

City Clerk Staff

From: Heidi West
Sent: Friday, September 9, 2022 4:16 PM
To: Teri Schuster
Cc: Grp. City Council and City Web Site
Subject: Re: Council Meetings

They are in person but hybrid so the public can participate both virtually and in person.

Heidi

Sent from my iPhone

> On Sep 9, 2022, at 4:12 PM, Teri Schuster <kshydroseed@gmail.com> wrote:

>

>

> Hello,

>

> I am just curious why your meetings are still virtual. It seems like it would be a better option for the public and any comment to be back in person. School boards have been back in person for over a year for many schools. It feels like a way to hide from the public you serve.

>

> Thanks

>

> Teri Schuster

City Clerk Staff

From: Teri Schuster <kshydroseed@gmail.com>
Sent: Friday, September 9, 2022 4:12 PM
To: Grp. City Council and City Web Site
Subject: Council Meetings

Hello,

I am just curious why your meetings are still virtual. It seems like it would be a better option for the public and any comment to be back in person. School boards have been back in person for over a year for many schools. It feels like a way to hide from the public you serve.

Thanks

Teri Schuster

City Clerk Staff

From: Jacob E <jacobyelder34@gmail.com>
Sent: Friday, September 9, 2022 2:39 PM
To: Grp. City Council and City Web Site
Subject: We Cannot Make An Unethical Decision for Missoula

Friends,

We must address a Nepotism issue in our local government before our city council chooses your new mayor to lead us into a new day.

Nepotism is a form of government favoritism granted to relatives and friends in various fields.

Jim Nugent: Missoula City Attorney since 1977. The civil/administrative work performed in Jim's office includes defending the City in litigation proceedings as well as providing legal advice to the Mayor, City Council
Mike Nugent - mayor candidate (managing broker at Berkshire Hathaway and owner of Paradise Falls Restuarant and newest councilmember)

Per Mont. Code Ann. (MCA) § 2-2-301, it is unlawful "for a person or any member of any board, bureau, or commission or employee at the head of any department of this state or any political subdivision of this state to appoint to any position of trust or emolument any person related or connected by consanguinity (blood-related) within the fourth degree or by affinity (relationship by marriage) within the second degree."

Per § 2-2-302, it is also unlawful to "enter into any agreement or any promise . . . to appoint [a relative] to any position of trust or emolument."

The nepotism statute "prohibits a person from 'appointing' a relative within the prohibitory degree, to any position of trust or emolument". 27 A.G. Op. 21 (1957); MCA § 2-2-302

Although Jim Nugent (city attorney) lacks the authority to select his son Mike as mayor, their relationship violates the INTENT of the Montana nepotism act.

The statutes (INTENT) aim to prevent favoritism and conflicts of interest by public agencies in hiring and to make hiring decisions based upon merit rather than relationship. 43 A.G. Op. 23 (1989).

Mike and Jim Nugent's relationship is a massive conflict of interest because Jim will be Mike's attorney and report directly to Mike if selected as mayor.

Call your council members and hold them accountable because, as your next mayor, you can count on complete accountability and openness from me.

Why isn't this piece of information newsworthy? Why has nobody posed these questions?

Best,
Jacob