

**OAK RIDGE CITY COUNCIL  
SPECIAL MEETING**

Municipal Building Courtroom

September 26, 2014—4:00 p.m.

AGENDA

I. ROLL CALL

II. DISCUSSION AND CONSIDERATION

The following will be considered at the September 26, 2014 City Council Special Meeting:

Discussing and possibly taking action on the formation of a PAC [Political Action Committee] by the Oak Ridge Chamber following their lawyer's assurances that no political action other than the traditional candidate forums was intended

III. ADJOURNMENT

**CITY CLERK MEMORANDUM**  
**14-69**

**DATE:** September 24, 2014  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Diana R. Stanley, City Clerk  
**SUBJECT:** SPECIAL MEETING OF CITY COUNCIL, SEPTEMBER 26, 2014

At the request of Councilmembers Garcia Garland and Baughn and in accordance with Article II, Section 2, of the Charter of the City of Oak Ridge, Tennessee, a special meeting of City Council is hereby called for **Friday, September 26, 2014 at 4:00 p.m.** in the Courtroom of the Municipal Building, 200 South Tulane Avenue, for the following:

“Purpose of discussing and possibly taking action on the formation of a PAC [Political Action Committee] by the Oak Ridge Chamber following their lawyer's assurances that no political action other than the traditional candidate forums was intended.”

In accordance with the City Charter, matters transacted at this special meeting shall be limited to the subjects recited in the notice of the meeting.

  
\_\_\_\_\_  
Diana R. Stanley

**Attachments**

cc: Mark S. Watson, City Manager  
Kenneth R. Krushenski, City Attorney  
Department Directors  
Oak Ridge Today  
The OakRidger  
The Knoxville News Sentinel  
BBB Communications

**Stanley, Diana**

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**Subject:** FW: Special Meeting

**From:** Anne Garcia Garland [mailto:agg@bellsouth.net]

**Sent:** Wednesday, September 24, 2014 8:35 AM

**To:** Stanley, Diana

**Subject:** Re: Special Meeting

Diana, I request that council have a called meeting on Friday, September 26, for the purpose of discussing and possibly taking action on the formation of a PAC by the Oak Ridge Chamber following their lawyer's assurances that no political action other than the traditional candidate forums was intended.

Anne Garcia Garland

## Stanley, Diana

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**From:** Trina Baughn <trina.baughn@gmail.com>  
**Sent:** Wednesday, September 24, 2014 10:14 AM  
**To:** Stanley, Diana; Krushenski, Ken  
**Subject:** Second to Garland's Request

I second Ms. Garland's request to hold a special meeting this Friday to address the Chamber of Commerce Progress PAC issue.

Trina Baughn

## Stanley, Diana

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**From:** Trina Baughn <trina.baughn@gmail.com>  
**Sent:** Monday, September 22, 2014 8:57 AM  
**To:** Krushenski, Ken; City Council  
**Cc:** 'Bob Fowler'; 'huotari'; Russel Langley; editor@oakridger.com  
**Subject:** Injunction Request  
**Attachments:** School Board Questionnaire.docx; Important Forums on Education

**Importance:** High

Mr. Krushenski,

I request that you seek an immediate injunction that prohibits the Oak Ridge Chamber of Commerce from conducting any and all political activities on city-owned land until such time that the courts can determine whether or not the Chamber misrepresented their intent to the City Council in our July 14<sup>th</sup> meeting. Those activities should include, but are not limited to:

- Vetting of candidates for their PAC's promotion and financial support
- Use of equipment within the building for communications regarding PAC activities and solicitations
- Foregoing the planned candidate forums (Sept 25<sup>th</sup> and Oct 2<sup>nd</sup>) scheduled to take place on city-owned land

On July 14, 2014 Chamber of Commerce attorney, Jimmy Normand, appeared before council to request an amendment to the lease agreement between the Oak Ridge Chamber of Commerce and the City of Oak Ridge. Chamber Chairman (and IDB treasurer) Chris Johnson was also in attendance in the audience, though he did not address council during the discussion. The amendment was to lift the ban contained within their lease on political activities conducted by the Chamber. The agenda and video links are provided below.

During council's discussion, we specifically asked for clarification on why the amendment was necessary. Mr. Normand explained that it was simply a matter of ensuring that the existing candidate forums that they host (to which all candidates are invited to participate) complied with the lease.

At hour 4:26, the discussion began. I have attempted to quote some key statements made that evening in the following excerpts, but defer to the actual video file for a verbatim representation. Mr. Normand stated, "To my knowledge, there's not any background that they are going to all of the sudden support one party over the other." Ms. Garcia Garland asked, "So you are just trying to get the contract to conform with what you've already been doing?" Mr. Normand: "That's right...To avoid perception or appearance of possibly being not particularly accurate....Let's just clean it out. No one can tell me why it is in there." Ms. Baughn: "Does the document before us offer the same opportunities to all parties and candidates?" Mr. Normand: "I'm sure they do. I think the chamber just tries to act as a conduit to allow candidates to get together and represent all parties. They want to give people a neutral setting to meet candidates. They are just providing a service to the city and county....Based on my conversation with Mr. Hardy, their goal is to provide an open forum for all entities to be able to participate and present their various opinions." At no time did Mr. Johnson offer any comments to contradict Mr. Norman's statements.

