

**OAK RIDGE CITY COUNCIL
SPECIAL MEETING**

Municipal Building Courtroom

March 27, 2015—6:00 p.m.

AGENDA

I. ROLL CALL

II. DISCUSSION AND CONSIDERATION

The following will be considered at the March 27, 2015 City Council Special Meeting:

- a. To discuss & vote on the parameters of the investigation voted on in the Feb 9, 2015 [meeting]** regarding the resolution of the ORPD [Oak Ridge Police Department]** morale, turnover & admin [administrative]** policies & have the option to review and possibly select an investigator.
- b. A resolution accepting a proposal from the Municipal Technical Advisory Service for a review of the Oak Ridge Police Department with a particular focus on turnover, morale and administrative policies.
- c. Request for the agenda of the special meeting requested on [for]** March 27 to include selection of a reviewer to conduct the police review approved in February.
- d. To discuss & possibly vote on the merits of placing the Chief of Police on administrative leave for the duration of the investigation.

(** The added verbiage in brackets presented above is for clarification as provided by the City Clerk. The actual written requests, as submitted, will be included as part of the agenda packet for the City Council Special Meeting.)

III. ADJOURNMENT

March 9, 2015

I request that council hold a special meeting on March 27th to a @ 6:00pm

1. To discuss & vote on the parameters of the investigation voted on in the Feb 3 2015 regarding the resolution of the URPD morale, turnover & admin policies & have the option to review & possibly select an investigator.
2. To discuss & possibly vote on the merits of placing the chief of police on administrative leave for the duration of the investigation.

Jim Baugh

Trina Baugh

Richard G. Chinn Jr.

Richard G. Chinn Jr.

March 9, 2015

I Request for ^{the agenda of the} special meeting requested ~~it~~
~~week of~~ ~~March~~ on March 27 to include
selection of a reviewer to conduct the
~~police~~ police review approved in February.

Ellen Smith

Ellen D Smith

J. L. Hunley

March 17, 2015

Diana Stanley, City Clerk
City of Oak Ridge, Tennessee

Dear Ms. Stanley,

I would like to resubmit my resolution which was removed from the March 9, 2015 City Council agenda for the City Council special called meeting scheduled for March 27, 2015. I am resubmitting it without any changes.

For the March 9th session it was listed as:

"A resolution accepting a proposal from the Municipal Tennessee Advisory Service for a review of the Oak Ridge Police Department with a particular focus on turnover, morale and administrative policies."

Respectfully,



Kelly Callison
City Council Member



3/18/2015
DATE



3/20/2015

LEGAL DEPARTMENT MEMORANDUM

15-11

CITY CLERK MEMORANDUM

15-07

DATE: March 24, 2015

TO: Honorable Mayor and Members of City Council

FROM: Kenneth R. Krushenski, City Attorney
Diana R. Stanley, City Clerk

SUBJECT: MARCH 27, 2015 CITY COUNCIL SPECIAL MEETING

In order to provide an outline for the March 27, 2015 City Council Special-Called Meeting, the agenda and its supporting documentation will be explained in this memo.

Agenda

The agenda has been sequenced, as recommended by the City Manager, based on logistics of possible action by the City Council regarding a review of the Oak Ridge Police Department and the Chief of Police.

Supporting Documentation

Included in the agenda packet are the following:

A page from the Oak Ridge City Charter, Article II titled "Council and Mayor," which outlines the circumstances in which a special meeting of Council can be called.

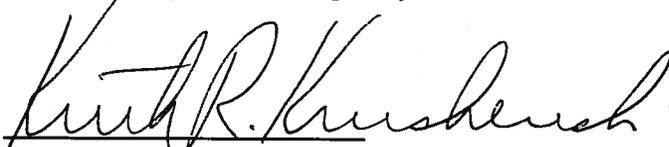
A page from the current edition of City Council's Rules and Procedures which reflects the language provided in the Oak Ridge City Charter on the circumstances of calling a special meeting.

A copy of Resolution No. 2-20-2015 that initiates a review of the turnover, morale, and administrative policies in the Oak Ridge Police Department and provides parameters for selection of a reviewer.

Agenda material as previously submitted by Councilman Kelly Callison that was submitted for inclusion on the March 9, 2015 City Council agenda. This material includes his requesting letter; an Municipal Technical Advisory Service (MTAS) proposal for an Oak Ridge Police Department Limited Police Department Review; resume of Rex Barton, Police Management Consultant; a copy of Resolution No. 2-20-2015; and a proposed resolution.

A contact listing of organizations from International City/County Management Association's (ICMA) *Public Management Magazine*, as selected by the City Manager, offering professional services that City Council could consider to conduct an examination of the Oak Ridge Police Department.

A proposal and resume from Hunter Investigations Proposal for Services that was received via e-mail by the Oak Ridge City Council.


Kenneth R. Krushenski


Diana R. Stanley

Attachments

ARTICLE II
COUNCIL AND MAYOR

Section 1. Regular meetings of council.

The council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.

Section 2. Special meetings of council.

Special meetings shall be called by the clerk on the written request of the mayor, the manager, or any two (2) council member(s) by providing each council member with twenty-four (24) hours' written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meeting.

Section 3. Council meetings to be public.

All council meetings shall be open to the public and citizens shall have a reasonable opportunity to be heard. The council shall exercise its powers only at public meetings.

Section 4. Quorum of council.

At least a majority of the members then in office shall be a quorum for the transaction of business at all council meetings; but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.

Section 5. Attendance and conduct at council meetings.

