



MINUTES OF AN OFFICIAL MEETING:

Regular / Special Meeting: Ethics Board

Date and Time: Tuesday, March 29, 2022 at 7:00 P.M.
Location: City Hall, Parks and Recreation Meeting Room, 2000 North Calhoun Road
Members Present: Karen Flaherty, Monica Riederer, and Christopher Steffe.
Members Excused: None.
Others Present: Nicholas Cerwin, Counsel to the Board, Attorney Miriam Horwitz, Alderman Jenna Meza, Attorney Julie Gay, Alderman Michael Hallquist, and Human Resources Director James Zwerlein.

1. Roll Call

After noting a quorum was present, Chairman Riederer called the Board to order at 7:00 p.m.

2. Minutes of the January 11, 2022 Meeting

Ms. Flaherty moved to approve the minutes of the January 11, 2022 meeting. Seconded by Mr. Steffe. Motion carried 3-0.

3. New Business

- a) Review submissions and memorandums from the parties related to Ald. Meza's motion to dismiss the Ethics Board Complaint dated August 6, 2021, hear oral arguments from the parties (if the Board desires), make a ruling on the motion, and determine the action to be taken in regard to the Complaint pursuant to Section 2.20.080.E of the Code.

Ms. Flaherty stated that in her previous capacity as City Attorney she retained Attorney Gay to perform legal work for the City. She stated that fact does not affect her judgment on this matter but wanted to place it on the record in the interests of full disclosure. Attorney Horwitz stated she had no objection. Attorney Gay stated she had no objection.

Attorney Gay presented argument in favor of dismissing the matter.

Attorney Horwitz then proceeded to present argument against dismissal.

Ms. Flaherty motioned to move into Closed Session pursuant to Wis. Stat. Sec. 19.85(1)(a) and (g), at 7:40p.m. Seconded by Mr. Steffe. Motion carried 3-0.

Ms. Flaherty motioned to reconvene in Open Session pursuant to Wis. Stat. Sec. 19.85(2), at 9:43p.m. Seconded by Mr. Steffe. Motion carried 3-0.

Mr. Steffe made the following motion: The Board finds that the City of Brookfield has not affirmatively adopted Wis. Stat. Sec. 19.59(1) under the current iteration of the municipal code.

The Board also finds that the four corners of the Complaint do not sufficiently allege a violation of Brookfield Municipal Code Section 2.20.030.

However, pursuant to Brookfield Municipal Code Section 2.20.080(e), the Board on its own motion has determined that the complaint may allege a violation of the Brookfield Code of Ethics and allows the complainant leave to amend the complaint to allege violations of the Brookfield Ethics Code that the Complainant believes can be supported by evidence. The Board will allow 45 days (May 13, 2022) for the complainant to allege sufficient violations. The Board will then reconvene to determine if any newly filed amended complaint alleges a reasonable basis for an investigation or hearing. Seconded by Ms. Flaherty. Motion carried 3-0.

- b) Schedule upcoming meeting (if necessary).

Mr. Steffe motioned to schedule the next meeting. The next meeting of the Ethics Board will be on June 1, 2022. Seconded by Ms. Flaherty. Motion carried 3-0.

4. Adjournment

Ms. Flaherty moved to adjourn. Seconded by Mr. Steffe. Motion carried 3-0. 9:48 p.m.

Respectfully Submitted:
James Zwerlein
Human Resources Department/Human Resources Director