

**MINUTES OF THE
OAK RIDGE CITY COUNCIL
SPECIAL MEETING**

May 21, 2015

The special meeting of the City Council of the City of Oak Ridge convened at 6:00 p.m. on May 21, 2015 in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

ROLL CALL

Upon roll call the following councilmembers were present: Councilmember Trina Baughn; Councilmember Kelly Callison; Councilmember Rick Chinn, Jr.; Mayor Warren L. Gooch; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem Ellen D. Smith

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; and Bruce M. Applegate, Jr., Assistant to the City Manager.

CONSIDERATION

Resolution No. 05-49-2015

A RESOLUTION APPROVING A NEW PROFESSIONAL SERVICES AGREEMENT WITH THE MUNICIPAL TECHNICAL ADVISORY SERVICE (MTAS) THAT SHALL ACCOMMODATE THE SCOPE OF WORK AS OUTLINED IN RESOLUTION NO. 04-40-2015 AND INCLUDE THE ASSUMPTIONS OUTLINED IN AN MTAS E-MAIL DATED MAY 11, 2015 FOR A REVIEW OF THE OAK RIDGE POLICE DEPARTMENT WITH A PARTICULAR FOCUS ON TURNOVER, MORAL, AND ADMINISTRATIVE POLICIES FOR AN ESTIMATED COST OF \$26,200.00.

Mayor Gooch moved, seconded by Councilmember Hensley, to approve the resolution.

Mayor Gooch began by proposing two amendments to the presented resolution.

First, Mayor Gooch moved to amend the resolution by deleting paragraph number 2—"Designate the Director of Human Resources Department (Personnel Department) as the point of contact for MTAS so as to provide the schedules and contact information of officers to MTAS (as outlined in Resolution No. 04-40-2015)"—and substituting in lieu thereof "Designate the director of the Personnel Department as the point-of-contact for MTAS, and all interviews of current employees and former employees shall be scheduled by the Personnel Director of the Personnel Department based upon availability of the MTAS Consultants." The amendment was seconded by Mayor Pro Tem Smith

The Mayor indicated that the above referenced item was discussed at a City Council Work Session, and based on this recommendation from MTAS, would provide cost savings that could be utilized from performing this scope of work internally.

The amendment passed by board vote with Councilmembers Callison, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye," and Councilmembers Baughn and Chinn voting "Nay."

Second, Mayor Gooch moved to further amend the resolution by deleting paragraph number 5—"Establish a temporary email account that allows input from other interested citizens. E-mails will only be considered from those who provide their name and full address (including city). The e-mails shall be monitored, reviewed, and assembled by an affiliate of MTAS and submitted to Mr. Rex Barton for possible inclusion in the MTAS report (as outlined in Resolution No. 04-40-201 5),"—in its entirety and substituting in lieu thereof "20 interviews shall be conducted from a pool of current and former employees randomly selected by the consultants with the randomly selected pool being interviewed before the remaining employees and former employees." The motion was seconded by Mayor Pro Tem Smith.

City Council held discussions regarding the benefit and intent of performing a random sample as recommended by MTAS.

During discussions as to whether MTAS would be providing an initial report following the conclusion of the randomly selected interviews and the benefits of such report, Councilmember Callison moved to amend the amendment presented by Mayor Gooch by adding an additional parameter that MTAS would provide a “snapshot” (summary) report from the random sample performed and note any major concerns that should be brought to the attention of Council. The motion was seconded by Councilmember Hensley.

Following discussions amongst City Council, Mayor Gooch opened the floor to receive comments from the public:

Mr. Jack Mansfield, 103 Hendrix Drive, expressed concern over the random sample and his opinion that he does not believe it be a fair process.

Mrs. Anne Garcia Garland, 120 Outer Drive, expressed her disappointment of having to complete a random sample and MTAS not providing rationale for requesting to perform a random sample, as well as recommended utilizing a professional investigator as an alternative.

