

City Attorney Frog Prell,

I am writing to you regarding a few concerns I have within our local government. As you may be aware, recently our Mayor, Jim Paine married the 2nd District City Councilor, Jenny Van Sickle. It is not the issue of them being married that concerns me, it is the conflict of interest that is raising flags. According to the Wisconsin State Statute, there is significant legal and ethical concern regarding this situation.

Wis. Stat. Sec 19.42(7) the definition of “Immediate family” means:

- (a)** An individual's spouse; and
- (b)** An individual's relative by marriage, lineal descent, or adoption who receives, directly or indirectly, more than one-half of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one-half of his or her support.

My biggest concern is that every year our council meets to discuss our budget for the upcoming year. Some may disagree, but I believe the budget is the most important item that we work and vote on. With the upcoming budget discussion beginning in a few short months, the conflict of interest concern is growing higher given the fact that the Mayor's salary is discussed and finalized within that budget. Allowing for Councilor Van Sickle to be a part of the approval process for the Mayor's salary it benefits her immediate family and herself financially. In addition to the Mayor's salary, the health insurance package is also discussed and voted on for our city employees. This is where it gets confusing; if Councilor Van Sickle's husband's health insurance policy is within the budget, should she recuse herself from voting? What if she is on the City of Superior's insurance policy?

According to State Statute 19.59(1)

- (a)** the first sentence reads “No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family.”

I strongly fear that this is exactly what may be happening. When it comes time to discuss and vote on agenda items that can benefit her immediate family, should Councilor Van Sickle recuse herself from any discussion and voting? When it comes to any conflicts of interest, we are advised to recuse ourselves from voting and participating in any discussions, which we see happen in the chambers often. I fear that if this is not addressed, we will lose the trust of our constituents, and we will lose the integrity of our organization. As an elected City Councilor for the 8th District, I am asking you for your professional opinion, and to review this important concern.

Sincerely,

Craig Sutherland
8th District City Councilor
City of Superior

