

BOARD OF MAYOR AND ALDERMEN (BMA)
MINUTES FOR
February 13, 2023

The Board of Mayor and Aldermen of the City of Tullahoma, Coffee and Franklin Counties, Tennessee assembled at the Municipal Building, in Tullahoma, for a meeting on Monday, February 13, 2023, at 5:30 p.m. with Mayor Ray Knowis presiding and the following named members of the Board of Mayor and Aldermen: Jenna Amacher, Daniel Berry, Kurt Glick, Jerry Mathis, Derick Mann and Bobbie Wilson. All Board Members were present.

Mr. Kenney Pearson, Interim City Administrator; Mr. Stephen M. Worsham, City Attorney and Rosemary Golden, City Recorder were present at the meeting.

Mayor Ray Knowis called the meeting to order.

The Invocation was said by Rev. Jim Norman and he led us in the Pledge of Allegiance.

City Recorder Rosemary Golden called the roll.

COMMENDATIONS AND CERTIFICATES: - NONE -

PROCLAMATIONS, AWARDS AND SPECIAL PRESENTATION:

Mayor Knowis asked if there were no objections if Ms. Honna Rogers with the Municipal Technical Advisory Services (MTAS) could speak later on in the evening when this topic is presented, there were no objections.

COMMENTS FROM CITIZENS:

Ms. Rosie Graham, 205 Lakewood Drive, stated she is truly concerned about the actions that went on at City Hall the first week of February. She feels unlawful procedures, if not inappropriate procedures, were taken or used on February 1 and February 3. In addition, she feels agenda items No. 23-33 through agenda Item no. 23-36 are not in the Board's purview.

Ms. Susan Harris, 200 Lake Circle Drive, commented on Agenda Item No. 23-37 that is on tonight's agenda.

Mr. Doug Traversa, 117 Kingsridge Blvd., he spoke in support of Ms. Casta Brice and wants to stand up for her. He stated we should be very pleased to have her working for the City in Human Resources.

Ms. Rupa Blackwell, 13 Lake Circle Drive, described how she handled a “whistleblower” situation while she served as an alderman. She encouraged us all to follow the same unbiased process. She stated she was shocked to see the agenda items that are proposed to be put on the agenda tonight. She urged the Board to consider the seriousness of their actions and financial repercussions that they might be opening our city up to.

Mr. Danny Slone, 1802 Old Estill Springs Road, stated he has been trying for five years to correct the zoning issue of his residence. There is something broke in the system. He lives in a trailer and he can not put another Mobile Home there to replace his trailer because his property is not zoned residential.

Mr. Jim Woodard, 2100 North Jackson Street, stated “an alderman should be helping people like Mr. Slone and not sneaking down the hallway of city government and going through files”. Some of our City Council are unhinged. The community is watching and the people paying the bigger amount of taxes are embarrassed by the demeanor of this board, not all of the board.

Mr. Greg Sandlin, 106 Albemarle Drive, he thanked the board for their service. He read a bible verse from Philippians. He stated that we have been labeled “the laughingstock”. This has pushed commercial and residential development away from Tullahoma, we need you to do better and to lead and to set an example. We need future growth.

Mr. Garrick Muncie, 211 Daffodil Drive, thanked the board for their service. He wanted to address Agenda Item No. 23-36. If this Board considers this item, they will be bypassing a lot of checks and balances. He would recommend an “oversight board” to keep our Board of Mayor and Aldermen in check.

THE AGENDA WAS PRESENTED FOR APPROVAL

Mayor Knowis stated he would like to make a motion to delete the proposed seven items (Agenda Item No. 23-32 through Agenda Item No 23-38), this was seconded by Alderman Berry.

A discussion ensued.

On roll call all members present voted as follows:

Aye(s): Berry, Knowis, Mathis
Nay(s): Amacher, Glick, Mann, Wilson

The vote being three (3) aye(s) and four (4) nay(s); failed and was so ordered. (These seven items will remain on tonight’s agenda under New Business).

