

COMMITTEE OF THE WHOLE
A STANDING COMMITTEE OF THE COMMON COUNCIL

Date and Time: Wednesday, February 17, 2016 at 6:00 pm., Council Chambers

Members Present: Nagle, Wagner, Neal, Gisselman, Winters, Rasmussen, Kellbach, Oberbeck, Abitz, Mielke (C), Tipple

Members Excused: Nutting

Others Present: Jacobson, Rayala, Hite, and media

Council President Mielke noted a quorum and called the meeting to order. Roll call indicated 8 members present. *Gisselman arrived at 6:04 pm and Abitz arrived at 6:13 pm.*

Motion by Rasmussen, second by Neal to convene into CLOSED SESSION pursuant to Section 19.85(1)(g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, regarding the investigation undertaken pertaining to the Metro Ride Incident Report, legal opinion and related documents; and pursuant to Section 19.85(1)(f) of the Wisconsin Statutes considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, arising from the foregoing described incident and subsequent investigation. Roll call vote: Rasmussen aye, Kellbach aye; Oberbeck no, Abitz, aye; Mielke aye; Nagle aye, Wagner no, Neal aye, Gisselman aye, Winters aye. Motion passed 8-2. Members moved into closed session at 6:18 pm, including the city attorney and the city clerk.

Reconvened into OPEN SESSION at 7:40 pm.

Motion by Rasmussen, second by Winters to the Committee of the Whole move forward as a recommendation to the City Council to be placed on the Tuesday night's meeting agenda that effective immediately until April 19, 2016 that the reporting authority and the reporting chain of command for the City Attorney be altered from the date of the Council meeting on February 23, 2016 until April 19, 2016, she reports to the City Council, not the Mayor. Motion passed unanimously.

Motion by Rasmussen, second by Neal to the Committee of the Whole move forward as a recommendation to the City Council to be placed on the Tuesday night's meeting agenda that we will commence an independent investigation of the items surrounding these circumstances that have been discussed tonight and that the Committee of the Whole will set a future meeting to articulate the exact scope of that investigation so that the people involved in the investigation can be advised of what's being investigated and so that the public can know as well. Motion passed unanimously.

Motion by Winters, second by Oberbeck for the Committee of the Whole to direct the Human Resources Director Myla Hite to turn over all papers, all communications with Attorney Dean Dietrich to City Attorney Anne Jacobson. Motion passed unanimously.

Motion by Oberbeck, second by Rasmussen to hire an investigator and authorize the City Attorney to contact CVMIC [Cities and Villages Mutual Insurance Company, the City's insurance company] to find an investigator that would be recommended to the City Council. This recommended investigator would be someone who has no prior knowledge or working relationship with any of the parties or city staff. Motion passed unanimously.

Committee meeting was adjourned at 7:49 pm.

Respectfully submitted:

Toni Rayala
City Clerk