

Council Work Session

October 20, 2015

Meeting called to order at 5:00pm.

Invocation given by Mayor Harley

Pledge of Allegiance led by Director of Operations Mike Brumfield

Welcome Extended to all by Mayor Harley

Present were Mayor John R. Harley, Councilman Cameron W. Andrews, Councilman Randall Wright, Councilman J. Micheal Evans, Councilman Jonathan Nichols and City Attorney Rebecca Tydings.

Public Comments

Edward R. Tucker, 121 Tivoli Park- Reason: State of the Police Department: Opening comments: Toxic leadership is a combination of self-centered attitudes. Lacks consideration of others. Alienates and abuses his subordinates. Self-serving and arrogant. Usually bright and energetic. Read from the Bible -whomever would be great among you would serve. Servant leader - Needs vs wants of his people.

The following is a summary of Mr. Tucker's comments.

Recent events that occurred while I was in my job. Sgt. Montford raised pay accordingly. July 16th discussion with Daron Gray related to salaries and insurance costs. Pay vs. experience. Sgt. Jimmy Washington – 15 years police experience – paid at step 2. July 21st discussion with Council; spreadsheet – Lt. Pritchett was also present. Goal to keep officers and to have a line outside of those wanting to come in. July 29th memo to entire Council from City Accountant and City Attorney – outlines Council's intent. Sergeant's Moss, Washington and Smith proposed to come up to Step 5 where they are currently steps 2, 2 and 1 respectively.

Mr. Tucker asked the following question. Was it ever the intent to pay what was agreed upon to pay the officers and budgeted? Councilman Nichols "yes" and Councilman Andrews "agree". Three months later they still don't have raises.

August 4th Councilman Nichols replaced by Councilman Evans – no experience; motive was to manipulate the new councilman through the bidding of others.

Mr. Tucker stated that he was not mandated – hired to bring morale up and take care of police officers.

Friday August 7th met with Councilman Evans for two hours – dissected and went through all personnel files – stated that Welch and Scuderi would wait for evaluation periods; 5 minutes after meeting was over Councilman Evans called back and lowered proposed raises because of take-home vehicles.

Why again did this not get implemented and why was council not made aware of changes he made?

August 11 Councilman Evans told Police Department that chain of command was no longer in effect – they could come to him directly – recorded by Officer Welch.

Were you aware she was recording? No.

You lessened my role and replaced yourself. Hostile work complaint filed.

August 14th – email sent with offers to new hires. July 30th offers were in an email to Council.

August 17-18 – review of new officer applications.

Two rejected – they had already been made offers.

August 19th officers were called and re-offered the jobs.

September 1 meeting – met with Mayor and Councilman Evans, City Attorney present – instructed to prepare pay memos.

Was not told that Officer Welch was placed on Administrative leave.

Memos created authorizing pay increases.

September 3rd – Councilman Evans told me they weren't good enough.

Discussion back and forth between Tucker and Councilman Evans.

September 7th placed on admin leave.

September 8th memo suspending implementation of pay raises.

Was rest of governing authority aware that you wrote a memo suspending pay for all police officers?

Councilman Evans clarified that he meant pay raises.

Mr. Tucker stated that he has been accused of a lot of things. Leadership is about courage. All except one police officer would support me coming back as Director of Police Services.

Mayor Harley made the following statement.

I was very excited and supportive when the discussion of the possibility of your taking over the Police Department was made. I looked at your seven and a half years on the Council and your 26 plus years in the military as having a combination of skills for what we needed at the time. Your Council time meant you knew how the City operates and your military time meant you had some understanding of people under arms.

Sometime after that you were invited to an Executive Session where you presented a proposal to provide immediate pay increases to our Police officers. While expensive, you showed us how to do it within the budget. Initially I must admit I liked the idea. I did think it was peculiar in that about a year and a half ago when all of our City Department Heads came to us with the same proposal, you supported it but told them quite loudly not to come back again. I did understand that negotiating this pay increase this would make the Police your friends.

This pay request was not initially acted on because I wanted it to be discussed and approved at an open meeting first. Technically it did not have to be voted on but I was uncomfortable with it because it deviated from the normal process of 1-step merit increases, which the budget is based

on. I was also very surprised that you told the officers they were getting a pay increase on more than one occasion before it was even discussed, let alone approved, in open Council session. Shortly after that a few officers let us know they were not happy as your proposal would have created some pay inequities – for example, a newly hired officer would have been receiving more money than an officer of the same rank who had been with the City for many years. I still supported you.

