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City trying to bring end to PowerPoint lawsuit

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RACINE — The City of Racine Attorney's Office is trying to bring an end to its five-year battle with former alderman/mayoral candidate Sandy Weidner over a PowerPoint. The city made an offer to Weidner that would have the lawsuit dropped.



Weidner

But Weidner said she isn't planning on letting the case go that easily. When she rejected the city's offer, via an email to her attorney, Weidner said she wrote "F--- you" to the city administration.



Letteney

A Wisconsin Court of Appeals decision last month found that the city was wrong to deny showing the PowerPoint to Weidner in the first place. This latest offer from the city, Weidner said in a text message to a reporter, is a sign the "city still believes itself to be above the law regardless of the Second District (Appeals) Court's decision."

Offer

The city's offer would have allowed Weidner to review two versions of the PowerPoint in question, but would have kept the presentation(s) private and out of the public eye. The offer would have also required Weidner to pay all of her own attorney's fees.

The city has, as of July 2022, already spent \$201,312.83 in attorney's fees on the case, paid to an outside firm: Meissner Tierney Fisher & Nichols S.C. of Milwaukee. The costs have likely already grown and continue to.

Weidner said she has spent tens of thousands of her own money on the case. Those costs could fall to taxpayers if the city loses in court or if attorneys

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ALEX RODRIGUEZ PHOTOS, ALEX.RODRIGUEZ@JOURNALTIMES.COM

Micah Jones, left, is carried across the field by Aquil Ocacio, both representing Solbraa Park during the end of summer event at Hantschel Park Tuesday. Jones, having sprained his ankle the day before, came to Hantschel Park to cheer his team on in the games they played, that's when Ocacio came up and carried him around.

Saying bye-bye to summer

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The Department of Parks and Recreation and Cultural Services for the City of Racine said goodbye to summer with a final event involving all of the parks around the city Tuesday at Hantschel Park, 5400 Byrd Ave., Racine.

The kids attending the event are apart of the Traditional Playground Program, a summer day camp program that is free to the children of Racine. The kids were given a free lunch, played a handful of different games and were sent home with a backpack filled with school supplies provided by the Racine Kenosha Community Action Agency Inc.



Andrew Wozniak performs a long jump Tuesday at Hantschel Park. **BELOW:** Nolan Beyer, left, engages in a round of playfighting with AJ Garcia-Melencara.



A group from Mat Matson Park on the north side named themselves the "Matson Monsters."



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MILWAUKEE

Vacationing man dies in fall from drawbridge

ASSOCIATED PRESS

MILWAUKEE — A Rhode Island man vacationing in Milwaukee fell to his death after a drawbridge was raised while he was walking across it.

Richard Dujardin, 77, of Providence, Rhode Island, was crossing the Kilbourn Avenue Bridge in downtown Milwaukee on Monday afternoon with his wife, according to a Milwaukee County

Medical Examiner's Office report.

Rosemarie Dujardin made it across the bridge, which spans the Milwaukee River, but her husband was about halfway across when it began to open. He grabbed onto a side rail as the bridge sections rose to a 90-degree angle, but he lost his grip and fell about 70 feet to the pavement below, the report states.

He suffered a head wound and

was pronounced dead at the scene, investigators said.

The bridge is controlled by the city's Department of Public Works and its two halves are raised and lowered for boat traffic by someone working remotely who has two camera views of the span. The lights and bells were operational as the two sections were raised and crossing arms came down at each end of the

bridge, according to investigators.

Rosemarie Dujardin told investigators that her husband was hard of hearing and wore glasses. The medical examiner's report said he was looking at an iPad while walking.

Police said in a statement that there is no suspicion of a criminal act, but that the investigation continues. Interim Public Works

Commissioner Jerrel Kruschke said the employee who operated the bridge is in his fourth year and has conducted hundreds of bridge openings. He said the employee has been put on leave and offered counseling.

The department said in a statement that about half of the city's 20 bridges are operated remotely, calling it "a safe and standard industry practice."

Weidner

From A1

agree in a settlement that the city will pay Weidner's legal fees.

Weidner said she will accept nothing less than the public disclosure of the PowerPoint.

"It's not about the money. That money is already gone. But of course I'd like to be reimbursed; then I could probably take my whole family on a really nice vacation," Weidner said in a phone interview Tuesday. "What's key to me is that the public knows."

The city did not intend for its offer, presented to Weidner's attorney Aug. 12, to be made public. But Weidner recorded a video in which she details what she says is in the offer and uploaded it to social media. She declined to share the document that details the offer itself, saying in a text message to a reporter that she needed "clearance from my attorney."

Asked for comment on the case, the lead attorney representing the city, Michael Cohen, said in an email: "The City submitted a confidential and privileged settlement proposal to Ms. Weidner under state statutes. It was highly inappropriate for Ms. Weidner to disclose it to the public and to further publicly discuss issues in the case that are the subject of seal orders by the court."

"Under the circumstances, the City will not comment further on the terms of a settlement proposal that was intended to be confidential and privileged or the PowerPoints, which are filed under seal with the court per court order."

What's this all about?

The original version of the PowerPoint in question was presented to the City of Racine Executive Committee in August 2017 by City Attorney Scott Letteney.

At the time, Weidner was in the midst of a six-way race for mayor eventually won by Cory Mason by a margin of 400 votes.

The presentation contained dozens of communications between aldermen and members of the public that the City Attorney's Office alleged should not have been made public; the majority of the slides contained communications between Weidner and members of the public, according to Weidner.

Weidner said that City Attorney Scott Letteney referred her communications to the city's Board of Ethics for possible reprimand. After the emails in question were presented to the Board of Ethics, but not the PowerPoint itself, Weidner requested a copy of the original PowerPoint to confirm the emails shown to the Board of Ethics matched those from the Executive Committee meeting.

Her request was denied, even though she had already seen it and many of the emails contained within the presentation were originally sent by her. So, Weidner filed an open records request, which was also denied.

That's when Weidner took the case to court.

The case was initially sealed from public disclosure by Judge Eugene Gasiorkiewicz. That seal has been partially lifted and Weidner's attorney has been allowed to review the PowerPoint, but Weidner still has not seen it since August 2017.

Gasiorkiewicz has held Weidner in contempt of court and she could be fined tens of thousands of dollars because she talked to the press — first the Milwaukee Journal Sentinel, then The Journal Times — about the case while it was fully sealed.

When Weidner's attorney reviewed the PowerPoint two years ago, it became clear that the version submitted behind closed doors in court was slightly different than the PowerPoint that had been shown to the Executive Committee. That's why there are now two presentations Weidner wants to have unsealed.

An email Monday sent to Weidner's supporters, from what was her official mayoral campaign account, said: "Weidner was targeted by city officials after she announced her campaign for Mayor in

the City of Racine in 2017. She campaigned to expose the Machinery Row development and other financial concerns within the city. Weidner was brought up on ethics charges during her campaign after Letteney claimed Weidner violated attorney-client privilege with city emails."

This PowerPoint debacle is evidence, Weidner and her supporters have repeatedly alleged, that city government has become more insular and less transparent, with appointed city staff acting as if they have more power than actual elected officials.

"The attorney (Letteney) changed the rules on what is attorney-client privilege, and scared the bejeebus out of them (aldermen) on what can be communicated with their constituents," Weidner said.

A status conference in the case that had been scheduled for Wednesday has been rescheduled. The status conference is now to be held at 9:30 a.m., Aug. 26, in the Kenosha County Courthouse in front of Judge Chad G. Kerkman, who was assigned the case May 21, 2020, after Weidner asked for Gasiorkiewicz to be substituted out.

After that hearing, Weidner said she expects Kerkman to rule in favor of the city and that the PowerPoint will not become public. If that happens, she says she will file "another appeal."

Evers announces \$10M to expand well reconstruction

ASSOCIATED PRESS

MADISON — Gov. Tony Evers' administration announced Tuesday that it will earmark another \$10 million in grants to help repair and replace polluted wells.

Administration officials said that the money will go to expand the existing Well Compensation Grant Program.

They said they will loosen eligibility requirements for the new funding, including eliminating a requirement that a nitrate-contaminated well is only eligible for a grant if it serves livestock; extending grant eligibility to wells contaminated with any bacteria that poses a human health risk, not just livestock fecal bacteria; and expanding eligible applicants to include owners of contaminated non-community wells such as church wells, daycare wells and other small businesses' wells.

The new funding and relaxed eligibility could help address contamination in about 1,036 additional wells, according to the administration.



CRAIG SCHREINER, LEE NEWSPAPERS FILE PHOTO

Al Larson, then-Madison Water Utility chief engineer, stands at one of the city's wells on Friday, March 3, 2006.



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