

The meeting was called to order at 8:35 PM by Chair Kim Olson with the following roll call:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Kim Olson	Chair	Present	
Joseph Riese	Aldersperson	Present	
Jack Abbott	Aldersperson	Present	

Others present: Ald. Bob Smith (left @ 8:47), Ald. Henkel (left @ 8:38), Ald. Roger Smith, Chief Toellner, Lt. Johnson, Brad Marx, Tracy Nadolski, Lisa Zimmer, Elijah Riese, Sara Decker

**APPROVAL OF MINUTES**

**Approve the Minutes of the July 25, 2022 Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Joseph Riese, Aldersperson
<b>SECONDER:</b>	Jack Abbott, Aldersperson
<b>AYES:</b>	Olson, Riese, Abbott

**CITIZEN COMMENTS**

None.

**OTHER ITEMS OF DISCUSSION/POSSIBLE ACTION**

**Discuss Sections 946.12, Regarding Misconduct in Public Office, 946.18, Regarding the Application of Misconduct Sections 946.10 to 946.17 to Public Officers, and 946.31, Regarding Perjury, of the Wisconsin Statutes, as They Pertain Generally to the Actions and Accountability of City Officials**

Ald. Riese noted that he put this on the agenda. He doesn't want to make it lengthy or have anyone feel it's personally directed at them. He wants the new members to be aware and others to have a refresher on a handful of things that they are accountable for on the council. He suggested that take the time to think about what we say and do. Ald. Riese read statute 946.12-Riese read- misconduct in public office. He said this applies to officers or employees. He noted that they need to make sure the things we say are true and accurate. He also read 946.18 and clarified that this section regarding misconduct applies to all public officers; elected or appointed, such as our department heads. Ald. Riese continued to read ordinances outlined on the agenda. He noted that if you make a false statement under oath, you could be held accountable for Class-H Felony. He noted that he's seen happen where someone says something and retract it. He said that everyone is under a magnifying glass. This is for everyone and not to call any one person out. He just wants them to be aware of it. He said that as we progress through history they need to know what they are saying. They can't say one thing and then say another thing. It only takes a call to the DA to get these things going.

Mayor Guinn questioned if he was implying that it something doesn't meet his standards that he intended on contacting the DA.

Ald. Riese noted that if it is egregious enough, he'd have no reason to not do that. If someone makes a statement and it is an outward lie that convinces a majority of people to believe it.

Mayor Guinn stated that he feels this could've been handled via email. It is now 8:45 p.m. He questioned Ald. Riese on how many years of law school he attended.

Ald. Riese noted that he had attended zero years of law school, but doesn't need to because the laws are available for everyone to read.

Mayor Guinn stat that they all could sit and point fingers because there are several issues that anyone could take issue with. No one on this council is beyond reproach. Ald. Riese is putting himself in a position that is beyond reproach. If someone doesn't pass his purity test, he will go to the DA. This is not the environment that we want for the good of the city of Mayville.

Ald. Riese noted that he was specifically clear that he was pointing no fingers.

Ald. Guinn suggested that if there are issues that they should be sent to the City Clerk and then can be reviewed by the city attorney. We continue to rack up legal fees. There have been no actions in Mayville's common council that are overtly illegal. They are just trying to help the city operate.

Ald. Olson said she doesn't want anyone taking it personally and she is not sure who it addresses. She has been personally attacked in the bars.

Ald. Roger smith said that he received a packet with a lot of regulations on how to conduct ourselves. So everyone has the information.

Mayor Guinn noted it is a waste of everyone's time and could've been handled via email. This is not a meeting of the whole. It is a committee of 3 people.

Ald. Olson said everyone should just watch their Ps and Qs and act accordingly as city officials.

Mayor Guinn questioned or what?

Ald. Abbott said that awhile back they got little cards for committees and those are the people that are supposed to interact. The others were to sit in the audience. It was brought up and it has been very selective as to whether they wish to do it or not.

Chief Toellner said that he is speaking for himself and other department heads. The fact that the comments included department heads and allegation of a felony. He has never been accused of committing a crime. He is asking the committee what crime the department heads have been committed. He would like to be on record as to why dept heads were brought up.

It was noted that this is not personal towards anyone they are just making people aware. Most people don't have anything to worry about with this. Ald. Riese noted that he is the only one that knows why it was on there and that's why it was put on the agenda. He wouldn't personally attack dept heads. If he saw something then yes, he'd have a duty to say something. Everyone needs to be careful with what we say. Ald. Riese noted it was not intended to be personal.

Chief Toellner noted that this was done in a public forum and done in front of the whole community, so he is taking it as the threat.

Ald. Olson said there was nothing personal, just making sure everyone is doing our jobs correctly and there's always room for improvement. No one is accusing anyone of anything.

### **Discuss with Possible Action Creation of Communications Committee**

Mayor Guinn explained that he would like to form a committee to discussion community communication. They would discuss efforts that can be made through print, website, apps, etc. He would enlist the assistance of the members of the community to come up with a comprehensive plan. It was discussed how often they would meet and whether we can do it by ordinance or resolution. There has been a lot of pressure for the Mayor to speak and interact and

he'd like more interaction with the alderpersons as well. It was discussed whether it'd be a short lived committee or long standing.

Tabled to get more information and language explaining the committee.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Jack Abbott, Alderperson
<b>SECONDER:</b>	Kim Olson, Chair
<b>AYES:</b>	Olson, Riese, Abbott

**Discuss with Possible Action City Attorney Attendance at Common Council Meetings**

There have been a number of legal questions that have arisen at the Council meetings. To save time and money the Mayor has suggested that the City attorney be present at the meetings.

<b>RESULT:</b>	<b>RECOMMENDED TO COUNCIL [UNANIMOUS]</b>
<b>MOVER:</b>	Jack Abbott, Alderperson
<b>SECONDER:</b>	Kim Olson, Chair
<b>AYES:</b>	Olson, Riese, Abbott

**ADJOURNMENT**

Motion

Adjourn at 9:03 p.m.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jack Abbott, Alderperson
<b>SECONDER:</b>	Joseph Riese, Alderperson
<b>AYES:</b>	Olson, Riese, Abbott

Sara Decker, City Clerk