



**CITY OF CENTERTON
SPECIAL
CITY COUNCIL MEETING
SEPTEMBER 9, 2020**

(1) Roll Call-

The Special City Council Meeting was called to order by Mayor, Bill Edwards at 6:00 p.m. Those Present and answering roll call were Mayor Bill Edwards, Misty Elam, Keith Higginbotham, Robin Reed, Josie Reed, Darren Warren and Wayne Low. Those present and not answering roll call were City Clerk Todd Wright, City Attorney Brian Rabal, HR Director Jocelyn Diaz, Police Chief Cody Harper and Police Captain Christopher Kelley.

(2) Discuss Personnel Issue –

Mayor Edwards addressed the Council, stating that we are here tonight to talk about the termination of Anthony Keck from the Police Department. He said Mr. Keck is a “non-uniform” employee. He said Mr. Keck has made a request to the City, to appeal that termination. He read from the Employee Handbook: “If an employee feels the termination was not justified, the employee can request a meeting with the City Council by requesting through the Mayor in writing within 5 business days of the termination”. He said Mr. Keck did request a meeting within 5 business days. He said we did meet and postpone this meeting from last month. He said Mr. Keck may address the Council, stating why he feels unjustly terminated. He said this is not a Question and Answer Session, and there is no calling of witnesses.

Shane Wilkinson, representing Mr. Keck, made a presentation to Council, stating that he had asked for Chief Harper, Captain Kelley and Officer Sanchez to be present for this meeting. Chief Harper and Captain Kelley were present. Officer Sanchez was not present. Mr. Wilkinson said this meeting is included in the Employee Handbook and has to have some merit. He said there are no real rules set forth, and asked for the Council’s understanding. He said with no one here to speak about why the termination occurred, it makes it seem uncontested to him. He said his plan is to be transparent. He gave a brief employment history of Mr.

Keck, covering the PD from May 2018 to April 2019, while the Police Chief and previous Captain were on leave. He provided a copy of Mr. Keck's Performance Evaluation from April 2020, and said he also received a favorable Review from Mayor Edwards in June of 2019. He said Mr. Keck was Officer of the Year in 2018. He said Mr. Keck was placed on a Performance Improvement Plan (PIP) by Chief Harper in July of 2019. He said Mr. Keck did his best to make improvements. He provided a copy of the Employee Disciplinary Action Form from 7/23/2020, which referred to the PIP from 7/10/2020. He said the reason given for Mr. Keck's termination was that he passed on "confidential communication". He said there was no mention of speaking with officers regarding confidential information in his Performance Evaluation in April 2020. He referenced a letter from Captain Kelley, signed by Officer Sanchez from 8/04/2020. Wilkinson said that Mr. Keck spoke with Officer Sanchez as his Supervisor. He said the Letter of Dismissal addresses the PIP and states that there were multiple complaints regarding Mr. Keck speaking with officers regarding confidential matters. He said those complaints were not found in Mr. Keck's Personnel File. He gave a brief employment history of Mr. Keck and read excerpts from the two Performance Evaluations. He recommended that the Council review the information and recommend re-instatement of Mr. Keck to Mayor Edwards.

Mr. Keck addressed the Council, reminding them of work he has done in the past. He said he doesn't feel his work ethic has changed. He pointed out that he has taken care of the day-to-day needs of the officers of the department, and that is contained in his Evaluation from the Mayor in June 2019. He questioned his termination and asked Council to review the information and make a recommendation.

Darren Warren commented that he really didn't think this is the Council's purview, but is the Mayor's decision. He said Council gets involved regarding Department Heads. He recommended that Council not take any action, leaving this up to the Mayor.

Robin Reed agreed, stating that it is covered in the Current Employee Handbook, stating that the Council may only overturn the Mayor, in regard to Department Heads.

Mr. Wilkinson agreed with Mrs. Reed, stating again that this meeting should have a purpose, and recommended that the information provided in regard to Mr. Keck deserves the Council's recommendation to the Mayor. He asked Mayor Edwards to consider the words he wrote in Mr. Keck's Performance Appraisal in June 2019.

Mayor Edwards said that Appraisal was done almost 2 years ago and he has not worked directly with Mr. Keck since that time. He said Council can listen to the terminated employee make a recommendation, if they so choose, and that is the

purpose of this meeting. He said he will choose to support the decision of his Police Chief, Captain and HR Director at this time, unless Council feels differently.

Misty Elam agreed that per our current Policy Manual, Council does not have a place in this situation. Mr. Wilkinson said that is disappointing and recommended removing that from the Employee Handbook. Mayor Edwards said we would take that under consideration.

Robin Reed asked if there were any issues, or write-up's in Mr. Keck's Personnel File. Mr. Wilkinson said there was nothing in regard to the reason he was terminated. She questioned the decision to terminate, with nothing in the Personnel File, understanding that we don't have access to that file.

Wayne Low agreed with Darren Warren, that no action be taken by Council tonight.

Keith Higginbotham said this termination has gone through the Chief, the Captain, the HR Director and the Mayor. He recommended no change in the termination.

Mr. Keck stated that he respects the decision of the Council, but is disappointed.

No Recommendation was made by Council

(3) Other Business – Executive Session – Personnel Business –

Wayne Low made a motion to enter into Executive Session to discuss Personnel Business at 6:25 pm, with a 2nd from Robin Reed. All council members voted in favor, except for Misty Elam and Robin Reed and the motion carried.

Robin Reed made a motion to return from Executive Session at 6:56 pm, with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

No Action was taken by Council

(4) Adjourn-

Keith Higginbotham made a motion to adjourn at 6:57 p.m. with a 2nd from Darren Warren. All council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk