

ATTACHED TO JULY 1, 2002 CITY COUNCIL MINUTES AS ADDENDUM:

The following is a transcript of approximately the last ten minutes of the July 1, 2002, Brownsville City Council meeting, based on a tape provided by an audience member:

MAYOR SHIPLEY-KALUPA- If there's nothing more, we're done – gavel bangs

COUNCILOR KENNEDY – I have something I want to bring up. Seeing as how DIANE RINKS openly admitted putting gasoline in private vehicles. She takes full responsibility and that's a violation of city ordinance and policy. I have a motion –

COUNCILOR SWAYZE – What are you talking about? I have no idea what you're saying.

COUNCILOR KENNEDY – By me giving a vote of no confidence, my motion is “that DIANE RINKS be dismissed.”

Pause

MAYOR SHIPLEY-KALUPA – I'll second that.

Unknown – Who seconded that?

MAYOR SHIPLEY-KALUPA – I did. (simultaneous – COUNCILOR SWAYZE – “The Mayor”)

Pause

COUNCILOR SWAYZE – What on earth did you just say (someone mutters “you heard me”) No, say it again. Because of what?

COUNCILOR KENNEDY – Because of violation of city policy.

COUNCILOR SWAYZE – Why are you waiting until now, why didn't you talk about this before, why didn't you talk about it at the meeting, why didn't you ask to be on the agenda?

COUNCILOR KENNEDY – I don't need to be on the agenda if I want to make a motion do I?

(Possibly DIANE RINKS) You do need to be on the agenda.

COUNCILOR KENNEDY – It's been seconded.

Unknown – How can you second a motion after you've closed the meeting?

MAYOR SHIPLEY-KALUPA – I didn't close the meeting.

DIANE RINKS – Yes you did. You hit the gavel.

COUNCILOR SWAYZE – I thought you dropped the gavel, I was ready to go.

COUNCILOR SMITH(?) – You didn't drop the gavel.

MAYOR SHIPLEY-KALUPA – I did. But you had a question.

COUNCILOR SWAYZE – You dropped the gavel? Then the meeting is complete.

MAYOR SHIPLEY-KALUPA – There was a question so I called the meeting back. He said he had a question.

COUNCILOR SMITH - Call for the question. Call for the question. Call for the question.

MAYOR SHIPLEY-KALUPA – If there's no more discussion, I'll call for the question.

COUNCILOR SWAYZE – I'm not going to stay for it, I won't. (Walked away from the table momentarily, then returned to the table.)

MAYOR SHIPLEY-KALUPA – All those in favor?

Question from the audience – DON WARE – Wait, I'd like to hear a discussion. I'd like to hear what the – first what was the reason?

Audience argued about whether they could hear the motion or not.

Gavel bangs several times.

DON WARE – Just for clarification for the newspaper, I would like to know what the motion was.

COUNCILOR SMITH – He said violation of city policy and a vote of no confidence.

MAYOR SHIPLEY-KALUPA – Violation of city policy and vote of no confidence.

DON WARE – It's the gasoline issue? Is that it?

MAYOR SHIPLEY-KALUPA – It is city policy for 32 cents a mile reimbursement. And it's tax exempt gasoline. And that's a major federal offense in which each councilor is held responsible personally by the federal government.

COUNCILOR KENNEDY – Any questions?

MAYOR SHIPLEY-KALUPA – And I can back that up with facts and you can ask any attorney and you can ask the Attorney General’s office.

Audience talks.

COUNCILOR WINGREN – Have we talked about this before?

??? - Unintelligible

COUNCILOR SWAYZE – Oh yeah, they planned it.

COUNCILOR KENNEDY – The council’s doing their job.

COUNCILOR WINGREN – I have a question. This is under investigation. Is this something that we can wait until after we find out what the investigation of the state has found out before...

MAYOR SHIPLEY-KALUPA – That not necessary.

COUNCILOR WINGREN - Unintelligible

COUNCILOR SWAYZE - Unintelligible

MAYOR SHIPLEY-KALUPA - The preliminary report is done.

COUNCILOR WINGREN – From where?

MAYOR SHIPLEY-KALUPA – From Sandy Milks.

COUNCILOR WINGREN – From who?

MAYOR SHIPLEY-KALUPA – Sandy Milks, the investigator.

DIANE RINKS – His name is Milkus, Sandy Milkus.

COUNCILOR SWAYZE – So Sandy Milkus has a report that you have seen and the rest of the council hasn’t?

MAYOR SHIPLEY-KALUPA – No.

COUNCILOR SWAYZE – Then how do you know what’s happened?

COUNCILOR WINGREN – What do you mean by preliminary report?

COUNCILOR SWAYZE – The preliminary report is in and the rest of the council doesn’t know about it?

MAYOR SHIPLEY-KALUPA - ?

COUNCILOR WINGREN – I'm asking if there is a preliminary report out.

MAYOR SHIPLEY-KALUPA – I understand there is a preliminary report but it has not been sent to us. They attorneys have it.

COUNCILOR WINGREN – I don't suppose we should wait for that?

COUNCILOR SWAYZE – We should all have a copy of the report.

MAYOR SHIPLEY-KALUPA – Oh we will be.

COUNCILOR WINGREN – Aren't we jumping the gun a bit?

MAYOR SHIPLEY-KALUPA – There's more questions to be answered.

COUNCILOR SWAYZE – Oh why don't we have the vote before we ask the questions or know the answers? Isn't that what's going on here?

COUNCILOR SMITH – It's a simple fact. We had a policy for 32 cents a mile for mileage reimbursement. That was in place. She circumvented the policy.

COUNCILOR SWAYZE – If it wasn't in place, how do you circumvent the policy? If it was not in place?

COUNCILOR SMITH – We had one in place. 32 cents a mile reimbursement. She circumvented it. It wasn't used. It's violation of our own policies.

COUNCILOR WINGREN – Well, whether or not that turns out to be true or not, I would be in favor of waiting at least until we get an official report before I act on it. I'm not saying it's right or wrong, but I'm saying that before we take such a drastic step I'd like to have some documentation to back up the decision before I make it.

COUNCILOR SMITH – That's not the only thing in COUNCILOR KENNEDY's motion. There's also a vote of no confidence.

MAYOR SHIPLEY-KALUPA – Call for the question.

COUNCILOR SMITH – Question.

MAYOR SHIPLEY-KALUPA – All in favor raise your right hand. (MAYOR SHIPLEY-KALUPA, COUNCILOR SMITH, COUNCILOR KENNEDY, and COUNCILOR MCCONNEL vote yes). Opposed? (COUNCILOR SWAYZE, COUNCILOR WINGREN and COUNCILOR RYBLOOM vote no)

MAYOR SHIPLEY-KALUPA – The meeting's adjourned.