

## Discussion and action on the performance of Interim City Manager Steve Hill

Since the beginning of his office, the City Manager has both worked without administrative skill, executive skill, and at times outside of the duties as the Chief Administrative Officer of the City.

Mr. Hill's first act as the Chief Administrative Officer was to exchange the City Manager's staff car with the Park Superintendent's pick-up. Why? Because, he could. This would show the City employees who is the Boss. It goes without saying that as Parks Department head, he justified that vehicle on a basis of need for the utility vehicle, yet as manager, that was of no more importance.

This follows the fact that Mr. Hill has the distinction to being the only City employee to have two letters of misuse of city vehicles in this personnel file by two different City Managers. His subsequent use of the City vehicle has been utilized as his own personal vehicle to travel to and from work and wherever he chooses.

Mr. Hill swore on oath to obey the Charter and all ordinances. The very basis of this oath is the soul of the City. As the Chief Administrative Office, he is required to present himself to the community and city employees as an example to be followed.

Section II of the employees manual, paragraph 1-708, paragraph (2) states: "An employee may not use or attempt to use his position to secure any privilege for himself or others that is not authorized by the Charter, general law or ordinance or policy of the municipality. The use of the City Manager's vehicle to travel about in excess of reasonable use is a violation of this ordinance. Every member of Council received the letters of vehicle abuse in Mr. Hill's personnel file. Every member of Council has a copy of the City Manager's previous and current use.

City Managers Bruce Wyatt, Jack Miller, and David Rutherford had and enforced a city policy requiring city employees to use vacation time when playing golf. When Mr. Hill was asked about the policy, he stated if they put in 40 hours, they didn't have to use vacation time. Mr. Hill made an arbitrary change without going to Council (that being the whole Council not just his friend) and changing the policy so he could play golf with the Kerleys on City time. He did not disseminate that policy through the HRO or other employees. This, as a result, he used his position to allow city time to be used for recreation purposes along with a city vehicle.

It has been custom for the City Manager to let the Council and Mayor know when he was not available for work. Mr. Hill has not done so through correspondence documenting his taking of time off. Instead, he calls the Assistant City Clerk and says "I'm not coming in today". It is his duty to notify Finance, the City Clerk, and the entire Council.

The city ordinance requires all part-time/full time employees to take a drug screening test before employment can be given. Mr. Hill has not done so. As the Chief

Administrative Office and a former department head, there is no excuse. The city has a drug screening program. Since Mr. Hill has assumed duties as he Chief Administrative Officer, this program has ceased to continue. It is my understanding that this is part of our insurance plan, then again if the drug screening policy does not apply to him, why should it apply to anyone else.

Chain of command is outlined in the employee handbook. Shortly after Mr. Hill took office, he received an e-mail. The e-mail was from Councilman Kerley to Billy Loggins telling him to notify the City Manager to call Butch Smith and tell him Souza is looking into the property he desired and was going to cause the deal to fall through. This is telling in that it sets the role Mr. Hill was to follow to this date. That being Councilman Kerley is telling the staff and the Manager what to do. He could not do that with Mr. Hill's predecessor. Mr. Hill, who swore an oath to uphold the Charter lost all direction of what his duty was. It is the duty and prerogative of the members of Council to make inquiries, any time, any place at the discretion of the Councilperson. Moreover, it was my fiduciary responsibility to see why the city was asked to provide worthless land without compensation that the City had paid taxpayer dollars for. It was, in fact, a reasonable and prudent court of action. However, Councilman Kerley set the precedence for the new Chief Administrative Officer to take orders from him and a subordinate, this showing who was now in charge of City Hall. This is not an allegation, but a fact and the e-mail is available for those who wish to look at it.

We have a Council form of government. What that means, essentially, is that all members of Council are queried on all matters pertaining to policies and expenditures. When the County Commission was petitioned by the City to participate in a cooperative agreement to help fund an indoor recreation facility, Mr. Hill operated under Councilman Kerley's guidelines as opposed to the Council. First off, the proposal presented was not what was agreed upon by the City Council. Mr. Hill brought to the buildings and grounds committee, a consulting company that was selected by him and not approved by the Council. While it was discussed that the City would provide the land, the proposal that the County would pay for the whole facility was never determined except in the mind of Councilman Kerley.

The modification of the plans to include indoor golf was never discussed by the Council that was presented to the County. Further, on three occasions, the County asked specific questions, how much does the City want us to obligate, who is going to run the facility, who pays for the operations and maintenance. Mr. Hill never answered their questions. Instead, he presented a razzle and dazzle show that left the County Commission unimpressed. So much, that one highly regarded County Commissioner stated the City doesn't know what it is doing and lacks the leadership to undertake this endeavor or words to that effect. Mr. Hill presented Councilman Kerley's plan negating the meticulous plan his predecessor had that included partnering expenses and operations, rather than what was presented to the County Commission. Mr. Hill demonstrated his inability to execute his executive duties and his lack of judgement by being directed by one Councilman, as opposed to the whole Council which was his duty.

