

4 June 2018

NOTICE AND CALL OF SPECIAL MEETING

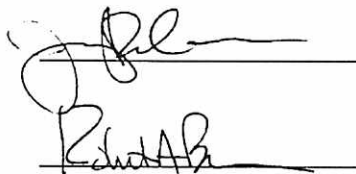
Notice is hereby given of a special meeting of the City Council of the City of Fairhope, Alabama, to be held at the Fairhope Municipal Complex on Monday, 04 June 2018, at 4:00 p.m., for the purpose to:

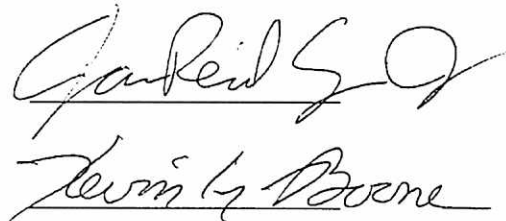
- ❖ Adopt a Resolution setting the sequence for the appointment of an Interim Chief of Police and a Chief of Police


 Jack Burrell, 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.


 Richard A. Hanks


 Kevin L. Boone

Attest:


 Lisa A. Hanks, MMC
 City Clerk

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STATE OF ALABAMA)
 :
 COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in special session at 4:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 4 June 2018.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson, Jimmy Conyers, Robert Brown, and Kevin Boone, Mayor Karin Wilson, Attorney Marion E. Wynne, and City Clerk Lisa A. Hanks. City Attorney Marcus McDowell was absent.

There being a quorum present, Council President Jack Burrell called the meeting to order at 4:00 p.m. The invocation was given by Reverend William Parsons, Pastor of Redeemer Lutheran Church, and the Pledge of Allegiance was recited.

Council President Jack Burrell announced that the Special Meeting was called to consider a resolution setting the sequence for the appointment of an Interim Chief of Police and a Chief of Police. He stated that there would be a 30-minute period for public participation, then Chief Petties will speak, and the City Council will have comments.

The following individuals spoke during Public Participation:

- 1) Jim Griggs, citizen of Fairhope, addressed the City Council and said the employees of the City made this Town what it is. Their dedication is non-existent in other Communities. He commended the Chief for his service. Mr. Griggs asked everyone to give Chief Petties a round of applause. He received a standing ovation.
- 2) Gary Wolfe, owner of two Fairhope businesses, addressed the City Council and said he has known Chief Petties and his family for years. He commented the Chief has been dealing with the administration and family; and this is an emotional time. Mr. Wolfe said the Chief needs time to think about it and needs time to take care of his family.

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- 3) Dr. Margaret Meyers, Greenwood Avenue, addressed the City Council and said Chief Petties needs to be given a leave of absence to take care for his family. She questioned if he has tender his resignation.
- 4) Alisa Valentim, Perdido Avenue, addressed the City Council and said Chief Petties has extreme ethics and knows the law and ordinances. Ms. Valentim said she feels safe because of Chief Petties. She requested the City Council to allow a leave of absence. Ms. Valentim said she knows him and loves him.
- 5) Lori Dubose Guy, WABF Radio and 415 White Avenue, addressed the City Council and said there are rumors around town questioning if Chief Petties actually submitted his resignation or not. Mayor Wilson responded that Chief Petties had turned in his RSA forms.
- 6) Alec Barnett, President of the Baldwin County NAACP, addressed the City Council and stated the City Council had already made their decision. He asked, "Do you care about his family?" Mr. Barnett told the City Council that they serve the Community. Council President Burrell replied no one here asked for his retirement; we have asked him to stay. Council President Burrell read the following: "The City Council will allow Chief Joseph Petties to remain Chief of Police if he decides prior to his retirement date to stay employed with the City of Fairhope."
- 7) Wayne Anderson, 107 Par Circle, and Pastor of South River Park Church addressed the City Council and said he had worked with Chief Petties on several movements such as "Path to Peace." He requested an accounting to what has led to Chief Petties' resignation.
- 8) Ben Smith, 217 South Mobile Street, addressed the City Council and said to keep Mrs. Petties in your minds too who has given Chief Petties 36 years of support.
- 9) John McDonald, 22761 High Ridge Road, addressed the City Council and said he has the utmost respect for Chief Petties. Mr. McDonald said Chief wanted to do what God wanted him to do. He worked with Chief as an officer with the Fairhope Police Department and said Chief is a Christian man.
- 10) Pastor of Good Samaritan Sanctuary addressed the City Council and stated he has known Chief Petties over 30 years. He also worked with Chief Petties on "Path to Peace;" and said Chief Petties would do anything for the young people and to keep our children out of trouble. He said Joe Petties was the first black Lieutenant, the first black Captain, and the first black Chief in the City of Fairhope. We need to know what is going on.
- 11) Missy Templeton addressed the City Council and said Chief Petties is a Fairhope man who understands each of us and supports our Town. She said if it is not his choice, make it to where he can stay.

