



Ethics Committee

Cravath Lakefront room 2nd floor 312 West
Whitewater Str, Whitewater, WI, 53190 *In Person
and Virtual

Thursday, May 07, 2026 - 5:00 PM

Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
Citizen participation is welcome during topic discussion periods.

Join: <https://teams.microsoft.com/meet/299243497556602?p=d66JqK1KgXB9zHca9Q>

Meeting ID: 299 243 497 556 602

Passcode: Zm6iM7bV

Dial in by phone

+1 929-229-5663,,371327872# United States,

Phone conference ID: 371 327 872#

Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number: (262) 473-0108.

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

A committee member can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second, and approval from the Committee to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.

CONSENT AGENDA

Items on the Consent Agenda will be approved together unless any committee member requests that an item be removed for individual consideration.

1. Approval of February 17, 2026 minutes.

EXECUTIVE SESSION

Adjourn to Closed Session, PURSUANT TO CHAPTER 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 persons except

where paragraph (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.” May re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Items to be discussed:

2. Findings of the Preliminary Investigation of Complaint received February 3, 2026- **City Attorney**
3. Findings of the Preliminary Investigation of complaint received February 10, 2026 - **Attorney Mark Kapocius**

RECONVENE INTO OPEN SESSION

ADJOURNMENT

A quorum of the Common Council may be present. This notice is given to inform the public that no formal action will be taken at this meeting.

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk (262-473-0102) at least 72 hours prior to the meeting.



Cravath Lakefront room 2nd floor 312 West
Whitewater Str, Whitewater, WI, 53190 *In Person
and Virtual

Tuesday, February 17, 2026 - 4:00 PM

**Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
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<https://teams.microsoft.com/meet/23059002706708?p=Crg2XYEg3nT8fIDw4d>

Meeting ID: 230 590 027 067 08

Passcode: Es7Ht6ya

[Need help?](#) | [System reference](#)

Dial in by phone

[+1 929-229-5663,,654848445#](#) United States, New York City

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Phone conference ID: 654 848 445#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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MINUTES

CALL TO ORDER

City Clerk Boehm called the meeting to order at 4:00 pm.

ROLL CALL

PRESENT

Board Member Robin Fox

Board Member Kelsey Price

Board Member Sherry Stanek

Board Member Marjorie Stoneman

City Attorney Steven Chesebro

City Clerk Heather Boehm

ABSENT

Board Member Mariann Scott

APPROVAL OF AGENDA

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Board member Price motioned to approve the agenda but Council member Stoneman requested switching the order the of two complaints, first taking into consideration the February 10, 2026 complaint and then the February 3, 2026 complaint. Board member Stanek seconded the motion.

Motion made by Board Member Stoneman, Seconded by Board Member Stanek.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman

NEW BUSINESS

1. Election of Chairperson

Motion made to nominate Board Member Stanek by Board Member Stoneman, Seconded by Board Member Fox.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman

2. Election of Vice Chairperson

Motion made elect Board Member Stoneman Vice Chairperson by Board Member Stanek, Seconded by Board Member Price.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman

3. Election of Secretary

Motion made elect Board Member Fox to Secretary by Board Member Stoneman, Seconded by Board Member Price.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman

4. Discussion of Procedure.- City Attorney

City Attorney Chesebro went over the procedures of the Ethics Committee.

EXECUTIVE SESSION

Adjourn to Closed Session, PURSUANT TO CHAPTER 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 persons except where paragraph (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.” May re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Items to be discussed:

5. Discussion of Ethics Complaint received February 3, 2026.

Motion made to go into Closed session at 4:43 pm by Board Member Fox, Seconded by Board Member Price.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman.

Board Member Stoneman and Price recused themselves from this item.

RECONVENE INTO OPEN SESSION

6. Possible Action regarding Ethics Complaint received February 3, 2026.

There was no action taken regarding this item. This item will go ahead into the preliminary investigation stage due to not having enough Board members to take action.

EXECUTIVE SESSION

Adjourn to Closed Session, PURSUANT TO CHAPTER 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 persons except where paragraph (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.” May re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Items to be discussed:

7. Discussion of Ethics Complaint received February 10, 2026.

Motion made to enter into Closed Session at 4:21 pm, by Board Member Price, Seconded by Board Member Fox.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman.