Mr. Len Hart, 201 West Southwood Lane, commented about his disappointment in the process of the review of the Oak Ridge Police Department and requested that City Council plan for the City’s prosperous future and dispose of the MTAS review.

Mr. Mike Mahathy, 113 Fallberry Street, expressed his disappointment that members of City Council responded to an anonymous e-mail making allegations against the Oak Ridge Police Department.

Mrs. Myra Mansfield, 103 Hendrix Drive, expressed her opposition to the process of the Oak Ridge Police Department review to date.

Mrs. Virginia Jones, 103 Burgess Lane, commented about the personal aspect of the review of the Oak Ridge Police Department and stated that the cost of the review is reasonable.

Mr. Joe Lee, 99 East Pasadena Road, commented that he would like to see this review complete and move to other, future business of the City of Oak Ridge.

Councilmember Callison’s amendment to the primary (Mayor Gooch’s) amendment failed by board vote with Councilmembers Baughn, Chinn, Hope, and Mayor Gooch voting “Nay,” and Councilmembers Callison, Hensley, and Mayor Pro Tem Smith voting “Aye.”

The amendment offered by Mayor Gooch to substitute language in paragraph 5 of the presented resolution passed by board vote with Councilmembers Callison, Hensley, Mayor Pro Tem Smith, and Mayor Gooch voting “Aye,” and Councilmembers Baughn, Chinn, and Hope voting “Nay.”

Ms. Anne Garcia Garland, 120 Outer Drive, commented about receiving public comments regarding the review process.

The City Attorney explained, based on inquiries by City Council, that the Council can authorize expenditure of more than \$25,000.00, while forgoing the competitive bidding process, in accordance with Ordinance No. 11-07. The City Attorney noted that the Professional Services Agreement will outline an amount not to exceed at \$22,700.00 as a result of the reduction of \$3,500.00 that will be applied for the Personnel Department Director performing administrative tasks.

Mrs. Myra Mansfield, 103 Hendrix Drive, inquired about the amount charged by MTAS and the rationale for performing a random sample.

Mr. Joe Lee, 99 East Pasadena Road, requested that if MTAS were able to determine the identity of

“Bobby Hill” that the information be presented in their report.

The resolution, as amended, was approved by board vote with Councilmembers Callison, Hensley, Mayor Pro Tem Smith, and Mayor Gooch voting “Aye,” and Councilmembers Baughn, Chinn, and Hope voting “Nay.”

A resolution requesting MTAS to complete their initial proposal dated March 3, 2015 with the Personnel Department scheduling interviews of personnel of the Oak Ridge Police Department, and City Council initiating the additional City Council parameters outlined in Resolution No. 04-40-2015 following receipt and review of the MTAS initial proposal.

The Mayor indicated that the above item would be withdrawn since the City Council had taken action regarding the first resolution.

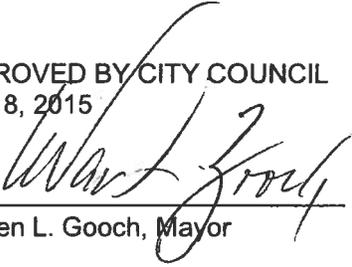
Authorization to request that the City of Oak Ridge submit a Request for Qualifications (RFQ) for a review of the Oak Ridge Police Department with a particular focus on turnover, moral, and administrative policies.

The Mayor indicated that the above item would be withdrawn since the City Council had taken action regarding the first resolution.

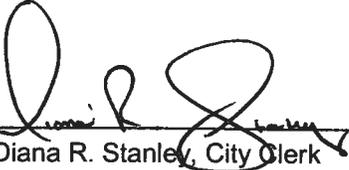
ADJOURNMENT

The meeting adjourned at 7:15 p.m.

APPROVED BY CITY COUNCIL
June 8, 2015



Warren L. Gooch, Mayor



Diana R. Stanley, City Clerk