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- 12) Pastor William Parsons, 20-year Pastor and Chaplain, addressed the City Council and said Chief is a Commander and the finest example of a Leader. Pastor Parsons said he is thoughtful and merciful; he does the right thing, and has the characteristics of a great leader. We need to find a way to retain him.
- 13) Sandy Whitley, owner of Sandra's Place, addressed the City Council and said this is the best Police Chief we have had in Fairhope. She said the Chief always is there for businesses, calls on the sick people in Fairhope, and is an asset to the City.
- 14) Johnny Chaney, citizen of Fairhope, addressed the City Council and Joe is a historical Chief. Mr. Chaney said he goes to all of the funerals in Fairhope. He is a great Chief to everyone. Mr. Chaney said he was surprised this is happening in Fairhope.
- 15) Marion "Tut" Wynne, 711 Greenwood, addressed the City Council and said it was an honor and privilege to work with Joe Petties for all of his 36 years. He always had integrity and never talked bad about anyone. Mr. Wynne said he loves Chief Petties and it would be great for the City if he stayed here.

Council President Burrell asked if everyone here was in support of Chief Petties; and everyone in the audience showed their support.

Chief Joseph Petties addressed the City Council and read the following statement with his wife finishing and then handed out a letter of resignation to all of the Councilmembers and Mayor Wilson:

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June 4, 2018

Mayor and City Council:

First, I would like to thank you all for giving me the opportunity to serve the City of Fairhope for almost 36 years. For 27 of those years, as a police officer, I have had the pleasure of serving and protecting the citizens of Fairhope with great passion. They say if you have a passion for what you do, you will never work a day in your life. The reason I have been with the City for so long is because I enjoy what I do and I take great pride in serving the citizens of Fairhope until recently. There are times when you don't always see eye-to-eye with your supervisor, but the treatment that I have been subjected to has grown to a point that it can no longer be ignored. Mayor Wilson often speaks of transparency, so I would like to be very transparent as to why I have even entertained the thought of retiring.

My work and leadership, and most importantly, my integrity has come under attack by Mayor Karin Wilson and it has intensified over the past few months. I feel that these attacks have all been a ploy for me to surrender my position as Chief of Police. She constantly accuses me of not communicating with her. I have never had a problem with communicating with Mayor Wilson; however, there are some things that, by law, I cannot communicate with her. I meet with Mayor Wilson constantly, but she never seems to remember what we discuss. No matter what I do, it does not satisfy Mayor Wilson.

On Friday, May 25, 2018, I was called to Mayor Wilson's office and given my performance evaluation. I was accused of intimidating one employee at City Hall and harassing two others and told that if I had to go to their office that I needed to have one of my Lieutenants with me or better yet, let the Lieutenants handle it. I was accused of being disruptive in a mandatory called meeting with the Mayor and police department employees. I was accused of creating negativity and low morale within the police department. I was accused of failing to assist with backgrounds for the people painting the water tower. I was also accused of failing to take ownership and that I blame the Mayor and City Council for everything. These are just a few among a page and a half of accusations given by Mayor Wilson that are false. Never in my 36 years of employment with the City of Fairhope have I ever received a deplorable evaluation of this magnitude. This evaluation was filled with negative statements and lies and I feel that it was a personal attack against me, my integrity, and my character. There wasn't one positive thing listed within that evaluation.

On Tuesday, May 29, 2018, Mayor Wilson called one of my Lieutenants and stated that I needed to go ahead and retire while my integrity was still intact and that the police department was like the Titanic, a sinking ship. This confirmed my thoughts that Mayor Wilson is bound and determined to force me out. How can Mayor Wilson give a press release on my retiring before I turn in a resignation letter or complete retirement paperwork? My retirement should be a joyful one; when I am ready to leave and on my own terms. I would like to finish what I start. With that being said, I feel like I should be able to finish the rest of my term free from harassment and bullying. Unfortunately, unless my chain-of-command changes where I answer directly to the Council instead of Mayor Wilson, things will not change for me. I am being set up for failure and in order to protect my reputation and honor, the only option I have is to retire.

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Council President Burrell commented first I want to say I am sorry and if you would work for the City, we probably can put the finances for your Department under your supervision. He said we are willing to explore options and do not want you to go. Council President Burrell told Chief Petties that he was one of the finest men he knew.

Councilmember Boone said Joe Petties and I go way back; and said his health and family are more important. He said that "Joe is the finest gentlemen he has ever known." Councilmember Boone asked Chief Petties to consider staying until the City Council finds out what can be done for the Department. Chief Petties said he has respect for every one of them up here and will give them a chance to explore.

Council President Burrell stood up and said he was going to grandstand and asked the other Councilmembers to join him as he tore up the letter from Chief Petties.

Councilmember Robinson said it is hard to sit here and not be emotional. He said Chief Petties is truly a great person; and whatever he is doing is the best for the City. He told the Chief thank you and hope we can keep you.

Councilmember Conyers told the Chief he has the utmost integrity; and do whatever you need to do for your family.

Councilmember Brown told the Chief he appreciates his reconsideration.

Mayor Karin Wilson said she hated that it turned into something about her. Mayor Wilson said when she took office she knew Chief Petties was intending to retire. She said, "I am always the scapegoat." Mayor Wilson said she tried to do her very best; and only wants what is best for the City. She said the meeting we had was a two-part conversation; and does not speak about confidential information about employees. Mayor Wilson commented employees have been included in a political game; and this is not the way to do business.

Councilmember Boone replied it is about the Mayor; and this hostile work environment needs to stop. Mayor Wilson stated this is 100 percent political. She said there are a lot of employees that are thankful for the new administration.

Council President Burrell read the resolution to amend Resolution No. 2956-17 in its entirety.

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BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby adopts to set the following sequences for the appointment of an interim Chief of Police and a Chief of Police for the City of Fairhope:

[1] The City Council will be accepting applications from in-house, (i.e. Fairhope Police Officers only) until Friday, June 8, 2018, at 5:00 p.m.

[2] The City Council will conduct interviews on Monday, June 11, 2018 beginning at 9:00 a.m. 45-minutes apart with an Executive Session after the last interview.

[3] The City Council will name and appoint an Interim Chief of Police by the following Monday, June 18, 2018 at the applicant's current salary.

[4] The City Council will appoint a Chief of Police no later than 6 months after the interview at the salary range of a Grade 28.

[5] The City Council will allow Chief Joseph Petties to remain Chief of Police if he decides prior to his retirement date to stay employed with the City of Fairhope.

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution. The motion was seconded by Councilmember Robinson.

Council President Burrell commented there is no need to adopt and he would vote no.

After further discussion, Councilmember Brown moved to rescind his motion to adopt the resolution stated above.

Councilmember Boone moved to look into and investigate where the City Council can take over the Police Department. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Councilmember Conyers stated we need a timeframe for the Police Department. Council President said he had notice of this on Thursday and the rest of the City Council through Friday. He said we had to get something in place, so I called the meeting to set the sequence for appointing an Interim Chief and a Chief. Council President Burrell stated we will get the City Attorney to look into this issue.

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Councilmember Robinson moved to adjourn the meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 4:58 p.m.



Jack Burrell, Council President



Lisa A. Hanks, MMC
City Clerk