

CITY CLERK MEMORANDUM

15-04

DATE: March 6, 2015
TO: Honorable Mayor and Members of City Council
FROM: Bruce M. Applegate, Acting City Clerk
SUBJECT: PROPOSED ADDITION TO THE 3/9/15 COUNCIL MEETING AGENDA

Attached are two (2) proposed additions to the agenda for the March 9, 2015 City Council meeting. They are:

- For insertion under General Resolutions

A RESOLUTION ACCEPTING A PROPOSAL FROM THE MUNICIPAL TENNESSEE ADVISORY SERVICE FOR A REVIEW OF THE OAK RIDGE POLICE DEPARTMENT WITH A PARTICULAR FOCUS ON TURNOVER, MORALE AND ADMINISTRATIVE POLICIES.

- For insertion under Appointments/Elections

A RESOLUTION APPOINTING MEMBERS OF A JOINT CITY/SCHOOL COMMITTEE FOR THE STUDY OF PRE-SCHOOL FACILITY OPTIONS AND LONG RANGE PLANS FOR ADDRESSING FINANCING PLANS, TIMETABLES, PUBLIC EDUCATION AND ENROLLMENT CONSIDERATIONS INCLUDING APPOINTMENT OF SPECIFIC CITY REPRESENTATIVES.

The staff recommends that each of these items be added to the agenda as indicated. The proposed addition will be added to the city's website and a copy will be placed in your mailbox.



Bruce M. Applegate Jr.
Acting-City Clerk

cc: Kenneth R. Krushenski, City Attorney
Mark S. Watson, City Manager

**CITY COUNCIL MEMORANDUM
15-14**

DATE: March 6, 2015
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: APPOINTMENTS TO JOINT CITY/SCHOOL COMMITTEE TO STUDY PRESCHOOL
OPTIONS

Introduction

An item for City Council's consideration is a resolution appointing members to a joint City/School committee for the study of preschool facility options and long-range plans for addressing financing plans, timetables, public education and enrollment considerations including appointment of specific City representatives.

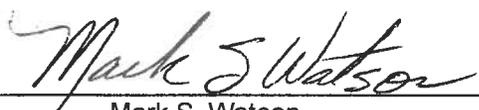
Background

As adopted by City Council on February 9, 2015, in Resolution No. 2-14-2015, the City Manager has recommended the appointment of several staff members to the joint City/School committee, as well as consideration of a citizen member to be recommended by the Mayor and confirmed by the Council. The Council shall also appoint one of the Council to serve on the Committee. Councilmember Callison has expressed a willingness to serve in this capacity.

Should the City Council wish to amend the makeup of the City appointees, amendments can be made on the floor. I will also convey any recent perspectives from the Board of Education on this matter should any relevant communications occur before the City Council meeting.

Recommendation

Approval of the attached resolution is recommended.



Mark S. Watson

Attachment

RESOLUTION

A RESOLUTION SUPPORTING THE DEVELOPMENT OF REPLACEMENT OPTIONS AND SOLUTIONS FOR THE OAK RIDGE PRESCHOOL / SCHOOL ADMINISTRATION BY CITY COUNCIL AND THE OAK RIDGE BOARD OF EDUCATION THROUGH THE ESTABLISHMENT OF A JOINT COMMITTEE; AND TO PRIORITIZE JOINT CITY/SCHOOL PROPOSED CAPITAL IMPROVEMENT PROJECTS (CIP).

WHEREAS, upon inspection by the Health and Safety Manager of the Anderson County Head Start Program, the Oak Ridge Preschool building located at 304 New York Avenue has been determined to have lead based paint on the exterior of the building; and

WHEREAS, the current building has been in use over seventy (70) years and is in need of exceptional upgrades and maintenance costs for the foreseeable future; and

WHEREAS, at their January 27, 2015 meeting, the Oak Ridge Board of Education made the following recommendations to City Council: (1) further study of Preschool/School Administration Building options, (2) development of a joint City/School committee, (3) consideration of the City's purchase of the Chamber of Commerce building for school administration, (4) consideration of a proposal to remodel G-building at the Oak Ridge High School, and (5) development of an ongoing Capital Improvements Project (CIP) plan based upon priorities; and

WHEREAS, the City Manager recommends City Council participate in a joint City/School committee to develop a replacement plan for the Preschool/School Administration Building and recommends the City Manager and School Superintendent initiate an initial joint CIP meeting at their earliest convenience.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendations of the City Manager are approved and the City hereby commits to participate in a yet-to-be-formed committee whose goals will be as follows:

- Firm establishment of space needs, building requirements, technology needs, and public education building requirements of new or modified school facilities per the International Building Code and/or Tennessee's education codes;
- Concurrence and recommendation of an affordable finance plan to accompany the facility;
- Timetables to be developed for the project that the City will decide to implement; and
- Public education of the proposal to Oak Ridge citizens as required.

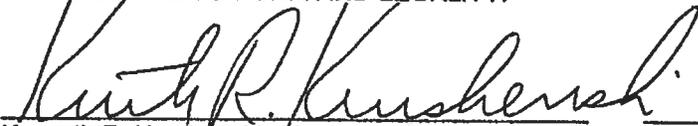
BE IT FURTHER RESOLVED that the City's participation in said committee will consist of (at a minimum) a City Councilmember, the City's Operations/Maintenance Supervisor, the City's Recreation and Parks Department Director, the City's Finance Director, and other citizen representative as required.

BE IT FURTHER RESOLVED that any construction and procurement would be under the direct oversight of the City.

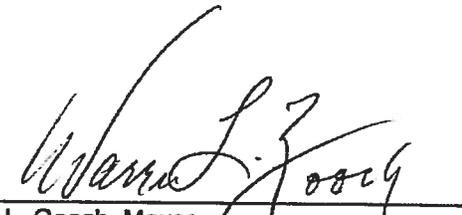
BE IT FURTHER RESOLVED that the City Manager and the School Superintendent shall initiate an initial joint Capital Improvements Project (CIP) plan meeting at their earliest convenience.

This the 9th day of February 2015.

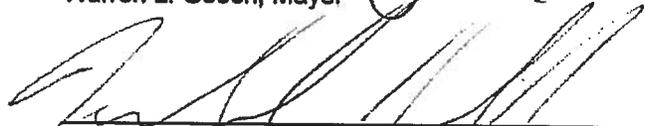
APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney



Warren L. Gooch, Mayor



Bruce M. Applegate, Jr., Acting City Clerk

RESOLUTION

A RESOLUTION APPOINTING MEMBERS OF A JOINT CITY/SCHOOL COMMITTEE FOR THE STUDY OF PRE-SCHOOL FACILITY OPTIONS AND LONG RANGE PLANS FOR ADDRESSING FINANCING PLANS, TIMETABLES, PUBLIC EDUCATION AND ENROLLMENT CONSIDERATIONS INCLUDING APPOINTMENT OF SPECIFIC CITY REPRESENTATIVES.

WHEREAS, City Council adopted Resolution 2-14-2015 at its February 9, 2015 meeting; and

WHEREAS, this Resolution called for the establishment of a Joint City/School Committee appointed by Council with the following goals:

- Firm establishment of space needs, building requirements, technology needs, and public education building requirements of new or modified school facilities per the International Building Code and/or Tennessee's education codes;
- Concurrence and recommendation of an affordable finance plan to accompany the facility;
- Timetables to be developed for the project that the City will decide to implement; and
- Public education of the proposal to Oak Ridge citizens as required.

WHEREAS, the Resolution called for this Committee to consist of (at a minimum) a City Councilmember, the City's Operations/Maintenance Supervisor, the City's Recreation and Parks Director, the City's Finance Director, and other citizen representatives as required.

WHEREAS, the City Manager has recommended that Janice McGinnis, Finance Director; Jon Hetrick, Recreation and Parks Director; and Pat Fallon, Public Works Operation/Maintenance Division Manager be appointed to this Committee; and

WHEREAS, City Council, pursuant to said Resolution, has authority to appoint a member of Council to the Committee along with other citizen representatives as required; and

WHEREAS, the City Manager has recommended that one citizen representative be appointed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

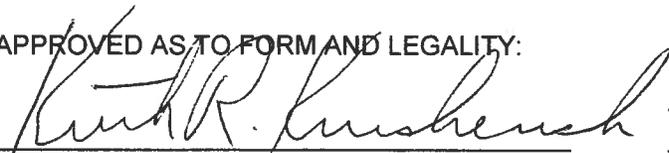
That the recommendation of the City Manager to appoint Janice McGinnis, Finance Director; Jon Hetrick, Recreation and Parks Director; and Pat Fallon, Public Works Operation/Maintenance Division Manager be approved.

BE IT FURTHER RESOLVED that Council hereby appoints _____ as Citizen Representative to this Committee.

BE IT FURTHER RESOLVED that Councilmember _____ be appointed as Council Representative to this Committee.