The council may enforce orderly conduct and compel the attendance of its members and other city officers at its meetings. Any member of the council or other officer of the city who refuses to attend meetings when served with notice or conducts himself or herself in a disorderly manner thereat may be deemed guilty of misconduct in office. Upon council request the manager shall designate a police official or officer to serve as the sergeant-at-arms of the council.

Section 6. Mayor.

The council, at its first regular meeting following a regular city election and after all newly-elected members have been duly qualified, shall elect one of its members mayor for a term of two (2) years. Whenever a vacancy occurs in

An indexed audio recording of each regular City Council meeting shall be maintained for a ten-year period of time and video recording shall be maintained for a five-year period. A copy of the approved minutes shall be distributed to each member of City Council.

3. Publication of Minutes

A summary of Council proceedings shall be published in the official city newspaper within 15 days after a meeting, showing the substance of each Council action.

[Charter, Article II, Section 8]

B. Types of Meetings

1. Regular Meetings

The Council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.

[Charter, Article II, Section 1]

2. Special Meetings

Special meetings shall be called by the City Clerk on the written request of the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

[Charter, Article II, Section 2]

3. Work Sessions and Other Miscellaneous Meetings of City Council

The Council may hold regular miscellaneous meetings as scheduled by the City Manager. These meetings are scheduled on an as needed basis as a means to allow for discussions and interactions of City Council on particular subjects, updates, and for the exchange of information. No official action shall be taken at work sessions. An agenda shall be made available to all Council members, along with supporting information/documentation usually by close of business one (1) week prior to the meeting.

C. Quorum of Council

At least a majority of the members of the Council then in office shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.

[Charter, Article II, Section 4]

D. Official Council Business

The affirmative vote of at least a majority of the members of the Council then in office shall be required to approve any proposed action other than those listed in Sections B.2 and C of these Rules and Procedures.

[Charter, Article II, Section 8]

RESOLUTION

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

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

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

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

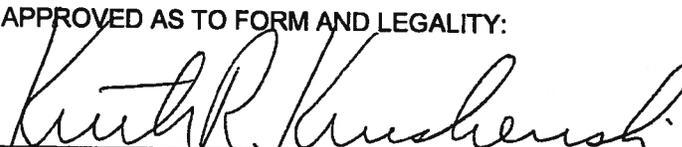
Pursuant to Article II, Section 9, of the Charter of the City of Oak Ridge, Tennessee, City Council hereby authorizes an independent third party review of the turnover, morale, and administrative policies in the Oak Ridge Police Department.

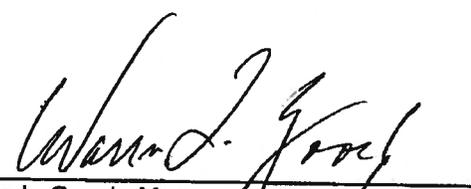
BE IT FURTHER RESOLVED that City Council will select an independent third party and such review of the turnover rate in the Oak Ridge Police Department shall be conducted within thirty (30) days after the party is selected with the report delivered to City Council and the City Manager for any necessary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

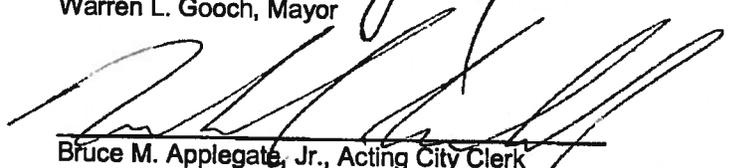
BE IT FURTHER RESOLVED that the selected third party will be a person with a strong background in law enforcement and municipal law such as a retired Tennessee state trooper, a retired criminal court judge, or a Municipal Technical Advisory Service consultant.

This the 9th day of February 2015.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Bruce M. Applegate, Jr., Acting City Clerk

CITY OF OAK RIDGE



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

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

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

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

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

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


Kelly Callison
City Council

PROPOSAL
Oak Ridge Police Department
Limited Police Department Review

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

Municipal Technical Advisory Service

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

Proposal for Limited Review

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

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

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

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

Margaret Norris

Margaret Norris
Municipal Management Consultant

REX BARTON

Police Management Consultant

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

Work Experience:

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

Education:

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

Publications:

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

Training Programs:

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

Notable Activities:

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

RESOLUTION

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

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

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

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

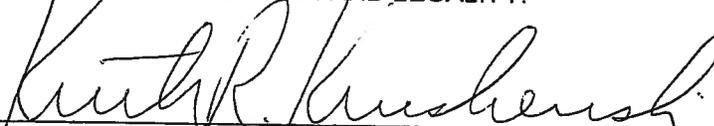
Pursuant to Article II, Section 9, of the Charter of the City of Oak Ridge, Tennessee, City Council hereby authorizes an independent third party review of the turnover, morale, and administrative policies in the Oak Ridge Police Department.

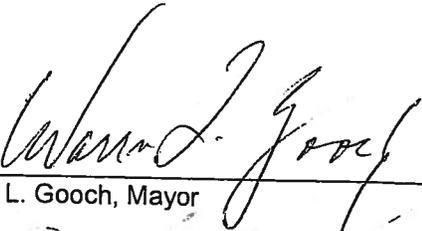
BE IT FURTHER RESOLVED that City Council will select an independent third party and such review of the turnover rate in the Oak Ridge Police Department shall be conducted within thirty (30) days after the party is selected with the report delivered to City Council and the City Manager for any necessary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

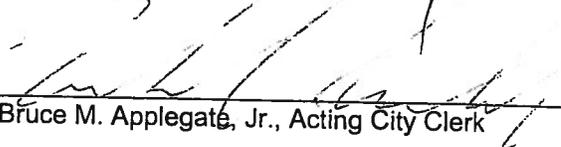
BE IT FURTHER RESOLVED that the selected third party will be a person with a strong background in law enforcement and municipal law such as a retired Tennessee state trooper, a retired criminal court judge, or a Municipal Technical Advisory Service consultant.

