

WATERVILLE CITY COUNCIL
SPECIAL/CLOSED MEETING
May 13, 2015, 6:00 P.M.

There was a special/closed meeting of the Waterville City Council held in Council Chambers at 6:00 p.m. on May 13, 2015 to discuss preliminary consideration of a disciplinary matter and disciplinary action.

Present: Vail, Schmidtke, McIntyre and Mayor Mihalik;

Absent: Wollin

Also Present: Administrator/Clerk Teresa Hill, and Jason Moran City Attorney

Also Absent: None

1. Call to Order/Pledge of Allegiance. Mayor Mihalik called the meeting to order noting that all Council was present except Wollin. Also present was Teresa Hill, Administrator/Clerk, and Jason Moran City Attorney. Pledge of Allegiance was recited.

2. Closed Session – Preliminary Consideration of a Disciplinary Matter. Mayor Mihalik said we will close the session for preliminary consideration of a disciplinary matter. Motion by Mihalik, seconded by Schmidtke to close the session for preliminary consideration of a disciplinary matter. Unanimous vote. Motion carried. Session closed 6:01 p.m.

3. Open Meeting. Motion by Mihalik, seconded by McIntyre to open the meeting. Unanimous vote. Motion carried. Meeting re-opened 7:48 p.m.

4. Disciplinary Action.

(A) Mayor Mihalik said first the Council will address the issue with Mr. Matt Duhme regarding unauthorized use of City equipment. Council has had discussion in the closed meeting. Motion by McIntyre, seconded by Vail that we do disciplinary action of 90 days probation to be put to his file. Mr. McIntyre said it should be verbal so that there is a record to his file. With that 90 day probation not to violate any City Policy rules, or state statutes. Unanimous vote. Motion carried.

(B) Mayor Mihalik said in regard in disciplinary action for Chief Meskan also for unauthorized use of City equipment. Council has had discussion in the closed meeting. Motion by McIntyre, that we do a 30 day suspension without pay and following the 30 day suspension without pay is a 60 day probationary period to give Chief Meskan an opportunity to bring a plan forward as to how we improve the leadership not just for him but the leadership if it is needed with his leadership and the support that the Council can give him. Mayor Mihalik said meaning morale between the Fire Department and Council. Mayor Mihalik said he would like to make an amendment to the motion also that the City not pursue any type of legal action regarding the unauthorized use for both Chief Meskan and Matt Duhme. McIntyre seconded the amendment, Vail seconded the Motion. Voting for: Vail, McIntyre, Mihalik; Abstain: Schmidtke Motion carried.

Discussion held regarding the 1st Assistant taking over as Chief during the 30 day suspension. Mr. Schmidtke is the 1st Assistant. Mr. Moran said that the councilmember and 1st Assistant Fire Chief are incompatible offices. Mr. Moran urged Council to follow the policy and recommended to Council that Mr. Schmidtke become the Chief for the 30 day suspension. Mayor Mihalik

asked what happens with the Council seat. Mr. Moran said Mr. Schmidtke will have to choose between the 1st Chief position and the Council. Discussion held regarding the Fire Department policy and the Council seat. Mr. Moran said they are incompatible offices and Mr. Schmidtke technically cannot serve in either role, you have to give up one of them that is what the law says. Mr. Schmidtke said okay, he is done with Council then. Thank you very much.

5. Adjourn. Motion by Mihalik, seconded by Vail to adjourn. Unanimous vote. Motion carried. Meeting adjourned 7:59 p.m..

Stephen Mihalik, Mayor

Teresa Hill, Administrator/Clerk