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SPRINGDALE CITY COUNCIL
COUNCIL INVESTIGATIVE COMMITTEE

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The above-captioned proceeding took place before Chairperson Meghan Sullivan-Wisecup and Committee Member Jeffrey Anderson at the Springdale Municipal Building at 11700 Springdale Pike, Springdale, Ohio, on Thursday, the 23rd of August 2018 at 6:59 p.m.

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APPEARANCES:

On behalf of the Council Investigative
Committee:

Dinsmore & Shohl, LLP

By: Alan H. Abes
Attorney at Law
255 East Fifth Street
Suite 1900
Cincinnati, Ohio 45202
513-977-8200
abes@dinsmore.com

* * *

1 MS. SULLIVAN-WISECUP: I'm going call
2 to order our CIC meeting for August 23, 2018, and
3 please stand for the Pledge of Allegiance.

4 (Pledge of Allegiance.)

5 MS. SULLIVAN-WISECUP: I'm going to
6 do the extensive roll call. Jeff Anderson?

7 MR. ANDERSON: Present.

8 MS. SULLIVAN-WISECUP: Meghan,
9 myself, present. Also present is Al Abes as our
10 legal counsel. First thing we have to do is
11 approval of the July 5th minutes. Did you have
12 any corrections or --

13 MR. ANDERSON: Move to adopt.

14 MS. SULLIVAN-WISECUP: Second. All
15 in favor? Opposed? None. Abstained? Accepted.

16 Second, the minutes from the last
17 meeting, do you have any corrections?

18 MR. ANDERSON: Just one comment on
19 it. I think on the header page on it showed that
20 the meeting started at 6:57 or 6:58, and I know we
21 checked our clock beforehand and it was after
22 7:00. I don't think we need a formal change, but
23 I just wanted it noted that we did start after 7.
24 Otherwise, move to adopt.

25 MS. SULLIVAN-WISECUP: Second. All

1 in favor? Opposed? None.

2 We have a new committee review draft.
3 Alan, do you want to start off by explaining the
4 draft and go from there?

5 MR. ABES: Sure. So at our last
6 meeting, you tasked me with preparing the initial
7 draft of an investigative report based on the
8 evidence that had been collected pursuant to
9 subpoena and also pursuant to the publicly
10 available records. The task was to review that
11 evidence and consider it in light of the law and
12 formulate some initial narrative and conclusions
13 for the committee to consider. We discussed in
14 privileged conversation pursuant to Ohio law how
15 the facts relate to the law and formulated the
16 draft for the CIC to consider tonight.

17 The draft is a product of our
18 discussion in terms of the legal advice I provided
19 as to how the facts do relate to the law. They
20 are at this point tentative conclusions contained
21 in the draft. The draft is still subject both to
22 editorial revision and to revision of the actual
23 conclusions and recommendations drawn.

24 The draft is divided into five parts.
25 One is just to provide context for why you're

1 issuing the report. Part 2 is to describe the
2 investigative process that the CIC followed.

3 Part 3 is to provide just a brief
4 background and outline of the initial allegations
5 as to why the investigation is being conducted.
6 It is not meant to be a complete recitation of
7 every fact. As noted in the report, we will have
8 an appendix that includes all of the written
9 responses we received pursuant to subpoena. It
10 will include the council minutes that we
11 referenced and any other material referenced here.
12 So all of the facts from which we draw to craft
13 the narrative in Section 3 will be available with
14 the report, everybody can read them.

15 One thing we've not done is, I did
16 not draft this as I would a legal brief, so I have
17 not -- I do not have a pinpoint citation to every
18 single fact in here. I thought it would make it a
19 little cumbersome and add to the length of the
20 document unnecessarily. It's already kind of long
21 and wanted to keep it as concise as possible. The
22 same is true for the law. I did not cite a case
23 or a statute for every single legal point because
24 I didn't want to make it too cumbersome and seem
25 like it was too legalistic. Unlike a brief, this

1 report is meant for consumption of the general
2 public, so we do want it to be readable, but I can
3 certainly add whatever pinpoint citations to fact
4 or law, if you wish, if you think it's something
5 that needs to be overly supported; but everything
6 is supported by the record that will be included
7 with the report.