The next thing I find out is that you had sent two older police vehicles to a dealership for trade in and then asked them to find four additional used vehicles for the City to purchase. All of this was done without prior Council approval at an open meeting. Also, one of the vehicles had been in use by the Fire Department which means we have to find a replacement vehicle for them. I still supported you despite these actions which have cost the City over \$70,000 in unbudgeted costs. This does not include the additional future cost of maintenance and equipment for these new vehicles, which you failed to consider in your request for the additional vehicles.

My sense that you were operating the Police Department as you saw fit was elevated when I found, on at least two occasions, you changed your working hours without advising anyone, particularly the Councilman over the Department. On one occasion you were apparently in Mississippi while your time card indicated you were at work.

Finally, the City had to hire an independent attorney from Atlanta to perform an investigation into complaints about the Police Department. His findings were the last straw for me. I realized I had to put the City ahead of friendship. I no longer have faith in your ability to lead the Police Department in any role. I still think you are a very talented man and I wish you well in the future

Councilman Andrews made the following statement.

From the date of Tucker's admin leave, we have not spoken. I did speak to you late last week when I saw that you were on the agenda. I appreciated that conversation – it was very enlightening. Lots of people do not understand what is going on. Things I don't like – memo sent out about halting of pay raises. Not talked about among all of Council. Chain of command – directions on that issue bothered me. I heard the recording – not second hand knowledge. Investigation took place – listened to all of the recordings. There was direction to go outside chain of command. Problem that there was an agreement on the table that was taken back. At least our intent – no decision made in Executive Session. Bothers me that there was a meeting later where the decision was altered or changed. I have a real problem that we have waited for months to give the raises. It breaks my heart that we have lost the trust of our Police Department. Not fun sitting in this seat right now. I have one vote and it will be used to do the right thing. I appreciate you being man enough to come when people have drug you through the mud. That took courage. Appreciate the fact that Mr. Tucker came and spoke in front of them tonight-speaking from my heart.

Tucker replied to Mayor's statements: memo from July 30th agenda – talked about purchase of additional cars and trade-ins. No mention of either vehicle being used by the Fire Department.

Councilman Evans responded. Haven't been here that long. Ran a couple of years ago. Have met lots of citizens. Council has done many things that have lessened citizens' confidence in

them. I cannot make a decision by myself – it takes (3) votes. To say that I approved or turned down raises is a fallacy. That’s the bottom line.

Councilman Nichols and Councilman Wright had no comments.

Mayor says two officers have told him in recent weeks that they are very excited about the way things are going.

Public Comments

Geraldine Parker, 129 Ridgebend Dr. – Mr. Tucker voted for the purchase of (13) Tahoes-costing the city over \$500,000.00. Leasing is better. You would have saved taxes and maintenance dollars. Code Enforcement officer doesn’t have equipment in her vehicle – taken out without her knowledge. She needs to have it for her safety. She has been the best police officer that I have known – very dedicated to her job despite being under a lot of pressure.

Old Business

New Business

Police Chief Position: Councilman Evans stated that he has an understanding there have been issues with the Police Department for a long time. Only goal to get these fixed and press on. Want the Police Department to have an individual who has leadership skills and experience in the police field. This is important. Need to make a decision. There are many qualified people in this state and we will be able to find a Police Chief. Provide respect and loyalty. There has been some discussion not as a group. Looking at how we can go about this, putting together a job description and put out a notice to begin this search. Need to have a panel of individuals who have police experience and provide a fresh eye; 4-5 people to look at candidates. Seeking thoughts from Mayor and Council.

Councilman Wright recommended (3) on the panel (Chair-Councilmember over Police Department and (2) Police Chiefs (retired or active) from outside the area.

Councilman Andrews stated he likes the panel-(3) is agreeable.

Councilman Nichols stated he is good with (3) on the panel; if you get too many minds together “waters down”.

Motion made by Councilman Evans to create panel of (3) consisting of Chair-Councilmember over Police Department and (2) other individuals with police experience; seconded by Councilman Wright. Motion carried.

Police Department Pay: Councilman Evans stated that he has spoken with Captain Harlowe about this. Councilman Evans recognized Captain Harlowe.

Captain Harlowe reported that things are running in the right direction.

Tonight I am bringing to you a four-part proposal regarding Police Department pay for Mayor and Council’s consideration.

1. Current-year pay raises

The recommendation is that all Police Department employees (with the exception of four recent hires) should be evaluated within the next two weeks and should receive their merit increase, as included in the FY 2015-2016 budget. The new pay rates would be reflected on October 30, 2015 payroll checks. Any employee whose anniversary date for this year has already passed would receive their merit increase retroactively back to their anniversary date. All employees will receive their raise on the October 30th payroll check regardless of their anniversary date. This will ensure that all eligible Police Department employees receive a raise, which was budgeted for, on their next payroll check. No additional merit increases will be given this year.

1. Police Department Administrative Personnel and Animal Control Officer

Currently, Police Department Administrative Personnel Jane Hairston and Teresa Saunders as well as Animal Control Officer Terry Wright are not paid according to the Public Safety Pay Scale. The recommendation is to place them on the Public Safety Pay Scale. Ms. Hairston and Ms. Saunders would be placed in Class 9 with this year's merit increase taking them to a Step 8. They are currently at a Class 10, Step 7 on the non-Public Safety Pay Scale. Animal Control Officer Terry Wright would also be placed in a Class 9 with this year's merit increase taking him to a Step 20. Currently ACO Wright is at a Class 10, Step 20 on the non-Public Safety Pay Scale. This is particularly important since ACO Wright will not otherwise be eligible for a raise for five years if he is not placed on the Public Safety Pay Scale. Doing so will ensure that ACO Wright is included in this year's merit increase process. Although Animal Control is a stand-alone department for purposes of the budget, ACO Wright reports to the Chief of Police as do Ms. Hairston and Ms. Saunders.

2. Starting salary policy

In order to eliminate confusion about the Police Department's hiring policy with regard to starting salaries, there should be a firm starting pay rule for new hires. The current Public Safety Pay Scale has been in effect since July 1, 2012. The recommendation is to establish a firm policy that recruits (non-mandated personnel who will be sent through Mandate School) will start at a Class 11, Step 1 (\$13.28 per hour) on the Public Safety Pay Scale. Mandated officers (those who have already successfully completed Mandate School and are P.O.S.T. certified Georgia Peace Officers) will start at a Class 11, Step 2 (\$13.62 per hour) on the Public Safety Pay Scale. This recommendation, if adopted, will eliminate confusion about the Police Department's starting pay and will also eliminate the possibility that new hires will start at a pay rate higher than officers who have been with the City for more than two years. The only exception to this rule would be if someone were hired in at a rank higher than Patrol Officer. For example, if someone was hired in as a Sergeant, that rank is a Class 12 on the Public Safety Pay Scale. Anyone hired in as a Sergeant would start at a Class 12, Step 1 (\$14.66 per hour). This scenario would be rare because the intent is to promote from within when at all possible.

3. Pay Scale adjustment to improve recruitment and retention potential

Although there is a need to consider adjusting the Public Safety Pay Scale so that entry level pay (Class 11, Steps 1 & 2) is high enough to attract and retain quality personnel, the recommendation is to take this under consideration over a period of months and to not be implemented until next budget year. Perhaps Class 11, Step 1 could be raised to \$14.00 per hour and Class 11, Step 2 could be raised to \$15.00 per hour. Raising starting pay in this manner makes Centerville more competitive for the best potential candidates but still doesn't make the hourly public safety pay rates unrealistic or unattainable. Again, this recommendation is suggested for implementation during FY 2016-2017 since the current year's budget was set using the current (July 1, 2012) Public Safety Pay Scale.

In closing, I appreciate Mayor and Council's consideration of these proposals. They were carefully and thoughtfully prepared by a team effort of your City staff.

MOTION #1

Councilman Evans made motion that all Police Department employees (with the exception of four recent hires) be evaluated within the next two weeks and should receive their merit increase, as included in the FY 2015-2016 budget. The new pay rates will be effective for the pay period 10/14 – 27, 2015 and will be reflected on October 30, 2015 payroll checks. Any employee whose anniversary date for this year has already passed would receive their merit increase retroactively back to their anniversary date. All employees will receive their raise on the October 30th payroll check regardless of their anniversary date. No additional merit increases will be given this year; seconded by Councilman Wright.

