



**City of Neenah
Common Council Minutes
Wednesday, July 1, 2026 at 6:00 PM
Neenah City Hall
211 Walnut Street
Council Chambers**

[A broadcast of this meeting can be viewed and heard through this link on the City's YouTube channel.](#)

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 6:00 PM, July 1, 2026, in the Council Chambers of Neenah City Hall.

Mayor Borchardt is the chair.

Present: Council President Steiner, Aldermen Bruno, Erickson, Linski, Defferding, Pollnow, Ellis, and Weber. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Nieforth, Public Works Director Kaiser, City Attorney Rashid, and City Clerk Nagel.

Also Present: Fire Chief Teesch, Police Chief Olson, Information Systems Director Schroeder, Human Resources Director Barber, and those on the attached sign-in sheets.

Mayor Borchardt called the meeting to order at 6:00 p.m.

I. Roll Call and Pledge of Allegiance

The City Clerk called a voice roll call as the Mayor/Aldermen recorded their attendance in the RollCall-Pro System followed by the Pledge of Allegiance led by Alderman Pollnow.

II. Introduction and Confirmation of Mayor's Appointment(s)

- A. Appoint Collette Sizer to the Sustainable Neenah Committee for a three-year term expiring December 2029.
- B. Appoint Alderman Neuman to the Committee on Aging for a one-year term to expire April 2027.
- C. **(Unanimous Consent)**
Seeing no objections, the above Mayor's appointments were ordered approved as written.

III. Approval of Council Proceedings

- A. Approval of the of [June 17, 2026 Common Council meeting](#). **(Unanimous Consent)**
Seeing no objections, the above Minutes and Proceedings were ordered approved as written.

IV. Public Forum

Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.

Mayor Borchardt opened the public forum.

- A. Danielle Falesnik, 614 Cleveland St, Neenah, an Independent candidate for Winnebago County Sheriff. Ms. Falesnik explains encryption types: end-to-end, in transit, and at

rest. She raises concerns about Flock's data retention and potential misuse. She urged Council to cancel the Flock contract.

- B. Nathaniel Miller, 981 Grove Street, Neenah. He expressed opposition to the continued Flock contract, citing trust issues and lack of transparency from Flock representatives. He also spoke against Council going into closed session to discuss the Flock contract.
- C. Jordan Hansen, 425 West 12th Avenue, Oshkosh. Mr. Hansen discussed the Supreme Court's recent ruling of geofence warrants and its implication for Flock cameras. He also spoke against Council going into closed session to discuss the Flock contract.
- D. Cari Tetzlaff, 824 Powers St., Oshkosh. Ms. Tetzlaff urged council to end the use of Flock cameras, citing inaccurate information provided by Flock and the need for open discussion about surveillance technology. She urged Council to deliberate as much as possible in open session.
- E. Susan Krueger, 1233 S. Commercial St, Neenah. Ms. Krueger questions the city's intentions for commercial properties on Commercial Street and expresses concerns about the lack of communication and transparency.
- F. Tanner Mann, 833 West Harris St, Appleton. Mr. Mann raised concerns about the potential misuse of Flock cameras, including tracking people and identifying sensitive information. He expressed the importance of end-to-end encryption with no encryption key for maintaining privacy and serenity. He urged council to cancel Flock's contract, if that is not a possibility, then bag the cameras.
- G. Nate Welch, 743 Margeo Drive, Neenah (Village of Fox Crossing). Raised concerns about the potential misuse of Flock cameras, including tracking people and identifying sensitive information. He also spoke against Council going into closed session to discuss the Flock contract.
- H. Scott Becher, 1061 Green Acres Lane, Neenah. Mr. Becher suggested a public forum to discuss the redevelopment of Commercial Street and the need for better communication with business owners.

After additional calls for public comments, none were heard. Mayor Borchardt closed the Public Forum.

