

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

June 1, 2015—7:00 p.m.

AGENDA

I. INVOCATION

Pastor Robert May, Oak Ridge Bible Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating June 15 through June 21, 2015 as “*Men’s Health Week.*”

VI. SPECIAL REPORTS

FY 2016 Budget Presentations

- a. Presentation of the City of Oak Ridge’s FY 2016 Proposed Budget by Mr. Mark S. Watson, City Manager.
- b. Presentation of the Oak Ridge School’s FY 2016 Proposed Budget by Mr. Keys Fillauer, Board of Education Chairman.

VII. CONSENT AGENDA

- a. Approval of February 9, 2015 City Council meeting minutes.
- b. Approval of the May 11, 2015 City Council meeting minutes.

VIII. RESOLUTIONS

A RESOLUTION AMENDING RESOLUTION 07-64-2014 INCREASING THE FUNDING ALLOCATED TO THE BLANKENSHIP FIELD PARKING LOT PROJECT TO \$275,000.00 AND AWARDING A CONTRACT (FY2015-268) TO ROGERS GROUP INC., OAK RIDGE, TENNESSEE FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE BLANKENSHIP FIELD PARKING LOT IN THE ESTIMATED AMOUNT OF \$264,791.00.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

(NONE)

X. FINAL ADOPTION OF ORDINANCES

(NONE)

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Elections/Appointments

Confirmation of Nomination Dr. Thomas L. Clary, III by the Oak Ridge Utility District Board of Commissioners for a five-year term beginning July 1, 2015.

- b. Announcements
- c. Scheduling
- XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS
- XIII. SUMMARY OF CURRENT EVENTS
 - a. CITY MANAGER'S REPORT
 - b. CITY ATTORNEY'S REPORT
- XIV. ADJOURNMENT

**PROCLAMATIONS
AND PUBLIC
RECOGNITIONS**

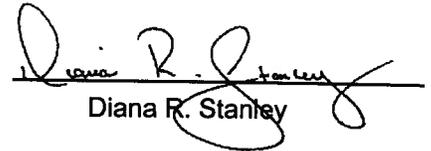
**CITY CLERK MEMORANDUM
15-29**

DATE: May 21, 2015
TO: Honorable Mayor and Members of City Council
FROM: Diana R. Stanley, City Clerk
SUBJECT: PROCLAMATIONS FOR JUNE CITY COUNCIL AGENDA

The following proclamations are presented for the June 1, 2015 City Council meeting for City Council's consideration:

Men's Health Week

This proclamation was requested by Michael L. Leventhal, Executive Director of the Tennessee Men's Health Network who will be in attendance to accept at the June 1 City Council Meeting.


Diana R. Stanley

Attachments:
Men's Health Week Proclamation

PROCLAMATION

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women with African-American men having the lowest life expectancy; and

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will result in reducing rates of mortality from disease; and

WHEREAS, the Men's Health Network (MHN) worked with Congress to develop National Men's Health Week as a special campaign to help educate men, boys, and their families about the importance of positive health attitudes and preventative health practices; and

WHEREAS, MHN is a national non-profit organization whose mission is to reach men, boys, and their families where they live, work, play, and pray with health prevention messages and tools, screening programs, educational materials, advocacy opportunities, and patient navigation; and

WHEREAS, the City of Oak Ridge has similarly made an effort to promote a healthy lifestyle for the residents of Oak Ridge and city employees through the creation of a Wellness Fair; and

WHEREAS, the Knoxville Chapter of MHN worked with the City of Oak Ridge through the City's Wellness Fair, to promote their mission of wellness amongst the Oak Ridge community; and

WHEREAS, Health Week will focus on a broad range of men's health issues and will encourage the citizens of Oak Ridge to increase awareness of the importance of a healthy lifestyle, regular exercise, and medical check-ups.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that June 15 through June 21, 2015 be proclaimed

MEN'S HEALTH WEEK

and encourage all citizens to pursue preventative health practices and early detection efforts.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 1st day of June in the year 2015.

**WARREN L. GOOCH
MAYOR**

CONSENT AGENDA

MINUTES OF THE OAK RIDGE CITY COUNCIL MEETING

February 9, 2015

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on February 9, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Reverend Mark Walton, Pastor of Glenwood Baptist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Hope.

ROLL CALL

Upon roll call the following councilmembers were present: Councilwoman 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; Janice E. McGinnis, Finance Director; Bruce M. Applegate Jr., Acting City Clerk.

APPEARANCE OF CITIZENS

Mike Marsh, 132 Timbercrest Lane, comments regarding the need to evaluate the merit of allegations against police chief, as well as objection to the use of censure on any councilmember.

Jeff Collins, 124 Tabor Rd., comments on a firefighter friend who had been allegedly reprimanded and lost accrual of longevity pay due to said reprimand.

Reverend Walter Ghosten, representative of NAACP for Anderson County and Oak Ridge, sought to make comments on behalf of the police department but was informed to bring up with corresponding agenda item later in the meeting/

Lynn Mayes, 10,017 West Toomey Rd., commented regarding his perception of the illegality of the rental inspection program occurring within Oak Ridge.

Jim Horton, 106 Carson Ln., commented regarding the change in the property tax due date.

Evelyn Armstrong, 21 Rivers Court, commented on concern about the continued exposure of negative events in Oak Ridge to the world community.

Kay Williamson, 420 Jefferson Ave., commented on concerns of the Alpha Five cleanup, and the labelling of the area as a dump site.

Andy Marathe, 121 Westlook Circle, commented he was unhappy with the lack of change in population, and interest in the council making the city more welcoming for new potential residents.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation was made designating March 6, 2015 as Arbor Day.

Mayor Pro Tem Smith moved, seconded by Councilmember Chinn, that the proclamation be adopted. Unanimous approval by the councilmembers "aye" vote.

A proclamation was made in recognition of the achievements of the Allies for Substance Abuse Prevention group.

Councilmember Chinn moved, seconded by Councilmember Smith, that the proclamation be adopted. Unanimous approval by the councilmembers “aye” vote.

Michael Foster accepted the proclamation on behalf of the group, and made remarks as to the successes of the organization.

A proclamation was made in recognition of the community contribution made by Boyce Griffith.

Councilmember Hensley moved, seconded by Councilmember Baughn, that the proclamation be adopted. Unanimous approval by the councilmembers “aye” vote. A moment of silence was held via the Mayor’s request.

SPECIAL REPORTS

Auditors’ Report

CONSENT AGENDA

Councilmember Smith moved, seconded by Councilmember Hope, to approve the Consent Agenda, thereby:

- Approving the January 12th, 2015 City Council Meeting minutes.
- Adopting **Resolution No. 2-10-2015** authorizing the City to sign the Anderson County Basic Emergency Operations Plan.
- Adopting **Resolution No. 2-11-2015** authorizing the City to approve an amendment to the Oak Ridge Beer Permit Board’s Rules and Procedures regarding their meeting schedule.
- Adopting **Resolution No. 2-12-2015** authorizing the City to apply for a grant from the National Fish and Wildlife Foundation’s Five Star Urban Waters Restoration Grant Program in the estimated amount of \$25,000.00, and to accept the grant if awarded.

The consent agenda was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Items Removed from the Consent Agenda

(None)

RESOLUTIONS

Resolution 2-[13]-2015

A RESOLUTION ESTABLISHING THE CITY’S COMMITMENT TO REMEDIATE THE LEAD BASED EXTERIOR PAINT AT THE OAK RIDGE PRESCHOOL BUILDING IN ACCORDANCE WITH EPA GUIDELINES AND PROCEDURES.

Councilmember Hope moved, seconded by Councilmember Callison that the resolution be adopted.

City Manager Mark Watson comments on the upcoming expenses associated with carrying out the project.

Public Comment, Andy Marathe 121 Westlook Circle, comments on the maintenance departments need to expand their efforts, and make sure to take the financial aspects of the pre-K project into consideration.

The resolution was approved with Councilmembers Baughn, Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmember Chinn abstained due to a potential conflict of interest.

Resolution No. 2-[14]-2015

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).

Councilmember Hope moved, seconded by Councilmember Callison, that the resolution be adopted.

City Manager Mark Watson addressed questions from Council regarding the cost and scope of the proposed committee's work to be completed.

Comments from Superintendent Bruce Borchers supporting the action taken by the city manager on addressing the current issues with the preschool, and the level of action taken to integrate school board and city activities.

Comments from Anne Garcia-Garland suggesting the need to include residents with experience related to architecture design, school needs.

Comments from Joseph Lee, 99 E. Pasadena Dr. thanking the city staff and councilmembers work to achieve positive outcomes together.

The resolution was approved with Councilmembers Baughn, Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmember Chinn abstained due to a potential conflict of interest.

Resolution No. 2-[15]-2015

A RESOLUTION AWARDED A CONTRACT (FY2015-222) TO B & B SERVICES, INC., KNOXVILLE, TENNESSEE, FOR MOWING NON-RIGHTS-OF-WAY FOR THE PUBLIC WORK'S DEPARTMENT IN THE ESTIMATED AMOUNT OF \$81,927.23.

Mayor Pro Tem Smith moved, seconded by Councilmember Hope, that the resolution be adopted.

City Manager Mark Watson addressed concerns from councilmembers regarding the lack of additional respondents beyond the sole winning bidder.

Gary Cinder identified that B&B would be a first time contractor for the city with the provision of this award.

The resolution was approved with Councilmembers Baughn, Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmember Chinn abstained due to a potential conflict of interest.

Resolution No. 2-[16]-2015

A RESOLUTION AWARDED A CONTRACT (FY2015-177) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE INSTALLATION OF LIGHTING AT THE OAK RIDGE PUBLIC LIBRARY IN THE ESTIMATED AMOUNT OF \$64,678.00.

Mayor Pro Tem Smith moved, seconded by Councilmember Hope, that the resolution be adopted.

Comments from councilmember Baughn identified that the proposed resolution came in significantly under the initial expectation, and along with Councilmember Chinn highlighted the positive savings compared with previous cost expectations.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Resolution No. 2-[17]-2015

A RESOLUTION AUTHORIZING TRANSMITTAL OF THE COMMENTS TO THE U.S DEPARTMENT OF ENERGY REGARDING THE CONCEPTUAL DESIGN OF THE K-25 HISTORY MUSEUM AT FIRE STATION #4, THE PROPOSED EQUIPMENT BUILDING, AND RELATED INTERPRETIVE PROJECTS AT THE EAST TENNESSEE TECHNOLOGY PARK.

Mayor Pro Tem Smith moved, seconded by Councilmember Hope, that the resolution be adopted.

City Manager Mark Watson updated the councilmembers on the current status of the proposed K-25 history museum plan.

Councilmembers brought forth concerns about the location of the hub, in the hub and spoke model. Requesting additional emphasis be put into project materials stating that the hub will be centralized in the core of Oak Ridge. Additional concerns were brought up addressing the price tag of the project.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Resolution No. 2-[18]-2015

A RESOLUTION ACKNOWLEDGING THE CITY'S RECEIPT OF CORRESPONDENCE FROM THE STATE OF TENNESSEE COMPTROLLER OF THE TREASURY'S OFFICE OF STATE AND LOCAL FINANCE REGARDING THE SOLID WASTE FUND AND TO STATE THE CITY'S INTENT TO DISSOLVE THE SOLID WASTE FUND AND TRANSFER ALL SOLID WASTE OPERATIONAL ACTIVITY BACK INTO THE GENERAL FUND BEGINNING WITH FISCAL YEAR 2015.

Councilmember Hope moved, seconded by Mayor Pro Tem Smith, that the resolution be adopted.

City Manager Mark Watson updated councilmembers on the request being made by the State Comptroller's office.

Councilmember Hope acknowledged Janice McGinnis's update at the previous Budget and Finance Committee meeting.

The resolution was approved with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Resolution No. 2-[19]-2015

A RESOLUTION CREATING A SEVEN(7) MEMBER SPECIAL EVENTS ADVISORY TASK FORCE FOR THE PURPOSE OF PROVIDING RECOMMENDATIONS ON PLANNING, FUNDING REVIEW, AND EXECUTION OF ALL SPECIAL EVENTS MANAGED OR SUPPORTED BY THE CITY, WITH THE TASK FORCE PROVIDING CITY COUNCIL WITH A WRITTEN REPORT IN AUGUST 2015, AND TO APPOINT MEMBERS TO THE TASK FORCE.

Councilmember Hensley moved, seconded by Mayor Pro Tem Smith, that the resolution be adopted.

Mayor Pro Tem Smith moved to amend the resolution by removing Councilmember Baughn as the chair, seconded by Councilmember Hensley.

Comments from the public, Andy Marathe comment regarding the need for increased professionalism from the council.

David Johnson, 505 Emory Valley Rd., comments regarding the need to reevaluate members being brought to the council's task forces, due to their role in representation of the city.

Anne Garcia Garland, 120 Outer Dr. commented regarding a perceived availability of quality volunteers who could be selected for the city council's task force.

Linda Maybry, 106 Montana Ave., commented to volunteer for the task force.

Joseph Lee, 99 E. Pasadena Dr., commented to identify he would not volunteer for the task force.

Motion to amend was voted down with Councilmember's Baughn, Callison, Chinn, Mayor Gooch, and Hope voting "nay". Councilmember Hensley and Mayor Pro Tem Smith voted "aye".

Councilmember Callison nominated Ray Smith to the task force. Councilmember Hensley nominated Charlie Huey. Councilman Hope nominated Michelle Ward. Councilmember Baughn nominated Mike Brown. Councilmember Chinn nominated Ben Arnold. Mayor Gooch nominated Kate Groover.

Vote on acceptance of the six nominees to the special events advisory task force:

Nominees were approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Councilmember Baughn moves to appoint Linda Maybry to the vacancy resultant of Mayor Pro Tem Smith's deferred appointment, seconded by Councilmember Chinn.

Vote on acceptance of Linda Maybry fails. Councilmembers Baughn, and Chinn voting "aye". Councilmembers Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "nay".

Councilmember Callison moves to appoint Judi Gray, seconded by Councilmember Hensley. Vote on acceptance of Judi Gray passes, with unanimous councilmember support. Mayor clarifies he voted "aye" due to problems with his vote showing up.

Vote to create the Special Events Advisory Task Force passes with unanimous councilmember support.

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

(None)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 2-2015
AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 015.02, ANDERSON COUNTY TAX MAP 100B, GORUP B, (APPROXIMATELY 2.58 ACRES) FROM B-3, ROADSIDE BUSINESS, TO B-2, GENERAL BUSINESS, SAID PARCEL BEING LOCATED ON LABORATORY ROAD.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley, that the ordinance be approved on first reading.

Mayor Gooch opened the floor to public comment for the public hearing, and Mayor Gooch requested citizen input. After a reasonable time, seeing and hearing no citizen input, the Mayor ended the public hearing on the ordinance.

The ordinance was approved unanimously on first reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Elections
(none)

Announcements

Councilmember Hensley brought up the resignation of Aditya Savara, and discussion of his replacement was slated to take place at the upcoming work session.

Scheduling

City Manager S. Mark Watson, brought up the Budget and Finance Advisory committee was meeting the following morning at 9am.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Resolution and Amendments failed for following resolution

A RESOLUTION INITIATING AN INVESTIGATION PURSUANT TO ARTICLE II, SECTION 9, OF THE CHARTER OF THE CITY OF OAK RIDGE, TENNESSEE.

Councilmember Hope moved to bring up for discussion, seconded by Councilmember Baughn.

Comments from Councilmember Baughn indicating her pursuance of citizens concerns about a culture of fear existing within the Oak Ridge Police Department. Identifies the respect she holds for the officers, and regards the review of the department to be a must for the City Council.

Councilmember Callison moved to provide a substitute for the resolution seconded by Councilmember Hensley.

Mayor Gooch outlined for the councilmembers and public that Councilmember Baughn's amendments to the original resolution would need to be addressed prior to progression on Councilmember Callison's substitute resolution.

Councilmember Baughn moved to amend the original resolution to include an evaluation of the relationship between Chief Akagi and City Manager Mark Watson prior to the Chief's hiring. The move was seconded by Councilmember Hope for discussion.

Comments from Mayor Pro Tem Smith, and Councilmember Callison identifying the positive attributes of the police Department, and listing the achievements made under the leadership of police Chief Akagi. Additional descriptions of the hiring process were brought forth to highlight the large number of opportunities for public involvement in the hiring process. Councilmember Callison further identified his belief that the previous relationship between the Chief and City Manager Watson to be a non-issue.

Comments from Councilmember Baughn on the first amendment to the resolution being targeted at the relationship between the City Manager and Chief Akagi not the performance of the police department.

Councilmember Hensley commented to agree with Councilmember Callison on the successes of the police department and the non-issue of the police chief and city managers prior relationship.

Comments from public:

Commented on the need for an investigation of the police department:

Kristin Thomas, 182 Wade Ln.
Anne Garcia Garland, 120 Outer Dr.
Clarice Watson, 115 West Farragut
Andy Marathe, 121 Westlook Circle.
Anthony Allen, 109 N. Bedford Ln.
Gary Carver, 117 N. Purdue Dr.
Kate Williamson, 427 Jefferson Ave.
Phillip Nall, Clinton, Tennessee Resident
Linda Maybry, 106 Montana Ave.
Myra Mansfield, 103 Hendrix Dr.
David Johnson 8505 Emory Valley Rd.

Commented in defense of the police department and against the need for an investigation.

Parker Hardy, 123 Amanda Dr.
Rev. Walter Ghosten, 228 Park Meade. In
Ms. Eden Koczocha, 107 Wesley Ln.
Joseph Lee, 99 E. Pasadena Dr.
Chuck Agle, 101 W. Melbourne
David Kitzmiller, 144 Wellington Circle
Charlie Jernigan, 118 Claiborne Ave.
Tom Beehan, 113 Liberty Court
Randy Tedford, 100 Gordon Rd.

Comments from Sheila Calwell Massey, 214 S. Purdue Dr. regarding the need for fair treatment for all citizens by the police department regardless of background.

Comments from Councilmember Hensley directing attention to the upcoming substituted resolution and identifying it as the focal point.

Comments from Councilmember Chinn supporting original resolution and the proposed amendments as a means of clearing the names of the individuals involved.

Comments from Councilmember Smith regarding the costs associated with undertaking an investigation of this sort.

Vote on 1st amendment failed with Councilmember Baughn and Chinn voting 'aye', and Councilmembers Callison, Mayor Gooch, Hensley, Hope and Mayor Pro Tem Smith voting "nay".

Councilmember Baughn moved to amend the original resolution to include an investigation into the potential violation of a recent order of protection against the chief, seconded for discussion by Councilmember Chinn.

City Attorney Ken Krushenski commented to identify the reason information was not disseminated to councilmembers, citing he felt uncomfortable passing on what he perceived to be the personal divorce proceedings occurring in Chief Akagi's life.

Comments from the councilmembers centered on the violation or lack of a violation which was explored by the Attorney General.

Comments from the public:

Comments regarding an investigation into the protective order merits:

Myra Mansfield, 103 Hendrix Dr.
Kay Williamson, 427 Jefferson Ave.
Tracy Stout Powers, 103 Norton Rd.
Joe Stevens, 507 Black Oak
Anthony Allen, 109 N. Bedford Ln.
Martha Lee, 113 Tilden Rd.
Charlie Jernigan, 118 Claymore Ave.

Comments regarding the unacceptable activity being carried out by the Council:

Joseph Lee, 99 E. Pasadena Dr.
Evelyn Armstrong, 21 Rivers Court.
Andy Marathe, 121 Westlook Circle.
Marci Willison, 106 West Pawley Rd.

Vote on 2nd amendment failed with Councilmembers Baughn and Hope voting “aye” and Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “nay”.

Resolution No.2-[20]-2015

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.

Councilmember Callison moved to substitute the following resolution for Councilmember Baughn’s resolution, seconded by Councilmember Hensley. Councilmember Hope moved to amend the wording of the resolution to include morale and administrative policies to the scope of third party review. Councilmember Hope’s amendment was unanimously approved by “aye” vote of the councilmembers..

Public Comment

Andy Marathe, 121 Westlook Circle, commented suggesting that public input be limited to their communication with the council.

Mary Brewer, 102 Nantucket Way, commented to ask for information about the dissemination of materials collected from the investigation.

Rebecca Kindle, 105 E. Hunter Circle, commented requesting that anonymity be assured for officers participating in the investigation.

Comments made by Councilmembers Chinn, and Baughn questioning the use of the Whistleblower Act to cover those individuals who come forth with information.

Public Comments

Tracy Stout Powers, 103 Norton Rd., commented about early comments made by Mr.Collins.

Vote to substitute the resolution is approved unanimously by “aye” vote of the councilmembers. Move for substituted resolution to go forward is unanimously approved by “aye” vote from councilmembers.

Vote to adopt the resolution is approved unanimously by “aye” vote of the councilmembers. Move for substituted resolution to go forward is unanimously approved by “aye” vote from councilmembers.

Resolution as follows was withdrawn

A RESOLUTION EXPRESSING CITY COUNCIL’S DISAPPROVAL OF COUNCILMEMBER TRINA BAUGHN’S RECENT ACTIONS OF PROVIDING ONE SIDED INFORMATION TO THE PUBLIC AND MEDIA PRIOR TO CONSIDERATION OF ALL SIDES OF THE ISSUE BY CITY COUNCIL AS A WHOLE AND REMOVING COUNCILMEMBER BAUGHN FROM ALL COMMITTEE ASSIGNMENTS.

Councilmember Hope moved to bring the resolution up for discussion, and was seconded by Councilmember Hensley.

Comments by Councilmember Hensley identifying the requests by constituents for a resolution to be put forth to address the negative approaches to issues made by Councilmember Baughn.

Comments by Councilmember Chinn shares in frustration of negative information and press coming out of the city council now and previously. Believes current resolution exacerbates problems within the city, and should be withdrawn.

Comments between Councilmember Baughn and Councilmember Hensley regarding the directives given by Councilmember Baughn to city staff and their legality under the charter.

Comments by Mayor Pro Tem Smith focused on the inability to follow up on current issues due to the current issues being brought forth to the media.

Comments by Councilmember Hope expresses concern that Councilmember Baughn does not feel goals can be accomplished by working with the City Council. Continues to reassure that the council works extremely well, and will continue to be the best mode of achieving goals for Councilmember Baughn, citizens of Oak Ridge, and the other councilmembers.

Councilmember Baughn commented to acknowledge Councilmember Hopes points and looks forward to working more cohesively with the council as a whole, but felt justified in the current action due to the perceived informational control held by the city.

Public Comments

Andy Marathe, 121 Westlook Circle, commented on the need for continued improvement by the council to avoid negative output in the media.

Mike Mahathy, 113 Fallberry St., commented on needing to end the nastiness currently being displayed by the council, and was concerned with Councilmember Baughn's commentary about his own personal internet group.

Angie Agle, 101 W. Melbourne Rd., comments identified sadness at the lack of "teeth" in the resolution. Concerned about a future member of the council going rogue and doing terrible damage to the city's reputation by pursuing own agenda.

David Kitzmiller, 144 Wellington Circle, commented on the need to have a positive viewpoint from all councilmembers to increase the benefits to the city of Oak Ridge.

Candy Atkinson, 109 Regent Circle, commented on disappointment in the current city councils activity.

Anthony Allen, 109 N. Bedford Ln., commented that social media should be looked at positively as a means of increasing communication amongst city members.

Joe Stevens, 507 Black Oak Dr., Clinton, commented that centralization of power is akin to fascism.

Ebony Capshaw, 125 Spillman Ave., commented on the need for increased transparency from the council.

Nolen Mayes, 418 Jefferson Ave., commented to thank Councilmember Baughn for her work as a councilmember.

Joseph Lee, 97 Pasadena Dr. Commented to thank Mayor Gooch for his work, and to demand an apology from councilmember Baughn.

Resolution was withdrawn by Councilmember Hope, and seconded by Councilmember Hensley.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

City Manager Mark Watson postponed manager's report until the upcoming work session.

CITY ATTORNEY'S REPORT

(none)

ADJOURNMENT

The meeting adjourned at 11:59 p.m.

Bruce M. Applegate Jr., Acting City Clerk
CITY OF OAK RIDGE, TENNESSEE

[NOTE: The February 9, 2015 City Council Meeting Minutes include an attachment titled "Transcript of Oak Ridge City Council Meeting" dated February 9, 2015. Please see said attachment to view these minutes in their entirety.]

RECEIVED

TRANSCRIPT OF OAK RIDGE CITY COUNCIL MEETING

2015 MAY 8 PM 3:07
OFFICE OF THE CITY CLERK

MAYOR: MR. WARREN GOOCH
MAYOR PRO TEM: MS. ELLEN SMITH
MEMBER: MR. RICK CHINN, JR.
MEMBER: MR. CHUCK HOPE
MEMBER: MS. TRINA BAUGHN
MEMBER: MR. KELLY CALLISON
MEMBER: MR. CHARLIE HENSLEY

FEBRUARY 9, 2015

JOAN S. ROBERTS
LICENSED COURT REPORTER
P.O. BOX 1374
CLINTON, TENNESSEE 37717
865-457-4027

1 MR. CLARK: Council's Requests for
2 New Business Items or Future Briefings. A resolution
3 initiating an investigation pursuant to Article II,
4 Section Nine of the Charter of the City of Oak Ridge,
5 Tennessee.

6 COUNCIL MEMBER: So move.

7 COUNCIL MEMBER: Second.

8 MAYOR GOOCH: It has been moved and
9 seconded. We do have a copy up on the screen. Ms.
10 Baughn, you are recognized on your resolution.

11 MS. BAUGHN: Thank you, Mr. Mayor.
12 I want to thank all the people who are here this
13 evening. I also want to acknowledge the countless
14 e-mails and letters and phone calls that I have
15 received over the last few weeks. This process is
16 about being heard. This process is about giving a
17 voice to those people who feel they do not have a
18 voice. I take the concerns that have been shared
19 with me very seriously and I have endeavored over the
20 past year to address some of the concerns that came
21 to me before the last few weeks. I've endeavored to
22 address those issues with Mr. Watson behind closed
23 doors, to no avail. I regret that it had to come to
24 this point but I do not regret the point that we are

1 at. I would like to say to those people who have
2 contacted me anonymously, I understand why you felt
3 compelled to do that. I've been at a place of fear
4 before, I think we all have. I don't know that I've
5 been in that kind of fear before that I felt like I
6 couldn't put my name to something but I can certainly
7 appreciate the reasons behind that. I've been
8 advised by the city attorney that I cannot share all
9 of those communications with the rest of council, for
10 a number of different reasons, though some of you did
11 ask me to share your communications. So I wanted to
12 let you know that I have heard you, but I do not know
13 that the rest of council has heard you. With that
14 being said, I do appreciate and recognize and respect
15 the processes which we do have, which I have
16 followed. And I am more than willing to entertain
17 discussion and talk about solutions because that's
18 why we are here. We are to discuss problems and find
19 solutions to those problems. So I'm willing to let
20 the floor go to council and hear what each of you
21 have to say and see where this takes us.

22 MR. HENSLEY: Point of order. That
23 discussion was more toward the second resolution than
24 it was the one that's on the screen.

1 MAYOR GOOCH: Well, generally
2 speaking, I think we are going to move ahead, Mr.
3 Hensley. I understand your point. Mr. Callison.

4 MR. CALLISON: I move a motion that
5 we review a substitute resolution in place of Ms.
6 Baughn's.

7 MAYOR GOOCH: Are you going to say
8 what it is?

9 MR. CALLISON: I can read it. They
10 are also going to show it on the screen. It's
11 essentially authorizing an independent third party to
12 review the turn-over rate in the Oak Ridge Police
13 Department pursuant to Article II, Section Nine of
14 the Charter of Oak Ridge, Tennessee.

15 COUNCIL MEMBER: Second.

16 MAYOR GOOCH: It's been moved and
17 seconded to amend by substituting for Ms. Baughn's
18 resolution the resolution that is on the screen. In
19 order to assist everyone here, I'm going to read the
20 resolution. Resolution authorizing an independent
21 third party to review the turn-over in the Oak Ridge
22 Police Department pursuant to Article II, Section
23 Nine of the Charter of the City of Oak Ridge,
24 Tennessee. Whereas, Article II, Section Nine of the

1 Charter of the City of Oak Ridge, Tennessee
2 authorizes city council by resolution to make
3 investigations into the affairs of the city and
4 conduct conduct of the city department's offices,
5 boards, commissions, committees and agencies and for
6 said purpose may subpoena witnesses, administer
7 oaths, take testimony and require the production of
8 evidence. And whereas, the city council desires to
9 hire an independent third party to review the
10 turn-over rate in the Oak Ridge Police Department,
11 now therefore be it resolved by council of the City
12 of Oak Ridge, Tennessee pursuant to Article II,
13 Section Nine of the Charter of the City of Oak Ridge,
14 Tennessee, city council hereby authorizes an
15 independent third party review of the turnover in the
16 Oak Ridge Police Department. Be it further resolved
17 that city council will select an independent third
18 party and such review of the turnover rate in the Oak
19 Ridge Police Department shall be conducted within
20 thirty days after the party is selected with the
21 report delivered to city council and the city manager
22 for any necessary action. Be it further resolved
23 that the selected third party will be a person with a
24 strong background in law enforcement and municipal

1 law, such as a retired Tennessee state trooper, a
2 retired criminal court judge or a municipal technical
3 advisory service consultant. That is the substitute
4 resolution that has been moved and seconded.

5 Before we get into the discussion, the
6 Chair believes that it is proper under Robert's Rules
7 of Order to take any amendment to Ms. Baughn's
8 resolution first as permitted under the rules. Such
9 amendments, if adopted, will affect the wording in
10 which Ms. Baughn's resolution will come to a final
11 vote if Mr. Callison's substitute resolution fails.

12 Accordingly, before entertaining the
13 amendment just offered by Mr. Callison, the Chair
14 will call for any amendments to the pending
15 resolution referred to as the Baughn resolution.

16 Is that clear to members of council?

17 MS. BAUGHN: Somewhat.

18 MR. HENSLEY: You are asking if
19 there are any more amendments along with the one...

20 MAYOR GOOCH: We are going to take
21 the Baughn resolution first to determine if, in fact,
22 there are any proposed amendments to the Baughn
23 resolution.

24 MR. HENSLEY: Isn't that what this

1 just was?

2 MAYOR GOOCH: No.

3 MS. BAUGHN: This was a substitute.

4 MAYOR GOOCH: No, this was a
5 substitute. That's the substitute motion. The
6 substitute motion and the Callison motion are one and
7 the same. The pending motion and the Baughn motion
8 are one and the same. And I know it's confusing but
9 in order again to take it, you know, step by step the
10 Chair is going to rule that any amendments to Baughn
11 will be taken up.

12 Ms. Smith.

13 MS. SMITH: Question. We have, we
14 have received multiple substitute resolutions. I'm
15 not sure which resolution is on the floor. Whether
16 it's the resolution that's in our packet or if it's
17 one of the substitute resolutions that, I believe,
18 Ms. Baughn supplied a substitute resolution today.

19 MS. BAUGHN: If I could speak to
20 clarifying some of this. I understand why it's
21 confusing. There's two ways that we could go about
22 this, maybe there's more, but it appears that there
23 are definitely two ways. No, there's three. My
24 initial intent the way that I submitted my original

1 agenda request, my original intent was to have three
2 separate resolutions. One to deal with the turnover
3 rate, one to deal with the relationship between Mr.
4 Akagi and Mr. Watson and one to deal with the order
5 of protection that had been levied against Chief
6 Akagi. However, whomever put the agenda together
7 opted to group them together. So one of the things
8 that we could do if we wanted to amend this
9 resolution is that we could divide the question and
10 we could accomplish the same thing. Or we could
11 replace my original resolution with the substitute
12 offered by Mr. Callison and then I am prepared to
13 offer two additional substitute resolutions that are
14 more clearly defined and more clearly worded. So
15 that's where we are at. We are facing three
16 different issues for discussion and we can either
17 have them all lumped together as originally done by
18 the city clerk or we can divide them out or we can
19 take an offered three different substitute
20 resolutions to deal with them.

21 MAYOR GOOCH: Mr. Chinn.

22 MR. CHINN: I don't have discussion
23 on this. I want to discuss the resolutions.

24 MAYOR GOOCH: That's fine. Ms.

1 Smith, with regard to your question; the pending
2 resolution, the Baughn resolution is the one that is
3 in your packet.

4 Mr. Krushenski, do you concur with that?

5 MR. KRUSHENSKI: Correct.

6 MAYOR GOOCH: That is correct. So
7 to proceed, are there any amendments to the pending
8 resolution, that is, the Baughn resolution? Any
9 amendments?

10 MS. BAUGHN: I guess I need a
11 little bit of guidance. Would it please the council
12 for me to remove or withdraw my motion or who was it
13 that actually did the first motion on mine? Would
14 that be an easier way to go about this if I withdrew
15 the original motion?

16 MAYOR GOOCH: No. The motion has
17 been moved and seconded. That would require an
18 affirmative vote of council to remove your original
19 motion.

20 MS. BAUGHN: I got you. I got you.
21 So let me ask you this. Regardless of what happens
22 with the original motion on the floor, do I have the
23 opportunity to offer both of my secondary substitutes
24 should Mr. Callison's substitute motion go forward?

1 MAYOR GOOCH: You are doing that
2 now.

3 MR. HENSLEY: Wait a minute, I'm
4 really confused now. Excuse me, Trina, may I ask a
5 question about what you just said?

6 MAYOR GOOCH: Parliamentary
7 inquiry. Go ahead, Mr. Hensley.

8 MR. HENSLEY: I thought we were
9 getting ready to vote on amendments to Ms. Baughn's
10 original resolution.

11 MAYOR GOOCH: That is correct.

12 MR. HENSLEY: That's not what I
13 just heard. I heard we were... okay.

14 MS. BAUGHN: Then I would like to
15 amend my original resolution to include these two
16 substitute resolutions that I sent today.

17 MAYOR GOOCH: Ms. Baughn, the Chair
18 is going to rule that's out of order. Those are two
19 separate... or, at least, they have been presented to
20 us this afternoon as separate resolutions.

21 MS. BAUGHN: May I move to divide
22 the original question then into three?

23 MAYOR GOOCH: I believe in order to
24 proceed, the Chair is going to rule that you will

1 have to take your amendments one at a time. That's
2 going to be the ruling of the Chair.

3 MS. BAUGHN: To divide the question
4 is one action.

5 MAYOR GOOCH: I understand. And
6 you are making a motion to divide the question in
7 which way?

8 MS. BAUGHN: To the original intent
9 of my submittal to have a separate resolution
10 regarding the investigation into the allegations
11 brought forth against Chief Akagi, a separate
12 resolution to investigate the relationship of City
13 Manager Mark Watson and Police Chief James Akagi
14 prior to their employment. And to request an
15 investigation into the order of protection issued
16 against Chief Akagi.

17 MAYOR GOOCH: In order to proceed,
18 you will have to amend, the Chair is going to rule
19 that you will have to take up your amendments
20 separately. The pending resolution is the only one
21 that is before council and was filed timely by you
22 pursuant to our rules.

23 MS. BAUGHN: Then if we allow Mr.
24 Callison's substitute resolution, which was also

1 offered today, mine was with an hour to two of his as
2 far as the two substitutes.

3 MAYOR GOOCH: Yes, but your
4 motions, your amendments to your pending resolution
5 are going to be taken up first.

6 MS. BAUGHN: You are telling me
7 that I cannot offer to divide the question. I don't
8 believe dividing the question is the same as amending
9 a resolution. Dividing a question is a motion
10 contained within Robert's Rules. Amending a
11 resolution is an action in and of itself.

12 MAYOR GOOCH: I understand. But
13 the resolution that is before us and is the vehicle
14 for any action tonight is the original resolution.
15 What you have brought to us this evening would, in
16 effect, be amendments, separate amendments, to your
17 resolution or substitutions for your original
18 resolution. That's why the Chair is ruling that we
19 will take them one at a time. They will be acted
20 upon before any action is taken on Mr. Callison's
21 substitute motion.

22 MS. BAUGHN: If my substitutes are
23 amendments, why is his substitute not an amendment?

24 MAYOR GOOCH: It is, his will be

1 treated as an amendment but your amendments go first
2 so that in the event your pending resolution is
3 amended it will be completed and the action that is
4 taken on Mr. Callison's substitute motion, if it
5 fails, then your resolution will be amended and will
6 be ready for final discussion at vote.

7 MS. BAUGHN: Okay. However we
8 decide to go about this, I'm agreeable to as long as
9 we make sure that we offer the public the chance to
10 speak to all three of the issues and the council to
11 discuss all three of the issues. I will defer to
12 whatever advice you would like to lay before us in
13 terms of the proper way to go about that.

14 MAYOR GOOCH: Right, as the Chair
15 has stated, I'm asking if there are any amendments by
16 any member of council to the pending resolution,
17 which is the Baughn resolution.

18 MS. BAUGHN: Mr. Callison offered
19 an amendment and it was seconded.

20 MAYOR GOOCH: Under Robert's Rules
21 of Order, Ms. Baughn, that's what I'm saying. Your
22 pending resolution is the vehicle under which
23 everything else moves. So we are going to take up,
24 to the extent someone wants to amend your original

1 resolution.

2 MS. BAUGHN: Okay. I would like to
3 amend my original resolution beginning with the
4 second; be it further resolved. I would like to
5 replace; be it further resolved that pursuant to said
6 authority city council hereby initiates an
7 investigation into the relationship between City
8 Manager Mark Watson and Chief of Police James T.
9 Akagi prior to their employment with the City of Oak
10 Ridge, Tennessee to determine if taxpayer funds were
11 unnecessarily paid to the Mercer Group to search;
12 that entire paragraph I would like to replace with;
13 the text, not the entire substitute resolution, but
14 the text of the resolution that states whereas the
15 city council desires a third party to review the
16 merits of paying Mercer Group \$24,448.68 for the
17 recruitment of James T. Akagi and, whereas, Mr.
18 Watson has repeatedly claimed that he did not know
19 Mr. Akagi before he hired him; whereas, Mr. Akagi
20 spoke at a League of Women Voters meeting in 2011
21 where he told a story of how his parents put him in
22 touch with Mr. Watson so that he could assist Mr.
23 Watson in vetting candidates for the job he now holds
24 and; whereas, both men have admitted that their

1 parents know one another and; whereas, Mr. Akagi's
2 wife was a resident of east Tennessee before Mr.
3 Akagi moved here from Oklahoma and; whereas, Mr.
4 Watson and Akagi graduated from the same high school
5 in Lawrence, Kansas a population of less than 70,000
6 at the time; whereas, confirming that Akagi worked
7 for Watson's father, Akagi's attorney has stated to
8 the press that he, quote, was a young patrol officer
9 for a few years in Lawrence, Kansas when Watson's
10 father was city manager and; whereas, it is
11 understood that Mr. Watson received much of his
12 formal education at University of Kansas at the time
13 that Mr. Akagi's father was a professor at that same
14 institute.

15 MAYOR GOOCH: Ms. Baughn, could I
16 inquire, have you presented a... do you have that
17 amendment?

18 MS. BAUGHN: Yes, I forwarded it
19 through the city attorney and the city clerk and they
20 provided a copy.

21 MAYOR GOOCH: I've just been given
22 a copy of that. I'm sorry, Ms. Baughn, I didn't have
23 a copy.

24 COUNCIL MEMBER: Each of the

1 council members should have had a packet of three
2 individual pieces of paper with the resolutions. The
3 third of the packet beginning with; a resolution
4 authorizing an independent third party text, if you
5 would move down to the second; whereas, I believe
6 that's from there on is the entirety of the
7 information that Ms. Baughn has just added as the
8 amendment to the original.

9 MS. SMITH: Are there any extra
10 copies of that? We didn't get enough, apparently.

11 MS. BAUGHN: It was e-mailed and
12 hard-copied.

13 MAYOR GOOCH: Mr. Hensley.

14 MR. HENSLEY: Yeah, I'd like to ask
15 a question of the city attorney.

16 MR. KRUSHENSKI: Go ahead.

17 MR. HENSLEY: Is it copesettic to
18 bring this in here and lay it in front of us at the
19 start of the meeting? I mean, that's...

20 MR. KRUSHENSKI: Well, the
21 substitute resolutions were e-mailed out to everybody
22 and I don't know what time but it was probably around
23 four o'clock, three o'clock, by the clerk.

24 MR. HENSLEY: Is that adequate

1 notification for public...

2 MR. KRUSHENSKI: Well, substitute
3 resolutions have been presented to everybody on city
4 council and under the rules we can address substitute
5 resolutions so that's what we are doing.

6 MS. BAUGHN: May I clarify that the
7 timing was such that it followed Mr. Callison sent a
8 substitute resolution within an hour prior to mine.
9 So in order to ensure the integrity of the intent of
10 the original resolution, I created two separate
11 resolutions because of his desire to have one that
12 only addressed one of the three issues.

13 MAYOR GOOCH: Ms. Baughn has moved
14 approval of substitute or amendment one to her
15 resolution. That's the one that's in front of you.
16 The motion has been made. Is there a second to the
17 motion?

18 MR. CHINN: Second.

19 MAYOR GOOCH: Mr. Chinn seconds the
20 motion. It's been moved and seconded. Now
21 discussion by council. Mr. Krushenski, do you want
22 to say something?

23 MR. KRUSHENSKI: No, I don't.

24 MAYOR GOOCH: Ms. Smith.

1 MS. SMITH: Yes, I appreciate the
2 effort that's gone into this and it's interesting
3 recalling the history of the hiring of Mr. Akagi. I
4 believe Councilman Hensley and I are the only members
5 of city council now who were on council at the time
6 Mr. Akagi was hired. And I'd kind of like to review
7 and recall that history and I suspect that Mr.
8 Hensley can help as well. My recollection is that at
9 the time after Chief Beams had retired we were
10 seeking a new police chief. Not long before that
11 there had been a retreat of the city council where we
12 talked about strategic issues facing the city and the
13 city crime rate was one of our highest concerns, it
14 was one of the top three issues that we had in the
15 city. Residents complained frequently and bitterly
16 about drug houses in their neighborhood and why
17 aren't the police dealing with the drug houses in my
18 neighborhood, why don't they take care of my issues
19 when I call, and so forth, and so on. That was one
20 of our biggest issues and we saw it as one of the
21 biggest challenges facing the city. We were very
22 grateful, I believe, as a group that Mr. Mercer came
23 in to assist and search for a police chief because we
24 had a lot of concerns about how we were going to hire

1 a police chief who was going to be able to address
2 the issues that we have here in this town. Mr.
3 Mercer brought in a variety of candidates from
4 diverse perspectives and, boy, they were good. They
5 were people who had strong police experience from
6 other places around the country. One of the criteria
7 that he had been given was that we felt that we
8 wanted a police chief who had experience as a
9 municipal police official. So when he brought in
10 this guy who had come from the Drug Enforcement
11 Administration there were a lot of questions about
12 how are we going to deal with somebody who came from
13 a federal place, is that person really qualified to
14 deal with our situation here. I know that council
15 members talked with Mr. Akagi about that. We talked
16 with Mr. Mercer about it. There were a couple of
17 committees of citizens who met with all of the
18 candidates and screened them a lot harder than
19 council did. We were letting the city manager make
20 the hiring decision but we had these citizen
21 committees meeting with the candidates. There was a
22 public forum where all of the applicants for the job
23 spoke publicly and answered questions from the
24 public. It was an extremely public process. And

1 it's my understanding that pretty much everybody who
2 was involved with it felt that Mr. Akagi was the best
3 of the candidates that we saw. And he convinced us
4 as a group that he had what it took to lead a
5 municipal police department. That in his experience
6 with the DEA he had not just worked on the federal
7 side, he had worked with individual departments. So
8 he was hired. And I'm not an expert on police, I
9 don't know how to run a police department. I know
10 that from the standpoint of what I see in talking to
11 citizens, Mr. Akagi has done an exceptional job of
12 the job that we hired him to do. He came in and we
13 no longer --

14 MS. BAUGHN: Not speaking to the
15 amendment.

16 MAYOR GOOCH: The Chair rules that
17 it is speaking to the amendment.

18 MS. SMITH: We no longer have the
19 crime issues that we had. Citizens aren't... when I
20 ran for election this past year citizens weren't
21 complaining to me about crime in their neighborhoods.
22 They were complaining about the police and mostly
23 they were complaining they didn't like the speeding
24 tickets that they got and various other interactions

1 for the departments. But the suggestion that there
2 was hanky panky in the hiring of Mr. Akagi between
3 Mr. Watson and Mr. Akagi is extremely hard for me to
4 accept given my experience being in the front lines
5 at the time that Mr. Akagi was hired. I cannot
6 support this amendment. This is an attack to good
7 people that we don't need. I have some concerns
8 about current issues that I've heard about in the
9 police department but I can't support this resolution
10 or amendment or whatever it is, I don't know if it's
11 a resolution or an amendment at this point but I
12 can't support it.

13 MAYOR GOOCH: Mr. Callison.

14 MR. CALLISON: Just curious. So if
15 we talk about the resolution or the amendment that is
16 pending, do we wait and talk about my substitution?

17 MAYOR GOOCH: Not yet.

18 MR. CALLISON: Okay. Well, I can
19 talk about this one anyway. I can talk about the
20 motion.

21 MAYOR GOOCH: You are recognized,
22 Mr. Callison, go ahead.

23 MR. CALLISON: Thank you, sir.
24 From my perspective what I really care about at Oak

1 Ridge is the police department and doing a good job.
2 I don't care who knew who, when they knew them or
3 anything else. And I can tell you, and there are
4 statistics around to show, that there has been a huge
5 decrease in crime in Oak Ridge. That is the key
6 thing, I think. And you can look at the statistics,
7 there are crime statistics that are available. If
8 you don't believe me, we can provide them to you.
9 But I think there's been a huge improvement in our
10 policing in the city. I have talked to citizens,
11 constituents who would give me a prior-to-the-chief,
12 after-the-chief difference in the way the police
13 department responded. Extremely lackadaisical in the
14 previous administration. Very, very professional in
15 the current administration. So I think that what we
16 should be looking at is issues of morale, other
17 issues that have been brought up in the newspaper but
18 I think that the relationships between the chief, Mr.
19 Watson or anything else you can imagine and throw out
20 and stick on the wall and see if it will stay, don't
21 have a place here.

22 MAYOR GOOCH: Ms. Baughn.

23 MS. BAUGHN: Mr. Chair, I

24 respectfully disagree with your opinion that the two

1 comments prior were relevant to this motion. This
2 motion does not have a thing to do with crime rates.
3 It does not have a thing to do with the process that
4 the council went through to hire Chief Akagi. This
5 amendment has to do with public trust and integrity.
6 It has to do with the fact that we spent nearly
7 \$25,000 of taxpayer money to recruit a police chief
8 who, by at least six points of possible coincidence,
9 had connections to the city manager who hired him.
10 That is the amendment on the floor. It has
11 absolutely nothing to do with a motion, it has
12 nothing to do with our affinity for, or not for, some
13 individual, it has nothing to do with crime rates.
14 The motion on the floor is about whether or not Mr.
15 Watson and Mr. Akagi knew one another and the process
16 we need to go through to determine that and to
17 determine whether or not taxpayer dollars were spent
18 in a judicious and fair way.

19 MAYOR GOOCH: Mr. Hensley.

20 MR. HENSLEY: I will say, Ms.
21 Smith, your memory is a lot better than mine. But I
22 agree with Mr. Callison. I think what we are looking
23 for here is the quality of the police and we are not
24 even talking about that right now. But I will point

1 out that, being an engineer, I like to know where I
2 can get the answer. And I see a gentleman sitting
3 out there in the audience who was a member of the
4 citizen group. Mr. Joe Lee. And I'm wondering if
5 he'd be willing to say something about whether or not
6 the Mercer Group contributed to the --

7 MAYOR GOOCH: Mr. Hensley, I'm
8 going to rule that out of order until such time as
9 council concludes its discussion and then there will
10 be time for any interested citizen to make comments.

11 Mr. Chinn.

12 MR. CHINN: Just a quick point of
13 order and then a comment. Does this resolution ask
14 for an independent council to take a look at these
15 issues or is this the city council to take a look at
16 these issues?

17 MS. BAUGHN: For an independent.
18 The full text of the resolution was to select... the
19 full resolution or amendment was to select an
20 independent third party to review within 90 days,
21 that that party would have absolutely no ties to Oak
22 Ridge community and should be certified as a private
23 investigator or someone of similar background and be
24 completely unaffiliated with any organization that

1 the city might pay dues to directly or indirectly.

