



**City of Riverdale Georgia
Mayor and Council Minutes of
Special Called Meeting Minutes for
Wednesday March 18, 2015
6:00 PM**

Mayor Evelyn Wynn Dixon called the meeting to order at 6pm and welcome everybody whose here and thank you for coming. Madame Clerk, may we have roll call, please?

Ms. Barthell: Council Member Stamps Jones.

CM Stamps Jones: Before we get started, doesn't she have to be sworn in as the clerk, or has it already been done?

CM Stamps Jones: Shouldn't it be stated for the record, attorney?

Attorney Barnes: It is fine to state it for the record, just for purposes later down the road, but it's not necessary for her to be sworn in. I could serve as the minute's person, anybody could, so it's okay if she's not sworn in.

CM Stamps Jones: Okay, just checking.

Attorney Barnes: Yes, ma'am. If you want to have the Mayor go ahead and put it on the record that Ms. Linda is serving.

CM Stamps Jones: I don't feel like it is necessary, but I just know in the past when she's done it.

Attorney Barnes: She's been sworn? Well if she's been sworn before I think that'd take care of it even more so.

CM Stamps Jones: Okay. I just wanted to make sure because I know she hadn't done it that way before.

Attorney Barnes: Well let's say it. Let's say that Ms. Henderson is not presiding over this meeting as city clerk, but Ms. Linda is in her place. Let's say it.

Mayor: Oh, would you move your microphone?

Attorney Barnes: It's not me.

Mayor: Mine is off.

Attorney Barnes You got something going on over there?

Mayor: We'll I will start over. Good afternoon again, and welcome to the Mayor and Council's Special Called Meeting. The meeting's in session Wednesday, March 18th, 2015 6 p.m.

Mayor: Madam Clerk would you call roll, please?

Ms. Barthell: Council Member Stamps Jones.

Cm Stamps Jones: Present

Ms. Barthell: Council Member An'cel Davis

CM Davis: Here

Ms. Barthell: Council Member Wanda Wallace

CM Wallace: Here

Ms. Barthell: Council Member Kenny Ruffin

CM Ruffin: Here

Mayor: Thank you. At this time, we're going to ask the honorable Councilman An'cel Davis to help us with the invocation and the Pledge of Allegiance. Would everybody stand?

CM Davis: Let's bow our heads. Gracious Lord, we're here today with the business of the city. Clear all minds and hearts. We thank you for this day. We thank you for this great city of Riverdale. In Jesus name, Amen. Let's Pledge Allegiance.

Group: We Pledge Allegiance to the flag, of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

Mayor: Thank you

Police Officer: Good evening Mayor, Council Members, City Manager, City Attorney, Director and Chief of Police. Welcome to the city of Riverdale. All rules of conduct as adopted by the Council shall be heard at all times while the meeting is in progress. Any violation can cause you to be dismissed from the meeting or arrested. All participants shall conduct themselves in a professional and courteous manner at all times. Obscene, profane, threatening and offensive language shall not be tolerated. Cell phones shall be placed on vibrate or silent until the conclusion of the meeting. Private conversations shall be kept to a minimum and shall be kept at a volume as to not disturb the meeting. Only authorized personnel are allowed to be on the Council floor while the meeting is in progress. Please wait until called upon to approach the podium for public comment. Please wait until the conclusion of the meeting to approach a member of the Council and the Mayor. This is merely a summary. For a complete copy of the rules of conduct, please see the city clerk.

Mayor: Thank you. At this time we'll go over the agenda with the additions and deletions. If you have any come before me.

Mr. Davis: Madam Mayor

Mayor: Yes

Mr. Davis: Yes

Mayor: Thank you

Mr. Davis: Ms. Barnes, please come up, please.

Ms. Barnes: You said me, right? Oh, okay.

Mr. Davis: Yes

Ms. Barnes: Yes sir

Speaker 9: We have an extension of the motion.

