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December 18, 2020

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Jennifer W. Moody, City Administrator
Casta C. Brice, Human Resources Director
City of Tullahoma
P.O. Box 807
Tullahoma, TN 37388-0807

Re: Kurt Glick Investigation

Dear Jennifer and Casta:

Thank you for the opportunity to assist with the investigation into complaints within the City of Tullahoma Parks and Recreation Department. Please consider this memorandum to be our report of investigative findings and conclusions. At the outset, we will confirm that you requested that we independently and neutrally investigate several areas of concern within the Department. We were instructed to make findings and submit those to the City of Tullahoma to determine the appropriate course of action to take, if any.

We conducted multiple interviews over the period of November 30, 2020 through December 2, 2020. A supplemental discussion was undertaken with Kurt Glick by telephone on December 7, 2020. The complete list of individuals interviewed is as follows:

- | | | |
|------------------------|---------------------|--------------------|
| 1. Stacy Scott | 6. Sheila Rico | 11. Lyle Russell |
| 2. Jesse P. (JP) Kraft | 7. Tom Foster | 12. Ted Johnson |
| 3. Margie Hankins | 8. Ian Anderson | 13. Kurt Glick |
| 4. Charles Wilkerson | 9. Marcus Blackburn | 14. Jennifer Moody |
| 5. Brooke Thomas | 10. Dustin Prince | 15. Casta Brice |

We also reviewed various documents and materials, including but not limited to a Tullahoma Recreation Department organization chart, listing of full-time employees within the Department, Kurt Glick's personnel file, prior interview notes from Casta Brice and Jennifer Moody, relevant personnel policies, video surveillance footage, maps of surveillance cameras, various exit interviews of former employees of the Department, and documentation related to the posting of an Athletics Coordinator position.

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Since the issues that we were asked to investigate were quite varied and covered a number of different topics, for the sake of simplicity, we will organize our findings into the following four (4) general categories: (A) Retaliation; (B) Perceptions of Bias Based on Racism or Sexism; (C) Misuse of Authority; and (D) General Mismanagement. In the final section of the report (E), we will include credibility findings for the witnesses that we interviewed, as requested.

A. Retaliation

The primary allegation of retaliation involves maintenance employee Stacy Scott's belief that he was retaliated against by Kurt Glick because he filed a grievance over scheduling. We will address this allegation below, along with three (3) other areas of concern that we identified during our investigation. However, as a summary finding, we can report that we found no direct evidence of retaliation in this Department. That is, we found no witnesses who heard, knew of, or otherwise observed any direct evidence of retaliation, such as comments evincing a desire or intent to make reprisal or punish another for taking an action.

However, we did uncover evidence that supports a broadly-held belief that retaliation did, in fact, take place as a result of Stacy Scott's grievance, and we also identified other situations that create at least a reasonable belief that retaliation may have taken place with respect to the other areas discussed below.

The first and most concerning event involves the aforementioned allegation that Stacy Scott was retaliated against by Kurt Glick for filing a grievance over a schedule change. According to Mr. Scott, approximately four (4) to four and one-half (4½) years ago, his work schedule and responsibilities were changed to include occasional weekend work and janitorial tasks at City Hall, the Police Station, as well as Planning and Codes. He filed a grievance over these changes, per City policy. The grievance was eventually resolved against Mr. Scott. However, while that grievance was pending, Mr. Scott's schedule was further changed to include working every weekend and he was given the added task of the cleaning of park bathrooms. Mr. Scott believes these additional changes were implemented by Mr. Glick in retaliation for him filing the grievance. In this regard, we found ample evidence that Mr. Scott could have reasonably drawn the conclusion that he was being retaliated against. Notably, several witnesses stated that they could understand how Mr. Scott might interpret these actions in this way, including Margie Hankins, Marcus Blackburn, Dustin Prince, Sheila Rico, and JP Kraft. Indeed, this incident is well-known to many employees in the Department, and there is apparently a running joke to the effect of, "Don't piss off Kurt, or you'll end up cleaning park bathrooms." According to one of the witnesses, "Kurt will make my life hell if he finds out I talked to you." Even Lyle Russell, who has only been with the City approximately



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four (4) years believes that the maintenance employees get “held to the fire” while grounds employees “get a pass”. Based upon our investigation, we do find that Mr. Scott had a reasonable basis to conclude that Mr. Glick was retaliating against him when the weekend work was made more permanent and when he was given the task of cleaning park bathrooms.

During our investigation, we learned of a more recent incident that further bolsters our beliefs in this regard. During this past year, Mr. Scott’s schedule was changed due to COVID-19 issues. He was taken off weekend work and given a Monday through Friday work schedule. He would come in before working hours and clean the City buildings. Mr. Scott mentioned his new schedule in passing to Casta Brice, Human Resources Manager. A few days later, Ms. Brice causally mentioned the schedule change to Mr. Glick. Shortly thereafter, Mr. Scott was returned to his former schedule which included weekend work. Several witnesses told us that the Monday through Friday schedule was working well without any issues.

