

From: [Scott McMeans - D2](#)
To: [Rhienna Gabriel](#)
Cc: [Kathleen McDaniel](#)
Subject: Re: Objecting to Resolution 18-0460: No due process
Date: Monday, May 21, 2018 6:13:52 AM

Alderpersion Gabriel,

I would refer you to the email reply that Attorney McDaniel sent you in regards to your concerns. As a matter of her role with Council proceedings, she has guided the process to ensure it is not unlawful and the Council is acting in accordance with state statutes.

The resolution will be voted on by Council and if passed would impose suspension from directly serving on committees and requiring you to follow a process when meeting with department heads. It does not require removal from you from your elected position which would require a different process including a hearing.

This resolution does not deprive any access to staff or prohibit matters of your constituents from being brought forward through established processes. As you know Alders do not serve on every committee, so if your statement of depriving you of participating in Common Council committees was true, it would be true for all Council members. Again, I would encourage you to review the information that was sent to you regarding these matters.

This resolution does not limit in anyway your voice or you ability to speak at Council or at Council meetings, therefore I am not sure why you believe anyone is trying to silence you.

Prior to any vote on this resolution, all Council members including yourself will get a chance to speak and discuss these matter before casting a vote.

Sincerely,

Scott McMeans
Alderpersion, District #2
City of Manitowoc

Sent from my iPad

On May 21, 2018, at 5:05 AM, Rhienna Gabriel <rgabriel@manitowoc.org> wrote:

Alderman McMeans:

The Resolution at issue and action are very different from any other resolution or ordinance. This resolution imposes a significant penalty on me and my District of constituents. It deprives me of my right to participate in Common Council committees. It subordinates me to the Mayor in violation of Wisconsin statutes and separation of powers.

You appear to believe that you can simply legislate punishment of this kind without anything resembling due process. You appear to think you can retaliate against me for exercising my First Amendment rights and not falling into line

silently. You are badly mistaken in those beliefs.

I demand that this issue be heard before an impartial hearing tribunal. I do not concede that the process which appears to be contemplated is sufficient to comply with due process.

Rhienna Gabriel
District 10 Alder