This the 9th day of February 2015.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Bruce M. Applegate, Jr., Acting City Clerk

RESOLUTION

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

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

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

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

WHEREAS, Councilmember Kelly Callison has provided Council with a Memorandum dated March 5, 2015 titled "MTAS SUPPORT OF POLICE DEPARTMENT REVIEW" which indicates that he has met with Rex Barton, MTAS Police Management Consultant, whose credential's satisfy the requirements set out in Resolution 2-20-2015; and

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

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

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

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

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

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

This the 27th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:

Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Diana R. Stanley, City Clerk



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Part 2 of 2

HUNTER INVESTIGATIONS PROPOSAL FOR SERVICES

For the City of Oak Ridge City Council

Overview

Hunter Investigations is pleased to submit this proposal for an independent and complete investigation into the rate of turnover, morale, and administrative policies within the Police Department and Chief James Akagi.

Proposal

Hunter Investigations is an independent consultation firm specializing in corporate investigations, official corruption/misconduct regarding public officials, consulting with government agencies in corruption and internal investigations, and public and private investigations/consulting in any investigations.

It is understood there is a confidence problem within the Oak Ridge Police department relating to turnover, morale, and administrative policies. It is further understood that there are some specific complaints from Police Officers regarding the Chief of Police, James Akagi.

Hunter Investigations would conduct this investigation with an impartial mindset, with a completely independent point of view, keeping in mind integrity and fairness to all involved. This investigation would include:

1. A review of administrative policies, Standard Operating Procedures, etc
2. Interviews of all police officers and supervisors concerning the chief, morale, and policies
3. Interview of Chief Akagi
4. Interviews of former police officers who have left in the past three years
5. A comprehensive report detailing each field covered for submission to the City Council

Background

Steven White is the owner/operator of Hunter Investigations and is a licensed professional investigator/company with the State of Tennessee. Hunter Investigations does work throughout the State, but specializes in East Tennessee. Prior to opening this firm, Steven White worked for 31 years as a police officer, investigator, and team leader for 28 of those 31 years with the Miami-Dade Police Department in Miami, Florida. His assignments were varied, including general investigations, robbery, auto theft, narcotics, federal task forces on narcotics, gangs, smuggling operations, homicides, murder conspiracy, hi-tech crimes, and the last 7 years, team

leader in the Public Corruption Investigations Bureau. During that 7 years many investigations were launched on corruption of elected officials and local and county officials, including police departments and agencies. Many arrests were made as a result, along with policy changes and new directives.

Summary

Hunter Investigations will work within guidelines and policy set forth by the City Council. Payment and fees are open for negotiation and should be minimal. It is anticipated that all 60 odd police officers and supervisors will be interviewed. It is also anticipated some reluctance to speak with this investigator will be met unless the opportunity to be anonymous is presented. Fear of reprisal is always a thought on the minds of police officers, being a quasi-military operation. It is understood Hunter Investigations would be working for the City Council. It is requested that access to records, directives, policies, and any written material be granted to Hunter Investigations for this investigation. It is also requested that there be some cooperation on behalf of the police department and personnel regarding access and interviews.

*See attached, Proposal, Resume of Hunter Investigations, Resume of Professional Investigator Steven White

Hunter Investigations - Steven White

hunterinv@att.net • 119 N Gateway Avenue, Rockwood, TN 37854 • 865-354-0077
www.hunterinvestigations.biz

Summary

Demonstrated achiever with exceptional knowledge of all facets of investigations

Strong background of thirty-one years with one of the top three police agencies in the United States

Skilled at learning new concepts quickly, working well under pressure, and communicating ideas clearly and effectively

Education and Experience

Attended Miami-Dade College Criminal Justice Program 1974
Miami, Florida

Attended Metropolitan Police Institute - Basic Police Certification (9 Months) Miami, Florida 1975

Continual Training, Miami-Dade Police Department: Various

Criminal Investigations, Surveillance, Interviews and Interrogation, Forensic Evidence and Fingerprinting, Computer Training, Computer Forensic Recovery, Trademark and Copyright Fraud, Microsoft Counterfeiting Detection, Training by the Recording Industry of America and the Motion Picture Industry of America in Fraud and Counterfeiting, Cults Sects and Deviant Movements, Several Ethics Schools, Dealing with the Mentally Disturbed, Domestic Violence Training, Firearms and Advanced Survival Techniques, Combat Firearms Training, Sniper Training and Use of Assault Weapons in Urban Areas, Workers Comp Fraud and Investigation, Spanish Immersion for LE Officers, Supervisor Training, Pursuit and High Speed Driving, Instructor Training Workshop, Mortgage Fraud Training, Cold Case Murder Investigations (By NCIS), FBI Undercover Training Certification and Firearms Qualification by the FBI, and many other in-service Training Programs.