8 In Section 4, I drafted findings and
9 conclusions, again, in consultation with you both
10 in privileged discussion. Those findings and
11 conclusions do two things. No. 1, they sift
12 through the evidence and propose findings of
13 facts, so it's this committee's determination of
14 what happened to the extent it can determine that,
15 or in some instances it determines what is more
16 likely than not to have happened. And in some
17 instances, it determines that it can't make a
18 finding because there is not sufficient evidence.
19 And then the conclusions apply the law to the
20 facts and determine as a matter of law what the
21 facts actually mean and what the consequences are.

22 And then in Section 5, there is a set
23 of recommendations where the committee will take
24 into account what happened factually, what it
25 means legally, and provide recommendations for how

1 council should treat these subjects in the future
2 and how it can either follow best practices or
3 improve its performance to make sure, as best
4 council can, that this situation doesn't arise
5 again, or to the extent that there are questions
6 about how to proceed, they are considered
7 appropriately. So that's the structure of the
8 report.

9 I think, obviously, I can answer any
10 questions about it, but the next step would be to
11 discuss the content of the report, to the extent
12 you want to, and determine what revisions should
13 be made and what the process should be from there.

14 MS. SULLIVAN-WISECUP: Mr. Anderson,
15 do you have any questions about this?

16 MR. ANDERSON: I think my questions
17 will be after the review. I just want to make
18 sure that we have next steps, and I know that's on
19 the agenda tonight. To be clear, though, as of
20 reviewing this document, this draft is public
21 record as well as the subpoenas and supporting
22 documents, so people who have asked for those
23 documents, they are now available to them. I know
24 some people will receive them tonight.

25 MR. ABES: Yeah.

1 MR. ANDERSON: But just for the
2 record, this document that we're reviewing and
3 talking about is public record as a draft?

4 MR. ABES: Correct. And the only
5 caution I would add is that it is still a draft,
6 so this is not at least yet the final conclusion
7 of council. To the extent that somebody takes the
8 draft and advertises it as such, that's incorrect.
9 The final report will be what this committee
10 recommends to council for further consideration.

11 MR. ANDERSON: Right. To that point,
12 we will as a committee make adjustments and
13 deliberations as needed tonight, and then we make
14 a recommendation this is our recommendation or
15 will become our recommendation. No action comes
16 out of this committee other than the report is
17 drafted and submitted to the full council for its
18 review?

19 MR. ABES: Correct.

20 MS. SULLIVAN-WISECUP: Okay. So then
21 we can start to go through the content of it; is
22 that correct?

23 MR. ABES: Yes.

24 MS. SULLIVAN-WISECUP: Okay.

25 MR. ANDERSON: How do you want to do

1 that?

2 MS. SULLIVAN-WISECUP: I was going to
3 say, how is that?

4 MR. ANDERSON: We've had privileged
5 discussions, and I want to make sure that that's
6 understood. Those are about matters of fact and
7 the law and how it relates to the draft. What
8 deliberations -- or how do you want to do that,
9 Ms. Wisecup, how do you want to go through this?
10 I've read the draft.

11 MS. SULLIVAN-WISECUP: On this, I
12 believe that the intention was to go through and
13 see if there were any additional changes that we
14 wanted to make, if there were any questions we had
15 on anything as it comes up, and then make
16 adjustments from there based on our understanding
17 of what should be in this. Is that -- I mean,
18 that's what I had believed is what was going to be
19 going on here. Is that --

20 MR. ABES: Yeah. And it's a little
21 strange because usually these things aren't really
22 debated in a public forum. So it might be a
23 little difficult for the audience to follow, but I
24 would not recommend that you go through every page
25 and discuss everything as if it's a presentation

1 to the audience. I think the best thing to do
2 would be to just consider your review of the
3 draft, and if you have specific comments or
4 questions, we address those. And then when you
5 decide on the final report, that will be the
6 opportunity for the public-at-large to see what
7 you've done. So you can probably just, you know,
8 whatever notes you have, we can just start there
9 and take them one by one.

