

MINUTES OF THE
ETHICAL PRACTICES BOARD

September 20, 2022

Members Present: Board Members Walter Bauch (Chair), Robert “Robby” Dube (Vice-Chair), and Michael Friedman (Quorum 2)

Chair Bauch called the meeting to order at 3:00 p.m. in Room 315 City Hall, a quorum being present.

Friedman moved to adopt the agenda. On voice vote, the motion passed.

Dube moved to accept the minutes of the regular meeting of May 17, 2022. On voice vote, the motion passed.

New Business

4. Approving the 2021 Annual Report

Susan Trammell, Ethics Officer, summarized the 2021 Annual Report.

Friedman stated that he would abstain from voting on the 2021 Annual Report since he was not a board member during that time.

Dube moved approval of the 2021 Annual Report, directing that the report be published, and giving the Ethics Officer the authority to make any necessary typographical corrections to the report, as necessary.

On roll call, the motion passed.

[Friedman abstained]

New Business — Closed Session

5. EC-2022-27: Rule 7.6
6. EC 2022-28: Rule 8.3
7. EC 2022-32: Rule 7.6
8. EC 2022-33: Rule 7.6

At 3:10 p.m., Friedman moved that the meeting be closed pursuant to Minnesota Statutes, Section 13D.05, Subdivision 2(b), for presentation by the Ethics Officer of Ethics Complaints No. 2022-27, 2022-28, 2022-32, and 2022-33 against individuals subject to the Board’s authority for the Board’s preliminary consideration of the charges presented.

On voice vote, the motion passed.

At 3:11 p.m., Chair Bauch called the closed session to order, a quorum being present.

Present: Board Members Walter Bauch (Chair), Robert “Robby” Dube (Vice-Chair) (out 4:20 p.m. to 4:22 p.m.), and Michael Friedman.

Also Present: Susan Trammell, Ethics Officer; Matthew Wilcox, Assistant City Attorney; and Peggy Menshek, City Clerk’s Office.

From 3:13 p.m. to 4:47 p.m., Mr. Wilcox summarized Ethics Complaints 2022-27 and 2022-32 and Ms. Trammell summarized Ethics Complaints 2022-28 and 2022-33.

At 4:48 p.m., Dube moved that the meeting be opened. On voice vote, the motion was approved.

The closed session of the Ethical Practices Board meeting was recorded with the recording on file in the Office of the City Clerk.

At 4:49 p.m. the meeting was reconvened in open session.

Present: Board Members Walter Bauch (Chair), Robert “Robbie” Dube (Vice Chair), and Michael Friedman.

Friedman moved to affirm the Ethics Officer’s dismissal of Ethics Complaint No. 2022-27 pursuant to Rules and Bylaws of the Ethical Practices Board §7.6.

On voice vote, the motion was approved.

Regarding Ethics Complaint No. 2022-28, Friedman moved to separate out Allegation No. 4 from the remainder of the allegations.

On voice vote the motion failed.

Dube moved to dismiss Ethics Complaint No. 2022-28 for failing to establish probable cause.

On voice vote, the motion was approved.

Dube moved to affirm the Ethics Officer’s dismissal of Ethics Complaint No. 2022-32 pursuant to Rules and Bylaws of the Ethical Practices Board §7.6.

On voice vote, the motion was approved.

Dube moved to affirm the Ethics Officer’s dismissal of Ethics Complaint No. 2022-33 pursuant to Rules and Bylaws of the Ethical Practices Board §7.6.

On voice vote, the motion was approved.

Reports

9. Ethics Inquiry Report
10. Complaint Activity Report
11. Other Activity Report

The Board received and filed reports from Ms. Trammell on Ethics Inquiry, Complaint Activity, and Other Activity.

Announcements

Ms. Trammell noted that Board Member Dube’s term would expire at the end of the year and that board seat would be open for applications through October 31, 2022.

Vice Chair Dube announced that because he was moving outside the city limits, he would not be reapplying to serve on the Ethical Practices Board, and November 15 would be his final meeting.

Adjournment

Without objection, the meeting was adjourned at 5:00 p.m.

Peggy Menshek
Board Clerk