In addition to the above-mentioned evidence, the explanations that were given for the weekend and bathroom assignments were inconsistent and unbelievable. Mr. Scott and his supervisor Margie Hankins were both told by Mr. Glick that the weekend work was necessary because he wanted the buildings cleaned when no-one was present. He further advised them that cleaning the park bathrooms would be more convenient for maintenance personnel because they could deal with various issues that were discovered while cleaning, such as clogged toilets or busted pipes. Mr. Glick also felt that the grounds crew was doing a poor cleaning job and he was receiving complaints about the cleanliness of the bathrooms. With the exception of the grounds crew’s poor cleaning efforts, neither Mr. Scott nor Ms. Hankins thought the other reasons were true. For starters, Ms. Hankins advised that maintenance issues can rarely be fixed while cleaning. Typically, the maintenance person does not take the maintenance van and equipment to the park when cleaning. Therefore, if an issue is discovered, they must leave and retrieve the van and equipment. Second, Ms. Hankins expounded on the cleaning schedule put in place temporarily during COVID issues earlier in the year. She explained that she and Mr. Scott would begin cleaning at 6:00 a.m., two (2) hours prior to anyone entering the buildings. She said that this schedule was working very well without complaints, until Mr. Scott was summarily moved back to the weekend schedule without explanation. Ms. Hankins did not appear to know about the conversation with Ms. Brice.

Mr. Glick was given the opportunity to explain his decisions to change the schedule and add the bathroom work. He confirmed the poor cleaning job being performed by the grounds crew. However, his additional explanations were based upon an “epiphany” he had one evening while cleaning an office as part of his side business. While at the business, a lawn crew pulled up outside and mowed and landscaped the grounds. While watching them, he decided that he would restructure



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work responsibilities by redefining areas that are considered either park amenities or park facilities. "Facilities" would include actual structures such as press boxes, bathrooms, and buildings and would become the responsibility of the facilities maintenance employees. "Amenities" would include grounds, fields and everything else and would become the responsibility of the grounds crew. He then reassigned the cleaning of the park bathrooms to facilities maintenance since they were now responsible for "facilities". Mr. Glick did not recall when these changes occurred, and specifically did not recall whether it was during a time when Mr. Scott had filed a grievance as 'he has filed a bunch of them, and after the last one, Casta [Brice] told him to quit filing frivolous grievances.' He also told us that, since his decisions were not retaliatory, he wasn't concerned with the timing. Ms. Brice later confirmed that Mr. Scott has only filed one (1) grievance. Multiple employees confirmed that the schedule and work responsibility changes occurred while the grievance was pending. In addition, for the additional reasons set forth below, Mr. Glick's explanations are less than satisfactory.

A second area of concern involves the assignment of emptying trash cans at two park pavilions to facilities maintenance on the weekends. Historically, grounds maintenance personnel would clean and empty the trash at those park pavilions. However, near the beginning of November 2020, the decision was made to stop having grounds maintenance go to the parks due to the reduced winter-time traffic and the diminishment of events that are held there. In the past, this meant that the pavilion trash was not emptied during the weekends. Instead, the trash remained there to be emptied the following Monday, or shortly thereafter, which was not an issue due to the reduction in park visitors. However, this year the decision was made by Kurt Glick to have the facilities maintenance personnel take on that task and empty the pavilion trash during the weekends, a task that fell to Mr. Scott. Frankly, the explanation given to us as to why the pavilion trash needed to be emptied during the weekend was confusing at best. We were told that it was a logical and non-labor-intensive assignment, since Mr. Scott was already physically present at the parks cleaning the bathrooms on the weekend. From our interviews, it is not clear that Mr. Scott actually cleans at the parks during the weekends, as several witnesses told us his weekend assignments are confined to other locations. Regardless, it was not clear why this year was different from years past, such that it no longer made sense to just leave the pavilion trash to be emptied on the following Monday. There are two additional aspects of this scenario that also give us concern. First, the timing of this decision was suspicious, since it was implemented shortly after the City's receipt of the most recent complaints. Second, the actual delivery of the message to Mr. Scott about the changing of responsibility for the pavilion trash duties was handled very poorly. Specifically, the message was not delivered by Ian Anderson, who was the supervisor over facilities maintenance. While that was supposed to have happened, it did not. Instead, the message was delivered by Tom Foster, who is the supervisor over grounds maintenance. There is a well-known "feud" between facilities



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maintenance and grounds maintenance, with Mr. Scott and Mr. Foster being two of the primary parties to this “feud.” Mr. Foster is also known to handle disputes in a less-than-diplomatic manner at times, and several witnesses told us that this particular message was not delivered in as professional a manner as it could have been. In fact, Mr. Foster himself told us how he notified Mr. Scott. He initially placed a box of garbage bags in Mr. Scott’s truck and then went into a building, found him and told him he would need the trash bags so he could empty the pavilion trash over the weekend. Finally, Mr. Scott has well-known hard feelings toward Mr. Glick, and practically everyone in the Department knows that Mr. Foster is a close, personal friend to Mr. Glick. So the fact that Mr. Foster was the one who delivered this message is looked at by many as possibly “rubbing salt into the wound.” Based on the reactions of several witnesses to this situation, we find that Mr. Scott could have reasonably concluded that the assignment of emptying pavilion trash on the weekend was another retaliatory act taken against him by Mr. Glick. As an aside, this assignment also calls into question Mr. Glick’s “epiphany” about the appropriate division of labor within the Department. Certainly, the park pavilions are located outside and were expressly considered a part of the park amenities, according to Mr. Glick. Yet, despite the epiphany, Mr. Glick decided that this task should be assigned to maintenance without reasonable explanation.