V. Mayor/Council consideration of public forum issues

- A. Alderman Pollnow gave a tutorial on how an agenda is crafted, which according to Council Rules, is done by the Mayor. Alderman Pollnow does not agree that the Flock camera discussion should be in closed session.
- B. Council President Steiner appreciates the questions in regards the closed session. There are multiple reasons for Council to go into closed session, however, the end result and outcome must to be made public. Council President Steiner request City Attorney Rashid give a high level review as to why Council is going into closed session.
- C. City Attorney Rashid read the agenda item which gave the reason as to why Council was going into closed session. Misinformation was posted on social media today by an alderman. There have been at least three public meetings on the use of Flock cameras. In brief, there are multiple reasons to go into closed session, the agenda is set by the Mayor, often times in consultation with the City Attorney and the City Clerk. There may be litigation and that is what is going to be discussed in closed session.
- D. Director Nieforth gave a brief synopsis on the development of S. Commercial Street. For about 15 years, with the Community Development Authority, has been acquiring

properties to facilitate redevelopment and remove blight. Some of the city owned parcels are too small for development and if there is an opportunity to purchase the adjacent property at a reasonable price, the parcels can be joined together to create a more desired developable site. The city has created a South Commercial Street Master Plan in the past five years coinciding with the reconstruction of the street itself. The focal point is the 50-unit multifamily development coming to the S. Commercial Street area. Mini meetings have been taking place with business owners along the corridor to get input and feedback on potential opportunities for some amenities that will support business development.

- E. Mayor Borchardt echoed the process Director Nieforth spoke of. Comments were made long ago about redevelopment of the Commercial Street corridor. Those comments were heard, and Mayor Borchardt is pleased with the progress that is being made along the corridor.
- F. Alderman Erickson urged constituents to contact their aldermen or the mayor with any questions they have about the South Commercial Street redevelopment. They are happy to meet with residents and answer any questions.
- G. Alderman Defferding emphasized the importance of public forums and transparency in the South Commercial Street redevelopment process. ‘
- H. Alderman Defferding also commented on having a closed session for the Flock camera contract, stating that the onus is on the Mayor and the City Attorney to prove that the Flock contract belongs in closed session and that’s where we need to build trust with the people we represent.

VI. Consent Agenda

Committee recommends Council approve city employee Greg Howat to purchase the City of Neenah Dodge Durango (VIN: C4RDJFG1EC592276) for the Kelly Blue Book value of \$6,380.00, proceeds of sale to be deposited to the City of Neenah General Fund. **(Unanimous Consent).**

Seeing no objections, the above Consent Agenda was ordered approved as written.

VII. Reports of standing committees

- A. Public Services & Safety Committee meeting of [June 23, 2026](#): (Chairman Weber/Vice Chairman Pollnow) (Minutes can be found on the City website)
 - 1. Committee recommends Council approve the bid from B.E.S.T Enterprises, LLC, in the amount of \$164,104 to provide demolition services for 135 Millview Drive and recommend the Common Council approve the bid from Advanced Asbestos Removal Inc., in the amount of \$7,520 to provide asbestos abatement services at 135 Millview Drive. **(Roll Call Vote)**
Motion by Weber, seconded by Linski to approve the B.E.S.T Enterprises, LLC demolition bid and Advanced Asbestos Removal Inc., bid as recommended by Committee. Motion carried in a roll call vote, 7-2 with Defferding and Pollnow dissenting.

Alderman Defferding voted against this in committee as he does not think that city government should be responsible for picking and choosing favorites in

the marketplace. This seems like favoritism, therefore, he will be voting against it.

Alderman Pollnow voted against this in committee because the grant that this item is contingent upon hasn't gone through the grant process in which applying for the grant is approved by committee.

Director Nieforth reviewed the grant policy which indicated that for a grant of \$25,000 or more the Department Head can approve applying for it with notification to the Mayor and the Finance Director. If the grant is awarded, approval of accepting the grant money would go to the committee of jurisdiction and then to council. Director Nieforth advised Council that if the grant is not awarded, this project would not proceed because the funding would not allow it.