2 MR. CHINN: Thank you very much. I
3 have asked for a lot of public comment. I've put out
4 a notice on my Facebook page, I've asked for comment
5 in the newspaper, received over 2,000 hits on a
6 Facebook post and tons of comments and a lot of
7 public comment. It's been on both ends of the
8 spectrum. A lot of folks say that we should take a
9 look at this. A lot of people say that it's the
10 wrong time. I think both of those are right. I
11 think that we are at a precipice right now in this
12 city. We have a lot of things that are getting ready
13 to pop. We have got some great things with the UPF
14 Project, with the national park designation, with two
15 huge industrial projects that we are looking at, with
16 the center city of the mall. I think there's a lot
17 of people taking with eyes on this community and we
18 need to be very careful about how we present this
19 community to the outside world. But, as I said in my
20 Facebook post, I don't think we can pick the time
21 when we have our problems, we have to address the
22 problems as they come up. And there have been a lot
23 of people that have expressed concerns about not only
24 the police department but how the city manager was

1 hired and a lot of things. I think in order just to
2 clear the name of everyone that's out there that we
3 need to take a look at these issues. I don't think
4 there's anything there. But there might be. If
5 there is, we need to know about it. If there's not,
6 we need to clear the people's names that are being
7 drug through the mud. I think the crime rate is good
8 in Oak Ridge. I like what Chief Akagi has done
9 personally. But I'm not a police officer, I don't
10 know how you run a police department. I'm not a city
11 manager, I don't know how you run a city. I've been
12 involved with it on a periphery and I think both of
13 these gentlemen are doing a great job. But there has
14 been so many questions raised among so many people;
15 look at the outpouring of concern with the many
16 people. I've never seen a city council meeting with
17 this many people in it. I think we need to take a
18 look at this just to clear the names or to find out
19 what's there. If there's something there, we need to
20 address it. If not, we need to move on and get out
21 the good word about Oak Ridge, about what a great
22 place it is to live, work and do business. Thank
23 you.

24 MAYOR GOOCH: Other discussion?

1 Other comments by council?

2 MR. HENSLEY: I have one question.

3 MAYOR GOOCH: Mr. Hensley.

4 MR. HENSLEY: I'm concerned about
5 Ms. Baughn's answer when we asked was this an
6 independent review or was it the original resolution.
7 It was my understanding what we just substituted
8 starting there at about where the 24,448 is we
9 plugged that into the original resolution starting
10 with the second whereas, is that correct?

11 MS. BAUGHN: Yes.

12 MAYOR GOOCH: That's my
13 understanding too.

14 MR. HENSLEY: This is not an
15 independent review. This is authorizing city council
16 up here, according to this top line. Authorize city
17 council by resolution to make investigation into the
18 affairs of the city and conduct of city departments.

19 MR. KRUSHENSKI: If you can scroll
20 down. It's right there. See the arrow.

21 MAYOR GOOCH: As I understand it,
22 Mr. Hensley, this particular amendment would require
23 an independent third party but that third party would
24 have absolutely no ties to the Oak Ridge community

1 and would be a certified private investigator or of a
2 similar background and be completely unaffiliated
3 with any organization to which the city pays dues
4 directly or indirectly.

5 MR. HENSLEY: In Ms. Baughn's
6 original resolution that I'm looking at right here on
7 my computer, where does it say anything about
8 independent? It says city council authorizes. I'm
9 sorry, it's the other way around. It authorizes city
10 council by resolution to make investigation.

11 MAYOR GOOCH: But the amendment
12 that she has put forward, Mr. Hensley, would change
13 that.

14 MR. HENSLEY: It's these words
15 right here that I've put a bracket on and I don't see
16 independent in there anywhere.

17 MS. SMITH: I haven't seen a copy
18 of this substitute resolution that's up on the
19 screen. It's not one of the pieces of paper that I
20 have here nor the one that I gave to the mayor.

21 MR. HENSLEY: Is it the first line
22 up there that city council desires a third party to
23 review? Is that the catch-all that gets us the
24 independent? Is that right, Trina?

1 MS. BAUGHN: Yeah, I'm just trying
2 to work within the confines of the Robert's Rules
3 that the mayor laid out. My intent is to implant the
4 substitute resolution and all of its content into the
5 original resolution.

6 MR. HENSLEY: I just want to
7 understand what I'm voting on and that line, desires
8 a third party, is that what makes an independent
9 reviewer?

10 MS. BAUGHN: In my mind, yes.

11 MAYOR GOOCH: Keeping in mind, Mr.
12 Hensley, that the substitute motion, as I understand
13 it, limits the people who could conduct the review or
14 investigation under this particular resolution.

15 MR. HENSLEY: We don't have a
16 substitute resolution. Kelly's has been put over
17 here in the bullpen.

18 MAYOR GOOCH: But in her
19 resolution, Mr. Hensley, she is limiting the type of
20 person that could do the review if it was adopted.

21 MR. HENSLEY: Where does it limit
22 it? We didn't get down that far. We only took those
23 right there where that bracket is and put that in
24 here.

1 COUNCIL MEMBER: This is the part
2 that refers to the other parties.

3 MR. HENSLEY: We didn't even get to
4 the now therefore.

5 MAYOR GOOCH: Mr. Clark, there
6 seems to be some confusion about what was included in
7 Ms. Baughn's motion. Can you clarify that for
8 council and those in attendance?

9 MR. CLARK: Ms. Baughn moved to
10 include from the third resolution within your packet,
11 not the one that has substitute written at the top or
12 the one that says resolution authorizing an
13 independent third party review of the court document
14 and proceedings related to case E dot, dot, dot is in
15 fact from the resolution --

16 MR. HENSLEY: Where does it start?
17 What you are taking, where does it start?

18 MR. CLARK: It starts from the;
19 whereas city council desires a third party to review.

20 MR. HENSLEY: Where does it go to?
21 How far does it go through there?

22 MR. CLARK: She included the
23 entirety of the resolution.

24 MR. HENSLEY: The whole rest of the

1 page?

2 MAYOR GOOCH: Yes, that was my
3 understanding, Mr. Hensley.

4 MR. HENSLEY: I thought it stopped
5 at now therefore. I stand corrected.

6 MAYOR GOOCH: Is everybody clear?

7 MR. CALLISON: Yes.

8 MAYOR GOOCH: Mr. Callison.

9 MR. CALLISON: Thank you. I have a
10 hard time. One of the things we are trying to do is
11 move the city, we keep saying it can go forward or it
12 can fall backwards, and I can't understand why
13 somebody who might be looking at Oak Ridge really
14 cares about whether or not the chief knew Mr. Watson
15 or who shot who. You know, what they care about is
16 do we have a good police force. So I think this
17 resolution is a waste of our time. I think we need
18 to move on, we need to look at what the issues are
19 with the police force from a perspective of looking
20 at turnover rates, which you can tease out other
21 things, management styles, all kinds of things. I
22 think that's what people care about. They care about
23 coming to Oak Ridge and having a good police force,
24 feeling safe, getting the drug houses out of the way

1 and moving on. And I think this is a distraction and
2 this is the crap that we keep doing. I'm sorry.
3 Anyway, thank you.

4 MAYOR GOOCH: Ms. Smith. Any other
5 comments or discussion by council of this proposed
6 amendment by Ms. Baughn before we take comments from
7 the audience?

8 Alright, anyone who wishes to make a
9 comment, if you will approach the podium. We have
10 been asked by our IT staff try not to hit the arm,
11 it's barely hanging on.

12 KRISTEN THOMAS: My name is Kristen
13 Thomas, I live at 182 Wave Lane Oak Ridge, Tennessee.
14 I am a citizen of Oak Ridge and the wife of a police
15 officer. I am also the former victim of domestic
16 violence so everything here touches in my life. I
17 would say, first of all, sweeping this under the rug
18 is not the answer. I understand that you are trying
19 to build this city up to be a wonderful place to live
20 and visit and shop and that is great. I understand
21 that. However, you are dealing with someone possibly
22 breaking the law, someone who is sworn to uphold the
23 law. On the other side of that coin, with my husband
24 being a police officer I have a little bit of

1 personal experience with what he's had to deal with
2 as a police officer within the Oak Ridge Police
3 Department. I've also had the experience of my
4 family, my blue family, and what they've had to deal
5 with. And the fact that you have people who face
6 criminals everyday that are afraid to come forward
7 and speak gives credit to the fear that is instilled
8 in them in that department. You would be derelict in
9 your duty if you did not investigate this. We elect
10 you to do the right thing. And just because they are
11 police officers and they are paid by this city and by
12 the taxpayers does not mean that they don't have the
13 right to be heard. And to be heard without the fear
14 of retaliation and the fear of losing their jobs and
15 being able to support their families. I thank you
16 for allowing me to speak today.

17 MAYOR GOOCH: Thank you, Ms.
18 Thomas. Reverend. Ann, if you don't mind, I'm going
19 to let the reverend go next. You've been up a couple
20 of times and he's been waiting patiently. Wait just
21 a second, Reverend.

22 MR. HENSLEY: I really appreciate
23 Ms. Thomas's comments but I would like to make the
24 point that if you look at what we're voting on, this

1 is not the first thing we are going to vote on. I'm
2 sorry, this is not the last thing. And if you look
3 at what's on here, there is nothing on here that's
4 illegal. Whether somebody knew somebody or not is
5 not illegal. Whether somebody's wife lived here is
6 not illegal. Whether or not the Mercer Group was
7 paid \$24,000 is not illegal. There may be in the
8 next one that we add it may cover what you are
9 talking about but this one is outside of what is
10 illegal. This is all, in my opinion, noise.

11 KRISTEN THOMAS: I apologize.

12 MR. HENSLEY: No, no, I'm not
13 getting on you. I'm trying to clarify where we are
14 on this. We took your comments. We did not ignore
15 your comments.

16 MAYOR GOOCH: Mr. Callison.

17 MR. CALLISON: Since we are having
18 a hard time figuring out when we can talk about what,
19 I absolutely agree with you and that's part of the
20 substitution amendment is to look at the police
21 department, what the issues are by an independent
22 person who is well-respected within the community to
23 see what the issues are. Thank you.

24 MAYOR GOOCH: Reverend, thank you

1 for your patience.

2 REVEREND GOLDSTON: Reverend Walter
3 Goldston, I live at 228 Park Meade Oak Ridge,
4 Tennessee. To the city council members, it is my
5 pleasure to stand before you, and I sat back there
6 and I sort of jotted something down so I wouldn't
7 stumble over this, you today to speak about the great
8 services that the police department and others are
9 doing in our communities throughout the city of Oak
10 Ridge. In particular, in the Scarboro community.
11 The presence of the chief of police and other
12 officers at the NAACP meeting to hear concerns by the
13 citizens of Oak Ridge has been invaluable in
14 addressing citizens' concerns. First, many citizens,
15 especially in the Scarboro community, felt like they
16 were being targeted by the police department. The
17 chief was there to hear this and the chief assured
18 the citizens that they were not being targeted.
19 Since we've had other meetings with the NAACP, that
20 issue has subsided, has gone down. Second, the
21 presence of the officers driving around the Scarboro
22 community, some of the senior citizens now feel
23 safer. Some of the things that we were seeing on the
24 streets, you don't see on the streets anymore. It

1 doesn't mean that it's not present behind the bushes
2 or something like that but, at least, it's not on the
3 streets. Third, after a year of observing the
4 activities, we find that there seems to be less drugs
5 in the community, in the Scarborough community. I don't
6 know where it's gone to but it is not as prevalent in
7 the Scarborough community. You don't see it happening
8 right on the streets and I think that's all because
9 of the police department. They are driving around
10 observing any activities that may seem suspect, I
11 mean, the whole community seems to be doing a whole
12 lot better. Like I say, I don't know if they ran
13 them off from Scarborough and they are someplace else,
14 but we have observed that they have done a great job.
15 So I just want to say that we really appreciate the
16 great job that the city police has done.

17 MAYOR GOOCH: Thank you, Reverend
18 Goldston. Ms. Garland.

19 MS. GARLAND: Anne Garcia Garland,
20 120 Outer Drive. I, too, appreciate everything
21 positive that the police department does. I
22 appreciate the many positive things that Mr. Watson
23 has done since he's come to the community. I don't
24 think that's the question. I think the question has

1 become that both the police department and the
2 citizens of this town have deep-seated concerns about
3 the management of the department, about the conduct
4 of department behavior. And there are many people
5 who are expressing a great deal of concern about the
6 integrity of both the city manager and the police
7 chief. No, it is my --

8 MAYOR GOOCH: Thank you, Ms.
9 Garland.

10 MS. GARLAND: It is my considered
11 opinion that if we do not investigate thoroughly and
12 either confirm or refute any allegations made by the
13 citizens, any complaints registered by the citizens,
14 we are not doing our job. And there is no one whom
15 everybody in this town respects inside of this town.
16 We doubt everybody. It's a nature of the Secret
17 City's heritage and we are trying to climb out of
18 that. But we do need someone from outside of this
19 community who carries respect and integrity as a
20 model and we need to know who we've got and how they
21 are behaving because we are paying them to do our
22 business.

23 MAYOR GOOCH: Thank you. Yes,
24 ma'am.

1 CLARICE WATSON: My name is Clarice
2 Watson and I live at 115 West Farragut. I'd like to
3 echo what she says. I believe that the investigation
4 by a third party is very important due to the
5 integrity. The lack of integrity of the previous
6 board to not want to go ahead and have an outside
7 investigation, if nothing happens with the
8 investigation, everyone's name is cleared. If there
9 is some improprieties going on, the citizens of this
10 town need to know. I am personally offended at the
11 attack on the people who have made it clear to the
12 citizens. Not everyone looks at the Oak Ridger
13 everyday. Some of us our only outlet is social
14 media. We wouldn't have had no idea any of this was
15 going on from anyone other than, sorry, I don't want
16 to call you out but, from Ms. Baughn. I would have
17 had no idea about any of this going on. If you want
18 to say negative things about people not coming to the
19 city, we need to clean our house first. Not blame
20 somebody who is bringing it to the attention of their
21 constituents. I find that highly offensive. Thank
22 you.

23 MAYOR GOOCH: Thank you.

24 UNIDENTIFIABLE NAME: My name is

1 (unidentifiable) I live at 107 Wesley Lane in Oak
2 Ridge. I have a question actually. I don't quite
3 understand this resolution for one simple reason.
4 Mr. Watson was the last one that was the last
5 signature on the hiring of the chief. But as you
6 said, the council, 7-member council, was part of the
7 hiring. So was individual citizens. Right. So are
8 we suggesting that Mr. Watson forced all of you and
9 them to hiring Mr... the police chief or were they
10 all corrupt or what are we saying here? Mr. Watson
11 was the last person that signed but you all made the
12 decision to hire him. So we paid 25,000 to find him,
13 hire him and now we're going to spend how much more
14 to investigate that decision. It just makes no
15 sense. We are wasting more money investigating.
16 Investigate things that are real and that really have
17 an impact on the city. Not gossip. Not things that
18 who knew who. What difference does it make.

19 MS. BAUGHN: May I address her
20 question directly?

21 MAYOR GOOCH: Yes, that will be
22 fine.

23 MS. BAUGHN: The information that I
24 have laid out, basically, Mr. Watson has continued to

1 maintain that he did not know Mr. Akagi. However,
2 the evidence shows that it is highly likely that he
3 did. I do not know 100% for sure but what I do know
4 is that \$25,000 of your and my and their money was
5 spent on a premise that we were finding someone that
6 we did not have access to or knowledge of beforehand.
7 I was a headhunter before. I know how that whole
8 process works. My clients would not retain me if
9 they knew someone that would fill the job for them.
10 They would not pay me a ten or \$20,000 fee to find
11 someone they already knew.

12 UNIDENTIFIABLE NAME: I understand
13 that but Mr. Watson was supposedly the only one that
14 knew him. The council didn't, the citizens didn't
15 and you had a group of people to choose from that you
16 hired. It wasn't just that one person, it was a
17 group of people, correct? And you chose that one
18 person.

19 MS. BAUGHN: I was not a part of
20 that group and most people in this city were not a
21 part of that group.

22 UNIDENTIFIABLE NAME: But there was
23 a citizens group, correct?

24 MS. BAUGHN: I wasn't a part of the

1 process so I don't know.

2 MAYOR GOOCH: That is correct.

3 UNIDENTIFIABLE NAME: Well, then we
4 have chosen someone.

5 COUNCIL MEMBER: Okay, we can agree
6 to disagree.

7 UNIDENTIFIED SPEAKER: I generally,
8 upon principle, speak for myself. I do not represent
9 anybody. I don't belong to any group but I talk to
10 just about everybody in town and that includes the
11 city staff, that includes the school staff and I
12 listen to different people. And before I speak, I
13 have all their background in my memory. The issue
14 here and I think some of you council members are
15 missing the point. The point is not how good the
16 police are or not, that's not on the floor. What's
17 on the floor is the suspicious cloud that exists.
18 And it's not going to go away because we are not,
19 nobody is, squeaky clean. So we got some dirty linen
20 and we better wash it. And the best way to do that
21 is to have an independent investigation and, in fact,
22 if there's nothing shady, that's fine. Those guys
23 are more power to them. But this suspicion on part
24 of many citizens and I hear and I think the council

1 was responsible they would initiate an independent
2 review of not only the police department because I
3 also talked to a number of staff members who work for
4 Mr. Watson indirectly. And let me tell you, they are
5 not in a happy camp. Take it from me because I just
6 listen to people. And I think it warrants an
7 independent investigation of is there anything funny
8 going on. And maybe not. I don't know. I don't
9 have all the facts but I do listen to people. And I
10 think you, the seven of you, more so you should be
11 listening to people instead of forming your own
12 opinions in your little cubby hole.

13 MAYOR GOOCH: I'm going to respond
14 to that. I'm not in any cubby hole. I've been all
15 over this city for the last 21 years and, in
16 particular, in the last two and a half months since I
17 was elected to council and then elected by my
18 colleagues to serve as mayor. I have talked to
19 literally hundreds of people in this city and will
20 continue to do so. I will respect you but in no way
21 will I agree to your characterization that council
22 somehow and, particularly this member, is in a cubby
23 hole. Nothing could be further from the truth, sir.
24 Mr. Callison.

1 MR. CALLISON: Because of the
2 process that we are going through with the resolution
3 and then the substitution, what's getting lost here
4 is in both cases we are calling for an independent
5 review. Either way. The question is what is the
6 independent review going to look at. That's the
7 difference between the two things.

8 MAYOR GOOCH: Yes, ma'am.

9 MS. MANSFIELD: My name is Myra
10 Mansfield, I live on Hendrix Drive. I would like to
11 speak only to the issue that's on the floor. I would
12 like to comment on the fact that so many people did
13 show up tonight and the reason is we are provoked
14 when we feel that our government has been
15 irresponsible in any way, has exercised some lack of
16 integrity or broken some ethical boundaries and
17 that's why we are here. So I would like to concur
18 with Mr. Chinn's comments, his analogy of the
19 situation about we all wish we lived in a grandiose
20 world. But when we have a problem we need to deal
21 with it, we don't need to sweep it under the rug. So
22 I would ask you to vote in favor of an investigation.

23 MAYOR GOOCH: Thank you, Ms.
24 Mansfield.

1 MR. ALLEN: My name is Anthony
2 Allen, a long-time resident of Oak Ridge. I have
3 participated in the well being of this community
4 since 1979. While at Georgia Tech I took classes and
5 courses in statistics in order to understand how data
6 are used in engineering the decision making. At the
7 University of Tennessee I took an interest in data
8 visualization to tell the story behind data. And,
9 hopefully, my understanding of these fields will give
10 you pause to consider what I have to say.

11 Councilwoman Trina Baughn's data regarding the ORPD
12 retention rate tells a story. With statistical data
13 there are data points called outliers. The outliers
14 are outside the affected model but the data not
15 considered as outliers are not thrown out because
16 there is a story that needs to be told from the
17 remaining data. When all data are thrown out because
18 of an outlier and the story behind the ORPD retention
19 data is not investigated, you have on your hands a
20 cover-up. Looking at the data one can say that there
21 is a very high likelihood that something is wrong
22 within the ORPD and with the process by which Chief
23 Akagi was hired by City Manager Watson. Based on the
24 likelihood of what the data is predicting, an

1 investigation of Chief Akagi and City Manager Watson
2 is in order to avoid any hint of a cover-up. There
3 should not be a scintilla of consideration from
4 council that there will not be an investigation into
5 the story revealed by the ORPD retention data. For
6 the love of Oak Ridge council should turn their
7 collective ire into an investigation of Chief Akagi
8 and City Manager Watson. They are the story the ORPD
9 retention data cry out to tell. Finally, in the
10 field of data visualization it is asked what story
11 are the data telling. In the field of statistics it
12 is said follow the data. Council should follow the
13 ORPD data and investigate the story the data are
14 telling about Chief Akagi and City Manager Watson.

15 MR. CARVER: Gary Carver, 117 North
16 Purdue. And pardon me, but I'm a stroke victim so my
17 speech will lack. But doesn't the real question boil
18 down to if Mr. Watson knew Chief Akagi, why didn't he
19 go direct to him instead of spending the 25,000.

20 MS. CLEMSON: Kay Clemson. 420
21 Jefferson, Oak Ridge. I attended those meetings, all
22 of them during the election time. I talked to every
23 one of the people that wanted that job. If we spent
24 \$25,000 of taxpayer's money when all along Mr. Watson

1 knew already who he was going to hire, it was his
2 final decision that brought Mr. Akagi to Oak Ridge.
3 If he had every intention of show and tell, he did a
4 fine job of it. Because I even was surprised at who
5 he picked. Because there was other people that I
6 know that wanted that job and tried to talk to Mr.
7 Watson about applying for that job and he would not
8 even return their phone calls. So maybe you should
9 consider unethical the way this man does business.
10 And I know lots of people in this community that this
11 man has never returned their phone calls. Thank you.

12 MAYOR GOOCH: Mr. Lee.

13 MR. LEE: Joseph Lee. 99 East
14 Pasadena Road, Oak Ridge, Tennessee. Kay, you
15 weren't at any of the meetings I went to. I don't
16 know where you've been but don't care either. I was
17 involved in the citizens committee that selected Mr.
18 Watson, there were five very strong candidates and he
19 was the best candidate. He nailed it. We just had
20 discussions and meetings all day long with all five
21 of them. He was the best candidate. And I don't
22 understand, after what he's done to the crime rate in
23 this town, to the patrol rate in this town, to
24 strengthening the department, I don't understand why

1 this whole thing would blow up. Well, I do
2 understand. I have an opinion which I'll keep to
3 myself for now. But I think this is disgraceful.
4 There are so many things that we should be doing and
5 need to be doing and we are doing this. Is that the
6 best you can do? Is that all you got? This is a
7 sad, sad day. It's unfortunate we are not focused on
8 our future and we want to go back to the past. The
9 city manager has done an excellent job. Anybody that
10 doesn't realize that, it's unfortunate. You know, I
11 wasted a couple of hours reading some Facebook this
12 weekend and I won't do it again. Thank you.

13 MAYOR GOOCH: Mr. Agle.

14 MR. AGLE: My name is Chuck Agle
15 and I live at 101 West Melbourne. I've only been in
16 the city for 39 years and I was one of the citizens
17 interested in picking the new police chief because I
18 had suffered from numerous criminal incidents on my
19 lot in the west end of Oak Ridge. And as I remember
20 at that time, all the citizen input to city council
21 members at that time was that we had indeed picked
22 the correct police chief. And the fact that the city
23 manager signed the form, he was acting on the behalf
24 of the citizens of Oak Ridge and city council at the

1 time. And simply implementing their wishes. I'm
2 looking at a spreadsheet of FBI crime data for the
3 last twelve years of the city. Back in 2004/2005
4 underneath the previous police chief, there were over
5 2,000 crimes committed in the city every year. When
6 the current police chief took over in 2012 his first
7 year he cut the crime rate to 1,112. He literally
8 has cut the crime in this city in half. Okay. And
9 so what are you going to investigate? A police chief
10 that's been giving you outstanding service? The best
11 police record in the last 20 or 30 years in the city
12 or the police chief as compared to his national peers
13 as running the most effective department in the city.

