



VILLAGE OF MOUNT HOREB

E. Main Street

Mount Horeb, WI 53572

Phone: (608) 437-6884 Fax: (608) 437-3190

Email: mhinfo@mounthorebwi.info Web: mounthorebwi.info

HISTORIC PRESERVATION COMMISSION AGENDA

Wednesday, June 26, 2024 at 6:00 PM

Municipal Building Board Room

138 E. Main Street

Mount Horeb, WI

- 1) Call to order
- 2) Agenda Items
 - a. Consideration of May 22, 2024, Meeting Minutes
 - b. Presentation on Certified Local Government Status, Jason Tish, Certified Local Government Coordinator
 - c. Consideration of Historic District and Site Nomination forms and processes
 - d. Certified Local Government Application
 - e. HPC Training: Chapter 1 The History of Historic Preservation
 - f. Review Village Ethics Code
- 3) Future agenda items
- 4) Meeting adjournment.

UPON REASONABLE NOTICE, EFFORTS WILL BE MADE TO ACCOMMODATE THE NEEDS OF DISABLED INDIVIDUALS THROUGH APPROPRIATE AIDS AND SERVICES. FOR INFORMATION OR TO REQUEST THIS SERVICE, CONTACT ALYSSA GAFFNEY, CLERK, AT 138 E MAIN STREET, MOUNT HOREB, WI (608) 437-9404.



AGENDA ITEM REPORT

MEETING DATE

June 26, 2024

PREPARED BY

AGENDA ITEM # 2.a

Consideration of May 22, 2024, Meeting Minutes

BACKGROUND

RECOMMENDATION

ATTACHMENTS

1. Draft minutes 05 22 2024



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HISTORIC PRESERVATION COMMISSION AGENDA

Wednesday, May 22, 2024 at 6:00 PM

DRAFT MEETING MINUTES

1) Call to order

The Historic Preservation Commission met on the above date in the Board Room of the Municipal Building, 138 E. Main Street, Mount Horeb, WI. Chair Marc Schellpfeffer called the meeting to order at 6:00pm.

Present were Commissioners Megan Ince, Maura Overland, Jackie Sale and Destinee Udelhoven. Also present were Village Administrator Nic Owen and Assistant Clerk Jean Culberson.

2) Agenda Items

a. Consideration of April 24, 2024 Meeting Minutes

Udelhoven Motioned, Sale seconded to Consideration of April 24, 2024 Meeting Minutes. Motion carried by unanimous voice vote.

b. Presentation on Certified Local Government Status, Jason Tish, Certified Local Government Coordinator

Item rescheduled to June Meeting.

c. Discussion on final suggestions on forms

Udelhoven informed the Commission of the June 5th deadline for any feedback on the forms. Mark Johnson, property owner of 108-110 East Main Street, informed the Commission he is interested in this property having a local historic designation. Johnson will work with the committee on feedback and proceeding forward with the designation.

d. Historic Preservation Commission Training Chapter 1: History of Historic Preservation

Schellpfeffer requested the members read Chapter 1 and discuss it at the June Meeting.

e. Update: Certified Local Government Application and 2024 Grant Cycle

Udelhoven gave an overview on the letter of intent needed by June to Jason Tish, Certified Local Government and Preservation Education Coordinator at the Wisconsin State Historic Preservation Office. Udelhoven will check if formal review of the letter is necessary. Grants are available to update the Elizabeth Miller Historic Survey and need to be in by July.

- 3) Future agenda items
Jason Tish CLG presentation. Discuss Historic Preservation Training Chapter One. Discuss forms if completed and Letter of Intent to Jason Tish. Udelhoven questioned how this commission would fit in with the current zoning code rewrite. Owen stated any code discussion on historic preservation will be presented to this commission.
- 4) Meeting adjournment.
Sale Motioned to adjourn at 6:18pm and Ince seconded. Motion passed by unanimous voice vote.

Minutes by Jean Culberson, Assistant Clerk



AGENDA ITEM REPORT

MEETING DATE	PREPARED BY
June 26, 2024	Nicholas Owen, Administrator

AGENDA ITEM # 2.b

Presentation on Certified Local Government Status, Jason Tish, Certified Local Government Coordinator

BACKGROUND

Jason Tish, Certified Local Government Coordinator for the State Historic Preservation Office, will present information on the State's Certified Local Government program.

RECOMMENDATION

ATTACHMENTS

None



AGENDA ITEM REPORT

MEETING DATE

June 26, 2024

PREPARED BY

AGENDA ITEM # 2.c

Consideration of Historic District and Site Nomination forms and processes

BACKGROUND

The final draft of the forms and review process are included in your packet for consideration.

RECOMMENDATION

ATTACHMENTS

1. Village of Mount Horeb_Nomination Process for Structures Sites
Entities_DRAFT_06-24
2. Village of Mount Horeb_Historic District Nomination Form_DRAFT_06-24
3. Village of Mount Horeb_Nomination Process for Historic Districts_DRAFT_06-24
4. Village of Mount Horeb_Nomination Form for Historic Structures, Sites or
Entities_DRAFT_06-24

NOMINATION PROCESS FOR STRUCTURES, SITES, OR ENTITIES MOUNT HOREB MUNICIPAL REGISTER OF HISTORIC PLACES

**Village of Mount Horeb Historic Preservation Commission
138 East Main Street, Mount Horeb, Wisconsin 53572**

1. A nomination form should be filled out and returned to the Village Clerk for submission to the Historic Preservation Commission. The form is entitled “Nomination Form for Structures, Sites or Entities,” and is available at the Municipal Building, on the Historic Preservation webpage of the Village of Mount Horeb website, or from any member of the Village of Mount Horeb Historic Preservation Commission. The Commission is available to the property owners, cultural resource agent or other representative for advice and reference in completing the application.
2. Nomination applications are reviewed throughout the year at regularly scheduled Commission meetings. Evaluation will follow the standards and criteria set forth in the Village ordinance, and follow the Commission's published nomination procedure (as outlined in this document).
3. If the nominated structure, site or entity meets the criteria set forth in the ordinance, a preliminary review session date may be set for the property owner and concerned parties to meet with the Commission. This session does not require notification of surrounding property owners. If the nominated structure, site or entity does NOT meet the criteria set forth in the ordinance, it will not move forward in the nomination process.
4. If the nomination is formally accepted for consideration by the Commission, the application must meet the criteria stated in the ordinance, and a Public Hearing date will be set and published. This process requires notifying property owners, nominating parties (or party) and other concerned individuals, including those within 200 feet of the boundaries of the property affected.
5. Within (10) ten days of the Public Hearing for a structure, site, or entity, the Commission will recommend approval of or deny the nomination, either action being subject to approval by the Board of Trustees.
6. The Municipal Register designation is only accomplished upon the recommendation of the Commission and approval by the Village Board.
7. The Village of Mount Horeb Historic Preservation Commission, subject to Village ordinance, recommends approval or denial of Municipal Register additions to the Village Board of Trustees. A vote for approval by the Village Board constitutes the designation, making the now-listed structure, site or entity subject to all the provisions of the Village of Mount Horeb Historic Preservation ordinance.



