

Via email

Peter J. Eglick eglic@ewlaw.net and all [respondents](#).

Re: Cole Ethics Complaint

October 6th 2013

Mr. Eglick and Respondents,

Due a failed attempt to send files in one email, I will necessarily send evidence files individually.

As said, I am not an attorney. Filing this complaint is the only way a citizen can afford to question the actions of government. As you know, to do otherwise involves enormous amounts of financial resources. While Mr. Eglick asks that I be specific, identify violations, and provide evidence, I feel I will fall short of his expectations. I have listed potential violations of Ethics Code and Personnel Policies in my complaint.

The evidence provided with this letter indicates some violations. However, my understanding is that this might be my last opportunity to provide evidence. Some of what's provided is lengthy but necessary to, if needed, display the level of cooperation Upstage provided Mr. Peterson as well as the level of commitment with which Mr. Peterson pursued his project Bld 13-048 Remodel Retail Into Restaurant.

The fundamentals of this complaint concern the actions of City Engineer David Peterson and the communications of David Timmons, City Manager. Unnecessarily and to his detriment, Peterson lied and misused city services and processes. Had the City Manager conducted an investigation, stated his resources, and demanded proper disclosures and written statements from Mr. Peterson, I would have believed himself a victim of Peterson's lies.

This, however, is not the case. Instead Mr. Timmons involved City Councilors, officials, and employees when he copied them in emails. He thereby included all in an appearance of impropriety and the possibility of complicity as he conveyed false information. All not involved in impropriety or feel maligned merely need to explain their role and their perception of matters.

Nevertheless, I assure you, Mr. Peterson lied in so many ways. The most absurd assertion is that he abandoned his restaurant, remodel, and structural upgrade project before he commenced work in Upstage.

As to City Manager Timmons, I have no idea why he'd involve himself in either providing the favor of less scrutiny than appropriate or defending or protecting Mr. Peterson. I

have no idea why city officials provided him the favor of less scrutiny. The walls of city offices are not the great wall of China. From newspapers to city employees and officials, all knew that Peterson was installing a new restaurant above Upstage space and was conducting a requisite structural upgrade. All knew that Upstage closed temporarily to assist Peterson. All knew that Upstage had no contractor and no building permit. Only Peterson had these.

I hope the evidence provided will be of assistance. I welcome the opportunity to provide Mr. Eglick any assistance or clarification. More than that, I hope changes in local government will be made to prevent these type of occurrences.

Respectfully,
Mark Cole
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PS Apologies for a few documents that have reverse first pages. This is a formatting issue that can be simply addressed by clicking your rotation tool.