14 MAYOR GOOCH: Thank you, Mr. Agle.

15 MS. BAUGHN: Mr. Mayor, I'd like to
16 address his comments. May I address his comments?

17 MAYOR GOOCH: I'm going to let Mr.
18 Kitzmiller and then I'll let you address his
19 comments.

20 MR. KITZMILLER: David Kitzmiller,
21 144 Wellington Circle. Council, I struggle with when
22 I should have brought these comments up, whether it
23 was at the beginning of the meeting or in this
24 amendment or in the next article but they all kind of

1 blend together to me so forgive me if it's wrong. My
2 statements are four; crime rate is down, the schools
3 are safer, we have school resource officers in place,
4 burglaries and car break-ins are down and retail is
5 up. I bring this up and I know it is vague and
6 across the board. But four of you are brand new to
7 the council and at your debates you talked about
8 being a spokesman for the city. I feel bad that
9 council is being represented in such a negative way
10 in the press. I have no problem with an
11 investigation. I hope that their names get cleared.
12 But I hope that you members of council that are
13 elected can go out there and say something positive
14 in the press in the future. And maybe if there's
15 negative things or things that bring a shadow of a
16 doubt upon our community that it can be brought up
17 with council and that council can speak together when
18 it goes to the press. Thank you.

19 MAYOR GOOCH: Thank you, Mr.
20 Kitzmiller. Ms. Baughn, you wanted to make a
21 comment.

22 MS. BAUGHN: Yes, I wanted to
23 comment on some of the crime data statistics that
24 have been thrown out. I believe we've been

1 decertified by the TBI for what? Nearly a year so we
2 haven't been reporting crime data recently. Have we?

3 UNIDENTIFIED SPEAKER: Crime data
4 is being stored. We have a translation problem
5 between our 1998 software and the state system.

6 MS. BAUGHN: So we are not
7 reporting crime data to these data bases?

8 UNIDENTIFIED SPEAKER: Crime data
9 is available and can be found, it's just not
10 compatible with the state system.

11 MS. BAUGHN: But it's not publicly
12 accessible at this time, is it?

13 UNIDENTIFIED SPEAKER: I do not
14 know the answer to that question.

15 MS. BAUGHN: I believe that's the
16 case because we were decertified somewhere between
17 six to twelve months ago. Because I don't have
18 access to current crime statistics in Oak Ridge and
19 I'm pretty resourceful but I do welcome the
20 opportunity to be proven wrong on that. I've been
21 wrong a few times. And I would also tend to credit
22 any kind of improvements when it comes to crime and
23 statistics to the men and women on the street who are
24 combatting that crime.

1 MAYOR GOOCH: Mr. Johnson.

2 DAVID JOHNSON: David Johnson, 505
3 Emory Valley Road. I promise to keep it short and
4 sweet. Everybody keeps talking about crime and
5 statistics, which that is great. However, as Trina
6 just mentioned, it's based on the men and women that
7 serve. I served 20 years in the military and I do
8 know that morale is very important. Everybody seems
9 to be concerned. Our statistics are down but what
10 about the effect on these people that are serving.
11 That's what I'm concerned about. If what I'm hearing
12 is correct, I do not know about Mr. Watson or Mr.
13 Akagi, I honestly do not know but if there is any
14 kind of integrity problem or any kind of abuse there
15 that should be looked at, we need to look at it. And
16 we need to respect these people in this uniform.
17 Thank you.

18 MAYOR GOOCH: Mr. Jernigan.

19 CHARLIE JERNIGAN: Charlie
20 Jernigan, 118 Claiborne. I've got to divide my thing
21 up a little bit because of this. I guess the topic
22 here is the fix was in when Chief Akagi was hired
23 because City Manager Watson knew him. Well, it turns
24 out that they both lived in Lawrence, that's true.

1 But when city manager went there, if my numbers are
2 right, he was about fourteen and the chief was about
3 seven. And they never went to high school together.
4 And there's no indication at all that they ever knew
5 each other. The odd thing is that Mr. Watson's dad
6 was the city manager of Lawrence and at some time
7 after the city manager graduated from college and
8 left he hired our now Chief Akagi as a patrolman. So
9 since they didn't know each other, it's hard to find
10 a motive for a connection there. So maybe it was the
11 dad who put the fix in. The problem with that is
12 when the chief was hired the elder Mr. Watson was
13 dead for 20 years so I don't think he made that call.
14 There is nothing here that gives any indication that
15 there is a tie. Am I the only one in the room that
16 was aware that Chief Akagi worked for his dad when he
17 was hired? My only surprise was that Mr. Watson was
18 able to pick what I thought was the best qualified
19 candidate with that kind of link in the background.

20 MAYOR GOOCH: Thank you, Mr.
21 Jernigan. Are there any further comments? Mr.
22 Beehan.

23 TOM BEEHAN: Yes, my name is Tom
24 Beehan and I live at 113 Liberty Court. And I was

1 part of the process, I was mayor at the time, served
2 on city council from 2001 until this past year. Just
3 as a footnote, my dad was a police officer in
4 Nashville, Tennessee Metro Police patrolman. So I
5 have a little bit of perspective on this. One of the
6 things that has always concerned me when I was
7 growing up was to throw the police into the political
8 realm. Doesn't mean we don't have an investigation.
9 But he always talked about that. Why are we making
10 the police department political. That should be
11 anything but that. The second thing is I was part of
12 the process in the hiring. You say professional, Mr.
13 Mercer was not only used for the hiring of the police
14 chief but he was also used for hiring of the city
15 managers. And there is a reason for that. They help
16 the process along, they have contacts, they know how
17 to do background checks and they did an excellent job
18 in all three times that they did the work for the
19 city of Oak Ridge. The issue the people are really
20 concerned about, and you'll hear that tonight;
21 economic development, good schools and safe
22 neighborhoods. Our neighborhoods are safer now. And
23 there's a reason for that, it's been outlined here
24 several, several times. The issue to me, this

1 resolution goes way beyond what the real issue is.
2 The real issue is why are people leaving the Oak
3 Ridge Police Department. Is it more than it should
4 be? Is it average? What is it? If you adopt Mr.
5 Callison's resolution, you have the opportunity to go
6 many directions. And if it's a relationship thing,
7 it will turn up. I suggest if you want to look at
8 this, you look at the personnel and why are people
9 leaving. Are they leaving because they are being
10 intimidated. Are they leaving because Mr. Watson and
11 Mr. Akagi knew each other. I kind of doubt that.
12 But why are they leaving. And I remember exactly as
13 you do, Ellen, the process that we went through. I
14 know that I feel safer in my town right now because
15 of what I see. I'm not sure of the other issues but
16 if you take that personnel issue and you look there
17 it gives you a track to run on. You've already
18 jumped ahead on this track and that's not the right
19 thing to do right now for this community. Thank you
20 very much.

21 MAYOR GOOCH: Thank you, Mr.
22 Beehan.

23 RANDY TEDFORD: I'm Randy Tedford,
24 100 Gorg Road. Let me preface my remarks by assuring

1 you that my remarks are not directed at any specific
2 person, be they city council, members of the
3 audience, employees and other concerned parties. I
4 speak to the matter at hand only. It is my hope that
5 city council will not waste taxpayer time and money
6 to do a needless review. If you want to find out, I
7 like the idea of going with having a third party
8 investigate it. Give them sufficient instruction on
9 what to look at. If you have questions about morale,
10 if you have questions about retention, get them to
11 understand that's what you want. But, also, look at
12 the historical parts about the City of Oak Ridge
13 Police Department. I retired from that police
14 department after 30 years in 2003. At the same time
15 I did some federal assignments. I actually did
16 broadcast dues at one time for a couple of years,
17 fortunately, not on camera. A face for radio, I
18 know. But I have been on the beer board for the City
19 of Oak Ridge for over twelve years and, also, on the
20 Personnel Advisory Board. And it's during those
21 times that my contact with Chief Akagi have always
22 been positive. He's always supported us consistently
23 without hesitation. And I note that I have worked
24 for four of the five police chiefs and I work with

1 him, to an extent. He doesn't tell us what to do but
2 he does provide his officers and he has acknowledged
3 the backbone of this department are the officers. My
4 concerns are with them but my concerns are also that
5 we don't have something that turns into nothing but a
6 public lynching or even a private lynching. When I
7 first came here my first day I remember because I had
8 several conversations with some of the long-time
9 members, ranking members, of this department. And I
10 can boil down those conversations to a couple of
11 points. One; I was told there would be times I
12 wouldn't like the orders I was given. And that I
13 might not like the manner in which they were given.
14 The other point was that I had to do that job. And
15 as my dad always told me and taught me and as I
16 learned through the military, it's better to take the
17 order, do what you are told and then go ask why. Get
18 an explanation. My dad used the example that I
19 didn't have time to ask him why he wanted me to get
20 out of the middle of the road except to just get out
21 of the road. I learned to do it. Now I admit of all
22 the people in this room I'm probably the least
23 perfect, and I don't mean this sarcastic, I know what
24 I can and can't do and I also know that I, like Chief

1 Akagi, am a type A personality. I want the job done
2 and I want the job done right. I appreciate the
3 style of lead, follow or move out of the way. I
4 don't like standing still, I want things to occur.

5 MAYOR GOOCH: Mr. Tedford, you need
6 to wind up, sir, your three minutes has expired.

7 RANDY TEDFORD: Thirteen more
8 seconds.

9 MAYOR GOOCH: Yes, sir.

10 RANDY TEDFORD: I find the chief
11 can be a good person. I find his heart is in this
12 job. Sometimes he may not be the best in getting
13 that job done in personnel management but it's a
14 matter of style. The city gave me more than one
15 extra chance. Bob Smith once asked if it was true
16 that I had never made the same mistake twice. And I
17 said no. He said, are you trying to make every one
18 of them once. I don't think that the chief would do
19 that. If there's a problem, give him a chance to
20 correct it. Thank you.

21 MAYOR GOOCH: Thank you, Mr.
22 Tedford. Is there any other discussion with council?
23 We have a pending --

24 SHEILA MASSEY: I'm Sheila Caldwell

1 Massey and the only problem that I have is I'm the
2 owner at 214 South Purdue. All I've asked I know the
3 majority of the polices, the good thing, the very
4 first one thing is respect. When somebody has
5 committed a crime here in Oak Ridge and one of the
6 police tell another police, you know, I've met the
7 chief but from Adam and Eve he don't know who I am
8 other than what someone has done told him. I feel
9 like when somebody has committed a crime, they should
10 handle their situation on their behalf, you know,
11 don't take and start harassing the people's family.
12 This community is not just about drugs because
13 there's drugs everywhere. It's not the blacks, it's
14 not in Scarboro. I live in Woodland. There's a drug
15 transaction on my street everyday. But do the police
16 come? No. But my thing is everybody should have a
17 fair trial, a fair chance and everybody should be
18 respected. Just because they are in uniform they
19 want respect but you have to give respect to get
20 respect. And I think it's a disgrace that you vote
21 these people in, you know, I know Nicky Caldwell, I
22 know Mike Caldwell. Those are relatives. You need
23 to know me personal. You need not to go from what
24 one police tell another police about an individual.

1 You should seek information on behalf of what that
2 person has informed you. So all I'm asking is I
3 think there should be an investigation. Everybody
4 should be treated fair. And if the police come to
5 your house and there's a situation going on, I think
6 they should handle it. Domestics; we have a
7 tremendous problem with domestics. We've got murder.
8 We've got drugs. Black people don't have no way of
9 getting drugs into the city but, you know, it's here.
10 So the only thing I ask being a citizen all my life,
11 60 years, I think that everybody should be treated
12 fair. Just not because you are police, the police
13 don't need to harass you because somebody in your
14 family has committed a crime. My sister got killed
15 right up here on the hill, you know, that's just a
16 body that we lost, wasn't nothing done about it. So
17 an investigation should be done.

18 MAYOR GOOCH: Thank you.

19 PHILIP NOLL: My name is Philip
20 Noll, I live in Clinton, Tennessee but am a retired
21 police officer here in Oak Ridge. I want to speak to
22 two things. One; it just seems there's a
23 misconception that miraculously in the last three or
24 four years the crime rate has dropped in Oak Ridge.

1 Well, it has but it's dropped across the country.
2 It's not unique. And it's been dropping since the
3 day I got here. I heard the one gentleman talk about
4 the Scarboro community and improvements there. When
5 I started here in 1985 you couldn't even drive a
6 police car down Wilbur Force Avenue on a Friday or
7 Saturday night. There's just been continuous
8 improvement. It has not just been in the last three
9 or four years. And it's happening everywhere. You
10 can't attribute that to one person or to even this
11 police department. Crime is dropping, okay. The
12 second thing I just want to take issue with you, Mr.
13 Callison, you made a comment that you feel like
14 people are getting professional service now and prior
15 to that it was lackadaisical. I take great offense
16 at that and I hope all the other officers do. This
17 has been a professional police department for many
18 years. I just think you owe an apology to all those
19 officers. Thank you.

20 MR. CALLISON: I certainly would
21 apologize except I didn't say that I believe that. I
22 told you that I reported what someone told me. My
23 experience with the police department has always been
24 professional.

1 Montana Avenue. I do agree the police force has been
2 wonderful. I've been here 50 years, I've never had a
3 problem with the police force. They do a great job.
4 They do the job because of the heart that they have
5 for that job. I'm a nurse, same deal. We don't know
6 what goes on in administration, I don't know, I don't
7 know at my work what goes on in administration but I
8 do the job because I love the job. This is about the
9 money that was spent. That's the way I see the
10 issue. And I voiced my concerns when the Mercer
11 Group was used for the city manager the first time.
12 I feel like we have wonderful people in Oak Ridge and
13 not to consider somebody from Oak Ridge, to me, was a
14 slap in the face. They love this town more than
15 anybody. When the comment was made that the schools
16 are safer. Thank you, Trina. I believe you made a
17 contact with the chief. The MOA is now in order.
18 Thank you. This is a huge resolution. I say look at
19 all three and do what you have to do. Thanks.

20 MAYOR GOOCH: Ms. Garland, you've
21 already spoken three times. I'm sorry. Are there
22 any other citizens who have not spoken on this
23 resolution that would like to do so? Alright,
24 comments, further discussion by council. Mr.

1 Hensley.

2 MR. HENSLEY: Yeah, I'd just like
3 to make a comment that I'd like to reiterate what I
4 said earlier. We are going to consider another one
5 very similar to this one that addresses the other
6 point that has been brought up here, the independent
7 review. In my opinion, what this is about is who
8 somebody's friends were or were not. To me, this
9 right here is noise. It reminds me of one of my
10 favorite movies, Judge Roy Bean, where they say, do
11 you have anything to say before we find you guilty
12 and hang you. In my opinion, this is all noise.
13 Like Kelly was saying earlier; who somebody's friends
14 were don't matter to me if we've got good people.
15 Now the next thing we're going to look at is the
16 independent review of the turnover rate in the police
17 force and that's what we're going to look at next.
18 And that's the one that I think we should do the
19 review. So we will get to that one here shortly.

20 MAYOR GOOCH: Mr. Chinn.

21 MR. CHINN: Yes, Mr. Hensley, with
22 all due respect, I appreciate where you are coming
23 from but I do think that in order to clear the names
24 of the people that have been sullied at this point in

1 time we need to look at all three of these issues. I
2 plan to support this motion. I don't know if it will
3 pass or not. I think, I don't know if there is
4 anything there or not. I don't think there is
5 honestly but in order to clear the names of Mr.
6 Watson and Mr. Akagi I think we need to open all
7 three of these. Thank you.

8 MR. HENSLEY: I see your point.
9 Thank you.

10 MAYOR GOOCH: Ms. Smith.

11 MS. SMITH: A point of information;
12 how much are we expecting that this investigation
13 would cost? It's been suggested that we are doing
14 this to see if we wasted \$24,000. Do we have any
15 estimate of how much the investigator to answer that
16 question was expected to be? I don't know if you
17 went into that, Ms. Baughn.

18 MS. BAUGHN: My apologies but I did
19 not. I should have, I should have knowing the level
20 of information that I seek when it comes to physical
21 responsibility. But I did not factor that in.

22 MAYOR GOOCH: Other comments?
23 Ready for the vote.

24 COUNCIL MEMBER: A point of order

1 on the cost. Would we not be able to use MTAS or
2 someone like that to take a look at this?

3 MAYOR GOOCH: Not according to this
4 motion. This is limited, there can't be anyone that
5 would do this investigation that is directly or
6 indirectly related to the city, i.e., through, quote,
7 MTAS, CTAS, TML, et cetera.

8 MS. BAUGHN: I would be willing to
9 edit those restrictions if it please the council.
10 Would I need to make another motion? Sorry.

11 MAYOR GOOCH: We already have one
12 motion on the floor to amend a motion so we would
13 have to take action on this amendment before there
14 would be final action on your other one, so. The
15 motion before council is adoption of Ms. Baughn's
16 substitution which would replace the pending motion
17 or the original motion that was in your packet. So
18 this is the motion, the resolution that is on the
19 screen related to an investigation of certain issues
20 to be conducted within 90 days by a third party with
21 no ties to the Oak Ridge community and shall be a
22 certified private investigator of similar background
23 totally unaffiliated with any organization affiliated
24 with the city. So it will take four affirmative

1 votes to substitute this amendment for her first
2 resolution. Let's go to the board. The nays are
3 five the ayes are two. The motion to substitute
4 fails. Ms. Baughn, do you have a second amendment
5 that you would like to present?

6 MS. BAUGHN: Yes, I do. Yes, I do.
7 I would like to replace, if we could put the original
8 resolution back up, I would like to replace the final
9 paragraph that says; be it for the resolved that
10 pursuant to said authority city council hereby
11 initiates an investigation into the actions of the
12 chief of police to determine whether he violated the
13 directives of an order of protection. That entire
14 paragraph I would like to replace with the text of
15 the alternative resolution regarding the order of
16 protection that I submitted, and you all were
17 e-mailed a copy of it. I don't know what happened to
18 it but from the beginning of the resolution, let's
19 get on the same page. It references the case numbers
20 in the very first paragraph. Does Ellen have it?

21 MS. SMITH: I gave my stuff to the
22 mayor.

23 MS. BAUGHN: So from the beginning
24 of the resolution and I'll just go through the quick

1 whereases and then I'm going to edit the bottom part.
2 Whereas the city council desires a third party to
3 review the content and legal ramifications of the
4 above-referenced cases to determine that compliance
5 with all relating statutes were adhered to and
6 whereas Mr. Watson had knowledge of these proceedings
7 but did not apprise council of them and whereas city
8 police department employees participated in
9 testifying on behalf of Mr. Akagi whereas the
10 stipulations of the order of protection need to be
11 made clearly known in order to determine if they were
12 ever violated and whereas the evidence that compelled
13 the judge to grant the order of protection may speak
14 to the suitability of Mr. Akagi's position as a law
15 enforcement officer and as a chief of police. Now
16 therefore it be resolved by the council of the city
17 of Oak Ridge pursuant to Article II, Section Nine of
18 the Charter of the City of Oak Ridge, Tennessee City
19 Council. City council hereby authorizes an
20 independent third party to review of the court
21 documents and proceedings related to Case E22639
22 Blount County Circuit Court and the order of
23 protection OP-20698 issued out of Blount County
24 General Sessions Court against James T. Akagi from

1 April 11, 2012 to June 19, 2013 to determine if any
2 local, state or federal statutes or ethical codes
3 were violated. Be it further resolved that the city
4 council will select an independent third party and
5 such review shall be conducted within 90 days after
6 the party is selected with the report delivered to
7 city council for any necessary action. Be it further
8 resolved that that selected party will have
9 absolutely no ties to the Oak Ridge community and
10 shall be currently certified in the state of
11 Tennessee in a legal profession and be completely
12 unaffiliated and we will stop it at legal profession,
13 going to stop it right there.

14 MR. HENSLEY: Stop it where?

15 MS. BAUGHN: In a legal profession.

16 MR. HENSLEY: What happened to the
17 rest?

18 MS. BAUGHN: To allow... to limit
19 the cost implications of using someone like MTAS I'm
20 deleting.

21 MR. HENSLEY: Are you leaving that
22 in or taking it out?

23 MS. BAUGHN: I'm deleting it. I'm
24 stopping at legal profession and putting a period

1 there. That is my motion.

2 MAYOR GOOCH: Ms. Baughn has made a
3 motion to substitute for her pending resolution. The
4 motion has been made. Is there a second?

5 MR. HOPE: Second for discussion.

6 MAYOR GOOCH: The motion has been
7 moved and seconded by Mr. Hope. Ms. Baughn, you are
8 recognized on resolution, Baughn resolution, number
9 two, amendment number two.

10 MS. BAUGHN: The verbiage pretty
11 much speaks for itself. I would refrain from going
12 into the content of the order of protection. I would
13 say that this was one of those documents that was
14 provided to me that the city attorney advised me not
15 to share with the rest of council and he can advise
16 to his reasons or not behind that. But these are
17 public documents, that is my understanding. And this
18 is an example where only certain members of council
19 have access to information or have been provided
20 information because of the nature of the environment
21 and the situation that we have. And so I think it
22 only fair that if council wants to make decisions
23 based on some of these issues that have been brought
24 to light that they have the same access to these

1 documents and this information. And that it be
2 properly inspected or investigated to determine
3 whether or not any of these violations that I've
4 referenced have been made.

5 MR. KRUSHENSKI: I stand by my
6 opinion. These divorce documents and the order of
7 protection, all the documents together, had
8 implications that involved people who were not public
9 figures, that were not citizens of Oak Ridge. This
10 was a divorce matter, this was not a city record
11 matter. Anybody that wants to view this case file
12 can go to Blount County and read it. I did not feel
13 comfortable in releasing any of this information as
14 city documentation. There was financial information
15 contained in there among other things and personal
16 private information. And it was my opinion that it
17 should not be released as a city document. But any
18 one of you seven can go to the court in Blount County
19 and read it.

20 MAYOR GOOCH: Mr. Callison.

21 MR. CALLISON: Ms. Baughn, I was
22 curious. The Oak Ridger actually fact checked part
23 of what was in the story, which was that this order
24 did not prevent the chief from carrying a firearm.

1 That seemed to be the key issue that was in the
2 article in the paper. Is that what we are talking
3 about? The district attorney in Anderson County said
4 that the order that was in the file does not prevent
5 the chief from carrying a firearm.

6 MS. BAUGHN: May I respond to that?
7 With all due respect to the district attorney, it was
8 not his court that issued the order of protection and
9 the reason that... part of the reason that I brought
10 this forward was to determine whether or not there
11 was a violation. The documents that I have read had
12 a stipulation that he could not carry a firearm.
13 Whether that was for a day, a week or a year is in
14 question. But I have modified this resolution with
15 this amendment to encapsulate some of the other
16 factors that had come to light since then, including
17 the fact that we had city police department employees
18 testify on his behalf. There are implications behind
19 that that warrant scrutiny, in my opinion.

20 MAYOR GOOCH: Any further comments?

21 MR. HENSLEY: Me.

22 MAYOR GOOCH: Mr. Hensley.

23 MR. HENSLEY: Yeah, it's my
24 understanding that Attorney General Clark, who I have

1 immense respect for, said this is bogus, that there
2 was no violation. And since I do respect Attorney
3 General Clark and I've had a lot of people say never
4 play lawyer, I think that this is extraneous to the
5 issue.

6 MAYOR GOOCH: Ms. Smith.

7 MS. SMITH: I'm wondering has there
8 been a complaint from somebody in Blount County that
9 suggests that this was violated? Are they pursuing
10 something against him?

11 MS. BAUGHN: I'm not aware of that,
12 I'm not aware of someone in Blount County filing a
13 complaint. I've had... through the last few weeks
14 I've received a number of complaints regarding a lot
15 of different issues and this is one of those issues
16 that was brought up. Mr. Clark did not opine on the
17 entirety of the order of protection. He opined on
18 the specific question of whether or not he was
19 allowed to carry a firearm for the entire duration of
20 the order of protection. He did not opine on whether
21 or not he could carry it for part of the order of
22 protection. So this is beyond what Mr. Clark
23 discussed.

24 MS. SMITH: I ask because it seems

1 to me that if there was a violation of this it was a
2 matter for Blount County to be concerned about and
3 it's outside the jurisdiction of the city of Oak
4 Ridge.

