

**Minutes of the Montpelier Special City Council Meeting
September 13, 2021, 8:30 AM
City Council Chambers and videoconference**

In attendance: Mayor Anne Watson (Chair), Councilors Jack McCullough, Jennifer Morton, Dona Bate, Lauren Hierl, Jay Ericson, and Conor Casey. City Clerk John Odum acted as secretary remotely.

The meeting was called to order at 8:30 AM. Councilor Morton indicated she would be recusing herself from participation in the discussion.

2021-263. Under General Business and Appearances, Stephen Whitaker commented on garbage and health conditions on the multi-use path, and the availability of transit center bathrooms,

2021-264. Response to Open Meeting Law Violation Allegation. Cameron Niedermayer and Stephen Whitaker participated in discussion.

Councilor McCullough moved that the Council make a finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage regarding pending or probable civil litigation or a prosecution, to which the public body is or may be a party. Councilor Bate seconded. Stephen Whitaker had comments. After brief discussion, the motion carried unanimously.

Councilor McCullough moved to go into executive session to receive advice from legal counsel concerning potential civil litigation and include City Manager Bill Fraser and City Attorney Michael Tarrant. Councilor Morton did not participate in the executive session. The motion carried unanimously at 8:41 AM.

Councilor McCullough moved to come out of open session and was seconded by Councilor Bate. The motion carried unanimously.

Councilor McCullough moved the Council determine as follows: One - that Stephen Whitaker alleged in an email dated September 3 2021 that this Council violated the open meeting law during its September 1st 2021 meeting, two- that no violation of open meeting law occurred as alleged, and three - that no cure is necessary. Councilor Bate seconded. Discussion continued with City Attorney Tarrant. The motion carried unanimously.

The meeting was adjourned by unanimous consent.