuation sheet Washington Avenue Historic District
Cedarburg, Ozaukee County Item number 7

Page 31

INVENTORY TABLE (Continued)

<u>Map No.</u>	<u>Address</u>	<u>Rating</u>	<u>Historic Name-Use/Present Name</u>
100	W63 N667-667A Washington Avenue	P	(Residence) An L-shape in plan, this residence is constructed of cream brick and consists of a two story block perpendicular to the street with a one story wing extending to the south. A large round arched window dominates the gable. Smaller round headed windows are placed on the first story. A frame addition has been added to the one story wing. The one story wing is now used as a store, TJ's Balloons. The residential block was not available for inspection.
101	W63 N671 Washington Avenue	C	Residence/Taylor Residence Two-story frame residence with Queen Anne elements.
102	W63 N675 Washington Avenue	P	L.E. Jochem Residence/Purtell & Wigdale Inc. Real Estate The Jochem residence is an excellent local example of Queen Anne design. The building rests on a cut stone foundation and is veneered to the eave line with red brick. Shingle work covers the attic gable. The main facade features a two story bay window, covered by a steep gable with brackets along the raking cornice. Balancing this component to the south is a corner tower capped by a conical roof with inset frame dormer. Classical details are introduced at the main semicircular porch which features fluted columns rising to the denticulated cornice. A shallow two story bay window rises on the south elevation which is further decorated by terra cotta panels set into the chimney. L.E. Jochem operated a general store in Cedarburg and was a partner of H. Hendschel. ³⁰ The store is at W62 N575-579 Washington Avenue (Map #81). Several interior elements survive.

PLANNERS REPORT

To: City of Cedarburg Landmarks Commission

By: Mary Censky

Date Prepared: June 25, 2026

General Information:

Agenda Item: 6.B.

Applicant/Property Owner:

Cedarburg Art Museum and Society, Inc., in c/o Cole Felmer as the contractor

Request:

Review, discussion and possible approval of proposed front porch repairs.

Current Zoning:

B-3 Central Business District with (HPD) Historic Preservation District Overlay

Current Master Plan Classification:

Commercial

Surrounding Zoning/Land Use:

North: B-3 w/ HPD

South: B-3 w/ HPD

East: B-3 w/ HPD

West: Rs-6 Single-Family/Two-Family Residential

Lot Size:

.42-acre

Location:

W63 N675 Washington Avenue

Discussion:

The applicant requests approval of plans for repair of the front porch posts and deck framing, followed by replacement of the front porch deck boards. It appears the work is being done like-for-like as to current materials and colors.

This building is classified as Pivotal in the Washington Avenue Historic District (see excerpt attached in packet).

Recommendation:

If the Landmarks Commission is inclined toward an approval in this matter, the Planner recommends the following conditions be considered for attachment thereto:

- 1) Applicant to receive a Building Permit prior to the start of work on this project.



LANDMARKS COMMISSION APPLICATION

PROPERTY LOCATION/ADDRESS: W63N675 Washington Ave, Cedarburg, WI 53012

NAME OF EXISTING/PROPOSED BUSINESS (IF APPLICABLE): Cedarburg Art Museum

APPLICANT INFORMATION

APPLICANT NAME: Cole Felmer BUSINESS NAME: Felmer Scott Custom Homes

APPLICANT/BUSINESS ADDRESS: _____

STATUS OF APPLICANT: OWNER AGENT BUYER TENANT OTHER General Contractor

PHONE: _____ EMAIL: _____

PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME (IF DIFFERENT): _____

PROPERTY OWNER MAILING ADDRESS: _____

PROPERTY OWNER PHONE: _____ PROPERTY OWNER EMAIL _____

DESCRIBE REQUEST: We are requesting permission to replace the water damaged decking, traming, and necessary posts with a like for like replacement. After replacement the post column wraps, base plates, and coverings will be reinstalled to keep the original look and design of the porch. The decking will be repainted after the repairs are completed with a color match from the current decking as too keep the original look. No modifications will be made to the existing guardrails, handrails, and balusters. These will be removed and reinstalled after repairs are made.

