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**From:** info@voterswithfacts.com  
**Sent:** Monday, July 07, 2014 8:36 AM  
**To:** Andrew Dowd; Andrew Fefer; Mark Halvorson; Marty Green; Tom Giffey; Julian Emerson; news@weau.com; newsroom@ecpc.com; news@midwestfamilyec.com; news@wqow.com; John Murphy; Rich Kremer  
**Subject:** Press Release - VotersWithFacts Challenges the Legality of Tonight's Closed City Council Hearing on the Confluence

Citing State ex rel. Citizens for responsible Dev. v. City of Milton, 2007 WI App 114, Voters With Facts has challenged the legality of the planned closed City Council hearing “to provide direction regarding terms and conditions for the Confluence mixed-use and performing arts center projects.” Closed hearings are barred by the State of Wisconsin Open Hearing laws, except where specifically allowed. In the case of this evening’s hearing, the City is relying on the negotiating exception which allows a closed hearing “whenever competitive or bargaining reasons **require** a closed session.” In this instance, where the specific subject of the negotiation has not been revealed, where there has been no public hearing on the merits of the specific project or the means to fund it, negotiation is premature and inappropriate. Moreover, the Wisconsin court in the cited case, made it clear that it is a violation of the State Open Hearing Law to handle a transaction like this one behind closed doors in the manner planned by the Eau Claire City Council.

For more details see [www.VoterswithFacts.com](http://www.VoterswithFacts.com).

