

The meeting was called to order by Ald. Smith at 6:37 p.m. with the following Roll Call:

Members Present: Ald. Smith, Ald. Gering, Ald. Pasbrig

Members Absent:

Others Present: Kathie Wild, Deanna Boldrey, Ald. Moede, Ald. Voss, Bill Linzenmeyer, Mayor Heron, Marjean Sertich, Kathy Sertich, Sue Smith, Sally Kahlhamer, Ryan Vossekul, Sharon Chmiewlewski, Geraldine Scharnell

Item #2 – Approve the Minutes of the November 17, 2009, meeting.

Motion by Ald. Pasbrig, second by Ald. Gering to approve the minutes. Motion carried unanimously.

Item #3 – Citizen Comments.

Chief Bill Linzenmeyer asked for direction from the Finance Chairperson, Ald. Smith, if he would be able to comment on item number 6 during the item or during Citizens Comments only. Ald. Smith noted he could comment now and under item number 6. Bill noted that he has seen agenda items changed to accommodate strategies to pay Ald. Voss for his attorney fees during a trial. Bill stated that this is concerning; he believes this hinges on Chapter 19 of the state statute. Bill noted that this is a slippery slope and cautioned the Council that these matters need to go through appropriate channels. The item does not pass the test of what is ethical. Bill suggested that the Council should step away from the item. He wanted to reserve time to comment at item 6.

Kathy Sertich of 275 High Street asked for the same consideration as the Chief of Police to speak during Citizen Comments and item number 6. She noted concern with the revised agenda and the wording of the agenda item number 6. Ald. Smith noted that because Kathy is not a department head she can only comment during Citizen Comments. Her concern was that the wording was changed in July to allow the claim of Ald. Voss. She commented that she felt sorry for the Alderpersons addressing an issue that has been dead at the table twice. Kathy commented that it has been turned down by the insurance and by the council.

Item #4 – Treasurer's Report.

A. Monthly Financial Report.

Kathie Wild reviewed the financial reports. The Cash Position by Fund report was reviewed noting that the Shared Revenue was received. Of the Capital Improvements the dump truck, fire department furnace, and final payment of ambulance need to be paid yet. A separate fund was set up for the \$26,500 received from the Bachhuber fund for Mayville Golf Club Inc. The Tag Center continues to have a good year with a predicted shortage of \$10,925. The audit is scheduled for March 10-12.

B. 2009 Tax Collection Update.

Kathie Wild noted that tax bills were mailed on December 8, 2009. She commented that if a resident had not received a tax bill and is expecting to, please call City Hall. The Treasurer will be at City Hall from 8 a.m. – 12 noon on December 31, 2009, to accept tax payments. Kathie also reminded residents to license cats and dogs. Cat and dog licenses need to be paid by March 31, 2010, to avoid a \$5 late charge.

Item #5 – Discuss Creation of Ambulance Agreements.

Ald. Smith introduced the item by noting that it has been mentioned at previous meetings. He noted that the City has allowed handshake agreements with other communities around us. Ald. Smith commented that there is usually some agreement with other communities with compensation and usually it is per capita or by the miles. The question noted was if the change can be done under the existing state contract or when it comes up again and what is a reasonable fee. The State agreement has some obligation for the City that requires a back up ambulance. He noted that he could not find any communities that do not charge. It was noted that the item needs more research. Ald. Pasbrig commented to get more information and find out from the State what can be done. Ald. Gering agreed with Ald. Pasbrig.

Item #6 – Discuss/Recommend Payment of Claim of Alan Voss.

Ald. Smith introduced the item. He noted that Mr. Voss approached him as the Finance Chairperson to give the Council one more chance to pay the claim, and he would offer a hold harmless agreement. Ald. Smith commented that the court found him not guilty, and this has been on the agenda two or three times. Ald. Smith continued that Mr. Voss had told him that if it was not handled amicably he would pursue within his rights. The City Attorney noted that it could be pursued, and the Finance Committee could authorize payment, and to put on the agenda in the form to pay. Ald. Smith continued that Mr. Voss should not have voted at the Common Council meeting for the item. Ald. Smith noted that the City was to send a letter after 120 days and then six months after that, the person can proceed with a lawsuit to get justice. Ald. Smith gave history of the item and commented that at the previous meeting someone could have made a motion to allow the claim, then it came back to finance it failed due to lack of a second, and the Finance Committee could have made a motion to refuse the claim. Ald. Smith stated that some items need at least two or three appearances and this is not unusual. Ald. Smith commented that insurance companies state that most claims are automatically disallowed. The City Clerk reviewed the City Attorney notes and the timeline for the claim. Much discussion ensued. Chief Linzenmeyer was invited to the podium to make comments about the item. He noted that this should go to the insurance company and that the council should stay away from the item. The Chief commented that it is wrong for one alderman to fight for another alderman to get money. The Chief of Police reviewed history leading up to the claim. Ald. Smith asked for a sense of the committee if they wanted the Chief of Police's comments to continue. Ald. Pasbrig and Ald. Gering noted that they would like to hear the Chief of Police's comments. Ald. Smith noted if the Chief of Police would be brief, he would allow 4-5 minutes of history. The Chief of Police continued with history leading up to the claim. He noted an incident that led up to the claim. The incident occurred after the Captain left the Council Chambers to go to the Police Department after a meeting. He continued that Ald. Voss approached the Captain and an altercation erupted to a level that Ald. Smith intervened. The Captain was not upset or angry; it was Ald. Voss that was upset over a police report. The Chief of Police read excerpts from letters from the Mayor and attorneys.

Ald. Gering, Second by Ald. Pasbrig to Recommend Payment of Claim of Alan Voss. Ald. Pasbrig commented that he does not want to set precedence for other possible claims and that this item is too much of a personal matter. Ald. Gering commented that he is also concerned with setting precedence for claims. Ald. Moede commented that Ald. Voss should take the proper channels. Ald. Voss noted that he would go through the proper channels and there would be lawsuits. Ald. Smith offered an amendment to Remove the item from the agenda to save the committee members from having to vote on the item. There was not a second. A roll call vote was taken. Motion failed 2-1. Ald. Pasbrig, Ald. Gering voted no. Ald. Smith voted yes.

Item #7 – Adjournment

Motion by Ald. Pasbrig, second by Ald. Gering to adjourn at 7:51 p.m. Motion carried unanimously.

Deanna Boldrey, City Clerk