An amendment was made by Alderman Amacher to add an item to the agenda under New Business (note a second was never received for this amendment). **AGENDA ITEM NO. 23-39 per MUNICIPAL CODE 1-210, THE CITY OF TULLAHOMA SHALL LAUNCH AN INTERNAL INVESTIGATION INTO POSSIBLE VIOLATIONS OF POLICY OR THE LAW. THE BOARD MAY REQUEST THE ASSISTANCE OF THE TENNESSEE COMPTROLLER OF THE TREASURY, TENNESSEE BUREAU OF INVESTIGATION, AND /OR INDEPENDENT AUDITORS. THE CITY ATTORNEY SHALL BRING THE BOARD A RECOMMENDATION ON ANY FORENSIC AUDITING SERVICE THAT MIGHT AID IN THE INVESTIGATION. THE CITY RECORDER SHALL BE THE POINT OF CONTACT FOR THE DAY-TO-DAY OVERSIGHT OF OUR INTERNAL INVESTIGATION. THE ALDERMEN SHALL BE ADVISED ON ANY AND ALL INFORMATION ABOUT OPERATIONS AND INFORMATION PERTAINING TO THE AUDIT AND INVESTIGATION. THE INVESTIGATION SHALL MAKE INQUIRY INTO THE DOCUMENTS THAT WERE TO BE SHREDDED AND SUBSEQUENTLY RETRIEVED ON FEBRUARY 1, 2023, THE ACTIONS OF ANY AND ALL EMPLOYEES INVOLVED, AND ANY OTHER RELATED OCCURRENCES. THE CITY ATTORNEY SHALL INVESTIGATE AS TO ANY AND ALL MUNICIPAL CODES OR PERSONNEL POLICIES THAT WERE VIOLATED AND PRESENT A FULL REPORT TO THE BOARD OF MAYOR AND ALDERMEN. THE AUDITORS AND CITY RECORDER SHALL PRESENT A QUALIFIED DOCUMENT RETENTION PLAN TO BE IMPLEMENTED AND FOLLOWED BY ALL CITY STAFF.**

DURING THIS INVESTIGATION THE CITY ADMINISTRATOR (INTERIM) SHALL PLACE CASTA BRICE ON PAID ADMINISTRATIVE LEAVE EFFECTIVELY PENDING THE INVESTIGATION. ALL KEYS OR MEANS IF ACCESSING THE FACILITIES SHALL BE OBTAINED FROM MS. BRICE AS WELL AS ANY OTHER CITY PROPERTY SUCH AS COMPUTERS, STORAGE DEVICES, OR FILES. MS. BRICE SHALL BE INSTRUCTED NOT TO TALK TO ANY CITY EMPLOYEE UNTIL THE CONCLUSION OF THE INVESTIGATION.

IN THE INTERIM, THE CITY RECORDERS CHAIN OF COMMAND IS TO THE MEMBERS OF THE BOARD AND THE MAYOR AND NOT TO THE CITY ADMINISTRATOR UNTIL FURTHER NOTICE. ADDITIONALLY, ALL HIRES, PROMOTIONS, DEMOTIONS, AND TERMINATIONS OF FULL-TIME STAFF SHALL BE APPROVED BY THE FULL BOARD OF MAYOR AND ALDERMEN.

The City Attorney asked the Mayor if he could address the amendment. The Mayor recognized the City Attorney, Mr. Worsham. He stated that certain elements of this proposed amendment violate our code of ordinance and can only be changed by an ordinance.

A discussion ensued.

Mayor Knowis ruled Alderman Amacher's motion was "Out of Order" and was "Not a Proper Amendment" so it will not be considered.

A motion was made by Mayor Knowis and was seconded by Alderman Amacher to move the seven “proposed items” (agenda Item No. 23-32 through agenda Item No. 23-38) up in the agenda to immediately discuss them now, at this point.

On roll call all members present voted as follows:

Aye(s): Amacher, Berry, Glick, Knowis, Mathis, Wilson
Nay(s): Mann

The vote being six (6) aye(s) and one (1) nay(s); passed as was so ordered.

A motion was made by Mayor Knowis and was seconded by Alderman Amacher to approve the agenda as amended.

On roll call all members present voted aye and it was so ordered.

ITEM NO. 23-32 - CONSIDER INITIATING AN INVESTIGATION INTO DOCUMENT DISPOSAL PROCEDURES AT THE MUNICIPAL BUILDING IN ACCORDANCE WITH TULLAHOMA MUNICIPAL CODE 1-210.

