

Dear Mayor and Council:

I am issuing a general denial of any wrongdoing that would justify the supposed investigation that was conducted, and I also deny any wrongdoing that would justify any action from the City Council.

The investigation highlighted that the City has a dysfunctional communication and operating pattern that justifies the hiring of a city administrator. Numerous legal claims against the City in recent years also speak to this pattern. I am not going to be a scapegoat for these issues, and I will not be singled-out for the problems of the City. **If the investigation produced anything worthwhile it was the recommendation that we hire a City Administrator, and I would support that effort.** Hiring a City Administrator will allow the Council members to coordinate communication through a common staff person and help us manage the City.

If the City Council wishes to take further action against me, I'd ask that the City consider the following:

1. I have obtained independent legal representation to assist me with this process. **My attorney has advised me that the City Council has no authority to manage me like an employee or to place me on any type of 90-day plan.** I will not accept any such action and I will have my legal interests represented in court against the Mayor and Council if any such action is taken.
2. **The investigation was not conducted in any type of fair manner, and I am not being treated in a fair manner now.** As a city official, I am entitled to a defense, and I have been refused to even have meetings scheduled so my attorney could attend. The City Council has used the resources of the City to hire an attorney to perform an investigation and has used the City Attorney for the same purposes. Why are my accusers entitled to the resources of the City, but I am not? **How can the City Attorney strategize with the City Clerk, Mayor, investigator, and possibly others on how to conduct this investigation, but I be entitled to nothing?** Why was I interviewed last by the investigator if such process was fair? Why were my witnesses not interviewed or given the same level of consideration as the accusers' witnesses? This process was manifestly unfair and was a total waste

of taxpayer money.

3. The policy the City is trying to discipline me under is invalid and I will challenge its application against me in court. However, if the City Council intends to take any action against me, I am entitled to receive written charges that I can respond to. This investigation report does not suffice, and I am insisting on written charges that I can respond to. If such charges are to be considered, I am asking for an actual hearing in which I am allowed to call witnesses and cross-examine those making allegations. I feel it is a conflict for the City Attorney to handle any of these matters and that an independent prosecutor should be appointed. As a member of the City Council, I am a constituent part of the City of Carter Lake's municipal corporation, and the City Attorney will have an inherent conflict in prosecuting any actions against me. Prior legal precedence from the Iowa Supreme Court supports this position.
4. I have reason to believe that there is an attempt being made to secure my resignation and to subsequently terminate the City Clerk in some attempt to save face over the long history of dysfunction in the City and to justify the exorbitant fees of the investigation. As I said earlier, I will not resign or be a scapegoat for the convenience of certain people. If the Council wants to take additional action against me, the four remaining members of the City Council would need to vote for my removal from my office under the standards of Iowa Code 66. I do not believe that the Council has any grounds to take such action and I will seek the protection of the District Court if any such action is taken.

All of that said, if the City Council wants to address the actual issues with the City's dysfunctional patterns, I would do my part in the process. I simply will not be a scapegoat. I hope you will focus your energy on the bigger picture of long-term solutions for the City.

Sincerely,

Jackie Wahl