



City of Lake Geneva, 626 Geneva St, Lake Geneva, WI 53147- 262.248.3673- www.cityoflakegeneva.gov

**PERSONNEL COMMITTEE
MONDAY, MAY 5, 2025 - 4:00 PM
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)**

Members:

Chairperson - Joel Hoiland; Members - JaNelle Powers, Mary Jo Fesenmaier, Brian Smith and Cindy Yager.

AGENDA

1. Call to Order
2. Roll Call
3. Comments from the public limited to 5 minutes, limited to items on this agenda
4. Approval of the minutes April 7, 2025
5. Review Personnel Committee Action Plan 2025-2026
6. Update on Staff Searches
 - a. City Administrator
 - b. Parks Director
7. Discussion/Recommendation regarding revisions of Municipal Code Sec. 2-49 (3): Personnel Committee Ordinance
8. Review Municipal Government Policy Manual: Chapter 1 - Role and Authority
9. Future topics
10. Next Meeting Date: June 2, 2025 at 4:00 pm
11. Adjournment

*This is a meeting of the Personnel Committee. No official Council action will be taken; however, a quorum of the Council may be present.
Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the City Clerk's office in advance so the appropriate accommodations can be made.*

**CITY OF LAKE GENEVA PERSONNEL COMMITTEE MINUTES
MONDAY, APRIL 7, 2025 - 4:00 PM
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)**

Members: Chairperson Cindy Yager, Sherri Ames, Mary Jo Fesenmaier, Linda Frame, and Peg Esposito

Call to Order

by Chairperson Yager at 4:05 pm.

Roll Call

Present: Cynthia Yager, Peg Esposito, Linda Frame, Mary Jo Fesenmaier, Sherri Ames. Others present: Interim City Administrator Dave De Angelis, City Clerk Lacey L. Reynolds, Finance Director Laura Pisarcik, JaNelle Powers, other interested persons.

Comments from the public limited to 5 minutes, limited to items on this agenda

None.

Approval of the minutes March 3, 2025

Motion by Ames to approve, second by Esposito. Voice vote, approved, motion carried. Chairperson Yager announced the other items from March that were to be continued to this meeting will be on a future agenda.

Discussion/Recommendation regarding the Parks Director Job Description

Alder Yager reviewed the previous updates to the job description. Motion by Esposito to approve the job description as presented, second by Fesenmaier. Alder Fesenmaier asked for the Board of Park Commissioners title to be corrected in the job description to match the ordinance and to add a comma after the added wording. Motion by Fesenmaier to amend by adding financial and environmental before the word sustainability, second by Ames. Voice vote, approved, motion carried. Motion by Fesenmaier to amend under Education and Experience by adding ",preferred", second by Frame. Voice vote, approved, motion carried. Alder Frame made an amendment regarding bullet point 4 under General Duties and there was no second. Discussion took place regarding the General Duties section of the document. Motion by Frame to amend General Duties to use the word "Supervise" instead of "Handle all", second by Esposito. Voice vote, approved, motion carried. Motion by Frame to amend bullet point 4 under Knowledge, Skills and Abilities by adding the words "and implementation" to the end of the sentence, second by Fesenmaier. Voice vote, approved, motion carried. Motion by Frame to amend bullet point 2 under Physical Demands by adding the words "in all types of weather conditions" to the end of the first sentence, second by Ames. Voice vote, approved, motion carried. Main motion vote - Voice vote, approved, motion carried.

Adjournment

Motion by Ames to adjourn, second by Frame. Voice vote, approved, motion carried. Adjourned at 4:52 pm.

Lacey L. Reynolds
City Clerk

Personnel Committee Action Plan – 2025-2026

Prepared by: Joel Hoiland, Chairman, Personnel Committee

Date: April 25, 2025

Purpose and Vision

The Personnel Committee seeks to prioritize personnel needs, and modernize the structure and processes. This action plan outlines steps to align responsibilities, fill gaps, and clarify strategic, policy, and oversight versus administrative and operational roles.

Top Priorities (First 6 Months)

1. Fill Vacant Staff Positions

Park Director Search:

- **Objective:** Hire a qualified full-time Parks Director consistent with criteria in the job description.
- **Recommended Actions:** Post the position on the city website and begin recruitment actions.
- **Timeline:** Initiate all steps immediately and review applications weekly. Fill position by July 31.

2. Revise Municipal Code Sec. 2-49 (3): Personnel Committee Ordinance

- **Objective:** Redefine the committee's role to emphasize policy-making, oversight, and strategic direction.
- **Action:** Draft ordinance amendment differentiating strategic, policy, and oversight responsibilities (Personnel Committee) from administrative and operational duties (City Administrator and Department Heads).
- **Timeline:** Initial draft by July 1, 2025; Committee vote by July 7, 2025.

3. Policy Manual Review and Revision – (Enacted March 26, 2024)

- **Objective:** Ensure policies reflect current laws, expectations, and City Council decisions. Clarify governance roles to improve accountability and reduce overreach.
- **Action:** Coordinate with City Administrator, Comptroller, City Attorney, and department heads to:
 - Audit existing manual (one chapter per month).
 - Identify gaps or outdated policies.
 - Establish revision workflow and schedule.
- **Timeline:** Begin review at May 5 meeting and one chapter per month.

4. Staffing & Service Delivery Assessment – Procedures Manual

- **Objective:** Align employee handbook, procedures manual, and workforce with service needs.
- **Action:** Carried out by City Administrator and department heads.
 - Audit Employee Handbook.
 - Evaluate each department's procedures, structure, duties, and capacity.
 - Identify where services are underserved or staff is overstretched.
 - Recommend adjustments (updates, additions, reassignments, or redefinitions).
- **Timeline:** Regular reporting as appropriate.

Additional Priorities & Issues to Address with City Administrator

- **Performance Review Standards:** City Administrator to develop a consistent, merit-based staff evaluation process administered by City Administrator and department heads.
- **Succession Planning:** City Administrator to identify key roles vulnerable to turnover and the preparation of transition plans.
- **Training & Development Policy:** City Administrator and department heads to define minimum standards and incentives for continuous learning.
- **Workplace Culture & Retention:** City Administrator and department heads to identify a method to evaluate staff morale, assess retention trends, and to identify improvement opportunities.

Expected Outcomes

- Clearly defined strategic/policy/oversight vs. administrative/operational boundaries.
- Improved efficiency in staff management and service delivery.
- Professional and consistent HR framework.
- Higher morale, reduced turnover, and better policy alignment.

Personnel Committee Ordinance – Proposed Amendments

This is a suggested draft of amended ordinance language that delineates strategic, policy, and oversight responsibilities of the Personnel Committee from the administrative and operational responsibilities of the City Administrator and department heads. The goal is to maintain strong governance while ensuring efficient administration. *(Current language – strikethrough)*.

Purpose – To define and clarify the Personnel Committee’s strategic and oversight functions, while distinguishing administrative and operational authority granted to the City Administrator and Department Heads.

Section 1: Responsibilities of the Personnel Committee

a. Employment Agreements and Labor Negotiations

The Personnel Committee shall serve as the lead body for negotiating strategic terms and conditions of employment contracts or agreements between the City and its City Administrator and department heads, excluding those employees under the jurisdiction of another designated City committee or commission. The City Administrator may be delegated to assist in negotiations, but all strategic direction must be set and approved by the Committee.

~~The Committee shall be responsible for negotiating all employment contracts or agreements between the City of Lake Geneva and its employees, excepting only those employees who are specifically governed by another City committee or commission.~~

b. Recommendation of Employment Agreements

The Committee shall make formal recommendations to the City Council to approve or reject proposed contracts or employment agreements. The City Council retains final authority to approve or reject such agreements by majority vote.

~~The Committee shall make a recommendation to the City Council to accept or reject employee contract or agreement offers. The City Council shall have the sole power to accept or reject employee contracts or agreements by a majority vote.~~

c. Oversight of Department Head Performance

The Committee shall conduct a semiannual and/or annual performance evaluation of the City Administrator. The City Administrator shall conduct a semiannual and/or annual performance evaluations City department heads, excluding those governed by another City committee, commission, or elected official. Evaluations shall focus on leadership effectiveness, adherence to City goals, policy implementation, and fiscal management.