Ms. Barnes: To approve it

Ms. Barnes: Yes sir

Mr. Davis: I see here we're going to appoint the city clerk.

Ms. Barnes: If a motion is made to do so, and it's seconded, yes sir, you will eventually get to the vote.

Mr. Davis: How did we get there without a quorum to even make the final selection? How did we get there? I'm just trying to figure this out.

Ms. Barnes: Based on my recollection of how we got here, I don't remember the meeting date, but I guess it would have been in January, it was on the agenda for the appointment for all of your positions, for which the board has the ability to appoint the Judge, solicitor, city attorney and city clerk. At that point when it came time for the motion to appoint or re-appoint rather, the city clerk, I think there was a motion made to deny that. I made the comment that that was improper procedure. You don't make a motion to deny, you just don't make a motion. At that point, I believe it was Councilman Ruffin who revised the motion. No, no, no, no someone else made a motion to appoint Ms. Henderson. I believe it got a second, and it died for lack of majority vote. Then at that point I said something about, your charter requires you to appoint the clerk in January, at your first meeting. When I made that comment, a motion was made to appoint Ms. Henderson interim. That passed by a majority vote. I'm just trying to recall, sorry about that.

Mr. Davis: No, no, no I guess what are we actually doing? Are we going to actually vote on the position, or are we going to vote on the person?

Ms. Barnes: This reads to me appoint a person.

Mr. Davis: Okay, but I just want to understand. What official meeting came through, is there any system? I haven't seen the top three or top two, I don't know how many people.

Ms. Barnes: I may be able to answer your question, I may or may not, answer your question but let me finish what I recollect about how we got here. After the vote for interim passed, there was a directive to the City Manager that the position be put out for advertisement, for people to apply. City Manager tasked HR to do so. That was done in an open meeting, to put it out. Resumes were collected by HR. That process was handled completely by HR. I think with some input by the city manager. There was a meeting thereafter. It might have been in February or it may have been our second meeting in January and the question was posed, what now? What do we do now that we have posted the job, received resumes for the job, the posting has closed, what would the board have us to do? Us, as in the staff. I think I may have posed that question or the City Manager may have posed that question. The response was, go ahead and interview and give us the top recommendations. That was done.

Mr. Davis: That was plural, right, the top, more than one.

Ms. Barnes: Recommendation, right or recommendation, recommendations, I don't recall if it was plural then. Interviews were conducted. There were maybe four interviewees. Two in person or maybe three in person and one via phone. I could be wrong about that because I attended only one interview here at the city. The City Manager asked the people who were involved in the interview, who their selection was as to who you like. It was a consensus amongst the interviewers that Sylvia Vaughan was the best candidate, so there weren't multiple candidates to recommend to the board. After that, the kind of administrative stuff wasn't handled by me, Councilman Davis.

Ms. Barnes: Mm-hmm (affirmative), no, I understand.

Mr. Davis: The recommendation was sent to who?

Ms. Barnes: That's why I said what I said. It wasn't handled by me. I did not send a recommendation to the board.

Mr. Davis: Mr. Wood, can you answer that?

Mr. Wood: Yes, sir. I wish I had a heads up to go back and build a history of this. I could be a little bit more certain with what I tell you, because I want to tell you the truth as best I can. I think though Mr. Davis, there was an email sent out. I had been asked to schedule an interview opportunity, for lack of a better term, with Mayor Council and Ms. Vaughan. Ms. Barnes is right. Let me tell you what the interview power was as best I can. It was the HR Director, the City Attorney, another local clerk Ms. Barnes was familiar with and myself. Those four people constituted the panel that reviewed those applications or resumes that had been forwarded to us by HR.

Speaker 9: I need to correct him because HR did not forward us all applications.

Mr. Wood: No, I said the ones that were forwarded to us by HR. Right, those were the four, Mr. Davis, that were certified clerks. We have four applicants from certified clerks. Of those four, one was in Jackson, Mississippi, was had not worked since June and wanted a significantly higher salary than our budget would allow. A second one withdrew from consideration on the day that the interviews were conducted. Only two people in the end were ever actually interviewed. Of those two, it was the consensus of that panel. Now Ms. Barnes was not in the initial interview with Ms. Vaughan, but Ms. Barnes was able to meet individually later with Ms. Vaughan, so I think the consensus was that Ms. Vaughan was the best candidate that we had. There was an email sent, if I remember correctly, making Council aware of an opportunity to meet with Ms. Vaughan, to interview her one on one. I believe it was on a Friday afternoon, two or three Fridays ago. Again, I don't recall that exactly. I do not know exactly who all availed

themselves of that opportunity. Then subsequent to that, I was asked to put her nomination on this agenda.

Mr. Davis: Let's go back a little bit. I know I wasn't present. Were you present, CM Stamps Jones?

CM Stamps Jones: I was not present.

Mr. Davis: You didn't have a forum, so if that's coming into play. You didn't have a forum, so you couldn't conduct official business. At least that's my understanding of the rules, so how did that take place without a forum? Somebody help me.

Ms. Barnes: You're right about the rules. I don't think a meeting did take place. If I recall, there was an email sent out advertising a meeting. I didn't go to the meeting. I actually called all the Council Members to tell them I wasn't going to the meeting because something else had come up that required my attention. I don't think the meeting was called to order. There couldn't have been a meeting because there weren't a quorum. I don't think it was a meeting, Councilman Davis.

Ms. Barnes: That's what I'm saying. I don't think it was a meeting, Councilman Davis.

Mr. Wood: The impression I got, Mr. Davis, and I don't mind being corrected if I'm in error, was that there was not a quote "meeting". There was an opportunity for Council Members individually to interview the primary applicant. I don't think it was considered to be or advertised as or represented as a quote "Council meeting."

Mayor: I never convened to be at a meeting. I just met her by myself and asked her my questions. The meeting was never convened. I never called it. We didn't have a quorum because Council Member Stamps Jones as I recall was going out of town.

Ms. Barnes: Yes

CM Stamps Jones: I just want you to know, and I want to first apologize to the candidate, because I've never been introduced to the candidate. She doesn't know me, I don't know here. If it wasn't for Mr. Wood, I wouldn't even have a resume on her. That was after you call and met with the individual. I want you to know before I ask the question, respectfully, that the citizens of Riverdale elected each and every one of us. Despite our board and our position and our title, we are all elected to represent the citizens and the city to invest its best interest. Even though we may not always agree, we need to come together in the guidance of our charter and work in uniform with that. Now with that said, in fairness to the candidate, and in fairness

to me exercising my right and Mr. Davis right as an elected official, I don't understand one, what is the hurry? Number two, why weren't we a part of the process of even knowing who the top four candidates, top three candidates, even the top two candidates? What was the hurry, why was it such a secret, why must it be so expeditiously done? Again, to me that's the power game, the power ball that this Council plays. Now I say that simply because if there was, on that Monday, we had a meeting, a Council meeting. Everyone with the exception of myself said, let's meet some more before the 23rd. Mayor, you sat there and said, you sat there and said, and they agreed, we're going to meet on the 23rd. All of a sudden, in less than 24 hours, we had just had a meeting on Monday, you all sit there and say, we're going to have a meeting for the city clerk.

Mayor: Well, let me interest you today Councilwoman first. I truly don't like the language you.

CM Stamps Jones: I just want the explanation. Why was it so expeditiously? On the Monday meeting, you couldn't tell us that we were going to meet the clerk.

CM Stamps Jones: Well call him in the order of my question.

Mayor: I was talking.

CM Stamps Jones: You want to ask him another question. My question is why wasn't it given to us on Monday?

Mayor: If you would allow me to talk, I'll tell you what I know.

