

**CITY OF ASHLAND
109 EAST BROADWAY
BOARD OF ALDERMEN SPECIAL MEETING
TUESDAY, OCTOBER 29, 2013 AT 7:00 P.M.**

Mayor Rhorer called the special meeting to order on October 29, 2013 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Mayor Rhorer called the roll.

Ward One: Louise Martin-here, David Thomas-here

Ward Two: John Hills-here, Jeff Anderson-here

Ward Three: Tony Taggart-here, Carl Long-here

Mayor Rhorer called for the approval of the agenda. Alderman Thomas made motion and seconded by Alderman Hills to approve the agenda as written. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer reported the agenda is the approval of the articles of impeachment. He then turned the floor over to David Bandre, Special Attorney.

David Bandre reported the Board should have received a draft of the articles of impeachment, memo on procedures, and a letter he was asked to present from Chip Gentry, Attorney for Alderman Anderson. He gave a brief explanation as to the procedures and the action needed from the Board tonight. He stated the date of November 11, 2013 has been mentioned as a possible date for the hearing since it is Veteran's Day and some people will already be off work. He stated that the discovery takes time and he was unsure if this date worked for everyone. He advised the Board of the discovery process and what it could entail. He mentioned dates of December 2nd, 3rd and 4th as possible dates that Mr. Gentry and himself would be available. He stated that he would need to hire a hearing officer and court reporter for this meeting. The Board asked various questions to Mr. Bandre on the hearing procedure. Mr. Bandre reported the Board would need to approve the articles of impeachment as presented or be amended by a simple majority vote and set the date of the hearing.

Alderman Taggart stated that Mayor Rhorer met individually with the Board members in an attempt for the Board to put their differences behind them. Mayor Rhorer reported he would discuss this in his statement to the Board. Mayor Rhorer expressed his concern with the hearing being during the day and the loss of income for him on a personal level. The Board discussed this and set the date for November 11, 2013 at 9:00 a.m.

Alderman Anderson questioned if all of the articles or certain articles could be approved by the Board. David Bandre explained the Board could amend this document.

Mayor Rhorer expressed his concern for the city and tax payers on this financial burden of legal fees for this impeachment process. He stated he is disappointed and the media is portraying the city in less than a positive way. He asked that the Board agree to work together in everyone's best interest. He stated he met with each Board member to discuss the liability on the taxpayers and the city and the negative light we have brought to our community. He stated he has met with Mr. Anderson and made great head way

and hoped we could agree to get along and get down to city business. He stated that Alderman Anderson is ready to set down and work together.

Alderman Hills made motion that the Board move forward with the impeachment process, approve the articles of impeachment, and approve the hearing date of November 11, 2013 at 9:00 a.m. Alderwoman Martin seconded the motion. Mayor Rhorer called for comments or questions. Alderman Anderson stated he was grateful he could set down and talk with the Board. He stated he wished they could have done this all along. He stated he felt there was a lot of misrepresentation and misunderstanding between them and felt they could get through this and they could come to a reconciliation. He stated he may have offended some members of this Board and it was not his intention to do so. He apologized for mistakes he may have made and asked for forgiveness and expressed his willingness to work with the Board and resolve these issues and move forward. Alderman Taggart stated he felt there was a lot of finger pointing and talk outside of the Board room. He stated it was in the best interest of the community to stop all that and stop all actions against Alderman Anderson. He stated the legal fees were growing rapidly. He stated he read through the articles and it looked like no more than miscommunication and finger pointing and drawing more negative attention to the City. Alderwoman Martin had no comment. Alderman Thomas refrained from comment. Alderman Hills and Alderman Long had no comment. Mayor Rhorer called for the vote. Alderman Taggart questioned where the articles came from. David Bandre reported they came from the City Attorney. He stated that Mr. Anderson and himself were unable to attend the meeting where this was discussed and asked for a play by play of how that meeting took place. He stated this is a serious matter. Mayor Rhorer reported that was a closed meeting and can't be discussed in open session. Alderman Taggart questioned the articles of impeachment. Alderman Hills reported we already had discussion and we are now voting on the motion. Mayor Rhorer called for the vote.

Alderman Taggart questioned if we were going to vote on each article. Mayor Rhorer reported the motion was to approve the articles of impeachment in its entirety. Alderman Taggart made motion to amend the articles of impeachment. David Bandre reported that in order for Alderman Taggart's motion to be considered Alderman Hills and Alderwoman Martin would have to withdraw their motion and second. Alderman Hills and Alderwoman Martin did not wish to withdraw their motion or second. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Thomas-aye, Alderman Hills-aye, Alderman Long-aye, Alderman Anderson-nay, Alderman Taggart-nay. Motion carried.

Alderman Thomas made motion and seconded by Alderwoman Martin to adjourn the meeting. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor