

ETHICS COMMISSION MEETING OF JANUARY 13, 2016
MINUTES

This meeting was digitally recorded and an audio recording has been maintained.
Meeting was held in City Council Chambers.

Present: (There is a quorum.)

Alice Buckles, Member
Dennis Cronin, Member
Troy Bruner, Chair
Tyler Wasson, Member
Michael Piccolo, City Attorney's Office
Rebecca Riedinger, Staff Liaison

Media and Members of the community are present in the audience.

Prior Minutes are reviewed and approved by all.

FIRST MOTION

Troy: Motion to Approve Meeting Agenda

Levi- Seconds, All approve, Motion Carried

SECOND MOTION

Levi: Motion to Approve Minutes from prior meetings as there are no changes.

Tyler: Seconds, Dennis Abstains as he was not present, all others Approve, Motion Carried

THIRD MOTION

Dennis: Motion to Determine Definitions before proceeding any further – Wants to dismiss complaints w/. Prejudice to refile again.

Levi wants to go ahead despite Cronin's protests to determine jurisdiction.

Piccolo reminds him that the Commission has to deal with the first motion.

Dennis: Motion to Dismiss, or in the alternative, to carry over, the complaints in order to allow time to obtain definitions. No. Second. Motion dies.

FOURTH MOTION

PENDLETON COMPLAINT

In reviewing the Pendleton Complaint, Levi states the complaints appears proper in formatting/ signature, etc.

Dennis states he has problems with the second and fourth factors. Dennis states that he does not understand how we can move forward without having defined all the terms that they are supposed to be reviewing, for example, "dishonest" and "moral turpitude" How do we know what they mean without determining what definitions there are.

Troy states that this a Commission of citizens and, consequently we have to use our best judgment. Not every word or term is defined for us, so seems prudent to use the common definitions.

Levi notes that the next question would be if the act was committed, would it be a violation of the code.

Dennis states that the potential for the Mayor's recall stemming from their decision and the possible severity of the outcome, he finds it concerning that we would not seek to define the terms. The matters should be stayed. We need to have our decision stand up to the community's scrutiny.

Jamie Pendleton stands to the podium and tells Mr. Cronin, You are new. You have just been appointed, noting everyone should know the definitions of dishonesty.

Troy agrees, stating that we are getting off the rails.

Jim King stands at the podium and states that they have submitted documents in response and agrees with Dennis Cronin's analysis that he would like to have terms defined& stay their review.

Levi notes we haven't even determined jurisdiction, necessary to go forward. Troy states, Dennis, do you want to make a motion?

Dennis makes a motion the commission should determine the definitions of terms alleging dishonesty, moral turpitude – pending classification of what these terms mean. Piccolo notes that the state did not define the terms either.

Troy asks how we can accomplish anything in a timely manner. Doesn't seem practical.

Dennis asks how can they not define the terms, just to move forward quickly. Troy states that is not what he is saying. He is looking at it for the common good, the concerned citizens with a common sense point of view. He feels obligated to not get bogged down- not all the terms are defined.

Joe Shogan from the crowd yells that Cronin does not speak for him and he is a citizen.

Levi states that he still thinks regarding the definition of dishonesty- they could use some guidance. For example, even if Pendleton's complaint were true, there was no dishonesty.

Levi- Motion to Dismiss Complaint. There is No Second. Troy states he almost agreed to Motion, but it was not worded right. Levi says any damage was minimal.

Troy states, so lets Move to dismiss the Complaint, on the basis, that if it was committed any affect was de minimus.

Dennis Cronin abstains. All other approve. Motion carries 4 to 1. PENDLETON COMPLAINT DISMISSED.

FIFTH MOTION

JOE SHOGAN

Joe Shogan's complaint is determined to be proper/signed.

Levi moves to dismiss for lack of evidence, and, even if allegations were true, any damage would be de minimus.

Troy Seconds that Motion. Dennis says he won't vote, because he has already said he is abstaining.

No other votes. Motion does not carry.

Alice states she would like a review of the complaint listed in second page, item C, and all of D and E, excluding A, B and 1st paragraph – to investigate it further, hold over to the next hearing. Troy seconds that Motion. Dennis abstains. Levi and Tyler agree. Motion carries. Matter carried over for hearing.

SIXTH MOTION

SPITZER

Levi motion to Dismiss. Seconded by Alice. Dennis abstains. All others in favor. Motion carries. Spritzer matter is dismissed.

MJP reminds there is King's Motion for Additional time.

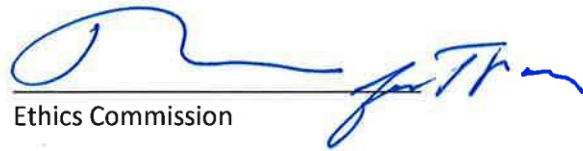
Dennis moves the commission accept that Motion and Levi Seconds. All in Favor. Motion for more time is approved.

SEVENTH MOTION

Teresa Simon- Matter No. 1 only

Troy moves to dismiss. Levi seconds. Dennis abstains All others agree Motion carries.

Minutes review and approved this 24th day of February, 2016.


Ethics Commission