Director Rasmussen interjected that this was a budgeted item versus an unbudgeted item. Acquisition and site preparation of this property was in the Capital Improvement Plan (CIP).

Alderman Pollnow will not be supporting the demolition of the building because there is no rush. The grant will be applied for and the building is going to sit there until the grant is awarded. Alderman Pollnow does not see the need to tear down a perfectly good building with no developer interested in the property.

Council President Steiner sees this property as a city owned property that is not productive; it's sitting there deteriorating. This is an opportunity to make the parcel desirable to a developer in order to make the property productive and taxpaying. It is not unusual for any city across the country to make their community attractive and desirable to developers, business owners, or people to be a part of. It's well rooted in the history of municipalities and well rooted in the history of the United States.

Alderman Pollnow wanted the record to reflect that this is not a deteriorating building that's been sitting there for years. It's sitting there empty because the city purchased it for \$600,000 more than it was assessed at. It was assessed at \$1.6 million dollars and the city paid John Bergstrom \$2.2 million and is going to tear down the building. Alderman Pollnow doesn't think that's a proper way to do government, nor the proper way to spend tax dollars.

Alderman Defferding echoes Alderman Pollnow's comments because oftentimes the city purchases properties and it just sits there, which is evident on Commercial Street. The whole idea is that there's a future development tool but the future development never comes. The way the free market operates is that buildings sit there, deteriorate, and businesses purchase it for a lesser value, and this item is just pure interference with how the free market operates. Alderman Defferding can't philosophically support that.

Alderman Ellis gave a history of mistakes made and success earned with North Commercial Street, with the downtown, and with the industrial park. None of the successes would have been made possible had it not been for a plan, a purchase, or a vision. Nothing is given, but the history of the City of Neenah and what has been accomplished for future growth speaks for itself, and he will listen to the department heads and the successful history they have shown to move the city forward over the past 50 years.

2. Committee recommends Council approve Resolution 2026-06, for the Compliance Maintenance Annual Report (CMAR) for reporting year 2025. **(Roll Call Vote)**

Motion by Alderman Weber, seconded by Alderman Pollnow to approve Resolution 2026-06 Annual CMAR report as recommended by Committee. Motion carried in a roll call vote, 9-0.

3. Committee recommends Council approve the Intergovernmental Cooperation Agreement with the Town of Neenah for the 2026 Woodenshoe Road resurfacing with funding to come from the Public Infrastructure fund balance. **(Roll Call Vote)**

Motion by Alderman Weber, seconded by Alderman Ellis to approve the Intergovernmental Cooperation Agreement as recommended by Committee. Motion carried in a roll call vote, 9-0.

Alderman Pollnow voted against this in committee because he would like to leverage this project to get more discussion on the sidewalks on Woodenshoe Road because, in his opinion, Woodenshoe Road is very dangerous to walk on. There are no sidewalks, no trails, and a very short shoulder.

City Attorney Rashid understands the concept behind Alderman Pollnow's request, but it's ultimately up to Council whether or not to use this project is used as leverage to get the Town of Neenah to cooperate with city better. In Attorney Rashid's legal opinion, using this project as leverage may cause more problems legally than it solves. All parties seem to agree this road needs repair and denying the agreement for what could be interpreted as technical reasons could end up being more of a hinder than a help.

Alderman Steiner appreciates Alderman Pollnow raising the question but inquired on what the legal ramifications would actually be if this agreement was denied. Attorney Rashid responded that the project wouldn't get done and it's not necessarily a legal question as it is a policy question or a relationship question. Some aldermen feel like there wasn't a long enough leeway to the city and perhaps we shouldn't cooperate with the Town. Alderman Pollnow's view is it is more a sidewalk issue than a road condition issue. The Town didn't provide the city with the opportunity to talk about the installation of sidewalks.

