

Minutes  
Special Called Meeting  
Bluff Board of Mayor and Aldermen  
June 25, 2013

Mayor Wells called the meeting to order at 6:00 p.m.

Members present were Melvin Carrier, Bryan Mullins, Ray Harrington, Lon Gene Leonard and Richard Bowling.

Prayer was given by Fred Lowry followed by the Pledge of Allegiance.

Mayor Wells opened the floor for Citizen Comments –First Section.

Sandy Harkleroad of 874 Drybranch Road and an employee of the city presented a letter to the BMA and the Recorder to have attached to the minutes. The letter voiced concerns about the working conditions in City Hall due to the tension between the Mayor and the City Manager and concerns about statements made by the Mayor which questions the honesty of the staff at city hall. (SEE ATTACHMENT I)

Connie Leonard of 314 Main Street congratulated the new board members and welcomed them along with the Mayor. Ms. Leonard asked what the reasons were for a special audit. Mayor Wells stated that when she was campaigning people told her that they would like to see one and she had it put on the Agenda and it was up to the board to decide what happens. Ms. Leonard stated that we have audits that have been published and are available to everyone. Ms. Leonard asked what the estimated cost for a special would be. Mayor Wells stated that it depends on different things so you have to send out and get an estimate. City Manager Dulaney stated approximately \$20,000.00. Ms. Leonard asked if the State Comptroller's office been contacted and issued any reason for such an audit. Mayor Wells stated that this is a comment section. Ms. Leonard stated she wanted to know if the comptroller's office had been contacted by any employee, board member, Mayor, City Manager, Attorney or anyone else or is this just another of Mrs. Wells attempts to discredit employee's, waste tax payers money and attain power. Ms. Leonard stated that she (Mayor) is wanting the new board members and some of the old members to help her in this venture. Ms. Leonard stated that her desire for power goes back to the 1980's and she gave a copy of a letter to the board members. Ms. Leonard read the letter which was a letter of resignation from Maggie McGrew, City Recorder and Kim Boyer, City Clerk which sites one reason being the harassment from Mayor Billy Wells's wife. Ms. Leonard stated that she had requested this information before, along with the resignation of Ms. Vestal who served as Recorder under the (Billy) Wells administration, and had similar complaints and she would be glad to come to the next meeting and answer any questions. Ms. Leonard stated that this is an ongoing issue and a power struggle. Ms. Leonard stated that they are here to serve the citizens and these lawsuits and audits are costing hundreds of thousands of dollars which are coming from the citizens.

David Smith of 200 Highland Circle stated that Mrs. Wells was new right now and about this audit, he was not in favor about jumping up and throwing money away but for the next two months she could check things out and bring it back to the board if she finds anything and if she does not he suggests not to do it. Mayor Wells stated that she does not have an office or a desk and does not have use of a computer. Mr. Smith asked Judy Dulaney if she had an office. Ms. Dulaney stated yes. Mayor Wells asked where it was. Ms. Dulaney stated that all the aldermen have seen the office. Mr. Smith asked if they could see the office. Ms. Dulaney stated yes. Mayor

Wells stated that she would like for them to and she would like to see that it is her office. Mr. Smith asked if she had a key to that office and Mayor Wells stated that she would like to have a key. Alderman Leonard stated that it is a multiple use office and he has used it in the past along with the building inspector and the storm water coordinator. Mr. Leonard stated that the clerks have to go back and do updates from that office. Mr. Leonard stated that records that the mayor requested 8 months ago were still laying there. Mayor Wells stated that was not true, but she was glad to know she has an office. City Manager Dulaney stated that the previous board informed her that she could use that office.

Sandy Harkleroad, city employee stated that in reference to the gentleman asking if the Mayor had a key, that office has the server in there and it could be used for her a computer, but we have to do updates on the server and also backups daily. Mrs. Harkleroad stated that we have files in there that we have to have access to, and the Building Inspector and the Stormwater Person uses that office and phone as well.

Julie Venable Carty of 209 Smith Street Extension, stated that she welcomed the audit and a lot of citizens do and she does not care if it cost \$50,000.00. Mrs. Carty stated that nobody should have a problem with it unless there is something to be found. Mrs. Carty stated that when she came in here before the Mayor's had their own office and it was not joint or part office and part supply house. Mrs. Carty stated that you are still working against her again. Ms. Dulaney stated that we just don't have any space and she can have any office she wants if they can come up with somewhere to put the records. Mrs. Carty stated that they could add onto the building. Mrs. Carty stated that they should consider having the audit just to clear everything up once and for all.

Mary Anderson, city employee asked what is in question, she would like to know. City Manager Dulaney stated that she would like to know what the Mayor is accusing us of or what Mrs. Venable (Carty) thinks is going on that there should be a special audit. Ms. Dulaney stated that the four of us in the office are the ones the mayor has thrown to the dogs and we would like to know why. Alderman Leonard stated we were not the only ones. Mayor Wells stated that when she was campaigning some people stated that they wanted to see an independent audit and she said she would get it put on the agenda. Mary Anderson stated that there was an accusation made in her (Mayor) lawsuit so how was she getting that it came from the citizens when she was campaigning and no disrespect was intended. Mayor Wells stated let the board make the decision. City Manager Dulaney stated that Aldermen Carrier, Mullins and Leonard could attest to the fact that they told the Mayor that she had an office to use and it is not like she just heard it today. Alderman Leonard stated that that was correct.

Sandy Harkleroad stated that all the Mayors she had worked for had never locked their office as records were kept in those offices. Mrs. Harkleroad stated that Mr. Weaver was the City Manager and he and Todd Malone shared that office.

Betty O'Dell of Carter Street stated that she was on the board when they were planning the new City Hall Building and the plans were cut because the board said that the city did not need all the other room. Mrs. O'Dell stated that there was not enough room in this building for records. Mrs. O'Dell asked what was wrong with the audit they just got through with and why did the people

who talked to Irene about the audit not just come here and ask for a copy of it. Mayor Wells stated that that was not what they said to her. Mrs. O'Dell stated that people come up and say they don't think that they are being told the truth, then someone is telling them things that aren't true. Mrs. O'Dell stated that Eddy and Eddy are fine auditors. Mrs. O'Dell stated that she talked to some people that did not know there was a meeting tonight and 2 or 3 years ago they were asked about getting a sign out front so they could use it to notify people of meetings and things that were going on and why has that not been done. Mrs. O'Dell stated that some people had donated toward the purchase of the sign.

Mayor Wells stated that she is and always has been for the citizens.

Connie Leonard 314 Main Street stated to Mayor Wells that she is not for all the citizens she is for the few. Ms. Leonard stated that just like what Mrs. O'Dell said the Mayor sits up there and rolls her eyes and makes comments to people in the back. Ms. Leonard stated "You don't agree with their opinion, I don't agree with a lot of people's opinions but when I set on this board I respected those people's opinions." Ms. Leonard stated that the Mayor is here to serve me whether I voted for her or not. Mayor Wells stated that is your opinion. Ms. Leonard asked the mayor if she knew what an unqualified audit is. Mayor Wells stated yes. Ms. Leonard asked what it was. Mayor Wells stated that this is comment section. Ms. Leonard stated in other words you don't know but this is what we have had in times past. Ms. Leonard stated that it means financial records of a company are in order, and they always have been. Mayor Wells stated that she had seen the audit but people had said they wanted it. Ms. Leonard stated that she did not have a problem with the mayor having a key to an office but she did not feel that anyone should have a key to City Hall like it was when Todd Malone was the Mayor and he and JC Gentry would come and go at 12:00 and 1:00 in the morning as business hours are from 8 to 4:30 and that is when business should be done.

Sammy Grubb 213 Smith Street Extension stated that he was raised in Bluff City and he was gone to the military until he came back to take care of his mother. Mr. Grubb stated that there was a lot he missed while away but he knows some of the people here. Mr. Grubb stated that he stood behind the board but he is ashamed to see grown people argue between themselves instead of trying to iron out their differences and get the town back on its feet. Mr. Grubb stated that he had worked with all nationalities and had learned that respect is something you earn and in not what is demanded.

Kathy Layne reported that the manhole cover is off near Railroad Street.

With no other comments, Mayor Wells opened the floor for the Public Hearing on Ordinance 2013-004 at 6:48 p.m. City Attorney Paul Frye read the ordinance which was a Continuing Budget of 2012-2013. There were no public comments. Hearing was closed at 6:49 p.m.

↓ Motion to approve Ordinance 2013-004 on Second Reading was made by Alderman Leonard. Second by Alderman Mullins. All in favor. Motion carried.

Mayor Wells opened the floor for discussion / action on check signature. Motion to leave Alderman Leonard as the check signatory was made by Alderman Mullins. Second by Vice-Mayor Harrington. All in favor. Motion carried.

Mayor Wells opened the floor for discussion/action for Auditor / Audit. Alderman Leonard stated that we just had an audit and everything was fine and he sees no reason to waste tax payer's money when we have another audit coming up soon. Alderman Leonard stated that he does not think the auditor would try to deceive anyone in this city. Alderman Bowling stated that we just had an audit and he asked City Manager Judy Dulaney if there were any discrepancies in it. Ms. Dulaney stated no it was an unqualified audit which is the best you can get, but we are just now getting started on this year's audit. Mr. Bowling stated that if after the audit is done if there are any major discrepancies that can't be accounted for then maybe they could look into it, but right now he can't see having one. Ms. Dulaney stated that the city only had one qualified audit and that was when the city recorder was arrested for embezzlement and Eddy and Eddy is the one that found that and reported it to the state which was in 1992 or 1993 and an audience member stated that was during Cowan's administration. No motion – No Action.

City Attorney Paul Frye reported that Tom Sealy informed him that the case on Melvin Carrier was set for August 16<sup>th</sup> of this year in Bristol Chancery Court. Alderman Leonard stated that Mr. Carrier had ample time to do what he did and he waited until all court proceedings were over and he got a fine and then he cleaned it up. Mr. Leonard stated that he felt that they should direct the attorney to seize Mr. Carrier's available property to cover this debt. Mr. Frye stated that we need to let the court make judgment first.

Sammy Grubb and other audience members stated that they could not hear and Mr. Grubb asked what the lawsuit was about. City Attorney Paul Frye asked the board if they wanted him to respond as this is a called meeting. Mr. Frye reported that this was for violation of the Property Maintenance Regulations and Mr. Carrier was sited into city court with a special judge, Tom Sealy an attorney from Jonesborough, because the regular judge and he both had conflicts because Mr. Carrier was on the board. Mr. Frye stated that the case was heard, fines were levied and the recourse the city had was to seek judgment in Chancery Court. Mr. Frye stated that since then Mr. Carrier had complied with the order to clean up the property but the issue still remains about the fines. Mr. Grubb asked if he was in compliance before the fines occurred in any way. Mr. Frye stated that he was not sure because he was not involved in the case.

Mayor Wells opened the floor for Citizen Comments – Second Section.

City Manager Dulaney stated that she wishes that they all could get along and she feels that they have a good board that cares about the town and wants what is best for the town. Ms. Dulaney stated that in the last 5 years her job has been threatened including trying to make her part time and Mayor Wells wanting to cut her salary \$12,000.00 per year and her do the same job. Ms. Dulaney stated that they hired a city manager that was not qualified, paid him almost \$10,000.00 per year and told her that she had to do his job. Ms. Dulaney stated that it is the City Manager's job to prepare the budget and do the finances and report the finances to the board. Ms. Dulaney stated that she does get touchy when her livelihood is threatened and there was always somebody after her. Ms. Dulaney stated that what Ms. Leonard read proves that the Mayor intends to pick on the City Manager. Ms. Dulaney stated that the Mayor knows that she has had that office since she came into office, and it is in the minutes that she has had use of that office. Ms. Dulaney stated "Your money is fine and your finances are fine and we follow the accounting practices of

The State of Tennessee and the Comptroller.” Ms. Dulaney stated that the Mayor went to the Comptroller’s office and asked them to do a special audit and they kindly told her there was no reason for a special audit.