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

CITY OF OAK RIDGE



POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

DATE: March 5, 2015
TO: Honorable Mayor and Members of City Council
FROM: Kelly Callison, Councilman
SUBJECT: MTAS SUPPORT OF POLICE DEPARTMENT REVIEW

I had the opportunity to meet with Rex Barton the MTAS Police Management Consultant and came away from the meeting very impressed with his credentials. With over 18 years as a policeman and 20 years as an MTAS consultant I believe Rex provides us with the skills and independence required to review the Oak Ridge Police Department turnover, morale and administrative policies as stated in our recently passed resolution. Having completed over 50 similar reviews across the State of Tennessee I believe he brings the experience and knowledge to deliver a report that can be accepted by those on all sides of the issues that have been expressed to the Council.

Since the City of Oak Ridge pays a fee to support the work of MTAS this effort will be at no additional cost to the city. As you can see in the MTAS proposal Rex is planning to do the interviews offsite and in a non-attribution manner. I believe that approach is key to obtaining honest input from those participating in the interviews. He also believes that a complete report can be delivered to us within 30 days which I think is critical to show the citizens that we have moved forward quickly on the concerns expressed.

No matter the outcome of the review I think we should consider having the Oak Ridge Police Department seek state certification. The process takes three years and is relatively inexpensive compared to national certification.

Of all the other alternatives I have heard discussed I believe this approach meets our need to provide for an honest and transparent review of the issues addressed in our resolution. I am forwarding this along with the proposal and Rex's resume` for your consideration during the March 9th Council meeting.


Kelly Callison
City Council

PROPOSAL
Oak Ridge Police Department
Limited Police Department Review

The City of Oak Ridge has requested a proposal for a limited review of the Oak Ridge Police Department. The City Council has adopted a resolution calling for the review and establishing parameters for the review. The resolution specifically calls for an independent third party review of the turnover, morale and administrative policies in the Oak Ridge Police Department.

Municipal Technical Advisory Service

The Municipal Technical Advisory Service (MTAS) was established by the Tennessee General Assembly in 1949 to provide technical advice to cities and towns across the state: their governing bodies, mayors, city managers, city recorders, and city department heads. MTAS provides this assistance with consultants who specialize in most areas of municipal operations. MTAS annually completes more than 1,000 major municipal management projects and provides an average of 6,000 other services each year. The agency is a component of the University of Tennessee, Institute for Public Service

Proposal for Limited Review

MTAS consultants propose to interview a randomly selected group of police department employees. The selection of employees to be interviewed will be made by MTAS consultants. The interviews will take place at University of Tennessee, Institute for Public Service facilities in Oak Ridge. The content of discussions during the interviews will remain confidential, and no employee or officer of the city will have access to information regarding any individual interview. The consultants will also interview additional employees and officers of the city. The review may include interviews with community leaders not directly employed by the city. MTAS consultants will review pertinent police department policies and procedures.

The consultants will provide a written report consolidating information obtained in the interviews. The report will identify any findings and will make recommendations for improvement in the three selected areas of interest. It is expected that the report will be delivered within 30 days after the city resolves to accept the MTAS proposal. If the review process cannot be completed within 30 days, MTAS will provide a written estimate of the completion date. MTAS consultants will present the report and findings at a city council work session or meeting.

The review will be coordinated by the MTAS Police Management Consultant (resume attached). Additional MTAS consultants may participate as needed and as schedules allow.

Respectfully submitted on behalf of Rex Barton, MTAS Police Management Consultant, on March 3, 2015,

Margaret Norris

Margaret Norris
Municipal Management Consultant

REX BARTON

Police Management Consultant

Serves as a single point of contact for questions and advice relating law enforcement

Work Experience:

Athens Police Department, Athens, TN	1977-1995
Administrative Captain	
University of Tennessee –	
Municipal Technical Advisory Service	1995-present

Education:

Associate of Science – Criminal Justice (AS)	1982
Bachelor of Science –	
Organizational Management (BS)	1988
Master of Business Administration (MBA)	1991

Publications:

Municipal Courts Manual
Drug Fund Manual
Overtime and the Police: Application of the Overtime Provisions of the Fair Labor Standards Act on Law Enforcement

Training Programs:

Municipal Court Clerks Training Program
Annual basic training classes and annual training conferences
Managing the Drug Fund
Law Enforcement Management and Administration Class
In partnership with the Tennessee Law Enforcement Training Academy
Annual Legislative Update for various law enforcement related organizations
Police Services module for the Elected Officials Academy

Notable Activities:

More than 55 Comprehensive Management Reviews municipal law enforcement agencies in Tennessee.
Tennessee Law Enforcement Accreditation Program
Development of standards, program manager for initial launch of the program, program assessor.
Charter member of the Tennessee Crime Prevention Coalition

RESOLUTION

A RESOLUTION AUTHORIZING AN INDEPENDENT THIRD PARTY REVIEW OF THE TURNOVER, MORALE, AND ADMINISTRATIVE POLICIES IN THE OAK RIDGE POLICE DEPARTMENT PURSUANT TO ARTICLE II, SECTION 9, OF THE CHARTER OF THE CITY OF OAK RIDGE, TENNESSEE.

