

*****FINANCE MINUTES*****

June 6, 2023

SAUKVILLE POLICE DEPARTMENT AND VIA ZOOM 649 E. GREEN BAY AVE., SAUKVILLE, WI 53080

Village President Andy Hebein called the meeting to order at 6:00 p.m.

Julie Friede gave the Statement of Public Notice.

Members: Andy Hebein-present, Scott Fischer-present, Trevor Seitz-present, William Rudolph-present, Jim Nowlen-present and Jesse Duckart-present

Others Present: Dawn Wagner, Julie Friede, Chief Rob Meyer, Brad Hoeft (Village Attorney)- Antoine, Hoeft, Eberhardt, Mary Kay Baumann, Michelle Jaeger, Michael Babcock - Ozaukee Press

Approve Claims for May 2023 in the Amount of \$520,986.19.

Seitz/Nowlen made a motion to Approve Claims for May 2023 in the Amount of \$520,986.19. Motion Carried.

Investment Report

Wagner stated the Investment Report provided is for May 2023.

Wagner commented on the Investment Report, stating interest rates are starting to increase.

Wagner noted that the Fund Balance percentage was added to the Investment Report per as requested.

Discussion and Possible Recommendation Regarding Appointment Process for Vacant Village Trustee Position

Hebein stated no formal action was taken at the last meeting.

Hoeft added the motion made during the May 16, 2023 meeting did not comply with the agenda language. This resulted in an invalid motion.

Hoeft included the Committee needs to be careful with the Open Meetings Law, the Committee needs to adhere to the items listed on the agenda.

Hebein asked to continue the discussion regarding the Vacant Village Trustee Position and decide on a process to fill the vacant seat.

Seitz questioned if the Committee needs to vote to make the motion invalid.

Hoeft stated under the circumstances, the Committee can rely on council statement/advisement that the motion was invalid under the Open Meetings Law, no formal motion is needed.

Hebein recommended to revisit the same process of interviewing interested candidates that was utilized in 2021 when a vacancy occurred.

Nowlen stated as a process to fill the Vacant Village Trustee Position, he liked it. This process provided a broad selection of potential candidates and would be more reflective of an election.

Rudolph stated no matter how the Committee proceeds, an ordinance should be prepared for the future vacancies.

Wagner added that the process should be codified to keep consistency within the Village of Saukville. This would provide transparency to the public on how the position would be filled if a vacancy occurs.

Hoelt agreed that the codification for future guidance and standards would be beneficial to the Village of Saukville.

Nowlen asked if the Committee would start drafting language for the ordinance to approve at a later date.

Hoelt stated the ordinance would have to go through an adoption process, the Committee would need to decide if they are going to wait to fill the vacancy until after the ordinance identifying the process is approved and codified. Hoelt included there is no timeline to fill the vacancy.

Wagner added the Committee needs to decide on a process.

Seitz stated the Committee would not have enough time to draft the ordinance to fill the vacancy in a timely manner to conduct Village business. Seitz agrees the process should be codified, but the Committee should move forward in appointing someone to the Vacant Trustee position to fill the open Committee positions.

Hebein added that the Village needs to decide on how vacancies will be filled, by an interview process or by direct appointment.

Wagner stated the Committee needs to decide a process, so there is transparency for the public to know how the Village is going to move forward with filling the vacancy.

Seitz feels this needs to be handled on a case-by-case basis.

Fischer added the Committee has handled this situation both ways in the past.

Wagner added if you fill the vacancies on a case-by-case basis, there would be no need for an ordinance.

Hoelt stated that vacancies can occur with different scenarios, even after deciding on the process the Committee could decide not to fill the vacancy due to an upcoming election.

Hebein added that in 2021 the Village Board open the position to the public, there were several candidates that were interested in the Trustee position and the Village Board was able to select a Village Trustee. This process provided transparency and the Village was able to decide from a wide range of applicants. Hebein included that since the public was made aware of the vacant position, he was approached by 3 people making inquiries. Hebein included that he would throw his hands in the air, if he was questioned about the appointment process and not opening the position to the public.

Nowlen read a letter he prepared dated June 6, 2023 - Appointment of Village Trustee. (Attached)

Hoelt reminded the Committee to stay focused on the agenda language, which is determining the process to fill the vacant Village Trustee position.

Wagner included if there are people interested, what difference does it make to do the interview process, the Village Board comes up with the questions, then there is transparency and then the public can not say they didn't have the opportunity to apply.

Fischer stated Pamela Duckart was voted in to be on the Village Board, prior to the Ozaukee Press catching the invalid motion, regardless of the other interested residents. Fischer included that he does not feel the conversation from the previous meeting has been completed.

Fischer inquired if the agenda is worded correctly, so a vote can be completed on June 6, 2023.

Hoelt responded stating that under Open Meetings Law, a vote could be completed during tonight's meeting. It is the decision of the Elected Officials, if that is the direction the Village Board is going towards.

Seitz asked to see the process of filling the vacant Trustee position from 2021 in writing.