Billie Wells stated that he started coming to meetings when Irene became Mayor, and the recorder that she has there he takes it home and puts it on CD and they tape every meeting. Mr. Wells stated that some citizens had copies. Mr. Wells stated that he has a tape of the meeting where the board voted to take the power away from the Mayor and where Lon Gene (Leonard) voted to make the office a utility room that they needed for the files. Mr. Wells stated that they tape every word at every meeting.

Mayor Wells asked City Attorney Paul Frye who the City Recorder / Finance Officer/ City Manager report to. Mr. Frye stated the Board of Mayor and Aldermen.

Connie Leonard asked if former Mayor Billie Wells tapes the official tape for the city, because to her knowledge any meeting is taped on the city’s recording equipment and asked Mr. Wells why he was playing his tapes and CD’s and giving them to other people. Mr. Wells stated public meetings and they are evidence. Ms. Leonard stated evidence for what. Ms. Leonard asked Mr. Wells how many of their meetings and their back door meetings had he recorded that we can have. Mr. Wells stated that he records all his meetings. Mayor Wells stated prove it.

Becky Buchanan of 750 Drybranch Road, stated that she lived inside Bluff City for 30 years and asked that they work out their differences that they are all bringing the town down and they need to work together.

Alderman Mullins stated that Mrs. Buchanan was right and he hoped that if there is a hatchet that needs to be buried let’s bury it and move forward.

Alderman Leonard stated that for the past 2 years Mrs. Wells has discriminated against him because he is white. Mr. Leonard stated that he is a 71 year old male and she has harassed him and slandered him, lied on him and accused him of theft and fraud. Mr. Leonard stated that it has been shown by her many lawsuits that there are no findings as well as the audit which shows no discrepancies. Mr. Leonard stated that she targeted every white male on this board and a 60 year old white woman. Mr. Leonard stated that he will not put up with 2 more years of being harassed and degraded.

Mayor Wells stated that she wanted to set the record straight that she filed a complaint with the Tennessee Human Rights Association and no attorney had to be hired and in fact they told her that if she hired an attorney then they would dismiss the case. Mrs. Wells stated that it was a complaint and they requested records from her and the city, and the city chose to hire a lawyer and they did not have to. Mrs. Wells stated that she had not filed a lawsuit against the city. Alderman Leonard stated that here is a copy that says in Chancery Court Irene Wells Plaintiff and Defendants Lon Gene Leonard, Robert Miller, Bryan Mullins and Melvin Carrier in their role as aldermen of the Town of Bluff City and Judy Dulaney. Mayor Wells stated that anyone could have a copy of anything she files.

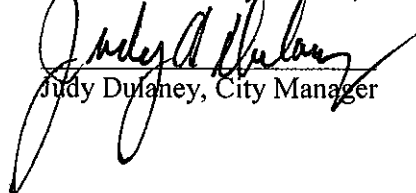
Connie Leonard stated that she would like to have a copy of all the complaints the Mayor had filed on the city and would like an explanation if she filed a lawsuit, why did the city not have to hire an attorney, should they just let it go. Alderman Leonard stated there \$50,000.00 spent on the lawsuits and it is an ongoing thing. Ms. Leonard stated that in the press right before election the Mayor threatened a civil lawsuit and she is still going on with another lawsuit post- election. Ms. Leonard asked how much more is that going to cost the citizens. Ms. Leonard stated that they are spending money left and right on lawsuits that there are no findings. Ms. Leonard told the Mayor that she was the most discriminating and racial person she had ever met and was glad that Mr. Wells was there to admit to what she asked earlier, do you have your backdoor meetings recorded and he said yes. Ms. Leonard stated let that go on record. Mayor Wells stated he did not say yes that they had back door meetings. Ms. Leonard stated yes he did. Mayor Wells stated if you can prove that she is having back door meetings prove it. Mr. Wells stated he said himself not her. Alderman Leonard stated that if this keeps on they are going to raise our insurance so high we can't afford it or cancel it.

Sammy Grubb stated that people have not slowed down just at the cameras and then they speed up. Alderman Leonard stated that it still doesn't bring money to the city as people think.

With no other business, Mayor Wells adjourned the meeting at 7:18 p.m.

  
Irene Wells, Mayor

Attest this 25<sup>th</sup> day of June, 2013

  
Judy Dulaney, City Manager