PLEASE SUBMIT: TEN (10) COPIES OF WRITTEN DESCRIPTION OF PROPOSAL OR REQUEST * PLUS ELECTRONIC COPY
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The undersigned certifies that he/she has familiarized themselves with the State and Local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct. This application shall be signed by the property owner(s).

APPLICANT SIGNATURE: [Signature] DATE: 06/18/26

PROPERTY OWNER(S) SIGNATURE: [Signature] DATE: 06/18/26

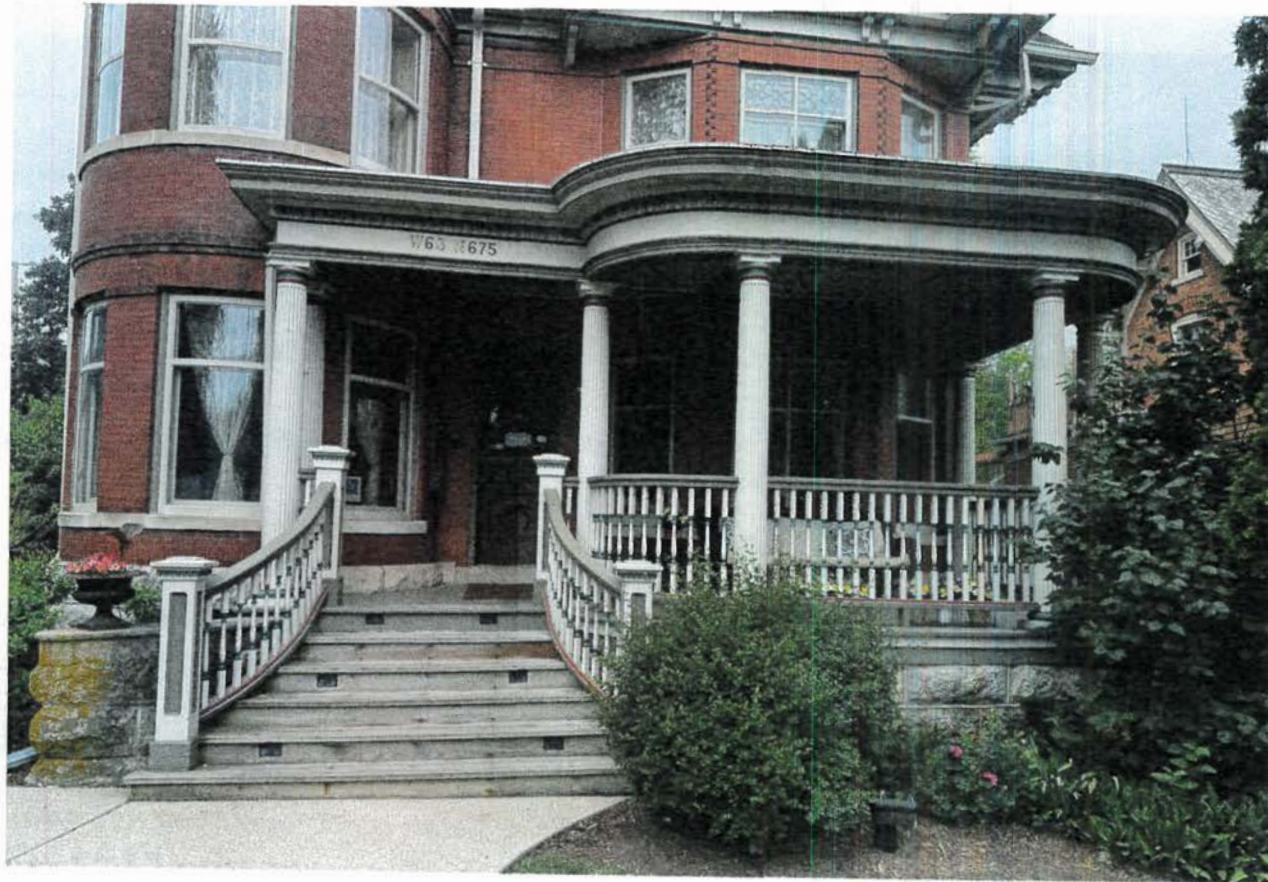
FOR CITY STAFF USE ONLY

LANDMARKS COMMISSION MEETING DATE: _____ PLAN COMMISSION REVIEW NEEDED? YES NO

ATTACHMENTS (CHECK IF RECEIVED):