Director Kaiser advised that the work goes through city right of way, therefore, hypothetically, the city could prevent the project from happening. The result would be 90% paved road with 10% of road remaining in as is condition, essentially an uneven road. This would not be win for the city.

With that clarification, Attorney Rashid interjected an uneven road could create a liability issue. Attorney Rashid understands the concern but does not know if denying the agreement is the proper way to address the concern.

Alderman Pollnow would like to have a sidewalk on Woodenshoe Road considered in a future CIP and inquired how to do that. Director Kaiser replied that this section of Woodenshoe Road would have to be evaluated against the city sidewalk criteria. The sidewalk scoring system favors attractions such as nearby schools, shopping, employment centers. There is nothing of that sort in this area to help drive a higher score.

Alderman Pollnow is concerned that someday someone is going to get hurt using Woodenshoe Road. To Attorney Rashid's point, if the situation is that bad, moving forward with this project despite feelings about how it was presented, is a step forward. However, the bigger issue is improving the relationship with the town which hasn't been solved yet.

4. Committee recommends Council approve the proposal from TRC Environmental Corporation for preparation of a supplemental site assessment for DNR BRRTS Activity #02-71-59922 (S. Commercial Street Right-of Way) with funding to come from the Public Infrastructure fund balance. **(Roll Call Vote)**

Motion by Alderman Weber, seconded by Alderman Pollnow to approve the site assessment as recommended by Committee. Motion carried in a roll call vote, 9-0.

Alderman Pollnow inquired on the timeline in accordance with DNR letter. Director Kaiser made the DNR aware of the approval timeline. The first deadline is to bring a company on board to do the work. The next deadline is 30 days from now to provide DNR with a scope of work for addressing the detection, and then work will progress from there. Once the DNR approves the scope of work, work will actually begin.

5. Committee recommends Council authorize the Neenah Police Department to proceed with the recommended vendor to complete the locker room and evidence room upgrades, not to exceed the overall project budget of \$500,000.00, with funding coming from the Facilities Capital Improvement Budget. **(Roll Call Vote)**

Motion by Alderman Weber, seconded by Alderman Pollnow to approve the recommended vendor as recommended by Committee. Motion carried in a roll call vote, 9-0.

6. Committee recommends Council approve the Neenah Joint School District, City of Neenah, and the Neenah Police Department Safety Resource Officer contract for July 2026 to June 30, 2029. **(Roll Call Vote)**
Motion by Alderman Weber, seconded by Alderman Linski to approve the NJSD Safety Resource Officer contract as recommended by Committee. Motion carried in a roll call vote, 9-0.

B. Finance & Personnel Committee meeting of [June 22, 2026](#): (Chairman Erickson/Vice Chairman Ellis) (Minutes can be found on the City website)

1. Committee recommends Council to approve the selection of USI as the City's benefits consultant. **(Roll Call Vote)**
Motion by Erickson, seconded by Pollnow to approve the USI as the City's benefit consultant as recommended by Committee. Motion carried in a roll call vote, 9-0.

Mayor Borchardt participated in the interview process with Director Barber and her team. He found the experience very informative and appreciates all the work that went into this recommendation.

Alderman Pollnow questioned the market review outcome. Director Barber advised the market review has nothing to do with benefits but anticipates the outcome will provide savings with this move.

C. NMFR Joint Finance & Personnel Committee meeting of [June 16, 2026](#): (Alderman Pollnow) (Minutes can be found on the City website)

1. Committee recommends the Cities of Neenah and Menasha Common Councils approve the Urban Search and Rescue Emergency Response Services Agreement with the State of Wisconsin, Department of Military Affairs from July 1, 2026. **(Roll Call Vote)**
Motion by Pollnow, seconded by Bruno to approve the Urban Search and Rescue Emergency Response Services Agreement as recommended by Committee. Motion carried in a roll call vote, 9-0.

