

## **Cold Spring City Council**

### **June 4, 2020**

The June 4, 2020 special council meeting was called to order by Mayor Penque at 8:30pm via teleconference.

#### *Roll Call:*

- Present: Mayor Angelo Penque, Councilmembers Paul Kloeker, Michael Ruscher, Chris Ampfer, Cindy Moore (along with her attorney Randy Blankenship), Adam Sandfoss, Lisa Cavanaugh, City Administrator Steve Taylor, and City Clerk Robin Morency, Police Chief Steve Collinsworth, Public Works Director Ron Hitch, and City Attorney Brandon Voelker.

Mayor Penque stated that he is present but will not be participating in the meeting and handed it over to City Attorney Brandon Voelker.

#### *Discussion in regards to complaint made against councilmember:*

- Brandon Voelker asked the council how they want to run the meeting and if they want to go into executive session. Chris Ampfer stated that it should be discussed publicly. Paul Kloeker and Adam Sandfoss agreed. Michael Ruscher asked if there was a reason for the delay in the complaint since the issue happened in December 2019. Brandon Voelker couldn't speak for Mr. Beasley but assumed that maybe the situation festered and that is why he just now mentioned it. Cindy Moore shared her recollection of that day. Ms. Moore said that she approached Mr. Beasley, introduced herself and shook his hand and made small talk. She thought that he looked familiar and thought maybe he worked at the Federal Reserve Bank as a security guard or if he went to NKU because she worked there for 12 years. Ms. Moore said he stated that he cleaned the City Building and Police Department. She said she responded to that with "Wow, you're allowed in the police station? I'm not. I'm not allowed in any city offices except for council chambers." Ms. Moore stated that during her conversation with Mr. Beasley was very friendly and did not seem upset and left with a handshake. Adam Sandfoss asked if Mr. Beasley introduced himself as the gentleman who cleaned the offices before Ron Hitch approached them. Ms. Moore said that was correct. Mr. Sandfoss asked if she waved her finger at him at any point (per Mr. Beasley's statement) and she said no. Chris Ampfer stated he didn't witness the incident but has seen her wave her finger before and suggested that maybe she doesn't realize she did that, Ms. Moore said she does not recall waving her finger at him. Chris Ampfer referenced a sentence in her statement where she said that this is a witch hunt designed by council to get rid of her, he said that council has nothing to do with this. Mr. Ampfer said that he doesn't believe that she did anything intentionally to Mr. Beasley but that from day one of her being on council, she has been abrasive and accusatory and has been creating a false narrative about accountability and transparency. Mr. Ampfer questioned what she has gained during her term with all of the open records requests, he said he doesn't understand the constant

harassment. Lisa Cavanaugh said it is not an issue that she files open records requests, but it is the constant and ongoing requests. Ms. Cavanaugh stated that all of her requests have been filled and answered, either by the records themselves or from the attorney or auditor. Ms. Moore responded that there is not a limit on how many records requests can be filed and she said it is her responsibility to ensure to the citizens that the city is spending money correctly. Paul Kloeker asked Ron Hitch how he recalled the incident from the Christmas party. Mr. Hitch said that he was there for the entire conversation, she did greet Mr. Beasley with a handshake but she did not mention any past employers where she might have known him from. Mr. Hitch said that Ms. Moore insisted multiple times that she knew Mr. Beasley from somewhere. Mr. Hitch said that it started to become awkward and uncomfortable so at that time he intervened and told Ms. Moore what company Mr. Beasley worked for and what he does for the City. Mr. Hitch agreed with the comment from her statement where she said she can't believe that he is allowed in the Police Department *because she is not; Mr Hitch said that was accurate*. Mr. Hitch said at that time he escorted Mr. Beasley out of the council chambers into the lobby to talk to him and calm him down. Mr. Hitch stated that he did ask Mr. Beasley why he waited so long to bring this complaint forward and he said that Mr. Beasley said he was afraid he would lose his contract with the City. Michael Ruscher asked Ron Hitch if this was mentioned by Mr. Beasley right after the party, and Mr. Hitch said no. Adam Sandfoss questioned Ms. Moore whether or not Mr. Beasley actually told her who he worked for because her statement says that he did before Ron Hitch approached them, but Ron Hitch stated that Ms. Moore interrupted their conversation and said that it wasn't mentioned where Mr. Beasley worked until Ron Hitch told her. Lisa Cavanaugh said that she does not believe that this was made up by Ron Hitch and asked if he has had any issues with Councilwoman Moore in the past. Mr. Hitch said that he has never had a personal indifference with Ms. Moore but shared his frustrations about her not asking him about the use of inmates, instead she questioned his employees. Ms. Moore stated that she never used the word inmate or race in the conversation with Mr. Beasley, Mr. Hitch stated that it was *insinuated* by her approach and her tone of insisting that she knew him from somewhere. Ms. Moore said that 6 months is a long time to wait to make a complaint. Adam Sandfoss asked if the accusations about Ms. Moore driving by repeatedly to watch the Public Works crew was a true statement and she said no, that she had only stopped one time. There was some discussion as to the rules of the inmate program and what they are supposed to wear, Ms. Moore is familiar with this program due to a family member being part of the work release program. Ms. Moore stated that she has never had any issues or problems with any origin of any person and that she is currently raising two biracial children in her home. There was a discussion about a previous record request that Ms. Moore had filed in regards to delinquent city taxes that Ms. Moore wanted to pay. Lisa Cavanaugh asked what the definition is for racial profiling. Cindy Moore's attorney, Randy Blankenship stated that there is no such thing from a legal standpoint in terms of discrimination laws for racial profiling. Mr. Blankenship stated that racial profiling is basically a stereotype that is typically applied to police actions and that profiling is not a crime or a civil wrong.

Mr. Blankenship stated that it is suspicious that this complaint is coming to light 6 months after the incident when no action has been taken against Mr. Beasley from the City and Ms. Moore hasn't seen him since the Christmas party. Mr. Sandfoss disagreed, stating that it is not suspicious that this is being talked about now as sometimes it can take years for someone who has been victimized to accept it and speak out about it. Mr. Sandfoss said that the bigger picture and his concern is that the City has a contracted employee who no longer feels safe while working at the City Building. He is hoping that this was a miscommunication and that nothing was done maliciously. Mr. Sandfoss added that the last two years on council has been contentious and feels like the perception is that Ms. Moore can make people feel attacked, and that things she does are out of malice. Mr. Sandfoss wants to make sure that Mr. Beasley knows that he is taking this seriously and wants to make sure that he knows that he is working in a safe environment. Mr. Sandfoss also wants to make sure that Councilman Moore knows that her side of the story will be heard and that any decisions will not be rushed. Councilman Sandfoss finished by saying that the last two years of council have been toxic and that everyone can and should do better. Mr. Blankenship reiterated that race was not mentioned in the conversation and he thinks that this case deals with a lot of perception and assumptions. Lisa Cavanaugh addressed some comments about her that were in Cindy Moore's statement that she feels were taken out of context. Adam Sandfoss said that he doesn't feel there should be any type of vote tonight and everyone should take a bit to think about all of the information provided. Lisa Cavanaugh and Michael Ruscher agreed.

*Adjournment:*

- Lisa Cavanaugh made a motion to adjourn the meeting at 9:41 pm. Adam Sandfoss seconded the motion. All in favor. **Motion carried.**

Approved: 7/27/2020

City Clerk: /s/ Robin Morency

Mayor: /s/ D. Angelo Penque

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