10 MS. SULLIVAN-WISECUP: I wanted to
11 make sure I understand. When we go through here,
12 we make notes. It is the expectation that we will
13 be making a motion to adopt either this or
14 modified with our suggestions or our questions as
15 of tonight? I want to make sure I'm completely
16 sure on that. That was my understanding and I
17 want to make sure that that's the understanding of
18 everybody here.

19 MR. ANDERSON: I would love for us to
20 come to a consensus on a draft tonight. My goal
21 is to have a motion that we can agree on of our
22 final recommendation so that we can submit it to
23 council to give them a full week-and-a-half before
24 our next meeting so that we could have whatever
25 discussion of the draft we need -- or of the final

1 recommendation with the full council at the next
2 meeting. I would like to leave tonight with a
3 final draft that we can turn right around and
4 submit to the council members.

5 MS. SULLIVAN-WISECUP: That was my
6 understanding too. I just wanted to make sure we
7 were on the same page because that's what my
8 expectation was of what we're doing. Okay. Okay.
9 So we should start with did you have -- we'll
10 start with yours. Do you have any questions,
11 comments, changes, anything on this that was
12 submitted here?

13 MR. ANDERSON: So this may come as a
14 surprise.

15 MS. SULLIVAN-WISECUP: I think I know
16 what you're about to say.

17 MR. ANDERSON: I actually don't have
18 any questions going in for the draft that we have
19 tonight. Unless there's some points that you
20 wanted to discuss, I feel that the draft that is
21 before us shows a careful process, was done with
22 gathering a lot of information from a lot of
23 people from an event that occurred over a year ago
24 and reconciles that as best we can and describes
25 the situation and opportunities for us to do

1 better in the future. I mean, I think there's
2 conclusions inside of here that help us all be
3 better at governing and would improve council
4 rules in that area, especially around
5 confidentiality. Some of this is already covered
6 through other means.

7 So I think my opening position, and I
8 welcome any comments to think about, is I feel
9 that the draft reflects the facts and the
10 recommendations that are presented are sound and
11 reasonable.

12 MS. SULLIVAN-WISECUP: I'm going to
13 further shock you and say that, like Alan earlier,
14 the only thing I had a question about was my
15 wording was that it said Council Person Vanover
16 instead of President Vanover. So I didn't know if
17 there needed to be a distinction or do we care
18 that much? He is a councilman and that is a
19 legitimate title that he holds.

20 MR. ABES: We identified him as the
21 president and presiding officer.

22 MS. SULLIVAN-WISECUP: Okay.

23 MR. ABES: Then, whenever I just
24 referred to him, I just said Council Person
25 Vanover, but we can do it however you wish.

1 MS. SULLIVAN-WISECUP: I'm not overly
2 critical, but I just wanted to make sure that we
3 all felt that that was okay, that no one was going
4 to be overly critical or anything about that, but
5 that was the only thing that I had seen in all of
6 it that really stuck out to me.

7 MR. ABES: Okay. So I did in
8 reviewing the draft one more time, I caught one
9 typo. Actually, I didn't write it on here because
10 I wanted to keep a clean copy, but I think there
11 is the word To that needs to be With, and I can
12 change that, assuming that there's no objection to
13 that.

14 The only other thing I need to do
15 with the draft is I need to fill in the citations
16 to the appendix. So I didn't want to put together
17 the appendix until we actually decided what would
18 be in it, so I will put together the appendix. It
19 will basically just be kind of a binder that's got
20 different tabs, and everything we've cited will
21 have a tab number. So wherever we've cited
22 something in the document, I'll just insert the
23 tab numbers so people know where it is in the
24 appendix. So those are the only changes that I
25 would propose to make, fixing one typo and adding

1 citations to the appendix.

2 MR. ANDERSON: I'm fine with those
3 changes.

4 MS. SULLIVAN-WISECUP: I'm absolutely
5 fine with those changes. I will entertain a
6 motion.

7 MR. ANDERSON: Is there anything else
8 that you would need to finalize this or you feel
9 that we need to discuss in order to finalize this?

10 MR. ABES: If you're comfortable with
11 the findings and the conclusions, I am. I don't
12 think any further discussion is necessary.