Chief Teesch explained the program and the benefits the department receives from participating in this program. There are six members on the State Task Force One Team. The agreement addresses the training and reimbursement to the department. This agreement assures the members receive the proper insurance coverage during training and is renewable every three years. The agreement includes escalators for inflation and hourly rate of reimbursement.

The training received through this program is train the trainers. Meaning the Department of Military Affairs are able to certify their instructors and our members are able to be certify as trainers making it a win-win situation. The benefit to the department over all is our members are able to bring the education back to train their shifts and their crews.

2. Committee recommends the Cities of Neenah and Menasha Common Councils approve the purchase of extrication tools and associated components for a cost not to exceed \$225,000. **(Roll Call Vote)**
Motion by Pollnow, seconded by Weber to approve the purchase of extrication tools and associated components as recommended by Committee. Motion carried in a roll call vote, 9-0.
3. Committee recommends both Cities of Neenah and Menasha Common Councils approved the proposed 2027 Cost Distribution Formula with the City of Neenah's share being 60.68% and the City of Menasha's share being 39.32%. **(Roll Call Vote)**
Motion by Pollnow, seconded by Bruno to approve the 2027 Cost Distribution Formula as recommended by Committee. Motion carried in a roll call vote, 9-0.

Director Rasmussen explained the Cost Distribution Formula tabulation. There are four factors taken into consideration for the formula: population of each city, equalized value for each city, service calls per city, and square miles per city. This total is weighed by 25% each for the total percentage for each city.

VIII. Reports of special committees and liaisons and various special projects committees

- A. Regular Plan Commission Meeting of June 9, 2026: (Council Rep Erickson) (Minutes can be found on the City website)
 1. Informational items only, no report.

IX. Reports of Special Committees and Liaisons and Various Special Projects Committees

- A. Plan Commission meeting of [June 23, 2026](#): (Ald. Neuman) (Minutes can be found on the City website)
 1. Informational only items, no report.
- B. Board of Public Works meeting of [June 25, 2026](#): (Vice Chairman Ellis) (Minutes can be found on the City website)
 1. Committee recommends Council on Final Pay Request, Contract 5-25, Hot Mixed Asphalt Repairs, MCC, Inc., in the amount of \$3,803.10. **(Roll Call Vote)**
Motion by Ellis, seconded by Neuman to approve the final pay request on Contract 5-25 as recommended by the Board. Motion carries in a roll call vote, 9-0.

Director Kaiser advised the final contract amount was less than the initial bid amount.

- C. Report from the Sustainable Neenah Committee Meeting of [June 24, 2026](#) – Alderman Linski.
 1. No report.

- D. Report from the Bergstrom Mahler Museum Meeting of June 24, 2026 – Alderman Bruno.
 - 1. Renovations were completed under budget. Miron Construction has been a fantastic partner.
 - 2. Public campaign fundraiser, “Our Time to Shine”, was a huge success, exceeding the goal.
 - 3. Catching Fire Auction was very successful.
 - 4. The ribbon cutting ceremony was a great event last Friday, June 26th.
 - 5. Family Day was also successful on Saturday, June 27th.
 - 6. Glass Arts Festival will be held August 8th.
- E. Report from the Special Landmarks Commission Meeting of [June 29, 2026](#) - Alderman Bruno.
 - 1. Report on the renovation of the Kimberly Point Park Lighthouse which received the approval of the Wisconsin Historical Society Certificate of Appropriateness.
- F. Report from the Committee on Aging meeting of [June 18, 2026](#) - Alderman Neuman.
 - 1. Mayor Borchardt explained that Alderman Neuman has been appointed to the Committee of Aging and will be reporting out on this committee in the future.
- XI. Presentation of petitions
 - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
 - 1. None.
- XII. Council Directives
 - A. None.
- XIII. Unfinished Business
 - A. None.
- XIV. New Business
 - A. Any announcements/questions that may legally come before the Council.
 - 1. None.
- XV. Closed Session.
 - A. The Common Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, and the conducting of other specified public business as competitive or bargaining reasons require closed session for properties on the 1200 and 1300 blocks of South Commercial Street. **(Roll Call Vote)**
Motion by Alderman Weber, seconded by Alderman Neuman for the Common Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, and the conducting of other specified public business as competitive or bargaining reasons require closed session for properties on the 1200 and 1300 blocks of South Commercial Street. The

