

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Friday, February 26, 2016

3:00 PM

Council Chambers

Call for Special Meeting

Mayor James Mayberry
Mayor Pro-Tem Pamala Harris
Council Member Jesse Kerley
Council Member Pedro (Pete) Souza
Council Member Danny Wyatt
City Manager David Rutherford
City Clerk Sally Oglesby

The City Council for the City of Crossville met in special session on Friday, February 26, 2016, at Crossville City Hall.

Call to Order

Mayor James Mayberry was present and presiding. He called the meeting to order at 3:00 p.m.

Roll Call

- Present** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris, and Council Member Danny Wyatt
- Absent** 1 - Council Member Pete Souza

Others present were City Manager David Rutherford, City Attorney Will Ridley, City Clerk Sally Oglesby, John L. Patterson, Jr., Aretie G. Patterson, County Mayor Kenneth Carey, Jr., Randall Kidwell, Steve Frank, Denise Melton, Sheri Nichols, David S. Beaty, Jackie Baker, Elizabeth Denton, Jim Young, Andy Vaughn, Pauline Sherrer, Nancy Burris, Melanie Garrett, Sue Blaylock, Heather Mullinix, L.E. Smith, Eric Ritzman, John Turner, Steve Hill, Billy Martin, Mike Moser, Sandi Shoap, Carolyn Jozwiak, Gloria Sue Lewis, Jerry Lewis, Dolores A. Schwartz, Bob Schartz, Maria Dixon, Jimmy Dixon, Lee Lawson, Rebecca Stone, Vicki Upchurch, Ray Hansen, Teresa Payne, Betty Hendricks, Sharron Eckert, Jeanne Boettcher, McKinley Tabor, Shirley Hughes, David Brockway, Samantha Lorz, Art E. Gernt, Rolf Weeks, Asley DeRossett, Nancy Wilson, Brad Allamong, Joe Souza, Jerry Kerley, Rosemary Justice, Frances Carson, Lynn Carson, ann Crabtree, Rob Harrison, Glen McDonald, Ed Camera, Woody Geisler, Brenda Hinch, Charlie Dixon, K.C. Frantzen, S. R. Frantzen, Brenda Cox, Susie Murphy, Kyle Sherrill, Christy Dolinich, Leah Crockett, Jeff Johnson, James Crowley, Michael Ames, Rodney Hayes, Anna Hayes, Philip Burnett, Raferty Cleary, Khrista Wyatt, Ann Looney, Rhonda Jay, Dick Buxbaum, Margie Buxbaum, Tom Isham, Norman Clipper, Mary Lou Andrews, Rachel Wittle, Sherley Wyatt, Cameron Sexton, Doug Scarlett, Wayne Schoebel, Rene Oberer, John Coles, Nan Evans Beesley, Sam Ryan, R. J. Peterson, and Jerry Wood.

1. Discussion and action on preliminary resolution to suspend City Manager until permanent resolution to be acted on

Councilmember Souza left remarks for the Mayor to read. Councilmember Kerley commented that he did not believe it would be appropriate to read the remarks. Mayor Mayberry ruled that it was appropriate and read the remarks. Mayor Mayberry explained the rules of the Council for the meeting.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that David Rutherford shall be suspended from his position as City Manager under Article VIII, Section 2, of the Charter of the City of Crossville because he is not effective in his management of the City, the Council is not confident in his ability to do his job, he has failed to respond to requests of Council members, and he has refused to make his permanent home in the City and become a part of our community as he promised he

would. The motion failed by the following vote:

Aye: 1 - Council Member Danny Wyatt

Nay: 3 - Council Member Jesse Kerley, Mayor James Mayberry and Mayor Pro-tem Pamala Harris

Absent: 1 - Council Member Pete Souza

(The vote on this motion was taken following the public comments.)

Those in favor of the motion spoke on the last budget process and the tax increase that was recommended and not needed, the need of work sessions and the request for polling of the members, lost confidence, disrespectful to Council, his previous employments, poor interpersonal relationship issues with Council members, promotes his personal agenda, and leaves early on Fridays to go to his permanent home in McMinnville.

A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that Mayor Pro-Tem Harris be allowed to continue her comments past the three minute time limit. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

Those in opposition commented that there are issues, but that the Council hasn't given clear direction to him and to staff, he has been pushed by other Councilmembers to not respect other members, doing a good job running the operations of the City, employees are now proud to work for the City of Crossville, petitions have been received from employees standing up for Mr. Rutherford, and the vision and cooperation he has promoted and achieved with the County and Chamber,

Mayor Mayberry stated that there have been questions as to whether or not the special called meeting met the requirements of being necessary for the welfare of the City. He ruled that it did meet the criteria

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, to call for the question. The Mayor ruled the motion failed by the following vote.

Aye: 2 - Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Nay: 1 - Mayor James Mayberry

Absent: 1 - Council Member Pete Souza

Abstain: 1 - Council Member Jesse Kerley

Mayor Mayberry commented that he had a list of people that would like to speak on the issue. He planned to limit it to 11 people. Mayor Pro-Tem Harris suggested that it might not be necessary to continue with the item as it was apparent that the motion would not pass.

Members present indicated that they would support and try to work with Mr. Rutherford in the future.

Mayor Mayberry went down his list of those wishing to speak.

Speakers in favor of Mr. Rutherford were County Mayor Kenneth Carey, Denise Melton, Nancy Burns, Liz Denton, Shirley Hughes, Sheri Nichols, Rolf Weeks,

Frances Carson, and Pauline Sherrer.

There were no other speakers.

2. Discussion and action on appointment of Interim City Manager

This item was withdrawn from agenda

3. Discussion and action on discontinuing the monthly regular work sessions

This item was withdrawn from agenda

ADJOURNMENT

With no further business, the meeting was adjourned at 3:47.