The third area of concern involves the recent transfer of community center staff scheduling duties from Sheila Rico to Lyle Russell. Ms. Rico had held these duties for approximately eight and one-half (8½) years, and according to Ms. Rico, Mr. Glick gave her no reason for taking away these duties from her. The fact that this change was made in close temporal proximity to her complaint to the City raises serious questions. While the complaint by Ms. Rico was made in confidence, certain employees told us that the walls between offices at the community center are quite thin, and conversations can and have been easily overheard. Likewise, the explanation for this change that was given to us by JP Kraft and Kurt Glick made little sense. Essentially, Mr. Russell has a single employee under his supervision, Brooke Thomas. Ms. Thomas’ work schedule had been determined by Ms. Rico, as part of her duty of scheduling all the community center staff. However, because there are occasional events that Ms. Thomas must attend to under programming, it was decided to move not just Ms. Thomas’ scheduling, but all the community center staff scheduling to Mr. Russell. Those other staff would remain under the supervision of Ms. Rico, but Mr. Russell would now be scheduling their work. This was curious since Ms. Thomas apparently works as a front desk clerk for most of the year, while her duties as Concessions Coordinator under programming are only active for a couple of months out of the year. We also found it curious that the scheduling duties were moved from Ms. Rico (who was described to us by Mr. Glick himself, as being very organized, a planner, proactive and able to complete her tasks in a timely manner) to Mr. Russell (who was described to us by Mr. Glick as a procrastinator, frequently waiting until the very last minute to complete tasks). In a nutshell, the concerning timing of the move and the unpersuasive explanation



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for the change both made us question whether it was intended to be retaliatory in some way. It is also noteworthy that both Mr. Kraft and Mr. Glick expected Ms. Rico to react very negatively to this change. Ironically, Ms. Rico was not at all displeased to have this responsibility taken away. Indeed, she does not know whether the move was actually retaliatory, or whether it was just an unspoken message from Mr. Glick to her that, "I'm in charge, remember that." We also note that Mr. Glick told us that this arrangement has not been working well and he is planning to return to the original way of scheduling. Regardless, we do find that this move could reasonably be viewed as retaliatory in intent, even if Ms. Rico's actual reaction unexpectedly turned out to be otherwise.

The fourth area of concern involves Margie Hankins and her participation in certain weekly Thursday planning meetings involving Mr. Glick, Mr. Foster, and Mr. Anderson. Based upon the organizational chart, Ms. Hankins and Mr. Foster are both supervised by Mr. Anderson. According to Mr. Foster, until about a year ago, these meetings included Ms. Hankins. But then the structure was changed so that Ms. Hankins was no longer part of these meetings. Mr. Foster's explanation was that there was no real reason given for the change. Mr. Glick gave an alternate explanation, i.e. that Ms. Hankins simply did not need to be in the meetings and that she frequently asked to be excused from the meetings due to being busy elsewhere. Ms. Hankins did not specifically address this issue in her interview, nor did we ask about it since it arose after Ms. Hankins' interview was completed. She did tell us, however, that Mr. Glick called her an ugly name on one occasion when she was late to a staff meeting due to a maintenance issue. In addition, Ms. Hankins told us that Mr. Glick has moved her workspace more than thirty (30) times during her employment, and despite the fact that she receives work orders by email, she no longer has a work computer. Instead, she must rely on Mr. Anderson to convey work orders, an arrangement that is not working well. Thus, while we are not listing these incidents as clear examples of retaliation, we are troubled at the inconsistent explanations given to us by Mr. Glick and Mr. Foster, as well as the lack of explanation given to Ms. Hankins. These actions in and of themselves may not amount to retaliation, but the removal of Ms. Hankins from these planning meetings and the lack of workspace and computer raises questions and concerns - particularly in light of the "feud" between facilities maintenance and grounds maintenance, as well as the criticism leveled at facilities maintenance for their inability to satisfactorily complete a schedule for their work.

The last issue we want to address in this section is not about potential retaliation against employees. Rather, it centers around an allegation about potential retaliation against the organizers of local sports groups. We were told by multiple sources that Mr. Glick is not at all well-liked by local sports groups - both private and school-related. We were further told that Mr. Glick will use his position of power to retaliate against those groups if they do not comply with his requests, by making it more difficult for them to have access to fields. This was not an issue that we were specifically asked to



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investigate, so we did not go outside the Department to look into this further. However, we thought it relevant to mention as possible evidence of the overall manner of Mr. Glick's management of the Department.