TEN WRITTEN DESCRIPTIONS TEN DRAWINGS, SKETCHES OR MAPS MATERIAL/COLOR SAMPLES (IF APPLICABLE)

PROPERTY TAX KEY NO: _____



Cedarburg Art Museum Front Porch

W63N675 Washington Ave

Cedarburg, WI 53012

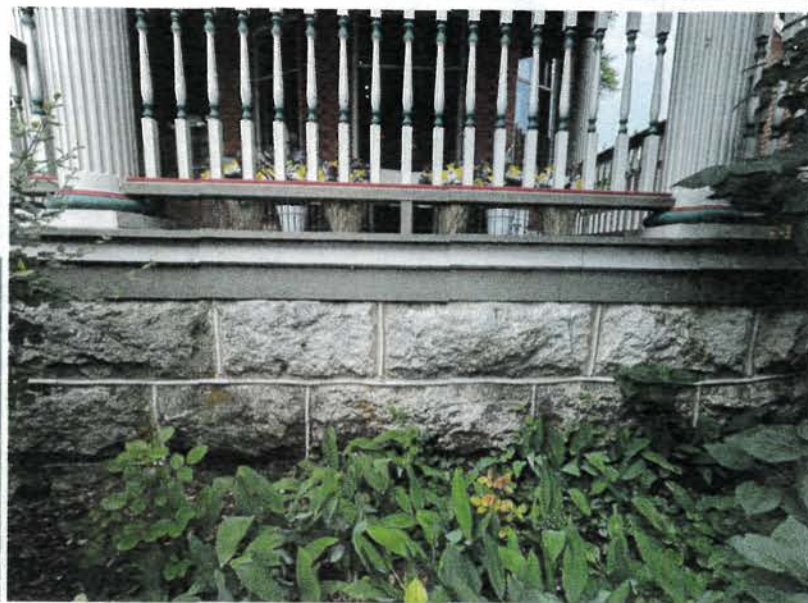






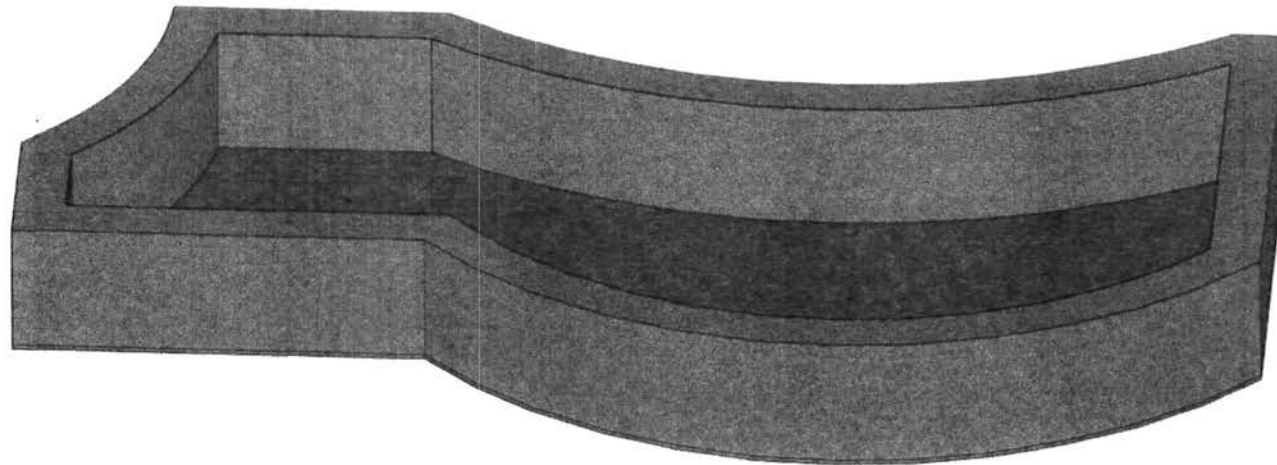




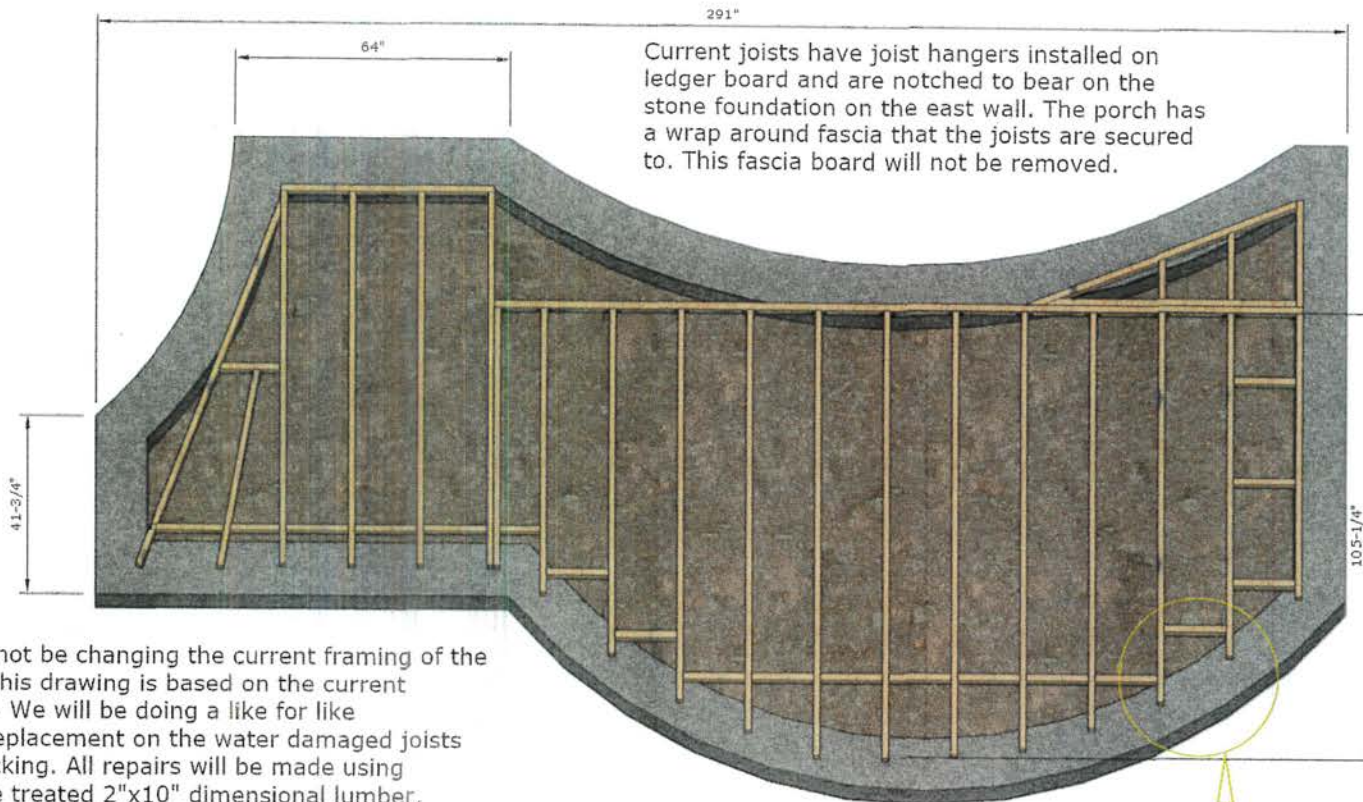








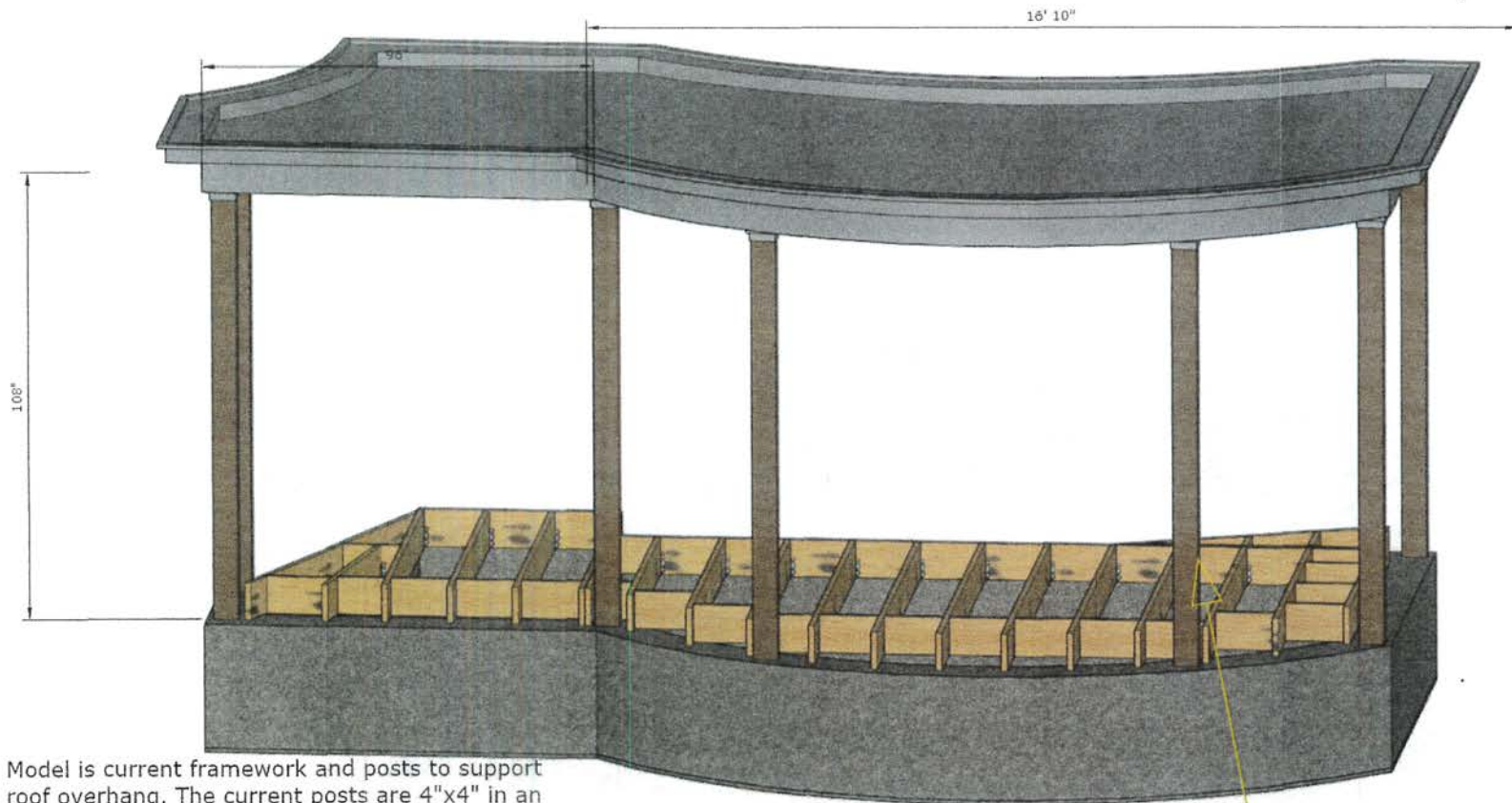
We will be utilizing the original stone foundation walls that the current porch structure is built on. No modifications will be made.



Current joists have joist hangers installed on ledger board and are notched to bear on the stone foundation on the east wall. The porch has a wrap around fascia that the joists are secured to. This fascia board will not be removed.

We will not be changing the current framing of the porch. This drawing is based on the current framing. We will be doing a like for like repair/replacement on the water damaged joists and blocking. All repairs will be made using pressure treated 2"x10" dimensional lumber, Simpson Strong-Tie LUS210Z 2x10 Face Mount Hangers, #9 x 1-1/2" SD Connector Screws, #9 x 2-1/2" SD Connector Screws, and the tops of the framework will have joist tape installed.

