

Minutes  
Regular Meeting  
Bluff City Board of Mayor and Aldermen  
August 12, 2010

Motion to call the meeting to order at 7:04 p.m. was made by Mark Weaver. Second by Irene Wells. All in favor. Motion carried.

Members present were Melvin Carrier, Robert Miller, Mark Weaver and Irene Wells.

Motion to have Alderman Miller chair the meeting was made by Alderman Carrier. Second by Alderwoman Wells. All in favor. Motion carried.

Prayer was given by Alderman Miller followed by the Pledge of Allegiance.

Joe Herron, Sullivan County Commissioner, was present along with Deputy Chief Dale Phipps with the Kingsport Police Department and Greg Hensley, Chairman of ARC that deals with animals in Sullivan County. Mr. Herron stated that Kingsport City Manager John Campbell could not make it so he asked Deputy Chief Phipps to represent the City of Kingsport in this. Mr. Herron stated that it was an honor to speak to them in regards to consolidating the animal shelters in Sullivan County. Mr. Herron stated that there were two animal shelters in Sullivan County, one in Kingsport and one in Blountville. Mr. Herron stated that Bristol had a holding facility but not an animal facility where they house the animals on a regular basis. Mr. Herron stated that the entity that was running Kingsport's shelter turned it back over to the City of Kingsport and Kingsport has approached Sullivan County and asked them to merge with them and create one animal shelter throughout the county and they were pleased at the county level for the opportunity to do this. Mr. Herron stated that he thought that this is the right thing to do and the right time to do this. Mr. Herron stated that Sullivan County has in their budget around three hundred and eight thousand ( 308,000.00) dollars that they are putting on the line to help on this merger. City of Kingsport has approximately one hundred and sixty five thousand (165,000.00) dollars that they are willing to put up for this, which means that they have close to one half of a million dollars. Mr. Herron stated that Bristol is currently spending around one hundred and sixteen thousand (116,000.00) dollars, they have two trucks, two employees and the expense revolving around that. Mr. Herron stated that they had asked Bristol to come on as a full partner but the opted out and not come on board with them. Mr. Herron stated that they would have to build their own shelter or pay so much per head for the dogs and cats that they want to bring into the shelter. Mr. Herron stated that Sullivan County Commission had a voice vote of twenty two (22) yes with two absent, to proceed with this and Kingsport was going to have their work session Monday at 4:30 and BMA meeting Tuesday at 7:00. Mr. Herron stated that they were proposing that Bluff City come on board with this and the only thing they are asking financially from Bluff City is five thousand (5,000.00) dollars per year. Mr. Herron stated that the current employees at Kingsport and Sullivan County will stay on board. Mr. Herron stated that they would have an operating board of directors.

Mr. Herron stated that they now have a board of volunteers as Mrs. Wells has attended that meeting in the past, and they were delighted that she was there, and that board would stay in tact. Mr. Herron stated that if Bristol changes their mind and decides to come on board they will have around a nine member operating Board of Directors, if not then the count will probably drop down to seven, and of that they are offering Bluff City one seat on that operation board.

Chief Phipps stated that there had been a county technical advisory service study as well as a municipal technical advisory service study done jointly and this was one of the proposals to operate the most economical and efficient way for the entire county. Chief Phipps stated that this is the route they feel confident in and the City of Kingsport is committed to this project.

Mr. Herron reported that they are going to keep the Kingsport and Sullivan County shelters where they are for now, but the goal is to have one large state of the art facility half way between Kingsport and Blountville.

Greg Hensley with ARC stated that he was proud of the fore site shown by these two governments to live up to their responsibility with respect to the animals in their community. Mr. Hensley stated that the plans they advocated encompasses the campus that Joe was talking about and they have a site located that they prefer and have some initial plans if anyone is interested in seeing them. Mr. Hensley stated that he felt that this was an important step for Bluff City to join with the rest of the county as he feels that they can help the city improve their situation in time with respect to the animals in the community.

Mr. Herron stated that Sullivan County cordially invites Bluff City to be a part of this thing that would help the animals in this county. Mr. Herron stated that if anyone had questions they would be available.

Alderman Miller thanked Mr. Herron and his colleagues for coming and extending the hand of invitation to Bluff City, and he feels that he speaks for his fellow board members when he says that he is excited to be entering into this partnership with our neighbors and he thinks that the principles he spoke of were correct as far as it being economical for all parties involved. Mr. Miller stated that it will also allow for a more uniform treatment of animals throughout Sullivan County. Alderman Miller made a motion to enter into this agreement and simultaneously nominate Alderwoman Wells to the seat for Bluff City. Second by Alderman Weaver. All in favor. Motion carried.

Alderman Miller opened the floor for Citizen Comments – First Section.

Lon Gene Leonard, 508 Cedar Street, presented to the board members, thirteen pages of signatures from the citizens of Bluff City asking the board to consider rehiring Mr. Frye as City Attorney. Mr. Leonard stated that this petition holds many more signatures than what voted in the last election and the election before that. Mr. Leonard was handed another page of approximately fourteen signatures to add to his list. Mr. Leonard stated that along with the signatures was an attachment of a resolution passed in October, 2005 stating that we would patronize local businesses and use their services if their service is available in our city, which they are. Mr. Leonard encouraged them to give this a lot of consideration as people were very adamant about this. Mr. Leonard stated that he had had some citizens ask him to ask the board some questions. Mr. Leonard stated "When Mr. Weaver is absent, why can't you Mrs. Wells, attend the meeting so we will have a quorum for the meeting." Mr. Leonard said no response thank you. Mrs. Wells stated "If I wasn't sick I would have been there". Mr. Leonard said thank you. Mr. Leonard stated that the other question was directed to Mr. Weaver, the very same question "Why you can't attend if Mrs. Wells can't be here, that way we would have a quorum so we could continue the city business". Mr. Weaver stated that any time he had missed he was either sick or out of town. Mr. Leonard stated thank you for your answer sir. Mr. Leonard stated that he had another question which was Why do they let Mr. Gentry set in the meetings since he has quit, resigned and has now sued all of them including the city. Mr. Leonard stated that Mr. Gentry seemed very adamant about securing his position on the board but why then does he not attend the meetings when Mrs. Wells and Mr. Weaver are not able to attend. Mr. Leonard stated that if they as a board would busy themselves with the needs and concerns of the citizens as well as city business and not devote their time arguing over Mr. Gentry's position on the board this could be a more productive city and not make us the laughing stock of the county and the country. Mr. Leonard stated that he felt that this may and most likely will fall on deaf ears, but in May of 2011 the citizens of Bluff City will have their say to whom they want to set in the seats they now occupy as well as the vacancies on the board. Mr. Leonard stated that this petition should serve as a wake up call to the ones who plan to seek reelection as well as anyone wanting to run for the vacant seats on the board. Mr. Leonard thanked the people that gave their time collecting these signatures and he has extra copies if anyone wants a copy and has the originals if anyone wants to view them to check them against what he gave them.

Martin Papp, 416 Dogwood Trail in Piney Flats, stated that he lived in Northeast Tennessee for the past ten years and he was a civic minded citizen and a law abiding citizen. Mr. Papp stated that he was here because two years ago in their subdivision they took up a petition in reference to a business, formerly know as Millers Archery which is now Lyon Metal Roofing Company. Mr. Papp stated that the reason they took up the petition was because the new owner at that time wanted to change the zoning from commercial to industrial in order to put some kind of scrap place in there, something to do with cars. Mr. Papp stated that they took up well over two hundred signatures and

came to a meeting at City Hall and the idea was soundly defeated. Mr. Papp stated that the reason he was back here is because he went by the building and there behind the business was all kinds of machinery there, which looked like structural steel and etcetera. Mr. Papp stated that it appears that they bought old factory equipment and they are all being stored behind the building. Mr. Papp stated that in around April he contacted Gordon Peterson and Mr. Peterson stated that he would look into it and call him back. Mr. Papp stated that he waited about two weeks and called Mr. Peterson back and he said that he looked into it and the new people there informed him that they were going to sale the items somewhere in North Carolina and they assured him that it would be gone within two weeks. Mr. Papp stated that this was in the middle of May and this is the middle of August and he had not heard a word from Mr. Peterson. Mr. Papp stated that that is why he is at the meeting because Mr. Peterson had assured him, don't worry about it because it is going to be gone within two weeks. Mr. Papp stated that he felt that he was using it for a partial industrial zone. Mr. Papp stated that if he is trying to turn it into an industrial junkyard he felt that it was wrong and he wanted some action taken and an answer on is he allowed to do this. Mr. Papp stated that he wanted someone to contact him and let him know if they are going to do something about this. Mr. Papp stated that Mr. Peterson assured him that it was going to be taken care of and, in his words, he said that it was not supposed to be used for that purpose. Mr. Papp asked if someone on the board could tell him that they would look into it, as Mr. Peterson never called him back. City Manager Don Weaver informed Mr. Papp that Mr. Peterson would call him back and he had been sick is why he had not called him back. Mr. Papp gave Mr. Weaver his phone number and thanked them for their time.

Joan Leonard of Cedar Street stated that she wanted to ask a few questions. Mrs. Leonard stated that in the last minutes that the board approved it stated that they accepted and approved the resignation of Todd Malone and J C Gentry. Mrs. Leonard stated that her question is do they still stand behind those minutes and will he no longer be on the board until the judge makes that ruling. Alderman Miller stated that being that a petition has been filed he felt that they would have to wait for judgment regarding that petition and he did not think they could surmise the action. Mr. Miller stated that Mr. Gentry was not there this evening and he did not know what his condition is in regard to his presence there and maybe they could take that as an indication that he is no longer attending until it goes before the courts. Mrs. Leonard asked if he was saying that he could attend the meetings and sit up here even though they accepted his resignation. Mr. Miller stated that the board is divided on that when it comes to that and this is why it is being litigated. Mrs. Leonard stated that in reference to the letter to the city from Shawn McDaniel's basically condemning the citizens for coming to the meetings and voicing their opinions, before every one of them had said they appreciate them coming and was glad to have them. Mrs. Leonard stated that they would like to know, do you want us not to voice our opinions, and do you just want us to stay at home. Mrs. Leonard stated that in her opinion

as long as there is a government there will be people watching what you do, to see if you stay honest and to your word. Mrs. Leonard stated that what she wanted to know was do they agree with Shawn McDaniel's or do you welcome the citizens input and concern and interest in the city. Alderman Weaver stated, I myself welcome them. Alderwoman Wells stated that she welcomed also and she had nothing to do with his letter, he wrote his own letter and that is his own opinion. Alderman Miller asked if there were any more comments.

Pat Souder, 190 Holston Drive, stated that she was opposing the changing of a residential lot to a business lot. Ms. Souder stated that she was not opposed to any camping on that lot, she just didn't want that one lot to change over to business. Ms. Souder stated that there were six lots on Holston and three had already been changed to business but the three facing the road she would like them to stay residential. Ms. Souder stated that she did not want businesses coming in there and facing her.

Connie Leonard, 314 Main Street stated that she understood that recently we had a visit from the Comptrollers office and reading the Piney Bluff Newspaper with Mr. Planks comments in it, made a statement about Ms. Dulaney going to increase the water / sewer rates 30% or so, and did Mrs. Wellborn not meet with you Mr. Weaver and you Mrs. Wells. Alderwoman Wells stated yes. Ms. Leonard stated that the Comptrollers office was the one that was going to raise the citizens rate by 33% not Ms. Dulaney. Ms. Leonard stated that Ms. Dulaney showed Ms. Wellborn the budget that she has worked with them on and saved the citizens from rates being raised 33%. Mrs. Wells stated, she did not say to her during that conversation that they were going to be raised 33%. Mrs. Wells stated that she said that the reason that she was here was to work on what rate they were going to need to get everything in order. Mrs. Wells stated that they proposed 8% and she said that it would need to be at least 9. Ms. Leonard stated that Ms. Dulaney worked on the budget with them and showed Ms. Wellborn a profit and kept it at, she was showing 8% and Ms. Wellborn suggested 10%. Ms. Leonard stated that it needed to be told to the citizens that nobody here was going to raise rates 33%, Ms. Dulaney and you all were working to try to keep it down, the state was going to raise it 33% and cost us a lot more. Ms. Leonard stated that in the budget it was showing that we would have a profit in it so those rates were kept below the 33%. Mrs. Wells stated that the state never said that they were raising it 33%. Ms. Leonard asked where it came from that it was going to be 33%. Mrs. Wells stated that it came from MTAS. Alderman Miller stated that it was a suggested increase and he saw the report but could not remember if it was 33% or 30%. Mrs. Wells stated that it was from MTAS. Alderman Miller stated that it was not Ms. Dulaney who suggested that we increase those rates 33%. Ms. Leonard stated that the rates are not going to be raised 33% but the city is showing a profit with the budget and she was making an attempt with the Comptrollers office to keep the rates down for

the citizens. Ms. Leonard stated that she would like to ask a couple more questions. Ms. Leonard stated that she did not know if they could or would discuss it, but with the pending lawsuit, it is not just against the board members it is against the City of Bluff City and it is going to cost the citizens thousands of dollars for this lawsuit that Mr. Gentry has issued. Ms. Leonard stated that she would like to know, if when they speak with their attorneys, since Shawn McDaniel's was the attorney for the city at that time and he advised Mr. Gentry to sue the city in an open meeting, and he was supposed to be representing the city, that Mr. McDaniel's be held liable for that. Mrs. Wells stated that he was not the only one that said that, also Mr. Miller said that that was the only way he would get his seat back. Ms. Leonard stated that Mr. Miller was not our legal representative and Shawn McDaniel's as the attorney for the city should not have advised or encouraged it. Ms. Leonard stated that she felt that that was conflict of interest. Mrs. Wells stated that she would like to say one thing, we don't know what it's going to cost us or what or if it is going to cost the citizens or who it is going to cost because we don't have an attorney at this time and we don't know fact wise that it is going to cost the citizens of Bluff City anything. Ms. Leonard stated that if we enter into a lawsuit it will, but I think the one thing that you all need to do is to definitely concentrate on getting an attorney. Ms. Leonard stated that they have one that they have signed a petition to rehire that has over fourteen (14) years of experience for Bluff City and he has handled all litigation for the city over those years and is an excellent attorney and thinks that they need to put their personal feelings aside and consider what's best for the city. Alderman Miller asked if there were anymore comments. Todd Malone, 123 Hillcrest Road, stated that he wanted to thank the board. Mr. Malone stated that he had not been here since March except last month when we did not have a meeting. Mr. Malone stated that he would like to address the board with no questions as he knows that this is citizen comments and he would like to keep it that way. Mr. Malone stated that he did not know if the board had accepted his resignation, as the board knows, they have been petitioned by Mr. Gentry and we have a judge's order to take care of and that is the reason he is here tonight. Mr. Malone stated that he feels like this petition, it's been signed by Judge Moody and he would read part of it. Mr. Malone read the following: Whereas the Honorable E G Moody, Chancellor for the Sullivan County Chancery Court has ordered an alternative writ of mandamus to issue as prayed for in the petition. Mr. Malone stated that this was talking to the Board and himself. Mr. Malone continued reading: You are therefore commanded to take action as prayed for in the complaint and appear before the court on the 15<sup>th</sup> day of September 2010 at 9 am. at Sullivan County Justice Center in Kingsport Tennessee and show cause as to why you have not done so and that then and there return this writ with said petition. Mr. Malone stated that this was signed by Mr. Moody. Mr. Malone stated that he was here tonight to support Mr. Gentry, and he did not know any other way of doing it and even if he was on the opposite side, it would not matter as they have an order and it must be done. Mr. Malone stated "In that order it also states that I must be declared the Mayor of Bluff City." Mr. Malone stated that in that order it also states that he has to be replaced. Mr. Malone stated that he has to be put back

on the Board. Alderman Miller stated that that is the request. Mr. Malone stated that he was speaking. Mr. Miller stated that he understands but he also misunderstands what the request is in the petition. Mr. Malone stated that he would like to continue. Mr. Miller stated to feel free but make his statement accurate. Mr. Malone stated that it is accurate. Mr. Miller stated that it was not a summary judgment, it was a request. Mr. Malone said that he wanted to say the rest of what he had to say and then he was going. Mr. Miller stated "Please do." Mr. Malone stated that none the less his name is still on the bank account and he would like it removed. Mr. Malone stated that he did not know what Mr. Weaver, any of the board, Ms. Dulaney or whoever has the authority to sign checks has done but his name is still on the accounts and ultimately he is responsible, so he would like it to be removed tomorrow if at all possible. Mr. Malone stated that he would like his resignation he read in March to be accepted. Mr. Malone stated that in reference to the Sign Ordinance, he did not understand why it was not being enforced. Mr. Malone stated that we had a code book with that Sign Ordinance in it, and the City Manager is overseeing that those are taken care of and the enforcement officer works under him. Mr. Malone stated that the comments he has heard are in reference to the signs in Piney Flats, and they continually hear it. Mr. Malone stated that he would like to see it put back into place to let him enforce those down in the Piney Flats area.

Joan Leonard stated: Correct me if I am wrong, but in the minutes that you approved, the last minutes you approved before Ms. Dulaney took her sick leave, was it not in those minutes that you accepted Todd Malone's and JC Gentry's resignation. Alderman Carrier stated yes, Alderman Miller stated that he did not recall the exact language in those minutes and he did not want to comment on it since there was pending litigation, but those minutes are available and anyone can read them and draw their own conclusion from it.

Sabrina Arnold of 199 Main Street, stated that she was not an attorney she was a drama teacher and she stated that she had a question. Mrs. Arnold stated that as he was reading the legal document it sounded like the Judge wasn't ordering them to do what Mr. Gentry stated in his petition it was ordering them to go to court and present their case and was that their interpretation as well. Alderman Miller stated yes and he assumed that if the Judge had appointed Mr. Gentry his seat back that he would be there in their presence tonight. Mrs. Arnold asked if the others interpreted it that way or in a different way. Alderwoman Wells stated that she would wait for a legal person to interpret it. Mrs. Arnold stated that if they do have to go they have a month, is that correct.

Lon Gene Leonard stated that he was under the assumption, as he had set on the board for many years, he thought those minutes was presented to the board members and he assumed, as he always scrutinized the minutes for errors and made corrections if needed.

Mr. Leonard asked if that was not the official document of the City, should it not be the official document of the city. Mr. Leonard stated that if they all read them and get them in advance as he always did. Mr. Leonard stated that Mrs. Wells always finds some things wrong and makes changes and they vote on them with the amended change. Mr. Leonard stated that those are official once they read them and pass them; it should become official and should be good enough for anyone. Mr. Leonard stated that if Mr. Gentry said he resigned, or he read a letter resigning, they passed it in the minutes that should be good enough for anyone. Mr. Leonard stated "Mr. Gentry- I quit, I'm done, and he leaves, another meeting I resign, and he leaves." Mr. Leonard stated you guys replace him on the Planning and Zoning with Mr. Miller, that was in the minutes and you guys passed all those minutes that should be official and satisfy anyone. Mr. Leonard stated that it did not take a Philadelphia lawyer to figure out that if you quit your job and you want a do over in a week you don't get your job back. Alderwoman Wells stated that they were told that he had to be replaced on the Planning and Zoning because they did not have enough members, that was what they were told so they can only believe what they were told. Mr. Leonard stated that they do need the other member on the Planning Zoning Board. Alderman Weaver stated that it was obvious that not everybody agreed that he resigned also. Alderwoman Wells stated yes. Mr. Leonard stated that they agreed as a board to accept those minutes as presented, that's official.

Bill Morrell stated that he hated to repeat the obvious but, as they say they have had the subpoenas delivered and a lot of speculation has been made about what the action would be. Mr. Morrell stated that in conjunction with the number of people who voiced their desire to have Mr. Frye back and taking the legal action for the city and making the legal decisions, which it is obvious that we need someone to do that for the city and for the Planning and Zoning Committee. Mr. Morrell stated that he thinks that the way that subpoena reads, the City of Bluff City with one exception has been subpoenaed and has to be there. Mr. Morrell stated that they were going to need some legal advice as to what they were going to do. Mr. Morrell stated that since they are doing a service for the city, it is the city's responsibility to support them in what they are required to do. Mr. Morrell stated that they needed an attorney and could pick and choose but they needed to get one.

Lillian Cutten of 204 Duty Drive, stated that she thinks that if everybody would leave their egos at home and come down here as a member of the board and work for the citizens instead of trying to please themselves we would have a good city. Mrs. Cutten stated that it is a shame because people would ask where she lived and she would say Bluff City and they would say oh what is going on over there, you all are like the McCoy's, you're fighting all the time. Mrs. Cutten stated that that is what you get when you get outside the city. Mrs. Cutten stated, we pay our taxes and we pay your salary to work on the board for us. Mrs. Cutten stated "I think we've been let down and you can have your attitude if you want to but remember you work for the people of Bluff City."



Alderman Miller stated “hopefully we will be able to redeem ourselves.”

Alderman Miller introduced Ordinance No. 2010-003- First reading- to the BMA for consideration. City Clerk Sandy Harkleroad read Ordinance 2010-003, an ordinance rezoning property located on Holston Drive (adjacent to B & B Campground ) from R-1 to B-3. Mr. Miller asked if anyone was opposed to allowing the property owner to speak. Danny Bartley co-owner of aforementioned property stated that he had a campsite there on approximately 4.85 acres that are zoned B-3 and this section which is less than a third of an acre, is where they tore a home down. Mr. Bartley stated that three campers could set in the area. Mr. Bartley stated that Mr. Weaver came down and told him that they had to rezone it to B-3 in order to put campers in there, so that is the reason they started this process. Mr. Bartley stated that he thinks that it looks better than it did and there were a lot of houses in this town that needed to be remodeled or torn down. Alderman Carrier asked if all he was going to do was leave those campers there. Mr. Bartley stated that all he was told was that they had to rezone it to B-3. Alderman Weaver asked what happens down the road. Mr. Bartley stated “What if you get killed in a car wreck tonight, who is going to set in your chair, I can’t answer those questions.” Mr. Bartley stated that what if is a (sentence ended) Alderman Weaver said okay. Alderman Carrier made a motion to change the zoning to B-3. Second by Alderman Miller. Vote went as follows: Melvin Carrier- Yes, Robert Miller – Yes, Mark Weaver – No, Irene Wells – No. Motion failed.

Alderman Miller opened discussion on the Sign Ordinance stating that in April or May’s meeting they had voted to postpone enforcement of the Sign Ordinance in lieu of the anger of the business owners in the area trying to make ends meet. Mr. Miller asked if they wanted to have any discussion on that tonight. Alderwoman Wells stated, if it is an ordinance we can’t just not enforce it. Mr. Miller stated that they voted to so they can. Mr. Miller stated that they voted to suspend that ordinance. Mrs. Wells stated that she did not think that they could just vote like that and suspend it. Mr. Miller stated that just the same way you enact a law you can remove law, same as Sullivan County Fireworks Ordinance. City Manager Don Weaver stated that they have to set up some readings on that to suspend the whole ordinance. Mr. Miller stated that he did not know and they did not have a city attorney to ask. Mr. Weaver stated that he was just talking about what has been done before. Mr. Miller stated that they had not voted to repeal it just to suspend it and it was still on the books just not currently being enforced. Mr. Weaver stated that they have an individual they are paying to enforce sign ordinances and he is getting a lot of slack. Mr. Weaver stated that some businesses have pulled them and others have not. Mr. Weaver stated that he believes that the problem is with portable signs. Mr. Miller stated and what the definition is of a portable sign. Mr. Weaver stated that it’s one on wheels that you move around. Mr. Miller stated that he thought that there was one that was claimed to be portable that was embedded in the ground. Mr. Weaver stated that there is one. Mr. Miller stated that there were a couple of things there and it was those

business owners who came to the meeting and the board voted unanimously to suspend that and if the board wanted to take any action on it he was open and all ears. City Manager Weaver stated that it is the boards business but he thinks they should discuss that in a workshop after they get an attorney and make sure they are doing the right thing as he felt that they were not doing the right thing the way it is. Mr. Weaver stated that there were calls coming in all the time about the way Piney Flats looks that it looks like a carnival when you come through. Mr. Weaver stated that you could not go to Johnson City, Bristol, Kingsport or any city and see that. Mr. Weaver stated that they are paying a guy that's supposed to be doing this and his hands are tied. Alderman Miller stated that he would be open to having a workshop and meeting with the small business owners in the Piney Flats area and using that workshop as a basis for moving forward with the reinstatement of this ordinance. Mr. Weaver asked if his intentions were to go by a certain few business people and do away with this ordinance all together and if they did this town would look horrible. Mr. Miller stated that he did not think that anyone had made the statement of doing away with the ordinance all together, and voting to suspend and completely removing the law from the books are two entirely different things. Mr. Miller stated that he felt that he was mis-categorizing what the board's actions were. Mr. Weaver stated no that he agreed with what they did and what they did was suspend it but what he was asking was how long does this suspension last. Mr. Miller stated that it would last until the board sees fit to reenact enforcement. Mr. Weaver stated that they were supposed to come back to Planning and Zoning and they never did do it. Alderman Weaver stated the businesses that complained. City Manager Weaver stated that they were probably going to ask for a variance and he had been told that Planning and Zoning just did not do that. Mr. Miller stated that that was for the Planning and Zoning Board to decide and he was certainly not going to step on their toes in the decisions they make. Alderman Carrier stated that if you have a business down there and they don't have a sign that tells what's there, how are they going to get any trade. Alderman Weaver stated that they do it by the ordinance like the other ones that are inspected, and if some follow it I would think that everybody needs to follow it or why have anything. Alderman Weaver stated that he understands where they are coming from and he does not want any business to (sentence ended) do you want something junky or do you want an ordinance that had been set that provides laws and specs that needs to be that are suitable, that the board agreed on, and make everyone uphold it. City Manager Weaver stated that you either have a law or you don't have it. Alderman Weaver made a motion to reinstate it. Second by Alderwoman Wells. Alderman Miller stated that before they voted he would rather have a workshop with the involvement of the business owners and the citizens of Bluff City where they can hash this out in a manner in which everyone would benefit from it. Alderman Weaver stated that he would not have a problem with that and he wanted to be fair but he did not think it should be two or three, and it needs to be done soon because we are paying somebody for nothing and they can't do their job. Alderwoman Wells asked if they should wait until they get to the budget because she believes that they will have to have a special called or something anyway. Mr. Miller stated that they are and he