13 MR. ANDERSON: With those two changes
14 noted, I move that we accept the draft as written
15 tonight as the CIC final report to submit to city
16 council.

17 MS. SULLIVAN-WISECUP: I second. All
18 in favor? Opposed? Abstained? Okay, so moved.

19 Next on our agenda is the next step
20 process. I'm guessing the next step is that, like
21 you said, to make those changes, you'll send them
22 in, and we can get these out to elected officials
23 so that they can review it prior to the September
24 meeting.

25 MR. ANDERSON: Yeah. Let's be clear,

1 so the distribution for the report is the
2 president of council, and then the president of
3 council would submit it as part of the preparation
4 packets to the rest of council administration.

5 MS. SULLIVAN-WISECUP: Yes.

6 MR. ANDERSON: Just formally, does it
7 matter, do we send it to Mr. Vanover or everyone?

8 MR. ABES: I'm not familiar enough
9 with your normal procedure to know. I'll tell you
10 probably from a logistical standpoint just based
11 on the size of the appendix, it might be easier if
12 we just sent it in one e-mail to everybody at the
13 same time, but I'll defer to you about that.

14 MR. ANDERSON: So Mr. Vanover is in
15 the audience, and I see two thumbs up, which I'm
16 taking as indicating that we can e-mail the final
17 draft and the appendix to all city council members
18 as well as the city administrator and Mayor
19 Webster, would that be appropriate, and the
20 assistant administrator, Amanda Zimmerlin as well?

21 MS. SULLIVAN-WISECUP: And legal
22 director.

23 MR. ANDERSON: And Legal Director
24 Forbes. Did I miss anyone?

25 MR. ABES: I don't think so.

1 MS. SULLIVAN-WISECUP: Oh, yes, and
2 our clerk of council, Kathy McNear. Thank you.

3 MR. ABES: Everybody attending the
4 executive session?

5 MS. SULLIVAN-WISECUP: Yes, yes.

6 MR. ABES: That's fine. So I can do
7 it tomorrow.

8 MS. SULLIVAN-WISECUP: Okay.

9 MR. ABES: It won't take long,
10 obviously, to put the appendix together or fix the
11 citations. It probably will be in the afternoon
12 at some point, and then I can just double check
13 with you and make sure that we're good to go, and
14 I can send it to everybody.

15 MS. SULLIVAN-WISECUP: That sounds
16 perfect to me.

17 MR. ANDERSON: Yeah. In terms of
18 these meetings, so we will have this looked at and
19 added to the agenda for the next council meeting?

20 MS. SULLIVAN-WISECUP: Yes, it is so
21 added.

22 MR. ANDERSON: So I assume we would
23 like Mr. Abes to be there as well.

24 MS. SULLIVAN-WISECUP: Are you
25 available for that, the first Wednesday?

1 MR. ABES: It's the 5th?

2 MS. SULLIVAN-WISECUP: The 5th.

3 MR. ABES: I am available.

4 MS. SULLIVAN-WISECUP: Okay.

5 MR. ABES: And then I'm not sure how
6 council will wish to proceed, but it would
7 probably make sense for the CIC to provide some
8 sort of verbal report to kick off the discussion,
9 probably want to decide who's going to do that and
10 how to go about it.

11 MS. SULLIVAN-WISECUP: Okay. So at
12 the meeting, we'll do just like as any other
13 report, like if you don't have any objections,
14 I'll go ahead and start it off, and then, you
15 know, I always turn and see if you have anything,
16 so if you have something to add, please add, and
17 then we'll go from there, because I'm sure that
18 there will be something. I will just present it
19 as, you know, everyone has already received the
20 report that we have done from the investigation.
21 I'll probably go over, you know, the process of
22 it, that we were asked or tasked to do this, we
23 sent out questionnaires, we did fact-finding, and
24 all that kind of stuff.

25 MR. ANDERSON: Yeah, that sounds

1 good. I would be sure to emphasize the fact that
2 as an independent committee, we came to consensus
3 on the report, the depth of the report, the
4 questions that were asked, who was questioned, and
5 the conclusions that, to my knowledge, there's no
6 item in the report that we have substantive
7 disagreement on based on the report, so this is a
8 unified position.

