

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

September 26, 2014

The special meeting of the Oak Ridge City Council convened at 4:00 p.m. on September 26, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

At the request of the Mayor, Mayor Pro Tem D. Jane Miller delivered the Invocation and Mr. Ben Redmond led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Upon roll call the following councilmembers were present: Councilmember Trina Baughn; Mayor Thomas L. Beehan; Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem D. Jane Miller; and Councilmember David N. Mosby.

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk.

DISCUSSION AND CONSIDERATION

The following was considered at the September 26, 2014 City Council Special Meeting:

Discussing and possibly taking action on the formation of a PAC [Political Action Committee] by the Oak Ridge Chamber following their lawyer's assurances that no political action other than the traditional candidate forums was intended.

Mayor Beehan noted, for the record, a communication received by the by the Oak Ridge Chamber of Commerce to the Oak Ridge City Council, indicating that members of staff would be in attendance, but would not be commenting during the meeting.

Councilmember Baughn requested that Mayor Pro Tem Miller indicate whether she would be participating in deliberations and the vote as, according to Ms. Baughn, she is a member of the Board of Directors of the Chamber as a City representative to which Ms. Miller indicated that she would not participate in the vote or opt to abstain if action were initiated.

Following discussions amongst the City Council regarding the formation of the Political Action Committee by the Oak Ridge Chamber of Commerce, Councilmember Baughn moved, seconded by Councilmember Garcia Garland for discussion, to request that the City Attorney provide his opinion, via a report, at the following City Council meeting on the following inquiries:

- 1) Who was involved in the formation of the PAC, and if City Manager Mark Watson and Oak Ridge School Superintendent Dr. Bruce Borchers were involved in the decision of the formation of the PAC, were the two in compliance with the Hatch Act?
- 2) Does the Little Hatch Act apply to city employees as well?
- 3) If City Manager Mark Watson and Oak Ridge School Superintendent Dr. Bruce Borchers were involved in the decision of the formation of the PAC, were there violations in the Oak Ridge City Charter?
- 4) If City Manager Mark Watson were involved in the decision of the formation of the PAC, did Mr. Watson violate the ICMA Code of Ethics, Tenants 3 and 4, and/or his employment agreement with the City of Oak Ridge?
- 5) Would the Tennessee Ethics Commission have an opinion regarding Mr. Robert Eby's possible decision to participate in the Oak Ridge Chamber of Commerce's decision, as a member of the Board of Directors, to form the PAC?

Mr. Andy Marathe, 121 Westlook Circle, indicated that he disagreed with the Chamber's decision to form

a PAC.

Mr. Chuck Agle, 101 West Melbourne Drive, indicated that he disagreed with the Chamber's decision to form a PAC.

Mr. James Arthur, 100 Delmar Circle, commented regarding the complexities that lead to the formation of the PAC.

Mr. David Stanley, 108 Orchard Lane, commented as to whether a PAC was necessary in the community.

Ms. Virginia Jones, 103 Burgess Lane, spoke regarding the relationship with the City of Oak Ridge and the Oak Ridge Chamber of Commerce and spoke to the importance of ethics when evaluating this situation.

Councilmember Hope indicated that he would recuse himself from participating in the vote due to this membership with the Oak Ridge Chamber of Commerce. Councilmember Mosby similarly indicated that he would recuse himself from participating in the vote giving that he is currently seeking reelection to the Oak Ridge City Council.

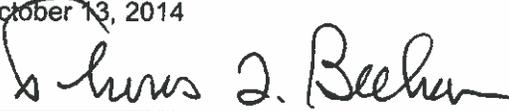
By show of hands, Councilmembers Baughn and Garcia Garland voted "Aye," and Councilmember Hensley and Mayor Beehan voted "Nay." Councilmembers Hope, Mosby, and Mayor Pro Tem Miller did not participate in the vote.

ADJOURNMENT

The meeting adjourned at 5:00 p.m.


Diana R. Stanley, City Clerk

APPROVED BY CITY COUNCIL
October 13, 2014


Thomas L. Beehan, Mayor