

CITY OF CLEMSON Agenda Item Request Form

| Requested By: |
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| Date Submitted: |
| Council Meeting Date: |
| Type of Request: (check only one) |
| Report/Discussion |
| Policy/Action |
| Executive Session |
| Agenda Item Summary: (brief for public information and posted agenda) |

Agenda Item Detail: (expand as necessary for clarification)

CITY OF CLEMSON, SOUTH CAROLINA

RESOLUTION NO. [R-2024-02]

A RESOLUTION CENSURING CATHERINE WATT

WHEREAS, according to South Carolina Constitution ("Constitution") Article VIII, section 17, and the Home Rule Act of 1975, including, for example, section 5-7-30, section 5-7-160, and section 5-7-210, of the Code of Laws of South Carolina 1976, as amended ("State Code," with the Constitution, collectively, "State Law"), and the Code of Ordinances, City of Clemson, South Carolina ("City Code"), including, for example, City Code section 2-2, the City, by and through its City Council, is authorized and empowered to provide for the City's internal operation;

WHEREAS, further, the South Carolina Constitution, the State Code, and the City Code provide for such internal operations to include conduct of Council members;

WHEREAS, the City Council is committed to the highest standards of integrity, professionalism, and ethical conduct among Council members;

WHEREAS, Catherine Watt is a City Council member;

WHEREAS, as an elected representative of the City, and a City Council member, Catherine Watt is entrusted with the responsibility of serving the public interest and maintaining public trust in all decisions and conduct;

WHEREAS, the City Code, section 2-31 (Oath of Office) requires a City Council member to "exercise the trust reposed in [that Council member]" and to "use [the Council member's] best endeavor[s] to preserve the peace";

WHEREAS, the City Code, section 2-29 (Duties and Powers) requires a City Council member not "to violate the oath of office, neglect official duties, or practice abuse or oppression in office";

WHEREAS, the City Code, section 2-46 (Decorum and Debate) requires a City Council member not to "use language personally offensive, arraign motives of [other City Council] members, charge deliberate misrepresentation, or use other language tending to hold a member of the [City C]ouncil or the public up to contempt or ridicule";

WHEREAS, the City Code, section 2-48 (City Council Decisions) requires a City Council member "to expect differences of opinion and to respect the views of each individual member of the [City C]ouncil . . . [and] recognize that when the [C]ity [C]ouncil has made a decision, the issue has been decided whether or not [a particular Council member was] in the majority or the minority, and each [City Council] member will be expected to support the action taken to the best of [her] ability";

WHEREAS, the City Code, section 2-49 (City Council/Staff Relations) requires "the members of the [C]ity [C]ouncil [to] communicate directly with the [C]ity [A]dministrator on all matters concerning any department or activity of the [C]ity[, and] [n]o member of the [City C]council shall give orders to any subordinate of the [C]ity [A]administrator, except in a case of an emergency";

WHEREAS, Catherine Watt, while seated as a City Council member, engaged in conduct violative of State Law, the City Code, and the values and principles expected of City Council members, as the governing and legislative body of the City, in some or all of the following respects:

(a) being disrespectful to members of the public and other City Council members during public

meetings;

- (b) during the course of executive session(s), by seemingly capturing and revealing matters discussed in executive session to third parties without authorization by City Council (including with parties related to and associated with plaintiffs in one or more lawsuit(s) against the City);
- (c) in the apparent delivery of privileged and/or confidential information and/or materials to third parties without authorization by City Council (including with parties related to and associated with plaintiffs in one or more lawsuit(s) against the City and including through the use of her City email account);
- (d) by impugning the integrity of other City Council members, City staff, and members of the public;
- (e) by seemingly intending to disseminate misleading information to the public (including through use of a local media organization);
- (f) as a candidate for the office of Mayor, by violating campaign rules; and
- (g) in one or more other respects, has regularly and continually interfered with the orderly conduct of the business of the City Council and/or the proper and orderly conduct of the operations of the City,

all to the detriment of the City, the City Council, the City staff, and the City's citizens;

WHEREAS, the conduct of Catherine Watt, as a City Council member, demonstrates disrespect for the office and position of a City Council member, as well as disrespect for the other members of the City Council, the City staff, and, most importantly, a disservice to the citizens of the City of Clemson, South Carolina, who elected Catherine Watt to serve responsibly as a City Council member as a means of serving the City's citizens;

WHEREAS, further, such conduct undermines public confidence in the City Council, the City staff, and the City, and disrupts the effective functioning of the City Council, the City staff, and the City; and

WHEREAS, it is incumbent on the City Council to expect and require that all City Council members conduct themselves with dignity, decorum, and common decency toward others, and, as the governing and legislative body of the City, to enforce such expectations of dignity, decorum, and common decency;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Clemson, South Carolina, as the governing and legislative body thereof, with the authority to provide rules for the conduct of City Council members and enforce matters of misconduct:

1. A member of the City Council shall not conduct him- or her-self in such a way as to, in the opinion of the majority of the City Council, interfere with the orderly conduct of the business of the City Council, and/or the proper and orderly conduct of the operations of the City, and/or the proper and orderly conduct of the operations on the City, City Council, City staff, and/or members of the public.

2. As a result of Catherine Watt's conduct, Catherine Watt:

(a) is hereby <u>CENSURED</u> and <u>ADMONISHED</u> for the ridicule, dishonor, shame, and disgrace she has brought on herself, the City, the City Council, City staff, and the City's citizens;

(b) is **INSTRUCTED** and **DIRECTED** to conduct herself in a manner befitting an elected City Council member so as to restore public confidence, adhere to all ethical standard and procedural guidelines, and foster an environment of professionalism and respect;

(c) is **<u>RESTRICTED</u>** and <u>**PRECLUDED**</u> from the use of her City email account, attending any future executive session(s), and/or obtaining documents and/or information related to legal matters involving the City from any City Council member, City staff, the City Attorney, and/or any other legal counsel engaged by or for the benefit of the City and/or any other source related to or affiliated with the City; and

(d) is <u>ADVISED</u> and <u>REMINDED</u> of her duty under City Code section 2-29 that "at the expiration [her] term of office . . . , [she] shall . . . pay over to [her] successors any money in [her] hands, or under [her] control, belonging to the [C]ity, and likewise to deliver promptly to [her] successors all books, records or other papers."

3. Despite Catherine Watt's conduct, City Council affirms its commitment to the highest standards of integrity, professionalism, and ethical conduct among current and future City Council members.

4. Be it further resolved that a copy of this Resolution be forwarded to Catherine Watt, be placed in the minutes of the City, and published once per week for three consecutive weeks in a newspaper of general jurisdiction in the City.

5. Each resolution, order, or other action of the City in conflict herewith, to the extent of such conflict, is hereby repealed.

6. This Resolution is effective immediately and the City Administrator is directed to effect, without delay, this Resolution's intent.

[ONE SIGNATURE PAGE FOLLOWS] [REMAINDER OF PAGE SUBSTANTIVELY BLANK] Done and approved in meeting duly assembled: December 2, 2024

CITY OF CLEMSON, SOUTH CAROLINA

[SEAL]

G. Robert Halfacre, Mayor

ATTEST:

Jeremiah Jackson, Municipal Clerk