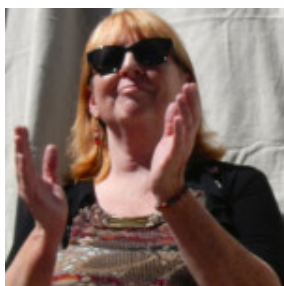


Conner seeks equal treatment from SLT staff

By Kathryn Reed

An El Dorado County Superior Court judge inadvertently limited South Lake Tahoe Councilwoman JoAnn Conner's interaction with city staff.

Judge Steve Bailey on April 12 said email is the only way Conner, when acting as a citizen and not an elected official, may contact any employee at the city. Prior to then she was allowed to call, even see some of them in person.



JoAnn Conner

Jacqueline Mittelstadt, Conner's attorney, requested the ex parte hearing. Such a hearing must be heard within 24 hours and is usually done so in more life and death situations, or something dire.

For Conner, the urgency revolved around an event she is putting on at the city's rec center. Her contention was the city has been making it difficult for her to do her regular job.

Bailey agreed Conner should not be hindered from making a living. His answer was for Conner to be allowed to contact department heads by email as well as the city attorney and city manager.

While the expansion to department heads is new since City Manager Nancy Kerry issued an edict last fall banning Conner from interacting with anyone but herself or the city attorney, the irony is Kerry is by default the head of the recreation department. This is the sector of the city Conner regularly engages because it's where she stages events.

Bailey cited how limiting Conner's ability to make a living would be relegating her to a second-class citizen and that he found it "troubling" the city would dictate with whom residents could speak.

In an odd discourse, Bailey dropped the names Duane Wallace and Dave Borges, two well-known South Lake Tahoe residents, asking what if they were denied the ability to do their jobs because the city dictated who they could interact with.

(Bailey hosted a political fundraiser earlier this month for a judicial candidate at which Wallace, Borges, Conner and Mittelstadt were in attendance.)

What was missing from Tuesday's hearing was any evidence supporting or refuting Conner's claims. This is normal in this type of procedure, but it left Bill Chisum, outside counsel for the city, with little room to make an argument.

Documents were submitted by the city that did not appear to have been relevant at this juncture.

In Kerry's declaration to the court she outlined how it's true Conner is treated differently – she has her emails and requests responded to in a matter of hours instead of days, which is more customary.

The defense counsel wrote, "It is difficult to understand petitioner's complaints when she fails to take simple acts like picking up the application packet."

An evidentiary hearing is scheduled for late May. At that time

the city's request to have Mittelstadt dismissed because of a conflict of interest will also be heard.

The whole legal brouhaha started last year with the other four council members censuring Conner as well as the city manager's ruling to limit Conner's access to staff. These decisions came about because city staff felt harassed by Conner; and others – including her council colleagues – were tired of verbal abuse.

The judge on Tuesday told Conner not to harass anyone, not to destroy city property, no stalking and more than a half dozen other no-no's when it came to her behavior.