Mr. Hill's role in the resignation of Police Chief Shoap reflected the will of Councilman Kerley as opposed to the needs of the City of Crossville. His personal actions resulted in bad judgment, injudicious conduct that may be abuse of authority in order to execute the wishes of Councilman Kerley.

When Mr. Hill was a department head, he was equal in the chain of command with Jerry Kerley and the buffer of the City Manager presented direct operational control over other departments. Mr. Hill has failed to grasp that he cannot treat department heads differently. The long morning breakfast and lunches with the Kerleys during business hours and the special treatment for his golf pals present an image uncondusive to good order and discipline as outlined in the personnel ordinance. The Chief Administrative Officer cannot maintain his position of authority while fraternizing with his subordinates. Previous friendships and the display of preferential treatment destroys the organization of the City.

Mr. Hill contended that Chief Shoap had to demonstrate to him that he was competent. I find this ridiculous. Every department head has proven their value as reflected by their personnel file. The only negative file is that of Steve Hill!

Well, the former chief was without precedence in the support from the community, his officers, and the Council at large. The Mayor, Councilpersons Harris, Wyatt, and myself expressed our admiration. However, Councilman Kerley who resented his inability to influence the Chief to arrest Donald Andrews, myself, and Mr. Blankenship's elderly mother viewed him as an obstruction to his power. After all, didn't he move to remove David Rutherford and have his friend Steve Hill put into the Administrative Chief's position?

Mr. Hill kept putting his appointment off at the directions of Councilman Kerley. When I e-mailed the Council as to whether they support the Chief to be appointed permanently, Councilman Kerley went into a tirade saying I violated the Charter. I checked with the City Attorney expressing my position did not, in his opinion, create a violation. Mr. Hill absented his duties in City Hall to act as an agent for Councilman Kerley.

It is hard to find Mr. Hill in his office and only seldom does his staff know his whereabouts. Currently, the opinions of the staff is nothing is getting done. In the beginning, the staff covered for him, those days are over, they are not content to watch him flounder.

Mr. Hill has been at the courthouse monitoring the Blankenship case and reporting to Councilman Kerley. This is not his job. That is the City Attorney's, but Mr. Hill cannot grasp that as the Chief Administrative Office, he is demonstrating that the prosecution of Mr. Blankenship has the highest priority of the City.

The Chief Administrative Officer on 3 June ordered the I.T. Department to open its office before City Hall was open to business. In that period, Mr. Hill with his friends

Councilman Kerley and Jerry Kerley pulled the video of the altercation, edited out the first part showing the aggression and stalking and formulated a story to correspond with the remainder of the footage. By the time, the City Attorney and the Chief showed up, they had pulled evidence and interfered with an investigation, all at the use of the Chief Administrative Officer of the City's knowledge and guidance. The City Attorney left the scene not wanting any part of the event and the Chief, verbally and aggressively confronted by Councilman Kerley, left. The City Manager then released a shorter version of the tape editing out the first part to the press. Mr. Hill either lacked the will to tell the Kerleys to stay out of the investigation or failed to have the morale courage to do his job as the City Manager.

Following the altercation on 2 June while ascending the stairs of City Hall, Jerry Kerley, who was a participant in the altercation, did say to the Mayor in the presence of an employee "I am going to whip Souza's ass for painting Blankenship's signs", or words to that effect. An original statement is on file with the District Attorney. Not that it makes any difference, that was untrue, it was enough that they believed it to be true and decided it was ok to stalk and assault me on City property.

Mr. Hill whose job it was to maintain order and discipline is remiss in his duties for not taking action on Jerry Kerley. Then again, that's his friend, father of his sponsor and protectorate. So, where are we? The city is without leadership and out of control.

After the confrontation of Councilman Kerley and the Chief, and the Chief's failure to arrest me, Councilman Kerley took it on himself to harass the Chief.

Mr. Hill told Finance not to honor a trip that the Council, in its budget, approved. Upon confrontation on this, he denied telling Finance not to pay for it.

Mr. Hill, in his capacity, took the Chief over to Councilman Kerley's house where Mr. Hill let Councilman Kerley threaten him for the Chief committing a felony. The City Manager was out of line for allowing that to happen.

Mr. Hill became Councilman Kerley's aide de camp following him around to the Justice Center and District Attorney's office with tales of woes trying to recover from the political disaster that following the altercation.

What should have happened is Mr. Hill should have stayed out of the investigations. His participation was abuse of authority. This will be further addressed.

After the Chief resigned, Councilman Kerley released a story to Jim Young that the Chief was under investigation. This was another lie by Councilman Kerley. There was no investigation. Mr. Hill told Mr. Young later that was all political talk. Mr. Hill denies that, but he is on tape.

It would appear that Mr. Hill cannot comprehend the possible civil damages that the City could encounter. He engages his use of his office whereby his actions and declarations puts the City at risk just to cover his friends.

It's easy enough for people to criticize the voting record of the members of Council. We make hundreds of votes, many I wish I had not made. Mr. Hill is in office as the Chief Administrator and every day he is in office, he is a reflection of the leadership of the Council.