

The Marietta Times, War of words erupts over open meeting law, council confab

No legal action is expected against two Marietta councilmen accused last week of violating the Ohio Open Meetings Act.

The allegations surfaced during an Oct. 19 city council candidate's debate at Marietta College where Republican council candidates Dianne Crandall and Randy Wilson noted current Democratic Councilmen Harley Noland and Mike McCauley had met with members of the Marietta-Washington County Convention and Visitors Bureau without advance public notice.

Noland and McCauley are two of the three council members who serve on the lands, buildings and parks committee. Crandall and Wilson both said the two councilmen represented a quorum of the committee members, so the CVB meeting should have been open to the public and advertised ahead of time.

"I don't like that," Crandall said Tuesday. "This kind of thing probably goes on in D.C. and Columbus but we don't want it going on in Marietta."

She said McCauley and Noland have been on council long enough to know better than to meet and discuss city business without giving notice of a public meeting.

"They discussed the Armory Square project and the CVB taking over the armory when it's finished," Crandall said. "This is not the way to conduct city business."

Wilson agreed, noting that during his previous two-year term on council he and then-fellow councilman Andy Thompson were serving on a ReStore Marietta committee together and had to provide 24 hours advance notice of that committee's meetings.

"And that wasn't even about city business," Wilson said. "We were just two council members on a committee that wasn't a council committee. And we couldn't even close the door when we met on the second floor of the Galley restaurant."

Wilson said he feels it's always better to be transparent.

"I think there was some concern that something could have been discussed related to city business, so we just wanted to make sure those meetings were conducted in public," he said.

"This meeting with the CVB should have been held in public, or just one of the council members should have attended."

Neither councilman believes he has violated the state's open meeting law.

"I don't see a violation at all," McCauley said. "This just was a meeting for investigation and information about whether the CVB was still interested in being part of the Armory Square project. There was no discussion or action taken on city business."

Noland noted he had not called a meeting of his lands, buildings and parks committee but the CVB had arranged to meet with Noland and Mayor Michael Mullen.

McCauley said Noland notified him about the session because he knew that McCauley was interested in knowing whether the CVB was still willing to be a major tenant at Armory Square.

"The last formal agreement with the CVB on the Armory Square project was over two years ago and we wanted to be sure the current director and board were still OK with that agreement," Noland said. "(CVB Executive Director) Jeri Knowlton was asked to get an idea of how the CVB's executive board felt.

"We were asked to attend that meeting and so we went," he said. "And I asked (Knowlton) to come to our next lands, buildings and parks committee meeting where Jeri made a proposal to let the CVB work on refining the Armory Square business plan."

Knowlton also assured the council committee that the CVB was still interested in being part of the Armory Square plans.

On Tuesday Knowlton said the CVB meeting with Noland and McCauley was not a formal session. There were no minutes taken.

"It was just an informal discussion to talk about the armory and the CVB's role there," she said. "There weren't any decisions made, although I did offer to look at the Armory Square business plan. And we're definitely committed to the Armory Square project."

Neither Crandall or Wilson are planning to pursue any litigation against Noland and McCauley for the alleged violation of the state meeting law, they said.

"We don't want to put them up against the wall, but they needed to be called out on this," Crandall said. "How many other meetings may have gone on?"

"This is just a slap on the hand," Wilson added. "But this is not the way to run city government."