RECONVENE INTO OPEN SESSION

8. Possible Action regarding Ethics Complaint received February 10, 2026.

Back into Open Session at 4:42 pm.

Motion made to move forward with preliminary investigation with outside Attorney, by Board Member Fox, Seconded by Board Member Price.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman

ADJOURNMENT

Motion made to adjourn at 4:53 pm by Board Member Fox, Seconded by Board Member Stoneman.

Voting Yea: Board Member Fox, Board Member Price, Board Member Stanek, Board Member Stoneman

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7.04.090 Duties of the ethics board.

- (a) Upon receipt at the city clerk's office of a notarized complaint in writing, which shall state the name of the elected or appointed official or employee alleged to have committed a violation of this chapter and which shall set forth the particulars thereof, the city clerk or designee shall distribute a copy of the complaint along with a copy of the code of ethics ordinance to the respondent within ten working days (i.e., Monday through Friday, excluding holidays). The city clerk or designee also shall send a copy of the complaint to each member of the ethics board. The information contained in the verified complaint shall be kept confidential until a proper disposition of the case occurs.
- (b) The board shall meet in closed session and determine whether the complaint, if true, may constitute a violation of the chapter. If four or more of the members of the board vote to dismiss the verified complaint, a formal dismissal action adopted in open session shall be filed with the city clerk and a copy sent to the complainant and the respondent. If four or more members do not vote to dismiss, the action shall proceed as provided in subsection (c) of this section.
- (c) If the action is not dismissed under subsection (b) of this section, the board shall make preliminary investigations with respect to the alleged violation of the ethics chapter. No preliminary investigation of the activities of any elected or appointed official or employee may be initiated unless such official or employee is notified in writing. The notice shall state the nature and purpose of this preliminary investigation. Information gathered during the preliminary investigation shall be kept confidential until a finding is made by the board.
- (d) If, after the preliminary investigation, three or more of the members of the board vote in open session that no probable cause exists, the board shall issue a formal finding to that effect and dismiss the case. A copy of the formal finding shall be filed with the city clerk and a copy distributed to the complainant and the respondent.
- (e) If the board is unable to come to a conclusion on the subject of probable cause, due to abstentions or the voting of "present," the board shall have further discussion and vote again. If the stalemate continues, the board shall treat it as a dismissal and proceed as in subsection (d) of this section.
- (f) If, after the preliminary investigation, three or more of the members of the board vote that there is probable cause that a violation took place, the board shall file formal findings to that effect with the city clerk and proceed toward the conduct of a hearing. The vote shall be taken in open session.
- (g) In the case of a probable cause finding, the board shall send a notice of due process rights and a notice of hearing on the matter to the respondent. The complainant shall also be notified of the hearing.
- (h) The board shall then conduct a hearing on the verified complaint, which hearing shall be held not more than thirty days after such finding of probable cause. The board shall give the respondent at least twenty days notice of the hearing date. Such hearings shall be at open session unless the respondent petitions for a hearing closed to the public. The rules of criminal evidence shall apply to such hearings. All evidence considered by the board, including certified copies of records and documents, shall be fully offered and made part of the record. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.
- (i) During all stages of the proceeding conducted under this section, the elected or appointed official or employee whose activities are under investigation shall be entitled to be represented by counsel of his or her own choosing.
- (j) The respondent or his/her attorney shall have an opportunity to examine all documents and records to be used at the hearing under subsection (g) of this section at a reasonable time before the date of the hearing; as well as during the hearing, to bring witnesses, to establish all pertinent facts and circumstances, and to

question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.

- (k) The board shall have the power to compel the attendance of witnesses and to issue subpoenas granted other boards and commissioners under Section 885.01(3) of the Wisconsin Statutes.
- (l) Determination. Upon conclusion of the hearing the board shall make a decision agreed to by at least four members. It shall file the decision in writing within ten working days after the vote, signed by at least four participating board members stating findings of fact, conclusions of law concerning the propriety of the conduct of the elected or appointed official or employee, and if appropriate, referring the matter to the city council or other proper authority with a recommendation for censure or other disciplinary action. A member of council censured may be subject to recall pursuant to Section 9.10, Wisconsin Statutes, or any other legal process authorized by law. If four or more members are not able to reach an agreement, the complaint shall be dismissed.

(Ord. 1203(2/5/91) § 2(part), 1991).

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