~~The Committee shall be responsible for periodic evaluations, semiannual and/or annual, of all City department heads except those governed by another City commission, committee, or official.~~

d. Disciplinary Oversight

The Committee shall act in an oversight capacity for disciplinary actions involving department heads and exempt employees, and for matters escalated beyond internal departmental resolution such as grievances, prohibitive practice complaints, or termination recommendations. The City Administrator and department heads retain operational authority to address day-to-day personnel issues within the bounds of City policy and the Employee Handbook.

~~The Committee shall be responsible for all disciplinary matters involving grievances, prohibitive practice complaints, work rule violations, contract violations, and other matters including discharge or separation for employment.~~

e. Job Description Oversight

The Committee shall review and recommend job descriptions for all non-sworn City positions (excluding Police and Fire), for approval by the City Council. The City Administrator and department heads shall propose new or modified job descriptions based on operational needs, subject to Committee review and recommendation.

~~The Committee shall be responsible for creating and recommending to the City Council job descriptions for all City employees (except police and fire), and such job descriptions shall be utilized when advertising for and evaluating potential new and current employees.~~

f. Interview and Appointment Oversight

The Committee shall interview and recommend candidates for exempt employee and appointed official positions subject to City Council appointment under Section 2-3 of the Municipal Code. Operational screening, recruitment, and initial candidate vetting shall be performed by the City Administrator and department heads, consistent with approved job descriptions and within budgetary guidelines.

~~The Committee will interview all prospective exempt employees and all appointed officials of the City that are appointed by the City Council as set forth in Section 2-3 of the Municipal Code of the City of Lake Geneva. City department heads are those individuals responsible for the oversight of particular functions and employees of the City. City department heads shall be given the authority to hire and terminate employees within their department, provided that any hiring is done without violating budgetary constraints placed on their departments and any terminating is done within the guidelines established by the City of Lake Geneva Employee Handbook.~~

Section 2: Responsibilities of the City Administrator and Department Heads

a. Day-to-Day Personnel Management

The City Administrator and department heads are responsible for the operational management of City employees within their departments, including recruitment, supervision, evaluation, discipline, and termination, in accordance with the Employee Handbook and budgetary constraints.

b. Implementation of Council-Approved Policies

Operational staff shall implement and adhere to personnel policies, compensation structures, job descriptions, and procedures approved by the City Council upon recommendation of the Personnel Committee.

c. Internal Dispute Resolution

The City Administrator shall act as the first level of appeal for personnel issues unresolved at the department level, prior to any matters being elevated to the Personnel Committee for oversight.

Section 3: Collaboration and Reporting

a. Collaboration Protocol

The City Administrator shall keep the Personnel Committee regularly informed of key staffing issues, organizational structure changes, and proposed strategic shifts in personnel policy.

b. Reporting Requirements

The City Administrator shall provide periodic reports to the Personnel Committee on hiring, promotions, evaluations, disciplinary actions, and staffing levels, to ensure alignment with policy and budgetary expectations.

Chapter 1 - Role and Authority

Policy Manual

100.1 PURPOSE AND SCOPE

The manual of the City is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this city. All employees are to conform to the provisions of this manual.

All prior and existing manuals, orders, and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Departments have their own Standard Operating Guidelines (SOG)'s. The Guide does not constitute an expressed or implied employment contract.

100.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to employees of this city under the circumstances reasonably available at the time.

100.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the City and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials, or its employees. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The City reserves the right to revise any policy content, in whole or in part.

100.3 AUTHORITY

The City Administrator or authorized designee shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws, rules, and ordinances. The City Administrator or the authorized designee is authorized to issue directives, which shall modify those provisions of the manual to which they pertain. Directives from the City Administrator or the authorized designee shall remain in effect until such time as they may be permanently incorporated into the manual.

100.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

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Elected official - Any individual who serves in the City government based upon selection by a public vote, as well as any individual who is appointed or otherwise selected to fill such a position that has been vacated prior to the conclusion of the elected individual's term.

