

BE IT REMEMBERED that on Wednesday, **JULY 5, 2023**, the Riesel City Council met in a SPECIAL called meeting, at 6:30 p.m. in the Riesel City Hall Meeting Room, at 104 Hwy. 6 North in Riesel, Texas, with notice of said meeting having been posted at least 72 hours in advance in accordance with Section 551, Texas Government Code.

**Call to Order:** Mayor, Marshall Shaw called the meeting to order at 6:33 PM

**Council Members PRESENT:** Kooper Sjolander, Dustin Keller, Jennifer Hogg, Jeanne Lehrmann & Roger Fitzpatrick

**Employees Present:** Alisha Flanary, Matthew Cospser, Walter Lloyd, Cristen Conner, Chelsea Kemp, Randy Ehlers, Patrick Bellringer & Ryan Dieterich

**Visitors Present:** Tom Flanary Jr., Paul Fields, Lee Fields, Courtney Cormier, Paul Winkler, Kevin Wunderlich, Tony Lueck, Amanda Lueck, Kevin Tullos, Teresa Grote, Steve Grote, Bobby Dieterich, Dottie Nowaski, Justin Allen, Harli Lueck, Bradley Moravec, Jared Pearl, Ronnie Ludwig, Kimberly Ludwig, Stephen Zimmerman, Sarah Young, Korban Young, Dori Dieterich, Rodney Dieterich, Charlotte Gardner, Billy Heaton, Danny Hurley, Alex Vaughn, Jessica Dunn, Scott Lewis, Emi Busch, D.L. Wilson, Journey Warren, Becky Kinder, Katherine Bode, Debra McCormick, Christopher De Los Santos, Bradley Vaughn, Gail Grote, Stephanie Mims, Phyllis Koester, Morgan Browder, Kevin Hogg & Lisa Frazier

**VISITOR'S COMMENTS:**

- Stephanie Mims stated that she wanted an update on her previous request for a variance from platting her recent subdivision on Post Oak.
- Paul Fields stated that he and his wife were there to support officer Ryan Dieterich. He said that Ryan was always available to the community and helped them in any way he could and that all of the people there were in support of Officer Dieterich.
- Billy Heaton spoke up in opposition of the purchase of a new police car, which would require a budget amendment. He urged Council to not do anything regarding this until the next budget cycle. He said that this didn't look good for Riesel and that this is the kind of stuff that happened in Mart, and we didn't need to bring that over here. He recommended behavioral health training for the police department.
- Gail Grote spoke of her support of Ryan Dieterich. She stated that she was the branch manager of Cadence Bank and that Officer Dieterich responded multiple times to emergencies at the bank and got there so quickly that the thieves were unable to get away with any money. She went on to say that he would also provide security when they felt threatened and would walk them to their cars, even when off duty. He was readily available to help them and always quick to be there.
- Deena Tobias and asked why the City's attorney was not present for a matter as important as the termination of a long-time police officer. She said she really thought he should be there.

**Penya Plat:** Jeanne Lehrmann made a motion to approve a plat on Broadway Street filed by Mr. Penya. Roger Fitzpatrick seconded the motion, which carried unanimously.

**Federwisch-Bautista Plat:** Revisions were still pending; therefore this plat could not be recommended for approval – no action

**Alluvium Well:** Mayor Shaw gave a brief update on the Alluvium Well project, stating that he had very good news. A test well had been drilled at BASF site #2 and testing was underway. He said the water looked plentiful, was cold and clear. He said he was very hopeful for favorable water analysis results.



**Bellringer Resignation:** Patrick Bellringer asked that his resignation letter be read aloud. Mayor Shaw asked other council members if they had any problem with that, and they did not, so he asked Chief Cosper to read it aloud. Patrick made complaints against Chief Cosper in the resignation letter. After the reading of the letter, Jeanne Lehrmann then made a motion to accept the resignation of Officer Bellringer. Kooper Sjolander seconded her motion, which carried unanimously.

**New Police Car:** Discussion was held regarding a request to amend the budget to purchase a new Dodge Charger police car while they were still in stock in Cameron. Chief Cosper stated that the police department had been on a cycle of buying a new car every three years and that Covid delayed the last purchase. Council agreed that this should be considered on the next budget cycle. No action was taken.

**Executive Session:** A closed executive session was set to be held pursuant to Section 551.074 of the Government Code (V.C.T.A.) so that the Council could deliberate the employment, evaluation, duties, assignments and/or discipline of the position of Police Sergeant. However, Sergeant Ryan Dieterich requested that the discussion be held in open session, so the discussion was held publicly.