B. Perceptions of Bias Based on Racism or Sexism

Our investigation into allegations of racism within the Parks and Recreation Department was driven by questions about the lack of any full-time employees in that Department who are minorities. Also, there were allegations that the community center and parks that are located in areas of the City with more predominantly African-American populations are given fewer programs, inferior facilities, and less attention from a maintenance standpoint. Moreover, questions were raised about conversations between Ms. Rico and Mr. Glick, during which there was a disagreement about whether systemic racism existed in the Department. Finally, there was a concern about the fact that an African-American candidate for a vacant Athletics Coordinator position did not get an interview due to an alleged preference on the part of Mr. Glick for a different candidate, who also happened to be a friend of Mr. Glick's.

As noted at the outset, we interviewed all the full-time staff at the Parks and Recreation Department, as well as two long-standing African-American part-time recreation leaders. None of the witnesses we interviewed admitted to having observed or being aware of any direct evidence of racial bias within the management of the Parks and Recreation Department. Indeed, even the most vocal critic of potential racial bias in the Department - Ms. Rico - stated that she does not believe that Mr. Glick is a racist. However, she does believe that Mr. Glick does not understand the perception which is coming from hiring what fits into what he believes to be Department culture. As discussed more fully below, we agree with Ms. Rico's statement in this regard. We found no witness who had heard or observed racially-inappropriate or insensitive language or jokes. We did see in Mr. Glick's personnel file a 29-year-old mention of a "racial joke" admitted by Mr. Glick in the context of a grievance hearing. However, we saw no evidence of any similar conduct since that time, nor anyone who directly accused Mr. Glick of making personnel or business decisions based on a racial bias.

The only evidence we found on the issue of potential racial bias include subjective perceptions and objective differences in the size, amenities, programs, upkeep and schedules when comparing the two City community centers - i.e. C.D. Stamps Community Center in the more traditionally African-American part of town, and the D.W. Wilson Community Center in the more traditionally Caucasian part of town. Please note that where we refer to the predominant racial make-up of these communities, we are simply relying on the statements of witnesses. We undertook no independent



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analysis of the demographic make-up of the locations of those two centers. The actual and perceived differences between the two centers seemed to be a fairly common thread among those interviewed.

With regard to the issue of sexism within the Parks and Recreation Department, we found no evidence. The most vocal critic on this issue - Ms. Rico - was unable to identify any specific examples of discrimination based on sex. She alleged that Mr. Glick has a problem with women in positions of leadership, but candidly admitted that she was not sure if Mr. Glick's issue was with women, or whether it was just Mr. Glick's issue with leadership in general. Upon further questioning, Ms. Rico acknowledged that she has not seen any overtly sexist-type behavior, but that it was likely more of a control issue.

In summary, we found no direct evidence of either racism or sexism within the Parks and Recreation Department. What we did find was a commonly-held perception of favoritism (or more precisely, cronyism - meaning the appointment of friends and associates to positions) without proper regard for their qualifications. Several witnesses alleged and we found ample evidence that Mr. Glick has a history and practice of hiring his friends - regardless of whether his friends happen to be the most qualified candidates for the positions in question. Not only is this practice damaging to employee morale, it creates a very fertile ground for the perception of racism and/or sexism. For instance, if Mr. Glick wants to hire his friends, he may do so without any type of discriminatory intent. However, if the candidates who were passed over happen to be women or minorities, one might easily form the perception that the decision was motivated by a bias against one or both of those groups. Indeed, that was precisely the situation with the vacant Athletics Coordinator position. Mr. Glick was advocating very strenuously for his friend, an accountant, to get that position, as opposed to a female candidate and an African-American candidate - both of whom appeared to be more qualified for the position, at least on paper. Under these circumstances, even if Mr. Glick was motivated by nothing more than simply trying to get his friend hired, the fact that doing so would have adversely affected the arguably better-qualified female and African-American candidates allows for a very troubling perception of bias based on race and/or sex to arise.

Mr. Glick's history of cronyism and/or favoritism came up in many other contexts during our investigation. For instance, many witnesses alluded to Mr. Glick's close friendship with the former City administrator as a cause for concern. The commonly held perception was that Mr. Glick's decisions would be fully supported. In addition, many felt that Mr. Glick was held to a different standard because he was "drinking buddies" with the former City administrator, and the two took family vacations together. For instance, this was mentioned by Mr. Scott as what he believed to be the reason that his grievance was dismissed. Similarly, Mr. Glick's friendship with Tom Foster was mentioned by several witnesses in the context of the "feud" between facilities maintenance and



grounds maintenance, and the perception by several that Mr. Foster's grounds maintenance crew receives preferential treatment. Mr. Glick's friendship with Mr. Foster was also mentioned by Ian Anderson during his interview. Mr. Anderson explained how Mr. Foster was initially viewed as the "new golden boy" and how Mr. Glick gave more weight to Mr. Foster's input on various issues even though Mr. Anderson was actually the intermediate supervisor between them. The friendship with Mr. Foster was also mentioned critically in regards to Mr. Foster apparently receiving a raise for being "over" irrigation and playgrounds, when neither he nor his department did any work on either. As stated previously, Mr. Russell commented on the fact that grounds crew seems to get a pass while maintenance is held to a harder standard. Mr. Glick's friendship with Mr. Foster was also mentioned as a factor in the belief that Mr. Foster's vacation requests are approved more quickly than those submitted by other employees.

In short, the evidence does support the notion that Mr. Glick has a history of hiring his friends, and that this practice creates the appearance of impropriety in several different settings, as illustrated in events concerning the recent posting of the Athletics Coordinator position. As noted earlier, there were three noteworthy candidates for that position: (1) a female with a Master's Degree in Recreation, Sports and Tourism along with relevant experience in the field, (2) an African-American male with a Bachelor's Degree in Communications along with relevant experience in the field, and (3) Mr. Glick's friend who had a Bachelor's Degree in Managerial Finance with no related work experience (at least none that was identified on his application). Mr. Glick's friend was initially not selected for an interview, so Mr. Glick took it upon himself to advocate on his behalf - a step taken for none of the other candidates. In so doing, Mr. Glick also attempted to mischaracterize the nature of the position, emphasizing the budgeting requirements of the job to seemingly make his friend's accounting experience more relevant. Frankly, we found very little support in our interviews for the notion that this position had any significant budgeting or accounting requirements. Interestingly, in the middle of the posting of this job, the interview process was changed to include personnel from other departments, with the purpose being to decrease the possibility of favoritism in the selection process. Mr. Glick was clearly not pleased with this change. Even more troubling was his conversation with Tullahoma Fire Chief Richard Shasteen. Chief Shasteen was selected to be on the interview panel for the Athletics Coordinator position. Prior to the interviews being scheduled, Mr. Glick had a conversation with Chief Shasteen about his preference that his friend receive the position. Chief Shasteen reportedly told him not to worry about it and to just tell him who he wanted. If true, this would represent a serious undermining of the interview process, and again, it is linked with Mr. Glick's zealous efforts to favor his friend through the selection process. Even Mr. Glick admitted the possibility that someone could infer that he and Chief Shasteen were in collusion by putting each other on interview panels in order to ensure that their preferred candidates would be selected.



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It is exactly that perception of potential bias that leads us to mention the favoritism and cronyism in this section. As noted above, we found no direct evidence of racism or sexism in the Department. However, Mr. Glick's practice of hiring his friends and seemingly favoring those friends within the Department creates very troubling perceptions of unfairness both inside and outside the Department. Even if Mr. Glick's decisions are not motivated by a bias against women and minorities (and we found no direct evidence that they are), his actions nevertheless increase the likelihood that someone might reasonably draw that conclusion if women or minorities are disadvantaged in any way as part of the process.

C. Misuse of Authority

Our investigation identified several instances where Mr. Glick has clearly misused his position of authority within the Parks and Recreation Department. A recurring theme throughout our interviews involved the perception that Mr. Glick has unfettered authority within the Department. Certainly, these instances of abuse and misuse of authority have served to strengthen this perception. The discussion in the previous section about Mr. Glick's hiring of friends is a variation on Mr. Glick's misuse of authority. However, we will not belabor the point by rehashing that material again in this section.

The first notable example involves Mr. Glick's request that Mr. Kraft clock Mr. Glick's wife out of her job with Ryder/AT&T. It is unclear how many times this occurred, but it is undisputed that on at least one occasion Mr. Glick was with his wife out of town when they asked Mr. Kraft to clock her out of work. It was apparently necessary for Mr. Kraft to do this because her job utilizes a proximity system whereby the person who is clocking in or out must be physically nearby. When asked about this incident, both Mr. Glick and Mr. Kraft attempted to downplay this incident as simply a personal favor performed after-hours. However, most of the witnesses that we interviewed thought this to be a much more serious act, one they described as "crossing the line" and "unethical." Indeed, our own impression is that impersonating another person digitally in order to clock that person out of their job is dishonest, at best. At worst, this might constitute fraud and/or wage theft. Thus, we conclude that Mr. Glick's request that Mr. Kraft undertake this action was extremely poor judgment and a serious misuse of his position of authority. While Mr. Kraft might view this as simply a personal favor, other witnesses view Mr. Kraft as unable or unwilling to say "no" to Mr. Glick's requests. Furthermore, it is very concerning that Mr. Kraft's agreement to clock Mr. Glick's wife out of her job is common knowledge amongst employees in the Department. Not only does this put Mr. Glick's poor judgment on full display, it likely has a negative overall effect on the morale in the Department. After all, if Mr. Glick has the power to arrange for the undisputed "number two" person in the Department to commit such a questionable act, then what limits are there



on his power? It should be noted that Mr. Glick tried to explain this act as a one-time emergency, because his wife was in Murfreesboro for a medical appointment and therefore a trip back to Tullahoma just to clock out was not feasible. However, this explanation was totally different from the explanation given by Mr. Kraft, who said that Mr. and Mrs. Glick were at the Opryland Hotel in Nashville at the time.

A second example of Mr. Glick's misuse of authority is his use of City vehicles for personal errands. Again, it is well-known throughout the Department that Mr. Glick regularly uses his City vehicle for transporting his dog to the vet and/or groomer. Even Mr. Kraft has "heard" that dog hair has been found in Mr. Glick's vehicle. We were also told that Mr. Glick has used his City vehicle to get haircuts and to move a washer/dryer. One source stated that Mr. Glick has arranged for Mr. Kraft to pick him up in Nashville when Mr. Glick was having his personal vehicle serviced. However, we were unable to confirm this through any other witnesses. Considering these statements, we find it curious that Mr. Glick refuses to have the City logo placed on his vehicle. In the interest of full disclosure, we must also mention that there seemed to be very little understanding among Department employees about exactly what City policy requires concerning the use of City vehicles. Everyone seems to have some intuitive understanding that City vehicles are supposed to be used only for City purposes. Yet, there is also a widespread belief that certain *de minimus* exceptions are permitted, such as picking up a cold drink while filling up with gas, although there is no clear consensus on how far this exception reaches or for how often.

We were also told by multiple witnesses about Mr. Glick's use of a City storage closet in the D.W. Wilson Community Center essentially as a personal storage facility. This room is variously referred to as "the magic room" or as "Kurt's secret closet." Mr. Glick has the only key to this room. When Mr. Glick was asked about this room, he stated that the only personal items that were stored in that room were personal items from his office. He also admitted to storing furniture purchased by his wife, but stated that the furniture was intended to eventually be used in the café. However, these explanations were inconsistent with information obtained from other individuals who had been in that room on isolated occasions over the years. They saw items such as model airplanes, the back seat of a car, and "personal junk." We never received any information about potential dangerous or illegal items being stored in that room, and that is not our concern. Rather, we are troubled by the general impression given to the other employees when the Department head essentially assumes sole control over City property that only he has access to and for which he uses for storage of personal items. Employees might reasonably assume that Mr. Glick is not subject to the same rules as everyone else, and that to some extent, the City resources are there to serve Mr. Glick - and not the other way around. We should note that, during our interview of Mr. Glick, he openly invited us to view the contents of the room and told us that "a key is always available on his desk for anyone to



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use.” That same day we attempted to gain entrance to the storage unit and asked Ms. Hankins (who was present at the community center) to retrieve the key. The key, however was nowhere to be found.

A fourth example of misuse of authority involves statements made to staff by Mr. Glick in the recent past. By way of explanation, you may recall that previously, we mentioned the close connection between Mr. Glick and the former City administrator. It was well-known in the Department that Mr. Glick met (and still meets) the former City administrator at Buffalo Wild Wings for dinner and drinks on a fairly regular basis after work. After the former administrator retired and Ms. Jennifer Moody was hired, Mr. Glick told the staff that he met Ms. Moody at Buffalo Wild Wings for dinner. While this statement in and of itself seems innocuous, it was not taken that way by the witnesses who heard it. They told us that they felt that Mr. Glick was attempting to make them believe that he and Ms. Moody had a similar relationship as Mr. Glick and the former administrator. Again, this type of misuse serves to feed the perception of unfettered power.

One final point to mention in this section concerns benefits given to Mr. Glick’s family members. We were told that both Mr. Glick’s mother and wife have been involved in financial transactions with the City of Tullahoma (e.g. selling flower arrangements, taking photos, and purchasing a treadmill). It would appear that insufficient controls were implemented to be sure these services were performed with sufficient transparency to avoid the appearance of impropriety.

D. Mismanagement

Our investigation identified several areas which do not amount to retaliation or misuse of authority, but instead are just examples of poor management of the Department.

For starters, multiple witnesses told us that it is their impression that Mr. Kraft performs much, if not all, of Mr. Glick’s responsibilities. This seems to arise from a combination of several factors: (1) Mr. Kraft’s willingness to do just about anything that is asked of him and his willingness to perform a needed task even if it is not necessarily part of his job description; (2) the impression by many of our witnesses that Mr. Glick is often distracted and preoccupied, if not outright physically absent from the Department during hours when he would be expected to be working; and (3) poor communication with others in the Department. We were given multiple examples of poor communication. For example, Mr. Russell told us that he had just been notified of a Toys for Tots fund raiser to be held at one of the community centers that very weekend. He had already scheduled a Jr. NBA event at the same center and was scrambling to determine how to manage this last-minute information. He added that this same lack of communication had occurred in the prior two (2) years,



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despite his requests for more notice. We were also told that inconsistent messages are delivered from Mr. Glick and other members of upper Department management, and this lack of consistency hinders the operation of the Department at times.

We were also given the impression from multiple witnesses that there are different standards for different divisions within the Department. For instance, we were told that the community center staff "can get away with" doing less than the grounds or facilities maintenance employees. Community center employees do not work under rigorous schedules and deadlines, while grounds and facilities maintenance employees do. Indeed, there is also a widespread belief that grounds employees are favored over facilities maintenance employees, based on the different tasks assigned and access to storage/tools. Part of this impression also seems to be related to the impression that grounds employees get better treatment because they work under Mr. Glick's friend, Mr. Foster.