Employee - Any person employed by the City, including:

- Full,- part-time and seasonal employees.
- Appointed personnel. This does not include persons appointed to fill an elected official vacancy.

Manual - The City Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other city employees, directing the work of other employees, or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

100.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all employees on the city's Mipay website for viewing and printing.

Each employee shall acknowledge having access to and having the opportunity to review the Policy Manual and any directives issued by the City Administrator or the authorized designee. Employees shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

100.6 PERIODIC REVIEW OF THE POLICY MANUAL

The City Administrator will ensure that the Policy Manual is periodically reviewed and updated as necessary.

100.7 REVISIONS

All revisions to the Policy Manual will be provided to each employee on or before the date the policy becomes effective. Each employee will be required to acknowledge having reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Employees are responsible for keeping abreast of all Policy Manual revisions.

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All city employees suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the City Administrator as appropriate.

Standards of Conduct for Elected Officials

101.1 PURPOSE AND SCOPE

This policy establishes standards of conduct expected of all elected officials. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct.

101.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived, or potential conflict in which it reasonably appears that an elected official's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

101.2 POLICY

Elected officials of the City are expected to conduct themselves with the utmost professional integrity and objectivity. The service of every elected official of the City shall be based on conduct that reasonably conforms to the guidelines in this policy.

All newly elected and returning City officials are provided with an orientation packet which includes information generated by the League of Wisconsin Municipalities as well as a Council Member Orientation publication created and distributed by the Lake Geneva City Clerk's Office. These materials are provided to assist elected officials in carrying out their responsibilities in a professional, efficient and legal manner. To further ensure the conduct of the elected officials are in line with City, State, and Federal law, the attached policies will serve to preserve and protect the appropriate relationship between the City's elected officials and City staff.

Elected officials have an obligation to be educated and familiar in their roles/responsibilities when serving the City of Lake Geneva. This includes participation in "Local Government 101" training provided by the League of Wisconsin Municipalities, within one month of assuming office. It shall also be the responsibility of elected officials to review and comprehend the expectations of an elected official, as outlined in the City of Lake Geneva Council Orientation Binder.

101.3 UNLAWFUL DIRECTIVES

Elected officials should not knowingly direct action or inaction that, if carried out, would result in a violation of any law or city policy.

101.4 GENERAL STANDARDS

Elected officials should conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules.

Elected officials should familiarize themselves with policies and procedures applicable to their conduct.

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Standards of Conduct for Elected Officials

101.5 ETHICS

Elected officials should avoid engaging in the following conduct:

- (a) Using one's status as an elected official of the City in any way that could reasonably be perceived as an attempt to gain influence or authority for non-city business or activity.
- (b) The wrong or unlawful exercise of authority for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) Acceptance of fees, gifts, money, tangible or intangible personal property, or any service, gratuity, favor, entertainment, hospitality, loan, promise, or any other thing of value from any person, business, or organization that is doing business with, or seeking to do business with, the City, or contrary to the rules of this city and/or laws of the state.
- (d) Offer or acceptance of a bribe or gratuity.
- (e) Misappropriation or misuse of public funds, property, personnel, or services.
- (f) Any other failure to abide by the standards of ethical conduct.

101.6 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Elected officials should not discriminate against, oppress, or provide favoritism to any person based on a classification or status protected by law.

101.7 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

Elected officials should not:

- (a) Release of confidential or protected information, materials, data, forms, or reports obtained as a result of the elected official's position with this city.
- (b) Use any information, photograph, video, or other recording obtained or accessed as a result of the elected official's position with this city for personal or financial gain.
- (c) Using city resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.
- (d) Loan, sell, or allow unauthorized use, give away, or appropriate any city badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Use city resources for campaign or other political purposes.

101.8 CONFLICTS OF INTEREST

Elected officials shall follow all laws regarding actual and perceived conflicts of interest and should avoid the appearance of actual or perceived conflicts of interest.

Elected officials should recuse themselves from participating and avoid in decisions regarding promotions, performance evaluations, or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

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101.9 ETHICAL COMPLIANCE DOCUMENTATION

Elected officials have a legal and moral obligation to report any potential ethical violations in a timely manner along with required documentation or any other matter related to conduct are timely completed and submitted to the appropriate authorities.