Common Council may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on any item (s) discussed in closed session. Motion carried in a roll call vote, 8-1 with Defferding dissenting.

Point of Order by Alderman Pollnow questioning the agenda notice for treating the closed sessions as separate items. He believes that once Council goes into closed session, it will remain in closed session for the second closed session item. He is concerned for those who want to stay and here the outcome of the

Attorney Rashid clarified that anyone who wishes to stay can be excused to the foyer and may come back into Council Chambers once the Council comes back into open session.

Alderman Pollnow question if there could be a motion to have the second closed session be done in open session. Mayor Borchardt and Attorney Rashid both clarified that there is already a motion and second on the floor to enter into the first closed session.

Discussion ensued.

Point of Order by Alderman Erickson. Both items were noticed as a closed session. Robert's Rules of Order do not allow for a motion to have the discussion in open session because it was not noticed as such. There is no ability to have discussion in open session at this meeting, the open session would have to be on a future agenda.

Point of Order by Alderman Defferding. He is asked clarifying questions on what the motion on the floor truly is. Closed session for item A would be voted on for the Council to convene into closed session. After that discussion was completed, the Council will re-convene into open session. Then the Council will vote again to convene into closed session for the item B, Flock cameras. Is this correct?

Attorney Rashid responded, yes, that is what is being proposed.

Alderman Defferding clarifying that this vote is only to discuss item A in closed session. There will be a motion to reopen into open session to discuss going into closed session for item B.

Point of Order by Alderman Pollnow. Stated that the agenda is not noticed for Council to come out of closed session in between the two items.

Point of Order by Clerk Nagel. The agenda is noticed correctly. The agenda states, "The Common Council may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on **any item (s)** discussed in closed session." As well as Item B states, "The Common Council may convene into closed session" it does not state, "The Common Council may remain in closed session" which makes it a separate item.

No further discussion.

MOTION RESTATED: Motion by Alderman Weber, seconded by Alderman Neuman for the Common Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, and the conducting of other specified public business as competitive or bargaining reasons require closed session for properties on the 1200 and 1300 blocks of South Commercial Street. The Common Council may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on any item (s) discussed in closed session. Motion carried in a roll call vote, 8-1 with Defferding dissenting.

After a short break, Council convened into closed session at 7:29 PM.

At 7:54 PM, Motion by Alderman Weber, seconded by Alderman Defferding for the Council to reconvene into open session. Motion carried in a voice vote, 9-0.

The Council reconvened into open session at 7:54 PM.

At this point, the Council Chambers doors were opened and anyone waiting in the foyer were invited back into Council Chambers.

- B. The Common Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(g) to confer with the City Attorney who will render advice concerning strategies with respect to pending or impending litigation involving the City, specifically regarding the Flock Camera Contract. (Roll Call Vote)
Motion by Alderman Ellis, seconded by Alderman Weber for the Council to convene into closed session pursuant to Wis. Stat. §19.85(1)(g) to confer with the City Attorney who will render advice concerning strategies with respect to pending or impending litigation involving the City, specifically regarding the Flock Camera Contract. The Common Council may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on any item (s) discussed in closed session. Discussion.

Alderman Defferding asked the City Attorney to provide proof that there is pending or impending litigation regarding the Flock Camera Contract, otherwise he won't be supporting Council going into closed session. If this item does go into closed session, he will not be taking part in it, and he would like a recorded vote.