CM Stamps Jones: Please. What you know?

Mayor: First of all, that's what I said.

CM Stamps Jones: Okay, thank you

Mayor: What I was going to allude to is the fact that I always try to be honest and above board, but if you were allude to fowl, how did you get hired and Kenny Ruffin and I did not know about it t? Hold on it was the same process.

CM Stamps Jones: I can answer that. I can answer that.

Mayor: Hold on. A lot of people were hired, and I came in at the very end. This was put on the board, you had an opportunity to come meet this lady. After they offered the position.

CM Stamps Jones: I did not have the opportunity Mayor, because if I had an opportunity then I would have come.

Mayor: CM Stamps Jones, I'm not arguing with you. I need you to listen to me.

CM Stamps Jones: Okay ma'am

Mayor: I'm telling you. Anyway I called L'Erin and said, L'Erin, if we don't have a quorum, can we still interview the lady? You had ample opportunity to interview her, even after that Friday. No follow up, no nothing. I did not do anything under the table. That's scandalous. I reject and refute being associated with fowl because all the things that has gotten past, that Mr. Ruffin and I or Ms. Wallace have not been privy to that has been the thing with the general behavior. This wasn't done like that. It was presented, you was asked to come. I asked legal, could we interview her like that, and yes. Come to find out that the other person could have been from Sandy Creek, who wanted over \$100,000. She was the best candidate left. I met with her and they're going to present it today, and that's that. Don't ever indicate or alluding to the fact that I am corporate of this and underhandedly trying to do that. I'm telling you publicly CM Stamps Jones, stop it.

CM Stamps Jones: Are you finished?

Mayor: Yeah

CM Stamps Jones: My question is you said that I had ample opportunity when you just stated that I was going out of town and I wasn't present on Friday, so that doesn't give me ample opportunity to interview anyone, let alone I did not even know who this individual was, did not even have a resume and wasn't a part of it. How would I, I'm the Council person. This is the candidate, so I shouldn't be pursuing the candidate. The candidate should be coming to us as it was given to the three of you all.

Mayor: I don't think so.

CM Stamps Jones: Now you said that how would Ms. Barnes, you said how Ms. Vaughan's get picked. Ms. Barnes, as she clearly stated when she came to the podium, and I thank you for sharing, she stated that in January, when appointments become available, she stated that if you don't like who you have you present someone else. We did that. If you didn't like Matt Lavallee, or you wanted Matt Lavallee, then Matt Lavallee was here and I wanted someone else and I presented that someone else and the board chose someone else. That's how she got appointed. That's how the chart stated. It's not the same because this city clerk, this city clerk, how she was chosen, the city manager stated that he went to human resources, human

resources put out information, candidates applied, resumes came in, a board was put together. We don't know who was on the board, we don't know who they saw in front of the board, but I know the charter says that it's our due diligence to choose somebody. Now that right's been taken away from us. You want me to vote tonight, where the majority will rule, so I'm just speaking on my behalf.

Mayor: Okay, that's great.

CM Stamps Jones: What I'm saying is, the majority will rule, however, the charter states that I was elected and I should appoint and I have a right to appoint, and I wasn't given that opportunity to do that. There will be repercussions after tonight in regards to that. Thank you.

Mayor: Well you know, and the chair doesn't select.

Mr. Davis: I don't know.

Ms. Barnes: I'm not sure, Councilman Davis. I know you asked and you wanted to know about the meeting.

Mr. Davis: Once we came to the final, Mr. Wood presented the final to a committee, am I right?

Ms. Barnes: No sir. I don't think so, but I'm going to let him speak.

Mr. Wood: My understanding, from my recollection, Mr. Davis is that there were four candidates that were certified as clerks. It was those four names that were forwarded to the panel that Ms. Barnes referred to earlier that we both understood was a directive, informal perhaps, but a directive from Council to follow through the process and then forward to Mayor and Council the finalist or finalists plural, whichever it happened to be.