thought that they had previously agreed to that for the 19<sup>th</sup> of August. Mrs. Wells stated that if they make changes to the budget tonight then they would not be able to vote on it, they will have to make those changes. Alderman Weaver asked to set a date for a special called. Alderman Miller stated that they need to come back to this date since they are going to get into September soon and they are right, their focus needed to be on the budget. Mr. Miller stated that they could try to get it in before September's meeting but that was going to be a tight squeeze. City Manager Weaver stated that they had ten days after the first reading and then they can pass it on the second reading and make it before the first. Mr. Miller stated that the first was not their goal it was the 26<sup>th</sup>. Mr. Weaver stated that it would be hard to do. Mr. Miller stated that it would not be hard to do unless he knows something that he doesn't that has come up since the last budget workshop. Mr. Weaver stated that he could look at a calendar and say that it was going to be hard to do. Mr. Miller stated that they had previously agreed to the Special Called meeting for the second reading of said budget. Mrs. Wells stated that there were changes that had to be made. Mr. Miller asked if she had changes that she wanted to talk about with the budget. Mrs. Wells stated yes but they were not to the budget yet. City Clerk Sandy Harkleroad addressed Chairman Miller to say that she thought that if they vote on the budget tonight with certain changes that it could still be considered a first reading. Mr. Miller stated that that was the advisement that he had received from Judy prior to the meeting and if anyone is an authority on the rules regarding budget proposals it is certainly her and that was the information that she gave to him. Mr. Miller stated that he thought that they would still be able to do a first reading tonight and do a second reading with changes providing they can all come to an agreement on them. The Board decided to set a workshop on the sign ordinance for September 2, 2010 at 7:00 p.m. Mrs. Wells asked that a letter be sent to the business owners and Mr. Miller stated absolutely. Alderman Weaver stated that he agreed. Mr. Miller stated that if there was nothing else they would consider that done and move on. Mrs. Harkleroad stated that she had a motion and a second on the floor. Alderman Weaver rescinded his motion to reinstate the Sign Ordinance. Mrs. Harkleroad stated that in a workshop they normally do not have citizen input and are they agreeing to allow citizens to speak to them at the workshop in reference to the Sign Ordinance. Alderman Carrier stated yes they live in this town and pay taxes they should be able to talk. Mr. Miller stated lets make whatever adjustments to our normal workshop procedures that we need to make to insure comment from both citizens (sentence ended) Mr. Miller stated that he definitely wanted to hear from both sides of the table because there is a real division between the citizens and what the business owners need to do to draw in business. Mrs. Harkleroad stated a workshop on the Sign Ordinance with input. Mr. Miller stated right, he definitely wanted to hear from (sentence ended) Mrs. Wells asked if it would be any problem to make it a Special Called Meeting instead of a workshop. Mr. Miller stated that they do not have citizen comments at Special Called Meetings as they hammered that out last year. Mrs. Wells stated that it would not help. Mrs. Wells stated that they don't do it at workshops either. Mr. Miller stated that they could do a workshop. Alderman Weaver stated that they could open it up.

Alderman Miller stated that they could have a workshop kick it around and come to an agreement and put it on the agenda for the following week. Alderwoman Wells said okay. Mr. Miller stated that they could go ahead and move discussion / action on the Sign Ordinance to the next regular meeting on September 9<sup>th</sup>.

Alderman Miller presented the Networks Agreement. Alderwoman Wells stated that she would like to have the old agreement to compare it to since they do not have an attorney. Mr. Miller stated that he did not have an issue with that and asked if they wanted to move that to the next meeting. All members were in agreement to move it to September's meeting.

Alderman Miller presented the TML Matching Safety Grant for \$1500 to the BMA for consideration. Alderwoman Wells made a motion to approve it. Second by Alderman Miller. All in favor. Motion carried.

Alderman Miller presented Resolution No. 2010-008 which is a Resolution for the Release and Settlement from the Estate of Lester Childs Jr. Alderwoman Wells stated that she had some comments. Mrs. Wells stated that she went to the court house and got a copy of the Last Will and Testament and it has Bluff City listed as one of the recipients for improvements to the Boardwalk, Pavilion and the Little League Baseball Field. Mrs. Wells stated that then they received this resolution to sign and when you read in there where they list all the other individuals, Bluff City is not listed, so she suggested that they hold off that until they get a Bluff City Attorney so that they could check into that. Paul Frye asked if they would like for him to address that as he drafted the resolution Mr. Miller stated please do if it is okay with everyone else. Alderman Weaver stated that he had no problem with that and Alderman Carrier stated to go ahead. Mr. Frye stated that all the non profits in Sullivan County have already approved this agreement. Mr. Frye stated that Bluff City would be getting the same percentage that they would under the will and the trust with the exception of paying Ms. Hammonds to settle the will and trust contest, two hundred and thirty seven thousand and five hundred dollars (\$237,500.00) Mr. Frye stated that the estate is right at 1.7 million dollars. Mrs. Wells stated how come we don't have them listed in this information, on the resolution. Mr. Frye asked which information was that. Mrs. Wells stated that Bluff City was not listed at all. Alderman Weaver stated that the ball field or anything's not listed in the group of (sentence ended) Mrs. Wells stated that everybody else was listed except the City of Bluff City and according to the will, Bluff City should be listed on there too. Mr. Frye asked to see what she was talking about. Mr. Frye stated that that was just the style of the case; Bluff City is still in the will and the trust for 2%. Mrs. Wells stated you mean 20%. Mr. Frye stated no 2%. Mrs. Wells stated that according to this last will and testament it's 20% in equal shares. Mr. Frye stated that it is 20% divided between ten non-profits, so it's 2%. City Manager Weaver asked what that amounted to. Mr. Frye stated that the estate had not been closed out yet so he does not know what the bottom line would be but he would

estimate it to be between twenty and twenty five thousand. Mr. Frye stated that there was actually eleven non profits because there was one in another category other than that 20% and they had all approved it and Sullivan County had approved the agreement. Alderman Miller stated that 2% of 1.7 million is thirty four thousand dollars (\$34,000.00) Mrs. Wells stated plus the attorneys will paid out of that. Mr. Miller stated that there would be money removed from that total. Mr. Frye stated that the expenses of the estate and the paying of two hundred and thirty seven thousand and five hundred (\$237,500.00) dollars to Ms. Hammonds would come from that. Mrs. Wells stated that the only thing that she had to say about it was that she still doesn't understand why the City of Bluff City was not listed and she spent two hours at the court house and she would not call any names but there was some concern when she was there that the City of Bluff City was not mentioned since everybody else was. Mrs. Wells stated "She suggested to me I would not agree to sign anything until your City Attorney reviewed it." Mr. Frye stated that he formerly represented the city and since that the city has had no involvement in the lawsuit and all the other non-profits as well as Sullivan County had approved it. City Manager Weaver stated "Really it would not have made any difference whether you had a representative or not according to Bluff City." Mr. Frye stated that in the final analysis according to what you are going to get, no. Mrs. Wells stated that also she told her that when they sent out those notices there should have been one sent to Bluff City because there could have been someone else there to represent Bluff City it did not have to be an attorney. Mr. Frye stated I think the notice (sentence ended) Mrs. Wells said that it says I certify that a copy of the foregoing was mailed postage paid this 21<sup>st</sup> day of July and the City of Bluff City is not listed. Mr. Frye asked what it was that she had that he did not know what she was talking about. Mrs. Wells stated in the Chancery Court for Sullivan County in reference to the estate of Lester H Childs. Mr. Frye asked to see what she was referring. Mr. Frye stated that that was a motion that was never heard, it's moot. Mrs. Wells stated so you are saying that Bluff City, even though they are not listed will still get their percentage. Mr. Frye stated that Bluff City will still get 2% of whatever the net estate is. City Manager Weaver said as the other non-profit organizations get. Mr. Frye stated yes that the other non- profit organizations, but CAC of Sullivan County is listed separately and they get two and one half (2.5) percent. Mrs. Wells stated that as long as they could be sure because she did not want Bluff City to be left out because it was the intention of the will for Bluff City to have a part in it. Mr. Frye stated that he could assure them that Bluff City would not be left out as he represents the Piney Flats Fire Department. Bluff City Rescue Squad, and the Bluff City Volunteer Fire Department and they are going to get theirs and that is why he drafted this resolution for you to see that they get theirs and you get yours and the lawsuit is culminated. Mrs. Wells stated so you are guaranteeing us that Bluff City is going to get theirs even though they are not listed. Mrs. Wells said ma'am, I am asking him some questions I am here representing Bluff City. Mr. Frye stated that the answer is yes Bluff City is going to get their 2% just like it

says in the trust and in the will. Mrs. Wells said thank you. Alderman Miller made a motion to approve the resolution (2010-008). Second by Alderman Carrier. Vote was as follows: Melvin Carrier – Yes, Robert Miller – Yes, Mark Weaver said – Based on what Irene said – No, Irene Wells – No. Motion failed. Alderman Miller asked if they could move the resolution to the next months meeting on September 9<sup>th</sup>, since we are locked on it. Mrs. Harkleroad asked if the vote meant that we don't get it since we did not agree to take that. Mr. Miller stated that they have not disagreed not to take it we are just at an impasse. Mrs. Wells stated no we have not disagreed. Mr. Frye stated that the lawsuit is not settled based on this and there may be a hearing before your next meeting, he did not know. Mrs. Harkleroad asked Chairman Miller what will result if they do have a hearing before our next meeting. Mr. Miller stated that it would be whatever the result of that hearing comes to whether or not Bluff City is represented in that hearing. Mrs. Wells asked what they would have to do to make sure Bluff City is sent a notice of the meeting, do they have to contact the courts. Mr. Frye stated that he would contact the court and he would guess that Mr. McDaniel, as he has not seen anything to the contrary, is still the attorney of record for the city. Because he has not withdrawn in so far as he knows. Mrs. Wells stated she said that it did not have to be an attorney for Bluff City to have a representative there. Mr. Frye stated sure. Mrs. Wells stated that she just needed to contact them.

Alderman Miller introduced Ordinance 2010-006- An Appropriations Ordinance for year 2010 - 2011 – First reading- Mr. Miller stated that he understood that there are some adjustments they want to make. Alderman Carrier stated that the Santa Breakfast and the Employees picnic needed to be added. Mr. Miller asked how much he wanted to appropriate for those. Mr. Carrier stated twelve hundred. Mr. Miller stated each or split between the two. Mr. Carrier said twelve or fourteen hundred it did not matter, and what was left would go back into the pot. Mr. Miller asked if there were any more changes that anyone wanted to see. Alderman Weaver stated that he would like the budget to stay what they voted on as far as the raises and stuff. Alderwoman Wells stated that she would too, because they had a consensus. Mr. Miller stated that the reference to that, to key everybody else in, is there was a letter sent to them from Ms. Dulaney pleading to the board that the office staff receive, instead of the fifty seven cent (.57) raise receive the one dollar and four cent (\$1.04) raise the same as the works department would. Mr. Miller stated that she submitted a budget to them that would have included that raise. Mr. Weaver stated that there was a reason why they did that, they all agreed and He did not think that it should be changed. Mr. Miller stated that he was not opposed to giving those office workers a raise but they did have a consensus and he was not willing to violate that if they are certain they want the raises to remain the same. Mr. Weaver stated that he thought they were fair, they gave everyone a raise and it has been a long time since they have had a raise and they should be appreciative of anything and he wants it to stay