5 MR. HENSLEY: If this has been
6 resolved and, like I say, I trust Attorney General
7 Clark, if we accuse the man of something that he
8 clearly didn't do and the court said he didn't do it
9 I think we are liable.

10 MS. BAUGHN: Not accusing anyone of
11 doing anything and if we have an employee who was a
12 law enforcement officer and is also the chief of
13 police who violated a law then I think we need to
14 discover whether or not that has merit. Or if he did
15 violate a law. We do not know if he violated laws or
16 if he violated an order of protection. What I do
17 know is that two city employees testified on his
18 behalf, his immediate subordinates, testified on his
19 behalf. And I question the ethics, if nothing else,
20 behind that.

21 MR. HENSLEY: One of the things in
22 this country is the old idea of you can't have double
23 jeopardy. How many times can this guy be accused of
24 the same thing?

1 MAYOR GOOCH: Further comments?

2 Further comments by council? Comments by the
3 audience? Ms. Mansfield.

4 MS. MANSFIELD: I feel very
5 saddened for Chief Akagi that this type of thing has
6 to be public. However, it is the policy of the
7 police department that if an officer is put under an
8 order of protection and disallowed from carrying
9 their gun they are not able to do their duty here at
10 the department. They must go on desk duty and not be
11 allowed to carry their weapon until they are released
12 from that. Again, we do not like our government to
13 do things that are less than honorable and,
14 therefore, I do think it warrants an investigation.

15 MAYOR GOOCH: Mr. Jernigan or Mr.
16 Lee one.

17 CHARLIE JERNIGAN: Charlie
18 Jernigan, 118 Claiborne. I think District Attorney
19 Clark was pretty specific in that the ex parte orders
20 of protection did not allow this to restrict him from
21 doing his job. And the other part of this that
22 concerns me is that it talks about local, state,
23 federal, any kind of violation of any ordinance. And
24 I hope you take bids on this because that's a large

1 sloth of legal documents to be considered.

2 MAYOR GOOCH: Thank you. Mr. Lee.

3 MR. LEE: 99 East Pasadena Road.

4 Wow! Anybody that's gotten divorced knows that
5 unfortunately it's awful. If there are children
6 involved it's times the number of children how awful
7 it is. Emotions run real high. It's a terrible
8 thing. But it eventually gets settled out after 35
9 years, my ex-wife and I are on pretty good terms.

10 But this is none of our business. This is
11 ridiculous. This is a witch hunt. This is
12 disgraceful. The district attorney has indicated
13 there is this kind of order and there's that kind of
14 order and in this case it's this kind of order and he
15 can carry a gun. He should carry a gun, he's a
16 policeman, everybody knows that. Doing a great job
17 too. But this is disgraceful. This is a waste of
18 time. Is this all we've got? This is pitiful.

19 MAYOR GOOCH: Ms. (indiscernible)

20 UNIDENTIFIABLE NAME: To me this is
21 unbelievable. It's like a kindergarten. I'm sorry.
22 It's I think some people want to get rid of the
23 police chief, okay, maybe there's some reason, maybe
24 there's not, I don't know. But to dig up way back

1 things whether somebody is divorced or who know whom
2 when he was hired. I don't know, I'm not from this
3 country, maybe I think differently. But this is
4 really ridiculous to spend so much time on something
5 like that. If there is a problem within the police
6 department let's try and take care of it, whatever it
7 takes. Whether it's dissatisfaction or anger
8 management, whatever, but we have more important
9 things to do in Oak Ridge. Think about the school
10 things that are going on. Getting business to come
11 to Oak Ridge. You are chasing people away. We are
12 chasing people away. Who wants to live here? I
13 almost regret that I moved here. I love the city, I
14 love the people, I love the school, my students. But
15 this is really embarrassing, I can't believe it. I
16 wish I shouldn't have said anything, sorry.

17 MAYOR GOOCH: Thank you.

18 UNIDENTIFIED SPEAKER: If you've
19 ever been in a dispute with someone you say things
20 out of anger. But hers is; I'll kill you, threats.
21 It's an order of protection. This man carries a gun
22 in our community. If he's fighting with someone and
23 he's acting like that, we should be concerned, it's
24 called domestic violence and it's very a bad

1 situation. Okay. I didn't do it with mine. We had
2 maybe, we may have had words but I never threatened
3 to kill him, he never threatened to kill me. He
4 never hit me. This is some serious allegations and
5 I'm not saying that it did or did not happen but the
6 court records kind of say that she said he said. And
7 that does happen in America everyday. But I'm more
8 concerned with what this is doing to our community.
9 I'd rather go ahead and get it out in the open.
10 Let's move along, let's build this city up, let's get
11 our mall going, let's make this a great place to
12 live. Okay. Let's get this out of the papers, off
13 the media. Please. Because we have got so much more
14 to offer than what this is dragging us down. Okay.
15 And may I make a suggestion? Ask Paul White to
16 investigate all this. He's the highest law
17 enforcement officer in our community. He's unbiased.
18 He'll be straight up with you and he's fair. And he
19 can do all the documentation. And he is for the
20 taxpayers. Thank you.

21 MAYOR GOOCH: Thank you.

22 UNIDENTIFIED SPEAKER: I will be
23 very brief. I think the issue here is that of trust.
24 And if people start losing trust in the city manager

1 and his subordinates and, in effect, the council.
2 Because this is something the city manager should
3 have handled under his own jurisdiction. It never
4 should have even come to the council until the
5 resolution was made. But that's water under the
6 bridge, I mean, we are here now. And regardless, I
7 have no opinion on the issue, by the way. I'm not
8 saying right or wrong, I don't know. I don't have
9 all the facts. But the way I hear the different
10 council members talking is if we have a problem, just
11 make it go away instead of discussing how many hours
12 now? This thing should have been very simple. The
13 resolution comes, you either approve it or don't
14 approve it. Move on. The doubt was raised, the
15 procedure was followed and I welcome the public
16 discussion but this has gotten out of control. And
17 it's like the famous Nixon story, the plumbers. If
18 he had just fired the plumber or his one subordinate
19 it would have been all over. There would not have
20 been Watergate. This is relatively, to me, a minor
21 matter. It's not a main issue. It does not deal
22 with the city's welfare in one way or the other. But
23 since the issue was brought, I think why can't you
24 just resolve it quickly. Everyone spoke. And let's

1 close the discussion and that's the end of my
2 discussion. Thank you.

3 MS. POWERS: Tracy Stout Powers,
4 103 Norton Road. I have been sick, I've got dog hair
5 and I wasn't going to come down because I didn't want
6 to get anybody sick but I've watched enough of this
7 on TV. I'm about to choke. I know who to vote for
8 next and who not to vote for next. I'm so mad right
9 now I can't even remember which one we are talking
10 about. Is it the one where we are going to
11 investigate because... which one is it? Yeah, there
12 we go. I personally, whether it's the business of
13 the city of Oak Ridge or not, I personally believe
14 that it is. I don't want a chief of police that has
15 gone so far as to get an order of protection taken
16 out against him representing my city. I've been here
17 54 years and I've never in my life seen anything like
18 this. And for you all to sit there and act like, you
19 know, he's a great guy, he's done great for the city.
20 Good. That's great. That's not what we are talking
21 about. We are not talking about if the crime rate
22 has gone down or anything like that. We need to
23 stick to the subject and that's the order of
24 protection. I personally want to know what the crap

1 is behind this. I cannot believe we've got a chief
2 of police that had sat there and as far as Joseph Lee
3 goes, you are the smartass --

4 MAYOR GOOCH: I'm sorry, you are
5 not directing your comments --

6 MS. POWERS: I'm sorry, you are
7 just really smart alecky. You are smart alecky.

8 MAYOR GOOCH: Ms. Powers. Ms.
9 Powers.

10 MS. POWERS: I'm livid.

11 MAYOR GOOCH: Joe, please sit down.
12 You direct your comments to council and not to
13 members of the audience.

14 MS. POWERS: It would take so much
15 more than three minutes. Some of you all are acting
16 out of spite. It's clear to everybody on TV because
17 we are all following it and chatting and carrying on
18 and pointing out certain things that are said and
19 certain things that are not said. The sighs whenever
20 Ms. Baughn wants to speak is ridiculous. It's
21 just... I am so ashamed of this city. I really am.
22 Not because of you. But the only thing I'm glad is
23 because you are on the city council. And thank you,
24 too, Mr. Chinn. Thank you. But if you all want to

1 sit there and have a chief of police, no, these guys
2 cannot say what they want to say, of course, they are
3 going to send in, that's a different topic but of
4 course they are going to send in anonymous letters.
5 I really, really hope you all get to the bottom of
6 this with a better attitude and thinking for
7 yourself.

8 MR. STEVENS: 507 Black Oak. I
9 came into this world via Oak Ridge Hospital on July
10 29, 1961. You may try to shut Trina up, you can't
11 shut me up. I have rights under the first amendment
12 to post anything I want on the Internet and it's not
13 going to stop. Kay's website is not going to stop
14 until you open it up and take a look at what's going
15 on. And integrity does matter. If there was
16 dishonesty involved in the hiring of the police
17 chief, that matters. If he had an order protection
18 from his former wife because he can't control his
19 temper, that matters because I go up and down the
20 streets of this town everyday.

21 MAYOR GOOCH: Thank you, Mr.
22 Stevens. Other comments from the audience?

23 MR. ALLEN: I've been here for 36
24 years. This is a community that I love. I raised my

1 sons here. They graduated from Oak Ridge High
2 School. One plays football. And we need to look at
3 what the people here are talking about. There is an
4 order of protection. Divorce is messy. I've been
5 through that. Most everyone in here has probably
6 been through something like that. Things are said.
7 But I'm just telling you, please, we hired a police
8 chief that had an order of protection against him. I
9 don't have anything personally against this
10 gentleman. But we need to peel this onion, pull back
11 the covers, take a look in it, it may look ugly. But
12 for the sake of this community, how can we move
13 forward, how can we have businesses come here and
14 say, those guys have an order of protection against
15 the chief of police. Who do they think they are? We
16 are not going to come here. We are going to go to
17 Lenoir City, we are going to go to Knoxville. They
18 don't have that problem. So we should really look at
19 that to make sure that we are doing the right things
20 when we move forward.

21 MARTHA LEE: My name is Martha Lee
22 and I live at 113 Tilden Road. I came down here
23 tonight because I've lived in this town for 52 years
24 and I have never seen the morale so bad. If he's

1 done something or if he hadn't, an investigation is
2 going to clear it all up. The city can grow from
3 there. I don't know him. I've heard a lot bad about
4 him. I've not heard much good. And you keep talking
5 about the crime rate going down. I don't even feel
6 safe in my house without my door being locked and I
7 don't live in a bad part of town. But I have a Mr.
8 Yancy that knocks on my door or tries to break in my
9 house and you all can't seem to keep him in jail.
10 And I know that has not to do with anything. But
11 there's a lot in this city but the morale is so bad.
12 And if you can't keep the city happy, you are not
13 going to grow. You need to get the morale growing
14 back and the city growing. And I appreciate
15 everything that you all are doing but when you start
16 fighting amongst each other or disagreeing and the
17 disappointment you see in each other's face, like she
18 said, when someone else is talking, that's not coming
19 together. And you need to come together and do
20 what's best for the city and watch the city grow.

21 MARCIE WILLISON: My name is Marcie
22 Willison and I live at 106 West Pauley Road in Oak
23 Ridge. My daughter lives in a socialist country, she
24 married a foreigner and she told me that she lives in

1 the happiest city in the world because there is no
2 crime and no rapes. But I told her, honey, that's
3 not true, you just don't know. They don't tell you
4 anything. The thing that keeps people from Oak Ridge
5 is not any of the things we've discussed tonight. We
6 have a problem with code enforcement, we have homes
7 that are rotting and people do not take care of their
8 properties and nothing is done. We have code
9 enforcement but they don't enforce codes. I don't
10 know but I totally believe that sweeping these things
11 under the carpet is the total wrong thing to do. I
12 hope that we find that there is nothing under the
13 carpet. I believe that's probably true and I really
14 hope that is so. But I think that by not
15 investigating we will leave it hanging and it will
16 look more wrong than anything else. So I think
17 because there are allegations, there are questions
18 that this just must be investigated. That's all
19 there is to it. Thank you.

20 MAYOR GOOCH: Comments by council?
21 Further discussion? The parliamentary situation is
22 Ms. Baughn has moved for a second substitute motion
23 to her original resolution. We will go to the board,
24 it will take four affirmative votes to substitute

1 this second resolution for the one that's in your
2 packet. So let's go to the board.

3 Five nays and two ayes. The motion to
4 substitute fails. We are now back to the original
5 motion to substitute that was made by Mr. Callison,
6 which would substitute for the original resolution
7 proposed by Ms. Baughn.

8 Mr. Callison, do you want to explain your
9 resolution?

10 MR. CALLISON: That resolution
11 focuses on the original issue that we started this
12 whole thing with, which was the turnover rates in the
13 police force. We think that that's a very broad
14 term. It allows an investigator, an independent
15 investigator, to look at the issues that might be
16 present. People might ask, well, who in the heck
17 could we find that might do this for us. One of the
18 guys is a guy named Rex Barton, he's actually with
19 MTAS who we work with a lot. He's had 20 years of
20 service with MTAS. He's done 52 police
21 investigations around the state, he covers the entire
22 state of Tennessee. He will work with us on the
23 scope of the study and he's a very professional
24 person to do this kind of thing. He has no, for lack

1 of a term, what's the right word for it, he has no
2 stake in this problem or issue, whatever we want to
3 call it. He is available. He actually lives in
4 Athens, Tennessee, which is not too far from us. The
5 other thing is we actually received a resume from a
6 retired chief of police in middle Tennessee who has a
7 similar kind of a background, I don't think he's
8 quite as strong but those are the kinds of people
9 that we are talking about having look at the issue.
10 They know nothing about Oak Ridge. They owe no
11 allegiance to the government of Oak Ridge or the city
12 council. Truly an independent review of the
13 situation, a report back to us and also to city
14 manager who is actually responsible ultimately for
15 hiring and firing staff.

16 MAYOR GOOCH: Mr. Callison, when do
17 you propose that the report would come back to
18 council?

19 MR. CALLISON: I'd propose 30 days
20 after we select the independent party.

21 MAYOR GOOCH: Mr. Hope.

22 MR. HOPE: Thank you, Mayor. I
23 have a couple of questions, Kelly, concerning that.
24 I think there's two areas that we've made the scope

1 of whatever review or investigation is going to
2 happen very narrow and that you are talking about
3 strictly the turnover rate. But there's two areas
4 that I think, listening to all the input tonight and
5 over the last several weeks, I apologize for not
6 feeling good tonight, so there are two areas that I
7 think that we need to look at besides the turnover
8 rate. And it would be the morale of the police force
9 itself. I think that's one of the things that needs
10 to be looked at. From the conversations I've had
11 with numerous people, I think morale will be one of
12 those areas that needs to be looked at. The other
13 thing I think needs to be looked at and made sure
14 we've gone through a proper review procedure is how
15 our administrative policies within that department
16 are working. In both other cases that may have a
17 contributing factor with high turnover rate or low
18 morale that may be present within the department. So
19 I'd like to see that looked at as far as that goes.
20 I don't know... and I'm way tired to start making
21 more proposals and amendments after amendments. But
22 those are two areas I would like to see addressed is
23 administrative policies within the department and the
24 morale of our police officers that are in the

1 department.

2 MAYOR GOOCH: Mr. Hope, are you
3 making an amendment to the... are you proposing an
4 amendment to the substitute motion?

5 MR. HOPE: Mr. Mayor, I don't know
6 what I'm doing at this point. It's been a long
7 meeting, I'm tired, my tie is loose.

8 MAYOR GOOCH: Mr. Callison.

9 MR. CALLISON: I have no problem
10 amending that and making it more specific. I would
11 say that when I look at it from a personnel point of
12 view, turnover rates, a lot of things affect turnover
13 rates. It can be morale, it can be new state
14 policies. That's why I picked it but I think it's a
15 great segue to look at a department and understand
16 what the issues are. But I have no problem
17 whatsoever adding those additional words to the
18 substitution.

19 MAYOR GOOCH: So as I understand
20 it, you are willing to accept a motion that wherein
21 the second recital whereas city council desires to
22 hire an independent third party to review the
23 turnover rate in the Oak Ridge Police Department,
24 that in addition to the turnover rate would be added

1 morale and administrative policies in the recital and
2 then in the first paragraph pursuant to Article II,
3 Section Nine of the Charter of the City of Oak Ridge
4 city council hereby authorizes an independent third
5 party review of the turnover, morale and
6 administrative policies in the Oak Ridge Police
7 Department.

8 MR. CALLISON: I will support that.

9 MR. HENSLEY: I'll second Chuck's
10 motion.

11 MAYOR GOOCH: It's been moved and
12 seconded that Mr. Callison's resolution to substitute
13 be amended by adding the terms morale and
14 administrative policies to the subjects of the
15 independent review. Let's go to the board. I'm
16 sorry, pardon me.

17 MR. HENSLEY: We are voting on the
18 amendment, right?

19 MAYOR GOOCH: We are voting on the
20 amendment. Mr. Hensley, do you have comments?

21 MR. HENSLEY: Yeah, are we voting
22 on the amendment?

23 MAYOR GOOCH: We are voting on the
24 amendment.

1 MR. HENSLEY: I said that.

2 MAYOR GOOCH: Ms. Smith.

3 MS. SMITH: I'll vote.

4 MAYOR GOOCH: Let's go to the
5 board. Ayes seven, nays no. The amendment is
6 adopted. We are now back on the substitute
7 resolution as amended. Mr. Hensley, are you on the
8 original? Alright, Ms. Baughn. Or Ms. Smith?

9 MS. SMITH: Yes, I'd like to
10 propose an additional amendment to this substitute
11 resolution. I strongly support Mr. Hope's additions
12 but I see an additional area based on conversations
13 I've had with people about the issue of morale within
14 the police department and citizen concerns. And that
15 is basically that there are citizen concerns of the
16 way they feel they have been treated or the
17 relationships they've had. So I would add public
18 reaction to police department administration to one
19 of the topics to be addressed. I specifically would
20 like to ask that the investigation include interviews
21 with citizens about concerns that they may have about
22 their experiences with the police chief. And
23 perspective that I would see is that it's useful for
24 all of us to have perspective on how other people

1 react to our behavior. And I've had reports of the
2 same kinds of experiences by citizens who feel that
3 they were being bullied by people in authority in the
4 department, as have been expressed by police
5 officers, feeling that they are not being treated
6 right. As I see it, this is an opportunity for
7 future improvement to make sure that we understand
8 what the issues are and help the department be the
9 best it can be. I move that we add expectation in
10 addition to investigating turnover, morale and
11 administrative policies to include opportunities for
12 public input.

13 MAYOR GOOCH: Public input, public
14 comments?

15 MS. SMITH: Public input to the
16 investigator.

17 MAYOR GOOCH: Public input.

18 MS. BAUGHN: I'd like to clarify.

19 MR. HENSLEY: I'll second that.

20 MAYOR GOOCH: The motion has been
21 moved and seconded to add a fourth area of inquiry
22 during the independent review to take public input.
23 Ms. Baughn.

24 MS. BAUGHN: What you said at first

1 and what you said at the end I might be able to
2 support if we are speaking specifically to these
3 issues at hand. But it sounds like you want to open
4 it up to a much broader issue and that is beyond the
5 morale and the turnover issues, which is what Mr.
6 Callison was trying to bring us back to point on. So
7 I need to understand better if your intent with your
8 amendment is to engage citizen input to specifically
9 address the morale problems and the turnover issues
10 or if your intent is to engage the citizenry in a
11 much broader scope.

12 MS. SMITH: Well, my conversations
13 in the community in recent weeks have included
14 hearing from people who expressed concern about
15 experiences that they had had where they felt that
16 they or a family member had been intimidated in an
17 inappropriate fashion in interactions with the
18 police, with the chief specifically. And I see it as
19 a consistent pattern of behavior that has been of
20 concern for people; and understanding what that
21 behavior is and how it's received is useful in moving
22 forward and resolving the issues that we have with
23 morale. It goes beyond internal department morale.
24 So I see this as an opportunity to provide a full 360

1 degree review of the situation rather than strictly
2 focusing on the situations within the department and
3 make sure that we are doing the right thing outside
4 the department as well.

5 MS. BAUGHN: Okay, well, 30 days
6 won't be enough for that. I mean, there is just no
7 way. I would suggest that we limit and, perhaps, a
8 special meeting when we determine the process we are
9 going to go through we could sort all of this out.
10 But I would suggest that the more proper venue to
11 address the citizenry as a whole with regards to all
12 of the Pandora's Box that you are talking about
13 opening would be better handled in what's been
14 previously suggested in terms of a citizens oversight
15 committee or an ad hoc committee or something that
16 doesn't wrap all of these issues into one and start
17 blurring the lines of what this person that we would
18 engage would be covering because that could go on for
19 quite some time. But I agree with you that that
20 should certainly be explored and I think citizen
21 input should be a part of this process. I also think
22 that we need to make sure that we... we need to make
23 sure... I love you, Andy, but we need to make sure
24 that whatever process we engage in allows for current

1 employees to be able to express their concerns in a
2 safe, non-retaliatory environment, they need to be
3 assured that they can speak freely. So I have to
4 think that perhaps we get to the crux of that in a
5 special meeting after the fact. And maybe we can
6 explore a little bit more about what you are talking
7 about. But I think what you're talking about
8 broadens the scope beyond one person's ability to do
9 a true investigation into the issues we've been
10 discussing tonight.

11 MAYOR GOOCH: Mr. Callison, do you
12 have any additional thoughts on that? It's your
13 resolution.

14 MR. CALLISON: Well, the word I
15 thought of was customer service but I absolutely
16 agree with Trina that I think it opens the scope up
17 to be something huge and that some separate kind of
18 environment; council, committee, something like that
19 might look at that. I don't think it's appropriate
20 to add it to this because we are really trying to
21 focus, I think, on the police department, the morale
22 of the police department we've talked about, we
23 talked about the administrative policies, the
24 turnover rate, those things that were originally what

1 we started talking about where we talked about the
2 police department. So I think we've got it
3 constrained and yet broad enough to touch those
4 things that we need.

5 MAYOR GOOCH: I also share that
6 concern because I would like to have the review
7 completed and back to us within 30 days of us
8 choosing an investigator, whoever that person is.
9 And while I think we can certainly discuss broadening
10 the scope of citizen participation and review, I
11 don't think it is something that needs to be done in
12 the context of this particular resolution.

13 MS. SMITH: I can speak to that. I
14 agree that we don't need an investigation to get this
15 kind of citizen input. In fact, normally we wouldn't
16 have a special investigation. When we'd hear citizen
17 concerns we'd be communicating them to the city
18 manager and it would be moving down the line. So if
19 others are not concerned about that as a particular
20 area, I'm happy not to include it in the
21 investigation.

22 MAYOR GOOCH: Would you be willing
23 to withdraw your motion --

24 MS. SMITH: I will withdraw my

1 motion and I believe my seconder will withdraw his
2 second.

3 COUNCIL MEMBER: Did I say that?

4 MS. SMITH: I thought you did,
5 yeah.

6 MAYOR GOOCH: Yes. Further
7 comments, further comments by council? Ms. Baughn.

8 MS. BAUGHN: Are we about to vote
9 on the amended main motion?

10 MAYOR GOOCH: Not until we have --

11 MS. BAUGHN: Public input.

12 MAYOR GOOCH: Yes.

13 MS. BAUGHN: Okay, I do have one
14 more just clarification that once if and when we move
15 forward with this amended resolution and I appreciate
16 the effort that you went to, Mr. Callison, to insert
17 this into the discussion. This is exactly what I
18 hoped would happen tonight, that we would have this
19 kind of open discussion and discuss ideas and ways to
20 deal with these issues. I would like to make sure
21 that what we are committing to we have the
22 flexibility again within a special meeting to set the
23 course and the parameters. Does this resolution, as
24 you've written it, give us that flexibility to say,

1 okay, here's the criteria for the kind of
2 investigator that we want and we get to have a say in
3 picking that person and we get to say in terms of the
4 environment that he will conduct it and what we will
5 have access to after the fact. Is the way that this
6 is written, and maybe the city attorney needs to
7 comment as well, allow for that.