Of those four again, one of them was from Mississippi and was only interviewed via telephone and was just circumstantially prohibitive. One withdrew, which left two, and of those two the recommendation of the panel was and still is Ms. Vaughan. Her name was then forwarded to Mayor and Council.

Mr. Davis: I see, okay. Then at that point, she just automatically became the person, without input from a quorum. I guess that's my point. What's sticking in my head really?

Mr. Davis: I'm sorry

Mayor: I said, no you're not.

Mr. Davis: We want to keep the playing field fair.

Ms. Barnes: Fair, right

Mr. Davis: We want to keep it fair. We want to abide by the rules that we all have to play by. If that was done and you can rightfully say that and tell us that, let's keep it moving. If that was not done, then address it.

Ms. Barnes: I think I get your point. The problem is that there were not more than one, there wasn't more than one recommendation. Yes ma'am

Mayor: CM Stamps Jones, I didn't recognize you.

CM Davis: Can I be recognized?

Mayor: No, please go ahead and finish. I'll get you right after she finishes her statement.

Ms. Barnes: I feel conflicted but, if there were more than one candidate that after the interview process was recommended to you guys, I think you would be right on point. Because there was only one, only one was presented. I believe, I don't know, an email was sent out to the board with resume and some letters of accolade. Not references, but I know this lady, she's a great person. I think that was sent.

Mr. Davis: To who

Ms. Barnes: To the board

Mr. Davis: Okay now, no references, right?

Ms. Barnes: Not that I recall. Not like a name and a title and an address.

Mr. Davis: Certainly not, and no disrespect. I know this is uncomfortable for you. I just met you today, so you know I don't know you from anywhere, other than today. Right is right and should we have had an opportunity to look at references and say, why is A such a great candidate over B. I'm just asking.

Ms. Barnes: Either that or ask of the people that the board said go ahead with the process, what did you all do to ensure that of the four or of the two really, because one dropped out, one was in Mississippi.

CM Stamps Jones: You've got to be aware of that first.

Ms. Barnes: I'm sorry?

CM Stamps Jones: You have to be aware that, what did you even do, you have to be aware to.

Ms. Barnes: Either that, Councilman Davis, have the board do it themselves, or ask of the panel that go the green light, what did you do? What did you do to present this one person to us as a candidate? Now I want to though however remind you guys, that I heard, and I thought I was clear when I left that meeting and I don't know which meeting it was, that you all gave the green light for us to go ahead with the interviews.

CM Davis: That's true.

Ms. Barnes: Where Councilwoman Stamps Jones, we did not provide who we were interviewing to the board, so not knowing the four or the five or however we're going to be interviewed, I don't think that was done.

CM Davis: Right. That's where I'm at. We should all want to do.

CM Stamps Jones: Wait a minute, I should have been recognized. Can I get recognized?

Mayor: I was pointed at you, to say you need to go first.

CM Stamps Jones: Thank you, was there a deadline set for us to choose a city clerk? Was there a deadline? If there was a deadline set, then I can understand it. They're trying to get, were they are, but I'm not privileged to, trying to get to that date.

Ms. Barnes: Two things, your charter requires you to appoint one in January. You appointed an interim. Second thing is that in the directive from I think it was Councilwoman Wallace is 90 days was when she said that she wanted HR to help finish that process.

CM Stamps Jones: Finish the process as finding those qualified candidates or finish the process of swearing someone in?

Ms. Barnes: I am not trying to wiggle from your question, but I think that probably would be best asked of Councilwoman Wallace because it was her directive. There is no legal deadline, so I want to be clear on that. I can speak to what your charter and your ordinances say. There is no legal deadline that you have to change over from interim to permanent within in so many days.

CM Stamps Jones: Okay, so they're just bringing that because I'm going to respect what Mr. Davis and the Mayor in saying that they don't want to delay this moment. I'm going to bring that full circle. Again, if they knew that they were not satisfied with the clear and then January came, the search should have went out 90 days prior and they should have brought up a plan for that.

