

# A Better Mount Pleasant

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## FORMER MT. PLEASANT PRESIDENT JERRY GARSKI FOUND NOT GUILTY AFTER VILLAGE FILES MUNICIPAL COURT COMPLAINT

*“Ends two year battle to clear name and reputation, says politically motivated complaints wasted public funds and staff resources”*

**MT. PLEASANT, WI SEPTEMBER 20, 2018** - Former Village President Jerry Garski was found not guilty Thursday, September 13, of violating a village ordinance over his home-based business. Wind Point Municipal Judge John Knuteson dismissed the case against Garski, ending a nearly two-year battle with the village that began with multiple complaints filed in 2016 by Trustee Anna Marie Clausen and former Community Development Authority Chair Pat Barlament.

Knuteson ruled that Garski possessed the appropriate permits and licenses approved by village officials in 2011 to operate his business in Mt. Pleasant, validating Garski's original and consistent assertions that he had not violated village ordinances.

News of the original complaints against Garski were published in November 2016, when four separate complaints about Garski's properties and businesses were filed within a 24-hour period by Clausen and Barlament.

“From the beginning, on day one, I said I had violated no village ordinances and the complaints were bogus and wrong,” says former Village President Jerry Garski. “I still believe this was started by disgruntled village officials for political reasons.”

The complaints against Garski led to additional allegations by Safebuilt, LLC, the independent agency hired by the village to investigate and a State of Wisconsin Department of Safety and Professional Services Review Board investigation filed by the Village of Mt. Pleasant and Safebuilt, LLC.

In November 2017, the Village of Mt. Pleasant cited Garski for operating a business on his property, a violation of his conditional use permit - which could have resulted in a fine of \$6,125 - forcing Garski to suspend operation of his business and to retain legal counsel to represent him.

In June 2018, the State of Wisconsin Department of Safety and Professionals Services Review Board dismissed the complaints against Garski, stating that both Safebuilt and the Village of Mt. Pleasant had failed to provide sufficient evidence of violations.

Following the state's dismissal, the Village of Mt. Pleasant attempted to offer Garski a deal in which they would dismiss the citation with prejudice, if Garski would agree to pay the village's legal fees of \$1,295. Their offer reserved the village's right to impose future citations against him if he continued to operate his business.

"When the State of Wisconsin dismissed the case, the village tried to make a deal with me. They wanted me to say I was guilty and to pay for their legal expenses." Garski continues, "they had no evidence against me, and they were still threatening me."

Garski declined the village's offer, saying he was not violating village ordinances and possessed the appropriate permits and licenses for his business. He said he would rather go to court.

A few weeks later, the village offered to split the cost of their legal fees with Garski for \$650, again with prejudice and the potential for future citations. Garski said no.

Knuteson's ruling on Thursday represents not just the end of Garski's effort to defend himself, but also eliminates the waste of taxpayer funds spent by the village by having the following public employees fruitlessly pursue the allegations against him:

- Village of Mt. Pleasant Interim Administrator and Police Chief Tim Zarzecki
- Village Clerk/Treasurer Stephanie Kohlhagen
- Village of Mt. Pleasant Planning Director Sam Schultz
- South Shore Fire Department Chief Bob Stedman
- Mt. Pleasant Village Building Inspector Leonard Hannula
- Mt. Pleasant Clerk's Office staff
- Mt. Pleasant Police Department staff
- South Shore Fire Department staff
- Mt. Pleasant Building Department staff
- State of Wisconsin Department of Safety and Professional -Services Investigator
- State of Wisconsin Department of Safety and Professional Services Paralegal Staff
- State of Wisconsin Department of Safety and Professional Services Review Board
- Wind Point Municipal Judge John Knuteson
- Wind Point Municipal Clerk

In addition to the municipal complaints filed against Garski, Clausen and others also filed a host of various complaints against him, requesting public records related to his time as both a village trustee and village president:

- Hundreds of public records on Garski going back years were requested in January and February 2017 by Clausen and Sam Wahlen, the son of former Village Administrator Kurt Wahlen.
- Sam Wahlen filed a complaint in March 2017 with the Racine County District Attorney's office against Garski saying he was violating campaign finance laws.
- Village Clerk Stephane Kohlhagen filed a harassment complaint against Garski for not getting a bigger raise in March 2017.
- In March 2017, Garski's opponent, Dave DeGroot, suggested Garski was involved in the egging of his house, issuing a press release and filing a police report.

Garski lost his reelection campaign for village president in April 2017. All complaints were determined unfounded, and all records requested led to no additional action against Garski.

"They tried every trick to ruin my reputation and run me out of business," says Garski. "They used village personal and wasted public money just to make me look bad. In the end, I was right. I'm glad it's over."

Garski estimates his legal defense could approach ten thousand dollars, in addition to the cost of suspending his business since November 2017. A Better Mt. Pleasant has filed an open records request with the Village of Mt. Pleasant for attorney fees and bills spent by the village to pursue the Garski complaints.

The village has 20 days to appeal Judge Knuteson's ruling.

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