

RICHARD W. BALL, L.L.C.  
  
ATTORNEY AT LAW

Councilmembers

November 20, 2015

Re: Council conduct/ Charter provisions

Dear fellow Councilmembers:

I ran for this seat in part to try to bring "civility" to the Council meetings and the conduct of the city's business. I was also hopeful that a spirit of collaboration would begin to take place.

I have sat on so many boards and commissions in this community that I cannot count them. Recently, both since being sworn in on Nov. 10<sup>th</sup> and in study sessions and Council meetings I have personally witnessed conduct by city council Members that is concerning to me.

In the orientation on Wednesday November 18th it was brought to our attention that our City Charter has a specific provision which addresses the conduct of Councilmembers concerning all City employees. Charter sect. 8-5(a) specifically provides that we are prohibited to "... give orders or reprimands to any such employee."

Some conduct I have witnessed has come pretty close to violating this Charter provision. A violation of Charter Section 8-5(a) is a misdemeanor offense prosecutable in Municipal Court with a maximum penalty of a \$1,000 fine or one-year imprisonment, or both.

I also believe that we need to be aware of the fact that there are laws protecting employees who feel they are being subjected to a hostile work environment.

Most importantly I have had citizens and employees both before being elected and after, complain to me about the general demeanor and moral that exists in the city, due to what they feel is a pattern of combative and abusive behavior on occasion by our elected Councilman.

We need to ask ourselves, is this the image that we want the public to have of our elected officials and our City. Does this help or hurt economic development and progress?

I will not hesitate to refer a matter to the City Attorney if I believe any of us violate the provisions of Section 8-5(a). Spirited debate and disagreement on matters can take place

without verbal abuse, condescending remarks and impolite behavior.



Richard W. Ball

cc Tami Yellico  
Bill Cahill