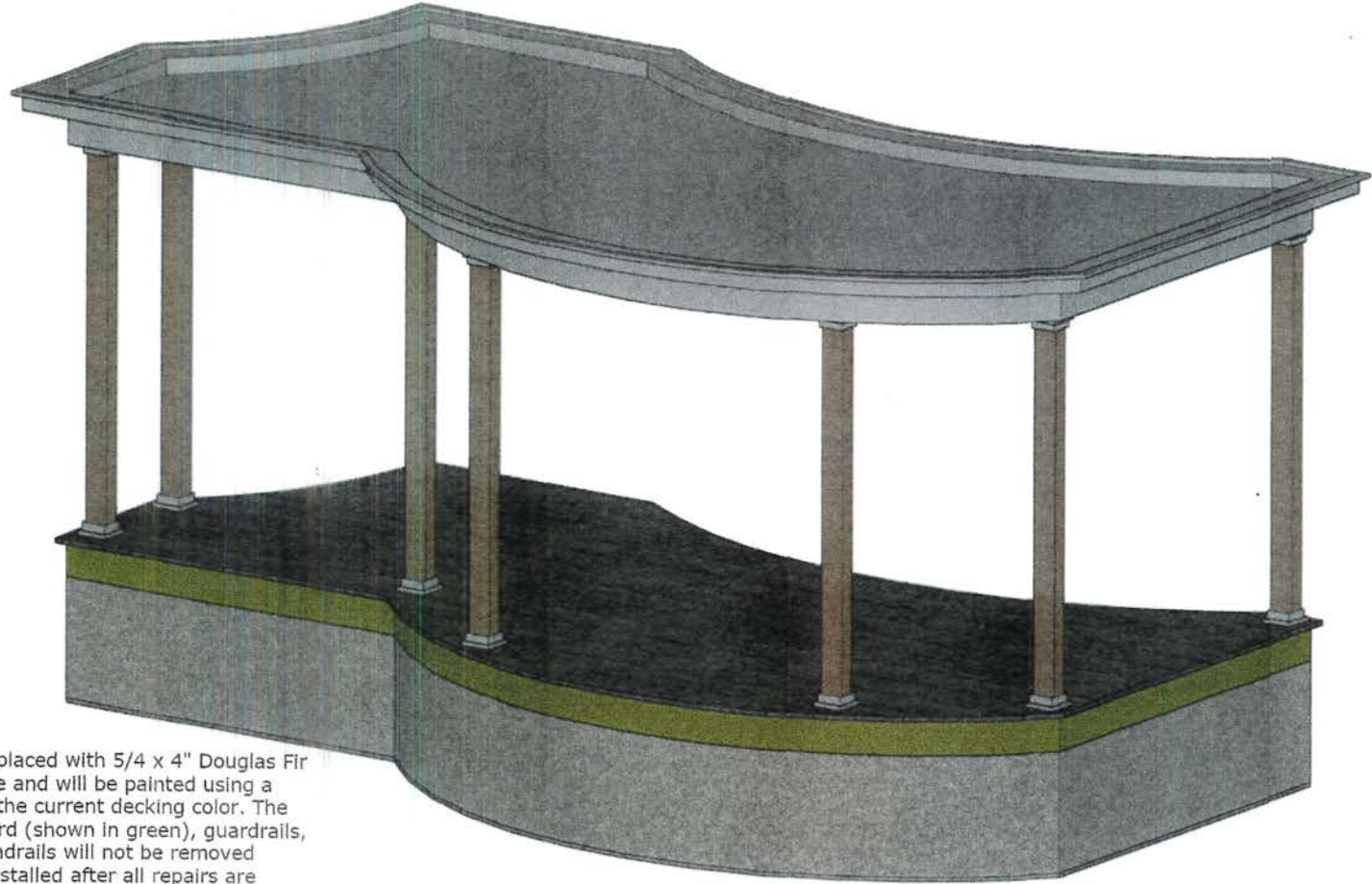
These two joists and blocking are water damaged and will be replaced like for like.