Officer Dieterich read the write-up against him and then played an audio recording from a previous meeting. He stated that that Chief Cosper was misrepresenting facts. He went on to say that another officer had violated policy and behaved unprofessionally and that nothing had been done about it. He stated that there was also an incident where Chief Cosper and Officer Lloyd were in an altercation during an off-duty job. He stated they were in Riesel police uniform, using profanity, which he said was unprofessional and nothing was being done about it. Then, he stated that he felt that he was being retaliated against because after his first disciplinary action in which he was demoted, he reached out to legal counsel and immediately after his attorney reached out to the City of Riesel attorney, a recommendation was made to terminate his employment. Officer Dieterich then thanked the citizens in attendance for their presence and their support.

Dustin Keller made comments regarding reports from the police software, CopSync. He asked Ryan about the time it took to do security checks. And, he said he went back through the month of May and found 70 hours of Ryan's time that were essentially gaps in activity logged. Keller said he could not tell where Ryan's time was being spent. Ryan asked if he was implying that he wasn't working. Keller stated that there was nothing tracked. Keller pointed out that on June 16<sup>th</sup>, there was no logged activity until 11:36 that evening, but that he had been on the clock since 3:57 pm. Ryan asked if he was implying that he should have been writing citations and Keller stated that he was only pointing out gaps in his activity. Ryan's attorney spoke up and stated that it was unfair to spring this on him without them being able to see the document first and allowing him time to respond to it.

Jeanne Lehrmann mentioned that communication issues and reporting deficiencies existed with the previous chief. Ryan stated that he has not been counseled on the Chief's expectations. He said he had been making the schedule for the majority of the years he had been employed with the City and had never been told that wasn't his duty. He said the lack of communication falls back on Chief Cosper.

Mayor Pro Tem, Kooper Sjolander spoke up and stated that what Ryan had shown him and the council was that unless he was specifically told to be at exact coordinates at an exact time and sit in an exact chair, for an exact purpose, that he wouldn't come. Sjolander continued to say that if his boss asked him to do something, he would do it, even if it was 2:00 in the morning. Ryan said the policy didn't require them to do that. Sjolander said, it seemed that Ryan seemed to need a policy to fall back on for every single thing. Ryan said if there had been an emergency situation, he would have responded immediately and would have been there, but the day they were referring to was not an emergency and he attempted to come in early and did make it there about 20 minutes before his shift. Regarding policies, he then stated that after 6 months, the police department was still operating under the previous Chief's policy.

Ryan's attorney commented that there was an apparent lack of communication from both sides and that said that you can't hold one side accountable and not the other. She said that she hoped the council would take that into consideration, along with the fact that there had been some misrepresentations. She said that in the most recent complaint against Ryan, the chief brought up a few traffic stops that occurred prior to the PIP meeting on May 22<sup>nd</sup> which were never discussed with him and they were not addressed at their second meeting on June 19<sup>th</sup> because that meeting never occurred. She said that you can't expect an officer to know where you want him to improve, what they're being disciplined on, and what directives you want them to follow unless you communicate that to them.

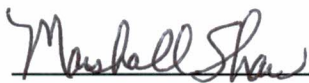
Chief Cosper responded by stating that those traffic stops were randomly chosen and that he observed multiple safety issues. He said that contrary to what people may believe, he cares about his officer's safety. He said it wasn't to nitpick, it was simply about the officer's safety. He went on to say that Ryan was on probation and that Ryan knew that if he there was any other problem, it was the end of the line. Chief Cosper stated that his recommendation to terminate Ryan's employment was hard and that he didn't like doing this kind of thing, but that he still stood by his recommendation.

**Termination:** Jennifer Hogg made a motion to continue with Ryan Dieterich's employment and to offer him appropriate training and departmental training for all officers. There would be no second to that motion, so the motion died.

Kooper Sjolander made a motion to follow Chief Cosper's recommendation to terminate the employment of Officer Ryan Dieterich. Jeanne Lehrmann seconded the motion, which passed with four (4) Ayes and one (1) Nay by Jennifer Hogg. The council meeting was disrupted by agitated audience members. Officer Lloyd intervened and instructed the crowd not to disrupt the meeting. Mayor Shaw called for order and stated that the motion passed.

**Budget Requests:** very brief discussion was held regarding the budget calendar and budget requests, but there was still a lot of commotion in the room so it was decided that this discussion would be continued at the next meeting on July 11th

**Adjournment:** With no further business, Mayor Shaw adjourned the meeting at 7:32 PM



Mayor, Marshall Shaw



Attest: Alisha Flanary, City Secretary