A third example of mismanagement involves the annual soap box derby. It was described to us by various witnesses as disproportionately expensive both in terms of money and staff time, while benefitting only a very small number of children - many of whom are not even from Tullahoma. The soap box derby, however, is referred to by some as a "sacred cow" - meaning Mr. Glick insists on holding this event regardless of whether it is an efficient use of the Department's funding and programming energy. One witness described it as the "Northcutt Family Reunion" referring to the participation by Mr. Glick's wife's family, who are not from Tullahoma. Several thought that this time and resource could be used in much better ways to provide outreach and programming to many more Tullahoma children.

Fourth, several witnesses mentioned to us a failure to provide necessary resources and equipment to employees who need them to perform their job. For instance, as mentioned previously in the retaliation section, the Maintenance Supervisor Margie Hankins does not have an office, a desk, or even a computer for her use. She told us that she has been moved 30+ times in 30 years, and she currently works out of her City vehicle. While much of her job involves actively working in City facilities, it does appear that part of job involves the use of email, creation of schedules, and the ordering of product. It is difficult to imagine how she could be expected to effectively perform these tasks without even the use of her computer. She mentioned one specific example where she was not notified of an outstanding invoice for necessary supplies until she attempted to re-order them and was refused. She later discovered that the email concerning the unpaid invoice had been sent to her supervisor and not passed along to her. Mr. Glick was apparently the one who decided to discontinue Ms. Hankins' access to her computer.



A fifth very concerning example of mismanagement involved the complaints of a former employee, Merrill Meadows. She claimed that she was being stalked and harassed by a patron, which she reported to Mr. Glick over an extended period of time. She asserted in her exit interview that Mr. Glick took no action to remedy or correct that situation, and it was not until Ms. Meadows reported it to the City administrator and human resources department that it was resolved. By virtue of his position and the training he has received, Mr. Glick should have known that such complaints must be immediately reported to the appropriate person or department for prompt investigation and remediation.

A curious discovery during our investigation was the juxtaposition between some employees who seem overwhelmed with the volume of work to be performed, while other employees in the same department do not seem to have sufficient work. Consider that only two facilities management employees are responsible for cleaning and maintaining most of the City buildings, and only three (3) grounds maintenance employees are responsible for mowing, painting, and maintaining over 200 acres of fields and parks. However, at the same time, Ms. Thomas is primarily over the café which is only open about two (2) months out of the year, and the previous holder of the Athletics Coordinator position, Colton Gunn, described that job as not having enough to do. This inequity struck us as another example of poor overall Department management.

Finally, the Joe Moon Foundation/Scholarship should also be mentioned. This was a topic of great confusion among the witnesses we interviewed. Most had the general idea that it was started by Mr. Glick and others to benefit local youth who cannot afford to participate in City programs. Many witnesses also seem very concerned that it is not qualified as a 501(c)(3) organization. We learned that there are apparently two separate entities - the Foundation and the Scholarship. Since neither is a part of the Parks and Recreation Department, we frankly found the Joe Moon Foundation and the Joe Moon Scholarship to be mostly irrelevant to our investigation. However, two worthwhile points can be made about them. First and foremost, much better efforts need to be made to distinguish the Joe Moon Foundation and the Joe Moon Scholarship from the Tullahoma Parks and Recreation Department. While they are not actually City programs, quite frankly, that impression is given. Indeed, the mail for the Joe Moon Foundation apparently comes to the Parks and Recreation Department. In addition, a quick internet search turned up a photo taken at the creation of the foundation, which pictured several within the Parks and Recreation Department. This creates a potential conflict of interest, since the Parks and Recreation Department is supposedly a beneficiary of funds from the Foundation. Second, we heard from multiple witnesses that, while the Foundation was intended to provide funds for underprivileged youth to participate in programs, there are serious questions on whether those funds are ever actually paid. Likewise,



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there are questions about whether the children who benefit from this program are actually from Tullahoma, or from other areas, such as Pelham (where Mr. Glick's wife is apparently from).

E. Credibility

In this section, we will briefly provide our conclusions concerning the credibility of each witness. Where applicable and necessary, we will elaborate or provide qualifications. If you require additional explanation for any of these, please let us know.