9 MS. SULLIVAN-WISECUP: Absolutely.

10 MR. ANDERSON: I think that's
11 important for people to understand when we present
12 the report, is independently we reviewed this as
13 asked.

14 MS. SULLIVAN-WISECUP: Yes.

15 MR. ANDERSON: And we are in
16 agreement as the findings and the conclusions.

17 MS. SULLIVAN-WISECUP: Oh, we are in
18 absolute agreement, yes, I would agree. Okay. I
19 will make sure that when I do my talk that that is
20 part of it. And then we would open it up if
21 anybody had questions or comments, and then that's
22 when we throw you into the mix.

23 MR. ABES: Yeah. You can ask me to
24 participate at any point.

25 MS. SULLIVAN-WISECUP: Okay.

1 MR. ANDERSON: It's my understanding
2 at that point, it would be up to the pleasure of
3 council whether we continue, if there's
4 follow-ups. I know in our scope, we agreed that
5 if there were follow-ups from the report that was
6 in scope from the committee and we would take
7 those. I believe it's still appropriate for us to
8 have our next scheduled meeting --

9 MS. SULLIVAN-WISECUP: Okay.

10 MR. ANDERSON: -- if for no other
11 reason than to approve the minutes from this
12 meeting and to close it out.

13 MS. SULLIVAN-WISECUP: I would agree.

14 MR. ANDERSON: Okay.

15 MS. SULLIVAN-WISECUP: So basically,
16 procedurally, all we have to do is send out the
17 information to council, present it at council,
18 answer questions, see if they want to go further
19 with it or if they want to, you know, accept it as
20 it is. And then we'll have our next meeting, and
21 depending on what council directs, we will either
22 continue or we will close out.

23 MR. ABES: Right. It's possible that
24 in following up on any of the recommendations,
25 they might want this committee to assist with that

1 or they might want to just handle that directly.

2 MR. ANDERSON: Certainly. I mean,
3 some of the recommendations might just simply be
4 to defer to the rules or the charter revision
5 group and not require -- I don't believe that
6 there's anything in the recommendations unless
7 there's follow-up on questions or matters of fact
8 that would require us to reconvene, but it's
9 certainly up to them.

10 MS. SULLIVAN-WISECUP: Yes. Okay.
11 All right. So we have our next step process. Do
12 we feel complete in that? I feel complete in
13 that.

14 MR. ANDERSON: I just have one more
15 follow-up question. Just as a documentation
16 standpoint, so we had a number of documents that
17 were work product -- and if we need to answer this
18 outside of this meeting, that's fine, I just want
19 to make sure we don't lose it. We need to also be
20 able to answer to city council or the law director
21 what happens with those documents, right, the
22 remaining documents, any of the early work
23 product? I want to make sure that we're following
24 records retention for those documents as well.

25 MS. SULLIVAN-WISECUP: Sure.

1 MR. ANDERSON: So if it's a matter of
2 collecting them and sending them to Kathy or if we
3 maintain them ourselves, I would like to get that
4 answered. I don't know, Mr. Abes, if you're able
5 to answer that tonight or if it's a follow-up.

6 MR. ABES: In advance of that
7 meeting, I will look at the work product and
8 privilege issues and we will have an answer as to
9 how that's to be addressed going forward.

10 MR. ANDERSON: So that's a we'll get
11 that at the council meeting or ahead of that
12 separately?

13 MR. ABES: It's probably a good idea
14 to talk about that separately first, and then we
15 can address it with the council.

16 MR. ANDERSON: Okay.

17 MS. SULLIVAN-WISECUP: Okay.

18 MR. ANDERSON: So that's the one item
19 in addition to the report, because I believe at
20 some point, there's a hand-off that has to happen
21 between CIC council and anything the law director,
22 Mr. Forbes, might want, because long-term, ongoing
23 records requests and things like that, he'll need
24 to be able to respond to those and the initiation
25 will be through him.