City Attorney Rashid advised that Wisconsin Stat. §19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." Further, the Attorney General's opinion is that there are no clear-cut standards for determining if a governmental body will "likely" become involved in litigation, the members of the governmental body should rely on the body's legal counsel for advice on whether litigation is sufficiently likely to authorize a closed session under §19.85(1)(g). Attorney Rashid explained the Flock camera contract came up on Monday, in which Mayor Borchardt, in light of the three recent public airing of the issues and concerns of the citizens and some of the aldermen, that he felt it was time to

determine what the Council felt in terms of continuation of the Flock contract or early termination. If it is early termination, there is a very real possibility of litigation. Due to that, and due to the terms of the agreement, Attorney Rashid agreed with Mayor Borchardt that there was a sufficient reason to go into closed session. At that time the agenda was amended in accordance with the 24-hour open meeting law. This is the basis to which the Mayor has asked to go into closed session, and the aldermen can either vote in favor or not in favor of going into closed session.

Alderman Pollnow is not going to support going into closed session because Flock representatives were here to address the Public Services and Safety Committee and there was no indication of litigation. Alderman Pollnow believes a confidential memo would have been sufficient. He thinks this entire situation is problematic, and a lot of people expressed their public opinion. After reading the contract, this company has not respected this city nor council in his opinion. They have not been straightforward with us; it is very provable that they misrepresented what they stand for and what they provide. He'll vote against this.

Point of Order by Aldermen Ellis. This not the motion on the floor. The motion on the floor is to go into closed session. Feelings, opinions, or outside influencers have nothing to do with this motion.

Alderman Defferding's opinion is that Attorney Rashid explanation is that there could be litigation and could be litigation does not satisfy the parameters of §19.85(1)(g). Anything could be litigation; it's an umbrella definition.

Point of Order by Aldermen Ellis. The motion is to go into closed session. Anything else beyond that is not germane to the vote.

Mayor Borchardt disagreed and allowed some levity on this motion. Discussion continued.

Alderman Defferding continued, that he disagrees that this closed session falls within the statutes parameter and he will not participate in it.

Council President Steiner, read directly from the statute, states, "ligation in which it is or is likely to become involved". That's literally what the statute says.

Call the Question by Aldermen Ellis, seconded by Alderman Weber. Call the Question passed in a roll call vote, 7-2, with Pollnow and Defferding dissenting.

MOTION RESTATED: Motion by Alderman Ellis, seconded by Alderman Weber for the Council to convene into closed session pursuant to Wis. Stat. §19.85(1)(g) to confer with the City Attorney who will render advice concerning strategies with respect to pending or impending litigation involving the City, specifically regarding the Flock Camera Contract. The Common Council may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act

on any item (s) discussed in closed session. Motion carried in a roll call vote, 6-3, with Aldermen Defferding, Pollnow, and Bruno dissenting.

At 8:08 PM, Council convened into closed session.

Note that Alderman Defferding recused himself and exited Council Chambers at 8:08 PM. He did not participate in the closed session.

At 8:36 PM, Motion by Alderman Pollnow, seconded by Alderman Neuman for Council to reconvene into open session. No further discussion. Motion carried by a roll call vote, 8-0.

At 8:40 PM, the Council reconvened into open session.

At this point, the Council Chambers doors were opened and anyone waiting in the foyer was invited back into Council Chambers.

- C. The Common Council may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on any item (s) discussed in closed session. **(Voice Vote)**

No action was taken by Council in reference to the two closed session items.

XVI. Adjournment

Motion by Alderman Pollnow, seconded by Alderman Weber to adjourn. Motion carried in a voice vote 8-0. Meeting adjourned at 8:41 PM.

[A broadcast of this meeting can be viewed and heard through this link on the City's YouTube channel.](#)

Respectfully submitted,



Charlotte Nagel, City Clerk