Several Spanish Immersion courses Various

Retired honorably from the Miami-Dade Police Department on June 30 2006

Specialized Training Various

Federal Training for Specialized Assignments

Workshop for US Marshall to become a Deputized US Marshall

Workshop for FBI for Undercover High Risk Agent

Workshop for US Customs Enforcement Blue Lightning Narcotic Interdiction Program

Hunter Investigations - Steven White

• • •

Training with the FBI Computer Forensic Unit in IT
Security
Forensic Training in Computers

Steven H. White

119 North Gateway Avenue. Rockwood, TN 37854

(865)354-0077 or Cell (865)206-5169

E-Mail: Hunterinvest@att.net

Profile	Solid background in investigations, investigative equipment operation, with strong emphasis in covert/undercover investigations and report writing. Consistently excelled in planning, scheduling, and implementing effective, safe operations and investigations. Was Team Leader for many years directing operations from the beginning stages to conclusion. Remained within the constraints of Standard Operating Procedures and was aware of liability issues. Prepared all cases for court purposes, cost recovery, and any legal remedies regarding seizure of assets.	
Training	Miami-Dade Police Training Institute Police Academy	<i>Oct 1974-Aug 75</i>
	Continual Training, Miami-Dade Police Department: Criminal Investigations, Surveillance, Interviews and Interrogation, Forensic Evidence and Fingerprinting, Computer Training, Computer Forensic Recovery, Trademark and Copyright Fraud, Cults and Sects, Several Ethics Schools, Dealing with the Mentally Disturbed, Domestic Violence Training, Firearms and Advanced Survival Techniques, Workers Comp Fraud and Investigation, Spanish Immersion for LE Officers, Supervisor Training, Pursuit and High Speed Driving, and many other in-service Training Programs.	<i>1981-2006</i>
Career History	City of Homestead Police Dept/Homestead, FL	<i>Jan 1977-Jan 1981</i>
	Police officer/Detective	
	<ul style="list-style-type: none">• Uniform Patrol• K-9 Patrol• General Investigation Detective• Robbery Detective• Narcotics/Vice	
	City of Coral Gables Police Dept/Coral Gables, FL	<i>Jan 1981-July 1981</i>
	Police Officer	
	<ul style="list-style-type: none">• Uniform patrol	
	Miami-Dade Police Dept/Miami, FL	<i>July 1981-June 2006</i>
	Police officer/Detective/Team Leader	
	<ul style="list-style-type: none">• Station 4 Uniform patrol, Nine Months• Headquarters Organized Crime Bureau, South Narcotics• Station 4 MCI Unit (Stolen Property Unit)• Headquarters Tactical Investigations: Organized Crime Squad, Murder Conspiracy Squad, and Hi-Tech Crimes (Investigation of Computer Crimes, including Internet Fraud, Child Pornography over the Internet, Illegal Wiretaps, Counterfeiting of Hardware, Software, Computer Data, such as copyright Violations)• Headquarters Public Corruption Investigations Bureau (Investigations, Surveillance, Covert Operations, involving Government Employees, Police Internal Affairs, Government Officials, Bribes, Mortgage Fraud, and Official misconduct). Team leader/supervisor for covert surveillance and investigative team	

Currently Retired Honorably- June 30, 2006

CITY CLERK MEMORANDUM
15-08

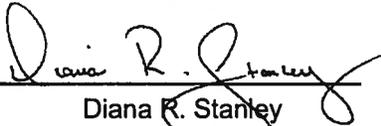
DATE: March 24, 2015

TO: Honorable Mayor and Members of City Council

FROM: Diana R. Stanley, City Clerk

SUBJECT: ADDITIONAL RESOURCE FOR MARCH 27, 2015 CITY COUNCIL SPECIAL MEETING

Since additional questions arose at the latest meeting on the Oak Ridge Police Department matter, the City Manager wishes to include a draft copy of verbatim minutes, as prepared by a member of city staff, in the agenda packet to assist in understanding previous motions that were made.


Diana R. Stanley

Attachment

cc: Mark S. Watson, City Manager

New Business:

Clerk: COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS A RESOLUTION INITIATING AN INVESTIGATION PURSUANT TO ARTICLE II, SECTION 9, OF THE CHARTER OF THE CITY OF OAK RIDGE, TENNESSEE.

Hope: so moved

Baughn: second

Mayor: okay it has been moved and seconded. We have a copy up on the screen. Ms. Baughn you are recognized on your resolution.

Baughn: thank you Mr. Mayor. And thank you to everyone who is here tonight. Thank you for all the countless emails and letters and phone calls that I have received over the last few weeks. This process is about being heard, this process is about giving a voice to those people who feel they do not have a voice. I take the concerns that have been shared with me very seriously. I have endeavored over the past year to address some of the concerns that came to me before the last few weeks. I have endeavored to address those issues with Mr. Watson behind closed doors to no avail. I regret that it had to come to this point but I do not regret the point that we are at. I would like to say to those people who have contacted me anonymously. I understand why you felt compelled to do it. I have been in a place of fear, I think we all have. I don't know that I have been in that kind of fear before that I felt like I could not put my name to something but I can certainly appreciate the reasons behind that. I have been advised by the city attorney that I cannot share all of those communications with the rest of council for a number of different reasons though some of you did ask me to share your communications. So I wanted to let you that I have heard you but I do not know that the rest of council has heard you. With that being said, I do appreciate and recognize and respect the processes which we do have which I have followed and I am more than willing to entertain discussion and talk about solutions. Because that is why we are here, we are here to discuss problems and find solutions to those problems. So I am willing to let the floor go to council and hear what each of you have to say and see where this take us.

Hensley: Point of order, that discussion was more towards the second resolution than the one on the screen.

Mayor: Well generally speaking I think we are going to move ahead Mr. Hensley. I understand your point. Mr. Callison.

Callison: I make a motion that we review a substitute resolution in place of Ms. Baughn's.

Hensley: Are you going to say what it is?

Callison: I can read it. They are also going to show it on the screen its essentially authorizing an independent third party to review the turnover rate in the Oak Ridge Police Department pursuant to Article II Section 9 of the Charter of the City of Oak Ridge, Tennessee.