They should have been prepared in January. Even with the 90 days preceding going after that that would allow us the ample opportunity to at least interview all qualified candidates. I'm not stating that the candidate they have is not qualified, but respectfully respecting each and every one of our decision and opinions in that case. They stated that she was one of four and the only qualified one of four. I find that hard to believe simply because it makes this appear and seem as though there is no other city clerk out there in the United States of America or internationally. They should have put it back out, even if that candidate wanted to reapply. That goes back to my timeline.

Ms. Barnes: Let me respond to that, that I don't know how many people applied. I do know, however; that of the people that did apply, only four based on HR's scrub down of the ones that applied, met the job descriptions.

CM. Stamps Jones: Can I just interject again to say that HR has never done this process or Council, because normally Council does that. I'm not sure where HR looked in regards to those applicants.

CM Wallace: Former city clerks, city management and HR and it was at old City Hall who actually did the hiring here. Actually back up, the old City Hall, former city manager and HR asked to be at the hiring process of Ms. Stephanie Thomas.

CM Stamps Jones: For the city clerk

Mayor: Yes, the city clerk did the interviews.

CM Stamps Jones: That was a different charge they did.

CM Wallace: Well we gave her the direction to do that. All we did was appoint Ms. Stephanie Thomas. They did the interviews, they did everything. Now, to bring Ms. Ford in, when we was at the first meeting in January, or whenever the meeting was, I was asked by the board to give a recommendation within 30 to 90 days that we have a city clerk here to be appointed and ready to go work. That was given. We've got to go back again. I remember Ms., what is your name? Harrison. I think when you guys came back from Texas. She was very aware of my recommendation?

CM. Stamps Jones: Who

CM Wallace: Ms. Henderson. I met with her on a one on one base. I went with her and talked to her.

CM Stamps Jones: This is not about Ms. Henderson.

CM Wallace: I know, but I just wanted you to know.

CM Stamps Jones: I'm not speaking about Ms. Henderson. I'm speaking about the process and then the comparison of how the attorney or the city manager or other people that she said was hired, and now we're here and we're supposed to be a part of the process. We should not have even have been here. The only reason we're here today is to make a quorum so we can be official, but we weren't part of the process. With that being said, respectfully, that should be acknowledged.

CM Wallace: You know what, CM Stamps Jones, to be honest with you, I don't know when, whether it's back in January, February. In any case that you could have reached out to her.

CM Stamps Jones: To who

CM Wallace: CM Stamps Jones if you guys wanted to meet with her, when I came up to meet with her, her resume was given to me. I did my own reference check. I called the reference stuff. The thing is in all this stuff, I don't want to get into personnel issues and everything of what happened and all in the past and all this stuff. I really started seeing the changes. Like I said again, I met with this commissioner, I told her how I felt in all this stuff. I even told her how my vote was going. We would make the recommendation to her. I would like us Mr. Ruffin may feel but you might want to even talk to him. This was back in October. Remember you all went to Texas? You came back. Any of the stuff that actually happens, so you want any opportunity. The thing is I just feel that this discussion again, Ms. Vaughan I want to apologize to you. I'm quite sure you're used to all of this coming from a different city. You've been involved in this stuff many times and also you know. You're just getting a touch of it right now.

Mr. Davis: The first chance that I had to do anything with Ms. Vaughan.

Mayor: Vaughan

Mr. Davis: Vaughan, sorry about that, Mr. Woods sent me a list and that's the first and only time.

Mayor: No, I hadn't heard, I'm just saying.

Mr. Davis: You said February, I know I didn't get nothing from him in February.

Mayor: I don't know what it was, March or whatever. Whenever the meeting that you guys could not make it to. I came up for that.

Mr. Davis: That was this month.

Ms. Barnes: I think that was last February. It might have been early March. It might have been early March.

