

City of Clarksville - Ethics Commission Meeting
Agenda for April 7, 2021, 4:00 p.m.
Conference Room, City Hall
1 Public Square, Clarksville, TN 37040

Commission Members:

Anthony Alfred
Bridgett Childs
Suzanne Marsh
Mark Rassas
Pat Young

1. Call to Order – Chairperson Childs
2. Approval of the minutes of the March 16, 2021 meeting – Chairperson Childs
3. Approval of the minutes of the September 16, 2020 meeting – Chairperson Childs
4. Adoption of written decisions from March 16, 2021 meeting – Paige Lyle
5. Evaluation of Complaints – Saul Solomon
 - a. August 21, 2020 Complaint brought by Jeff Robinson against Lance Baker
 - b. August 28, 2020 Complaint brought by Jeff Robinson against Lance Baker
 - c. August 28, 2020 Complaint brought by Jeff Robinson against Joe Pitts, Jeff Burkhart, Stacey Streetman, Valerie Guzman, Timothy Chandler, Jeff Henley, and Lance Baker
 - d. September 8, 2020 Complaint brought by Jeff Robinson against Joe Pitts
6. Discussion of hearing procedures and scheduling – Paige Lyle / Chairperson Childs
7. Next Steps – Chairperson Childs
8. Other Business
9. Adjournment

ETHICS COMMISSION
MARCH 16, 2021
MINUTES

CALL TO ORDER

The Ethics Commission meeting was called to order by Chairperson Childs on March 16, 2021.

ATTENDANCE

Commission Members: Bishop Anthony Alfred, Ms. Bridgett Childs, Ms. Suzamme Marsh, Mr. Mark Rassas, Mr. Patrick Young

Also present: Paige Lyle and Saul Solomon

APPROVAL OF MINUTES

The Ethics Commission approved the minutes of the March 2, 2021 meeting.

PRESENTATION OF NEW COMPLAINTS

Ms. Lyle presented a new Ethics Complaint to the Commission. This Complaint was brought by Bruce Griffey against Richard Garrett on March 3, 2021. She advised the Commission that this Complaint makes the same allegations as a complaint already before the Commission (Complaint No. 6 brought by James Lewis against Richard Garrett)

EVALUATION OF COMPLAINTS

The Commission discussed 5 of the pending Ethics Complaints to determine whether they state a violation of the Ethics Code. The Commission then voted on whether each complaint should move forward to a hearing.

1. Evaluation of January 26, 2021 Complaint brought by Margaret Anne Thompson against Wallace Redd. After determining that this Complaint did not state a violation of the Ethics Code, the Commission voted 5-0 to dismiss the Complaint.
2. Evaluation of January 26, 2021 Complaint brought by Orlandes Stegall against Wallace Redd. After determining that this Complaint did not state a violation of the Ethics Code, the Commission voted 5-0 to dismiss the Complaint.
3. Evaluation of February 4, 2021 Complaint brought by James Lewis against Richard Garrett. After determining that this Complaint, if the allegations were true, could state a violation of the Ethics Code, the Commission voted 5-0 to move the Complaint forward to a hearing.
4. Evaluation of February 22, 2021 Complaint brought by Janice Crews against Vondell Richmond. After determining that this Complaint did not state a violation of the Ethics Code, the Commission voted 5-0 to dismiss the Complaint.
5. Evaluation of February 26, 2021 Complaint brought by Sara Anderson against Vondell Richmond. After determining that this Complaint did not state a violation of the Ethics Code, the Commission voted 5-0 to dismiss the Complaint.
6. The Commission decided to take up the newly filed Ethics Complaint brought by Bruce Griffey against Richard Garrett since it mirrored the allegations contained in a Complaint already reviewed by the Commission. After determining that this Complaint, if the

allegations were true, could state a violation of the Ethics Code, voted 5-0 to move the Complaint forward to a hearing.

NEXT STEPS

The Commission discussed postponing the scheduling of a hearing date for the Complaint against Richard Garrett pending the conclusion of an ongoing investigation.

Written decisions related to all the dismissed Complaints will be reviewed and adopted at the next meeting in accordance with the Ethics Code.

SCHEDULING OF SUBSEQUENT MEETING

Ms. Lyle informed the Commission that the most agreeable date for the parties involved in the remaining Ethics Complaints was April 7. The Commission agreed to hold its next meeting on Wednesday, April 7th. They will focus on Complaints 6 – 10 and will evaluate whether any warrant a hearing.

