



MINUTES OF THE ETHICS BOARD

WEDNESDAY, OCTOBER 28, 2020, 5:00 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. ROLL CALL.

I. William Vande Castle, Chair; Alder Bill Galvin; Branka Bakovic; Chari Graham; Cheryl Renier-Wigg; Aaron Weinschenk

Present: Bill Galvin, William VandeCastle, Cheryl Renier-Wigg, Aaron Weinschenk, Excused: Chari Graham

C. APPROVAL OF THE AGENDA.

I. Approval of the Agenda for Wednesday, October 28, 2020.

Moved by Ald. Bill Galvin, seconded by Staff Cheryl Renier-Wigg to approve. Motion carried.
Yes- Bill Galvin, William VandeCastle, Cheryl Renier-Wigg, Aaron Weinschenk, No- None, Abstain- None

D. APPROVAL OF MINUTES.

I. Approval of the Minutes from the October 7, 2020 Ethics Board Meeting.

Moved by Aaron Weinschenk, seconded by Ald. Bill Galvin to approve. Motion carried.

Yes- Bill Galvin, William VandeCastle, Cheryl Renier-Wigg, Aaron Weinschenk, No- None, Abstain-None

E. REGULAR BUSINESS.

I. Deliberations and possible action on the Motions filed in the matter of the Ethics Complaint against Alder John Vander Leest, filed by Mr. Tarl Knight, under the City of Green Bay Code of Conduct for Elected Officials.

The Board may convene in closed session pursuant to Sections 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governing body. The Board will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

Moved by Ald. Bill Galvin, seconded by Aaron Weinschenk to go into closed session. Motion carried.

Yes- Bill Galvin, William VandeCastle, Cheryl Renier-Wigg, Aaron Weinschenk, No- None, Abstain-None

Moved by Aaron Weinschenk, seconded by Cheryl Renier-Wigg to have Attorney Kalny proceed as discussed in closed session and to reconvene on November 12, 2020 at 5pm. Motion carried.

Yes- Bill Galvin, William VandeCastle, Cheryl Renier-Wigg, Aaron Weinschenk, No- None, Abstain-None

2. Scheduling of further proceedings.

F. ADJOURNMENT.

Moved by Ald. Bill Galvin, seconded by Cheryl Renier-Wigg to adjourn. Motion carried.

Yes- Bill Galvin, William VandeCastle, Cheryl Renier-Wigg, Aaron Weinschenk, No- None, Abstain-None

VERBATIM MINUTES

- We're good to go.

- All right, great. Thanks, Lindsay. All right, this is the Ethics Board Meeting for Wednesday, October 28th, 2020. The agenda has been posted. And we are handling this meeting via Zoom for cautionary purposes. So I think we've got roll call. Looks like we've got a quorum. So let's move onto item C on the agenda. That would be Approval of the Agenda. Everybody has a copy of the agenda, is there a motion to approve?

- So moved.

- We have a motion. Is there a second?

- Second.

- Second.

- All right, we have a motion and a second. All in favor of approving the agenda as stated, signify by saying aye?

- [All] Aye.

- Any opposed? Okay, moving on. We have approval of the agenda. Next item is the Approval of the Minutes from the October 7th, 2020 Ethics Board Meeting. That was in your packet. Any additions or corrections? Otherwise, is there a motion to approve?

- Motion.

- Second.

- We have a motion and a second to approve the October 7th meeting of the Ethics Board. All in favor, signify by saying aye?

- [All] Aye.

- Any opposed? Motion carries. Next item is Regular Business, which would be deliberations on the motions that were heard at the October 7th Board Meeting. So just as a, as a repeat here of what happened, we had hearings or a hearing on October 7th. Motions. There were a couple of motions to suppress file by Mr. Knight. There was a motion to dismiss that was filed by Mr. Vander Leest. Those motions were heard. We spent about a little more than two hours listening to those motions. We then adjourned for deliberations. But for the record, no deliberations took place. We decided the length of time that was involved, that we would not take on any deliberations at that time and then rescheduled this, pushed this out for deliberations at tonight's meeting. So that's what's on the agenda for tonight. So we have, on the agenda is deliberations with possibly adjourning into closed session. The agenda item is deliberations of possible action on Motions filed in the matter of the Ethics Complaint against Alder John Vander Leest, filed by Mr. Tarl Knight under the City of Green Bay Code of Conduct for Elected Officials. Is there a motion to adjourn into closed session? So just, for procedurally here, we have it on the agenda to go into closed session, but we are required to vote on that because it requires a vote to go into closed session. Just because it's a closed session on the agenda does not mean that we actually have to go into closed session. But on the agenda, it is we may convene into closed session pursuant to Section 19.85 sub 1 sub a of the Wisconsin Statutes for purposes of deliberating concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before that governing body. The Board will thereafter reconvene in open session pursuant to Section 19.85 sub 2 of the Wisconsin Statutes to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda. So is there a motion to go into closed session? Or does anybody want to discuss going into closed session first?