Discussion-Councilman Nichols has no problems with pay raises, however, asked why do we have to do another evaluation when they have already been completed? Councilman Evans stated that he and Mr. Tucker had not evaluated police officers, basically sat down and reviewed personnel records, did not address performance, only a review. Captain Harlowe should have the opportunity to evaluate because he has watched the officer's for the past 6 weeks. Councilman Andrews was concerned about the time frame to complete evaluations and asked if this is possible? Captain Harlowe confirmed "yes" and stated they will do what it takes to get these evaluations done, even if they have to stay late at night. Also, stated that he is the guy from the outside looking in and would like to be able to review evaluation form and suggest to the officer's recommendation for improvement if necessary.

Mayor Harley called for vote. Unanimous. Motion carried.

MOTION #2

Councilman Evans made motion that Police Department Administrative Personnel Jane Hairston and Teresa Saunders as well as Animal Control Officer Terry Wright be placed on the Public Safety Pay Scale. Ms. Hairston and Ms. Saunders will be placed in Class 9, Step 8 based on a merit evaluation. Animal Control Officer Terry Wright will also be placed in a Class 9, Step 20 based on a merit evaluation; seconded by Councilman Nichols. Motion carried.

MOTION #3

Councilman Evans made motion to establish a new policy governing starting salaries for new hires in the Police Department. Recruits (non-mandated personnel who will be sent through Mandate School) will start at a Class 11, Step 1 on the Public Safety Pay Scale. Mandated officers (those who have already successfully completed Mandate School and are P.O.S.T. certified Georgia Peace Officers) will start at a Class 11, Step 2 on the Public Safety Pay Scale. In accordance with the City's Personnel Policy Manual, it is the City's preferred practice to promote from within whenever possible; seconded by Councilman Wright.

Councilman Nichols beginning stages back to 2013-2014 to take into consideration years of service, understand a 2 fold policy, this still doesn't address experience.

Captain Harlowe stated that if you have an individual from another agency making more money and applying for a position with the city, would recommend looking at the reason they are wanting to leave agency. Have to be fair to current employees that are coming to work and doing their job.

Councilman Andrews would like the pay to overcome and make police department attractive, this is unfinished business.

Captain Harlowe stated this is a work in progress.

Councilman Evans stated that we never pay an officer enough, want the "Best" police force in the state of Georgia. This is a work in progress. Also, wants the police officers to see that we (Mayor/ Council) are working.

Councilman Wright stated don't forget the Fire/ Utilities Departments – all are hard-workers. Motion carried.

MOTION #4

Councilman Evans made a motion that a committee consisting of two Councilmen over the Police and Fire Department and staff members (Police and Fire Chiefs and City Accountant) be appointed to develop and propose an adjustment to the current Public Safety Pay Scale. Any changes to the Public Safety Pay Scale would not be implemented until the FY 2016-17 budget year, subject to approval by Mayor and Council; seconded by Councilman Nichols. Councilman Andrews recommended that the motion be amended that a committee consisting of 1 Councilmember over the Police and Fire Department and staff members (Police and Fire Chiefs and City Accountant) be appointed to develop and propose an adjustment to the current Public Safety Pay Scale. Councilman Evans amended motion; seconded by Councilman Wright. Motion carried.

Police Patrol Vehicle equipment –Purchase of MDT's:–Captain Harlowe stated that some time back vehicles had been purchased. One of his jobs when he came in was to look at what needed to be done. Recognized that (5) of the new patrol vehicles did not have MDT (Mobile Data) this has access to 911. Recommendation to purchase equipment for these vehicles (\$27,708.85- hot spot (Wi-Fi capability-additional monthly fee) and radio license (Motorola-onetime fee) \$1,538.46, Sun Guard software license \$15,200) Total \$44,447.31.

City Accountant Harrison stated that the total cost would be: \$45, 967.31 and proposed to move \$20,000 from regular wages to repair and maintenance and the remaining balance would be transferred from General Fund Contingency Funds.