Hensley: Second

Mayor: Alright it's been moved and seconded to amend by substituting for Ms. Baughn resolution. Resolution that is on the screen. In order to assist everyone here I am going to read the resolution. Resolution authorizes an independent third party to review the turnover in the Oak Ridge Police

Department pursuant to Article II Section 9 of the Charter of the City of Oak Ridge, Tennessee. Whereas Article II Section 9 of the Charter of the City of Oak Ridge, Tennessee authorizes City Council by resolution to make investigations into the affairs of the City to conduct conduct of the City departments, offices, boards, commissions, committees and agencies for said purpose may subpoena witnesses, administrator oath, take testimony, and required the production of evidence. And whereas the City Council desires to hire an independent third party to review the turnover rate of the Oak Ridge Police Department now therefore be it resolved by Council of the City of Oak Ridge, Tennessee pursuant to Article II Section 9 of the Charter of the City of Oak Ridge, Tennessee. City Council hereby authorize an independent third party to review the turnover in the Oak Ridge Police Department. Be it further involved that the City Council will select independent third party in such review the turnover rate in the Oak Ridge Police Department shall be conducted in 30 days after the party is selected with the report delivered to City Council and the City Manager for any necessary action. Be it further resolved that the selected third party will be a person of strong background in law enforcement and municipal law such as retired Tennessee State Trooper, retire Criminal Court Judge or a Municipal Technical Advisory Service Consultant. That is the substitute resolution that has been moved and seconded. Now before we get into the discussion. The chair believes that it is proper under Robert's rules of order to take any amendments to Ms. Baughn's resolution first as permitted under the rules. Such amendments if adopted will affect the wording in which Ms. Baughn's resolution will come to a final vote. If Mr. Callison's substitute resolution fails accordingly before entertaining the amendment just offered by Mr. Callison the chair call for any amendments to the pending resolution referred to as the Baughn Resolution. Now is that clear to members of council?

Baughn: Somewhat (laughter)

Hensley: Somewhat you are asking if there are any more amendments along with the one...

Mayor: We are going take we are going to take the Baughn resolution first to determine if in fact there are any proposed amendments to the Baughn resolution...

Hensley: Is that what that just was?

Baughn: His (Callison) was a substitute.

Mayor: No, that is the substitute, that is the substitute motion. The substitute motion and the Callison motion are one in the same. The pending motion and the Baughn motion are one in the same. And I know it's confusing but in order again to take you know step by step. The chair is going to rule that any amendments to Baughn will be taken up. Ms. Smith,

Smith: Question, we have, we received multiples substitute resolutions. I am not sure which resolution is on the floor. Whether it is the resolution that was in our packet or if it is one of the substitute resolutions in Ms. Baughn's supply us today.

Baughn: If I could speak to this, I understand why it is confusing. There is two way we could go about this, more there is more, but there appears there are definitely two ways. No there is three, my initial intent is the way I submitted my original agenda request. My original intent was to have three separate resolutions one to deal with the turnover rate, one to deal with the relationship with Mr. Akagi and Mr. Watson and one to deal with the order of protection that had been levied against Chief Akagi. However, whomever put the agenda together opted to group them together. So one of the things we could do if

we wanted to amend this resolution, we could divide the question and accomplish the same thing or we could replace my original resolution with the substitute resolution offered Mr. Callison's and I am prepared to offer two additional substitute resolutions that are more clearly defined and more clearly worded. So that's where we are at we are facing three different issues for discussion and we can either have them lumped together as original done by the Clerk or we could divide them out or we could take and offer three different resolutions to deal with them.

Mayor: Mr. Chinn

Chinn: I do not have discussion on this.

Mayor: Okay

Chinn: I am not going to discussion this resolution.

Mayor: That is fine. Alright Ms. Smith, to regard to your question, the pending resolution, the Baughn resolution, is the one that is in your packet. Mr. Krushenksi you occur with that?

Krushenksi: That is correct.

Mayor: That is correct. Alright. So to proceed, are there any amendments to the pending resolution that is the Baughn resolution? Any amendments?

Baughn: I guess I need a little bit of guidance. Would it please the council for me to remove or withdraw my motion? Who is it that did the first motion on mine? Would that be an easier way to go about this if I withdrew the original motion?

Mayor: No.

Baughn: No. Okay.

Mayor: The motion has been moved and seconded. That would require an affirmative vote of council to remove your original motion.

Baughn: I got it. I gotcha. So let me ask you this regardless of what happens with the original motion on the floor, do I have the opportunity to offer up both of my secondary substitutes for Mr. Callison's substitute resolution go forward.

Mayor: You are doing that now.

Baughn: Okay I will...

Mayor: If you...

Hensley: Okay I am really confused now.

Mayor: Okay.

Hensley: May I ask you a question about what you just said?

Mayor: Okay. Parliamentary inquiry; go ahead Mr. Hensley

Hensley: I thought we were getting ready to vote on amendments to Ms. Baughn's original resolution.

Mayor: That is correct.

Hensley: Okay. That is not what I just heard. I heard but okay.

Mayor: No.

Baughn: Then I would like to amend my original resolution to include these two substitute resolutions that I said today.

Mayor: Ms. Baughn that chair is going to rule that is out of order. Those are two separate or at least they have been presented to us this afternoon as separate resolutions.

Baughn: May I move to divide the original question then into three?

Mayor: I believe in order to proceed the chair is going to rule that you will have to take your amendments one at a time. That is going to be the ruling of the chair.

Baughn: To divide the question is one action.