Village of Mount Horeb Municipal Register of Historic Places Nomination Form for Historic Districts

NOTE: To ensure necessary review time, completed forms are due at least 30 days prior to a regularly scheduled Village of Mount Horeb Historic Preservation Commission meeting.

1. Name of Property _____
Historic Name _____
Other names/Archeological Site Number _____
Address _____

2. Classification:

				Number of Resources		
Ownership/Designations (Check all that apply)		Property Category (Check all that apply)		Contributing	Non-Contributing	
☐	Private	☐	Building(s)			Buildings
☐	Public	☐	District			Sites
☐		☐	Site			Structures
☐	State Register	☐	Structure			Objects
☐	Federal Register	☐	Object			TOTAL

3. Attach one of the following*:

- Complete copy of State/Federal National Register application with maps and photographs
- Complete copy of draft of State/Federal Register application that is to be submitted, with maps and photographs
- Partial draft of State/Federal application with questions for Commission appended

***Contact the State Historic Preservation Office of the Wisconsin Historical Society for further information and to obtain the necessary forms to fulfill this requirement.**

4. Attach Historic Preservation Plan*.

5. Form prepared by: Name / Title _____
Organization _____ Date _____
Street Address _____ City/Town _____
State _____ Zip Code _____ Telephone _____
Email _____

6. Zoning designation(s) or district(s) _____

COMMISSION ACTIONS (for Commission use only) Committee hearing date _____
Committee recommendation (including brief justification) _____

Signature of Commission Chair _____ Date _____



NOMINATION PROCESS FOR HISTORIC DISTRICTS MOUNT HOREB MUNICIPAL REGISTER OF HISTORIC PLACES

**Village of Mount Horeb Historic Preservation Commission
138 East Main Street, Mount Horeb, Wisconsin 53572**

1. A nomination form should be filled out and returned to the Village Clerk for submission to the Historic Preservation Commission. The form is entitled "Nomination Form for Historic Districts," and is available at the Municipal Building, on the Historic Preservation webpage of the Village website, or from any member of the Historic Preservation Commission. Please note that a district nomination requires a Historic Preservation Plan accompany the nomination application. The Commission is available to the property owners, cultural resource agent or other representative for advice and reference in completing the application.
2. Nomination applications are reviewed throughout the year at regularly scheduled Commission meetings. Evaluation will follow the standards and criteria set forth in the Village ordinance, and follow the Commission's published nomination procedure (as outlined in this document).
3. If the nominated district meets the criteria set forth in the ordinance, a preliminary review session date may be set for the property owner and concerned parties to meet with the Commission. This session does not require notification of surrounding property owners. If the nominated district does NOT meet the criteria set forth in the ordinance, it will not move forward in the nomination process.
4. If the nomination is formally accepted for consideration by the Commission, the application must meet the criteria stated in the ordinance, and a Public Hearing date will be set and published. This process requires notifying property owners, nominating parties (or party) and other concerned individuals, including those within 200 feet of the boundaries of the proposed district.
5. Within (10) ten days of the Public Hearing for a district nomination, the Commission will recommend the district or deny the nomination, either action being subject to approval by the Board of Trustees.
6. The municipal register designation is only accomplished upon the recommendation of the Commission and approval by the Village Board.
7. The Village of Mount Horeb Historic Preservation Commission, subject to Village ordinance, recommends approval or denial of historic districts to the Village Board of Trustees for the Mount Horeb Municipal Register of Historic Places. The vote for approval by the Village Board constitutes the designation, making the district subject to all the provisions of the Village of Mount Horeb Historic Preservation Ordinance. Additionally, when the application and associated plan are approved by the Village Board, the Preservation Plan becomes a Village ordinance.



Village of Mount Horeb Municipal Register of Historic Places Nomination Form for Structures, Sites or Entities

NOTE: Please complete this form to the best of your ability. Attach additional sheets as needed, clearly referencing the associated number(s) on the Nomination Form. Village staff or Commission members may request additional information to enable a thorough evaluation. To ensure necessary review time, completed forms are due at least 30 days prior to a regularly scheduled Village of Mount Horeb Historic Preservation Commission meeting.

1. **Form prepared by:** _____ **Date** _____
Name _____
Address _____
City, State, Zip Code _____
Telephone _____
Email _____
2. **Owner** (if different than above)
Name _____
Address _____
City, State, Zip Code _____
Telephone _____
Email _____
3. **What is the historic name of this property?** _____
4. **What is the current name of this property?** _____
5. **Where is the property located?**
Address (street and number) _____
Legal Description _____

Tax Parcel Number _____
6. **Provide physical description** of exterior and the state of its current condition.



7. Do you know any of the following information?

The architect's name was _____

The builder's name was _____

The date of construction was _____

8. If a structure or entity, are you aware of any changes to the original fabric? Please check one or more boxes, as applicable.

- | | |
|---|--|
| ☐ additions | ☐ replacement siding or re-siding |
| ☐ removal of porches | ☐ removal of decorative details |
| ☐ replacement doors and/or windows | ☐ interior remodeling or updating |
| ☐ moved from its original location (<i>if moved, list why, from where and when in description below</i>) | |

Briefly describe any changes checked above:

9. Significance of the property

Period(s)	Area(s) of Significance (<i>check all that apply, and justify below</i>)				
Prehistoric	Archeology-prehistoric	Community planning	Landscape Architecture	Religion	
1400-1499	Archeology-historic	Conservation	Law	Science	
1500-1599	Agriculture	Economics	Literature	Sculpture	
1600-1699	Architecture	Education	Medicine	Social	
1700-1799	Art	Engineering	Military	Humanitarian	
1800-1899	Commerce	Exploration/settlement	Music	Theatre	
1900-1950	Communications	Historic personages	Native American life	Trails	
19 - -	*	Industry	Philosophy	Transportation	
20 - -		Invention	Politics/government	Other (specify)*	

Why do you think that this property should be listed in the Municipal Register? In one or two paragraphs, summarize its importance in the context of the Mount Hore area story.



(cont.)

10. What is known about the history of the property?

11. Reference list. For statements of fact, list sources of information. Attach photocopies when feasible.

Source _____ Page _____

Source _____ Page _____

Source _____ Page _____



12. Attachments

○ Photographs*

Please submit clear, recent photographs that show all sides of the exterior of the structure. Interior views of structures that highlight the construction, fabric and integrity are helpful, but not required. For properties with more than one building (i.e. farmsteads, industrial complexes or religious complexes), include photographs of all buildings and structures that make up the complex. **Submitted photographs will become a permanent part of the site record, and will NOT be returned.**

**For additional direction regarding preferred photograph composition and submission format, see page 5, "Photograph Information Sheet."*

○ Map

Submit a copy of the parcel map from Dane County's online land records system, found at <https://accessdane.danecounty.gov/Parcel>.

For properties with more than one building, photographs of the outbuildings should be keyed to this parcel map in order to indicate the relative relationship of the components. Please also indicate the location of any known former buildings, if they once were part of the complex. When possible, dates should be provided for all buildings.

○ Photocopies of historic photographs

While not required, historic photographs can be useful in evaluating changes to the property. When available, please provide photocopies of historic images, listing the source and date of the photograph. **DO NOT SEND ORIGINALS.**

Complete and return this form, along with recent photos and any additional attachments, to:

Historic Preservation Commission

Village of Mount Horeb
138 E Main Street
Mount Horeb WI 53572

COMMISSION ACTIONS (Applicant leave blank; for Commission use only.)

Committee hearing date _____

Committee recommendation (including brief justification) _____

Signature of Commission Chair _____ Date _____



Photograph Information Sheet

Photo composition

- Photos should be recent and clear.
- If you are using a digital or phone camera, set to the highest quality possible.
- Stand back far enough that you can see the whole building from top to bottom in one photo.
- Photograph each side of the structure.
- Interior photos, while not required, are also very helpful. Documentation of defining features (i.e. fireplaces, staircases, built-in furniture, decorative trim) can be illustrative of building techniques, architecture styles and historical integrity. It is not necessary to photograph every room.
- If there are multiple buildings on the property (as with farmsteads or a church campus), please photograph each building separately. Include a parcel map from Dane County's online land records system, found at <https://accessdane.danecounty.gov/Parcel>, and key the photographs to this map.

Photo submission

- Submit a set of standard size prints, commercially-produced or printed at a store.

OR

- Save your photos to a flash drive, and submit the flash drive and print-outs of each photo.
 - Save the images to the flash drive as a high quality jpeg. Use the file name to describe the photo (i.e. "front of house", "back of barn", "second floor staircase main house").
 - DO NOT crop or resize the images prior to saving them to the flash drive.
 - Remember to include a hard copy of the photos. These print-outs can be made on a home printer using regular printer paper.



AGENDA ITEM REPORT

MEETING DATE

June 26, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 2.d

Certified Local Government Application

BACKGROUND

Destinee Udelhoven drafted the attached letter for applying for Certified Local Government Status. Jason Tisch reviewed the application and said it looks great. The Historic Preservation code and section from our comprehensive plan relating to historic preservation are also attached and will be submitted along with the letter.

RECOMMENDATION

ATTACHMENTS

1. Village of Mount Horeb_CLG Application Letter_06-13-24_UDELHOVEN DRAFT #1_Letterhead
2. Ord 2024-01 Historic Preservation Commission amended
3. Village of Mount Horeb Comprehensive Plan 2022_Chapter 5 Cultural Resources



HERITAGE
COMMUNITY
OPPORTUNITY

VILLAGE OF MOUNT HOREB

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Mount Horeb, WI 53572
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June 15, 2024

Jason Tish
Certified Local Government Coordinator
State Historic Preservation Office
816 State Street, Room 305
Madison, Wisconsin 53706

RE: Certified Local Government Application

Dear Mr. Tish,

The Village of Mount Horeb recently recommitted to the protection and enhancement of our historic resources and the highly valued character and charm they lend to our community. A Historic Preservation Commission was granted standalone status to better focus on this important work, after decades of dormancy under the umbrella of the Plan Commission. This decision, unanimously approved by the Board of Trustees in January 2024, directly follows the recommendations and objectives of the Village of Mount Horeb 2022 Comprehensive Plan. [This guiding document can be found in its entirety online at <https://www.mounthorebwi.info/164/Economic-Development>; Chapter 5, “Cultural Resource Goals, Objectives, Policies and Programs”, is included in the attachments packet herein.]

At this time, the Village of Mount Horeb requests formal designation as a Certificated Local Government (CLG).

The following is a point-by-point review of the CLG request requirements, as listed on the Wisconsin Historical Society webpage “How Does My Community Become a Certified Local Government” (accessed June 2024 at <https://www.wisconsinhistory.org/Records/Article/CS4323>) :

- Assurance that the local government enforces appropriate state and local legislation for the designation and protection of historic properties and will coordinate its activities with the SHPO.

The Village of Mount Horeb, with support provided by the Historic Preservation Commission, is committed to enforcing appropriate state and local legislation for the designation and protection of historic properties and will coordinate these activities with the State Historic Preservation Office.

- A copy of the local historic preservation ordinance, including amendments.
See attachments.

PAGE 1 OF 3

- A list of properties and districts designated under the local ordinance, including proper names and addresses.

Although a standalone Village of Mount Horeb Historic Preservation Commission served briefly in the 1990s, a cursory study of the minutes does not reflect the creation of a Local Register, or the formal addition of any related property or district designations.

- A list of the local historic preservation commission members, including qualifications or expertise in fields related to historic preservation.

