

## MINUTES

### SHEBOYGAN COMMON COUNCIL COMMITTEE OF THE WHOLE THURSDAY, AUGUST 25<sup>TH</sup>, AT 6:30 P.M.

The meeting was called to order by Committee of The Whole Chairman Bohren at 6:30 p.m.

**Aldermen Present:** Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, Versey.

**Aldermen Excused:** Kittelson, VanderWeele.

Pledge of Allegiance was recited.

Chairman Bohren mentioned that he got a call from Dimple Adams, 1424 Virginia Ave., who wanted to speak, but was not feeling well to attend and to read the email that she sent out earlier.

### PUBLIC FORUM

Job Hou-Seye, 222 Prospect Avenue, Sheboygan, WI 53081

Patrick Gillette, 915 North Avenue, Sheboygan, WI 53083

Milt Storm, 1736 Marvin Court, Sheboygan, WI 53081

Chairman Bohren Thanked Everyone that spoke and read the following.

**"An Update to The Committee of The Whole, from Council President Alderman Eric Rindfleisch, Council Vice President Alderman Jeremy Dekker and Committee of The Whole Chairman Alderman Jim Bohren on the interviews that were held on August 23<sup>rd</sup>, 2011 of perspective Attorneys for the special prosecutor for the possible quasi-judicial hearing to remove Bob Mayor Robert Ryan from office, an update may also be given on an Attorney to represent the Common Council in the possible quasi-judicial hearing to remove Mayor Robert Ryan from office"**

Turned discussion over to President Rindfleisch, with the following report.

Invitations were sent out. Only 2 were interviewed.

Atty. Paul Bucher of Delafield, Wisconsin and the Law Firm of Michael Best and Friedrich, LLP specifically, Atty. Steven Biskupic.

Both are highly skilled and bigger names, with experience in this field.

Duties agreed upon:

First each one would review the verified complaints.

Each one would conduct an investigation of the facts.

Based on the investigation, would then prepare a verified petition, to be presented.

Both will serve as Council during the Common Council hearing to do the following,

Present witness testimony, and other factual materials.

Cross examine opposing witnesses.

Prepare legal briefs and present arguments and suggest course of action.

Lastly, both agreed to defend the Council decision at Circuit Appellate Courts, all the way up to the Supreme Court if that action is necessary.

The difference between the two, Atty. Steven Biskupic of Michael Best and Friedrich is pro bono.

Based on the above, Rindfleisch, Bohren and Dekker, recommend, to go ahead and request that this body recommend to the full Common Council to hire Atty. Steven Biskupic of Michael Best and Friedrich to begin the investigation.

Why proceed with the investigation?

The process removes the Common Council from further process.

There does need to be space between the Prosecutor and this body, hiring one allows that space.

It provides investigation to basis of facts and avoids rumors.

It provides basis of fact to act upon or not act upon.

It avoids the mud slinging in public that has been threatened.

The investigation will go quietly and will be reported back to us to see if there is anything to continue or not to continue.

The prosecutor becomes the contact point for all those who are contacting us at this point, which allows us to focus us on City business.

Another reason to go forward.

It is our responsibility because of complaints from the public.

Chairman Bohren also mentioned -

Atty. Biskupic is the former U.S. Attorney for the Eastern District of Wisconsin. He has many years of experience in litigation including public officials in the Milwaukee area and has a very impressive background.

Further discussion to recommend Atty. Joseph Voelkner of Olsen, Kloet, Gunderson & Conway to work with the Common Council. He has worked with the City for 10 years which includes the quasi-judicial hearings held at Law & Licensing.

On Motion by Alderman Versey and second by Alderman Boeldt, to recommend to the full Council to hire Atty. Steven Biskupic of Michael Best and Friedrich, to begin the investigation and to retain the services of Atty. Joseph Voelkner of Olsen, Kloet, Gunderson & Conway to represent the Common Council in a quasi-judicial hearing.

Ayes: Boeldt, Bohren, Dekker, Hammond, Heidemann, Kath, Rindfleisch, Sampson, Van Akkeren, Versey.

Nays: Carlson, Hammen, Matichek, Roeseler.

Motion to adjourn made by Alderman Hammond with a second by Alderman Boeldt. All ayes. Motion carried.

The meeting was adjourned at 7:00 p.m.

The above will be voted on by a Special Common Council Meeting, next week. Atty. Steven Biskupic and Atty. Joseph Voelkner will be present.

Respectfully Submitted By Alderman Julie Kath - District 3