8 MR. KRUSHENSKI: City council sets
9 its own rules on how the parameters of this
10 investigation or inquiry or review are going to go.
11 Four votes and the rules will be set.

12 MS. BAUGHN: But we are not setting
13 those rules in stone in this resolution?

14 MR. KRUSHENSKI: Not right now, no,
15 not right now. All this does is lay the framework to
16 set the specific parameters. You are going to have
17 to have something in writing and voted on and
18 approved by four votes, majority.

19 MS. BAUGHN: Thank you.

20 MAYOR GOOCH: Other comments by
21 council? Yes, sir.

22 UNIDENTIFIED SPEAKER: I usually
23 don't like to take names and I would try to avoid but
24 since the motion or the amendment by the vice mayor,

1 mayor pro tem, has withdrawn, my comments may be
2 superfluous but let me make them anyway. It is the
3 council's job to listen to people and get the
4 feedback and that should not be part of the
5 investigation. That's not what you are
6 investigating. You are not investigating the
7 citizens' reaction. You are investigating the police
8 department. So the way Councilman Callison had it, I
9 think he captured the essence of it and I would just
10 limit that to what he summarized with no further ado
11 and take a vote. Thank you.

12 MAYOR GOOCH: Thank you. Yes,
13 ma'am.

14 MS. BREWER: I'm Molly Brewer, 102
15 Nantucket Way Oak Ridge. I just have a question.
16 Throughout the investigation on the Oak Ridge Police
17 Department morale, administrative policies and
18 turnover rate, once this investigation is wrapped up,
19 what are we going to do with the data when it falls
20 out? How are we going to address any bag of worms
21 that might come from it? Will you all prepare
22 something to address the data that falls out of this
23 investigation?

24 MAYOR GOOCH: That will come back

1 to us in a report that will be discussed in a regular
2 city council meeting and decisions will be made then
3 on what actions, if any, are needed to go forward
4 based on the findings of the investigation.

5 MS. BREWER: Okay, I guess my
6 concern is, after listening to all this mess that
7 we've listened to tonight, I've lived here 57 years,
8 I want transparency, integrity, a good clean city, I
9 want people to come here, I want people to be happy
10 and proud of their city council and their city
11 manager. And once the investigation is done and
12 whatever falls out falls out, I don't want it swept
13 under the rug, I don't want to see it covered up, I
14 don't want to see anything hidden. I want us all at
15 the same time or openly to find out the same thing.
16 I want us to know what you all know. Thank you.

17 MAYOR GOOCH: Further comments?

18 MS. MANSFIELD: I'm Ms. Mansfield,
19 I live on Hendrix Drive. I would just also like to
20 reiterate that the investigation would be done by
21 impartial unbiased people. Whoever that is that they
22 cannot be coerced into certain opinions or pressured
23 into some particular outcomes, that we can trust you
24 and we can trust that team to conduct this in an

1 honorable way.

2 MAYOR GOOCH: Any other discussion?

3 Yes, ma'am.

4 MS. KINDLE: Rebecca Kindler, 105
5 Dedmon Lane. The investigation has got to have
6 anonymity because we have police department employees
7 right now that are afraid to speak and I know that
8 for a fact and I won't say how I know that for a fact
9 but I've got quite a few friends. If it doesn't have
10 that, there's actually been some talk that they won't
11 talk unless they are subpoenaed. Now I don't know
12 that that's possible but they've got to be assured
13 that what they say is not going to come back to bite
14 them in the ass. That's all I've got to say.

15 MAYOR GOOCH: Mr. Chinn.

16 MR. CHINN: To that point, it's my
17 understanding that all these proceedings are covered
18 by the Whistleblower Act. I spoke to the city
19 attorney about that earlier.

20 MR. KRUSHENSKI: This will be a
21 private investigation by whoever you appoint.

22 MR. CHINN: So will the
23 Whistleblower Act be in place?

24 MR. KRUSHENSKI: Depending on if it

1 meets the statutory requirements, yes.

2 MS. BAUGHN: In reading the
3 Whistleblower Act documents that you sent me, the
4 Tennessee Whistleblower Act only covered cases of
5 fraud or health and safety issues.

6 MR. KRUSHENSKI: Right, if it meets
7 the standards of state law, it is protected.

8 MS. BAUGHN: What we've discussed
9 here tonight has nothing to do with fraud, well, it
10 has nothing to do with health and safety or fraud
11 unless somehow that Whistleblower Act covers perhaps
12 emotional distress or something to that effect. We
13 need to understand and we can sort this out in a
14 special meeting and I commit personally to making
15 sure that we do enact some way for officers to speak
16 anonymously or to be taken care of from threat of
17 retaliation in this process and maybe that won't be
18 easy but --

19 MR. KRUSHENSKI: Part of that law
20 covers retaliatory discharge.

21 MS. BAUGHN: Well, as I read, it
22 had to do if the violations had to do with health and
23 safety issues or fraud. Nothing we really talked
24 about here today... I need you to say for sure that

1 the State of Tennessee Whistleblower Act would cover
2 the issues that we've discussed here today.

3 MR. KRUSHENSKI: We also have a
4 retaliatory discharge cause of action that employees
5 can use if they are retaliated against.

6 MS. BAUGHN: We as in the city of
7 Oak Ridge?

8 MR. KRUSHENSKI: The state does.

9 MS. BAUGHN: Okay, you will need to
10 educate us and come prepared to that special meeting
11 with these tools that we will need to ensure that
12 process is not compromised.

13 MAYOR GOOCH: Yes, ma'am.

14 MS. POWERS: Tracy Stout Powers,
15 103 Norton Road. When I heard the word retaliation
16 it brought to mind the firemen. I'm just wondering
17 if that's the same...?

18 MAYOR GOOCH: It is not.

19 MS. POWERS: He is not covered
20 under anything? The retaliation part from --

21 MAYOR GOOCH: The issue that was
22 raised in the initial public comments related to the
23 firemen is not part of this investigation at all.

24 MS. POWERS: Right, I understand

1 that. We are talking about retaliation, though, is
2 that part of what when he was sent home? Forget him.
3 Is that part of... yeah, would it not cover him from
4 being retaliated against?

5 MAYOR GOOCH: I think there will be
6 further discussion or review of that situation. We
7 don't know anything about those facts. That's not
8 part of this particular resolution. It doesn't mean
9 going forward that we can't have a discussion about
10 that but it's not included in this particular
11 resolution.

12 MS. POWERS: Alright, thank you.

13 MAYOR GOOCH: You are welcome.
14 Further comments?

15 MS. BREWER: Molly Brewer, 102
16 Nantucket Way. Quickly, we are just talking about
17 Oak Ridge Police Department, not the Oak Ridge city
18 staff employees, is that correct?

19 MAYOR GOOCH: Just the Oak Ridge
20 Police Department.

21 MS. BREWER: Does anybody feel that
22 the whole city staff needs to be involved or is that
23 just another thing on down the road?

24 MAYOR GOOCH: Further comments?

1 Then the question before us is -- ma'am, you've
2 already spoken once on this issue.

3 UNIDENTIFIED SPEAKER: This is
4 something different.

5 MAYOR GOOCH: I know you've been
6 positive but I'm trying to apply the rules fairly
7 across the board. Does anyone else who has not
8 spoken on this particular resolution by Mr. Callison
9 wish to address the council?

10 The question before council at this point
11 is shall the Callison resolution as amended be
12 substituted for Ms. Baughn's resolution which was
13 initially filed and in our materials. Those in favor
14 of the motion to substitute will vote aye. Those
15 opposed to the motion to substitute will vote no.
16 Does everyone understand the parliamentary situation?
17 Let's go to the board.

18 Seven ayes; no nos. My mistake. I
19 apologize. Won't be the last one I make. Seven
20 ayes; no nos. The motion to substitute is approved.
21 The ayes have it and the motion to substitute is
22 adopted. The question that is now before the council
23 is whether Mr. Callison's substitute resolution will
24 be adopted and the investigation will go forward as

1 reflected in the substitute resolution. Those in
2 favor will vote aye. Those opposed will vote no.
3 Does everyone understand the parliamentary situation?
4 Let's go to the board.

5 Seven ayes; no nays. The resolution is
6 adopted.

7 Are you ready to keep moving forward here?
8 Anyone want a break? Okay, next order of business,
9 Mr. Clark.

10 MR. CLARK: A resolution expressing
11 city council's disapproval of council member Trina
12 Baughn's recent actions of providing one-sided
13 information to the public and media prior to
14 consideration of all sides of the issue by city
15 council as a whole and removing Council Member Baughn
16 from all committee assignments.

17 COUNCIL MEMBER: So move.

18 COUNCIL MEMBER: Second.

19 MAYOR GOOCH: Moved and seconded.

20 Mr. Hensley, do you wish to make comments?

21 MR. HENSLEY: As Ms. Baughn said
22 earlier, I've also had countless people thank me for
23 doing this. And, believe me, it was painful. I've
24 had nausea all week and a headache and I don't like

1 doing this. But I love this community. And the
2 resolution was requested due to the way this has been
3 handled in the media. For the city of Oak Ridge, for
4 the city government and how issues have been
5 described to the media prior to deliberation of
6 council. And this is not necessarily the one
7 tonight, it goes back a long way. The first one was
8 the open letter from Baughn to Dr. Borchers on July
9 3, 2013 in which the Oak Ridge schools were described
10 as a culture of terror and an inner city school
11 system run amuck. Councilwoman Baughn simultaneously
12 sent the letter to the news media where it was
13 published the next day, July 4th, in the News
14 Sentinel. So it was sent simultaneously. The letter
15 was sent prior to any discussion with Dr. Borchers or
16 city council. Councilwoman Baughn does not indicate
17 she speaks only for herself in the letter. She
18 implies that she speaks for all of the city. She
19 requests that parents, staff, students send comments
20 to the newspaper. Not to her, not to council and not
21 to the schools. The second one being the current
22 police management questions. The situation has been
23 biased with negative comments about the involved
24 persons. Council has yet to have a work session.

1 That's normally the way we do business. Issues are
2 brought up in a work session, we talk about them, we
3 look at alternatives and we make proposals in our
4 business meetings. And we would have addressed these
5 concerns. I have four other examples of attempts to
6 skew deliberations with pre-released info that did
7 not receive media coverage. I have two examples of
8 Councilwoman Baughn giving written orders to the
9 manager's subordinates in direct violation of the
10 charter. The Oak Ridge City Charter says, and this
11 includes the 2011 revisions. The council rules;
12 transaction of business. The affirmative vote of at
13 least a majority of the members of council then in
14 office shall be required to approve any proposed
15 action other than those listed in Article II, Section
16 Two and Article II, Section Four. A vote upon all
17 proposed ordinances and resolutions shall be taken by
18 yea and nay vote. And the vote of each council
19 member, each council member, entered upon the
20 journal. The charter does not say that there shall
21 be one big vote and six little ones. The charter
22 does not say that votes will be determined by
23 advanced media attention based on one council
24 person's opinion. And then consider their way or the

1 highway. My interpretation of how we should in
2 general do business is to bring issues to council on
3 an agenda, consider the available information, reach
4 alternative actions and then select alternatives. A
5 business meeting; media coverage would be fair and
6 balanced without pre-bias by one individual's skewed
7 opinions. I've lived in this town for 47 years. I
8 cannot remember having this type of unfair treatment
9 for an individual, ever. Now, sure, there are
10 problems that need to be investigated but the police
11 chief has never had an opportunity to talk to city
12 council, ever. And he's the one that's the subject
13 of this. Doesn't that sound just a little bit
14 unfair? Just a little bit? It's unfair to the
15 police, the officers who serve us. It's unfair to
16 the chief of police who has been tried and convicted
17 in the media. It's unfair to others on council who
18 have not had their chance to provide input. As a
19 result, go to Facebook and look at some of the
20 comments. Here's a good one; some of the resulting
21 social media comments give me great concern. Here's
22 one; we're not willing to wait for you all to have
23 your little meetings, sessions or all that jazz
24 before a decision is made to investigate. That's not

1 how we do business in Oak Ridge. We do business
2 systematically so that everybody gets a chance to
3 provide input and nobody gets an unfair advantage.
4 The sentiment reflects a contempt for a process that
5 assures fairness to all. And has resulted from
6 pre-released quasi facts and smear tactics, in my
7 opinion.

8 MAYOR GOOCH: Mr. Chinn.

9 MR. CHINN: Mr. Hensley and city
10 council, I share your frustration in the negative
11 press that's been coming out of this council from not
12 only during this term of council but prior to this.
13 One of the main reasons I decided to run for council
14 is because of the negative press that was coming out
15 towards the national media, the local media, the
16 Knoxville media. We need to try to figure out how to
17 promote the positive things that we have. I think
18 your resolution, while with good intentions, doesn't
19 do that at all. To me, it only exacerbates the
20 problem. What we need to do is try to come together
21 as a council. Ms. Baughn has a way of talking and
22 sometimes it's, you know, not what I would do but she
23 has definitely brought out issues that I think needed
24 to be brought out. I would respectfully ask for you

1 to withdraw this motion because I think that this is
2 something that we need to get over, we need to come
3 together as a council, we need to move forward and
4 focus on the positive things that we have going on in
5 this town, as I said before, we are in a position
6 that other communities would die to be in with the
7 jobs, with the job creation, the money that's being
8 spent here. This is something we need to focus on
9 and not whether or not somebody brought something out
10 that we didn't like the way they did it or not.

11 That's childish in my opinion. And I think because
12 of the way that (applause) because we don't like the
13 way that someone said something or the way something
14 was brought out doesn't mean that we need to muzzle
15 them, maybe we need to talk to them in an open forum
16 and ask them and promote the positive things that we
17 have going on. And I think if we're able to do that
18 I think we'll be better off as a city and better off
19 as a council. And I appreciate the time. Thank you.

20 MAYOR GOOCH: Ms. Baughn.

21 MS. BAUGHN: Mr. Hensley, so much
22 of what you said was untrue that I won't even bother
23 to try to address it. I maintain my position that I
24 violated no law, no ethical code, nothing in the

1 charter. I've explained myself very publicly all of
2 the steps I took for the last year that led up to
3 this point. I will ask you, however, you have levied
4 an accusation against me that I have violated the
5 charter and gave directions to subordinates and I
6 would like for you to very clearly specify when and
7 how I did that.

8 MR. HENSLEY: I'll read them to
9 you, I've got them right here.

10 MS. BAUGHN: Please do.

11 MR. HENSLEY: On February 23, 2014
12 you wrote a letter; Baughn issues order to Mark
13 Watson to provide extensive information before close
14 of business tomorrow. Provide to me, Baughn, that's
15 you, the data Baughn previously. On down here --

16 MS. BAUGHN: Would you say that
17 again? I'm not following what you said there
18 exactly.

19 MR. HENSLEY: You ordered the city
20 manager to provide you with information, extensive
21 information. Okay, now, down here number seven.
22 This is Baughn to council and others on February
23 26th. This was distributed to all press demanding a
24 meeting the next day with no previous council

1 discussion and you give a direct order to the city
2 clerk. City clerk; you are hereby directed. That
3 right there is a violation of the charter.

4 MS. BAUGHN: May I speak to that,
5 please.

6 MR. HENSLEY: You asked me to do
7 this.

8 MS. BAUGHN: Yes, I did. Have you
9 got more?

10 MR. HENSLEY: Yes. Baughn to Jack
11 Suggs on May 8, 2014. It was copied to Mark Watson.
12 But it starts off with Jack and the letter requests a
13 bunch of information from the electrical department.
14 You know what, Ms. Baughn, I don't really care about
15 that that much. What I care about is the fact that
16 you think that your seat is somehow more important
17 than the rest of our seats. All I want is fair
18 treatment for everybody. I want fair treatment for
19 that gentleman. I want fair treatment for the
20 policemen. I want fair treatment for you. And I
21 want fair treatment for me and the other five people
22 up here.

23 MS. BAUGHN: I would like to
24 redirect.

1 MAYOR GOOCH: Have you concluded,
2 Mr. Hensley?

3 MS. BAUGHN: Mr. Hensley, you
4 stated --

5 MAYOR GOOCH: Wait just a minute,
6 Ms. Baughn. Ellen, are you coming off?

7 MS. SMITH: I took it off so she
8 could have the microphone.

9 MAYOR GOOCH: Ms. Smith deferred to
10 you, Ms. Baughn.

11 MS. BAUGHN: Mr. Hensley, you
12 stated that I violated the charter by giving
13 direction to subordinates. In none of your examples
14 did I direct a subordinate. The charter restricts me
15 to dealing with the city manager. Your first
16 example; I asked him for information. Asking for
17 information and setting a deadline to my direct
18 employee is not a violation of the charter. Your
19 second example is covered within the charter. I
20 cited the charter because the charter dictates that
21 in order to call a special meeting we have to go
22 through the city clerk who sets the special meetings.
23 And finally, you said it yourself, I requested
24 information from Mr. Suggs. The charter does not

1 preclude me from requesting information from
2 employees. So I would ask that in the future if you
3 want to accuse me of violating a law, violating the
4 charter or violating any other statute in this
5 country that you come better prepared with
6 information to back up what you are claiming.

7 MR. HENSLEY: I want to reply. I
8 want to respond to that. Can I do that?

9 MAYOR GOOCH: You are recognized,
10 Mr. Hensley.

11 MR. HENSLEY: Ms. Baughn, you know
12 you are really, really good at making excuses but it
13 clearly right here shows that you gave directions to
14 members of the city staff. How can you deny that
15 where it says; I direct you directly to the city
16 clerk is not giving directions to city staff? But
17 like I say, the only thing I'm talking about here
18 really is healing the problem that we have on
19 council. This man right here has been tried in the
20 press. This has been a witch hunt. It's the closest
21 thing I've ever seen to a media lynching. Now, sure,
22 we've got things that we need to investigate but to
23 hang him out to dry in the press when he's never had
24 an opportunity to present his case to us, that is

1 unfair.

2 MAYOR GOOCH: Other comments? Ms.
3 Smith, I think you wanted to be heard.

4 MS. SMITH: Yeah. I'm not planning
5 to support this motion and that's because I don't
6 think that we benefit from this kind of sniping. And
7 I don't think that we benefit from something as
8 serious as statement of censure. I'd also ask
9 Councilman Hensley what he thought he'd accomplish by
10 removing a council member from committee since
11 committees basically exist to do work, they don't
12 really exert authority. But that's another matter.
13 But I'd like to communicate to you the thoughts that
14 I've had on what's been going on and the kind of
15 direction I believe we should take. I've been
16 hearing from people in recent days who has suggested
17 that Councilman Hensley's resolution was going to try
18 to sideline you as a member of city council. Well,
19 I'd submit that your actions in the last couple of
20 weeks have basically sidelined all the rest, all the
21 other six, of us. And we were all elected too, you
22 may have noticed. And also have sidelined the
23 senior's leadership of our city staff because your
24 personal agenda, the things you wanted to pursue,

1 have basically taken priority over what we thought
2 were significant priorities in this city. Like the
3 decision on the pre-school that we dealt with earlier
4 tonight. Instead of getting a chance to talk with
5 citizens about those kinds of issues over the last
6 couple of weeks and doing homework on those kinds of
7 things, I found myself in a lot of conversations
8 about the details of city personnel matters, details
9 of events that happened years ago, such as a couple
10 of ones we've addressed tonight. And many people
11 expressing their personal opinions about you. This
12 council does not exist to make decisions about Trina
13 Baughn, it's decisions about the policy for the city
14 of Oak Ridge. The citizens didn't elect us to engage
15 in detailed day-to-day management of the police
16 department or detailed day-to-day management of the
17 rest of the city departments. We are supposed to set
18 policy, not deal with detailed day-to-day business.
19 And no one of us has been put in charge of setting
20 priorities for the entire city council. No one of us
21 is supposed to set priorities for the city manager or
22 for key staff. But when you go to the press and
23 charge a scandal and people leaving in droves on
24 subject matter that hadn't been discussed or really

1 handled by the rest of the group, you are sidelining
2 the rest of us and you're besmirching the reputation
3 of this community and the region and the state the
4 way that information was disseminated. We are part
5 time government officials. We have a highly
6 professional city manager to run the day-to-day
7 affairs of the city. We are supposed to deal with
8 policy issues, not detail. We don't direct the staff
9 but my experience indicates that we, as council
10 members, have an awful lot of power to create
11 positive change by working behind the scenes with
12 city staff. When something comes up we don't need to
13 run to the media to have influence. We can work with
14 staff to resolve things. Case in point; we all got
15 an anonymous e-mail message a couple of weeks ago
16 about disciplinary action against a single officer
17 after he told his superiors he was leaving the police
18 department. I forwarded that to the city manager and
19 asked him what was up with it. Half a workday later
20 the city manager had reversed the disciplinary
21 action. There was no public fuss. Did not drag the
22 officer's name into the press. His name got out
23 later because it was released in other context. But
24 that was an example of what we can accomplish if we

1 work with staff instead of against our staff and if
2 we follow protocol. Playing by the rules may not
3 achieve the results we seek all the time. We know it
4 doesn't but it's guaranteed not to work when you
5 don't try. You've lost my sympathy for your laudable
6 objectives when you run to the media declaring
7 scandal and crisis before the rest of us have a
8 chance to weigh in on whether you even have your
9 facts straight. Or to see if we can solve the issue
10 without the media getting involved. Oftentimes we
11 can and for the efficiency of this body we need to
12 remember that protocol is there for reasons of
13 enhancing our efficiency as a group. I just don't
14 want to see us get dysfunctional over these kinds of
15 battles. And I'd like to ask that you consider in
16 the future the needs of the rest of the people who
17 are elected as public officials in this community and
18 the importance of a smooth process. It does get
19 there eventually. And I think the resolution we
20 passed tonight shows that this group can work
21 together if we have a common base of information and
22 a chance to discuss it. We could have done it a lot
23 more efficiently if we weren't having all of these
24 crazy conversations that have been going on in the

1 community over things that people read half of in a
2 social media post and didn't understand, and so
3 forth. I'm not going to support the resolution but I
4 wanted you to hear what I had to say.

5 MAYOR GOOCH: Mr. Hope.

6 MR. HOPE: The last several hours
7 we've spent talking about situations that need the
8 attention of city council. My regret in this process
9 is that for whatever reason, Trina, you feel like we
10 can't or we haven't shown you the right relationship
11 to work together. And I'd like you to know that from
12 my perspective and I certainly feel that from our
13 newly-elected council members now a month and a half,
14 almost two months into the job, that we as a body
15 need to work together. We as a body, the seven of
16 us, can bring information together and attain the
17 facts to make sure that we make good decisions for
18 the whole of the city, for the whole of the
19 community. We all seven got elected by the
20 community. Not everybody voted for me, not everybody
21 voted for you. But we got elected through the
22 process. And we have been asked to be good stewards
23 of the policies and procedures of this community. I
24 would like us to figure out the way for us to work

1 together to make that happen. That doesn't mean that
2 we are always going to agree. It doesn't mean that
3 our opinions are always going to align. But the
4 majority of us should be able to come together and
5 the seven of us pull our minds together and give the
6 directives to our employee, our employee being Mr.
7 Watson. He should be able to run the day-to-day
8 operations of our community and the business of
9 running the city. We may not as individuals agree
10 with his everyday decisions. Nor will his employees
11 agree with his everyday decisions. And if enough
12 information is brought forward to us, any one of us
13 individually, we should have the confidence and the
14 ability and the faith in our team to say, hey,
15 there's some information here we need to discuss.
16 And us as a body decide how to move forward and
17 that's my regret that we've spent now 11:30 at night
18 and we are going through this process. The
19 investigation that we've come to an agreement among
20 the seven of us that had a unanimous decision was
21 that there is enough information that it warrants an
22 investigation. The process of how we got to that is
23 unfortunate and that's my biggest regret is that we
24 have to spray it across the media and social media to

1 a point to where we had the biggest amount of people
2 in this room that have been since I've been on
3 council. Standing room only back to the back doors.
4 Where the fire chief has to pull people out of the
5 room because we have so many people in the room.
6 It's very obvious that it was very passionate among
7 all the people; that these are issues that there is
8 some concern about and needed to be addressed. But
9 we have to be able to see that and we have to be able
10 to take the information we get and be able to convey
11 that across the seven of us and say, okay, if it's a
12 special called meeting, and you know these rules
13 better than I do, probably better than I ever will,
14 you know that we only need two people to call a
15 special called meeting. Just two of us can call a
16 special called meeting, put something on the agenda
17 and then it gives us the ability to say, okay, my
18 fellow council members, here is some information that
19 I think is deemed worthy that we need to decide and
20 to talk about. This is an issue that has come to the
21 forefront and needs our attention. And at that point
22 we work on getting the majority vote of that issue.
23 I want us to work together. I want us to see that we
24 can all bring those tough issues to the forefront.