Model is current framework and posts to support roof overhang. The current posts are 4"x4" in an architectural column wrapping, the wrap will be reinstalled after the post is replaced.

Replacement post will have a Simpson Strong-Tie ABU44Z Adjustable Post Base and Simpson Strong-Tie Z-Max 4x Post Cap to tie into roof beam. #10 x 1-1/2-in Strong-Drive SD screws will be used.

The blocking under this post and the base of the post is water damaged and will be replaced for a like for like replacement.

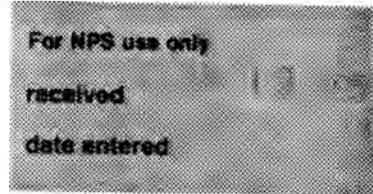


Decking will be replaced with 5/4 x 4" Douglas Fir tongue and groove and will be painted using a color match from the current decking color. The current fascia board (shown in green), guardrails, balusters, and handrails will not be removed and/or will be reinstalled after all repairs are completed and no modifications will be made to sizing or style.

*Colors in layout do not match existing colors

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Inventory—Nomination Form**



Continuation sheet Washington Avenue Historic District
Cedarburg, Ozaukee County Item number 7

Page 31

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CITY OF CEDARBURG

MEETING DATE: June 25, 2026

ITEM NO: C.

TITLE:

Discussion and possible action on annual certification of the Ethics Code.

ISSUE SUMMARY:

Members of boards, committees, and commissions shall certify to the City Clerk annually that they have reviewed the Ethics Code.

STAFF RECOMMENDATION:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

BUDGETARY IMPACT:

ATTACHMENTS:

1. CHAPTER 5 ETHICS CODE

INITIATED/REQUESTED BY:

Jessica Campolo

FOR MORE INFORMATION CONTACT:

CHAPTER 5 ETHICS CODE

Sec. 2-5-1 Declaration of policy.

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 public office is not to be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is established in this chapter a code of ethics for all City of Cedarburg officials and employees whether elected or appointed, paid or unpaid, including members of council as well as boards, committees and commissions of the city (city agencies). 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 Cedarburg and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the city.

(Ord. No. 2004-08)

Sec. 2-5-2 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.

(Ord. No. 2004-08)

Sec. 2-5-3 Dedicated service.

- (a) Officials and employees should adhere to the rules of work, professionalism and performance established as the standard for their positions by the appropriate authority.
- (b) 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 of their work.

(Ord. No. 2004-08)

Sec. 2-5-4 Fair and equal treatment.

- (a) *Use of public property.* No official or employee shall request or permit the unauthorized use of city-owned vehicles, equipment, materials or property for personal convenience or profit.
- (b) *Fundraising.* With the exception of fundraising for purposes of raising money for city departmental programming, equipment, or capital projects, which may occur subject to council approval and all provisions of this Code and the State Statutes, the following shall be prohibited:

-
- (1) No official or employee shall request or permit the use of city resources, city time or city equipment for the purpose of fundraising.
 - (2) No official or employee shall use his or her position, authority or influence, whether possessed or anticipated, to represent themselves as a city official or employee for private or public fundraising.
- (b) *Obligations to citizens.* No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(Ord. No. 2004-08; Ord. No. 2015-13)

Sec. 2-5-5 Conflict of interest.

- (a) *Financial and personal interest prohibited.* No official or employee, 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 provisions of this chapter or which would tend to impair independence of or action in the performance of official duties.
- (b) *Definitions.*
- (1) *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.
 - (2) *Personal interest.* Any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.
 - (3) *Person.* Any individual or legal entity.
- (c) *Specific conflicts enumerated.*
- (1) *Incompatible employment.* No official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties, unless otherwise permitted by law.
 - (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 public official or employee may use his or her public office to "obtain financial gain" or "anything of value" for the private benefit of himself or herself, for his or her immediate family, or for an organization with which he or she is associated.
 - b. No person may directly or indirectly offer or give "anything of value" to a local public official or employee if it could reasonably be expected to affect that official's vote, official action or judgment, or if it could be construed as a reward for any official action or inaction on the part of the local public official or employee. No local public official or employee may accept "anything of value" tendered under such circumstances. "Anything of value" is defined as "money or property, favor, service, payment, advance, forbearance, loan or promise of future employment". Legal campaign contributions are exempt from the definitions. 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

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(Supp. No. 10)

a member of the guest's immediate family, was a City official or employee. This includes any discount on the price of admission, parking, or use of a box at a stadium that is tax exempt from general property taxes. 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.