Member	Qualifications	Term Expiration
Marc Schellpfeffer	Architect and co-owner of Madison-based architectural firm; notably spearheaded restoration and redevelopment projects	Trustee Member 04/20/27
Megan Ince	Archivist and Historian	05/01/25
Maura Overland	Public Historian/Museum Specialist; experience as Preservation/Restoration Consultant	05/01/25
Jackie Sale	Local Historian and Preservation Advocate; citizen member of 1990s Village of Mount Horeb HPC	05/01/25
Destinee Udelhoven	Public Historian/Museum Director; experience as Archaeological Technician; citizen member of Village of Mount Horeb Plan Commission; former citizen member of City of Portage Historic Preservation Commission	05/01/25

- If the local preservation commission does not include professional members from the disciplines of history, architectural history, architecture, or archaeology, a statement demonstrating that the local government has made reasonable efforts to appoint such members.

n/a

- If the disciplines of history, architectural history, architecture and archaeology are not all represented on the commission, a proposal on how the local preservation commission will obtain such expertise needs to be submitted to the SHPO. This expertise is necessary to review National Register of Historic Places nominations or take other delegated actions that will impact properties normally evaluated by professionals in these disciplines.

n/a

- A copy of the local historic preservation plan or a brief statement describing the local preservation program.

Although a formal preservation plan is not yet in place, the above referenced and attached Village of Mount Horeb Comprehensive Plan, Chapter 5 “Cultural Resource Goals, Objectives, Policies and Programs” is a thorough

and ambitious preservation-centered vision for the future of our community. It is based on an accepted understanding that Mount Horeb's historic fabric and character are assets worth protecting, preserving and promoting.

- If appropriate, a list of any additional duties, responsibilities or activities that the local government agrees to undertake if certified.

The Village of Mount Horeb HPC, in partnership with the Mount Horeb Area Historical Society/Driftless Historium, is committed to providing free and accessible educational outreach and program opportunities related to local history and historic preservation.

- If all of the above requirements are not currently met, a statement must be included indicating how and when they will be fulfilled.

n/a

Thank you for your consideration of this request. For the most expedient attention, please direct any questions or concerns to Village Administrator Nic Owen by email at nic.owen@mounthorebwi.info or by telephone at 608-437-9409, extension 2109.

Respectfully,

Ryan Czyzewski
Village President

PAGE 3 OF 3

VILLAGE OF MOUNT HOREB
ORDINANCE 2024-01

AN ORDINANCE TO AMEND SECTION 1.31 HISTORIC PRESERVATION COMMISSION
and 17.17 HISTORIC PRESERVATION

1.31 Historic Preservation Commission.

- (1) Membership. ~~The Village Plan Commission also acts as the Historic Preservation Commission.~~ ***The Historic Preservation Commission shall consist of 5 members: 1 representative of the Village Board and 4 citizen members appointed by the Village President subject to confirmation of the Village Board. Citizen members shall be selected to include members with expertise in the following areas: architecture, history, planning, architectural history, archeology, conservation or other closely related fields.***
- (2) Powers and duties. The Historic Preservation Commission shall have the powers and duties as prescribed in § 17.17 of this Municipal Code.

17.17. Historic preservation.

- (1) Purpose and intent. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural, archeological or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this section is to:
 - (a) Effect and accomplish the protection, enhancement and preservation of such improvements, sites and districts which represent or reflect elements of the Village's cultural, social, economic, political and architectural history.
 - (b) Safeguard the Village's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures, sites and districts.
 - (c) Stabilize and improve property values, and enhance the visual and aesthetic character of the Village.
 - (d) Protect and enhance the Village's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (2) Definitions. As used in this section, the following terms shall have the meanings indicated:

CERTIFICATE OF APPROPRIATENESS — The certificate issued by the Commission approving alteration, rehabilitation, construction, reconstruction or demolition of an historic structure, historic site or any improvement in an historic district.

COMMISSION — The Historic Preservation Commission under § 1.31 of this Municipal Code.

HISTORIC DISTRICT — An area that contains two or more historic improvements or sites, which has been designated an historic district pursuant to the provisions of this section.

HISTORIC SITE — Any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which an historic event has occurred, and which has been designated as an historic site under this section, or an improvement parcel, or part thereof, on which is situated an historic structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.

HISTORIC STRUCTURE — Any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the Village, state or nation and which has been designated as an historic structure pursuant to the provisions of this section.

IMPROVEMENT — Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.

(3) Historic structure, historic site and historic district designation criteria.

- (a) For purposes of this chapter, an historic structure, historic site, or historic district designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural, archeological or cultural significance to the Village, such as historic structures, sites or districts which:
 - 1. Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community;
 - 2. Are identified with historic personages or with important events in national, state or local history;
 - 3. Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method or construction, or of indigenous materials or craftsmanship;
 - 4. Are representative of the notable work of a master builder, designer or architect who influenced his age; or
 - 5. Have yielded, or may be likely to yield, information important to prehistory or history.
- (b) The Commission shall adopt specific operating guidelines for historic structure and historic site designation, providing such are in conformance with the provisions of this chapter.
- (c) The Commission ~~shall~~ may select geographically defined areas within the Village to be designated as historic districts and shall prepare an historic preservation plan for each area. An historic district may be designated for any

geographic area of particular historic, architectural or cultural significance to the Village, after application of the foregoing criteria. Each historic preservation plan prepared for or by the Commission shall include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development, and a statement of preservation objectives.

(4) Historic preservation commission powers and duties.

(a) Designation.

1. The Commission shall have the power to recommend designation of historic structures, historic sites and historic districts within the Village limits. All historic structure, historic site and historic district designations shall be made by the Village Board and shall be made pursuant to Subsection (5) hereof.
2. Once designated, such historic structures, sites and districts shall be subject to all the provisions of this section and shall continue to be subject to all other provisions of this Chapter 17, Zoning Code, of this Municipal Code, including those provisions and requirements specific to the particular zoning district in which the said historic structure, site or district is situated.

(b) Regulation of construction, reconstruction, alteration and demolition.

