

Forwarded message -----

From: **John Cranley** <[REDACTED]>

Date: Fri, Mar 9, 2018 at 12:30 AM

Subject: atty client privilege

To: John Cranley

<[REDACTED]>, <[REDACTED]>, <[REDACTED]>, AMY

MURRAY <[REDACTED]>, Greg Landsman <[REDACTED]>

Cc: Paula Muething <[REDACTED]>

Dear Christopher, David, Amy and Greg,

I am sending you this email subject to attorney client privilege (Paula is copied) in our role (council and mayor) as employer of the city manager. I am writing to share with you a very disturbing phone call I just received from city manager Harry Black. Because of its very sensitive nature, I am only sharing with you for now because I trust you can keep this confidential until we can decide what to do and how to do it-- I need your advice. We need to talk about this. And we need to discuss how to share with the rest of our colleagues.

He started by saying because of pushback on \$400k for Bailey, he would have to fire Bailey in the morning. I said that it was his call, that I had already advised to try to work it out between Bailey and Isaac, but if he fires him he should have "just cause" because if not, the city will be sued and could lose big time.

He told me that law department was making him do either buyout or fire.

I said that he had told me earlier today that it was chief isaac's idea, that he showed me a document signed by Chief Isaac outlining his concerns with Bailey, and that he agreed with Chief Isaac and he was making the decision as city manager. I told him The Law department is doing what he instructed but aren't making him do anything. I repeated that "it is your call, but you know what I recommend."

Around that time Harry turned extremely nasty and engaged in about 8 minutes of profanity laced personal attacks, conspiracy theories, and outrageous threats and outlandish claims.

He started out by saying that I caused the situation with Lt Col Bailey by introducing pay raise increases in 2016 for city workers and that led to the need to fire Bailey. I told him that I was proud of my legislation and that a supermajority of city council agreed with me and that under our form of government that legislation debated and duly enacted was how our system worked.

He said again that that started the need to fire Bailey and he would tell the whole world. I said please do. It makes no sense.

He then started swearing repeatedly with profanity (using the "f" word about every third word) that I was setting him up and that councilman Smitherman was setting him up on Bailey.

I said "how could I set him up when I advised him not to do it and he didn't take my Advice." I said he's responsible for his actions and if they are justified then explain them.

He then accused me of trying to get him out but that "I'm going nowhere as long as I have 5 votes" (again with "f" words about every 3 words) and that he was "coming after me" because "I fight back" and that he would "cut me out" of city actions. And that "if I go, you are going to pay me!".

I said that he should always do what's right and not try to get me or anybody and work with the elected mayor and council. He said that he was going to shut me out.

I told him he was out of line, paranoid, and unprofessional.

He then launched into a series of personal insults with a great deal of profanity. Multiple times he said he was coming after me, there was nothing I could do to him as long as he has 5 votes, and that he was going to run the city by leaving me out. He also expressed deep dislike for city council and me.

After a few minutes, I said this call was totally out of line and that I was finished with it. I hung up.

Over the past few years occasionally I have heard rumors of late night abusive calls from Harry to employees and citizens. A few times, I was told directly by the recipients who asked to remain anonymous. Obviously I wasn't on those calls but the stories were worrisome and collectively were similar and fit a pattern. When I was told directly, I confronted Harry about those calls and told him he had to stop. Each time he promised he would.

What worries me the most is that at no time during tonight's call did I hear a concern for doing what is right for the city. Instead, he threatened me, Smitherman, threatened retaliation against the mayor in ways that would hinder city business and the right of the elected mayor to engage in public policy, condemned actions like my and council's decision on wages and somehow linked it to the Bailey situation.

I believe deeply that city government should be accountable to the public and under our charter led under the rule of law by the mayor and city council and managed by a professional city manager. Oversight of the city manager has no formal process in the charter other than answering to the mayor and council. The behavior I was subject to this evening is deeply unprofessional.

Together, We have to provide oversight on this.

I will be reaching out to all of you to discuss what's next.

I am writing all of this because it's still fresh and deeply disturbing.

Having received a call similar to ones I had heard rumors of before, I feel duty bound to share in case there are others--namely, subordinates--who have been similarly abused. I am fine because I don't work for Harry, but I don't want any city employees to be treated like that. I am proud of the great work that our roughly 6,000 employees provide day in and day out.

I hope that whatever we do next it is with them in mind and making sure our city is professionally managed.

Sincerely
John

----- Forwarded message -----

From: John Cranley <[REDACTED]>

Date: Fri, Mar 9, 2018 at 7:49 AM

Subject: Re: atty client privilege

To: AMY MURRAY <[REDACTED]>, Greg Landsman

<[REDACTED]>, [REDACTED]

Cc: Paula Muething <[REDACTED]>

I just spoke to Christopher and relayed verbally some of the details of the call last night. He advised me to put excerpts in writing uncensored.

He is some of the things he said—sorry for the profanity:

"You are fucking bad person, you are fucking corrupt and I will tell the world you are fucking corrupt."

"I don't turn the fucking cheek, I fucking hit back".

"I will fucking come after you and fucking Smitherman"

"I fucking hate you and city council"

"If I fucking go, you will fucking pay me!"

"I'm not fucking going anywhere as long as I got 5 fucking votes"

"Things are going to be very fucking different, I'm going to fucking cut you out"

"Going forward, I will oppose every fucking economic development deal"