In the email sent out last week (see below) by Stephen Whitson, Chairman, Progress PAC (and last year's Chamber Board of Directors Chair) and David Bradshaw Treasurer, Progress PAC (former Chamber Chair), the newly formed PAC contacted local City Council and Board of Education candidates. The letter contradicts Mr.

Normand's representation of the chamber intent in that it states, "Only candidates who answer all questionnaire items and who participate in Progress PAC interviews will be considered for Progress PAC support. If you are selected for support, Progress PAC will promote your candidacy through a financial contribution and/or our own advertising."

It appears that the Chamber of Commerce is attempting to influence local elections through multiple new initiatives. In addition to this newly formed PAC and the activities of board members listed above, over half of its staff members belong to a newly formed group called Friends of Oak Ridge Schools, or FORS. The group was founded, in part, by one of the seven chamber staff members with the intent of "recommend(ing) for your consideration candidates for City Council and Board of Education..."

Furthermore, I note that Mr. Bradshaw will also be the moderator for the new forums sponsored by the PTO council, which are being promoted by the taxpayer-funded school email system (see attached.) These forums are also scheduled for the same week as the chamber forums.

Given how much the chamber benefits from the taxpayer, this council must address the appearance of any potential improprieties. I remind you that for over a decade, the City of Oak Ridge funded the Oak Ridge Chamber of Commerce up to \$286,000 annually with our current allocation being \$175,000. What's more, the 33 year lease for the city-owned land on which they reside was signed for by then-mayor David Bradshaw and current/past chamber president, Parker Hardy for which they pay well below fair market value at around \$700 per year. According to their 2011 financial statements, their building is valued at about \$755,000, but as a nonprofit organization, they pay no property taxes on their building while benefitting tremendously at the expense of the taxpayer. Their political activities, at the very least, have the appearance of a conflict of interest and at the most, an abuse of the taxpayer's generosity.

If council needs to conduct an executive meeting to begin the legal process, then I propose we do so no later than tomorrow, September 23, 2014.

Regards,

Trina Baughn

#### REFERENCES

July 14, 2014 City Council Meeting Video:  
<http://www.oakridgetn.gov/videojs/JSCouncilMeeting07142014.htm>

July 14, 2014 City Council Meeting Agenda Packet  
<http://cortn.org/images/uploads/documents/agendas/07142014.PDF>  
(The full chamber lease is also included in the agenda packet)

Announcement of FORS  
<http://oakridgetoday.com/2014/08/01/parents-teachers-friends-form-friends-oak-ridge-schools/>

----- Forwarded message -----  
From: **Progress PAC** <[oakridgeprogresspac@gmail.com](mailto:oakridgeprogresspac@gmail.com)>

Date: Fri, Sep 19, 2014 at 3:08 PM

Subject: Invitation from Oak Ridge Progress PAC to all Oak Ridge School Board Candidates

To: Aaron Wells <[aaronwells.oakridge@gmail.com](mailto:aaronwells.oakridge@gmail.com)>, Andrew Howe <[ahowe23@gmail.com](mailto:ahowe23@gmail.com)>, Bob Eby <[ebyr@usec.com](mailto:ebyr@usec.com)>, Jean Hiser <[316hiser@comcast.net](mailto:316hiser@comcast.net)>, Laura McLean <[mclean.for.schoolboard@gmail.com](mailto:mclean.for.schoolboard@gmail.com)>, Laurie Paine <[electlauriepaine@gmail.com](mailto:electlauriepaine@gmail.com)>, Mike Mahathy <[mmahathy@comcast.net](mailto:mmahathy@comcast.net)>, Paige Marshall <[paigemarshall2014@gmail.com](mailto:paigemarshall2014@gmail.com)>

Dear Candidate for Oak Ridge School Board:

Progress PAC is a multi-candidate political action committee established by the Oak Ridge Chamber of Commerce to support candidates for local office whose values and platforms are consistent with the mission, vision and legislative priorities of the Oak Ridge Chamber.

Candidates for School Board who wish to be considered for Progress PAC support must complete the attached questionnaire, returning it to us by 5:00 PM, Monday, September 29. We will then schedule 20-minute candidate interviews for October 2, 3, 6 and 7. You may request an interview time on your returned questionnaire; we will schedule interview sessions in the order that we receive your returned questionnaire.

Only candidates who answer all questionnaire items and who participate in Progress PAC interviews will be considered for Progress PAC support. If you are selected for support, Progress PAC will promote your candidacy through a financial contribution and/or our own advertising.

Progress PAC will use your answers for our PAC evaluation purposes only; we will not share your responses with any outside person or parties, including news media.

The attached document may be completed, signed and returned via e-mail to [OakRidgeProgressPAC@gmail.com](mailto:OakRidgeProgressPAC@gmail.com) or mailed to Progress PAC, c/o Oak Ridge Chamber of Commerce, 1400 Oak Ridge Turnpike, Oak Ridge, TN 37830. You may also hand deliver your responses to the Chamber's 1400 Oak Ridge Turnpike offices.