Mayor: I understand and you are making motion to divide the question in which way?

Baughn: To the original intent of my submittal to have a separate resolution regarding the investigation into the allegations brought forth against Chief Akagi and a separate resolution to investigate the relationship of the City Manager Mark Watson and Chief Police Jim Akagi prior to employment and to request an investigation into the order of protection issued against Chief Akagi.

Mayor: In order to proceed, you will have to amend. The chair is going to rule that you will have to take up your amendments separately. The pending resolution is the only one that is for council and was filed timely by you in pursuant to our rules.

Baughn: if we allow Mr. Callison's substitute resolution which was also offered today. Mine was within an hour or two of his as far as the two substitutes.

Mayor: But your motions, your amendments to your pending resolution are going to be taken up first.

Baughn: You are telling me that I cannot divide the question. I do not believe dividing the question is the same as amending a resolution. Dividing the question is a motion contained within Robert's rules. Amending a resolution is an action in itself.

Mayor: I understand that the resolution that is before us is the vehicle for any action tonight is the original resolution. What you have brought to us this evening would in effect the separate amendments to your resolution or substitutions for your original resolution. That is why the chair is ruling that we will take them one at a time. They will be acted upon before any action is taken on Mr. Callison's substitute motion.

Baughn: If my substitutes are amendments, then why is his substitute not amendment?

Mayor: His will be treated as an amendment. But your amendments go first so in the event your pending resolution is amended. It will be completed and the action that is taken on Mr. Callison's substitute motion if it fails then your resolution will be amended and will be ready for final discussion and vote.

Baughn Okay. However, we decided to go about this I am agreeable to as long as we make sure we offer the public a chance to speak to all three of the issues and for council to discuss all three of the issues. I will demur to whatever advice you would like to lay before us in terms of the right way to go about that.

Mayor: Alright. As the chair has stated now, I am asking if there are any amendments by any member of council to the pending resolution which is the Baughn resolution.

Baughn: Mr. Callison offered an amendment and it was seconded.

Mayor: Under Robert's rules of order, Ms. Baughn, that is what I am saying. Your pending resolution is the vehicle under which everything else moves so we are going to take up to the extent someone wants to amend your original resolution.

Baughn: Okay. I would like to amend my original resolution beginning with the second be it further resolved, I would like replaced be it further resolved that pursuant to said authority city council hereby initiates an investigation into the relationship between City Manager Mark Watson and Chief of Police Jim T. Akagi prior to their employment to Oak Ridge, Tennessee to determine if taxpayer's funds were unnecessarily paid to the Mercer group to search. That entire paragraph I would like to replace with the text not the whole entire substitute resolution but the text of the resolution states whereas the city council desires a third party to review the merits of paying the Mercer group 24,448.68 for the recruitment of Jim T. Akagi whereas Mr. Watson has repeatedly claimed that he did not know Mr. Akagi before he hired him whereas Mr. Akagi spoke at a league of women voters meeting in 2011 where he told a story about his parents put him in touch with Mr. Watson so he could assist Mr. Watson in vetting candidates for the job he now holds and have admitted that their parents know one another. And whereas Mr. Akagi's wife was a resident of Tennessee before Mr. Akagi moved from Oklahoma. And whereas Mr. Watson and Mr. Akagi graduated from the same high school in Lawrence, Kansas at a population of less than 70,000 at the time. Whereas confirming at Mr. Akagi worked for Mr. Watson's father. Mr. Akagi's attorney stated to the press "was a young patrol officer for a few years in Lawrence, Kansas while Mr. Watson's father was City Manager. And whereas it is understood that Mr. Watson received much of his formal education at the University of Kansas at the time Mr. Akagi's father was a professor at that same institute.

Mayor: Alright. Ms. Baughn can I inquire do you have that amendment...

Baughn: Yes I forwarded it through the City Attorney and City Clerk and the quick provided the copy.

Mayor: Okay. I have just been giving a copy of that. I did not have a copy.

Baughn: Okay.

Clerk: each of the council members should have had a packet of three individual pieces of paper with the resolutions. The third of the packets beginning with the resolution authorizing an independent third party if you would scroll down to the second whereas I believe from there on is the entirety of the information that Ms. Baughn just added as the amendment to the original.

Smith: are there any extra copies of that? We did not get enough copies.

Baughn: It was emailed and hard copied.

Mayor: Mr. Hensley

Hensley: yes I would like to ask a question to City Attorney. Is it copacetic to bring this in here and lay this in front of us at the start of the meeting? I mean.

Krushenski: Well the substitute resolutions were emailed out to everybody and I don't know what time but it was probably around 4:00pm, (No), 3:00pm by the Clerk.

Hensley: Is that adequate notification for public?

Krushenski: Well the substitutions have been presented to everybody on City Council under the rules we can substitute resolutions so that is what we are doing.

Baughn: May I clarify that the time was such it followed what Mr. Callison sent a substitute resolution an hour prior to mine. So in order to insure the integrity of the original intent of the resolution, I created to separate resolutions because of his desire to only have one of three issues.

Mayor: Alright Ms. Baughn has moved approval of substitute or amendment one to her resolution. And that is the one that is in front of you. Alright the motion has been made. Is there a second to the motion?

Chinn: Second.

Mayor: Mr. Chinn seconds the motion. Alright, it's been moved and seconded for discussion by Council. Mr. Krushenski, do you want to say something?

Krushenski: No

Mayor: Okay alright. Ms. Smith?