1 You should not have to carry the load yourself. You
2 should not have to feel that you have to carry that
3 load forward. If it's not working, then let us
4 figure out how we can communicate better to make that
5 an equal share among all seven of us. All seven of
6 us need to represent the city. Thank you.

7 MAYOR GOOCH: Ms. Baughn.

8 MS. BAUGHN: Thank you. Mr.
9 Callison, Mr. Hensley, Ms. Smith, Mayor Gooch, Mr.
10 Hope and Mr. Chinn and citizens of Oak Ridge. I have
11 listened and I have taken to heart your concerns and
12 your questions. And while we are not going to agree
13 on some things, I know that we will find things that
14 we will agree on, and I do agree that it is best to
15 try to follow processes, I'm a die hard believer in
16 processes, believe it or not. And I believe that we
17 should work as a more cohesive team. Public
18 involvement is a good thing. Andy, come on,
19 seriously. Let me just get my final comments out and
20 then you can have at it. Public involvement is a
21 good thing. And public business is the business of
22 the public. And, you know, if I had to put a
23 percentage on it, 95% of what the government in Oak
24 Ridge does is completely unknown to most people in

1 this community. That's not an indictment on anyone
2 or anything. It is what it is. So can I do things
3 differently? Do I try to do things differently?

4 Sure. Am I willing to learn from my mistakes or I
5 want to learn from everybody's mistakes. None of us
6 is perfect. But I think what I've learned from all
7 of this really is that at the heart of some of these
8 issues is a bottleneaking of information. We are
9 only one of three cities in the entire state that has
10 this unique modified council manager form of
11 government. And what I've noticed is inherent to it
12 is that information is bottlenecked through city
13 staff. It is controlled. The content and the slant
14 of the information is controlled by where the public
15 is receiving it or where we are receiving it. And
16 because Sunshine laws prevent us from deliberating
17 things that we may vote on, we are restricted from
18 doing the very thing a lot of people wish that I
19 would have done. A lot of people wished I would have
20 consulted you all before taking this forward. But
21 you really can't, now a special meeting would have
22 had the same effect, I mean, I've done that before,
23 I've called a special meeting and there was outrage
24 over it. This particular situation, given the fact

1 that another bottlenecking of information is what we
2 receive as individuals, okay, because of the
3 uniqueness of who I am and the uniqueness of each one
4 of us we are privy to information from constituents
5 that we aren't all privy to. And, as I said earlier,
6 the city attorney specifically advised against my
7 sharing information with the rest of you. Okay. Now
8 there was an example this week where a former
9 employee wanted to communicate with every one of us
10 and some of that information was intercepted. So the
11 premise by which we operate and perhaps the fact that
12 we have a charter review committee coming up in the
13 near future, maybe that's something that we can
14 address in there. We are confined to the way that we
15 handle such issues. I'll just conclude with saying
16 this; I do not regret what I have done to reach this
17 point. I will endeavor, I will continue to endeavor
18 to do what is best for the citizens and to work as a
19 team. But the gravity of the situation, the
20 concerns, when you have a police force who is
21 intimidated to the point that they don't feel they
22 can speak openly, men and women who face death on a
23 regular basis, that's a pretty dire situation. And
24 my first attempt to deal with it was to deal with it

1 from a statistical point of view and was quickly
2 dismissed. And I waited and waited with the hope
3 that the city manager would do what the people needed
4 him to do and address the concerns and he did not.
5 So, therefore, yes, I used the media. And the media
6 is not a bad thing. It provides that voice and that
7 information to the public (applause). So I will
8 conclude with sincerely thanking each of you,
9 everyone that attended and participated tonight and
10 everyone who watched at home. I believe in the
11 process. I believe in our country. I believe in the
12 freedoms that we are afforded and this is how it can
13 be, should be, when you want to really make progress.
14 It's not always pretty. You know, when you have
15 chronic problems, most of society avoids dealing with
16 chronic problems. They want a quick fix. But you
17 don't fix chronic problems overnight. And we are not
18 going to fix this overnight but we darn sure weren't
19 going to fix it if we never addressed it. And I
20 shudder to think of the things that could have
21 happened if we never addressed it. So, again, I
22 thank you and I thank you for the votes this evening
23 and that's all I have to say.

24 MAYOR GOOCH: Mr. Hensley.

1 MR. HENSLEY: Yeah, what I'd like
2 to do is take Rick's advice, I was thinking about
3 doing it anyway. And in the interest of getting back
4 together and working together and trying to turn the
5 corner toward unity here amongst the seven of us, I'm
6 perfectly willing to withdraw this. What I wanted to
7 do was get attention, get the attention to what I
8 perceived as a problem amongst us. And I think we've
9 done that. Now the only thing we are not getting
10 yet, and maybe I shouldn't withdraw it until
11 everybody wants to come up and talk again, but my
12 plan is now, if my seconder will go along with it.
13 You did. I seconded it. You made the motion.
14 You've got to withdraw it.

15 COUNCIL MEMBER: I have no problem
16 withdrawing it.

17 MR. HENSLEY: Well, if you want to
18 wait and let everybody talk first, that's fine.

19 UNIDENTIFIED SPEAKER: Well, I
20 think --

21 MAYOR GOOCH: Wait just a second.
22 Just a second. Now we have been here for almost five
23 hours engaging in transparent government and
24 compliance with the open meetings law and I am glad

1 that we've done that. I am hopeful just like a
2 situation where you know that there is a storm coming
3 and you prepare for the storm and you try to minimize
4 the damage but after the storm passes through, the
5 environment is a little better. I am hopeful that
6 that is what we are going to have as a result of
7 this. And I would like to remind everybody that's in
8 this room and I thank you for your participation,
9 your attendance and your passion for this city. But
10 don't forget what we did earlier in the evening
11 before we took up these resolutions. We dealt with a
12 preschool and going forward. We dealt with dealing
13 with the implementation of the new national park for
14 the city of Oak Ridge. We've dealt with getting the
15 process in terms of the participation of the city in
16 festivals and other activities that are very
17 important to us. So we maintained the regular order.
18 Was it a little difficult? Yes. Was it untidy?
19 Yes. But that's what the law requires and that's
20 what we did. But we maintained the regular order and
21 as long as I'm mayor of this city and a member of
22 this council, we are going to maintain the regular
23 order. Now having said that, you are recognized,
24 sir.

1 UNIDENTIFIED SPEAKER: The ex-mayor
2 of this town, no name is mentioned, he is not here.
3 Democracy is inherently messy and that's what we
4 would miss. Now don't feel too bad about it taking
5 so many hours because I have been to the council
6 meetings until 1:30 in the morning. And so I know
7 how it goes. But, as you say, Mr. Mayor, this is the
8 process you've got to go through. Because if you
9 don't listen to everybody, including the citizens,
10 you are not going to reach a good decision. And my
11 objection, which I e-mailed to Councilman Hensley's
12 resolution, was if Ms. Baughn's resolution was bad,
13 his resolution was worse. And I'm not passing
14 judgments who is right and who is wrong. That's not
15 the issue. But the main objective here is to provide
16 a positive image of the city. By doing those
17 resolutions, especially the second resolution, it is
18 going to be in the press tomorrow whether you like it
19 or not. And people are going to wonder is that how
20 they behave. It's like the grade school food fight
21 because I don't like you, therefore, I'm going to
22 disbar you from the committees. That's outright
23 childish. Mr. Chinn said that quite eloquently. And
24 I don't think we should engage into that kind of

1 stuff. Any one of you. And I speak with authority
2 because I am the citizen who elected you so you work
3 for me, in effect. So I think be respectful to the
4 citizens and work more efficiently. Like I said, the
5 last council, two councils ago, I have said that was
6 the worst council I have seen. Don't let yourself be
7 worse than them. I think you are just starting off
8 with a new council and I think there is hope. Thank
9 you.

10 MAYOR GOOCH: Mr. Mehaffey.

11 MR. MEHAFFEY: My mouth is really
12 dry from waiting all night but Mike Mehaffey, 113
13 Fallberry Street. I wanted to thank you all for
14 taking care of the preschool. For those of you who
15 know, or you probably don't know, I'm a big education
16 proponent. I appreciate you all working together. I
17 do want to take one minute and address Ms. Baughn.
18 Trina, you talked about you haven't done anything
19 wrong and you haven't committed any ethics. And I
20 want you, in turn, to treat the citizens the same
21 way. In a blog post on your website on last
22 September Injunction Request Against Oak Ridge
23 Chamber of Commerce you wrote to Mr. Krushenski, you
24 said these words; it appears the Chamber of Commerce

1 is trying to influence local elections through
2 multiple new initiatives. In addition to the newly
3 formed pact, which I didn't have anything to do with,
4 by the way, and the activities of the board members
5 listed above over half its members fall into a newly
6 formed group called Friends of Oak Ridge Schools.
7 The group was founded in part by one of seven chamber
8 members in an attempt of recommending for your
9 consideration candidates for city council and board
10 of education. Trina, I and two other people formed
11 Friends of Oak Ridge Schools, it's a Facebook group,
12 we don't take money, we don't give money. Under the
13 constitution which you put all the time, we have a
14 right to endorse who we want and to pick who we want
15 and I really wish you would choose your words more
16 fairly when you are dealing with people in the
17 community. We are citizens like you. I could
18 support everything you all do but let's all work
19 together and stop all this being nasty. Thank you.

20 MAYOR GOOCH: Ms. Agle.

21 MS. AGLE: Angi Agle. 101 West
22 Melbourne Road. I appreciate Mr. Hensley's bringing
23 this resolution. While it's very meaningful and it
24 produced a very good discussion, it has no teeth. It

1 does not muzzle anybody. It does not remove her from
2 council. It does not keep her from voting. It
3 doesn't do anything except express a sentiment that
4 what has occurred was wrong. I'm very saddened to
5 hear that she does not appear to believe it was
6 wrong. So I would encourage you as a group of seven,
7 all seven, to think about this and come up with some
8 sort of consequence because it may not be Trina, it
9 may be somebody who hasn't been elected yet. But the
10 next time someone goes rogue and does terrible damage
11 to this community, there needs to be a consequence
12 and it needs to be acted on. Thank you.

13 MAYOR GOOCH: Mr. Kitzmiller.

14 MR. KITZMILLER: David Kitzmiller.

15 144 Wellington Circle. Council members, Councilwoman
16 Baughn, Mr. Chinn, Mr. Hope, Mr. Hensley, I follow a
17 majority of this council on social media and I find
18 it amazing that this is the first time that I've
19 heard that it's been brought up. I've been to every
20 single one of your meetings since mid last year. And
21 as Mr. Chinn has said, he had over 2,000 views. I
22 can only imagine what powerful numbers we would have
23 if we had a positive view point from everybody and it
24 would be great for Oak Ridge. Thank you.

1 MAYOR GOOCH: Yes, ma'am.

2 MS. ADKINSON: I'm Candy Adkinson
3 and I live at 109 Regent Circle. I know I've been a
4 citizen of Oak Ridge at least longer than one of our
5 city council members. Tonight I've been disappointed
6 in the way that most of city council has acted.
7 We've been watching from my home and even my children
8 commented on how disrespectful and contempt you
9 showed toward Ms. Baughn. She's a leader in the
10 industry. We voted for her just like everyone voted
11 for you. Yeah, social media is huge nowadays. The
12 media is huge. Most people don't like change.
13 Unfortunately, in order to move forward in society,
14 you have to accept change. I don't see where we had
15 so many people show up to city council meetings
16 before Ms. Baughn called attention to it. She ran a
17 platform for transparency and she's doing it. I
18 don't see any of your other platforms that got any of
19 these people in here. Mr. Hensley, this resolution
20 that you proposed is riding on the coattails of her
21 getting the media involved. You said that you did it
22 to get attention to what happened. So that is no
23 worse than her going to the media to get attention
24 from the citizens of Oak Ridge and getting them

1 involved in what's going on in city council. But I
2 am disgusted with the way that you guys treat her to
3 where she feels like she has to have that much
4 involvement. And I received a call tonight from the
5 Oak Ridge School System saying that Thursday they are
6 having a seminar about bullying and I urge every one
7 of you to go to that seminar because that's what
8 we've seen here tonight.

9 MR. ALLEN: Anthony Allen. I am
10 very pleased that my friend, Mr. Hensley, withdrew
11 that resolution. You may know that this has caused a
12 lot of anger in our community and the anger has not
13 been with Ms. Baughn, it has been with the resolution
14 because we see it that it was taking away from her
15 first amendment rights. And it was under this guise
16 of this nebulous processes and procedures and it made
17 Ms. Baughn the scapegoat of our city's economic
18 problems. Ms. Baughn, I've been looking at social
19 media, newspapers and social media is not some
20 pejorative, it really isn't. It's a way that people
21 do communicate. We don't all get along in this city
22 but I really believe that we all do care for each
23 other. And one way is social media, we have friends
24 there. I see some of you guys check out what I write

1 there, I know you do. You probably got to know me a
2 little better. So newspapers is one way to get some
3 things out too. And looking at social media, I find
4 out that some of Ms. Baughn's detractors have counted
5 the number of times she has voted alone. They want
6 her punished for voting too often as a single vote
7 for or against a motion. And these detractors; they
8 want to force some kind of conformity on the council.
9 But I argue that Ms. Baughn is behaving in the
10 tradition of great Americans like Sojourner Truth.
11 She is really putting character above conformity and
12 she is putting principles above politics. So I am
13 very pleased that my friend, and all of you are my
14 friends, decided to withdraw that resolution because
15 it would have really torn this city apart. Thank
16 you.

17 MAYOR GOOCH: Ms. Capshaw.

18 MS. CAPSHAW: Good evening,
19 councilmen and councilwomen. My name is Ebony
20 Capshaw, I live at 125 Spillman Avenue. I'm also a
21 member of the Scarborough neighborhood watch group. I
22 have worked with City Manager Watson as well as the
23 police chief in the capacity that I serve on the
24 neighborhood watch group. But I also voted Ms.

1 Baughn into office and I came out after reading and
2 seeing that this resolution was going to be put
3 forward and I just wanted to state, and I'll keep it
4 short and sweet because we've been here a long time,
5 that I thank you for presenting the information to
6 the citizens. I want to know what is going on
7 despite the relationships that I have with some of
8 the city staff. I want all of the facts put out for
9 us to see what's going on. I don't want anything
10 swept under the rug. And I thank you for the work
11 that you've done so far. Thank you.

12 UNIDENTIFIED SPEAKER: William G.
13 Brownlow was an original inductee into the Tennessee
14 Press Hall of Fame. His motto was cry loud and spare
15 not. Our system of government is based on a division
16 of power. When the city council appoints a city
17 manager and rallies behind him, that's a
18 concentration of power. That's not democracy, that's
19 fascism.

20 MAYOR GOOCH: Yes, sir.

21 MR. MAYES: My name is Nolan Mayes.
22 I've never spoke before more than three people. I'd
23 like to comment on Ms. Baughn, I think she's doing a
24 fantastic job. And she was correct in talking about

1 the Secret City. City council, in the past,
2 everything has always been a secret and she's
3 bringing the light to it. I'd like to thank her.

4 MR. LEE: Joseph Lee, 99 East
5 Pasadena Road. I would like to thank Mayor Gooch for
6 keeping us all in order and in line and following the
7 process. Good job, Mayor. Thank you so much. And,
8 Trina, I think you owe Oak Ridge an apology for your
9 media blitz. Thank you very much. I know I'll never
10 get it but you owe us an apology.

11 MAYOR GOOCH: Thank you, Mr. Lee.
12 Thank you, Mr. Lee.

13 UNIDENTIFIED SPEAKER: I wasn't
14 going to say anything. But I want to ask Mr. Hensley
15 to apologize to Ms. Baughn for his bullying and also
16 Ms. Smith to apologize for the way she started this
17 meeting bullying Ms. Baughn over an appointment the
18 mayor made putting her on a committee. I want to
19 express appreciation for Ms. Baughn and her watchful
20 eye. I believe she's done the right thing. People
21 who prove they have deep moral character and courage
22 are those who gain respect from the world around
23 them. We are inspired by people like her who are
24 willing to stand up against injustice, fight for

1 change and for a better life for our community.
2 People take heart when they see the strong insist
3 that our government leaders adhere to a firm set of
4 ethics and values. People with backbone, such as Ms.
5 Baughn, inspire us to look for ways we can support
6 the vision of the community. We elected Ms. Baughn
7 to represent our interests with this local
8 government. Her loyalty to representing our
9 interest, even when the status quo takes arm against
10 her, has only benefited her by proving that she's
11 worthy of our respect. We will not take it lightly.
12 I go further and urge you not to apologize but in the
13 future to please consider the implications of such
14 actions. Thank you.

15 MAYOR GOOCH: Any other public
16 comments? Mr. Hensley, you are recognized.

17 MR. HENSLEY: Ms. Mansfield, I
18 appreciate your comments but I have to say that if
19 you think that doing what I thought was right tonight
20 was easy, you are very mistaken. And in this
21 community I have a whole lot of support also and I
22 probably received 25 letters that thanked me for my
23 position. So tonight I backed off of my position to
24 try to get some unity. There is no guilt here. We

1 all look at things differently. And I do appreciate
2 your comments but there is no apology necessary here
3 either from Ms. Baughn or from me because we think
4 differently and where I would like to get to is where
5 we can work together eventually.

6 MAYOR GOOCH: Mr. Hope, you are
7 recognized.

8 MR. HOPE: I respectfully request
9 that we remove the resolution.

10 MAYOR GOOCH: Without objection?

11 MR. HENSLEY: I was the second so I
12 agree.

13 MAYOR GOOCH: Resolution is
14 removed.

15

16

17

18

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T E

I, Joan S. Roberts, Notary Public at Large
for the State of Tennessee, and Licensed Court
Reporter do hereby acknowledge that the foregoing 138
pages are a true and correct transcript of the
recording provided to me in this cause on the 9th day
of February, 2015.

This the 7th day of May, 2015.

Joan S. Roberts

Joan S. Roberts, Court Reporter

LCR#: 480

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

May 11, 2015

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on May 11, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Pastor Shane Nivens, Hope Covenant Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Rick Chinn, Jr.

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.; and Mayor Pro Tem Ellen D. Smith

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; and Diana R. Stanley, City Clerk.

APPEARANCE OF CITIZENS

Ms. Anne Garcia Garland, 120 Outer Drive, requested an update on the Oak Ridge Police Department Review performed by the Municipal Technical Advisory Service (MTAS) following City Council's transmittal of new review parameters. Mayor Gooch explained that he would be in contact with Mr. Jim Thomas, Executive Director, in the week to initiate clarification.

Ms. Myra Mansfield, 103 Hendrix Drive, requested that City Council consider a new proposal with other potential vendors for the Oak Ridge Police Department review.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating June 12 and 13, 2015 as "Secret City Festival Time."

Councilmember Hope moved, seconded by Mayor Pro Tem Smith that the proclamation be adopted.

The proclamation was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Jane Gibson, Chair of the Secret City Festival Executive Committee, spoke regarding concert entertainment for the Secret City Festival and accepted the proclamation alongside Jon Hetrick, Recreation and Parks Director; Marc DeRose, Oak Ridge Convention and Visitors Bureau Executive Director; and Dave Eckman, Arts Council of Oak Ridge Executive Director.

A proclamation designating May 11, 2015 as "Robertsville Middle School Boys' Basketball Varsity Team Day."

Councilmember Hope moved, seconded by Councilmember Baughn that the proclamation be adopted.

The proclamation was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

The proclamation was accepted by the Robertsville Middle School Boys' Basketball Varsity Team and Head Coach Jon Spratling.

A proclamation designating May 10-16, 2015 as "Police Week" and May 15, 2015 as "Police Memorial Day."

Councilmember Baughn moved, seconded by Councilmember Hope that the proclamation be adopted.

The proclamation was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Oak Ridge Chief of Police James Akagi accepted the proclamation and spoke to the Police Memorial Day commemoration on May 15, 2015.

A presentation of the Tree Line USA Award to the City Council.

Oak Ridge Electric Department Division Manager Margaret Elgin presented the Tree Line USA Award to the City Council. Additionally, Ms. Elgin gave special recognition to Butch Webb, Electric Line Technician, and Roger Chadwell, Electric Operation Superintendent.

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

Councilmember Chinn moved, seconded by Councilmember Hope to approve the Consent Agenda as presented. The Consent Agenda was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye;" thereby:

- Approving the April 13, 2015 City Council meeting minutes.
- Approving the April 21, 2015 City Council Special Meetings minutes.
- Adopting **Resolution No. 05-41-2015** approving a contract with Backflow Specialty Company, Inc., P.O. Box 12162, Knoxville, Tennessee 37912 for the furnishing of all labor, tools, materials, equipment and supplies necessary for testing of approximately 1650 backflow preventers in the estimated amount of \$35.00 per unit for an estimated annual amount of \$57,750.00.
- Adopting **Resolution No. 05-42-2015** approving a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state highways within the corporate city limits whereby the City is reimbursed by TDOT for said services in the amount of \$141,175.35.
- Adopting **Resolution No. 05-43-2015** granting a permit to Aaron Wells and Vander J. Murray to engage in the retail sale of alcoholic beverages in the City of Oak Ridge at Lizz's Wine & Spirits, 1505 Oak Ridge Turnpike, and waiving the residency requirement for Mr. Murray.
- Adopting **Resolution No. 05-44-2015** authorizing the Mayor to sign and issue on behalf of the City of Oak Ridge Certificates of Compliance for Aaron Wells and Vander J. Murray to engage in the retail sale of alcoholic beverages at Lizz's Wine & Spirits, 1505 Oak Ridge Turnpike.

- Adopting **Resolution No. 05-45-2015** to request unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act.
- Adopting **Resolution No. 05-46-2015** to accept a \$158,452.00 Assistance to Firefighter Grant (AFG) Award from the Federal Emergency Management Agency (FEMA) for Oak Ridge Fire Department safety equipment.

RESOLUTIONS

Resolution No. 05-47-2015

A RESOLUTION AWARDDING A CONTRACT (FY2016-001) TO KNOX BLOUNT MAINTENANCE, INC., P.O. BOX 52973, KNOXVILLE, TENNESSEE 37950-2973 FOR THE FURNISHING OF JANITORIAL SERVICES FOR CITY FACILITIES IN THE ESTIMATED AMOUNT OF \$214,935.09.

Mayor Pro Tem Smith moved, seconded by Councilmember Baughn that the resolution be adopted.

Following discussions, the resolution was adopted by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Resolution No. 05-48-2015

A RESOLUTION TO APPROVE A LEASE EXTENSION AGREEMENT BETWEEN THE CITY OF OAK RIDGE, TENNESSEE, AND ANDERSON COUNTY, TENNESSEE TO LEASE SPACE AT THE DANIEL ARTHUR REHABILITATION CENTER FOR THE PURPOSE OF OPERATING A SENIOR CENTER.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley that the resolution be adopted.

Ms. Elizabeth Batchelor, 119 Greystone Drive, member of the Senior Advisory Board (SAB), expressed her concurrence with the resolution and commented that she hopes that the passage of the resolution would initiate dialogue for a senior center. Additionally, Ms. Batchelor noted that the month of May, 2015 was proclaimed "Older Americans Month" by Barack Obama, President of the United States of America.

The resolution was adopted by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances (No Public Hearing Required)

AN ORDINANCE TO REPEAL ORDINANCE NO. 05-11 WHICH ADOPTED THE RULES AND REGULATIONS GOVERNING DISTRIBUTION OF ELECTRIC POWER, AND TO ADOPT NEW RULES AND REGULATIONS GOVERNING DISTRIBUTION OF ELECTRIC POWER WITHIN THE CITY OF OAK RIDGE, TENNESSEE.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley that the ordinance be approved on first reading.

