

12/13/12 Kooiker KOTA Radio interview with Don Grant

[Kooiker] This is a difficult issue and the bottom line is that it is important for the people to know that this isn't a personnel matter in the traditional sense of the word. I mean, this is to discuss allegations of offsite misbehavior against members of the City Council. It does not involve any current or past city employees either as witnesses, plaintiffs, or defendants. The complaint involves current and former and appointed City officials... and candidates for public office. Some people have asked me why does it appear that there is so much division on the Council right now, well this is one of the reasons because there has been this little mess percolating behind the scenes for months, in the compass committee, and there's one of the reasons why there has been such a debate on lack of openness with compass. Now it's with the compass committee and we haven't been able to get all the details on it because obviously I'm not privy to the minutes of those meetings. They haven't been released. But we have a mess on our hands that has now percolated into the public arena and this is going to be...there is a request to take this behind closed doors, and I...I don't agree that this should be behind closed doors.

But I think to reiterate my position, this matter involves the actions of elected officials, on their own time, and does not involve any past or present city employees. So I think going into closed session to discuss this is not only extreme, it is extremely wrong. And I am hoping that the City council will vote no to going into closed session. I told Council leadership when this drama began that I would not preside over a hearing if it came to a public censure hearing of one of our Council members. I would be preset but I wouldn't preside as this is a Council matter but it is my responsibility to review, sign, or veto any subsequent actions of council relating to this and since the motion to go into executive session is procedural in nature, it can't be vetoed, or signed, so that is why I need to weigh in now. And I think that what we have, the bottom line here Don, is that the Code of Conduct and the Compass Internal Audit Program have combined to become the double decker bus to Abilene. And we need to correct this otherwise I think the Compass Program is going to fail and if it fails, then we just need to pull the plug on it and be done with it.

[Grant] A refresher for those not familiar with Compass Program is that, the compass committee is an internal audit committee for the City?

[Kooiker] Yes, and it was designed to find millions of dollars in cost savings. That's what it was promised. And I, I said once at a meeting, and was taken to task for it, saying that it would be millions in cost savings. Well, if you look at the original presentations, it was going to be millions and millions. **We are now spending \$225,000 a year when budgets are tight on a program which has devolved into investigating Council members for issues that occurred in the off time. I think that it's absolutely wrong for the Compass Committee to have gone, uh, to have gone to this extreme.** And it's controversial, and it's wrong. And I hope that they, they can correct this situation quickly because otherwise the compass program is going to fail. **Their goal was to find efficiencies and cost savings for the taxpayers and instead, you have members of the compass committee leading investigations against council members.**

And...for those of us who love history, it reminds me a bit of the **stories of the star chambers from the 1600's where you had this unaccountable committee behind closed doors, you know, doing all kinds of things to people and not being...not having to answer for it, and,** and, so if people have been following this debate over the last couple of months on whether or not compass should have open meetings, this is one of the issues that is percolating that is causing that controversy.

[Grant] **So allegations against, as you said in your memo, against current and former appointed and elected City officials, those aren't coming from the public, those allegations are coming out of members of the compass committee?**

[Kooiker] **Well, it's, it's, you know, I don't know of all of the details of where it's coming from but it, but it does involve members of the Compass committee and it has turned into a steaming mess. And hopefully it can be resolved soon.**

You know what there's a lot of great things happening in this community and we've been stream-lining processes, bringing in new business, we're seeing good sales tax revenue, and, and it seems that, you know, it seems that the focus ends up being on,

on the controversial things and avoids all the great things that we've been doing and that is what is so upsetting to me about this issue is because now all the other good things at this **Christmas time that we should be focusing on...going to be this unnecessary, uh, uh, debate, uh over, over issues that aldermen have been involved in on their own time. And I think it's wrong for the Compass committee to have allowed this to happen.**

[Grant] Do you have any feeling of alderman and their opinion on an executive session on this?

[Kooiker] I'm not sure but I think it's one of the most important votes that any of the ten council members on the council will ever cast. Because this, this is about openness, and to go into executive session to talk about a personnel matter when it's absolutely not a personnel matter, it involves a public officials, uh, is absolutely extreme and absolutely wrong. And the City Attorney, by the way, who I have a lot of respect for, says statutorily, that we can discuss this in, in closed session because it is, the statute refers to public officials, public officers which council members are. But I think that it would be a stretch to do this.

[Grant] A little removed from this specific with the compass committee, are we any further along in the question of whether the compass committee can have closed meetings and have agendas not available to the public, or even council, or not have minutes available to the public or Council?

[Kooiker] Well, we know they can. And we know it's legal to do it technically because they are a recommending body to the council. But it's a slippery slope. And the City attorney has said that it's a slippery slope. He also says it's legal to have these closed meetings but recommended that we not allow that because it would create a lack of trust. And I think that's exactly what we are seeing now. **Is that we, we don't know what the compass committee is been up to. They're not accountable apparently to anyone anymore. And when council members are questioning them, they're being attacked. One of the members of the compass committee, uh, John Roberts, is being viciously attacked by fellow compass committee members because he's questioning, uh, the activities of the**

committee, and he's, uh, uh, he uh, uh, ironically asked yesterday to be added, uh, at the legal and finance committee yesterday to be added to an upcoming censure So I'm just, uh, I'm just appalled at what's happened and you know, I'm partly responsible for this because I was so supportive, and remain supportive of the idea of an internal audit program to be a check and balance for government and to find cost savings and now **we see that it's essentially devolved into an organization that engages in witch hunts** and hopefully that can be put behind us quickly and that we can save this committee.

[Grant] All right. Let's cheer things up.

[Kooiker] Yeah, Merry Christmas.