1. No owner or person in charge of an historic structure, historic site or structure within an historic district shall reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless a certificate of appropriateness has been granted by the Commission. Also, unless such certificate has been granted by the Commission, the Building Inspector shall not issue a permit for any such work.
2. Upon filing of any application for a certificate of appropriateness with the Commission, the Commission shall approve the applications unless:
 - a. In the case of a designated historic structure of historic site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done;
 - b. In the case of the construction of a new improvement upon an historic site, or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance or other neighboring improvements on such site or within the district;
 - c. In the case of any property located in an historic district, the

proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this section and to the objectives and design criteria of the historic preservation plan for said district;

- d. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the Village ~~and~~ or state;
 - e. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.
- 3. If the Commission determines that the application for a certificate of appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the certificate of appropriateness. The Commission shall make this decision within 45 days of the filing of the application.
 - 4. This issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the Village. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the certificate of appropriateness required for the proposed work.
 - 5. Ordinary maintenance and repairs may be undertaken without a certificate of appropriateness, provided that the work involves repairs to existing features of an historic structure or site or the replacement of elements of a structure with pieces identical in appearance, and provided that the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit.
- (c) Appeals. Should the Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the guidelines, the applicant may appeal such decision to the Village Board within 30 days. In addition, if the Commission fails to issue a certificate of appropriateness, the Commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the guidelines of the section.
 - (d) Recognition of historic structures, sites and districts. At such time as an historic structure, site or district has been properly designated, the Commission, in cooperation with the property owner, may cause to be prepared and erected on such property, at Village expense, a suitable plaque declaring that such property is an historic structure, site or district.

(5) Procedures.

(a) Nominations.

1. *Nominations for designation of a single property or a historic district under this chapter may be submitted to the Commission by an resident of the Village of Mount Horeb. The Commission shall review the nomination for completeness and eligibility under at least one of the criteria in 17.17 (3)(a). The Commission, at its discretion, may then forward the nomination to the Village Board along with its recommendation for or against designation.*

~~Nominations to designate historic structures and historic sites may be made to the Commission by any person with a legal interest in the real estate subject to such designation (i.e., the owner or a purchaser under an accepted offer to purchase) on forms prescribed by the Commission, which shall be available from the Village office. Such nominations may also be made by the Commission itself or by the Village Board.~~

- ~~2. Only the Commission or Village Board may nominate real estate for the creation of an historic district.~~

- (b) Hearing. The Commission shall hold a public hearing to consider nominations for designation as historic structures and historic sites and for creation of historic districts. Notice of the time, place and purpose of the hearing shall be given to the owners of record, as listed in the Village tax roll, of the nominated property or whose property is situated in whole or in part within ~~200~~ 300 feet of the said property. The notice of hearing shall be mailed to said owners at least 10 days prior to the hearing date.

- (c) Commission recommendation. Following the hearing, the Commission shall vote on the nomination and make its recommendations thereon to the Village Board.

(d) Board action.

1. Designation of historic structures and historic sites. Upon receipt of the recommendations from the Commission, the Village Board shall either designate the property an historic structure or an historic site or rescind such designation. After the designation or rescission has been made, the property owner or owners shall be notified of the Board's action. Any designation or rescission hereunder shall be recorded, at Village expense, in the Dane County, Wisconsin, Register of Deeds Office.
2. Creation of historic district. Upon receipt of the recommendations from the Commission, the Village Board shall either designate or reject the historic district. Creation of the historic district shall constitute adoption of the plan prepared for that district and direct the implementation of said plan.

- (6) Interim control. No building permit shall be issued by the Building Inspector for

alteration, construction, demolition, or removal of a nominated historic structure, historic site, or any property or structure within a nominated historic district from the date of the meeting of the Commission at which a nomination form is first presented until the final disposition is authorized by formal resolution of the Village Board as necessary for public health, welfare, or safety. In no event shall the delay be for more than 180 days.

- (7) Penalties for violations. Any person or persons violating any provision of this section shall be fined \$50 plus the cost of prosecution for each separate violation. Each and every day during which violation continues shall be deemed to be a separate offense. Notice of violations shall be issued by the Building Inspector.

Introduced and passed this 3rd day of January, 2024.

APPROVED:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

Chapter Five: Cultural Resources

Cultural resources are the invaluable assets that offer a tangible connection between a community's past and present; and often embody the community's unique character, values, and ideals. Cultural resources include historic buildings and structures, archeological sites, landscapes, and elements of local heritage. Cultural resources are often overlooked in planning efforts but are critical components of not only how a community views itself, but also the perception of the Village to the outside world. Mount Horeb has a multitude of past and present cultural resources including the annual Thirsty Troll Brew Fest, Art Fair, Octoberfest, and other festivals; the community's historic downtown and Driftless Historium; its public art program and troll sculptures; and Norwegian history. All local context and existing plans related to the Village's cultural resources can be found in Appendix A.

CULTURAL RESOURCES RECOMMENDATIONS SUMMARY

- Preserve historic districts, structures, and archeological resources.
- Maintain and enhance the Village's unique community character.
- Continue to market Mount Horeb to new residents and tourists leveraging the community's many assets.
- Enhance and expand on community engagement opportunities for residents.

Cultural Resource Goals, Objectives, Policies, and Programs

Goal:

1. Preserve, enhance, and build on Mount Horeb's cultural heritage, historic character, and small-town charm.

Objectives:

1. Promote the historic downtown area as the Village's community center and gathering place.
2. Identify and protect unique historic and archeological areas within the Village and planning area.

Policies:

1. Promote the restoration and rehabilitation of historic buildings to enhance viable economic use of these structures, especially downtown as community focal points. Support adaptive reuse of these structures in a manner which protects their integrity.
2. Encourage the preservation of historically and architecturally significant structures/districts and archeological resources in the Village, especially the historic residences. Update records and mapping to fully document these resources and support the nomination of new historic structures to the National Register of Historic Places.
3. Work with local organizations like the Mount Horeb Area Historical Society and property owners to protect resources that contribute to the Village's character.
4. Support community events and programs which celebrate the history and culture of Mount Horeb, in conjunction with the Mount Horeb School District, Chamber of Commerce, Historic Society, churches, clubs, and other groups.
5. Ensure that redevelopment is compatible with the historic character of historic buildings.
6. Continue to promote and leverage Mount Horeb's historical resources as unique local and regional tourist attractions and encourage new businesses which support those attractions.
7. Continue to implement the recommendations of the Village of Mount Horeb Downtown Redevelopment Plan.
8. Through the full rewrite of the Zoning Ordinance, incorporate local historic standards to improve clarity, definitions, requirements, application, administration, and user-friendliness.
9. Establish property maintenance standards within the Municipal Ordinance to further promote the upkeep and maintenance of older buildings throughout the Village.
10. Explore the creation of a stand-alone Historic Preservation Committee/Commission to advance preservation efforts in the Village.