The ordinance was approved on first reading by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

FINAL ADOPTION OF ORDINANCES

Ordinance No. 07-2015

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCELS 036.00 AND 003.00,

ANDERSON COUNTY TAX MAP 099L, GROUP A, FROM B-2 GENERAL BUSINESS DISTRICT PUD TO UB-2, UNIFIED GENERAL BUSINESS PUD AND APPROVING THE PLANNED UNIT DEVELOPMENT MASTER PLAN FOR SAID PARCELS.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley to approve the ordinance during final adoption.

Mayor Gooch moved to amend the ordinance, per staff's recommendation, to approve a revised Main Street Oak Ridge Planned Unit Development (PUD) Master Plan (which would add 72 additional multi-family [apartment] units). The amendment was seconded by Councilmember Hensley.

The amendment pass by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

The ordinance, as amended, was approved by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Ordinance No. 08-2015

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING ARTICLE VII, TITLED "PARKING AND BUSINESS DISTRICTS" SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AS FOLLOWS: BY DELETING SUBSECTIONS (A)(12), (A)(13), (A)(14) AND (A)(17) WITHOUT REPLACEMENT AND BY ADDING A NEW SUBSECTION (A)(19) TO ADD PUBLIC MUSEUMS AS A PERMITTED PRINCIPAL USE; BY AMENDING THE TITLE OF SUBSECTION (C) TO "SPECIAL EXCEPTIONS" FOR CONSISTENCY WITHIN THE ZONING ORDINANCE; BY AMENDING THE INTRODUCTORY LANGUAGE OF SUBSECTION (C) TO INCLUDE THE WORD "ZONING" IN THE PHRASE "BOARD OF APPEALS;" AND BY AMENDING SUBSECTION (C) TO DELETE PUBLIC MUSEUM; CEMETERY; WHOLESALE, STORAGE AND WAREHOUSE FACILITY, FREEZER AND LOCKER; AND TRANSITIONAL ACCESSORY USES AS SPECIAL EXCEPTIONS AND TO ADD MULTIFAMILY DWELLINGS AS PART OF A PLANNED UNIT DEVELOPMENT AS A SPECIAL EXCEPTION.

Councilmember Hensley moved, seconded by Councilmember Hope to approve the ordinance during final adoption.

The Mayor opened the floor to receive comments as part of the scheduled public hearing.

No citizens participated in the public hearing.

Following closure of the public hearing, the ordinance was approved by unanimous board vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Appointment of Councilman Charles J. Hope, Jr. to the Youth Advisory Board Screening Panel.

Mayor Pro Tem Smith moved, seconded by Councilmember Hensley to accept the nomination of Councilmember Hope to the Youth Advisory Board Screening Panel.

The motion was approved by unanimous voice vote with Councilmembers Baughn, Callison, Chinn, Hensley, Hope, Mayor Pro Tem Smith, and Mayor Gooch voting "Aye."

Announcements

Communication received from the State of Tennessee Comptroller of the Treasury Director of the Office of State and Local Finance.

Per the request from the State of Tennessee, Comptroller of the Treasury, the following was read aloud by the City Clerk during the May 11, 2015 meeting:

Dear Mayor Gooch, Mr. Watson, and Councilmembers:

This letter should be included in the minutes of the next meeting of the City Council with a copy provided to each Councilmember. In the City's fiscal year 2015 budget approval letter dated December 30, 2014, this Office asked the City Council to review the working capital requirements for the Solid Waste Fund to determine the necessary level of cash needed to sustain its operations. As part of this review, we asked the City Council to make a recommendation for the amount of cash required to sustain its operations.

City's Review and Working Capital Recommendation

The City Council determined that it would dissolve the Solid Waste Fund and transfer its activities to the General Fund. Mr. Watson stated in the City's response letter that the City Council would appropriately amend the City's budget ordinance to facilitate this action. In accordance with generally accepted accounting principles, the City reported Solid Waste activities in the General Fund. State statutes had previously required that the City budget the Solid Waste Fund activities in a separate fund. By dissolving this separate fund, the condition creating the zero fund balance is eliminated.

Thank you for providing us with the results of the City's review and the Council's action to address the zero beginning and ending fund balance in the Solid Waste Fund.

Sincerely,

Sandra Thompson, Director of the Office of State and Local Finance

No action was taken by the City Council regarding the above communication.

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Hensley announced the 2015 Housing Strategy Work Session was scheduled for May 14, 2015 at the Oak Ridge Chamber of Commerce.

Councilmember Baughn inquired about a timeline regarding City Council receiving an update on the pending MTAS response regarding the new Oak Ridge Police Department Review parameters to which Mayor Gooch responded that he would be speaking with the MTAS Executive Director soon and would advise City Council of a response.

Mayor Pro Tem Smith inquired about a process for filling the near expiring terms of the high school representatives for the Traffic Safety Advisory Board and the Environmental Quality Advisory Board, as well as a process for filling the current vacant positions for other boards. The City Manager noted that he would be working with the City Clerk to review those vacancies.

Councilmember Chinn inquired about concealing the equalization basins at Emory Valley Road and Illinois Avenue. City Manager Mark Watson explained that city staff is exploring options through the use of paint and possible plant vegetation to minimize their appearances. Additionally, Public Works Director Gary Cinder provided an update on the progress of the Jackson Square Revitalization Project and Blankenship Parking Lot to satisfy inquiries from Mayor Gooch and Councilmember Chinn.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

As part of his report, the City Manager provided the following updates:

Expressed his appreciation for a satisfactory job to Bruce Applegate, Assistant to the City Manager for his assistance with the 14001 ISO project regarding environmental housing issues.

Indicated that staff is moving forward with the 8th rowing lane project for Melton Lake.

Updated the Council regarding the recent appeal from UT-Battelle with Roane County on a building and its impact on the City's taxes. Additionally, the City Manager cautioned about delays on tax projections provided from Roane County to the City.

CITY ATTORNEY'S REPORT

ADJOURNMENT

The meeting adjourned at 7:55 p.m.

Diana R. Stanley, City Clerk
CITY OF OAK RIDGE, TENNESSEE

RESOLUTIONS

PUBLIC WORKS DEPARTMENT MEMORANDUM
15-17

DATE: May 26, 2015
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Public Works Director
SUBJECT: BLANKENSHIP FIELD PARKING LOT PROJECT

Introduction

Two items for City Council's consideration are the recommendations for an amendment to City Council Resolution 07-64-2014 increasing the funding allocated to this project to a total of \$275,000, and an approval of a contract (FY2015-268) with Rogers Group, Inc., Oak Ridge, Tennessee, for the construction of improvements to the Blankenship Field Parking Lot in the estimated amount of \$264,791.

Background

As you will recall, the Blankenship Revitalization Committee (BRC) was formed last year with the purpose of leading the fundraising and design efforts by the Oak Ridge Schools to greatly improve the facilities at Blankenship Field. A key item the committee quickly brought forward to the Council was the improvement of Blankenship Parking Lot off Broadway Avenue.

Review

Included in City Council Resolution 07-64-2014 was the authorization for City staff to work with the BRC and proceed with the design and competitive bidding for improvements to the Blankenship Parking Lot consistent with the BRC's drawings. Below are the milestones for this project:

- July 30, 2014 – First meeting of City staff, BRC and Michael Brady, Inc. (MBI) (joint committee).
- October 17, 2014 – Received update from MBI on the partial field work that had been completed.
- January 6, 2015 – MBI reported that design of the project had started.
- January 21, 2015 – Received first plan for review.
- January 30, 2015 – Second meeting of the joint committee held to review the plans, with several changes requested.
- February 27, 2015 – Third joint meeting was held with plans at 70% complete stage, discussion included schedules of artificial turf installation and the parking lot project.
- March 25, 2015 – Email from the high school athletic director stating the committee was not going to approve the plans as submitted.
- March 27, 2015 – Fourth joint meeting held with the committee presenting the problems they had with the plan and made suggestions to MBI. It was reported that it is unlikely the artificial turf will be installed during 2015.
- April 27, 2015 – Revised plan was received from MBI that called for the partial completion of the parking lot, which is unacceptable to the City due to engineering and maintenance concerns. An additional heavy duty asphalt section was included in the final plan where truck traffic would go to build the artificial turf field at a later date.
- May 13, 2015 – Received final plan from MBI to review. The final design was reviewed and approved by the Committee and City Staff for construction.
- May 14, 2015 – Bid documents prepared and posted on the City's website.
- May 26, 2015 – Bids opened

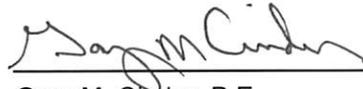
Funding

City Council approved Resolution 05-38-2014 on May 12, 2014 to allocate \$180,000 from the Special Programs Fund for this project, which was then amended with Resolution 07-64-2014 on July 7, 2014 to increase the funding to a not to exceed amount of \$250,000. The City has an agreement with MBI in the amount of \$10,000 for the design of this project, which leaves funding of \$240,000 remaining for this

project. With the current bid of approximately \$265,000, a total authorization of \$275,000 is necessary, therefore requiring the proposed amendment.

Recommendation

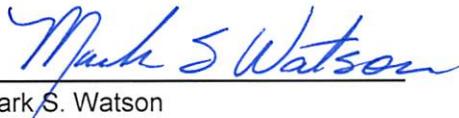
To ensure this project is completed in time for the first home football game, as requested by the committee, staff recommends the funding resolution be amended and the construction contract awarded as presented.



Gary M. Cinder, P.E.

City Manager's Comments:

I have reviewed the above issue and recommend Council action as outlined in this document.



Mark S. Watson

5-28-15

Date

RESOLUTION

A RESOLUTION AMENDING RESOLUTION 5-38-2014 TO INCREASE FUNDING FROM THE SPECIAL PROGRAMS FUND FOR IMPROVEMENTS TO THE LOWER PARKING LOT AT BLANKENSHIP FIELD FROM AN ESTIMATED AMOUNT OF \$180,000.00 TO A NOT TO EXCEED AMOUNT OF \$250,000.00; TO AUTHORIZE THE CITY TO WORK WITH THE BLANKENSHIP FIELD REVITALIZATION COMMITTEE AND PROCEED WITH COMPETITIVE BIDDING FOR IMPROVEMENTS CONSISTENT WITH THE COMMITTEE'S DRAWINGS; AND TO REQUIRE THE PROJECT TO BE BROUGHT BACK TO CITY COUNCIL FOR APPROVAL UPON COMPLETION OF THE COMPETITIVE BIDDING PROCESS.

WHEREAS, by Resolution 4-30-11, City Council authorized the use of the Special Programs Fund for transportation enhancement projects for traffic capacity/safety improvements, school crossing, and bicycle/pedestrian safety improvements; and

WHEREAS, by Resolution 5-38-2014, City Council authorized the City to move forward with the competitive bidding process for resurfacing, striping, and accessibility improvements to the lower parking lot at Blankenship Field; authorized the reservation and use of the Special Programs Fund in the estimated amount of \$180,000.00; and authorized approval of the resulting contract as long as the contract cost was within the projected cost estimate for said project; and

WHEREAS, the Blankenship Field Revitalization Committee has developed a master plan for the revitalization of Blankenship Field and has initiated an effort to raise private funds for said revitalization; and

WHEREAS, the Oak Ridge Board of Education has recently awarded a contract for the replacement of visitor's bleachers at Blankenship Field aiding in the Revitalization Committee's efforts; and

WHEREAS, the City desires to support the Blankenship Field Revitalization Committee and contribute toward the success of its efforts by improving and upgrading the City-owned parking lot which serves as the "front door" to Blankenship Field; and

WHEREAS, such improvements would be consistent with recent improvements to the adjacent "Farmers Market" parking lot providing safety and accessibility improvements not only to Blankenship Field but Jackson Square in general; and

WHEREAS, the Blankenship Field Revitalization Committee has prepared a preliminary drawing depicting the proposed improvements to the lower parking lot; and

WHEREAS, the City desires to amend Resolution 5-38-2014 to increase the available funding from the Special Programs Fund for this project from an estimated amount of \$180,000.00 to a not to exceed amount of \$250,000.00; to authorize City Staff to work with the Blankenship Field Revitalization Committee for said improvements consistent with the Committee's preliminary drawings; and to require the resulting contract to come back to City Council for approval upon completion of the competitive bidding process.

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

That Resolution 5-38-2014 is hereby amended to increasing the funding from the Special Programs Fund from an estimated amount of \$180,000.00 to a not to exceed amount of \$250,000.00 for the lower parking lot improvements at Blankenship Field; to authorize City Staff to work in coordination and cooperation with the Blankenship Field Revitalization Committee during the design and competitive

bidding process for said improvements in accordance with the Committee's attached preliminary drawings; and to require the resulting proposed construction contract for the project to be brought back to City Council for approval upon completion of the competitive bidding process.

This the 14th day of July 2014.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Thomas L. Behan, Mayor

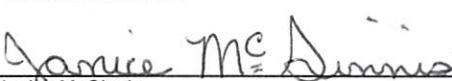

Diana R. Stanley, City Clerk

CITY OF OAK RIDGE, TENNESSEE

Abstract of Bids

FY2015-268

OPENING DATE: May 26, 2015 at 11:30 A.M.

FOR --- Blankenship Field Parking Lot Project			BIDDER: Rogers Group, Inc. 601 Maryville Pike Knoxville, TN 37920		BIDDER:		BIDDER:		BIDDER:		
DESCRIPTION			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES FOR BLANKENSHIP FIELD PARKING LOT PROJECT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT				\$ 264,791.00							
TOTAL PRICE				\$ 264,791.00		\$ -		\$ -		\$ -	
TERMS				NET 30							
DELIVERY				PER CONTRACT							
F.O.B.				JOBSITE							
VIA				CONTRACTOR							
OTHER BIDDERS CONTACTED: Duracap Asphalt Paving Co. - Knoxville, TN Harrison Construction Asphalt Division - Knoxville, TN Charles Blalock and Sons - Sevierville, TN Cozy Excavation & Contracting, LLC - Clinton, TN Rich Construction, Inc. - Lenoir City, TN							BIDS OPENED AND RECORDED BY---  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD:			RECOMMEND AWARD BE MADE TO:				BIDS REVIEWED BY---  Janice McGinnis Finance Director				
ONLY BID RECEIVED <input checked="" type="checkbox"/> X LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input type="checkbox"/>			Rogers Group, Inc. 601 Maryville Pike Knoxville, TN 37920								

RESOLUTION

A RESOLUTION AMENDING RESOLUTION 07-64-2014 INCREASING THE FUNDING ALLOCATED TO THE BLANKENSHIP FIELD PARKING LOT PROJECT TO \$275,000.00 AND AWARDING A CONTRACT (FY2015-268) TO ROGERS GROUP INC., OAK RIDGE, TENNESSEE FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE BLANKENSHIP FIELD PARKING LOT IN THE ESTIMATED AMOUNT OF \$264,791.00.

WHEREAS, City Council approved Resolution 05-38-2014 on May 12, 2014 to allocate \$180,000.00 from the Special Programs Fund, which was amended on July 7, 2014 by Resolution 07-64-2014 to increase the funding to a not to exceed amount of \$250,000.00; and

WHEREAS, the City has an agreement with Michael Brady, Inc. (MBI) in the amount of \$10,000.00 to design the project, leaving funding of \$240,000.00 to complete the project; and

WHEREAS, bids were received and publicly opened on May 26, 2015 with Rogers Group, Inc., Oak Ridge, Tennessee submitting the sole bid, which bid the City Manager recommends be accepted; and

WHEREAS, with the bid from Rogers Group of in the estimated amount of \$264,791.00, and the MBI Design Agreement at a cost of \$10,000.00, a total authorization of \$275,000.00 is requested.

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 Resolution 07-64-2014 is hereby amended and the funding allocation for the Blankenship Field Parking Lot Project from the Special Programs fund is hereby increased to \$275,000.00.

BE IT FURTHER RESOLVED that award is hereby made to Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the parking lot improvement project at Blankenship Field; said award in strict accordance with FY2015-268, the required specifications, and the bid as publicly opened on May 26, 2015, and in the estimated amount of \$264,791.00.

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

This the 1st day of June.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Diana R. Stanley, City Clerk

**ELECTIONS/
APPOINTMENTS,
ANNOUNCEMENTS,
AND SCHEDULING**

CITY COUNCIL MEMORANDUM
15-17

DATE: May 26, 2015
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CONFIRMATION OF NOMINATION BY ORUD
BOARD OF COMMISSIONERS

The attached communication from the Oak Ridge Utility District (ORUD) Board of Commissioners nominates Dr. Thomas L. Clary, III, to succeed himself as a Commissioner of the Utility District and petitions City Council to confirm his nomination. I met with the ORUD Board of Commissioners on May 20, 2015 and join with them in recommending the reappointment of Dr. Clary to fill the five-year term beginning July 1, 2015 and ending June 30, 2020.


Mark S. Watson

Attachment

RESOLUTION NOMINATING DR. THOMAS L. CLARY, III TO THE BOARD OF COMMISSIONERS OF OAK RIDGE UTILITY DISTRICT

A RESOLUTION to nominate **Dr. Thomas L. Clary, III**, to be re-appointed as a member of the Board of Commissioners of Oak Ridge Utility District, to fill the vacancy created by the expiration of his current term as a Commissioner of the Oak Ridge Utility District, and to petition the Mayor and City Council of Oak Ridge, Tennessee, to confirm said nomination.

WHEREAS, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District," and

WHEREAS, Section 3 of Chapter 503 provides that whenever a vacancy occurs or thirty days prior to the expiration of the term of office of any commissioner, the Chief Executive Officer of the City (the City Manager) shall meet with the Board of Commissioners of the District, exclusive of the commissioner whose term of office is about to expire, and nominate a commissioner by a majority vote, and to submit the name of said nominee to the Oak Ridge City Council for confirmation, and within twenty days from the submission of such name to City Council, the Council shall act upon the nomination and advise the District thereof, and

WHEREAS, the current term of office of **Dr. Thomas L. Clary, III**, expires on June 30, 2015, and

WHEREAS, the remaining members of the Board of Commissioners and the City Manager unanimously agree that Oak Ridge Utility District will greatly benefit by the continued service of **Dr. Thomas L. Clary, III**, on the Board, and

WHEREAS, **Dr. Thomas L. Clary, III**, is desirous and willing to serve another term on the Board of Commissioners;

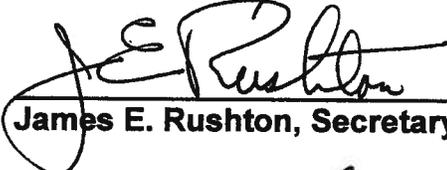
NOW THEREFORE, be it resolved by the Board of Commissioners of the Oak Ridge Utility District of Oak Ridge, Tennessee, along with the City Manager of the City of Oak Ridge, Tennessee, that **Dr. Thomas L. Clary, III**, of Oak Ridge, Tennessee, be and hereby is nominated to serve a five-year term on the Board of Commissioners of Oak Ridge Utility District beginning July 1, 2015 and ending June 30, 2020.

APPROVED THIS 20th DAY OF MAY, 2015,

BOARD OF COMMISSIONERS OF OAK
RIDGE UTILITY DISTRICT:



Alan L. Liby, Chairman



James E. Rushton, Secretary



Nancy S. Riser, Member



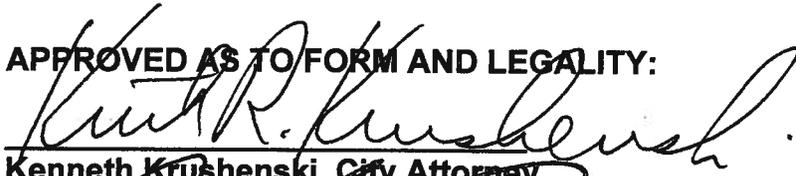
James W. Charles, III, Member

CITY OF OAK RIDGE, TENNESSEE:

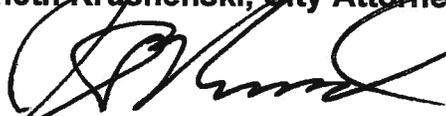


Mark Watson, City Manager

APPROVED AS TO FORM AND LEGALITY:



Kenneth Krushenski, City Attorney



James T. Normand, ORUD Attorney

**TO THE HONORABLE MAYOR AND CITY COUNCIL
OF OAK RIDGE, TENNESSEE**

1. That, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District,"
2. That, by Section 3 of said Chapter 503, and by petitions for appointments by the Board of Commissioners of Oak Ridge Utility District and the City Manager of the City of Oak Ridge, having been confirmed by the City Council of the City of Oak Ridge as follows:
 - a. On July 1, 2010, the term of Dr. Thomas L. Clary, III expired, and he was duly nominated and re-appointed to a five-year term expiring on June 30, 2015.
 - b. On July 1, 2011, the term of James E. Rushton expired, and he was duly nominated and re-appointed to a five-year term expiring June 30, 2016.
 - c. On July 1, 2012, the term of Nancy S. Riser expired, and she was duly nominated and re-appointed to a five-year term expiring June 30, 2017.
 - d. On July 1, 2013, the term of James W. Charles, III expired, and he was duly nominated and re-appointed to a five-year term expiring June 30, 2018.
 - e. On July 1, 2014, the term of Alan L. Liby expired, and he was duly nominated and re-appointed to a five-year term expiring June 30, 2019.
3. That, on June 30, 2015, the term of Dr. Thomas L. Clary, III expires, thereby creating a vacancy in the membership of the Board of Commissioners of Oak Ridge Utility District.
4. That Section 3 of said Chapter 503 provides that whenever a vacancy occurs, a successor shall be nominated by a majority vote of the remaining members of the Board of Commissioners and the City Manager, then the name of the person so nominated shall be submitted to the City Council of Oak Ridge, Tennessee, for confirmation and within twenty days from the submission of such name to such City Council, the Council shall act upon the nomination and advise the District thereof.
5. That Dr. Thomas L. Clary, III, of Oak Ridge, Tennessee, has been duly nominated to fill the vacancy created by the expiration of his current term, beginning July 1, 2015 and expiring on June 30, 2020, such nomination being made by a majority vote of the remaining members of the Board of Commissioners of Oak Ridge Utility District and the City Manager of Oak Ridge, Tennessee, as evidenced by the Resolution attached hereto.

Wherefore, the undersigned Petitioners pray that Oak Ridge City Council confirm the nomination of Dr. Thomas L. Clary, III as Commissioner of the Oak Ridge Utility District to serve a five-year term beginning July 1, 2015 and ending June 30, 2020, as authorized by Chapter 503 of the 1951 Private Acts of Tennessee.

RESPECTFULLY SUBMITTED THIS 20th DAY OF MAY, 2015,

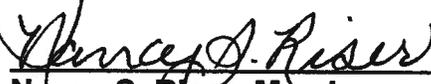
BOARD OF COMMISSIONERS OF OAK RIDGE
UTILITY DISTRICT:



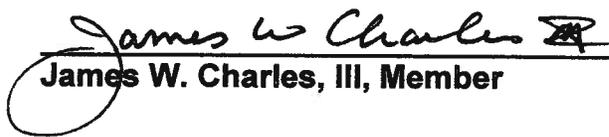
Alan L. Liby, Chairman



James E. Rushton, Secretary

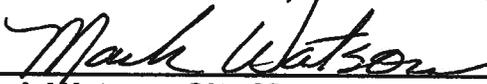


Nancy S. Riser, Member



James W. Charles, III, Member

CITY OF OAK RIDGE, TENNESSEE:



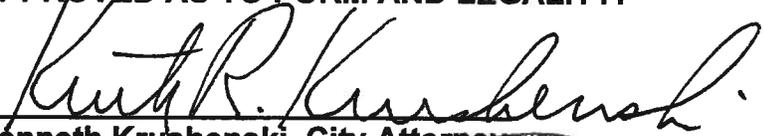
Mark Watson, City Manager

APPROVED BY OAK RIDGE CITY COUNCIL
THE _____ DAY of MAY, 2015,

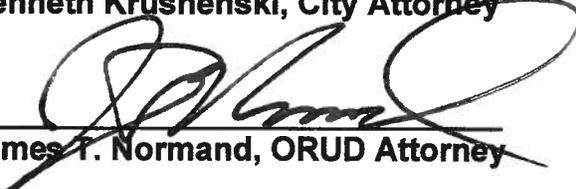
MAYOR

CITY CLERK

APPROVED AS TO FORM AND LEGALITY:



Kenneth Krushenski, City Attorney



James T. Normand, ORUD Attorney