

Minutes  
Regular Meeting  
Bluff City Board of Mayor & Aldermen  
June 10, 2010

Alderman Miller made a motion to call the meeting to order at 7:00 p.m. Second by Alderman Carrier.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	no
	Alderwoman Wells	no

Motion failed with a tie vote.

Alderwoman Wells made a motion to call the meeting to order. Second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Motion approved.

Alderman Carrier made a motion for Alderman Miller to chair the meeting. Second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	no
	Alderwoman Wells	no

Motion failed with a tie vote.

Alderman Weaver made a motion for Alderwoman Wells to chair the meeting. Second by Alderwoman Wells.

Roll Call Vote:	Alderman Carrier	no
	Alderman Miller	no
	Alderman Weaver	yes
	Alderwoman Wells	yes

Motion failed with a tie vote.

Alderman Miller made a motion for Alderwoman Irene Wells to chair the meeting. Second by Alderman Weaver.

Roll Call Vote:	Alderman Carrier	abstained
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Alderwoman Wells had prayer followed by the Pledge of Allegiance.

Alderwoman Wells presented the minutes for the Regular Meeting on February 11, 2010, March 4, 2010 and March 9, 2010 to the BMA for consideration and approval. Alderman Miller made a motion to approve all three sets of minutes. Alderwoman Wells asked if they were going to pass them all at once. Alderman Miller said yes unless there were any changes and then he asked if there were any changes. There was not. Second by Alderman Carrier.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Alderwoman Wells opened the floor for the first section of citizen comments.

1. Virginia Talbert of 314 Parks Worley Drive in Bluff City requested the board to consider doing some work on the tennis courts at the elementary schools
2. Bill Morrell on Lakeview Drive in Bluff City pled to the board to hire a good attorney and asked the board to hire Paul Frye as he was a good attorney. Mr. Morrell proposed that however the board planned to hire attorney they should give Mr. Frye heavy consideration.

Alderwoman Wells opened the floor for discussion as to who the board wants to sign documents. Alderman Miller said that due to the comments of City Attorney McDaniel he wanted to decline signing documents. Alderwoman Wells stated that she would volunteer for this. Alderman Miller made a motion giving Alderwoman Wells the authority to sign documents that have been approved by the board. Second by Alderman Weaver.

Roll Call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Alderman Wells opened the floor for discussion on the appointment to the Animal Coalition Partnership Board. Recorder Dulaney informed the board that she would be interested in this appointed. Alderman Miller made a motion to appoint Judy Dulaney to the Animal Coalition Partnership Board. This board consists of volunteers.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderman Wells	yes

Alderman Wells presented Ordinance No. 2010-011, the Continuing Budget Ordinance to the BMA for consideration on first reading. Alderman Carrier made a motion to approve Ordinance No. 2010-011. Second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderman Wells	yes

The Board set a Special Called Meeting for the second reading of the Continuing Budget Ordinance on June 24, 2010.

Alderman Wells opened the floor for discussion on a city attorney. Alderman Wells said that was given a letter from the Slaughter Law Firm stating that they were applying for the position of city attorney for the City of Bluff City and would do this for \$36,000.00 per year and if the board did not object she wanted to read the letter. Alderman Wells read the letter.

Alderman Carrier made a motion to hire Paul Frye as the city attorney. Alderman Miller asked Alderman Carrier to retract his motion for the board to discuss. Alderman Carrier did that. Alderman Miller said that he did not want to do this in the same manner in which they hired Mr. McDaniel and that was just simply hiring the first lawyer presented to the board and he would like to see that this job is posted properly and take applicants and from those applicants the board chooses a qualified candidate through workshops and interviews open to the public.

Alderman Miller made a motion to run ads for a city attorney. Alderman Miller said that he would like to do this before the next regular meeting. Alderman Miller said that they could have a workshop before the Special Called meeting on June 24, 2010 at 7:00 p.m. to interview the attorneys and have the Special Called Meeting directly following. Second by Alderman Weaver.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Alderwoman Wells opened the floor for discussion/action on the 2010/2011 Budget:

Alderwoman Wells asked if the board wanted to set up some workshops. Alderman Miller said yes but they don't have a budget drafted yet. Alderwoman Wells asked if they could agree to have Judy and Weaver work on the 2010-2011 budget together and they could have a workshop before the Special Called Meeting on the 24th at 7: 00 p.m. Alderwoman Wells said that they need more people to learn how to do the budget. Alderman Miller said that he agreed with that as he spent a lot of time with Judy last year with the budget. Alderwoman Wells asked if they could agree for them work together on it this time and maybe the ones that are interested in learning more about the budget. Alderman Miller said that he did not have a problem with that as long as they are very clear and understand that they are working together and it is not being delegated. Alderman Miller said that the board agreed on Mr. Weaver's job description. Alderwoman Wells said that Judy has done budgets all of these years and she had a lot of experience but she hoped they could work together on it and then we can move forward to have a workshop to get budget passed. City Manager Weaver said that Judy would not tell them but she has a draft he could guarantee it. Alderman Miller said well somebody as to make sure that it gets done. Alderman Miller told City Manager Weaver that this was a very serious matter and he doubted that he put any hours what so ever in the budget and he thought that Mr. Weaver was derelict in his job. Alderwoman Wells said to please not to go back there and let's see if we can calm it down. Alderwoman Wells asked Judy if she could just work together with Weaver on it because she knew they did not have much time as our city is looking worse and worse each day and let us try to get along. Alderwoman Wells said that Mr. Weaver could learn from her and they needed some other people to learn from her like some of the board member and maybe some of the office workers. Recorder Dulaney told Alderwoman Wells that it was not that simple.

Alderwoman Wells said that they need other people to learn to do this. Recorder Dulaney told Alderwoman Wells that they need to send the employees to school then. Alderwoman Wells asked the city recorder if she was willing to work with Weaver on the budget. City Recorder Dulaney said no that she already had it done but under the circumstances she had to wait for the board to instruct her to do the budget as it was the city managers job. Alderwoman Wells asked the city recorder if they could begin to schedule some workshops. Recorder Dulaney said yes. Alderman Miller said that they could make the budget part of the workshop on June 24, 2010. Alderman Miller said that the recorder knew what was happening and had the fore sight and got the budget done in advance. Alderman Miller said that they should have the workshop before the Special Called Meeting on June 24, 2010.

Alderwoman Wells opened the floor for comments from the aldermen:

1. Alderman Carrier commented that he was glad to see everyone come out a voice their comments.
2. Alderman Miller thanked everyone for coming out and even if their voice is not the position of his he respected their opinion and appreciated them for coming and he wanted their voices to be heard.
3. Alderman Weaver commented that he appreciated everyone for coming out and he would like to see this every meeting.
4. Alderwoman Wells said that she wanted to apologize to the citizens of Bluff City for the problems that the board has put the citizens of Bluff City through and she hoped from here on out that they can think of the city first and try to come to common ground and work together because they have to because of the city.

Alderwoman Wells opened the floor for reports from the city officials and county commissioners.

1. City Recorder Dulaney said that due to the fact that the city does not have an attorney she requested that the board consider paying her legal fees for a private attorney with regard to the J. C. Gentry letter from his attorney John Rambo and the demands he was making of her. Recorder Dulaney said that it is the city's responsibility to furnish her an attorney for such situations. The board told Recorder Dulaney when she got the bill to bring it to them and they would debate it out then. Recorder Dulaney stated that the actions that she takes could have repercussions to the city if she done the wrong thing.

2. Chief of Police David Nelson presented the police report for the month of May. Chief Nelson asked the board to approve applying for a Cops Grant which would add an additional police officer to the force.

Alderman Miller made a motion to approve the application for the Cops Grants.  
Second by Alderman Weaver.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Chief Nelson reported that the camera bills that are in the legislature will be sent to a study group and will not come back up until next year's session.

Alderwoman Wells asked Chief Nelson if the citations had gone down quite a bit or are they still getting a few... Chief Nelson said they have stayed about the same.

Alderman Carrier told Chief Nelson that he needed to train other officers on how to operate the mobile radar unit because it needs to be out or sell it at the junk pile.

Alderwoman Wells opened the floor for old business: There was none.

Alderman Carrier made a motion for the city to paint the tennis courts and cut the weeds. Second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Alderwoman Wells opened the second session of citizen comment.

1. Connie Leonard of 314 Main Street said that Ms. Wells brought up again about, since Mr. Weaver is the city manager, cutting salaries and asked Alderwoman Wells if that was her intentions. Alderwoman Wells said that her question was if they start cutting duties but she thought they had got past that. Ms. Leonard said that the duties of Ms. Phillips, Ms. Harkleroad and Ms. Dulaney is overwhelming even with Mr. Weaver here and even when he gets

trained to do the budget and other jobs in his job description. Alderwoman Wells said that they would just have to take a look at it. Ms. Leonard said that when they start cutting salaries they need to look across the board and not just point at one person again. Ms. Leonard said that since Mr. McDaniel had resigned and under the circumstances of he being the attorney for the citizens he should have had the welfare of the town in mind the night that he encouraged Mr. Gentry to file a suit whether it be against the board or against the citizens and that any money that is involved in any lawsuit Mr. McDaniel needed to be held liable for it as he was not acting on the part of the citizens at that time but it was a personal thing. Ms. Leonard asked Alderwoman Wells if Mr. Slaughter was her attorney whenever the recall was going on and wrote a letter that was placed in the Bristol Herald Courier advising Alderwoman Wells to sue the citizens if they did a recall. Alderwoman Wells said yes he was her attorney during that time.

2. Sabrina Arnold at 199 Main Street said that being an elected official is not an easy job as her mother was on the board when she was growing up. Ms. Arnold asked the board to listen to their constituents and listen to their concerns and make sure that every vote that they are voting that they are doing for the benefit of the citizens and not for any other motive. Ms. Arnold stated that she thought it was a wonderful idea to post the job of city attorney and she would like to see all jobs that are vacated in the city to be posted because she knows that other municipal governments do that. Alderwoman Wells asked if she thought beginning workers should be posted also. Ms. Arnold said she wouldn't know why you wouldn't as you would have a better variety to choose from as it should be to get the best person for the job.
3. Judy King asked if Mr. Weaver's position was posted where someone else could apply for it. Alderwoman Wells said no it was not.

Alderwoman Wells said that she noticed that the Slaughter Law Firm was there and asked if they wanted to make a comment. Mr. Slaughter said (could not understand what he said on the tape)

4. Richard Boling at 4534 Bluff City Highway said that the city does not have a mayor and they are saying that J.C.Gentry is no longer a member of the board and asked the board when were they going to or were they going to fill these positions. Alderman Weaver said that some are saying that Mr. Gentry is a member and some are saying that he is not. Mr. Boling said he was asking if

and when they figure out if he is or not and Mr. Malone is not mayor then when are they going to fill those positions instead of arguing about whether he is or not. Alderman Miller said that this was probably going to have to be resolved by a judge. Mr. Boling asked about Mr. Malone's job. Alderman Miller said that Mr. Malone had resigned. Mr. Boling said that he knew that but they have to fill his position don't they. Alderman Miller said that it was his intention to introduce an ordinance to place the mayor's position on the ballot for the next general election in May as a (2) two year term and as he understood the charter that can be done through an ordinance. Mr. Boling asked if they were going to wait until next May before they fill Mr. Malone's position. Alderman Miller said that he did not see any other method of it happening. Mr. Boling asked if they could just appoint somebody. Alderman Miller said that only an alderman can be appoint into the position of mayor and all four of them had stated that they don't want to do it. Alderman Miller said that the board was divided as to whether there is a vacant alderman seat or not so he did not see them appointing that empty chair and then making that person mayor.

5. Betty Odell said that she was shocked at the first meeting that the board had when Mr. Weaver was put in as city manager as she knew of at least one application for the job and she knew that there was a lady at the meeting and asked to be considered for the city manager position and she was told no that they would not consider her. Ms. Odell said that somebody had already talked to a new lawyer because that lawyer was sitting here and ready to take over and she was really surprised tonight to learn the thing of a new lawyer being brought up tonight and the new lawyer that they want is at the meeting tonight and it seemed to her like there is talk going on to these people and this disappoints her. Alderwoman Wells said that all anybody had to do was read the paper. Ms. Odell said that Mr. McDaniel only resigned a couple of days ago and they have already got a letter from these attorneys. (Attorney Frank Slaughter and said something but could not be picked up on tape).
6. Lillian Cutten said that she thought that they should appoint anybody to the attorney that is not what we need in the city just because he had been Alderwoman Wells's attorney and she did not think that the city should have any attorney that has been an attorney for any of the board. Ms. Cutten said they need Mr. Frye and he offered to be the attorney even discount his fee and the board turned him down so they could pick up somebody's friend over here that did not know anything and if Mr. Miller had not helped him the first two meetings they had he could not even have found his notes. Alderwoman Wells said that she was just going to say that they had come along way tonight and

they were not going to go backwards because the city need them to go back. Ms. Cutten said that they didn't need to look backwards to what they were doing which was you scratch my back and I'll scratch yours and that it's the way its been. Alderwoman Wells said that she wasn't going to answer to that.

7. Connie Leonard asked Alderwoman Wells to take the Mayor position and that way she could learn some of the stuff that she was talking to Mr. Weaver and Ms. Dulaney about as she said that she had experience in stuff and in Nashville and she could represent the city. Ms. Leonard applauded Alderwoman Wells for calling the meeting to order as this was a good step and the citizens appreciate that.

Alderman Miller made a motion to adjourn the meeting at 8:45 p.m... Second by Alderman Weaver

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

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ATTEST:

This 10<sup>th</sup> Day of June, 2010

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Judy Dulaney, City Recorder