1 MS. SULLIVAN-WISECUP: They should
2 already have everything except for our e-mails and
3 our original work product.

4 MR. ANDERSON: Yeah.

5 MS. SULLIVAN-WISECUP: Because they
6 have minutes and all that kind of stuff. All
7 right. Then, our next business is kind of what we
8 just said, the CIC closing procedures. I think we
9 kind of went over a little bit of that. And it
10 will depend upon, No. 1, what happens at council
11 and if they have any more directives that they
12 would like us to do; and then, like you said,
13 turning everything over, which Alan will look into
14 and advise us as to that next step. Was there any
15 other thing with the closing? I don't know how we
16 go about closing.

17 MR. ANDERSON: Well, I just have one
18 point I just want to make sure we're on the same
19 page with. So now that the report is public
20 record and is our committee's recommendation, is
21 there any advice that you can give us as counsel
22 for how we should address any one-on-one questions
23 that might come up? I know during this process,
24 the majority of the public and other council
25 members have been very respectful of the process.

1 I just want to make sure that we have our rules of
2 engagement for what's appropriate, if there's
3 questions. So this report is out, people are
4 going to read it in different phases. If somebody
5 has a question of us, are there any restrictions
6 or concerns about this? Obviously, we won't speak
7 about prior work product that might still be
8 privileged. With this report, are we still under
9 CIC meeting obligations between Meghan and I or
10 what advice can you give?

11 MR. ABES: So you're not restricted
12 in terms of having a one-on-one conversation. You
13 already mentioned it, but let's just be careful
14 that anything that has been privileged or work
15 product remains as such, unless it's been
16 released, and the only thing is this draft report.
17 So don't talk about the conversations that we've
18 had privately, but if somebody asks you about the
19 report or any related subject, you're free to talk
20 about it. I think the best practice would be that
21 until council has had the opportunity to review
22 the report, it's probably not a good idea to have
23 discussion about it. If a council person wants to
24 talk ahead of time, that might be a good idea to
25 have a discussion about it, if they have questions

1 or just want clarification in advance of the
2 meeting, but I don't think that it's a good idea
3 to have a lot of discussion before it's introduced
4 publicly and discussed in council, that's the best
5 forum for people to discuss it, but there are no
6 restrictions otherwise. So I think the best thing
7 is to use some caution and common sense because I
8 think you want to make sure that council is able
9 to contribute to the narrative going forward
10 because it's being turned over to them for
11 recommendations.

12 The other thing is that you still
13 remain a committee, so if the two of you are
14 talking, then, it could be construed as a meeting.
15 So you want to be careful that you don't do
16 anything that inadvertently runs afoul of the open
17 meetings.

18 MR. ANDERSON: Until CIC is formally
19 closed, still any CIC business that we are both
20 present, we should avoid that both in e-mails and
21 in conversations; is that right?

22 MR. ABES: Yes.

23 MS. SULLIVAN-WISECUP: Not a problem.

24 MR. ABES: The committee is ongoing,
25 council could refer something back, so let's just

1 keep that in mind.

2 MR. ANDERSON: But if somebody had a
3 question about one of the points in our
4 conclusions, it's certainly okay to answer, but we
5 might want to defer until the conversation in
6 public.

7 MS. SULLIVAN-WISECUP: But not if
8 we're together, we can't talk about it. One of us
9 will have to walk away.

10 MR. ANDERSON: We're so close to the
11 goal line, I just want to make sure we don't trip.
12 Thank you for that.

13 MS. SULLIVAN-WISECUP: Yes, yes.
14 Okay. So our closing procedures, go back to that,
15 it will all kind of depend on what the next steps
16 are, and we will go forward from those kind of as
17 they come. Once we have our directive from
18 council and we have our next meeting, we will go
19 over the final closing procedures, and if council
20 is happy with what we have recommended and they
21 take it and we're done, then, at our next meeting,
22 we will approve minutes and I guess it will be
23 abolished. I don't know if council does that or
24 we do that. I don't know how that works.

25 MR. ANDERSON: I believe that council

1 will.

2 MR. ABES: Council will do that.

3 MS. SULLIVAN-WISECUP: Perfect.

4 MR. ANDERSON: One last item of old
5 business. I know it wasn't on the agenda that was
6 written. Was it intentional that we didn't have a
7 section for comments from the audience?