Smith: Yes, I appreciate the effort that has gone into this and it is interesting recalling the history of hiring of Mr. Akagi. I believe Councilman Hensley and I were the only members of City Council now that were on Council at the time Mr. Akagi was hired. And I would kind of like to review and recall that history and I suspect Mr. Hensley can help as well. My recollection at the time Chief Beams had retired, we were seeking a new police chief not long before that there had been a retreat of the City Council were we talked about strategic issues facing the City and City crime rate was one of our highest concerns and was one of the top three issues that we had in the city. Residents complained frequently and bitterly about drug houses in their neighborhood. Why aren't the police dealing with the drug house in my neighborhood? Why don't they take care of my issues when I call? So forth and so on, that was one of our biggest issues and we saw it as one of the biggest challenges facing the City. We were very grateful, I believe, as a group that Mr. Mercer came in to assist in the search for a police chief. We had a lot of concerns about how are we going to hire a police chief that will address the issues we have here in this town. Mr. Mercer brought in a variety of candidates from diverse perspectives and boy they were good. They were people who had strong police experience from other places around the country. One of the criteria he had be forgiven we felt, we wanted a police chief had experience as a municipal police official so when he brought in this guy that had come from the drug enforcement administration. There were a lot of questions about how we were going to deal with someone who came from federal place. Is that person really qualified to deal with our situation here? I know council members talked with Mr. Akagi about that and we talked to Mr. Mercer about that. They were a couple of committees of citizens who met with all the candidates and screened them a lot harder than council did. We were letting the City Manager make the hiring decision but we had these citizens committees meeting with the

candidates. There was a public forum from where all of the applicants for the job spoke publicly and answered questions from the Public. This was an extremely public process and it's my understanding that pretty much everyone who was involved felt that Mr. Akagi was the best candidate of the ones we saw. He convinced us as a group that he had what it took to lead a municipal police department in his experience with the DEA. He had not just worked on the federal side but the individual departments so he was hired. And I am not an expert on police. I do not know how to run a police department. I know from the stand point of what I see in talking to citizens Mr. Akagi has done an exceptional job. The job we hired him to do. He came in and we no longer have....

Baughn: This is not speaking to the amendment

Mayor: Chair rules this is speaking towards the amendment.

Smith: ...crime issues. Citizens are not complaining. When I ran for election this past year citizens were not complaining to me about crime in their neighborhoods. They were complaining about the police but mostly about they didn't like the speeding tickets they got and various of interactions with the department. But the suggestion that there was hanky panky in the hiring of Mr. Akagi between Mr. Watson and Mr. Akagi is hard for me to except given my experience being in the front lines at the time Mr. Akagi was hired. I cannot support this amendment. This is an attack on two good people that we do not need. I have some concerns about current issues I've heard about the police department but I cannot support this resolution, amendment or whatever this is. I do not if it is resolution or amendment at this point but I cannot support it.

Mayor: Mr. Callison

Callison: Just curious, so if we talk about the resolution or amendment that is pending, does that or do we wait and talk about my substitution.

Mayor: Not yet.

Callison: Not yet.

Mayor: Not yet.

Callison: Okay I will talk about this one anyway.

Hensley: You cannot talk about it.

Mayor: Yes you are recognized Mr. Callison.

Callison: I can talk about the motion. From my perspective, what I really care about Oak Ridge Police Department is them doing a good job. I don't care who knew who, when they knew them, or anything else. And I can tell you, there are statistics around to show that there has been a huge decrease in crime in Oak Ridge. That is the key thing I think and you can look at the statistics, the crime statistics are available if you don't believe me we can provide them to you. But I think there has been a huge improvement in our policing in the city. I have talked to citizens and constituents would give me a prior to the Chief and after the Chief difference in the way the police department responded. Extremely lax in the previous administration, very professional in the current administration. So I think that what we should looking at is issues or moral, other issues that have been brought up in the newspaper but I think

the relationship between the Chief and Mr. Watson or everything else you can imagine and stick on the wall and see if it will stay don't have a place here.

Mayor: Ms. Baughn,

Baughn: Mr. Chair, I respectfully disagree with your opinion that the two comments prior were relevant to this motion. This motion does not have a thing to do with crime rates. It does not have a thing to do with the process that the council went through to hire Chief Akagi. This amendment has to do with public trust and integrity. It has to do with the fact that we spent nearly \$25,000 of taxpayer money to recruit a police chief who by at least 6 possible coincidences had connection to the City Manager who hired him. That is the amendment on the floor. It has absolutely nothing to do with emotion; it has nothing to do with our infinity for or not for some individual. It has nothing to do with crime rates. The motion on the floor is about whether or not Mr. Watson and Mr. Akagi knew one another and the process we need to go through to determine that and to determine whether or not taxpayer dollars were spent a judicious and fair way.

Mayor: Mr. Hensley,

Hensley: I will say Ms. Smith your memory is a lot better than mine but I agree with Mr. Callison. I think what we are looking for here is the quality of the police and we not even talking about that right now. But I will point out being an engineer, I like to know where I can get the answer and I see a gentleman sitting out there in the audience who was a member of the citizen committee group. Mr. Joe Lee and if he would be will to say something on whether or not the Mercer group had...

Mayor: Mr. Hensley I am going to have to stop you and rule that out of order for such time as council concludes its discussion and then there'll be time for any interested citizen to speak and make comments. Mr. Chinn,

Chinn: Just a quick point of order and then a comment. Does this resolution ask for an independent council to take a look at these issues or for the City Council to take a look at these issues?

Baughn: I apologize, the full amendment was to select an independent third party to review within 90 days that party would have no ties to the Oak Ridge Community and should be certified as a private investigator or someone of similar background and be completely unaffiliated with any organization that the City may paid dues to directly or indirectly.

Chinn: Okay thank you very much. I have asked for a lot of public comment. I have put out a notice on my Facebook page and ask for comment in the newspaper and received over 2,000 hits on my Facebook post, and tons of comments and a lot of public comment. It has been one on end of the spectrum to the other. A lot of folks say we should do something and other people say it is the wrong time. I think both are right. I think we are at a brink as a City and we have a lot of things about to happen. Great things with the UPF project, with the National Park Designation, with two huge industrial projects we are looking at, with the Center City with the mall. There are a lot people with eyes on the City and we need to be very careful about how we perceive this Community to the outside world. As I said in my Facebook post I don't think we can pick the time we have our problems. We have to address those problems as they come up and there have been a lot of people express concerns about the police department, how the City Manager was hired and a lot of things. I think in order to clear the name of everyone out there we need to take a look at these issues. I don't think there is anything there but there might be. If there

is we need to know about it. If there is not, we need to clear the people's names that are being dug through the mud. I think the crime rate is good in Oak Ridge. I like what Chief Akagi has done, personally. I am not a police officer, I don't know how to run a police department. I am not a City Manager, I don't know how to run a City. I have been involved with it on the peripheral and both of these men are doing a great job. There has been so many questions raised amongst so many people look at the out pouring of concern and the many people. I have never seen a City Council meeting with this many people in it. I think we need to take a look at this. Just to clear the names or find out what's there. If there is something there, we need to address it and if not we need to move on and get the good word out about Oak Ridge. What a great place it is to live, work and do business. Thank you.

Mayor: Other discussion, other comments by Council?

Hensley: Yes I have one question.

Mayor: Mr. Hensley,

Hensley: I am concerned about Ms. Baughn's answer when we asked was this an independent review or was it the original resolution. It was my understanding what we just substituted starting about where the 24,448 is we plugged that into the original resolution and starting with the second whereas, is that correct?

Baughn: Yes

Mayor: That is my understanding

Hensley: That is not an independent review, this is a authorizing City Council up here according to this top line authorizes City Council by resolution to make investigations into the City and City departments.

Krushenski: If you could scroll down,

Hensley: So we are talking about something added to that?

Krushenski: Its right there. See the arrow?

Mayor: As I understand it, Mr. Hensley. This particular amendment would require an independent third party but that party would have absolutely no ties to the Oak Ridge community and would be a certified private investigator or of a similar background and be completely unaffiliated with any organization in which the City pays dues to directly or indirectly.

Hensley: In Ms. Baughn's original resolution that I am looking at on my computer. Where does it say anything about independent? It says City Council authorizes. I am sorry it is the other way around. It authorizes City Council by resolution to make investigations.

Mayor: But the amendment that she has put forward Mr. Hensley would change that.

Hensley: Is these words right here that I have put a bracket on and I don't see independent anywhere in there.

Smith: I have not seen a copy of this substitute resolution on the screen. It is not in here or the one I gave to the Mayor.

Hensley: Is it the first line up there? City Council desires a third party to review, is that the catch all right there that gets us the independent? Is that right Trina?

Baughn: Yeah. I mean I am just trying to work in the confines of the Robert's rules that the Mayor laid out. My intent is to implant the substitute resolution and all its content into the original resolution.

Hensley: I just want to understand what I am voting on and that line desires a third party, is that what makes an independent review?

Baughn: in my mind, yes.

Hensley: Okay.

Callison: Mr. Mayor?

Mayor: Keeping in mind, Mr. Hensley that substitute motion as I understand it limits the people who could conduct the review or investigation under this particular resolution. To a...

Hensley: We don't have a substitute resolution, Kelly's has been put over here in the bullpen.

Mayor: But in her resolution, Mr. Hensley, she is limiting the type of person that could do the review. It was adopted.

Hensley: Where is it limited? We did not get down that far. We only took those where that bracket is and put that here. We did not even get to the therefore.

Mayor: Mr. Clerk there seems to be some confusion about what was included in Ms. Baughn's motion. Can you clarify that for Council and those in attendance?

Clerk: Ms. Baughn moved to include from the third resolution within your packet. Not the one that has substitute written at the top or the one that says resolution authorizing an independent review, court document and proceedings related to e...

Hensley: Excuse me where does it start?

Clerk: it starts from the whereas the City Council desires a third party to review.

Hensley: Okay, how far does it go through?

Baughn: to the middle

Clerk: Yeah she included the entirety of the resolution.

Mayor: Yes that was my understanding Mr. Hensley.

Hensley: I thought it stopped at now therefore. So I stand corrected.

Mayor: So is everybody clear?

Callison: Yes,

Mayor: Okay. Mr. Callison,

Callison: Thank you. One of the things we are trying to do is move City forward or let it fall backwards and I can't understand why someone who is looking at Oak Ridge really cares about whether or not the Chief knew Mr. Watson. Who shot who, you know what they care about is so we have a good police force. So I think this resolution is a waste on our time. I think we need to move on. We need to look at what issues are with the police force from a perspective of looking at turnover rates which you can tease out other things, management styles and all kinds of things. I think that is what people care about. They care about coming to Oak Ridge and having a good police force, feeling safe, getting the drug houses out of the way and moving on. And I think this is a distraction and this is the crap we keep doing. I am sorry. Anyway thank you.

Mayor: Alright, Ms. Smith? Any other comments from Council about Ms. Baughn's resolution before we take comments from the audience? Alright. If anyone who wishes to make a comment, if you will approach the podium. We have been asked to by our IT staff, try not to hit the arm. It is barely hanging on.

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 8 05 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. Ln

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.

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.