where it is. Mrs. Wells stated that the budget would have to be changed then because the way it is now. Mr. Weaver stated back to what we had a consensus on. Alderman Carrier stated what about putting the equipment increase in. City Manager Weaver stated that it was already put in. Mrs. Wells and Mark Weaver stated that she had already put it in. Alderman Miller stated that she put it in the budget proposal. Mrs. Wells stated that she put the dollar and something in there so they needed to change it back. Mr. Miller stated that when it comes to motion time they can motion to the previous agreement, what we had, we can line it up and go right down the line and call the raises out and that way there is no question as to what we did and did not approve. Mrs. Wells stated that she also changed the sign we had in the budget thirty seven hundred (3,700.00) dollars and it was changed to eighty seven and I don't think that we want to invest eighty seven hundred (8,700.00) dollars. Mrs. Wells stated that she knew that we did not have to that but she would like to see it go back to thirty seven hundred (3,700). Alderman Weaver stated I don't understand how you can just, why do we set and have workshops and set out a budget and somebody, I don't understand that. Mrs. Wells stated I don't know. Mr. Miller stated that without Judy here to ask why she made that change it's impossible to draw a conclusion from it. Mr. Miller stated that she did not mention it to him and it could have slipped her mind and he did not receive any e-mails or anything else, which is typical. Mark Weaver stated to give a heads up. Mr. Miller stated that it may just be something that (unclear) Mark Weaver stated that he knew she was sick. Mr. Miller stated if there is a legitimate reason for that change they can do it after the fact latter for a budget amendment. Mrs. Wells stated If you remember, we had a consensus to give the Bluff City Community Chest five hundred (500.00) dollars. Audience stated that they could not hear. Mr. Miller stated that he would recap some of those changes. Mr. Miller stated that there were several numerical changes that were made from the budget from the last time that we discussed it at the budget workshop, and no explanation was given for those changes so they are going back and revising those. Mr. Miller stated that one of those is the building sign was changed from the proposed thirty seven hundred dollars to eighty seven hundred, another was that the Bluff City Community Chest Fund was supposed to go from three hundred to five hundred. Mark Weaver stated that the raise for the office workers was supposed to be fifty seven cents and was changed to 1.04. Mr. Miller stated to demonstrate funds. City Manager Weaver stated that whatever the line item is for signs, we need a sign for this building, a million dollar building with a fifty dollar sign. Mr. Miller stated we appreciate that input and we talked about it at the workshop but right now they were trying to hash out what the actual numbers are going to be. Mr. Miller stated that he would like to talk about getting a sign for the City Hall but right now isn't the time to talk about what type of sign we are going to get. Mr. Weaver stated that they just got thru talking about it; you've got thirty seven hundred vs. eighty seven. Mr. Weaver stated that he said any amount that they come up with, a million dollar building compared to a fifty dollar sign is pitiful. Mr. Miller stated that is a subject for a different day as right now they are talking about appropriating funds for the budget. Mr. Weaver stated that it's always a different day. Mr. Miller asked if there was any

opposition to the breakfast and employee lunch. Alderman Weaver stated that he had no problem with that. Alderman Miller stated that he did not feel that that was an unreasonable amount. Mr. Weaver and Mr. Miller stated six hundred (\$600.00) dollars each. Alderman Carrier stated that they needed to put five thousand (\$5,000.00) dollars in the budget for a float for the backhoe. Mr. Miller asked if there was any opposition to a five thousand (\$5,000.00) dollar appropriation for taking bids on a backhoe float. Alderman Weaver stated that he had no problem with it. Mr. Weaver stated that in case he did not catch it there was the monies for a truck and he did not want that to slip by and not say anything. Mr. Miller stated that he was incorrect at the workshop in that he was under the impression that we had to agree to bid it out first but we don't, we can appropriate the funds and bid it out later. Mr. Weaver asked if everyone was okay with the fifty thousand (50,000). Mr. Miller stated yes that they could set those funds aside, bid it out and that should be enough. Mr. Weaver stated that it would be enough that he had made a lot of phone calls. Alderwoman Wells stated that the Storm Water Coordinator was going to have to work on the new permit for the city and asked if we had provisions enough in the Charter for that. Mr. Miler stated that he assumed that we have a sufficient amount of money for our permit and if not we will adjust it. Mr. Miller stated that he was going to recap what they agreed to;

\$2.07 per hour for the Police Department

\$1.04 per hour for the Works Department

.57 Per hour for office staff

\$600.00 for Employee lunch

\$600.00 for Christmas Breakfast.

Change line 920 from \$8,700 back to \$3,700

Change line 730 increase Community Chest from \$300 to \$500

\$5000.00 appropriation to bid for backhoe float

\$50,000.00 for the truck already listed

(In reference to the truck)Alderman Weaver stated that he wanted everyone to know that it was put in and it was not at the end of their workshop. Alderman Miller made a motion to approve the first reading of the budget with the changes that were made in detail. Second by Alderman Weaver. Sandy Harkleroad read Ordinance No. 2010-006, Appropriations Ordinance for year 2010-2011. Alderwoman Wells asked if those would not have to be changed. Alderman Miller stated that they will but we can read them as they are and pending changes as the changes are part of the motion. Alderman Weaver stated yes. All in favor. Motion carried. Mr. Miller stated that prior to the second reading it had to be %100 detailed out and if they found catch another change or something else that needs to be added. Mrs. Wells stated that they did not need to be making changes that they haven't agreed to. Mr. Miller stated I concur.

Alderman Miller presented Ordinance No. 2010-007- to the BMA for consideration on first reading. Sandy Harkleroad read Ordinance 2010-007 which is known as real and personal property tax levy ordinance for year 2010-2011. Motion to approve was made by Alderman Miller. Second by Alderman Weaver. All in favor. Motion carried.

Alderman Miller presented Ordinance No.2010-008 – to the BMA for consideration on first reading. Sandy Harkleroad read Ordinance No. 2010-008 which sets the water user



rates for the year 2010-2011. Motion to approve Ordinance 2010-008 was made by Alderman Miller. Second by Alderman Carrier. All in favor. Motion carried.

Alderman Miller presented Ordinance No. 2010-009 to the BMA for consideration on first reading. Sandy Harkleroad read Ordinance No. 2010-009 which sets the sewer user rates for the year 2010-2011. Motion to approve made by Alderman Miller. Second by Alderwoman Wells. All in favor. Motion carried. Alderman Miller thanked his colleagues for getting all this done and they were way ahead of where they were last year.

Alderman Miller opened the floor for discussion/ action on a City Attorney. Alderman Carrier made a motion to hire Paul Frye back. Alderman Miller stated that in light of the resolution given to the board which he was not aware of, number 11 of 2005 that when buying supplies, materials, equipment or services for the towns requirements, preference shall be given to dealers who have stores and or warehouses within the town, price, delivery and service being equal. Mr. Miller stated that he felt that that line sums it up for us as we require legal services and we have a legal professional inside Bluff City and we have resolution directing us when those services are equal to acquire them from inside Bluff City. Alderman Miller made a second to Mr. Carrier's motion to rehire Paul Frye. Vote went as follows: Melvin Carrier – Yes, Robert Miller – Yes, Mark Weaver – No, Irene Wells – No. Motion failed.

Alderman Miller opened the floor for Aldermen's Comments. Mr. Miller stated that it was tossed around earlier in regard to the Sign Ordinance that we have these laws on the books and we need to follow them. Mr. Miller stated that it was voted on to be suspended and that this resolution was still very much in effect and enacted. Mr. Miller stated that he was disappointed that they could not come to terms that this resolution applies to all other goods and services inside Bluff City. It obviously needs to apply to our legal services as well. Mr. Miller stated that there was a petition here from nearly 200 citizens, regarding hiring Paul Frye. Mr. Miller stated that he felt that Mr. Frye had the full backing of the citizens of Bluff City and that reflects well for him. Mr. Miller thanked everyone for coming out and for their comments and taking an interest in the city.

Alderman Weaver thanked everyone for coming and thanked the board. Mr. Weaver stated that he felt that they were heading in the right direction and the last few meetings have showed that and hope it continues.

Alderwomen Wells stated I agree with Mr. Weaver.

Alderman Carrier stated that he was sorry that the citizens did not get their wish about hiring Mr. Frye. Mr. Carrier stated that they had signed a petition wanting him back and

he wanted him back because he hadn't done anything and was fired illegal by some board members who don't know how to hire people and do it right, after they took an oath to go by the ordinance and the Charter and do it right. Alderman Carrier thanked the citizens for coming and voicing their opinion and asked that they keep coming.

City Manager Weaver reported that the most important thing that we had done was to remove a gas tank that had been underground for quite a few years, and we had received an NOV (Notice of Violation) on. Mr. Weaver reported that the State and the engineer were present at the removal and all we had to do now is soil samples and they just about assured him that they should be good. Mr. Weaver reported that he had quotes on the new truck that they had discussed buying and he was combining it with the snow plow and salt spreader as one. Alderman Miller stated that they were bound to save money that way. Mr. Weaver stated that it would not be fifty thousand (50,000) we can beat that. Alderman Miller asked if he could get those quotes to them by the next meeting. Mr. Weaver stated yes. Mr. Weaver stated that if it was on state contract they only had to have one but if it is a fleet price they have to have two. Mr. Miller stated that he would prefer to have as many as they could get so they could have as many options as they could weigh. Mr. Miller asked if there had been any word on when he would have his report on how they were going to address water loss. Mr. Weaver stated that he did not have the figures on it right now. Mr. Miller stated that he would like to have it at least two weeks prior to when that hearing would be so we could submit that to them. Mr. Weaver stated that he believes that Ms. Dulaney has those and it will be sent down and it has to be there by the 25<sup>th</sup>. Mr. Miller asked that he make sure that it is included with what is sent down and make sure they get a copy of it in the next month's packet. Alderman Weaver stated that on the trucks where he was talking about a lot of bids, he was good with that, but what he is finding out is that there are only three companies in Tennessee and what you get is that you go through dealer here dealer there and they all go through these same three, and basically the only difference they are going to get would be on the truck because the snow plow package and the spreader, it all comes from the three companies. Mr. Miller stated that obviously the truck is the most expensive piece of the pie so wherever they could save some money on it the better. Alderman Weaver stated I agree. City Manager Weaver asked if he was referring to the percentage of water loss plus what we think we can do. Mr. Miller stated yes, what are going to do to address it.

Chief Nelson presented the monthly report. (SEE ATTACHMENT I) Chief Nelson stated that they have been doing extra patrol at the boardwalk and they had several complaints of speeders on Main Street at Holston Drive and Carter Street. Mr. Nelson stated that schools have started back up so they are doing extra concentration on school days. Mr. Nelson stated that they had the race coming up this week. Mr. Nelson stated that they now have all vehicles except one fully equipped with cameras, and after this five thousand dollar (\$5,000.00) grant comes through they should have all that taken care of.

Chief Nelson stated that they had been notified that grant money was available but he was not going to report on that today as he does not know how it's going to follow through. Mr. Nelson stated that they still had not heard from the officer hiring program so that is still in litigation. Mr. Nelson stated that Officer Livingston has been on leave since February and he has had a lot of complications with and asked that they keep him in your prayers. Mr. Nelson stated that Officer McClintock has completed his three week academy training and he is now fully certified and the department has met the requirements and is in full compliance.

Alderman Miller asked if there were any Sullivan County Commissioners present. There were none.

Alderman Miller opened the floor for old business. Mr. Miller stated that there was an invoice for Ms. Dulaney's legal fees in regard to an attorney she spoke with when Mr. Rambo had delivered to her a letter stating what his requirements for her were during a previous meeting. Mr. Miller stated that the total on the invoice was five hundred and sixty (\$560.00) dollars. Mr. Miller stated that she contacted this individual in lieu of not having any legal service to turn to for Bluff City and they had agreed to hear this out and come to a decision on whether the city would cover these legal expenses. Alderman Weaver stated that this is from Mr. Miller stated that this is from Mr. Bruce Shine, a lawyer from Kingsport, Tennessee. Alderman Carrier asked if they needed a motion to pay it. Mr. Miller stated we do and I think it is fair she obviously needed to get legal advice from somewhere regarding Mr. Rambo's request and he feels that it is fair and a reasonable amount as far as attorney' go. Alderman Carrier made a motion to approve paying the invoice. Second by Alderman Miller. Alderwoman Wells stated I have some legal fees do you want to reimburse mine too. Mr. Miller stated if you want to submit them to the board I would glad to consider them. Mrs. Wells stated I just think that this is something that should have been approved prior to the service being provided, and that is my opinion. Mr. Miller stated that that is a fair criticism and it probably would have been something that she would have brought before the board if the time frame would have allowed her to but the letter was insistent upon the next meeting. Mr. Miller stated that the letter they received from Mr. Rambo telling us what we would, what Bluff City will and will not do in regard to Mr. Gentry's presence that night. Mr. Miller stated that he would not go into his personal feelings on the letter but he sees why she would have sought out legal service prior to that meeting and the time frame being very short. Mr. Miller stated that he thought that it was within a week and it would have basically been impossible for them to convene and authorize that expenditure. Mr. Miller stated that TML, regarding our current litigation, obviously they would not have had enough time to respond to that letter with what actions we should or should not have taken regarding that meeting. Mr. Miller stated that he did not fault Ms. Dulaney for seeking out a legal opinion in the matter and in the end he thought that she did the right thing.

With a motion and a second on the floor the vote went as follows: Alderman Carrier – Yes, Alderman Miller – Yes, Alderman Weaver – Yes under the circumstance of not having an attorney, Alderwoman Wells – No. Motion carried.

Alderman Miller opened the floor for New Business. Alderman Carrier stated that both ends of the bridge were rough as a cob and he wanted us to contact TDOT to see if they would smooth it out. Mr. Miller asked City Manager Weaver to contact them about the bridge. Mr. Miller asked Mr. Weaver if we had ever heard anything back from TDOT about the lower end of Bluff City where they had talked about putting in the rumble strips. Mr. Weaver stated that they used those things for stop not for speed and he explained that to Jack (Shepard). Mr. Miller stated that that explains why they were on one end of the road and not the other, but it was a fair request. Mr. Miller stated that there was a big meeting today about what they were going to do with that intersection so hopefully something positive will come out of that in the end. Alderwoman Wells stated that she would like to add something to what she said previously about the attorney fees. Mrs. Wells stated that she felt that there was enough time that phone calls could have been made to us individually and at least got a consensus on how it was handled. Mr. Miller stated that that was fair criticism and maybe there could have been a phone call, so he agreed with her.

Alderman Miller opened the floor for Citizen comments- Second section. City Recorder Judy Dulaney stated that she wanted to straighten something out. Ms. Dulaney stated that in the Piney Bluff Gazette there was a lot of errors with regard to statements that she had made a previous workshop, which she did not appreciate. Ms. Dulaney stated that the phone call she got this evening was regarding the increase in water and sewer rates, she thought she had cleared this up but evidently she didn't. Ms. Dulaney stated when Joyce Wellborn with the Comptrollers office met with me and the City Manager and Alderwoman Wells, and I believe you all have a copy of this too, the sheet of paper that she gave us recommending that we increase our rates 33%. Ms. Dulaney stated that MTAS did not have anything to do with her and Ms. Wellborn's conversation as she is directly with the Comptrollers office. Ms. Dulaney stated that MTAS did do a rate study which she presented to them. Mr. Miller stated so there was two different sources. Ms. Dulaney stated two different sources there. Mr. Miller stated there is a little bit of room for confusion. Alderman Weaver stated we don't take the advice of MTAS. Mr. Miller stated not all the time. Mr. Weaver stated that it depends on the circumstances. Ms. Dulaney stated that they did not use theirs, and she is just reporting to them, that is all she can do. Ms. Dulaney stated that the projections from the lady at the Comptrollers was 33% and basically after she went over the budget that she had prepared which reflected an 8% increase, she recommended that we at least increase it 10% so that after our depreciation we would still have a gain this and next year. Ms. Dulaney stated that the lady from the Comptrollers did recommend the 33% and this same paper was given to everybody. Alderwoman Wells stated that she had a tape recording of the meeting and

she said 9%. Ms. Dulaney stated that she had 8%. Mrs. Wells stated that she knew that she had 8% but she said 9%. Ms. Dulaney stated that she said based on the calculations that I had and the things that I had moved around in the budget and so forth she said just to be on the safe side 9 or 10 percent. Mrs. Wells stated yeah she said 9 or 10; I have it on the tape recorder. City Manager Weaver stated that that was to keep us in the black for another year. Ms. Dulaney stated right, but when she first came her recommendation was 33% until she reviewed the budget that I had prepared and showed her what I had done and had to prove to her that we could do it for the 10%. Ms. Dulaney stated that's what she wanted everybody to know is by virtue of the steps they have taken with the budget they saved 23% that doesn't have to be passed to the customers. Ms. Dulaney stated I did not want any confusion in that about MTAS, Comptrollers Office or myself so I came down here to straighten that out. Ms. Dulaney stated that she appreciated them paying the attorney's fees and she could understand what Mrs. Wells was saying but the problem is when you have a split board 2 to 2 she could about bet 100% that she would not have been given permission and the city has to furnish her with legal assistance when she gets letters from attorneys making demands as that letter did, so as an official of the town she did take it upon herself to seek that because it was preventing a liability to the citizens of the town if she did not do that. Ms. Dulaney stated that her thought process with that was really to save a liability.

Harry Talbert, 314 Parks Worley Street, stated the petition you were given to rehire Paul Frye signed by 75 to 80% of the citizens, you are setting on this board for the City of Bluff City, leave your personal feelings at home, hire Paul Frye. Mr. Talbert stated he's got the experience he's worked for the city before and it's a piss poor board that brings their feelings and sits on the board for the City of Bluff City, that's what I have got to say.

Paul Frye asked Mrs. Wells if he could have the attorneys for the trust and the estate call and explain this to her because all the other non-profits and Sullivan County had approved this probably a week ago and the non-profits, some of which are represented here tonight would like to have their money. Mr. Frye asked if that would be okay. Mrs. Wells stated that she can go back to the court and talk to them. Alderman Miller stated that if it is satisfactory we will leave it open and put it on a Special Called Meeting. Mrs. Wells said yes. Mr. Frye asked said so you don't want an attorney to call you you're going to talk to a clerk. Mrs. Wells stated if we had (someone from audience said dumb ass) Mrs. Wells asked if this is the way you are supposed to carry on at a meeting. Alderman Miller stated that this is uncalled for. Alderman Weaver stated that there needed to be something done about that. Alderman Miller stated that he did not know what he could do as he was not going to toss anyone out over an outburst as we have a long history of them. Alderman Weaver stated that there was a difference in outbursts and profanity. Mr. Weaver stated that he felt pretty sure there were kids setting back there too. Mr. Weaver said what Melvin. Alderman Carrier stated that people are frustrated could he understand that. Alderman Weaver stated that he understood and asked Mr. Carrier do you understand. Mr. Carrier stated I can understand a lot more than you, you dumb nut. Alderman Miller stated lets not take to calling each other names. Mrs. Wells stated that

they should not have to put up with this name calling. Mr. Miller stated lets all take a breath. Alderman Weaver stated that he was tired of him mumbling under his breath and cussing and calling Ms. Irene a bitch and everything else over many times tonight. Mr. Miller stated please (sentence ended). Connie Leonard asked Mr. Weaver if he was directing that at her. Mr. Weaver stated no, I'm not, I'm directing. Ms. Leonard stated why are you looking at me then. Mr. Weaver stated that he was looking at everybody. Alderman Miller called for order. Mr. Miller stated that he knew that emotions are running high, but remember they are all grownups doing city business. Mr. Weaver stated that he was just asking for respect. Mr. Miller stated that they should not be subject to name calling and neither should anyone else. Mrs. Wells stated that she had put up with it at about every meeting. Mr. Weaver stated that he won't. Mr. Miller stated that name calling occurs during meetings and outside of meetings, let's all make a promise to ourselves not to do it anymore. Mrs. Wells stated that it should not be happening on our board. Mr. Miller stated, I agree, it's uncalled for.

Lon Gene Leonard stated that he was very disappointed with the board and apparently the people that helped put them in office means nothing to them and it was evident tonight. Mr. Leonard stated that a large number of the voting population of Bluff City has given you something and as I said in my presentation that it fell on deaf ears and I was most likely right. Mr. Leonard stated that then we wonder why people are mad and aggravated, and we should wonder why citizens would get up in public and as well as in private and apologize to the citizens for their vote. Mr. Leonard stated that he did not get all the signatures, he did a few pages. Mr. Leonard stated that he had several people tell him that they were courted heavily in their homes and on the telephone for votes and shortly after you guys were voted into office one particular person said that they called one of you guys and you just did not feel like talking that night and never returned that ladies call, and you want to talk about respect. Mr. Leonard stated that he thought that respect goes both ways. Alderman Weaver stated I agree. Mr. Leonard stated you have before you, and I would appreciate it if you guys would go over this. Mr. Leonard stated that he had another sheet which he would make copies of and give them a copy. Mr. Leonard asked that they go over the petition that the majority was people that had voted for them. Mr. Leonard stated by your summation we have been called sore losers, agitators and troublemakers. Mr. Leonard stated that he was there to tell them, we are none of the above, we are citizens, taxpayers and we are voters. Mr. Leonard stated that someone made mention that we, the tax payers pay, and so do you guys, pay your salary. Mr. Leonard stated that the people have given them an obligation and a privilege to serve on this board and you chose to ignore 214 people. Alderman Weaver stated that he thought that there was more than 214 people in town also. Mr. Leonard stated that what he was alluding to is the last election, does he know how many people came to cast their vote. Mr. Leonard asked if anyone on the board knew. Mr. Weaver stated that he could not give him the exact number. Mr. Leonard stated that he could and the petition was way

more than what came out to vote. Mr. Leonard stated that this was even more than in the last election before you guys were put on the board. Alderman Weaver stated so you only credit people that vote you don't worry about the other people. Mr. Leonard asked if he read what they had at the top of that. Mr. Leonard stated that they had Citizen / Taxpayer and it did not encompass all the registered voters. Mr. Leonard stated that what he was trying to say was that they chose to ignore, if it is 10 people, 2 people or 214 people that put you in office, you still chose to ignore their wishes. Mr. Weaver stated that there was more that (unclear) people. Mr. Leonard stated that he agreed with that and does he know how many people are registered to vote in Bluff City, I am sure you don't, I do.

Alderwoman Wells stated I'm not going to talk while he is talking. Mr. Leonard stated that he did not expect an answer to but half of this question but he thinks that Mr. Miller or someone could answer that. Mr. Leonard asked if he was correct in saying that there are three ladies that work in the front office. Alderman Miller stated I believe so. Mr. Leonard stated that would he be correct in assuming that that is all the female employees in the City of Bluff City. City Manager Weaver stated no there is the Storm Water Coordinator. Mr. Leonard stated that that is an outside entity she does not (sentence ended) Mr. Weaver stated that your tax dollar pays for it. Mr. Leonard stated I understand that sir. Mr. Miller stated that she was basically contracted not a regular employee. Mr. Leonard stated she is contract labor and that is different from his question and he did not expect an answer and would not get it anyway. Mr. Leonard stated don't you guys think that you have three ladies working for the city and all their counter parts that works here, Mr. Nelson and his department, all the public works department are all male. Mr. Leonard stated do you guys think that maybe there is a chance of discrimination.

Alderman Weaver stated that he would like to respond to that. Mr. Weaver stated that during the workshop I think that it was brought up by Mr. Miller if he was not mistaken, we talked about them in the air conditioning and the workers outside in the environment. Mr. Miller stated when we were negotiating we did take into account working environment. Mr. Weaver said so no sir. Alderwoman Wells stated that it was unreal the number of citizens that told her the different things they were told in order for them to sign the petition. Mrs. Wells stated that she had two phone calls and she would not call any names even though she knows the person that took the petition around and they said that they were told that there was two aldermen for bringing Mr. Frye back and there was two aldermen for not bringing him back and they asked who the two aldermen's were for bringing Mr. Frye back and they was told Irene Wells and Mark Weaver. Mrs. Wells stated I don't know how many people was told that but I am saying, you know when you have dealt with a recall petition and all these people tell you that they were told different tales to sign a recall petition and then I get calls saying that they have actually been lied to, to get them to sign this petition. Mrs. Wells stated that she did not know what you think that they should think about a petition that is handed to them. Mrs. Wells stated how many different tales was told to get these people to sign this petition. Mr. Miller stated that this was a fair concern what they were being told, but on the petition itself it

says, We the undersigned citizens and taxpayers of Bluff City request the city board to rehire Paul Frye as City Attorney, that's what the petition says so what they were told about who supports it and who doesn't I think it may be a side line. Mr. Miller stated that it a valid concern, who they were told supported it and who didn't, but it had been out there; more than one story who supported it and who didn't. Mrs. Wells stated that we probably have some older people that don't even read and things and you know that would trust somebody that would say something to them like that. Mr. Miller stated that the petition was clear, the statement was clear and regardless of who supports and who doesn't, the petition is to rehire Paul Frye. Mrs. Wells stated that she was saying she thinks there is some misunderstanding going out there to. Mr. Miller stated it may be about who supports what but I don't think there is misunderstanding about the reason behind the petition. Mrs. Wells stated that they asked how they could get their names off the petition. Mrs. Wells stated I told them I don't know but I wouldn't worry about it.

