

CITY OF MADISON ETHICS BOARD COMPLAINT FORM

1. All complaints must be made in writing. Completion of this form is not required, but this form is designed to assist you in providing the required information. For more information please refer to the Ethics Board Policy Manual and Madison General Ordinance Section 3.35. For additional information, contact The Office of the City Attorney at (608) 266-4511. The Ethics Board Policy Manual is available on the Office of the City Attorney's website.
2. Complaints shall be directed to the attention of the Ethics Board at the City of Madison, c/o City Attorney's Office, 210 Martin Luther King, Jr. Boulevard, Room 401 City-County Building, Madison, WI 53703.
3. The complaint shall be made under oath and may be made on information and belief.¹

COMPLAINANT INFORMATION

YOUR NAME			
Alex Singer			
ADDRESS			
410 Luster Avenue			
CITY		STATE	ZIP
Madison		WI	53704
HOME PHONE	DAYTIME PHONE	EMAIL ADDRESS	
	608-395-1417	alexcsinger@gmail.com	

RECEIVED
Office of City Attorney
JUL 25 2016

SUBJECT OF COMPLAINT

NAME		
Jane Nicholson		
ADDRESS (IF KNOWN)		
3330 Atwood Avenue		
CITY	STATE	ZIP
Madison	WI	53704
POSITION/OCCUPATION WITH THE CITY	PHONE (IF KNOWN)	
Director of Education, Olbrich Botanical Gardens	608-246-4550	

The purpose of the Ethics Board is to see that the Code of Ethics as outlined in Section 3.35 of the Madison General Ordinances is uniformly applied to all City of Madison employees and officials. The areas of responsibility include, but are not limited to: (a) Fair and Equal Treatment, (b) Conflict of Interest, (c) Incompatible Employment, (d) Disclosure of Confidential Information, (e) Gifts and Favors, (f) Political Activity, (g) Campaign Contributions, (h) Disclosure of Economic Interests, and (i) Real Estate Disclosure.

NATURE OF COMPLAINT²

SECTION VIOLATED	
<p>By having me dismissed as an education volunteer due to my "not following protocol" when trying to establish a Spanish-language conservatory tour, and then later lying to Head Park Ranger J. Schmitt concerning the nature of my involvement at a meeting of conservatory docents weeks later leading to my being banned from Olbrich Botanical Gardens for 60 days, I believe that Ms Nicholson violated letters a. and c. in the paragraph from the Madison Ethics Code Simplified that states it is "to insure that City elected officials, employees, and appointees (a) act impartially, responsibly and independently ... and (c) serve the public interest rather than some private interest."</p>	

¹ "Information and Belief" means that, while you may not have firsthand knowledge, you are willing to swear under oath that you have a firm belief that it is true.

² The "Nature of the Complaint" is a short general statement of the alleged breach of ethics. For example, a statement related to a violation of the above-listed areas of responsibility: (a) Fair and Equal Treatment, (b) Conflict of Interest, (c) Incompatible Employment, (d) Disclosure of Confidential Information, (e) Gifts and Favors, (f) Political Activity, (g) Campaign Contributions, (h) Disclosure of Economic Interests, and (i) Real Estate Disclosure, is appropriate.

FACTS

The facts constituting the alleged breach of ethics must be set forth in detail with clearness and certainty. Please reference specific sections within Madison General Ordinance Section 3.35 which you believe to have been violated. Attach additional sheets as required.

After failing to receive timely (weeks) responses to my emails proposing the creation of a Spanish-language tour of the tropical conservatory at Olbrich Botanical Gardens from my supervisor as a docent for the past five years, the Director of Education, Jane Nicholson, I scheduled a test tour in mid-March for 10 people via contacts in the community. I notified her the night before via email. I was shown an email from her the next morning when I arrived at Olbrich (I do not have internet connection at home) insisting that I stop the tour and that I wasn't authorized to lead anyone around. I had no contact information for the tour members, but it became a moot point when no one showed up. Ten days later I received a letter informing me that I was being dismissed as an education volunteer but that I could meet with the Gardens' director, Roberta Sladky, and the Education Director, which I did about a week later. After going around and around, and with very little input from Ms Nicholson, I finally asked her point blank why she didn't want me as an education docent any more (since my behavior was not so egregious that they weren't willing to keep me on as a volunteer elsewhere), and all she could say was that I hadn't "followed protocol." It seems to me that that might warrant a "please don't do that again," not dismissal.

Multiple communications with the Supervisor of Madison City Parks, Eric Knepp, appealing this decision also led nowhere, though he did ultimately acknowledge receipt of my email and promise to look into the matter. Since I had no other way to communicate with them except via Ms Nicholson, I decided to attend the monthly conservatory docent meeting on May 16 (at which, ironically, I'd been scheduled to lead a discussion) to bid the other docents farewell and to inform them why I was no longer a docent. I waited until there was a lull in the conversation and then apologized for the interruption, after which I did what I'd come to do. At no time did I raise my voice or move threateningly, not even when Ms Nicholson repeatedly asked that I leave (which she did only once I started explaining my dismissal), which I did about five minutes later.

This time, Mr. Knepp was quick to respond, sending me a letter three days later together with a form indicating that I was banned from going to Olbrich Botanical Gardens for 60 days due to "Showing up to Docent meeting at Olbrich uninvited and creating a disturbance and inhospitable environment. Singer was asked to leave and refused to do so. He was then escorted out of the building under trespass ordinance." Knepp went on to concur with my dismissal from the education docent program (though he mistakenly thought altogether as an Olbrich volunteer) due to "specifically your disruptive behavior and failure to follow your supervisor's direction on assigned duties," even though this ostensible disruptive behavior occurred long after the dismissal and at no time did I fail to follow Ms Nicholson's direction.

The undersigned, under oath, states that he or she has read the foregoing complaint and that the information contained in it is true and correct based on his or her personal knowledge, except for those matters alleged on information and belief and as to those matters, the undersigned believes them to be true and correct.

[Handwritten signature]

Subscribed and sworn before me
this 14th day of July, 2016.

[Handwritten signature]

NOTARY PUBLIC *Lori A. Yaun*

7/9/2019
My Commission expires (is permanent) _____ (seal)