101.10 CONDUCT AND BEHAVIOR

- It is absolutely inappropriate for Elected Officials to call, mail or otherwise contact City Staff via use of employee's private phone, personal email address or home mailing address.
- Emergency contact with City staff will only be undertaken via the Lake Geneva Police Dispatch who will, in turn contact the employee.
- It is inappropriate for elected officials to leave "anonymous" messages (written or verbal) for any City employee.
- It is inappropriate for elected officials to have possession of original documents which are the property of the City.
- Elected Officials shall NOT have significant, direct contact with City staff without clearing such contact with the appropriate Department Head, or the City Administrator. Such behavior is a violation of Section 103 (Organizational Chain of Command) of the City of Lake Geneva Employee Handbook.
- Elected officials have no authority to direct City staff to undertake anything without the expressed motion and approval of the Common Council or its related committees.
- Any such violations (or similar inappropriate behavior) will be reported to the City Administrator, who will forward any grievance received to the City's Personnel Committee for review/possible action.
- The Personnel Committee or designees will investigate grievances and, if deemed appropriate; issue a written public or private censure which will be placed in a personnel file created for the person who has violated the "norms and protocols" for elected officials.
- Depending on the circumstances, such violations may be cause for removing an elected official from office and prohibited from seeking elected office within the City of Lake Geneva government in the future.
- Any attempt at contacting a staff member who has filed a grievance (to discuss the matter) will be considered retaliation under Federal law concerning the protection of organizational whistleblower and will be reported to the US Department of Labor.
- A Council member shall maintain decorum and set an example for appropriate conduct when the Council member represents the City, including at City meetings. Council members shall conduct themselves so as not to bring embarrassment upon the City; refraining from rude, critical or otherwise disrespectful verbal or written comments, facial expressions or gestures directed at fellow Alderpersons, City Staff, City Commission and Committee members or members of the public.

Standards of Conduct for All Employees

102.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the City and are expected of all employees. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, employees are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this city or an employee's supervisor.

102.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived, or potential conflict in which it reasonably appears that an employee's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

102.2 POLICY

The continued employment or appointment of every employee of the City shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether during work hours or non-work hours, may be cause for disciplinary action.

102.3 GENERAL STANDARDS

Employees shall conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Employees shall familiarize themselves with policies and procedures and are responsible for compliance with each. Employees should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

102.4 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, or ethics, and specific action or inaction that is detrimental to the city's ability to effectively serve the public.

102.4.1 LAWS, RULES, AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in city manuals.

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- (b) Disobedience of any lawful direction or order.
- (c) Violation of federal, state, local, or administrative laws, rules, or regulations.

102.4.2 ETHICS

- (a) Using or disclosing one's status as an employee of the City in any way that could reasonably be perceived as an attempt to gain influence or authority for non-city business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the employee's work with the City.
- (d) Acceptance of fees, gifts, or money contrary to the rules of this city and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Any other failure to abide by the standards of ethical conduct.

102.4.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM (INCLUDING NEPOTISM)

Unless required by law or policy, discriminating against, oppressing, or providing favoritism (including nepotism) to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

102.4.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship during work hours or through the use of one's official capacity.
- (b) Engaging in sexual activity during work hours, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship as a direct result of any official business.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization.

102.4.5 ATTENDANCE

- (a) Leaving the job to which the employee is assigned during work hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.

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- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to work without reasonable excuse.

102.4.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the employee's position with this city.
- (b) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this city for personal or financial gain or without the express authorization of the City Administrator or the authorized designee.
- (c) Loaning, selling, allowing unauthorized use, giving away, or appropriating any city badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (d) Using city resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

102.4.7 EFFICIENCY

- (a) Unsatisfactory work performance, including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (b) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (c) Unauthorized sleeping during work hours or assignments.
- (d) Failure to notify the City within five (5) business days of any change in residence address or contact numbers.
- (e) Failure to notify a supervisor of changes in relevant personal information (e.g., information associated with benefits determination) within five (5) business days.

102.4.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any city record, public record, book, paper, or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a

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position of authority, in connection with any investigation or in the reporting of any city-related business.