8 MS. SULLIVAN-WISECUP: No, no, that
9 was not intentional. That was because this week
10 has been crazy and I didn't put that on there.
11 Absolutely, we can add that, if you would like to.

12 MR. ANDERSON: I know that we had
13 given an opportunity for communications.

14 MS. SULLIVAN-WISECUP: Absolutely.
15 All in favor? Okay. At this time, we would open
16 up to communications from the audience. If
17 anybody has anything to say, please step up to the
18 microphone, state your name and address.

19 MR. ROBERTS: I have one question.

20 MS. SULLIVAN-WISECUP: Come up to the
21 microphone, if you can.

22 MR. ROBERTS: Where do you get a copy
23 of the report you're talking about? Bill Roberts,
24 104 Harter Avenue.

25 MR. ANDERSON: Do you want me to

1 answer? Do you want to answer?

2 MS. SULLIVAN-WISECUP: You go ahead.

3 MR. ROBERTS: You said it was public
4 record.

5 MR. ANDERSON: It is. So a copy has
6 been made available to the city administration, so
7 any public records requests like that, you simply
8 have to either contact the city administrator or
9 call the front office, or stop by the
10 administration building and they'll print you off
11 a copy. We might have an extra copy here. I can
12 check.

13 MR. ABES: I think what we should do,
14 is we should make a draft available tomorrow at
15 the same time we make the final report available,
16 so everything will be in the hands of the city
17 administrator, and you just need to contact him or
18 that office and they'll have a copy of it
19 tomorrow.

20 MR. ROBERTS: City administrator, his
21 last day is tomorrow.

22 MR. ANDERSON: But the new one, John
23 Jones, starts on Monday. He started this past
24 Monday.

25 MS. SULLIVAN-WISECUP: There's

1 somebody here.

2 MR. ANDERSON: They're both in the
3 office tomorrow, both Derrick and John.

4 MS. SULLIVAN-WISECUP: Last day is
5 the 31st.

6 MR. ROBERTS: I just want to get a
7 copy of it.

8 MS. SULLIVAN-WISECUP: Absolutely,
9 absolutely.

10 MR. ROBERTS: Thank you.

11 MS. SULLIVAN-WISECUP: You're
12 welcome.

13 MR. ROBERTS: So it will be there
14 Monday?

15 MR. ANDERSON: Tomorrow.

16 MS. SULLIVAN-WISECUP: Tomorrow.

17 MR. ROBERTS: Tomorrow?

18 MS. SULLIVAN-WISECUP: Huh-uh, yes.
19 It may not be available until tomorrow later,
20 correct?

21 MR. ABES: It might be late tomorrow,
22 but if you catch him then, great, but certainly by
23 Monday.

24 MS. SULLIVAN-WISECUP: Okay. Do we
25 have anything else for old business?

1 MR. ANDERSON: No.

2 MS. SULLIVAN-WISECUP: I'm sorry, I
3 forgot. Anyone else have anything to say in the
4 audience? Second call. Third and final call.
5 We're closing the communications from the
6 audience. Do we have any additional old business?

7 MR. ANDERSON: Nothing for me, thank
8 you.

9 MS. SULLIVAN-WISECUP: Our last
10 point.

11 MR. ANDERSON: Move to adjourn.

12 MS. SULLIVAN-WISECUP: I agree.
13 Let's go.

14 (Thereupon, the deposition was
15 concluded at 7:29 o'clock p.m.)

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1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Lisa M. Conley Yungblut, a Notary
4 Public within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the above-named
7 proceeding was reduced to writing by me
8 stenographically in the presence of the parties
9 and thereafter reduced to typewriting.

10 I FURTHER CERTIFY that I am not a
11 relative or Attorney of either party, in any
12 manner interested in the event of this action,
13 nor am I, or the court reporting firm with which
14 I am affiliated, under a contract as defined in
15 Civil Rule 28(D).

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IN WITNESS WHEREOF, I have hereunto set
my hand and seal of office at Dayton, Ohio, on
this day of September 2018.



Lisa M Conley Yungblut

LISA M. CONLEY YUNGBLUT, RMR, CRR
NOTARY PUBLIC, STATE OF OHIO
My commission expires 7-28-2019