

December 7, 2020
6:00 p.m.
Regular Monthly Meeting
Ripley City Courtroom

Mayor Fitzhugh called the meeting to order and requested Recorder Buckner issue roll call.

Board members present: Alston, Chipman, Davis, Fitzhugh, Hankins, Thompson and Treadway

Board members absent: none

Also present: Donna Buckner, Attorney Jackson, Chief Mitchell Turner, Superintendent Johnie Ford, Director Randy Danley, Chief Tracey Worlds and Superintendent Scott Nelson

Visitors: Ron Goforth, Chaplain Franz Nolen, Lee Johnston and Mickey Hamlin

Invocation: Lee Johnston – DEVCO Executive Director

Pledge of Allegiance.

1. Motion by Alderman Hankins and second by Alderman Treadway to approve November 2, 2020 minutes as printed and delivered in agenda package. Roll call - All aye
2. Motion by Alderman Hankins and second by Alderman Davis to approve November 19, 2020 Special Called Disciplinary Review minutes as printed and delivered in agenda package. Roll call – All aye
3. Motion by Alderman Chipman and second by Alderman Alston to approve November 2020 financial statement as printed and delivered in agenda package. Roll call - All aye

Correspondence: Linda E. Love conflict of interest letter

Alderman Hankins asked Attorney Jackson if there is anything we can do to resolve this issue.

Attorney Jackson stated she has provided the Board her opinion in writing and that opinion has not changed.

Alderman Hankins asked Attorney Jackson if there was any sort of action that the Board needed to take to protect itself and the citizens of the City of Ripley from a conflict of interest.

Attorney Jackson stated her written opinion addressed the scope of the abilities of the board and that hasn't changed. As it stands that letter was a confidential communication to each of you individually and you are at liberty to waive that if you choose. At this juncture there are Board members here that have not waived their confidentiality. That advice hasn't changed.

Alderman Alston asked Attorney Jackson what the resolution would be publically.

Attorney Jackson stated that if the Board decides to discuss the matter publically then it's the Board decision. But it's not her place to discuss the matter publically. It would not be ethical for her to do so. She has provided her opinion and that opinion stands.

Alderman Alston asked Attorney Jackson if the City could get into any kind of trouble.

Attorney Jackson stated her letter addressed her concerns.

Mayor Fitzhugh stated that he sought legal counsel. His attorney has spoken to the comptroller. He has spoken with the comptroller. He has spoken with every person in the loop that could be involved including the District Attorney General. He would not continue in this position for a second if he thought there was conflict. There is a conflict, no doubt about it, but the law provides the methods for resolving the conflict by disclosing. He has done everything necessary to do it. It's mentioned in the letter about the power of attorney that he holds for his father. He has held it for many years and he has taken the usual course of having someone else act as his

father's attorney-in-fact which was very difficult for him to do. He doesn't think it's necessary for him to disclose about his father's power of attorney. He did it. His father didn't like it but it was done. Any citizen can sue the City. There's no question about it but he feels confident that any resolution would be in favor of the City as far as any liability goes. He's been a practicing lawyer since 1975 and would certainly not want to lose a license or privilege he has from this particular situation. He is sorry that Ms. Love feels that way. It will probably come up again. But he doesn't feel that there is a conflict that hasn't been disclosed and we can continue under State of Tennessee Law. He stated he and the City Attorney have a different opinion. But they both agree that is not her part to file some sort of action or ouster because it's not appropriate. This letter doesn't require any action. It is, however, the Board's right to put something on the agenda and move forward.

Alderman Hankins stated he just wants to be sure we are not seeing through something we needed to check out. He may ask more about it at a later time.

Mayor Fitzhugh stated he would happy to discuss the issue with anyone from the Board or the public. He believes in disclosure and communication.

Mayor Fitzhugh stated this Board has made it through a quarter of the year and he is very pleased with the functioning of each department. Everyone is working well together. Due to COVID many events for downtown were cancelled but an old time distillery, Maker's Mark, recognized our city in a nationwide competition and will begin assembling the light display. Display will be turned on Thursday evening.

Department Reports

4. Motion by Alderman Hankins and second by Alderman Chipman to approve Ripley Power and Light board position application submitted by Kenneth L. Parham, 104 Willow Creek Drive, Ripley to 4-year term beginning January 2021 to December 2024. Current term expires 12/2020 held by Mr. Parham. Roll call – All aye

Alderman Alston reported Lequita Campbell resigned from Ripley Housing Authority Board. Mr. Don Ammons is the new Chairman and Paula Boger is the new Vice Chair.

5. Motion by Alderman Chipman and second by Alderman Hankins to approve off-premises beer permit application made by Paramjit Singh, Eastland Express, Inc., d.b.a. Eastland Express, 310 Eastland Avenue, Ripley, TN 38063. Roll call – All aye
6. Motion by Alderman Hankins and second by Alderman Thompson to approve 1st reading for proposed ordinance to amend the Ripley Municipal Code, Title 9, by adding regulations for yard sales with the change from 3 (three) consecutive days to 2 (two) consecutive days. Roll call – All aye
7. Motion by Alderman Hankins and second by Alderman Davis to approve resolution amending the City of Ripley funeral leave provisions. Roll call – All aye
8. Motion by Alderman Hankins and second by Alderman Treadway to approve report on debt obligation CT-0253 presented to Board pursuant to TCA 9-21-151 for the issuance of \$1,512,000 general obligation capital outlay note, series 2020 issue/closed 12/01/2020. Roll call – All aye
9. Motion by Alderman Chipman and second by Alderman Treadway to approve agreement between City of Ripley and AMP (American Marketing & Publishing, LLC) for cloud based messaging platform access and utilization premium text program annual rate \$1,795.00. Roll call – All aye
10. Motion by Alderman Alston and second by Alderman Davis to approve 2% Christmas bonus for full-time employees as budgeted. Roll call – All aye

Discussion on city court cost. Committee appointed to meet with City Attorney and City Court Clerk and bring a recommendation back to the Board. Committee: Alston and Chipman.

Meeting adjourned at 6:50 p.m.

Donna Buckner, Recorder

Craig Fitzhugh, Mayor