We suggest that you print a copy for your own records. It is your responsibility to verify our receipt of your completed questionnaire.

To be certain that we have reached you with this important Progress PAC material and questionnaire, within the next few days you will receive this same information via U.S. Postal Service, which will confirm to us delivery to your address as it is on file at the election commission.

Congratulations on your candidacy. We are looking forward to learning more about you.

Sincerely,

Stephen Whitson

Chairman, Progress PAC

David Bradshaw

Treasurer, Progress PAC

865-483-1321

## Progress PAC

### Questionnaire for School Board Candidates

Name: \_\_\_\_\_

1. Please explain your vision for the Oak Ridge School System for the next 5 years.
2. How would you advocate building a relationship between the Board of Education, City Council and the community to build a strong educational system?
3. Please explain your vision for use of technology in the Oak Ridge School System.
4. What do you think is the primary role of an individual school board member?

5. What are your thoughts on Capital Improvement projects over the next 5 years?

6. Is there anything else you would like to add?

Candidate Interviews will be held with the Progress PAC Board at the Oak Ridge Chamber of Commerce on:

**Thursday, October 2<sup>nd</sup>**

5:00 pm  
5:30 pm  
6:00 pm  
6:30 pm

**Friday, October 3<sup>rd</sup>**

3:00 pm  
3:30 pm  
4:00 pm  
4:30pm

**Monday, October 6<sup>th</sup>**

5:00 pm  
5:30 pm  
6:00 pm  
6:30 pm

**Tuesday, October 7<sup>th</sup>**

5:00 pm  
5:30 pm  
6:00 pm  
6:30 pm

Please circle 3 preferred interview dates & times. We will make every effort to accommodate these requests.

Thank you for your participation,  
**Progress PAC**  
Stephen Whitson, Chair    David Bradshaw, Treasurer

**Stanley, Diana**

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**From:** rward@ortn.edu  
**Sent:** Wednesday, September 17, 2014 1:43 PM  
**To:** trina.baughn@gmail.com  
**Subject:** Important Forums on Education  
**Attachments:** PTA Candidate Forum Invite to parents BOE v1.pdf; PTA Candidate Forum Invite to parents CC v1.pdf

This email is regarding: Savannah Baughn.

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The elections for the Oak Ridge Board of Education (BOE) and the Oak Ridge City Council is fast approaching. These positions are VERY important to the system that provide OUR CHILDREN public schooling! Therefore, please educate yourself on issues that matter to you, as well as issues that you may not be concerned about now, but may become VERY important to your family in the near future. There are various forums that are being held in the community for individuals seeking election into various roles, and one that is of prime interest to parents of school age children is the "**Oak Ridge City Schools PTAs/PTOs Candidates Forum on Education**". There are two separate dates regarding this forum; one dedicated to Board of Education candidates and another dedicated to City Council candidates:

Wednesday, Oct 1<sup>st</sup> 6:00 – 7:30 pm at ORHS Amphitheater for BOE  
Wednesday, Oct 8<sup>th</sup> 6:00 – 7:30 pm at ORHS Amphitheater for City Council  
(both dates will have a personal "meet & greet time" beginning at 5:30pm)

If you have specific questions/issues that you would like addressed by candidates; you can submit those to the Moderator of these two forums (David Bradshaw). Please submit those questions ASAP to the following email address (all questions must be received by Friday, 09/19/14):

[oakridgeschoolsptaptos@gmail.com](mailto:oakridgeschoolsptaptos@gmail.com)

If you would like to submit a question anonymously, you may do so by sending your question to the Linden PTO email address, and the school will submit such questions on behalf of Linden without any individual's name associated. Those emails may be sent to [ptolindentn@gmail.com](mailto:ptolindentn@gmail.com) prior to the 09/19/14 submission deadline.

Thank You,  
Jeannie Miller  
(Linden PTO, President)

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**District:** Oak Ridge Schools  
**District Web Site:** <http://www.ortn.edu>  
**State:** TN  
**District Code:** 0000012

Oak Ridge Schools Educator Access

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# Invitation

## **Oak Ridge Schools PTA-PTO's Candidate Forum**

**Date: Wednesday, October 1, 2014**

**Time: 6:00 p.m.**

**Location: Oak Ridge High School  
Amphitheatre**

You are formally invited to attend the Oak Ridge Schools PTA- PTO's Candidate Forum on Education. Participants will be candidates for the Oak Ridge Schools Board of Education.

We look forward to your attendance at this most important event.

# Invitation

## **Oak Ridge Schools PTA-PTO's Candidate Forum**

**Date: Wednesday, October 8, 2014**

**Time: 6:00 p.m.**

**Location: Oak Ridge High School  
Amphitheatre**

You are formally invited to attend the  
the Oak Ridge Schools PTA- PTO's  
Candidate Forum on Education.

Participants will be candidates for the  
Oak Ridge City Council.

We look forward to your attendance at  
this most important event.