Cultural Programs and Recommendations:

Preserve Historic Districts and Buildings

Mount Horeb has had success in preserving the historic character of its downtown and the central area of the Village. To ensure that the historic character of the Village is protected, the Plan Commission should continue to review any new construction or the exterior remodeling, renovation, or modification to existing structures in the downtown area to ensure that it meets certain aesthetic standards.

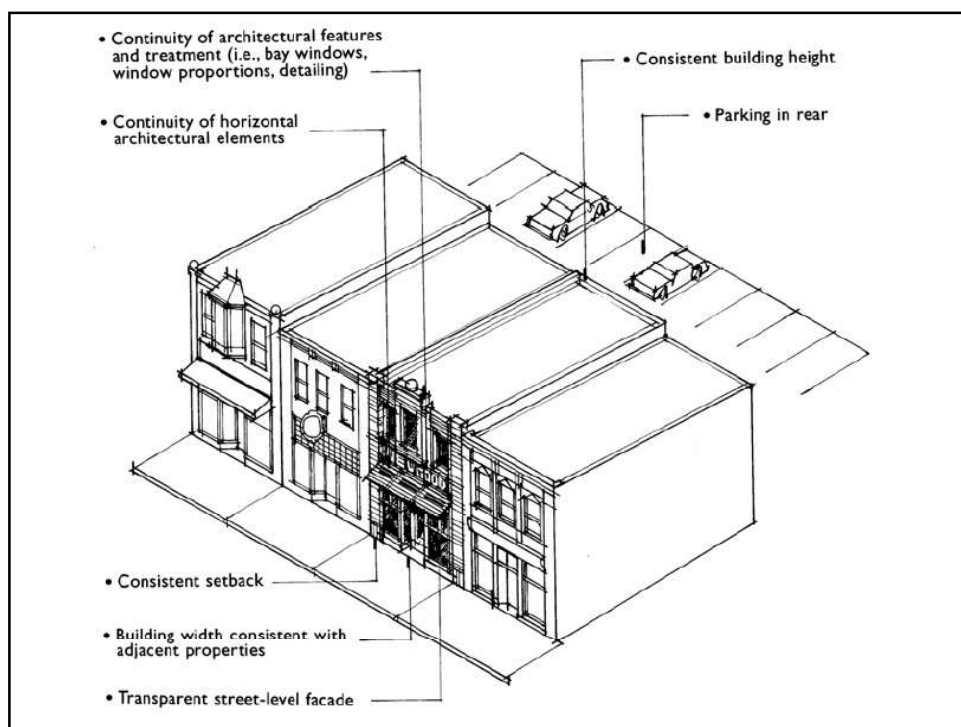
The Village should work with property owners and the Mount Horeb Area Historical Society to list additional properties worthy of attention on the National or State Registers of Historic Places. Once a district or single property is listed on the

State or National Register, there are economic incentives available to private landowners interested in protecting their properties. These incentives help offset additional costs that may be necessary to comply with other, more regulatory aspects of an historic preservation program. The primary economic incentive for historic preservation is in the form of tax credits, as described further in Appendix A. It is recommended that the Village continue to educate property owners on resources available to assist with historically sensitive remodeling projects.

Continue to Preserve and Enhance the Character of Historic Structures

Mount Horeb has a Historic Preservation Ordinance which provides design standards for new construction, reconstruction, alteration, and demolition. While perhaps not every old building will be retained, infill, redevelopment, and rehabilitation projects of historic structures should maintain the historic character of Mount Horeb. This applies mainly to buildings and sites in the downtown area that have been designated a historic structure, site, or district by the Village's Historic Preservation Commission. Figure 5.1 illustrates some basic downtown design standards that are mirrored in the Village's Zoning Ordinance.

Figure 5.1: Model Downtown Design Guidelines



Protect Archeological Resources

Archeological sites and cemeteries are located in the Mount Horeb planning area identified in the Wisconsin Archeological Site Inventory (ASI). Interested individuals who own archeological sites that are listed on these registers, or believe that an archeological site on their property may be eligible for the State and National Register, can take advantage of some tax breaks. If a site is listed, and if the owner signs a protective covenant, the land included under the covenant can be made exempt from general property taxes. Depending on the size of the site and the local tax rate, signing a covenant can provide substantial savings for the land owner.

To avoid disturbing any known archeological site during development, this Plan advises that the Village make a specific request to the State Historical Society for more detailed information when a specific development proposal is offered on land in an area where a known historic or archeological site has been mapped, if its location is not readily apparent.

Maintain and Enhance Mount Horeb's Unique Community Character

"Community Character" is a term often used to describe the way a community looks, feels, and functions. As Mount Horeb continues to evolve over time, the community will be challenged to maintain and enhance its small-town character. The good news is that many community character objectives can be pursued without raising taxes or spending a lot of money. Rather, by enforcing regulations and standards that specifically address the aesthetic components of development, such as architecture and building materials, the thoughtful integration of open space and community gathering places, and the preservation of attractive community entryways and historic and culturally significant features, the Village can do a lot to ensure that new development and redevelopment projects have a positive impact on the way the community looks and feels to residents and visitors.

Paying attention to and preserving the characteristics that make communities like Mount Horeb such desirable places to live will help better protect and build upon the Village's existing assets. It is recommended that the Village of Mount Horeb strive to enhance and maintain the following characteristics:

- Development that is designed for people and intended to facilitate human interaction through provision of gathering places, pedestrian connections, buildings and sites oriented more toward people instead of cars, and new neighborhoods based on "Traditional Neighborhood Design" principles, mimicking the character of the Village's existing central neighborhoods (see description of this concept in the Housing and Neighborhood Development chapter).
- Continued partnership with the Driftless Historium, a key community asset attracting people from the entire region.
- A distinguishable downtown area, which functions as the community's unique and principle focal point for civic, social, and commercial activities.
- Development that reflects the full range of the Village's ethnic and cultural diversity within the context of a shared sense of common purpose and community pride.
- New development that is compact and mixes uses to maintain comfortable walking and biking to key destinations (e.g., the downtown, parks, schools, and Planned Neighborhood areas).
- An overall mix of land uses that allows all residents to meet daily needs in the community, minimizing their need to drive long distances to find basic goods and services.
- Development that is balanced: commercial/residential balance, open space/development balance, and balance of diverse housing types to meet different people's needs.
- Land uses that are blended in a compatible manner with mixed use buildings encouraged in appropriate areas.
- A uniform public signage theme throughout the community with signs constructed of appropriate materials.
- A "hard-edge" between urban and countryside, and a focus on the preservation of open space and agricultural lands in the area.
- Any new big box stores and large retail chain development should be held to high-quality design standards to reflect the Village's character.
- Supporting local events and attractions that celebrate the community's culture, diversity, and history.



Market the Community to New Residents and Tourists

Mount Horeb has many assets mentioned throughout this Plan. In order to maintain and grow those assets, it is important for the Village to increasingly market itself. In particular, the community has an opportunity to distinguish itself as a place where people in all stages of life want to live, in part because of its recreational, cultural, historic, and locational components.

Over the next twenty years, it is critically important for Mount Horeb to work with the Chamber of Commerce and other local groups and organizations to promote, market, and attract new residents to the community. This can be done through continuing to build on the Village's branding as a unique, active, and progressive community with a wide variety of amenities and assets, all of which can be leveraged to bring new residents and tourists to the area. Some of the Mount Horeb's assets and amenities include:

- Access to high-quality natural resources, regional trails, local park system and programming, winter destinations, and State and County Parks.
- Proximity to regional destinations and employment centers, in particular possibilities for people to work from home.
- Historically significant downtown and homes.
- Village's "small town" feel.
- Year-round local events and festivals.
- Mount Horeb Area School District's reputation and workforce preparedness programs.
- The Village offers a full-service community that provides all of the services that families need.
- Well-established tourist destination offering multi-use trails, unique businesses and restaurants, public art, gathering spaces, and a museum.
- Engaged and committed community members and volunteer base.
- High level of walkability throughout the community.

- Architectural standards throughout the community that create a unique sense of place distinctly different than a suburban feel.

Together, these assets and amenities provide residents of Mount Horeb with a high quality of life and make the community very attractive to existing and new residents and visitors. It is recommended that the Village and its local partners continue to enhance the livability of the community and market these unique assets in bringing new residents to Mount Horeb.

Preserve Community Entryways

In order to establish community character at the edges of the Village, it is recommended that all unique aesthetic qualities of the community's entryways be protected and enhanced through the use of zoning standards requiring high-quality landscaping, building design, signage, lighting, and public furnishings. High quality public entry signs and/or public art should also be used to formally announce entry. It is recommended that through the full Zoning Ordinance rewrite process, the Village consider overlay districts in these areas, in addition to transitioning areas to address building heights, setbacks, stepbacks, building design, buffering, landscaping, and signage. The primary entryways into Mount Horeb are its visual front doors, these include:

U.S. Highway 151 Interchanges

There are two interchanges along USH 151 located at the edge of the Village's boundaries. Each serve as the most important entryway points into Mount Horeb. In the long term, it is recommended that the Village strive to improve the entryway experience on the east and west ends of the Village through improved building design, landscaping, and controlled access. Each interchange is an important component of the entryway experience. It is in both the Village's and Town's interest to limit the spread of strip commercial development around these interchanges. The use of Planned Mixed Use, Planned Neighborhood, and other similar land use designations can accomplish this objective – in proper combination with agricultural zoning.



The eastern interchange of Springdale Street and USH 151 has experienced growth on both the northeast and northwest sides of the interchange, while south of USH 151 remains in agricultural use. It is anticipated that development pressure to expand the Village boundary south of USH 151 will occur over the planning period. It is recommended that any future development in this area be high-quality and match existing aesthetic and architectural standards established throughout the community.

The western interchange of West Main Street and USH 151 is outside of the existing Village boundary, with some recent development that has occurred in the Town of Blue Mounds. It is also anticipated that during the planning period, development pressure will increase in this area from both the Town and Village. In order to protect this interchange from premature and possibly detrimental new development, an intergovernmental agreement with the Town of Blue Mounds for the areas around this interchange should be prioritized.

STH 78 and CTH S Intersection

Near the Village's northern-most boundary lies another important community gateway. With the increased growth to the west of both Middleton and Verona, more Village residents and visitors are using CTH S to get to and from the greater the Madison area. Careful planning and consideration should be utilized when any new development is proposed around this interchange to protect and enhance this area as a key community gateway. In the long-term, it will be important that the well-established community edge between urban and rural be maintained going north of the Village.

Expand Community Engagement Opportunities

Mount Horeb, like many other small communities, is limited in the resources available to engage its residents. However, the Village has played an active role in utilizing diverse methods and tools to keep residents involved including social media channels, websites, newspaper articles, flyers, Trollway TV, and the Main Street banner. Additionally, there are numerous events throughout the year that provide opportunities for the community to get together for recreation and educational purposes. It is recommended that the Village continue to diversify its public engagement opportunities, especially related to engagement of younger residents under 25 years old. Further, many residents expressed interest through this process in continuing and expanding on several educational events related to sustainability, equity, ethnic and racial diversity, and more. The best way to accomplish expanding the Village's community engagement opportunities is through partnerships with the School District, UW-Extension, the Library, and others.



AGENDA ITEM REPORT

MEETING DATE

June 26, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 2.e

HPC Training: Chapter 1 The History of Historic Preservation

BACKGROUND

[Chapter 1 The History of Historic Preservation](#)

RECOMMENDATION

ATTACHMENTS

None



AGENDA ITEM REPORT

MEETING DATE

June 26, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 2.f

Review Village Ethics Code

BACKGROUND

Village President Czyzewski asked that all committees review the Village Ethics Policy annually, so it is fresh on committee members' minds. No action is needed on this item.

RECOMMENDATION

ATTACHMENTS

1. Code of Ethics For Approval 8.9.22

Ethics Code

1. Statement of Purpose.

- (a) 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 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 Code of Ethics for all Village of Mount Horeb officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the Village.
- (b) 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 Village of Mount Horeb and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village. The Village Board 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 Village in their elected and appointed officials and employees. The Village Board hereby reaffirms that each elected and appointed Village 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 Village of Mount Horeb.

2. Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Public Official.** 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 Village President and/or Village Board pursuant to this Code of Ordinances, whether paid or unpaid.
- (b) **Public Employee.** Any person excluded from the definition of a public official who is employed by the Village.
- (c) **Anything of Value.** 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.
- (d) **Business.** Means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.
- (e) **Personal Interest.** The following specific blood or marriage relationships:
 - (1) A person's spouse, mother, father, child, brother or sister; or
 - (2) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half ($\frac{1}{2}$) support from such person or from whom such person receives, directly or indirectly, more than one-half ($\frac{1}{2}$) of his support.
- (f) **Significant Interest.** Owning or controlling, directly or indirectly, at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of the outstanding stock of at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of any business.

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- (g) **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.
 - (h) **Staff.** Any full- or part-time employee of the Village.

3. 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:

- (a) **Sec. 19.59.** State Ethics Law.
- (b) **Sec. 946.10.** Bribery of Public Officers and Employees.
- (c) **Sec. 946.11.** Special Privileges from Public Utilities.
- (d) **Sec. 946.12.** Misconduct in Public Office.
- (e) **Sec. 946.13.** Private Interest in Public Contract Prohibited.

4. 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. Their conduct in both their official and private affairs should be above reproach so as to foster respect for government.

5. Dedicated Service.

- (a) Officials and employees should adhere to the rules of work 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.
- (c) Members of the Village staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethics codes with the Village Clerk. The Village Clerk may notify the appropriate professional ethics board of any ethics violations involving Village employees covered by such professional standards.

6. Fair and Equal Treatment.

- (a) **Use of Public Property.** No official or employee shall use or permit the unauthorized use of Village-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 Village policy for the use of such official or employee in the conduct of official business, as authorized by the Village Board or authorized board, commission or committee.
- (b) **Use of Village Stationery.** No official or employee shall use, or permit the unauthorized use of, Village stationery for personal use.

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- (c) **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. No official or employee shall use or attempt to use his or her position with the Village to secure any advantage, preference or gain, over and above his rightful remuneration and benefits, for himself or for a member of his or her immediate family.
 - (d) **Political Contributions.** No official shall personally solicit from any Village employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this Chapter is a candidate or treasurer.

7. Conflict of Interest.

(a) Financial and Personal Interest Prohibited.

- (1) No official or employee of the Village, 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 judgment or action in the performance of official duties.
- (2) Any member of the Village Board who has a financial interest or personal interest in any proposed legislation before the Village Board shall disclose on the records of the Village Board the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation.
- (3) Any non-elected official who has a financial interest or personal interest in any proposed legislative action of the Village Board 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 Village Board 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.
- (4) Any Village employee who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the employee has any influence of 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 Village Board or the appropriate board, commission or committee the nature and extent of such interest.

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

(c) Gifts and Favors.

- (1) No official or employee, personally or through a member of his 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.
- (2) No official or employee personally, or through a member of his immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which could reasonably be expected to impair his independence of judgment or action in the performance of his duties or grant in the discharge of his 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 hospitality that is unsolicited and unrelated to government business, such as a meal, and that is not intended to influence the official.

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- (3) 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 Village 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, as a properly reported political contribution, from citizens for the purpose of supporting the candidate's campaign. (The State Ethics Board has interpreted "hospitality" as it applies to state officials as including meals, beverages and lodging which a person offers at his residence and would have been offered if the recipient was not an official).
- (4) Gifts received by an official or employee or his immediate family under unusual circumstances shall be referred to the Village Board 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 Village Board. Failure to comply with this reporting requirement shall constitute an offense under this Chapter.
- (d) **Representing Private Interests Before Village Agencies or Courts.**
- (1) Non-elected Village officials and employees shall not appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any Village agency, board, commission or the Village Board 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 Village officials may appear before Village 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, the disclosure requirements of Subsection (a) above shall be applicable to such appearances.
- (e) **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 Village Board that such interest exists.
- (f) **Contracts with the Village.** No Village official or employee who, in their 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 Village unless, within the confines of Sec. 946.13, Wis. Stats.:
- (1) The contract is awarded through a process of public notice and competitive bidding or the Village Board waives the requirement of this Section after determining that it is in the best interest of the Village to do so.
- (2) The provisions of this Subsection shall not apply to the designation of a public depository of public funds.

8. Advisory Opinions.

When an official or employee has doubt as to the applicability of a provision of this Ethics Code to a particular situation or definition of terms used in this Chapter, he should apply to the Village Administrator for an advisory opinion from the Village Attorney and will be guided by that opinion when given. The official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicability provisions of this Chapter before such advisory decision is made. This Chapter shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary, but determined by the Village Attorney to be more

appropriate or desirable. 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.

9. Hiring Relatives.

- (a) This Section governs the proposed hiring of individuals for full-time or part-time work as Village employees who are members of the immediate family of Village employees or elected officials. "Immediate family" includes those relatives by blood or marriage defined in Section 2(e) as personal interests.
- (b) Hiring an immediate family member of any current Village employee or elected Village official will be considered only if that individual has the knowledge and skills, experience or other job-related qualifications that warrant consideration for the position. A person cannot be hired for either full-time or part-time employment in a position immediately supervised by a member of that person's immediate family.
- (c) This Section does not apply to non-elected officials who are asked to accept appointment as members of a Village 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 Village.

10. Employees Covered by Collective Bargaining Agreements.

In the event an employee, covered under a collective bargaining agreement, is allegedly involved in an Ethics Code violation, the terms and conditions set forth in the applicable collective bargaining agreement shall prevail in the administration and interpretation of this Ethics Code Chapter.

11. Employee Protection.

No appointing authority, agent of an appointing authority or supervisor may initiate or administer, or threaten to initiate or administer, any retaliatory action against a Village employee following an employee's disclosure of information related to the violation of any federal or state law, rule or regulation, the mismanagement or abuse of authority, a substantial waste of public funds, or a danger to public health and safety. Nothing in this Section restricts the right of the Village as an employer to take appropriate disciplinary action against an employee who knowingly makes an untrue statement or discloses information, the disclosure of which is specifically prohibited by federal or state law, rule or regulation.