Connie Leonard 314 Main Street addressed Alderwoman Wells stating with the recall petition, she did not know that it was a recall petition concerning Mr. Frye. Alderman Miller stated that he felt that she was drawing a comparison. Ms. Leonard stated that she doesn't understand what the point is because it is public knowledge that you (Mrs. Wells) and Mr. Weaver vote no and they vote yes, so when people ask what difference does it make. Mrs. Wells stated that she thinks people should be told the truth. Ms. Leonard stated that she thought they should have when they did the recall too but I had a lot of people made comments that they were called and harassed about signing that petition, as well. Mrs. Wells stated (unclear) the truth. Ms. Leonard stated you and Mr. Weaver don't want Mr. Frye back and they vote to bring him back. Ms. Leonard stated that Mr. Weaver wants to make a comment about it, 200 and some people signed it but whenever you all hired Shawn McDaniel there was just 3 or 4 people that didn't like Paul Frye and wanted him out and you all chose to do it on that basis and hire your friend and fire Paul Frye. Mrs. Wells stated I beg your pardon, but that's okay you have a right to say whatever you think. Ms. Leonard asked Mrs. Wells didn't you vote to hire Shawn McDaniel's. Mrs. Wells stated yes I did. Ms Leonard stated without any discussion, no discussion. Mrs. Wells stated I didn't know any (sentence ended). Ms. Leonard asked did you know Shawn McDaniel's. Mrs. Wells stated this is Citizen Comments this is not question and answer. Ms. Leonard stated that was the reason that Paul Frye was let go that a few people did not like him, they wanted a change. Ms. Leonard stated that two hundred and some people have spoken tonight but that doesn't matter and it is public knowledge who doesn't vote for and who doesn't want Paul Frye and who does, as far as sets on this board. Ms. Leonard asked if that was the final say so on the raises. Mr. Miller stated yes. Ms. Leonard stated that in her opinion they were discriminating and she doesn't appreciate that being a woman herself. Ms. Leonard stated that she certainly doesn't appreciate any comment that they sit over here in an air conditioned building, so do some of the police officers, and sometimes Chief Nelson and Lt. Hall. Ms. Leonard asked if they do not have air conditioning over there. Chief Nelson stated sometimes. Alderman Miller stated that he made that comment and he apologized for it. Alderman Weaver



stated it is being taken out of context. Alderwoman Wells stated yeah it is being taken out of context. Ms. Leonard stated that it was sexist and discriminatory. Alderman Weaver stated that's not what he was, that's not. Mr. Miller stated that he did not think (unclear) Mrs. Wells stated that it was taken out of context. Ms. Leonard stated that she felt giving men two and three and four times the amount of raise that they are giving three women (sentence interrupted) Mr. Weaver stated they risk their life there is a difference. Ms. Leonard stated I don't disagree that these officers risk their life and they deserve a raise, but these women that work over here, Mrs. Phillips, Mrs. Harkleroad, and Ms. Dulaney (sentence interrupted) Mr. Weaver state yes and they got a raise. Ms. Leonard stated they got a fifty cent raise and look at how much work they have to do too. Mrs. Wells state I suggest that all of you, you can get a copy of the salaries you can go and request a copy of the salaries and take into consideration what the workers out on the street, the office workers and the police are making and take into consideration their benefits and everything and see if you don't reach the same conclusion. Mr. Weaver stated all this was talked about in the meeting. Ms. Leonard stated that she was 100% for these officers getting a raise they don't make enough for what they do and risking their lives. Ms. Leonard stated that she thinks that the public works people deserve a raise. Ms. Leonard stated you all are sitting on what was the budget. Ms. Leonard stated you are talking a million dollars and you are talking about buying trailers to haul backhoes and salt trucks and three women don't deserve a better raise than fifty cents when they have not gotten a raise, Mr. Weaver, for four years. Mr. Weaver stated I understand that. Ms. Leonard stated it is discriminatory. Mr. Weaver said no. Ms. Leonard stated how do you condone it. Mrs. Wells stated we had a consensus. Mr. Miller stated that we did have a consensus and I don't feel that the variations were based on the sex of the employee who was receiving the raise and that did not come up. Ms. Leonard stated so you are saying that three women over don't do enough work to deserve a raise. Mr. Miller stated that wasn't what we were (sentence ended) Mrs. Wells stated nobody said that. Mr. Weaver stated that was not what they said and if we said they didn't deserve a raise why did we give them one. Mr. Miller stated that it is really hard for us to come to an agreement on something and we did come to an agreement on this. Mr. Miller stated that they had varying opinions on who should get what and how much should be imparted and what normally is a divide did not occur and he thinks that it is safe to say that everyone made concessions in that negotiation and we came out in the end with what was a benefit for all the employees. Mr. Miller stated that no one was left out. Mr. Weaver stated that they should just appreciate it. Mr. Miller stated that he understood that not everybody got as much of a raise as the next person. Ms. Leonard asked if they planned on relooking their raises latter on down the road. Mr. Miller stated that they would gladly reevaluate it as they reevaluate the budget every year. Ms Leonard stated In speaking about respect, I think everybody deserves respect in here, there should not be any name calling and we try

to sit and listen but at the same time there shouldn't be any sitting there and you talking while I'm talking and telling me that it is ridiculous what I am standing here saying. Ron Odom addressed Alderwoman Wells saying that he was the one that told Wanda's sister and it was a misunderstanding and that's the only one. Mr. Odom stated that he got a hundred and twenty signatures and only that one was the one she said, it wasn't a bunch of people talking at all. Mr. Odom stated that they got legitimate signatures on those things and nobody else questioned it. Mr. Odom stated that the one probably came from Wanda's sister that told her that and legally he wanted to go back and get her name off of it but he didn't. Mrs. Wells stated that that was not the only one she had. Mr. Odom stated that that was the only one that appeared on those two hundred and ten and he would guarantee it. Mrs. Wells asked was you the only one that got names on them, no you wasn't. Mr. Odom stated that that was the only one that she got information from and don't tell me that it was otherwise. Mrs. Wells stated it was otherwise but that's okay because this is citizen comments. Mr. Odom stated that he was going to tell them some of the comments from the people that he had to stop and talk with for a long time. Mr. Odom stated that they were so disappointed in this government that we have here that it is pathetic that we can't hire a person that knows the law that we need for a suit. Mr. Odom stated that we are having a suit come up; who are they going to get for an attorney. Mr. Odom stated that sometimes he did not want to pay his taxes because he doesn't get anything. Mr. Odom stated that he lives in a place where Johnson City's water starts here and Bluff City's stops here, and he does not have water except coming across the park, so he pays taxes for absolutely nothing and it disappoints him. Mr. Odom stated that he wanted to be represented by a lawyer that has (sentenced ended) Mr. Odom stated that when Paul Frye was in office and Bob Thomas was in office we had a good government in this city. Mr. Odom stated that this man (Paul Frye) and Bob Thomas were responsible for a lot of funds that they got out of Nashville. Mr. Odom stated that one thing that people are disappointed with this, two to two vote, and told him on several occasions that they wished Johnson City or Bristol would come in and take Bluff City. Mr. Odom stated that he had been to the meetings and the workshops and he was disappointed and wanted to know why we could not hire a man like this that knows the law that we need and certainly you all four and you too (referring to Don Weaver) need a lawyer in place down here. Mr. Odom asked what are you waiting on, what more do you have to do. Are you going to get the Charter revoked and I think that we are going to see that and it is going to be soon. Mr. Odom stated that he spoke his heart tonight because he feels that we are doing an injustice to this man who worked hard for fourteen years and he does not understand what they have against him and he is going to work for the same thing that they were going to pay somebody else. Mr. Odom stated that the guy they hired as a lawyer, he read a letter he had written and he misspelled two or three words and had sentences that you could hardly understand and it was pitiful. Mr. Odom stated that he was saying this because they did not know the peoples

feelings out there. Mr. Odom stated I enjoyed getting out and getting signatures because I wanted this man back in because he has experience and that is what I want in a government.

Richard Rowe 119 Hillcrest stated that he wanted everybody to understand that this has nothing to do with the paper. Mr. Rowe stated that his daughter just bought a house in town and they own a business in town and the town is how they make their living. Mr. Rowe stated that he was at the budget meeting and knows that they did the best they could under the circumstances. Mr. Rowe stated Sandy you've been here what twenty some years. Sandy Harkleroad stated no sir seventeen. Mr. Rowe stated you hire an man two weeks ago and are going to give him a dollar and seven cent raise and you've got somebody that been here seventeen years that you are going to give fifty seven cents. Mr. Rowe stated we've got a million dollars here, and I don't understand the thinking of it. Mr. Rowe stated that he understands the thinking of it because it's the only thing that they can do to get this thing passed. Mr. Rowe stated that you have to give and take to get it passed. Mr. Rowe stated I was at the meeting and some of you said 3% across the board, that would have been more fair than saying I don't care about seventeen years, I don't care about this we've got somebody we have had for two weeks that we are going to give a dollar and seven cents for. Mr. Rowe stated that ain't fair. Mr. Rowe stated that he did not see how they analyzed that to be fair in any way and if he did that he would not have any employees. Alderman Weaver stated its different jobs. Alderwoman Wells stated yeah. Mr. Weaver stated it would be different if it was an office person and you did that. Alderwoman Wells stated it would. Mr. Weaver stated I see your point and also you are talking about the three percent raise and if I'm not mistaken, I would have to figure it up. Mr. Rowe stated you came up with that. Mr. Weaver stated that they probably got more than they would have with the three percent. Mr. Miller stated it definitely would have been more than the three percent. Mr. Miller stated he agreed with that statement at fifty seven cents although not equitable to what everyone else was getting is well and above what 3% across the board would have been. Mr. Rowe stated that he understood but it's the message that you guys send to the employees and it's the message you guys send to the community sometimes, we don't care what the community thinks we care what we think. Mr. Weaver stated we were trying to do ( unclear) Mr. Rowe stated that he was there and they were trying to do the best that they could and they were lucky they got fifty seven cents. Mr. Weaver stated it seems like we can't win for loosing you get in trouble if you don't give them a raise and you get in trouble if you do give them a raise. Mr. Rowe stated I understand but sometimes you have to look at the message you send, sometimes its saying okay the guy you hired for two weeks you gave him a dollar and seven cents an hour. City Manager Weaver stated wait a minute and let me tell you this, he was brought in at a lot less than the guy that

left here but he is not after you give him another one dollar four and everybody is going to be making more than he is with the exception of the part timers. Mr. Rowe stated I don't care if he is making a hundred dollars an hour it don't make no difference. Alderman Weaver said so you're saying we should give the same amount all across the board regardless. Mr. Rowe stated I'm saying that the police officers need the two dollars and seven cents an hour because they are leaving and they need to be equaled up to the same amount as Johnson City and Carter County. Mr. Weaver stated we didn't even do that. Mr. Rowe stated I know you didn't. Mr. Weaver stated but we did what we thought was fair and would give us some kind of hope that we could keep them instead of training them and (unclear) Mr. Rowe stated that what he is saying is that they need to explain to the people that were not at the meeting why you did what you did. Mr. Rowe stated the only reason that you gave them fifty seven cents was because that was all that you could give them if you gave them any more it wouldn't never have passed. Mr. Miller stated Mr. Weaver and I probably would agree with that statement but like you said you were present and everybody was working hard to try to do the best they could for the city. Mr. Rowe stated you did the best that you could do. Mr. Miller stated there were concessions on both ends so let's not play down the fact that Mrs. Wells for instance did not want to go that high but she did, and I accredit that to her as she did move to agree to those. Mr. Miller stated that he can see what he is saying that they need to break it down for them and explain that this is what happened at the budget workshop and this is where we are at. Mr. Rowe stated right. Mr. Miller stated I don't think I can do that without demonizing somebody in the conversation or someone taking it that way and that is not what I want to impart as what happened at the budget workshop. Mr. Miller stated that what happened was you had varying personalities with different fiscal beliefs who came together and had 100% agreement on what we were going to do to bring the city forward and bring our employees salaries up a little bit and it was not equitable across the board, not everyone got the same. Mr. Miller stated that he understands that but it was better than nothing which is where they were last year. Mr. Rowe stated Don (Weaver) said we can give it to them and if we run out of money we can take it back. City Manager Weaver stated if you giveth you can take away if the city is in trouble. Mr. Rowe stated we have got the money why not give it to them. Mr. Miller stated that its how to run a business 10, you can increase the salary, you can decrease the salary. Mr. Rowe stated I think you guys are getting beat up because nobody don't know. Mr. Miller stated I would encourage citizens civic minded as yourself to come to those workshops and see how this process takes place. Mr. Rowe stated nobody knows how they gave and took. Alderman Weaver stated we cut everything. Mr. Miller stated despite the appearance of that raise I am comfortable with the process we used to arrive at it. Mr. Rowe stated I think it's unfair personally. Mr. Miller stated I understand that

concern. Mr. Weaver stated I respect that. Mr. Rowe stated I think you are opening yourself up for a lawsuit personally. Mr. Miller stated I hope not but, it is certainly not our intention to open ourselves up for a lawsuit. Mrs. Wells stated we get those threats all the time, ever since I have been on the board it always if somebody disagrees with something, oh I'm going to sue but when I first come on this board I wanted to do job studies because Bristol, Johnson City, and Kingsport, they do job studies and they do them every seven or ten years. Mrs. Wells stated not everyone gets a raise because some people are way up here and some people are way down here, so everybody don't get a raise or adjustment. Mrs. Wells stated that then they were on the merit system and you get a raise on the merits of your performance and everybody don't get a raise there either. Mr. Miller stated that the municipalities that they were talking about had hundreds of employees and dozens of supervisors and there is very little employee to board member to manager interaction so it is not the same climate that we have in Bluff City where everything is so highly politically divisible. Mr. Rowe stated that what he was saying that the board works harder than people think they do but they do stuff to put yourself out there to get beat up. Mr. Miller stated that sometimes you have to put yourself out there to do what is right and sometimes to do what is minimalist right, to do the biggest amount of right that you can make happen. Mr. Rowe stated that is what you did on this raise. Mr. Rowe stated wouldn't it be simpler to say give everybody the same raise. Mr. Miller stated that that was where they were at one point. Mr. Rowe stated you was, I was there. Mr. Miller stated that they debated that for a long time before we came to the agreement that they did. Mr. Rowe stated got the same money but the Police Department and the Police Department needs it and more. Alderman Weaver stated then are we going to get subject to the same thing. Mr. Weaver stated that other people there are stating that we are, and any way we go we are going to get questioned and he is satisfied with what he did and he feels good about it. Alderwoman Wells stated I am too. Mr. Rowe stated that they did the best job that they could do. Mr. Weaver, Mrs. Wells and Mr. Miller thanked Mr. Rowe. Mr. Miller stated that his comments made sense. Mr. Rowe stated that he wanted them to rethink the dollar and seventy cents an hour. Mrs. Wells asked where he got the dollar seventy. Mr. Miller stated fifty three times three. Mr. Rowe said yeah and to just think about it. Mr. Rowe stated that he was now speaking on behalf of the paper. Mr. Rowe stated that they do not run a meeting right and they have rules to go by and you can't call somebody an idiot or stupid. Mr. Rowe stated that everybody up there had done it, not called names but lost their temper and pouted up. Mr. Rowe stated that we need a lawyer and if the Charter says we have to have a lawyer in the Bluff City city limits, let's hire one. Mr. Rowe said how many lawyers do we have in the Bluff City city limits. Mr. Miller stated there's only one that he is aware of and only one that applied. Mr. Rowe stated that we are getting sued and he thinks we are going to lose. Mr. Rowe stated let's move forward and get it behind us. Mr. Rowe stated that he felt that they were working one hundred percent better that they were last month. Mr. Miller stated we are and he thinks that

that is mostly obvious, and there were still things they disagree on but they are coming to the table on things. Mr. Weaver stated that they were always going to disagree on stuff, even when they get by this. Sandy Harkleroad addressed Alderman Miller saying to make it correct on Mr. Leonard's petition he has to turn the original petition in to her so she can keep it as a matter of record to make it legal and she would make copies for him but she had to have Mr. Leonard present it to them so we could have it on tape that he actually turned it in and we can have a record of it.

Lillian Cutten addressed Mrs. Wells saying you made the remark that some of the people that sign that petition was old and they did not know what they were signing. Mrs. Cutten stated I'M seventy seven years old (Sentence interrupted) Mrs. Wells stated I said that some people might not be able to read. (Mrs. Cutten) and I signed that paper and I knew what I was signing. Mrs. Wells stated that's good. Mrs. Cutten stated I might not be a lawyer, I might not be as smart as you but I'm not ignorant (sentence interrupted) Mrs. Wells stated I don't ever consider myself any smarter than anybody else. (Mrs. Cutten) but I knew every word I saw on that so all old people can read and if they can't read all they have to do is say tell me what I am signing and anybody that had that paper explained it very very well. Mrs. Cutten stated as far as the board, this is the worst board, I've lived in Orlando and Windermere Florida where we had meetings, I have never seen a meeting that is this disorganized in my life and I am seventy seven. Mrs. Cutten stated you will never get this board to agree to anything because you have made up your mind that it is going to be (unclear) Mrs. Cutten stated what I would like to know is if someone got hurt on Bluff City property do we have an attorney that is going to represent Bluff City if we are sued. Mrs. Cutten asked who do we have to represent the City; we will have to get somebody that we don't know to represent us. Mrs. Cutten stated this man knows, you might not like him, I might not like him either, but he is a good attorney and he has good references. Mrs. Cutten stated that people that signed that petition, I would say that 98% of the people knew exactly what they were signing. Mrs. Wells addressed Mr. Miller saying I would like to say I did not say old people couldn't read, I said that there may be some people out there (sentence ended) Mr. Miller stated that he was sure that the minutes will reflect and he understood what she said. Mrs. Wells stated that she wanted to make it clear. Alderman Weaver stated I think that a comment that was made was not absolutely true as far as we can never get, come to, I think we've been doing a lot better. Member of audience stated last week was great you did very well. Mr. Miller stated the budget workshop you are talking about. Mr. Weaver stated I think we have stepped in great strides in the past little bit so the comment of we'll never get along, I don't agree with that. Member of audience stated you sit on this side and you'll find out.

Betty O'Dell, resident of Carter Street, stated I think we need to get Mr. Frye back, I think the majority of the people (sentence ended) Irene please look at me. Mrs. Wells stated I don't have to look at you to listen to you Betty, I can hear. Mrs. O'Dell stated you're not listening. Mrs. O'Dell stated every time somebody over this way gets up to talk you are over here, you

never listen to us you never look at us. Mrs. O'Dell stated that she read the petition it was brought to my house and I could read it and I am seventy one years old. Mrs. O'Dell stated that if anyone had needed her to, she could have gone and read it to them, but I don't know of anyone that did not know what they were signing. Mrs. O'Dell stated that with the majority of the people wanting Mr. Frye back I can't understand your reasoning. Mrs. O'Dell stated I know that you made the statement one time that you would have voted for him but because you had made. Alderman Weaver said no, I did not. Mrs. O'Dell said I heard you. Mrs. O'Dell stated that because he had recommended, and had brought his other lawyer with him. Mrs. O'Dell stated that with what all that has gone on this board tonight, the words that's said, the language that you said was used here in the audience, I was sitting back here and I never heard that word used anywhere. Mrs. O'Dell stated Mr. Nelson was sitting right here, did you ever hear that word spoken in the audience. Chief Nelson stated I heard the commotion, that's all I heard. Mrs. O'Dell stated you brought it out, you said it more than once and we have some young people sitting (sentence interrupted) Mr. Weaver stated I agree but I don't think I said it (sentence interrupted) Mrs. O'Dell stated wait 'til I get through. Mrs. O'Dell stated we have some young people that were sitting out here; some have already gone, from East High School. Mrs. O'Dell stated they were here for a report now what do you think a report they are going to give, I have already talked to them out on (sentence interrupted) Mr. Weaver stated I did say that if you will remember I am the one that brought that up about kids in the audience. Mrs. O'Dell stated you just said that there were kids in the audience. Mr. Weaver stated I don't know what, I mean (sentence ended) Alderman Miller stated there was a lot of things that were said that shouldn't have been and we are all hopefully can (sentence interrupted) Mrs. Wells stated I just want to make sure you get it right in the minutes about what I said about somebody not being able to read because I tell you what they have just said I meant, I can't take this. Mr. Miller stated we will scrutinize those minutes.

Sabrina Arnold stated I would like to change the subject if I may. Mrs. Arnold stated first of all I am the teacher and I did have students here because in addition to being a drama teacher I also teach forensics, which is not forensics science it is policy debate, Lincoln Douglas debate and Public Forum debate. Mrs. Arnold stated I would like to instill in my students to be civic minded and being the daughter of a deceased veteran and a female I feel very privileged to have the right to vote and I vote in every election. Mrs. Arnold stated my students were here and they are training to be in your seats in the future to be orators to represent the people and that is what those students were doing here. Mr. Weaver stated and I apologize. Mrs. Arnold stated I understand that. Mr. Weaver stated I think that I was trying to get across that there was children here. Mrs. Arnold stated I agree. Mr. Weaver stated I was not demonstrating something I was trying to take up for them not against them. Mrs. Arnold stated as I have stated before your job is not an easy one and you give your time and your salary is worse than mine and I am a public educator. Mrs. Arnold stated that she would like to change the topic. Mrs. Arnold stated

that there was some nasty graffiti that is a racial slur and it is being viewed by our East students coming down Silver Grove Road coming into Bluff City. Mrs. Arnold stated that it was on the railroad tressell columns and it is on this side of the river so she did not think it was in the city limits but she did not think that it would be the county that would take care of it. Mrs. Arnold asked City Manager Weaver to look into it. Mr. Weaver asked where it was located. Mrs. Arnold stated near Pratt' Store, it's a railroad column.

Judy King stated that she would like to make a recommendation to Officer Jones. Mrs. King stated the other Monday I was awakened at 3:45 in the morning with the cops beating the door down. Mrs. King stated that her mother is very sick and all she could think of was her mother had died and her brother and sister were sending the police to her house. Mrs. King stated when I opened the door the cop said are you Judy and I said yes I am, is my mother okay, and he said I'm sure your mother is, but we have another problem somebody has thrown white paint all over your car. Mrs. King stated he said go ahead and come on out the dew has fallen and it looks like the paint is not dried that it is still wet and maybe if we work together we can get it off. Mrs. King stated she would go inside to get her grandchildren and maybe they could help her, but while she was in the house he had already pulled her water hose from her yard and was washing the paint off and every bit of the paint came off. Mrs. King stated he was very kind to me and helped me calm down and do a whole lot of things and I can't thank him enough. Mrs. King stated that it was brought to her attention by a neighbor that some kids had been soliciting kids in the neighborhood to join a gang called the Bluff City Crypts and she had talked to Melvin (Carrier) about it because he called her when he heard that her car had been vandalized. Mrs. King stated once something like that happens to you, you don't know when they are going to come back or what they are going to do. Mrs. King stated I just wanted him to get a commendation because somebody else would not have done what he did for her. Chief Nelson stated that he would make sure he gets the message.

Judy Dulaney stated Sandy just handed me this on the budget and on line item 920 on page 3 where it says building and sign, she said that you all wanted the thirty seven hundred took away from that. Ms. Dulaney stated you wanted five thousand for a sign and I already had thirty seven hundred for building and grounds here at City Hall, so you actually need to leave that in there in case something tears up here. Mrs. Wells stated I wouldn't want to see us spend five thousand on a sign. Ms. Dulaney stated that was the amount I was given to put in the budget. Mr. Miller stated that's our mistake. Ms. Dulaney stated I just didn't see any reason to take it out and have to put it right back in. Mr. Miller stated that's our mistake and unfortunately you will probably just have to put it back in at a later date. Ms. Dulaney stated she would to speak and not be interrupted since it is citizen comments. Ms. Dulaney stated I am like Chief Nelson when he lobbies for his police officers I am going to lobby for my clerks. Ms. Dulaney stated Mrs. Wells is correct, other cities do job studies but they don't categorize everybody into the same thing they do it by separate departments, they base it on your knowledge, how much education you have to have, your work load and different areas. Ms; Dulaney stated I don't care where you work, if you have been somewhere seventeen years, fourteen years, twenty five years, you are going to make a little bit more and the more responsibility and the more education and requirements on an annual basis that you have to meet with your



CEU's (continuing education units) and all that, you're going to make more money. Ms. Dulaney stated I'm sorry and accountant is going to make more than a public works person, they just don't lump all these together when they do these job studies. Ms. Dulaney stated that the office staff collectively has over fifty years experience and without this office staff you tell me what department could still run. Ms. Dulaney stated we keep it running smoothly and just like I put in my letter, we keep these departments running whether you want to believe it or give us credit or not but without this office staff it would shut down. Ms. Dulaney stated it takes everybody, a unit, that is what I am trying to say but you can't take away from what we do there in the office it is unfair. Ms. Dulaney stated every year more and more state mandates are put on how we have to run this office that nobody ever knows about, the board never knows about. Ms. Dulaney stated Mr. Weaver can tell you and he has made the comment to me, that as an Alderman he had no idea what all went on in that office until he became the City Manager and then he realized how much of a work load we have. Ms. Dulaney stated I am going to take up for my employees because they work hard and they deserve just as much of a raise as public works do. Ms. Dulaney stated I have a problem with somebody being here two weeks making a dollar seven and I've got two clerks, one seventeen and one ten years that's getting fifty seven cents and hadn't had a raise in four years. Ms. Dulaney stated do your job studies but do it fair and put your people in the categories where they belong. Ms. Dulaney stated you can't have a water person and a finance officer here and say this person should make as much as a finance officer, that is not how you do job studies. Ms. Dulaney stated I don't have a problem, actually it was my idea to give the police officers the two dollars and seven cents, Chief Nelson might have presented it but Mr. Weaver will tell you that I said to start it at twelve dollars, I just didn't present it. Ms. Dulaney stated that it is unfair the way these police officers have to do. Ms. Dulaney stated no employee that has been here any length of time has had a raise in four years and you are going to give people that's been here less than a year more that you are going to give seasoned experienced employees and I just don't think that you are thinking it through when you are doing this and the bottom line, even if you give that, and that's why I put it in your budget so you would see what your bottom line figure is going to be. Ms. Dulaney stated even if you would give the extra money you are going to have probably a million and a half dollars or so left after this budget. Ms. Dulaney stated as far as the cameras and things where do you think the workload has been, it's not been on the police department, it's been on the office staff and it is overwhelming. Ms. Dulaney stated I have asked for a part time person to assist with that and use one of us so we did not have to have a full time, but it actually takes a full time person. Ms. Dulaney stated I was going to try to even out the load so you wouldn't have to hire a full time person with benefits, but nobody has taken that into consideration and nobody has taken into consideration all the extra work that the state has mandated as far as everything being computerized, and all the things they have had to learn. Ms. Dulaney stated I do agree with Alderwoman Wells do a job study but do a job study that's fair. Mrs. Wells stated I have something I'd like to say. Chief Nelson asked if he could say something. Mr. Nelson