Mayor Knowis read the caption for Agenda Item No. 23-32.

A motion was made by Alderman Amacher and it was seconded by Alderman Glick to initiate an investigation into the Document Disposal Procedures at the Municipal Building in accordance with Tullahoma Municipal Code 1-210.

An amendment was made by Alderman Amacher and was seconded by Alderman Wilson to reword agenda Item No. 23-32 to include the language that was originally submitted to Ms. Moody. (To initiate an investigation into the documents that were to be shredded, that were retrieved on February 1, and into the actions of any and all employees involved. The City attorney shall investigate as to any and all municipal code and personal policies that were violated and bring forth such information with the assistance of an independent auditing firm.)

A long discussion ensued.

Mayor Knowis asked the Coffee County District Attorney, Mr. Craig Northcutt to speak.

Another discussion ensued.

The amendment was called for a vote.

On roll call all members present voted as follows:

Aye(s): Amacher
Nay(s): Berry, Glick, Knowis, Mann, Mathis, Wilson

The vote being one (1) aye(s) and six (6) nay(s); failed and was so ordered.

The original motion was called for a vote.

On roll call all members present voted as follows:

Aye(s): Amacher, Berry, Glick, Mann, Wilson,
Nay(s): Knowis, Mathis

The vote being five (5) aye(s) and two (2) nay(s); passed and was so ordered.

ITEM NO. 23-33 – CONSIDER INSTRUCTING THE CITY ADMINISTRATOR (INTERIM) TO PLACE CASTA BRICE ON PAID ADMINISTRATIVE LEAVE EFFECTIVE IMMEDIATELY UPON APPROVAL OF THE PENDING INVESTIGATION.

Mayor Knowis read the caption for Agenda Item No. 23-33.

A motion was made by Alderman Amacher and it was seconded by Alderman Glick to instruct the interim City Administrator to place Casta Brice on paid administrative leave effectively immediately upon approval of the pending investigation.

A long discussion ensued.

On roll call all members present voted as follows:

Aye(s): Amacher, Glick, Mann, Wilson
Nay(s): Berry, Knowis, Mathis

The vote being four (4) aye(s) and three (3) nay(s); passed and was so ordered.

At 7:30pm a motion was made by Alderman Amacher and seconded by Alderman Glick to extend our meeting for 30 minutes.

On roll call all members present voted as follows:

Aye(s): Amacher, Berry, Glick, Knowis, Mann, Wilson
Nay(s): Mathis

The vote being six (6) aye(s) and one (1) nay(s); passed and was so ordered.

ITEM NO. 23-34 – CONSIDER INSTRUCTING THE CITY RECORDER AND ADMINISTRATIVE STAFF TO BRING FORTH A QUALIFIED DOCUMENT RETENTION PLAN TO BE IMPLEMENTED AND FOLLOWED BY ALL CITY STAFF.

Mayor Knowis read the caption for Agenda Item No. 23-34.

A motion was made by Alderman Amacher and it was seconded by Alderman Wilson to instruct the City Recorder and Administrative Staff to bring forth a qualified document retention plan to be implemented and followed by all city staff.

On roll call all members present voted as follows:

Aye(s): Amacher, Glick, Mathis, Mann, Wilson

Nay(s): Berry, Knowis

The vote being five (5) aye(s) and two (2) nay(s); passed and was so ordered.

ITEM NO. 23-35 – CONSIDER INSTRUCTING THAT, DURING THE INTERIM, THE CITY RECORDER WOULD REPORT DIRECTLY TO THE MEMBERS OF THE BOARD OF MAYOR AND ALDERMAN AND NOT THE CITY ADMINISTRATOR.

Mayor Knowis read the caption for Agenda Item No. 23-35.

City Attorney, Mr. Steve Worsham, stated this item is out of order since it violates our chain of command in our code of Ordinances.

No vote was taken.

ITEM NO. 23-36 - CONSIDER INSTRUCTING THAT, DURING THE INTERIM, ALL HIRES, PROMOTIONS, DEMOTIONS, AND TERMINATIONS SHALL BE APPROVED BY THE FULL BOARD OF MAYOR AND ALDERMAN.

Mayor Knowis read the caption for Agenda Item No. 23-36.