- c. No local public official or employee may take any official action that affects a matter in which the public official or employee, a member of his or her immediate family, or an organization with which the official or employee is associated has a substantial financial interest.
 - d. No local public official or employee may use his or her office or position in any way that produces or assists in producing a substantial benefit, either directly or indirectly, for the official or employee, any members of his or her immediate family, or an organization with which the official or employee is associated.
- (4) *Representing private interests before city agencies or courts.* No officer or employee shall appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any city agency. However, members of the common council 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.
- (d) *Contracts with the city.* No city officer or employee who, in his 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 part shall enter into any contract with the city unless it is within the confines of section 946.13.
- (e) *Disclosure of interest in legislation.*
- (1) 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 or the ethics board created by this chapter the nature and extent of such interest.
 - (2) Any other official or employee who has a financial interest or personal interest in any proposed legislative action of the common council or who serves on a board or committee, shall disclose the nature and extent of such interest.
 - (3) If there is a conflict of interest for any official or employee, he or she must refrain from participating in any way including discussion, deliberations or action on the item.

(Ord. No. 2004-08)

Sec. 2-5-6 Advisory opinion.

Any questions as to the interpretation of any provisions of this code of ethics chapter shall be referred to the personnel committee serving as the ethics board or the city attorney. The fact that a person seeks an advisory opinion and abides by the material facts as stated, is evidence of intent to comply with the ethics code.

(Ord. No. 2004-08)

Sec. 2-5-7 Jurisdiction and application.

- (a) The personnel committee shall have administrative jurisdiction over this code of ethics chapter and shall be deemed the ethics board pursuant to Wis. Stats. § 19.59(3)(d) for that purpose. An individual may request an

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advisory opinion on the propriety of any matter to which he or she is or may become a party. However, the personnel committee has complete discretion as to whether to issue such an opinion. All requests and advisory opinions to the ethics board must be in writing.

- (b) The personnel committee may make recommendations with respect to amendments to this code of ethics chapter.
- (c) Upon the sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provisions of this chapter, the personnel committee shall conduct an investigation of the facts of the complaint; if the investigation indicates there may be a reasonable basis for the complaint justifying further investigation, the committee shall conduct a public hearing in accordance with the common law requirements of due process, including notice, an opportunity to be heard, an opportunity to cross-examine witnesses and to present testimony and other evidence in support of the accused's position and an opportunity to be represented by counsel or other representatives at the expense of the accused. The committee shall make written findings of fact and issue a written decision concerning the propriety of the conduct of the subject official or employee and shall refer the matter to the common council for final disposition.
- (d) In the event a member of the personnel committee is allegedly involved in an ethics code violation, the mayor, subject to the confirmation of the common council, shall appoint another council member to temporarily replace the member of the committee who is under investigation.

(Ord. No. 2004-08)

Sec. 2-5-8 Sanctions.

A determination that an official's or 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 action permitted by law.

(Ord. No. 2004-08)

Sec. 2-5-9 Distribution of ethics code.

- (a) The city clerk shall cause a copy of this code of ethics to be distributed to every public official and employee of the City of Cedarburg within 30 days after enactment of this chapter. Each public official and employee elected, appointed or engaged thereafter shall be furnished a copy before entering upon his duties.
- (b) Each public official, the mayor, the chairman of each board, commission or committee and, through the city administrator, the head of each department shall, between May 1 and May 31 each year, review the provisions of this Code with his fellow council, board, commission, committee members or subordinates as the case may be and certify to the city clerk by June 15 that such annual review had been undertaken. A copy of this ethics code chapter shall be continuously posted on each department bulletin board wherever situated.

(Ord. No. 2004-08)