Motion made by Councilman Evans to approve expenditure for the additional equipment, licenses and funding sources in the amount of \$45, 967.31 and propose to move \$20,000 from

regular wages to repair and maintenance with the remaining balance transferred from General Fund Contingency Funds; seconded by Councilman Andrews. Motion carried.

F.I.R.S.T. Contract (Fire Dept Annual Fund Raiser): Fire Chief Jones recommending Mayor and Council to enter into agreement. This fundraiser is done annually; Curtis photography. Motion made by Councilman Nichols to enter into the F.I.R.S.T Contract- picture fund and designate Mayor Harley as signatory; seconded by Councilman Evans. Motion carried.

Fire Department- 2015 Firefighter of the Year: Fire Chief Jones reported that The Knights of Columbus had recognized Patrick Watson as “Firefighter of the year” at a ceremony held previously. Chief Jones also wanted to recognize firefighter Watson as the City of Centerville Firefighter of the year. Chief Jones praised firefighter Watson for his leadership skills, stating that he has “stepped up”.

RFP Consultant – Downtown/Park Area: Councilman Nichols stated that this has been very exciting with the help of Cam Yearty (MGRC). City Attorney Tydings, Director of Operations Brumfield and have come up with specifications and look at what we need. Cam Yearty has worked with us and developed an RFP.

Mr. Yearty thanked everyone for the opportunity to discuss looking at initial ideas and concepts. Gave a quick overview of what MGRC does for the community. Looked at vision as a whole about what the city is looking for in the downtown/ park area. RFP content is based on that vision.

Councilman Nichols stated that a lot of time and effort has been put into preparing this document. Motion made by Councilman Nichols to accept proposal as written with the deadline of November 30, 2015; seconded by Councilman Andrews. Motion carried.

City Property Landscaping Contract Discussion/Approval: Director of Operations Brumfield provided a copy of letter with proposal. Seeking approval for City Attorney to draw up new contract and accept new pricing of \$835.00 per month-\$10,020 per year and authorize Mayor Harley as signatory. Motion made by Councilman Wright to approve new contract pricing of \$835.00 per month-\$10,020 per year and designate Mayor Harley as signatory; seconded by Councilman Nichols. Motion carried.

Budget Resolution - First Budget Amendment FY 2016: City Accountant Harrison provided a copy of budget resolution to Mayor and Council for review. Motion made by Councilman Andrews to approve budget resolution as written; seconded by Councilman Wright. Motion carried. See Resolution 2015-11.

Comments from Council

Mayor Harley, apologized for the disarray at the last meeting. Stated that he had not previously had a candidate want to speak at the meeting. When Mr. Armijo, began to speak, Mayor Harley stated that he had adjourned meeting. Councilman Andrews was concerned that Mr. Armijo could possibly be violating election law unintentionally. Later research revealed that because no early or absentee ballots had yet been cast, then no violation occurred. Additionally, Mayor Harley clarified the times for early voting; Monday-Friday 8-5pm until October 30, 2015.

Post 3 Councilman Evans, congratulated the Patrick Watson, Fire Fighter of the Year and thanked the staff for all of their hard work. Believes that it is our responsibility / goal to

represent all of the citizens. Make decisions that are in the 'best' interest of the entire city, sometime they are difficult. Putting the city on the correct path in the Police Department and having to make difficult decisions. Building a park is an easy decision. The difficult ones/ decisions always affect someone, the easy decisions often affect everyone. Thanked the citizens for allowing the Mayor and Council to do this and have trust and confidence in them.

Post 4 Councilman Nichols, stated that a city is like a big family, a lot of working parts. There are some decisions that we do not like to make. The Mayor and Council make decisions on the best interest of the city. If this was easy- everyone would get along. Mayor and Council are here to represent the citizens. This last year has been tough, but I am grateful. We do not always agree, but that is ok. Thankful for this opportunity to be here with Mayor/ Council / Staff. Appreciate all the comments from the public, this challenges us and makes us serve you better. In closing, congratulated Fire Fighter Patrick Watson.

Red Froshour, 310 Woodhaven Rd, reported that his neighbor's house was hit by lightning and caught fire. The Fire Department response time was 8 minutes. Mr. Froshour publicly thanked the Fire Department.

Meeting adjourned at 6:44pm.

Mayor John R. Harley

Attest by City Clerk Krista Bedingfield

Date