City Attorney, Mr. Steve Worsham, stated this item is out of order since it violates our chain of command in our code of Ordinances.

No vote was taken.

ITEM NO. 23-37 – CONSIDER A DISCUSSION OF THE EVENTS THAT TOOK PLACE ON FEBRUARY 1, 2023, AND FEBRUARY 3, 2023, AND ANY RELATED POLICY CONSIDERATIONS.

Mayor Knowis read the caption for Agenda Item No. 23-37.

A motion was made by Alderman Berry and it was seconded by Alderman Wilson to consider a discussion of the events that took place on February 1, 2023, and February 3, 2023, and any related policy considerations.

A discussion ensued regarding if this item should be discussed in an executive session.

A motion was made by Alderman Amacher and seconded by Alderman Glick to postpone this item.

On roll call all members present voted as follows:

Aye(s): Amacher, Glick, Knowis, Mathis
Nay(s): Berry, Mann, Wilson

The vote being four (4) aye(s) and three (3) nay(s); passed and was so ordered.

ITEM NO. 23-38 - CONSIDER SETTING A SCHEDULE FOR THE PERFORMANCE EVALUATION OF JENNIFER MOODY FOR THE PRIOR YEAR THROUGH HER RESIGNATION ON FEBRUARY 10, 2023.

Mayor Knowis read the caption for Agenda Item No. 23-38.

A motion was made by Alderman Amacher and it was seconded by Alderman Berry to strike this item from tonight's agenda.

On roll call all members present voted as follows:

Aye(s): Amacher, Berry, Glick, Knowis, Mann, Mathis
Nay(s): Wilson

The vote being six (6) aye(s) and one(1) nay(s); passed and was so ordered.

REPORTS FROM THE MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN

ALDERMAN WILSON – Ms. Bobbie Wilson stated she has no report.

ALDERMAN MANN – Mr. Mann said Mr. Eugene London will be leaving the Tullahoma Area Economic Development Corporation and we will need to find a replacement for him. Alderman Mann said he attended a Tullahoma Area Economic Development Corporation meeting and he toured the Tullahoma Utility Authority's wastewater facility with Mr. Bryan Skelton. He also attended the Tullahoma Sports Council's Hall of Fame Awards banquet.

ALDERMAN AMACHER - Ms. Amacher said the Housing Authority appointed Ms. Stacey Haley as the interim director and that they will be sending out a request for proposals for the Director's position. She stated there will be a Tourism Council meeting this Thursday.

ALDERMAN BERRY - Mr. Berry stated, "we have just spent two hours of carrying out a retaliation hit list, so I am going to save my comments".

ALDERMAN GLICK - Mr. Glick congratulated Coach Jerry Mathis for being inducted into the Tullahoma Sports Council's Hall of Fame the other night. He asked if Police Chief Williams could update the Board on the steps, he has taken to answer the concerns about the School Resource Officers (SRO) and Crossing Guard situation.

MAYOR PRO TEM MATHIS - Mr. Mathis stated he had no report.

MAYOR RAY KNOWIS - Mr. Knowis stated he had attended a Tennessee Valley Public Power Legislative meeting, a Tullahoma Area Economic Development Corporation meeting, and the Tullahoma Sports Council's Hall of Fame Awards banquet.

CITY ATTORNEY - Mr. Stephen M. Worsham stated he is working on several items for the City including the filing of the delinquent property tax law suits. He stated he is still working on getting some more money for the City owned trees on the Wilson Ave. widening project, Agenda Item No. 23-10.

INTERIM CITY ADMINISTRATOR - Interim City Administrator said thank you to the Parks and Recreation Department and especially to Lyle Russell for their work with the Tullahoma Sports Council's Hall of Fame awards banquet. He recently met with Mr. Steve Thompson on the compensation study. Another meeting is set for February 20, 2023. We have two presentations scheduled for tonight, an annual Police Report and an annual Planning and Codes report.

Alderman Glick suggested that since it is almost 8:00, could we post pond these two annual reports until next meeting.

Mayor Knowis asked both Police Chief Williams and Planning and Codes Director, Mary Samaniego if they could wait until next meeting until they presented. They both agreed.

CONSENT AGENDA:

ITEM NO. 23-24 – MINUTES OF THE JANUARY 23, 2023, REGULAR MEETING AND PUBLIC HEARING, AND THE SPECIAL CALL MEETING ON JANUARY 3, 2023.

ITEM NO. 23-25 – CANCEL THE REGULAR MEETING OF THE BOARD OF MAYOR AND ALDERMAN SCHEDULED FOR MONDAY, MARCH 13, 2023.

ITEM NO. 23-26 – SET A PUBLIC HEARING AND FIRST READING FOR FEBRUARY 27, 2023, ON A REQUEST TO REZONE THE PROPERTY IN THE 1200 BLOCK OF CEDAR LANE ON 17.80 ACRES FROM THE GENERAL COMMERCIAL ZONING DISTRICT (C-2) TO THE NEIGHBORHOOD COMMERCIAL (C-3) ZONING DISTRICT.

ITEM NO. 23-27 – ADOPT A FISCAL YEAR 2024 BUDGET ADOPTION SCHEDULE

ITEM NO. 23-28 – APPROVE AN AGREEMENT WITH PYROSHOWS, IN THE AMOUNT OF \$27,500, FOR A FIREWORKS DISPLAY AT THE ANNUAL INDEPENDENCE DAY CELEBRATION ON JULY 3, 2023, AT GRIDER STADIUM.

Mayor Knowis read the caption(s) for the Consent Agenda item(s).

A motion was made by Alderman Glick and seconded by Alderman Wilson to approve the item(s) on the Consent Agenda.

On roll call all members present voted aye and it was so ordered.

UNFINISHED BUSINESS:

ITEM NO. 23-10 – CONSIDER APPROVAL OF A COMPENSATION OFFER OF \$93,150 (OPTION B – IMPROVEMENTS RETAINED) FOR ACQUISITION OF REAL PROPERTY, INCLUDING A PORTION OF FENCE ALONG OAKWOOD CEMETERY, FOR THE TENNESSEE DEPARTMENT OF TRANSPORTATION’S WILSON AVENUE WIDENING PROJECT AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME.

Mayor Knowis read the caption for Agenda Item No. 23-10.

A motion was made by Alderman Berry and it was seconded by Alderman Wilson to accept a compensation offer in the amount of \$93,150 from the Tennessee Department of Transportation.

A discussion ensued.

An amendment was made by Alderman Berry and it was seconded by Alderman Glick to add the wording “or more” to the \$93,150 price (option B). (This will enable our City Attorney to negotiate for more money without having to come back to this board.)

On roll call all members present voted aye and it was so ordered.

The original motion as amended was called for a vote.

On roll call all members present voted aye and it was so ordered.

ITEM NO. 23-17 – CONSIDER A PROPOSAL FROM THE UNIVERSITY OF TENNESSEE, MUNICIPAL TECHNICAL ADVISORY SERVICES FOR RECRUITMENT AND SELECTION OF A CITY ADMINISTRATOR (REVISED FROM 1/23/2023).

Mayor Knowis read the caption for Agenda Item No. 23-17 and he stated the background information can be found starting on page 44 of tonight’s agenda.

A motion was made by Alderman Berry and it was seconded by Alderman Mathis to accept the proposal from the University of Tennessee, Municipal Technical Advisory Services (MTAS) for recruitment and selection of a City Administrator (revised from 1/23/2023).

A discussion ensued.

An amendment was made by Alderman Glick and was seconded by Alderman Wilson to accept a proposal made by MTAS based upon the amended instructions he handed out to the Board of Mayor and Aldermen tonight.

A discussion ensued with Ms. Honna Rogers.

The amendment was called to vote.

On roll call all members present voted aye and it was so ordered.

The original motion as amended was called for a vote.

On roll call all members present voted aye and it was so ordered.

At 8:00pm a motion was made by Alderman Glick and seconded by Alderman Berry to extend our meeting until we finish the agenda.

On roll call all members present voted as follows:

Aye(s): Amacher, Berry, Glick, Knowis, Mann, Wilson
Nay(s): Mathis

The vote being six (6) aye(s) and one (1) nay(s); passed and was so ordered.

RESOLUTION NO. 1930 – A RESOLUTION TO REPEAL AND REPLACE RESOLUTION NO. 1898 ADOPTING A SPENDING PLAN FOR AMERICAN RESCUE PLAN ACT FUNDS FOR FISCAL YEARS 2022 THROUGH 2026 (REVISED FROM 10/24/2022).

Mayor Knowis read the caption for Resolution No. 1930 and he stated the background information can be found starting on page 54 of tonight's agenda.

A motion was made by Alderman Glick and it was seconded by Alderman Berry to accept Resolution No. 1930 and the updated Exhibit A (revision dated 05-09-2022).

An amendment was made by Alderman Glick and seconded by Alderman Mann to adjust the American Rescue Plan fund list by removing \$800,000 from the North Jackson Streetscape Plan Improvement line and creating a new line item for a TACN Radio System for our Police, Fire, and any other City Department.

A discussion ensued.

The Chair recognized the Coffee County Sheriff, Mr. Chad Partin, to give some more details. Mayor Knowis then asked Police Chief Williams and Fire Chief Pearson for their opinion about spending these funds for radios.

The amendment was called for a vote.

On roll call all members present voted aye and it was so ordered.

Another amendment was made by Alderman Berry and was seconded by Alderman Amacher to add a note to prioritize the remaining funds in the North Jackson Streetscape Plan Improvement for a design/ creation of a safe pedestrian walkway near Tullahoma High School to cross Jackson Street.

On roll call all members present voted aye and it was so ordered.

The original motion as amended was called for a vote.

On roll call all members present voted aye and it was so ordered.

RESOLUTION NO. 1933 – A RESOLUTION TO REPEAL RESOLUTION NO. 1929 TO END THE TEMPORARY CHANGES TO THE MEETING SCHEDULE FOR THE BOARD OF MAYOR AND ALDERMAN.

Mayor Knowis read the caption for Resolution No. 1933.

A motion was made by Alderman Berry and it was seconded by Alderman Mann to accept Resolution No. 1933 and to end the temporary changes to the meeting schedule for the Board of Mayor and Aldermen.

On roll call all members present voted aye and it was so ordered.

NEW BUSINESS:

ITEM NO. 23-29 – APPROVE THE REAPPOINTMENT OF MICHAEL LEIGH TO THE TULLAHOMA AIRPORT AUTHORITY FOR A NEW FIVE-YEAR TERM ENDING ON FEBRUARY 27, 2028.

Mayor Knowis read the caption for Agenda Item No. 23-29 and he gave the background information stating he has already served 1.5 years by filling in an unexpired term.

A motion was made by Alderman Berry and it was seconded by Alderman Glick to approve the reappointment of Michael Leigh to the Tullahoma Airport Authority for another five-year term ending on February 27, 2028.

On roll call all members present voted aye and it was so ordered.

ITEM NO. 23-30 – RATIFY APPROVAL OF A GRANT APPLICATION TO THE TENNESSEE OFFICE OF CRIMINAL JUSTICE PROGRAMS, VIOLENT CRIME INTERVENTION FUND, FOR LAW ENFORCEMENT EQUIPMENT VALUED AT \$199,664, FOR THE TULLAHOMA POLICE DEPARTMENT; THE GRANT IS 100% REIMBURSEMENT WITH NO LOCAL MATCHING FUNDS REQUIRED.

Mayor Knowis read the caption for Agenda Item No. 23-30.

A motion was made by Alderman Glick and it was seconded by Alderman Wilson to approve and authorize the grant award should the Tullahoma Police Department proposal be selected for funding by the Office of Criminal Justice Programs.

A discussion ensued if the money received could be used towards the TACN radios.

On roll call all members present voted aye and it was so ordered.

ITEM NO. 23-31 – DISCUSSION OF THE MAYOR’S USE OF A PARLIAMENTARIAN TO SUPPORT THE MAYOR AND BOARD OF ALDERMAN MEETINGS.

Mayor Knowis read the caption for Agenda Item No. 23-31 and he stated the coversheet with details can be found on page 66 of tonight's agenda.

A motion was made by Alderman Berry and it was seconded by Alderman Glick to post pone this item until our next meeting.

On roll call all members present voted aye and it was so ordered.

There being no further business to come before the Board of Mayor and Aldermen at this time, the Board Meeting adjourned at 8:36p.m.

CITY RECORDER

MAYOR