



Outlook

Grievance on Public Meeting Law Violation

From Elliott Lapinel <elapinel@msn.com>**Date** Fri 2/14/2025 1:31 PM**To** cityattorney@cityofsalem.net <cityattorney@cityofsalem.net>

I am writing the Salem City Council to inform that body that they violated the Oregon Public Meeting Law some time around February 7, by violating the regulation against serial communications, in the decision to ask the City Manager to resign. The same body also violated OPML when they failed to announce in open session prior to the Executive Session the statutory provision for the Executive Session [199-05-0040(3)(d)(B)].

The City recently provided a timeline of events, and wrote (presumably relying on the testimony of Councilor Nishioka): *Due to public meeting law limitations, Councilor Nishioka was concerned that speaking with other members of Council about this issue would violate the law. She relied on her understanding of the situation after speaking with Mayor Julie Hoy.*

Nishioka's understanding of public meeting law notwithstanding, 1) Councilor Nishioka met with Mayor Hoy to discuss the issue and 2) Mayor Hoy met with *at least* Councilor Varney and Councilor Mathews, according to a recent Salem Reporter article:<https://www.salemreporter.com/2025/02/13/mayor-julie-hoy-set-in-motion-events-that-led-to-keith-stahleys-abrupt-resignation/>

As explained in the above article, some Councilors declined to comment on whether they met with Mayor Hoy, however, City Manager Keith Stahley wrote in his resignation that: *"I am submitting this resignation based on a meeting I had with Councilor Nishioka on Friday February 7, 2025, where she represented that she was the duly authorized representative of the Mayor and City Council and requested that I tender my resignation".*

The Salem Reporter article gives strong evidence that there was a serial communication violation - the resignation letter directly states that Councilor Nishioka at least claimed to have violated serial communications - and finally, the summary from the City does not directly address whether a serial violation occurred - only that Councilor Nishioka was "concerned" about violations. Since the primary "go between" appears to have been Mayor Hoy, this statement seems more like an attempt to escape blame than a credible denial.

Sincerely,

Elliott Lapinel