

19 October 2011

NOTICE AND CALL OF SPECIAL MEETING

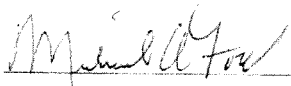


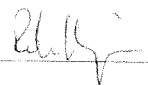
Notice is hereby given of a special meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Wednesday, October 19, 2011, at 1:00 p.m., for the purpose to:

- 1. Receive the Report of Mr. Lorenzo Howard regarding the Police Department.


 Lonnie Mixon, Council President

CONSENT TO HOLDING OF MEETING

The undersigned members of the City Council of the City of Fairhope, Alabama, do hereby acknowledge service of the Notice and Call of Special Meeting hereinabout set forth and do hereby consent to the holding of such meeting as such time in such place for the purpose set forth therein.

Attest:


 Lisa A. Hanks, MMC
 City Clerk

19 October 2011

STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in Special Session at 1:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Wednesday, October 19, 2011.

Present were Council President Lonnie L. Mixon, Councilmembers: Debbie W. Quinn, Daniel Stankoski, Michael A. Ford, and Rick Kingrea, City Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. Mayor Timothy M. Kant was absent.

There being a quorum present, Council President Mixon called the meeting to order and explained the reason for the special meeting. Council President Mixon thanked Lorenzo Howard for his time and expertise for conducting an assessment of the recent complaints, allegations, counter allegations, and potential dangerous situations that were recently made to the Mayor by police department personnel.

Council President Mixon read the following statement which was given by City Attorney Wynne:

The Council can have an executive session to discuss the “general reputation and character, physical condition, professional competence, or mental health of individuals, or to discuss the job performance of certain public employees.” However, discussion of the job performance of certain public officials may not be discussed in executive session if the person is an elected or appointed public official; or a public employee who is one of the classifications of public employees required to file a statement of economic interest with the Alabama Ethics Commission pursuant to Section 35-25-14. The Police Chief is one of the public employees who must file such statement under 36-25-14. So, if the job performance of the Chief is going to be discussed, this cannot be done in executive session. But, if general reputation, character, physical condition, professional competence or mental health is going to be discussed, this can be discussed in executive session.

At the request of the City Attorney, Marion E. Wynne, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(1) to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees.

19 October 2011

The approximate time to be in Executive Session is 30 minutes. Councilmember Kingrea moved to go into Executive Session. Seconded by Councilmember Ford, motion passed unanimously by voice vote.

Exited the dais at 1:04 p.m. Returned at 1:17 p.m.

Council President Mixon announced that the entire presentation by Lorenzo Howard would be made in the open.

Mr. Howard stated that he was asked to look into a situation where allegations were made of intimidation and harassment on members of the Police Department against the Police Chief. Some of the investigation comments from the police officers and others were the general feeling that nothing would happen or that this investigation was being done to make sure it was noted that something was being done. He said it was enjoyable to listen to the honesty and straight forwardness of the police officers.

The format of the questions used in the investigation was the following:

- 1) Background of Officers
- 2) Name of Supervisor
- 3) Issues with harassment and/or intimidation
- 4) Communications
- 5) Additional Comments

There were perceptions of an empire building around here and not having a say so. The Council and Mayor were too busy fighting amongst themselves to deal with the situation.

The findings of the investigation are the following:

- 1) Perceived pattern of confrontational management style
- 2) Did not fit Fairhope
- 3) Perceived to be talking down to employees
- 4) Comment – “My way or the Highway”
- 5) Crisis Management – get things done
- 6) Comments – bluntly trying to get away from Chief and Department
- 7) Positive things – Intelligent and gets a lot of things done
- 8) Statement – “I’m going to cut your head off”

19 October 2011

Mr. Howard commented that the Chief said the statement “going to cut your head off” was a generic way of talking about things. Mr. Howard told the Chief that his interview with the media was inappropriate. In this interview, the Chief said people would be dealt with, Lorenzo Howard would exonerate him, and nothing would be dealt with.

Forty percent thought there was a hostile environment. Mr. Howard stated that the Chief said standards are set and employees are evaluated based on the standards. Mr. Howard also stated there is a Performance Evaluation System used in Fairhope; but the Police Department has a separate one. Mr. Howard commented this is the source of a lot of issues and has been discussed with the Chief. He said the Chief put a lot of time in the system, but the systems need to be merged. An evaluation system contains generic job factors, job details, stress management, etc.

Mr. Howard said the job fit has been Miami versus Fairhope. The Police Chief scale is a different environment. The job needs to fit the environment. This is large city versus small city. Several commented this is not Miami, Florida.

He went on to say he found three groups in the Police Department:

- 1) Pro Chief – 20 percent
- 2) Middle of the Road – 60 percent (These employees expressed they wanted to do their job and get this over with)
- 3) Anti Chief – 20 percent

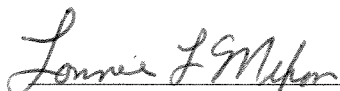
Mr. Howard said the City Council needs to determine whether or not training and development for the Chief would turn this around; and help with interpersonal skills. Would the Chief commit to try and make the change? The Chief is a very well trained professional with multiple degrees mainly in Psychology. If training will not help, a decision would need to be made. The Council needs to determine whether personality fits where it won't work.

Council President Nixon asked about the main concern of the danger of someone getting hurt. Mr. Howard replied the comment was made on a whim, if made at all. Councilmember Stankoski said statements were made regarding non-fit; is this intimidation factor or personality clash. Mr. Howard replied there were feelings of intimidation by officers and staff. However, the Chief did not see it that way. Mr. Howard stated he too had same problem when he first met the Chief. Councilmember Quinn asked; will training help or is it mind set and won't change. Mr. Howard replied the City Council has to make that determination.


19 October 2011

Mr. Howard was thanked again by Council President Mixon and Councilmembers for his hard work with this investigation.

There being no further business to come before the City Council, the meeting was duly adjourned at 1:50 p.m.



Lonnie L. Mixon, Council President



Lisa A. Hanks, MMC
City Clerk