stated not taking away from Judy, not taking away from nothing but there was one statement saying that my department never does, that you all do more. Ms. Dulaney stated I said the blunt we do do more. Mr. Nelson stated we get more phone calls. Ms. Dulaney said no, I'm not going to argue with you. Mr. Nelson stated I don't want you to think that my department sits over here and is not involved in this. Ms. Dulaney stated they take some calls and they run the things but 95% of the cameras we have to take care of. Mr. Nelson stated you take the payments and set court dates. Ms. Dulaney stated it's far beyond that. Mr. Nelson stated my officers watch them, they approve them and I get complaints every day. Ms. Dulaney stated we get complaints every day and I get dirty e-mails every day and I am just saying (sentence interrupted) Mr. Nelson stated I just saying (unclear) do nothing. Ms. Dulaney stated David I just took up for you and tried to get your department as big a raise as I could I am just saying it's not being far what is being shoved off on my department and them not getting any benefit from it. Mr. Miller stated that the speed cameras have caused a lot of extra work for everybody. Ms. Dulaney stated that is what I am saying, my girls deserve as big a raise as anybody else does they have a heavy work load and we stay behind because of it. Alderman Weaver stated number one I respect you for taking up for your girls, that's a good supervisor. Second you talking about that is wasn't taken into consideration about the part time, it was very much so talked about in the budget meeting something we had looked at and discussed taking action on, so that was not true, we did, we didn't just throw it under the table, that was discussed a great deal. Mr. Weaver stated thirdly nobody, it wasn't picking, we looked at the whole situation, what everybody does, and it had nothing to do with discriminating or anything. Mrs. Wells stated I don't think I'm smarter than anyone here, I did work at Unisys and I did work in the employment office, did the hiring , did evaluations and everything and I do know about job studies, thank you. Audience member asked how much do they cost, have you checked on that, they are usually very expensive. Mrs. Wells stated no it was just a suggestion and like I said we didn't agree on it so you know.

Lon Gene Leonard stated, on a lighter note, last Monday morning we had a situation at my place, some big huge stray dog had come from somewhere and was chasing a lady that I assume is about eighty years old walking her grandkids to the bus stop up at my house. Mr. Leonard stated I proceeded to get the dog off of her and walk her back to the house and called the Bluff City Police Department in the meantime. Mr. Leonard stated well he had me at bay and wouldn't let me back home. Mr. Leonard stated that by the time he got back home Mr. Mark Roberts came down the street and Mr. Roberts got chased back into his cruiser three or four times by this dog while waiting on animal control to get there. Mr. Leonard stated he stayed there probably an hour and a half, the dog would leave he would follow it, the dog would come back down near Mr. Carrier's house and he would come back and watch the dog. Mr. Leonard stated he did a wonderful job, was very attentive and wished that he was here tonight so I could thank him personally. Mr. Leonard asked Chief Nelson to convey that to him, he was there and very

attentive and did a wonderful job. Alderman Miller stated to Mr. Leonard would you now for the record turn over the actual petition. Mr. Leonard stated do you want my original is that what you're asking. Mr. Miller stated so we can make it public record, is that not the intention. Mr. Leonard stated I certainly want a copy of it. Mr. Miller stated you can have my copy and I can get another one. Mr. Leonard stated if you want to take this to scrutinize it against what I handed you, you are more than welcome to look at it. Alderman Weaver stated it wasn't us who wanted it. Mr. Miller stated if you want to submit it as part of the record then you can do that to Sandy now but if you don't want to submit that as part of the record you don't have to nobody is going to make you do that. Mr. Miller stated Sandy had mentioned that that was maybe your intention was to turn that in. Mr. Leonard stated then I would need to give her the original. Mr. Miller stated yes. Mr. Leonard stated I will do that, I will keep a copy. Mr. Miller stated you have to do that during the meeting. Mr. Leonard stated I will do it now. (SEE ATTACHMENT II) Mr. Leonard stated, to your statement a while ago Mrs. Wells, I got a few pages of these signatures, and so did many other people. Mr. Leonard stated I don't recall anyone ever asking me about anything on the board other than the questions I had posed to you tonight in my statement, that's all that was asked about anybody. Mr. Leonard stated as far as that goes if you will think back to the Bristol Herald Courier if you read any newspaper or watch any news at all, this newspaper that this gentleman has, I think that everybody knows that the board is a two to two split, I don't think anyone three years old or ninety years old has to be told that we have a split on this board. Alderman Weaver stated I don't think it is on everything. Mr. Leonard stated well I've not seen much that there is not a split on.

Connie Leonard 314 Main Street stated I think that maybe the next petition we need to get up is to relinquish our Charter and call for Sullivan County to take over or Bristol or Johnson City where we can get something for our tax dollars and get rid of this board that can't agree. Ms. Leonard stated it's discriminatory, harassment, nepotism that's all it's been, that's all it's ever going to be. Ms. Leonard stated you are discriminating I don't care what you say. Ms. Leonard stated you work at the V A, if they didn't give the women down there a raise what would go on; you don't have to answer that. Alderman Weaver stated they got a raise. Ms. Leonard stated they got a raise but the men got more. Mr. Weaver stated so we are discriminating against all of them since we gave the Police Department more is what you are saying. Ms. Leonard stated you (sentence interrupted) Mr. Weaver stated you said no you're okay to do it to the Police Department, but yet we're discriminating now, no I disagree, I'm sorry. Ms. Leonard stated a little bit better raise than fifty cents for the (sentence interrupted) Mr. Weaver stated but that's not what you said. Ms. Leonard finished by saying years of experience. Alderman Miller stated but we understand your position. Ms. Leonard stated that's the disrespect that comes from the board as well that when we try to make a point. Ms. Leonard stated the Police Officers deserve a raise, all the employees deserve a raise but you are being biased in what you are doing. Mr. Weaver stated it comes down at what we say depends on whether you agree or

not. Ms. Leonard stated it comes down to what you say is what's going to be no matter what. Mr. Weaver stated no.

Brenda Leonard stated that a few weeks ago they had two pit bulls loose that came from Timberridge and asked is it her understanding that we don't have animal control in Bluff City. Alderman Miller stated we don't. Mrs. Leonard asked so who do we call. Mr. Miller stated Sullivan County which we are now a partnership in. Mrs. Leonard stated if it was to happen today who would we call, the police station. Mr. Miller stated call Sullivan County to his understanding. City Manager Weaver stated no we call the Police Department. Mrs. Leonard asked do we dial 538-3700. Mrs. Leonard stated when we start at 2:30 and it is busy off and on until about 6:30 what do we do then. City Manager Weaver stated dial 911. Mrs. Leonard stated that she did but that made her feel bad as that was an emergency to her but maybe not to others. Mrs. Leonard asked if there was an alternate number that they could call. Alderman Miller stated I would always call 911 when I need a police officer. Mrs. Leonard stated on another note I would like (sentence interrupted) Alderwoman Wells stated do you know who the dogs belong to. Mrs. Leonard stated yes they came from Timberridge apparently from what they heard someone intentionally brought them to Bluff City. Mrs. Leonard stated that they got them and everything was under control but that had been three dogs in less than two weeks. Mrs. Leonard stated I would like to thank Mr. Frye personally. Mrs. Leonard addressed Irene Wells saying when he got up to make his, if it was legal or just a comment or suggestion about the lawsuit, how you could stand and look him in the face and stab him in the back at the same time. Mrs. Wells stated I'm not stabbing him in the back. Mrs. Leonard stated did you want him back on the board, yet you put him off and stood there and asked him all those questions. Mrs. Leonard stated I don't see how you could do that, have the gall to do it. Mrs. Wells stated Mr. Frye, did you not stand up and volunteer to answer those questions cause I asked you that because I didn't know, but I didn't have to ask you. Mrs. Leonard stated yes and you kept asking him questions and if you needed another lawyer, you didn't think he was a capable lawyer, you should have gotten one of your own.

City Manager Weaver stated this has nothing to do with J. Paul, we need an attorney, is there any way that this board could hire one part time for one month or two months until this board can decide who they want to hire regular. Mr. Weaver stated pay a rate of whatever the charges, we need one bad. Alderman Miller stated we have a resolution that dictates our hiring practice in regard to that service as well, an so as you said earlier we have laws and we need to follow them. Mr. Miller stated we haven't moved to suspend that resolution and until we do the operation of the city is bound by it. Mr. Miller stated that's where it stands with me it either is a law or it isn't, unless the legislative power of the board moves to suspend that resolution so that we can look outside Bluff City. Mr. Weaver stated you are saying full time hiring, that's what you are referring to, right.

Mr. Miller stated legal services is what I am referring to and the resolution states that services provided inside Bluff City being equal in price and etc. we will look to Bluff City first. Mr. Weaver stated there's not a day that passes that we don't need legal advice. Mr. Miller stated I absolutely agree with you there.

Lon Gene Leonard stated in 2005 I was still on the board and Mr. (Don) Weaver was on the board. Mr. Leonard stated we had a merchant inside the corporate limits of Bluff City approach me and Mr. Weaver during the week, and we had a meeting on that same Thursday. Mr. Leonard stated Mr. Weaver brought that up in the board meeting, thought it was a great idea and I may have seconded that motion but I definitely voted for it. Mr.

Leonard stated Mr. Don Weaver made the motion to put this resolution into effect and I think I seconded it I can't remember, but I voted for it. Mr. Leonard stated if we are going to through out certain aspects or our ordinances and resolutions just to satisfy ourselves, people that is not right. Mr. Leonard stated we have a qualified person here that absolutely did nothing but great service for this city for more than fourteen years. Mr. Leonard stated I set on that board for all those years and in fact the first year I went in office we hired Mr. Frye, I was on that board. Mr. Leonard stated I think it is a shame that we have to set here with our personal feelings, our agendas and campaign on getting rid of the Mayor, the Attorney, the City Recorder and follow through on those things. Mr. Leonard stated here sets a perfectly qualified person, a fine upstanding man that owns property and practices law in Bluff City's city limits. Mr. Leonard stated I find it hard to believe that four grown and educated people can't put aside differences for just one minute, not taking into consideration what I handed you tonight, leave that out completely and just for the simple fact we needed a change, that's one of my friends or whatever we should set that aside and discuss this some more between yourself. (tape changed) choose to just ignore that and go home. Mr. Leonard stated it's wrong to do that. Mr. Leonard stated Planning and Zoning has begged you to take action on this and the citizens have spoke on this on numerous occasions and four or five of us got out and got all these signatures thinking maybe at least a concerned citizen or registered voter would sway your decision, apparently not. Mr. Leonard stated I appeal to you; let's do something positive, we've been in a negative way too long. Mr. Leonard stated our city is dying. City Manager Weaver stated would you agree to one thing Mr. Leonard, as long as you have been here has every board had problems. Mr. Leonard stated every board, I moved here in 1961. Mr. Weaver stated I've seen them on the street about to fight. Mr. Leonard stated I've seen them about to fight at City Hall. Mr. Weaver stated it's no different right now. Mr. Leonard stated I've seen the Mayor hit an Alderman. Alderman Miller stated we've never even thrown anything at each other. (Laughter) Mr. Leonard stated I've seen so many

people show up to a meeting that they had to move it to the elementary school auditorium.

Sandy Harkleroad stated as Mr. Weaver was asking if there was a possibility of getting an interim attorney or on an as needed basis, we have postponed the camera citation ticket, as Chief Nelson will attest to, to a September 13<sup>th</sup> court date. Mrs. Harkleroad stated there has been hundreds of tickets issued and I have personally rescheduled approximately 35 to be heard that day and 4 or 5 of them have motions from attorneys that I have no one to give those motions to and the judge has already said that we have to have an attorney to give these motions to, to represent the city. Chief Nelson stated my officers cannot prosecute a case on that. Mr. Weaver stated what you are saying is they can't on an appeal. Mr. Weaver stated then the only choice they will have is to through it out or lose it.

Lillian Cutten asked where is she more qualified to be an attorney than Mr. Frye, what are her qualifications. City Manager Weaver stated I don't have anybody in mind, I'm not saying anything about J. Paul, I'm saying we need an attorney and I don't have anybody in mind who to hire, I could care less, but we need legal advice. Mrs. Cutten stated this man knows the city backwards and forwards. Mr. Weaver stated don't argue with me, I don't vote. Mrs. Cutten stated I did and I think it's terrible what they have done to the city. Mr. Weaver stated if I voted I believe I could straighten it out, but I don't vote. Mrs. Cutten stated I think I could too.

Alderman Miller asked if there were any other comments, there was none.

With no other business Chairman Miller adjourned the meeting at 10:15 p.m.

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Alderwoman Wells

Attest:

This 12<sup>th</sup> day of August, 2010

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Sandy Harkleroad, City Clerk