Wagner reviewed the information that was provided to the Ozaukee Press. Wagner read the minutes from May 18, 2021. (Attached)

Wagner stated 5 residents applied for the Vacant Trustee Position in 2021 and only 4 residents interviewed. One candidate did not show up.

Nowlen/Rudolph made a motion to move forward with the interview process to fill the Vacant Village Trustee Position. 2 Ayes - Hebein and Nowlen, 3 Nays - Fischer, Seitz, Rudolph, 1 Abstained - Duckart Motion Failed.

Discussion and Possible Recommendation Regarding Appointment Process for Vacant Village Trustee Position

Nowlen stated he changed his vote in 2021, because he felt there was merit to not have 2 Village Board Member serving on the Board that were related. Nowlen added it put a lot of weight in one family. This motion is providing the same outcome.

Rudolph questioned if filling the Trustee position would go through the full term or until the next election.

Wagner advised it would go until through the remaining term, ending in 2025.

Seitz asked from a legal standpoint, if having a married couple serving as Board Members, is this opening the Village of Saukville up to anything.

Hoelt stated, there is nothing in the law that requires a specific process to fill a vacancy. The law states a majority vote of the Governing Body is needed to fill a vacancy. The Village of Saukville needs to comply with the State of Wisconsin Open Meetings Law. It is up to the Election Officials to decide what is in the best interest of the Village.

Hebein reiterated, questioning what is the worst thing that could happen by opening interviews to the public, that the residents are going to come in and talk to the Village Board. The Board would be able to hear how they would respond to realistic situations, the Board can get to know them and make a uniformed decision together.

Fischer stated if other residents had interest, maybe they would like interested in Committee Appointments.

Rudolph reviewed the April Election stating only 2 candidates were on the ballot, leaving the open Trustee Position. Pamela Duckart became a registered write-in, showing interest in the Trustee position.

Wagner stated paperwork was turned in the Thursday prior to the election.

Seitz stated Pamela Duckart had applied for the Vacant Trustee position in 2021.

Wagner confirmed that no one voted in favor for Pamela Duckart to fill the vacant position in 2021.

Seitz stated Pamela Duckart had the second most votes, during the Spring Election. Hebein won the Village President and Village Trustee position. Hebein accepted the Village President position, leaving the Village Trustee position vacant.

Hebein stated the residents would not know the Trustee Position was open during the Spring Election, unless that really looked into the election.

Wagner noted that Rudolph only met Pamela Duckart, and he has no one to compare Pamela Duckart too. From a transparency standpoint, it would be beneficial to go through an interview process.

Rudolph stated that it is his opinion and in the best interest of the Village of Saukville that the vacant Trustee position should be filled as soon as possible. If the Village Board is continued to be deadlocked, the Trustee position would remain open for a long time.

Wagner stated the position could be filled by July or August.

Wagner included that if the same process was used in 2021, the vacancy could be filled with transparency and there would be no questions or concerns from the Village of Saukville residents. Then the Village Board could establish a process if future vacancies occur. The interested parties would be vetted by the Village Board and the individual with the most votes would be appointed by the Village Board. It's good government to be transparent and also give the residents the opportunity to participate in the Village Government.

Wagner stated she agrees with Fischer about getting more residents involved with the Committee Appointments, noting that's good government.

Fischer/Rudolph made a recommendation to the Village Board to appoint Pamela Duckart for the Vacant Village Trustee Position. 3 Ayes - Seitz, Fischer and Rudolph, 2 Nays - Hebein and Nowlen, 1 Abstained - Duckart. Motion Carried.

OTHER MATTERS

Open Book is scheduled for June 8, 2023

Utility Committee Meeting is scheduled for June 13, 2023 at 5:00 pm, including a tour of the WWTP upgrades.

Live at the Triangle, June 14, 2023

Finance Meeting on June 20, 2023 Ehlers will be there to talk about the services they provide to the Village.

Finance and Village Board Meeting will be held on July 11, 2023

Financial Management Planning will be held on August 29, 2023

Northern Gateway is moving forward, the water and sanitary sewer systems are complete for phase 1 and they are currently working on the storm sewer.

Betsy Leach- Finance Director/Treasurer will be attending the Village Board Meeting to complete the Oath of Office.

Fischer passed out an Agenda from the Village of Fredonia regarding their wording, questioning if changes could be made to the Village of Saukville.

Wagner stated the Village of Saukville agendas meet the Village's Municipal Code and State statutes.

Hoeft stated this would need to be notice on a future agenda to discuss, to stay in compliance with Wisconsin Open Meetings Law. Hoeft included catch all statements like the one presented do not protect or avoid challenges.

Seitz recommended that meetings are moved back to the Municipal Center.

Wagner stated they could be moved back to the Municipal Center, but there will be times the bigger screen in the Police Department Training Room is needed for presentations.

ADJOURNMENT

Seitz/Fischer made a motion to adjourn. Motion carried at 6:48 p.m.

Julie Friede
Village Clerk