1. Stacy Scott - Credible in the information that he provided, but he was described as a frequent complainer by multiple witnesses (including by Ms. Hankins - probably his strongest advocate).
2. Jesse P. (JP) Kraft - Credible as to his description of certain factual information concerning the Department, but not very credible as to his explanations for many actions taken by Mr. Glick. Quite frankly, our impression was that Mr. Kraft could have been a good witness, but he was simply "trying too hard" to defend Mr. Glick. For instance, at one point near the end of his interview, Mr. Kraft just volunteered that in their small Department, one would have to be a fool to hire your friends and not hire the best candidate. This was unsolicited and not in response to any question or comment. Indeed, we had not even asked him about favoritism within the Department. Mr. Kraft also had the tendency to launch into long digressions on unrelated subjects. While this might be explained by simple nervousness or a personality quirk, it happened enough that we question whether he might have been attempting to distract us from the topics at hand. In general, Mr. Kraft seems like a very capable and knowledgeable employee. He is very well-liked and well-regarded in the Department. However, the reliability of the information he provided was somewhat undermined by the distinct impression that he was much more concerned with defending his boss than necessarily providing us accurate information. This is highlighted by his plea at the end of the interview for us to call him with any questions, because he wanted "to explain it the right way".
3. Margie Hankins - Very Credible, as Ms. Hankins' information was balanced, detailed, backed up by great experience, and delivered in a very believable manner.
4. Charles Wilkerson - Credible, but the scope of his knowledge was fairly limited given his part-time status, work hours and narrow job responsibilities.
5. Brooke Thomas - Not Credible. At the outset of her interview, Ms. Thomas noted that she had legal representation accompanying her as a precaution to make sure her interests were



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protected. However, when the “legal representation” was invited into the interview room, not only was the person not the lawyer she identified nor anyone from that lawyer’s office, it was actually not a lawyer at all. It was simply her mother. Ms. Thomas’ misstatement in this regard did not have a significant bearing on the validity of our investigatory findings, since Ms. Thomas was a very tangential witness to these complaints. Her untruthfulness on the front end does cause great doubt as to the reliability of the information she provided. For what it is worth, Ms. Thomas’ statements were invariably in favor of Mr. Glick.

6. Sheila Rico - Credible for the most part, but with some qualifications. Ms. Rico provided reliable information on most subjects, but she was also quite prone to making generalizations that she was unable to back up with facts upon further probing. For instance, she told us that when employees leave the Parks and Recreation Department, “everyone” talks about their negative experience and that contributes to the perception that it is a bad place to work. However, when pressed on this point, Ms. Rico was unable to specifically identify a single person. On the other hand, we do believe that Ms. Rico was very perceptive about the role of Mr. Glick’s favoritism in the appearance of bias within the Department.
7. Tom Foster - Not Credible, due to multiple inconsistencies. For instance, Mr. Foster stated that he had a fine relationship with Ms. Hankins, which is contrary to practically every other witness who expressed an opinion on this point. Mr. Foster also stated that he was unaware that Mr. Scott had ever filed a grievance. This statement is very hard to believe, as this seemed to be common knowledge in the Department.
8. Ian Anderson - Credible, but generally reluctant to volunteer information. Mr. Anderson seemed to be fairly reticent to participate in the process, but the factual information that he did provide was consistent and believable.
9. Marcus Blackburn - Credible.
10. Dustin Prince - Credible.
11. Lyle Russell - Credible.
12. Ted Johnson - Credible, but the scope of his knowledge was fairly limited given his part-time status and narrow job responsibilities. However, the information that he did provide was believable, and his long experience in the Department lent weight to his statements. His input was



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particularly relevant on the issue of racial bias, since he was one of only two African-American Department employees interviewed.

13. Kurt Glick - Not Credible. Mr. Glick's explanations on many items were contrary to the information we were told by other witnesses. However, most concerning was his statement near the end of his interview when asked whether he had been back to the community center since being placed on administrative leave in the morning hours of Monday, November 30. At first, he denied any return. But upon further, more pointed questioning, he admitted coming back into the center at 5:00 a.m. on the morning of Tuesday, December 1, 2020. He admitted he did this despite being specifically directed not to be there. He told us that he went to retrieve something - and the description of that changed from just something, to work stuff, to a check, to a check from another job, and finally to his wife's check, which he claims he had to retrieve so it could be deposited in the bank. However, he then admitted that he still had the check in his truck, as of the time we were talking to him at approximately noon on Wednesday, December 2, 2020. We believe Mr. Glick's statements about this topic were patently false, and it creates grave doubts about the reliability of the information he provided to us during the interview. Not only did we feel he was not being truthful with us on this topic, it was also deeply troubling that he would admit to violating a direct order to remain away from the community center in the middle of the investigation for which he was placed on administrative leave.

14. Jennifer Moody - Credible.

15. Casta Brice - Credible.

F. Conclusion

Overall, our investigation uncovered very little in the way of direct evidence of the most serious of the allegations - e.g. retaliation, racism, and sexism. However, we did find ample indirect evidence where employees could reasonably believe that several instances of retaliation have taken place, with no reasonable justifications for the actions offered. We also found abundant evidence that Mr. Glick's practice of favoritism and/or cronyism has given the impression of bias in the management of the Department at times. Finally, we found several serious examples of Mr. Glick taking advantage of his position of authority as head of the Department and also uncovered multiple examples of mismanagement of the Department.



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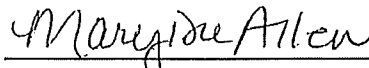
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We hope this investigative report is helpful to you in understanding the relevant facts related to these complaints. If you have any questions, or need any additional information about these issues, please do not hesitate to contact us.



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