

# MINUTES OF A SPECIAL MEETING OF THE BOARD OF COMMISSIONERS CITY OF OAK HILL, TENNESSEE

**January 29, 2009**

The Commissioners of the City of Oak Hill, Tennessee met at the Oak Hill City Hall. Those present were Mayor Tommy Alsup, **Vice-Mayor Austin McMullen, and Commissioner Ray Throckmorton**. Also present were **City Attorney Bob Notestine, Interim City Manager M. C. Sparks, and Administrative Assistant Patrick Steiner**. Mayor Alsup acted as chair, and **Ms. Sparks** served as secretary.

Mr. Alsup opened the meeting at 5:08 p.m. with the Pledge of Allegiance, and introductions.

Consideration And Vote To Hire A New City Manager For The City Of Oak Hill – Mr. McMullen Moved and Mr. Alsup Seconded the following:

Moved that “Mr. Kevin Helms be hired as City Manager, with pay to be \$92,000, upon his acceptance.”

An objection was lodged that the minimal threshold for notice was not met; Mr. Notestine answered that it is not a requirement to have notice mailed; the meeting was advertised in the Tennessean on January 20, 2009, and placed on the City’s website. The Nashville Record was the paper of record for notice to be used by the City of Oak Hill, and since the Tennessean has purchased the Nashville Record, the Tennessean by default is the City’s paper of record. Mr. Notestine also consulted with the Municipal Technical Advisory Service, which agreed that adequate notice had been given.

Mr. Throckmorton would like the record to reflect that he spoke with three other attorneys today and has received other advice on the meeting. He feels that moving forward is ill advised. Mr. Throckmorton invited Mr. Rick Sinclair who has applied for the position to attend the meeting; Mr. Throckmorton also said he has not interviewed all of the top three candidates. Mr. Throckmorton said he will not participate and will abstain from a vote to avoid personal liability.

Roy Luckett of Tyne Boulevard said that the hiring has been pre-determined, but admitted that the position is not elected, but hired and the vote must be done in public hiring.

Gary Lowe, 779 Blevins Dr., said that the judgment of the Commissioners should be honored, and he likes Kevin Helms as a candidate.

David Edwards, of Stonewall Drive, voiced support for Rick Sinclair, and spoke to his qualifications.

Mr. Alsup discussed the question of qualification – was prior city manger experience best, or significant experience with Metro Nashville.

Mary Wherry, 882 Robertson Academy Road, asked questions regarding the investigation of Dr. Kraus by the Mid Tennessee City Manager’s Association; Mr. Helms was president of the Association when it investigated Dr Kraus. The response was that the actual investigation was required by the by-laws of the Association, having been requested by at least five other members of the Association. Mr. Paul Boyer of Columbia was Chair of Ethics of investigation; the letters to Dr. Kraus came out under Mr. Helms signature as part of his office only.

Martha Douglas, 1010 Gateway Lane, supported Rick Sinclair.

Al Moss, 1006 Stonewall Drive, questioned if candidate were residents, and how was the salary reached. Of the three top candidates of the Commissioners, none live in Oak Hill. The salary was reached by looking at comparable cities, and examining what past Oak Hill managers’ were paid. Mr. Moss asked if any of the Commissioners had a personal relationship with the candidates – Mr. Alsup said he had not met Mr. Helms previously, but knew some others

including having met Mr. Sinclair. Mr. McMullen said he didn't know any of the candidates. He also indicated that one other resident besides Mr. Sinclair applied and was interviewed. Mr. Throckmorton reported he knew none of the candidates; he said he has met with Mr. Sinclair, but not Mr. Helms.

Jimmy Bradshaw, 875 Robertson Academy Road, asked if the city manager would be a full time job, and was told that Mr. Helms would have no outside employment, that the city manager position is full time.

Marie Anne Downs, 1144 Gateway Lane, said that the legality of the notice is not an issue, but the issue of exceptional interest in this topic is - she would have liked to have seen postcards go out.

Mr. Moss inquired about the name clearing hearing for Dr. Kraus, and was informed that that hearing is not set to allow Dr. Kraus to request his job back.

Marilynn Blankenship, 5528 Hillview Drive, supported Rick Sinclair as an honorable person with excellent experience.

Joe Hodgson, 1023 Grassland Lane, said he appreciates the work done by the volunteer commissioners, and also indicated he supports Rick Sinclair.

The prior Motion was voted upon, and Mr. Kevin Helms was hired as City Manager, with two votes yes, and Mr. Throckmorton abstaining from the vote.

Upon Motion duly made and Seconded, the meeting was adjourned at 5:48 pm.

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City Recorder

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Mayor