- (d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this city or its employees.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this city or subverts the good order, efficiency, and discipline of this city or that would tend to discredit any of its employees.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on city premises.
 - 2. At any work site, during work hours, or while using any city equipment or system.
- (g) Improper political activity, including:
 - 1. Unauthorized attendance during work hours at official legislative or political sessions.
 - 2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position during work hours or on city property except as expressly authorized by city policy, an employment agreement or contract, or the City Administrator or the authorized designee.
- (h) Engaging in political activities during work hours except as expressly authorized by city policy, any employment agreement or contract, or the City Administrator or the authorized designee.
- (i) Unauthorized solicitation of employees or distribution to employees on the premises, to include, but not limited to soliciting funds or signatures; conducting membership drives; distributing literature or gifts; offering to sell merchandise or services (except by representatives of vendors or potential vendors as authorized by the City); or any other similar activity.
- (j) Any act that brings discredit to this city.

102.4.9 CONDUCT

- (a) Failure to promptly and fully report activities on the employee's part or the part of any other employee where such activities resulted in contact with any law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unauthorized or unlawful fighting, or threatening or attempting to inflict unlawful bodily harm on another.
- (c) Engaging in horseplay that reasonably could result in injury or property damage.
- (d) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any employee of the City.
- (e) Use of obscene, indecent, profane, or derogatory language during work hours or in uniform.

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- (f) Criminal, dishonest, or disgraceful conduct that adversely affects the employee's relationship with the City.
- (g) Unauthorized possession of, loss of, or damage to city property or the property of others or endangering it through carelessness or maliciousness.
- (h) Attempted or actual theft of city property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of city property or the property of another person.
- (i) Activity that is incompatible with an employee's conditions of employment or appointment as established by law or that violates a provision of any employment agreement or contract, including fraud in securing the appointment or hire.
- (j) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the City Administrator or the authorized designee of such action.
- (k) Any other conduct that any employee knows or reasonably should know is unbecoming an employee of this city, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon the City or its employees.
- (l) Circumventing the chain of command.
- (m) Undermining the authority of a supervisor.

102.4.10 SAFETY

- (a) Failure to observe or violating city safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform the work assigned, if applicable.
- (d) Unsafe firearm or other weapon handling, including loading or unloading firearms in an unsafe manner.
- (e) Carrying, while on the premises of the work site, any firearm or other weapon that is not authorized by law or the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

102.4.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the employee's ability to work is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.

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- (b) Possession or use of alcohol during work hours or within four (4) hours of reporting for duty.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to work.
- (d) Performing safety-sensitive functions for 24 hours following an alcohol test result indicating an alcohol concentration of 0.02 but less than 0.04.

Standing Committee Agenda Deadlines

103.1 PURPOSE

This policy provides direction to City Staff and elected Officials on the timeline to which agenda items must be received for the City's various Standing Committees which includes: Common Council, Committee of the Whole, Personnel Committee, Piers, Harbors, & Lakefront Committee, Finance, Licensing, & Regulation Committee, and Public Works Committee.

103.2 DEPARTMENT RESPONSIBLE

The City Clerk and City Clerk Staff will be responsible for collecting Standing Committee agenda items that have been approved by the pertinent Committee Chairperson. The City Clerk and City Clerk Staff will then craft the agenda based on the items received.

103.3 PROCEDURES FOR STANDING COMMITTEE AGENDA DEADLINES

Any City Staff or Elected Official will be required to request approval of an agenda item with the Standing Committee Chair before it can be added to the pertinent Committee agenda. Once the Chair has approved an agenda item, it must be sent to the City Clerk or City Clerk's Staff no later than NOON ON THE WEDNESDAY prior to the committee meeting. Once the item has been received the agenda shall then be crafted.

Exceptions:

1. Prepaid and Regular Check Payment Approvals to be considered by the Finance, Licensing, and Regulation Committee shall be received no later than the Friday prior to the regularly scheduled meeting.
2. Emergency items deemed necessary by the Chair of the pertinent Standing Committee.

Note: This policy shall not be applied to Special scheduled meetings outside of the Regular meeting times.