OTHER BUSINESS

Ms. Lyle informed Mr. Rassas that she and Mr. Solomon had reviewed Mr. Rassas' conflict of interest request and the related legal pleadings signed by him. She reported that they found no conflict of interest that would render him unable to serve on the Ethics Commission.

ADJOURNMENT

A motion was made to adjourn and was seconded. Meeting adjourned.



ETHICS COMMISSION SEPTEMBER 16, 2020

MINUTES

CALL TO ORDER

A meeting of the City of Clarksville Ethics Commission was called to order by Attorney Saul Solomon, Klein Solomon Mills, PLLC, on September 16, 2020, at 10:00 a.m. in the City Hall Conference Room, 1 Public Square, Clarksville, Tennessee.

Mr. Solomon had been hired as Acting City Attorney because City Attorney Lance Baker had recently been named in a complaint. Attorney Paige Lyle was also present.

ATTENDANCE

PRESENT: Elizabeth Carmichael, Bridgett Childs, Kay Drew, Calvin Lockett

ABSENT: Pat Young

Members introduced themselves individually

APPROVAL OF ELECTRONIC MEETING

“In order to comply with the technical aspects of the Governor’s Executive Order regarding holding open meetings in a forum other than in the open and in public, this commission determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak.”

Mrs. Drew made a motion to approve the electronic meeting. The motion was seconded by Ms. Childs. A voice vote was taken; the motion passed without objection.

ELECTION OF OFFICERS

Ms. Childs nominated Bishop Locket for Chairperson; Bishop Lockett declined. Ms. Carmichael nominated Mrs. Drew for Chairperson. The motion was seconded by Ms. Childs. A voice vote was taken; the motion passed without objection.

Ms. Childs nominated Bishop Lockett for Vice Chairperson. The motion was seconded by Ms. Carmichael. A voice vote was taken; the motion passed without objection.

Bishop Carmichael nominated Ms. Carmichael for Secretary. The motion was seconded by Ms. Childs. A voice vote was taken; the motion passed without objection.

BYLAWS

Mr. Solomon summarized the proposed bylaws which had been presented to the members in writing. He reminded the members that no discussion should take place between members regarding any ethics complaint outside of a public meeting of the Commission. Ms. Carmichael made a motion to adopt the bylaws as presented. The motion was seconded by Bishop Locket. A voice vote was taken; the motion passed without objection.

ETHICS CODE

Mr. Solomon briefly reviewed the City of Clarksville Code of Ethics and said the purpose of the Commission was to review complaints submitted by citizens relative to violations specifically outlined in the City Code against all full-time and part-time elected and appointed officials and employees and members of separate boards, commissions, committees appointed or created by the City.

Ms. Lyle said members would be asked to review existing complaints and determine, in a separate meeting, whether the complaints have merit. She said each party may be represented by counsel. Ms. Lyle noted a separate meeting would be scheduled for hearings and decisions made by the Commission must be in writing.

Mr. Solomon said the City Attorney, in this case the acting City Attorney, and the Director of Human Resources would determine if an individual named in a complaint is within the jurisdiction of the Ethics Commission's review. He said all other decisions would be made by the Commission. He said any individual named in a complaint is required to notify the City Clerk of their representation by counsel. He said commissioners would review the complaint and determine whether the facts of a complaint meet the qualification of a violation.

REVIEW OF COMPLAINTS

Mr. Solomon briefly reviewed complaints submitted by Jeff Robinson against City Attorney Lance Baker, Deputy City Attorney Jeff Goodson, members of the Finance Committee including Councilman Jeff Burkhart, Councilman Jeff Henley, Councilwoman Valerie Guzman, Councilwoman Stacey Streetman, and Councilman Tim Chandler, and Mayor Joe Pitts. He said the Commission should assume the facts stated in the complaints are true and determine if the facts merit a hearing, which would be much like a courtroom setting. In response to Bishop Lockett's questions, Mr. Solomon said the timing of the hearings would be determined by the Commission.

Ms. Lyle said in the absence of language in the Ethics Code, they may recommend a complainant be allowed to submit a five page one-side briefing document to the Commission prior to the determination of whether a hearing is warranted, and seven page one-side document in response may be allowed by the subject of the complaint.

Copies of the complaints were distributed to the members. Mr. Solomon reminded the Commission that their findings would be a recommendation to the City Council for any disciplinary action. Ms. Lyle said a hearing must begin within thirty days of the determination that a hearing is warranted. Members agreed to review the complaints and prepare for a meeting to discuss whether the complaints warrant a hearing.

ADJOURNMENT

The meeting was adjourned at 11:10 a.m.