- I move we go into closed session.

- There is a motion. Is there a second to go into closed session?

- Second.

- Okay, we have a motion and a second. And we need a roll call vote for this, to approve the going into closed session. So I guess I'll take the roll call. Aaron, do you approve going into closed session?

- Yes.

- Cheryl? Bill?

- Yes.

- Would approve as well.

- [Lindsay] I'm sorry, was Cheryl a yes?

- I think we've got everybody here that's on, that's involved on closed session. So we have a motion to go into closed session.

- [Lindsay] Chair Vande Castle? I'm sorry to interrupt you?

- Okay, we will adjourn into closed session.

- Mr. Chairman? Before we do, Lindsay, do we all have the ability to share documents when we go into closed session?

- [Lindsay] I can make sure, I can make sure that you have that ability. Can you guys hear me?

- Now I can, yes.

- Yes.

- Yes.

- [Lindsay] Okay, and I'm sorry, I didn't hear Cheryl's vote on the roll call vote. Was she a yes?

- Yeah, she was muted.

- [Lindsay] Okay. Thank you. All right. Just give me one second to catch up with you guys here. And then did all of you have a chance to look over the item that I sent with respect to how to get back into this room after we go into the breakout rooms? Anybody have any questions?

- No, I didn't.

- Okay.

- I did, but I can't promise that I'm gonna be able to do it.

- We'll have to see afterwards.

- [Lindsay] The important thing is don't hit Leave Meeting, just hit Leave Breakout Room. Okay.

- Those people who are not of closed session, do they want to leave a number or something, rather than just wait? It could be a pretty long time.

- I'll just, I'll just wait until you guys are out, in case there's anything important.

- Okay.

- All right.

- [Lindsay] Alder Dorff, are you hoping to go into the closed session?

- Yes, I'm allowed to do that, because I'm an Alder, and I've been in Ethics closed sessions before.

- [Lindsay] No problem. I just wanted to make sure I added you.

- Okay, yep. Thank you.

- [Lindsay] Seeing someone, oh, here we go. Thank you. So you all should have gotten an invitation. You just have to accept the invitation to join the breakout room. Oh, I'm sorry, I didn't include you Chair. Hang on one second.

- [Bill] What's happened is we've had considerable discussion here and. Is there a motion to have Attorney Kalny to proceed in the manner we discussed in closed session?

- [Aaron] Motion.

- [Bill] All right, we have a motion. Is there a second? I, we have a second. So there's a motion and a second to have Attorney Kalny proceed as we have discussed. And Attorney Kalny, do you want to just give us a little rundown of procedurally where we're gonna go from here?

- [Jim] Well, I think what's necessary is obviously you're going to want to look at what I put together to make sure it's consistent with your direction. We'll probably do that in closed session. We should schedule a meeting to do that. I would appreciate at least a week, probably a couple of weeks, to put together the opinion. And then we would go into open session and disclose it and do whatever scheduling is necessary after that.

- [Bill] Okay. So let's pull up our calendars here and look for some dates. So, two weeks out would put us around the 11th.

- [Jim] Yeah.

- Yeah, 11th works for me.

- Works for me as well.

- Yeah, works.

- Yeah, it works for me.

- All right, so we'll say the 11th at five o'clock again? 5:00 PM?

- Sounds good.

- Yep.

- Good.

- I have a possible conflict.

- All right.

- Sorry about that.

- All right.

- And it's only possible. I might not even have to go. It's a board meeting of a town.

- Well, I'm free on the 12th, on that Thursday.

- That's good for me.

- That's good for me.

- I'm good also.

- Okay, so there's no council, committee meetings, or anything going on that night?

- Council is Tuesdays.

- Council is Tuesdays. Of that week.

- All right. Well, it works for me as well.

- Okay. Five o'clock are we saying?

- The 12th at 5:00.

- Okay. Okay. All right. Looking at our agenda, I don't think there's anything else we have on the agenda for tonight.

- Do we need to finish, I think we need to take a vote on that, 'cause we, I did a motion and Cheryl did a second.

- Yes, okay. All in favor of the motion?

- [All] Aye.

- Any opposed? Motion carries. Thanks, Aaron.

- All right, next on the agenda is, we've already scheduled further proceedings, so next is adjournment. Is there a motion to adjourn?

- Motion to adjourn.

- We a motion. I would second.

- Second.

- Second, all right, I'll give it to you, Cheryl.

- All right.

- We have a motion and a second. All in favor of adjournment signify by saying aye?

- [All] Aye.

- Thank you, everybody.

- Thank you.

- Thank you for your time and patience. And we'll be speaking again in a couple of weeks. Thanks.