



City Clerk's Office

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Superior, WI 54880

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Living up to our name.

January 13, 2020

Garner Moffat
1508 E 6th Street
Superior, WI 54880

Brent Fennessey
810 E 3rd Street
Superior, WI 54880

Mr. Moffat and Mr. Fennessey:

On Friday, January 10, 2020, at approximately 4:25, Mr. Moffat filed a complaint regarding nomination papers filed by Mr. Fennessey for the 5th aldermanic district position. The specific allegations of the complaint were that several of the signatures collected by Mr. Fennessey were dated after the Certification of Circulator date. The complaint further alleges that one page within the nomination papers is both undated and unsigned. Between the two alleged deficiencies the complainant contests that only 18 valid signatures remain on the nomination paper which is less than 20 and in violation of Wis Stat 8.10(3), 8:15(4)(a).

City Clerk Technician Camila Ramos immediately scanned and emailed the complaint to myself and City Attorney Frog Prell. I was able to reach Mr. Fennessey by phone to inform him of the complaint. I also indicated that he had until 5 p.m. to file an affidavit of correction. Mr. Fennessey and I were able to meet at the City Clerk's Office prior to 5 p.m. and an affidavit was filed indicating that Mr. Fennessey had incorrectly dated the Certification of Circulator section on the nomination papers. Specifically Mr. Fennessey indicated, under oath, that he used the beginning circulating date where he should have used the end of circulation date.

After careful review of the entire packet, including the affidavit submitted by Mr. Fennessey, I find Mr. Fennessey has 26 valid signatures and 3 invalid signatures and will be placed on the February 18, 2020 Primary ballot.

I have also discussed this matter at length with Riley Willman, Elections Specialist at the Wisconsin Elections Commission and have provided him with a copy of the complaint, nomination papers and my reply. He can be reached directly at 608-261-2030. If you wish to appeal my decision, Compliance review and appeal information can be found under Wis. States 5.06.

Please let me know if you have any questions or concerns.

Best Regards

Terri Kalan, City Clerk
Superior, Wisconsin