WHEREAS, Article II, Section 9, of the Charter of the City of Oak Ridge, Tennessee, authorizes City Council by resolution to make investigations into the affairs of the City and the conduct of City departments, offices, boards, commissions, committees, and agencies, and for said purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence; and

WHEREAS, City Council desires to hire an independent third party to review the turnover rate, morale, and administrative policies in the Oak Ridge Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

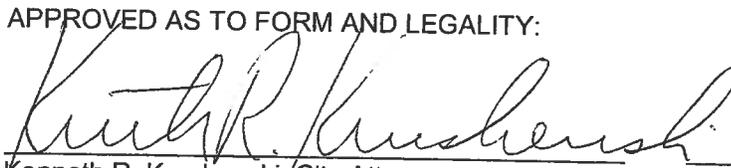
Pursuant to Article II, Section 9, of the Charter of the City of Oak Ridge, Tennessee, City Council hereby authorizes an independent third party review of the turnover, morale, and administrative policies in the Oak Ridge Police Department.

BE IT FURTHER RESOLVED that City Council will select an independent third party and such review of the turnover rate in the Oak Ridge Police Department shall be conducted within thirty (30) days after the party is selected with the report delivered to City Council and the City Manager for any necessary action.

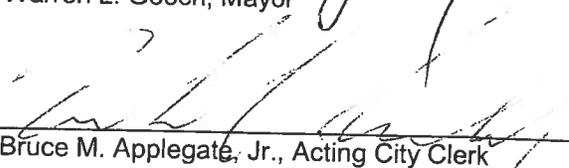
BE IT FURTHER RESOLVED that the selected third party will be a person with a strong background in law enforcement and municipal law such as a retired Tennessee state trooper, a retired criminal court judge, or a Municipal Technical Advisory Service consultant.

This the 9th day of February 2015.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Bruce M. Applegate, Jr., Acting City Clerk

RESOLUTION

A RESOLUTION ACCEPTING A PROPOSAL FROM THE MUNICIPAL TENNESSEE ADVISORY SERVICE FOR A REVIEW OF THE OAK RIDGE POLICE DEPARTMENT WITH A PARTICULAR FOCUS ON TURNOVER, MORALE AND ADMINISTRATIVE POLICIES.

WHEREAS, City Council Resolution 2-20-2015 adopted at its February 9, 2015 meeting, approved authorizing an independent third party review of the turnover, morale and administrative policies in the Oak Ridge Police Department pursuant to Article II, Section 9 of the Charter of the City of Oak Ridge; and

WHEREAS, the Resolution called for the review to be conducted within thirty (30) days after the Third Party is selected with a report to be delivered to City Council and the City Manager for any necessary action; and

WHEREAS, the Resolution required the third party to be a person with a strong background in law enforcement and municipal law such as a retired Tennessee State Trooper, a retired Criminal Court Judge, or a Municipal Technical Advisory Service Consultant; and

WHEREAS, Councilmember Kelly Callison has provided Council with the attached Memorandum which indicates that he has met with Rex Barton, MTAS Police Management Consultant, whose credential's satisfy the requirements set out in Resolution 2-20-2015; and

WHEREAS, Councilmember Callison's memo indicates this review by MTAS will be conducted at no cost to the City; and

WHEREAS, Margaret Norris, MTAS Municipal Management Consultant, has submitted a proposal to the City Council dated March 3, 2015 which provides Council with the scope of review that MTAS will conduct to satisfy the requirements of Resolution 2-20-2015.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the Proposal dated March 3, 2015 submitted by Margaret Norris of MTAS be accepted by Council on the condition it be conducted at no cost to the City.

BE IT FURTHER RESOLVED that MTAS Police Management Consultant, Rex Barton, is hereby appointed by Council to conduct the review of the Oak Ridge Police Department as set out in Resolution 2-20-2015 pursuant to the terms of the MTAS Proposal.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk