

MEETING: REGULAR MEETING OF THE ETHICS BOARD

DATE & TIME: Tuesday, June 24, 2025 at 5:45 PM

**LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road**

NOTICE: Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@germantownwi.gov by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **APPROVAL OF MINUTES:**
 - A. May 27, 2025 (ACTION)
- IV. **NEW BUSINESS:**
 - A. Hearing on Complaint of Melanie Smythe. The Ethics Board may convene into closed session pursuant to Wis. Stat. §§ 19.85(1)(b) for the purpose of considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, and the taking of formal action on any such matter; 19.85(1)(f) for the purpose of 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; and/or 19.85(1)(a) for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body; and then may reconvene into open session to take such action as deemed appropriate.

V. ADJOURNMENT:

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Village Clerk at (262)250-4745 at least 2 days prior to the meeting.

Notice is hereby given that a possible quorum of other boards, committees, and/or commissions may attend this meeting to gather information about an item over which they have decision-making responsibility. This may constitute a meeting of these bodies per State ex rel. Badke v Greendale Village Board, even though these bodies will not take formal action at this meeting.

MEETING:	REGULAR MEETING OF THE ETHICS BOARD
DATE AND TIME:	Tuesday, May 27, 2025 5:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*

Meeting was Called to Order at 5:36 PM by Chairperson Aaron Foley.

II. **ROLL CALL:**

Members Present: Chairperson Aaron Foley, Members Bill Neureuther, Wyatt Wiehr, and Glenn Gaskill

Also Present: Village Attorney Brian Sajdak, Village Clerk Donna Ott, Complainant Melanie Smythe and Respondent Jim Sedgwick

III. **APPROVAL OF MINUTES:**

- A. March 26, 2025, Minutes

Motion: Approve as presented

Motioned By: Member Neureuther

Seconded By: Member Wiehr

Yes: Chairperson Foley, Member Neureuther, Member Wiehr, Member Gaskill

No: None

Abstain: None

Motion Carried by Voice Vote (Yes 4, No 0, Abstained 0)

IV. **NEW BUSINESS:**

- A. Preliminary Investigation of Complaint of Melanie Smythe. The Ethics Board may convene into closed session pursuant to Wis. Stat. § 19.85(1)(f) for the purpose of 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, and

then may reconvene into open session to take such action as deemed appropriate.

The meeting began with introductions of the Board members, staff, and members of the audience.

An explanation was provided by the Village Attorney of the processes and proved descriptions and differences of the following boards: Economic Development Commission and the Joint Review Board.

Discussion ensued regarding dismissal of the claim or cause of conflict of interest occurring.

The Board determined that probable cause needs to be more than suspicion that a violation has occurred.

Motion: Dismiss the complaint
Motioned By: Member Wiehr
Seconded By: Member Foley

Discussion further ensued regarding allowing both parties to go through the process to hear both sides.

Yes: Chairperson Foley, Member Wiehr
No: Member Neureuther, Member Gaskill
Abstain: None

Motion Failed by Voice Vote (Yes 2, No 2, Abstained 0)

Due to the motion to dismiss being a tie vote, the motion to dismiss was withdrawn by Member Wiehr,
Seconded by Chairperson Foley.

Motion: Find the complaint is valid and meets probable cause and to set a hearing date of Tuesday, June 24, 2025 at 5:45 PM
Motioned By: Member Gaskill
Seconded By: Member Neureuther

Yes: Chairperson Foley, Member Neureuther, Member Gaskill
No: Member Wiehr
Abstain: None

Motion Carried by Voice Vote (Yes 3, No 1, Abstained 0)

The Board Members requested the following individuals be subpoenaed to attend the hearing set on 6/24/2025: Dean Wolter, Steve Kreklow, and Jeff Retzlaff.

Members of the Board advised that the burden falls on the complainant to prove the complaint.

V. ADJOURNMENT:

Motion: Adjourn at 6:52 PM

Motioned By: Member Neureuther

Seconded By: Member Gaskill

Yes: Chairperson Foley, Member Neureuther, Member Wiehr, Member Gaskill

No: None

Abstain: None

Motion Carried by Voice Vote (Yes 4, No 0, Abstained 0)

DRAFT

BUSINESS OF THE ETHICS BOARD

MEETING DATE: June 24, 2025

PLACEMENT: Action Item

ITEM TITLE: Hearing on Complaint of Melanie Smythe. The Ethics Board may convene into closed session pursuant to Wis. Stat. §§ 19.85(1)(b) for the purpose of considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, and the taking of formal action on any such matter; 19.85(1)(f) for the purpose of 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; and/or 19.85(1)(a) for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body; and then may reconvene into open session to take such action as deemed appropriate.

SUBMITTED BY: Brian Sajdak, Attorney

SUMMARY EXPLANATION:

ATTACHMENT:

STAFF RECOMMENDATION:

ACTION BY Committee: