

Minutes
Bluff City Board of Mayor and Alderman
Special Called Meeting
October 12, 2021

Immediately following the Workshop, Mayor Wells called the meeting to order at 6:13 pm.

Members present were Carol Keith, Jeff Broyles, Ray Harrington, and Richard Bowling.

Eric Ward was absent.

Prayer was given by Richard Bowling, followed by the Pledge of Allegiance.

Mayor Wells opened the floor for the following:

Citizen Comments

David Vance stated I have been around this country 84 years. This is a promise. The Board needs to quit one person trying to run the City and do everything and causing problems between everybody else and get down to business and let the City go on. It's a shame to look at it and hear people talk about how it's been ruined. They are going to keep on and the Federal Government will be called in here and investigate everybody then somebody's going to be hurting for lying and doing all this stuff. Mayor Wells asked, who are you saying is the one person doing stuff. Mr Vance stated I won't call no names, but if the Government comes in they will investigate everybody, the lawyer and all. It's liable to happen anytime. Alderwoman Keith stated they are welcome to investigate because I think we have all done a good job and we are working together. We have little problems but as you see, it worked good tonight.

Julie Venable Carty of 209 Smith Street Extension stated I did not come to the last regular meeting because I thought things would get out hand, like they are tonight. Mrs Carty stated the paper that Jeff Broyles- I thought it was shameful of you to go to the news and say what you said, because most people in this area do not know how this city is ran. They did not know what kind of paper you were referring to and it was just a suggestion.

Becky Buchanan of 750 Dry Branch Road stated I have known Irene Wells and Billy for 50 years. Irene is an honest person and whoever made up this bogus thing about \$20,000.00, suggested it- don't make up bogus stuff and let it hit the newspaper. Mrs Buchanan asked Mayor Wells if she was the spokesperson for Bluff City. Mayor Wells stated yes. Mrs Buchanan stated Mr Broyles you are not the spokesperson for Bluff City, she is. Vice Mayor Harrington stated it lets us comment as an Alderman. Alderman Broyles stated I am an elected official and I am an elected official and I represent 1800 people. Mrs Buchanan stated she represents 1800 people too, so it should be her place to represent the citizens and go to the newspaper.

Discussion / Action – Melvin Carrier Lien

City Attorney Paul Frye stated you all received information from Melanie Carrier offering to settle the lien for \$2,280.00. Mr Frye gave a brief history on the lien. Mr Frye stated on April 9th, 2012 a citation was issued to Mr Carrier for Property Maintenance Issues. Mr Frye stated I did not handle the case and the Judge did not handle the case. The Supreme Court appointed Judge William Rogers to hear the case and the Board hired Tom Sealy, the Town Attorney for Erwin, to prosecute the case. Mr Carrier asked for and got 3 continuances and then there was a trial

on 9-7-2012 in City court and then there was an order put down by Chancery Court on August 16, 2013. The amount of the judgement was \$7,600.00 plus \$46.00 court cost. From the time the judgement lien was recorded until today's date there is \$3,647.32 in interest for a total of \$11,293.32. The towns out of pocket expenses were \$1,575.00 attorney's fees, filing fee of \$333.50, and recording fee of \$12.00, which is the out of pocket expenses and not part of the judgement and can't be, was \$1,920.50. Mr Frye stated this lien is set to expire next year if it is not renewed. Mr Frye asked if anyone had any questions. Alderwoman Keith asked for a history on it. Mrs Keith asked how it came about. Mr Frye stated citations were issued by the Police Department like it would be on any other of our city code violations. Mrs Keith asked if the board had to vote on it. Mr Frye stated the Board voted on hiring an attorney because I couldn't do it because Mr Carrier was a sitting board member. Mrs Keith asked the Mayor if she had the minutes when that took place. Mayor Wells stated I'm sorry, I don't. Mrs Keith stated you can google it and find out but I would like to have a little more information. Mrs Keith stated we didn't start it and I want some history on it. Vice Mayor Harrington stated at my first board meeting they tried to dismiss it. Mr Harrington stated I was the deciding vote not to dismiss it because if we dismissed it, that would mean that all the people before that had these fines, could come and get theirs dismissed too because if it goes for one it goes for all. Mr Frye stated at that time it was \$7,646.00 which was the judgement from City Court. There was no compliance and it went to Chancery Court to get a lien. Mrs Keith stated this started with the board from 2012. They got it in motion. Vice Mayor Harrington stated it was an issue before that because he kept getting citation after citation and not correcting the situation. Mr Frye stated that the fines were from the day the citation was issued and whatever the fines were per day. Mrs Keith stated it had to start somewhere and someone had to put in a motion for it. Vice Mayor Harrington stated the Town Charter says you can't have vehicle's that are not running or tagged and just setting there as junk. Mr Frye stated it's a violation of code just like speeding is a violation. Vice Mayor Harrington stated if we accept this it would be precedence and it would cause other repercussions. Mr Frye stated you never know. Mr Frye stated why don't you vote on accepting that offer or rejecting the offer. Then we will have another vote on what to do with the lien. Alderman Broyles stated the owner's offer equals less than 30% of the total. Mr Broyles asked if any effort had been made to pay this down. Mayor Wells and Mr Frye stated no. Alderwoman Keith stated that was my question, could she make payments or something. Alderman Broyles made a motion to **reject** the offer from Ms Carrier. Second by Vice Mayor Harrington. Vote went as follows: Alderwoman Keith – Yes, Alderman Broyles – Yes, Vice Mayor Harrington – Yes, Alderman Bowling – Abstained. Mr Bowling stated the reason he abstained is because the church he goes to wants to buy that lot and he feels it might be a conflict of interest. Motion carried.

City Attorney Paul Frye asked if they wanted to vote to renew the judgement lien. Alderman Broyles stated no one wanted to do this but we were in a position as a town that something had to be done about the situation. Motion to renew was made by Alderman Broyles. Second by Vice Mayor Harrington. Vote went as follows: Alderwoman Keith – Yes- Let it stand, Alderman Broyles – Yes, Vice Mayor Harrington – Yes, Alderman Bowling – Abstained. Motion carried.

Discussion / Action – Bonuses

Mayor Wells asked if someone wanted to make a motion. Vice Mayor Harrington stated are we in agreement with the \$5,000.00 before someone makes a motion. Alderwoman Keith stated the

Aldermen will be getting something also. Mayor Wells stated if they want it, but we can't force them to take it so it is whatever they want to do. Alderwoman Keith stated I do not want it, if you can use it to help someone with their water bills or whatever. Vice Mayor Harrington stated what if we donated it to the Community Aid. Mrs Keith stated can we set up something for people that are struggling to pay water bills. Alderman Bowling stated Bill Pierce is over that. Alderwoman Keith asked if the City could do it. City Attorney Paul Frye stated we can't do that. Mr Frye stated if you take the bonus you can donate the money any way you like, not in the name of the City. Alderman Broyles stated he would write a letter refusing the money. Alderwoman Keith stated I am with you. Alderman Bowling stated I would like to take the money then donate it. Mayor Wells stated that people come to City Hall when they have a problem and I give them the phone number (to Community Aid). Alderwoman Keith asked if they could vote on the bonuses and when it comes to the aldermen can they talk about it a little more or does it have to all be done tonight. City Attorney Paul Frye stated you either accept it or you don't accept it. Mayor Wells stated do you want to vote on the bonus and then vote whether they want to take it. City Attorney Paul Frye stated send a letter if you do not want it. Alderwoman Keith asked if this was tax deductible. Mr Frye stated I would say you would have to pay taxes on it. Vice Mayor Harrington asked if they could approve the \$5,000.00 bonus across the board and leave out the Aldermen. Mr Frye stated you could do it but I think for auditing purposes they would need to write a letter. Vice Mayor Harrington made a motion to give \$5,000.00 bonus across the board to all employees and omit Board Members- Including Carol Keith, Jeff Broyles, Ray Harrington, Eric Ward and Richard Bowling. Second by Alderwoman Keith. Vote went as follows: Alderwoman Keith- Yes, Alderman Broyles – No, Vice Mayor Harrington – Yes, and Alderman Bowling-No. Due to a tie vote Mayor Wells voted –Yes. Motion carried.

Remarks – Mayor Wells

Mayor Wells presented an award to the City of Bluff City from Public Entity Partners. They have been doing business with them for 40 years.

With no other business a motion to adjourn was made by Vice Mayor Harrington. Second by Alderman Broyles. Vote went as follows: Alderwoman Keith – Yes, Alderman Broyles – Yes, Vice Mayor Harrington – Yes, Alderman Bowling – Yes. Meeting adjourned at 6:42 pm.


Richard Bowling, Mayor / City Manager

Attest this 4th day of January, 2022


Sharon Greene, Recorder / CMFO