Mayor: That's when I got to recommend.

Mr. Davis: The last Friday in February, that's when it was.

Ms. Barnes: That's when it was.

Mr. Davis: That's the first time that you know, and we were gearing up to go out of town for six days when I got that. I got asked to be back and I said, I'm going out of town. What can I do? I really did think I couldn't meet with her. I just didn't know if we were supposed to meet with her at that time. Nobody really formally said anything. All I'm saying is, no matter how it is, that's understandable. The problem is the process, how it was done. If we can go ahead and admit the process was not right.

CM Wallace: The process was done right. We asked our panel to put in place.

Mr. Davis: No, not that part.

Mayor: What part

Ms. Barnes: Councilman Davis, based on the Sunshine laws and any open meeting violations, and I'm taking people out of it. I'm taking people out of it. Based on the directive I heard in the February meeting to go ahead with the interviews, I don't think that there has been a violation of the Open Meetings Act. However, should the people that you guys directed to go ahead with the interviews said hey, we're going to be interviewing Jane, Sue, Mary and Jill, we may could have done that. Maybe we could have done that.

Mayor: We gave you the order to do that, though.

Ms. Barnes: That wasn't done, but the directive from you guys was, give us back the top. Unfortunately and that's the Councilwoman Stamps Jones point, it was one top. That she was presented. What happened with that Friday situation, an agenda went out, a meeting was posted, no quorum occurred. I hear the Mayor saying she did not call a meeting to order and she did call me and say would it be a violation if we individually interview the candidate. There was even a question should two of us or three of us go in and I said, please don't do that, because it looks like it's circumventing exactly what the Sunshine laws require. Was any official business conducted? I wasn't here, but I don't think so. Were interviews conducted? That's what I was told. That they were individually meeting with the candidate to determine I guess how they was going to vote. Could it been

done differently? Probably so, was it illegal? From what I know and the recommendation I gave to the Mayor about not meeting with her two or three of them, I don't think so. That's taking feelings, people, and division, out of it. Had there been multiple candidates that met the job description or whatever it was that HR was using as the guide to put forth those four, I definitely would be standing here probably saying something different.

Mr. Davis: In fairness and since you guys have me to pray over this meeting.

Ms. Barnes: Yes sir

Mr. Davis: I said you should shun away from appearance of evil or wrongdoing. That's what I'm saying. That's where I'm at with that. It has a cloudy look. Whether it did or not, it has a cloudy look. You have to attest to that. That's all I'm saying. I don't have a dog in the fight. I just don't think it is right. Since we're in the season of making sure that things are right.

Ms. Barnes: It was not illegal.

Mr. Davis: Okay

Ms. Barnes: Could it have been done differently? I say yes.

Mr. Davis: Okay

Mayor: At this point

Ms. Barnes: May I be excused?

Mayor: So we're going to move on.

Ms. Barnes: Can I say one last thing Mayor? I also think, and that's again to Councilwoman Stamps Jones' point, that your vote is critical, to voice how you feel about the candidate, or the process, thus far. I think it's critical. A discussion beforehand.

Mayor: I'm going to do questions.

Mr. Davis: Poll each and every one.

Mayor: I'm going to poll each one. May I have an approval of the agenda with any notations or additions?

CM Wallace: I make a motion to approve that agenda.

Mayor: Can I have a second please?

CM Ruffin: You have a second.

Mayor: Can I have a roll call?

Ms. Barthell: Council Member Kenneth Ruffin

Cm Ruffin: Yay

Ms. Barthell: Council Member Wallace

Mayor: Yay.

Ms. Barthell: Council Member Ansel Davis.

CM Davis: Nay.

Ms. Barthell: Council Member Stamps Jones

CM Stamps Jones: Nay.

Ms. Barthell: This is a tie Mayor Dixon may I have your vote?

Mayor: Yay

Ms. Barthell: I guess we have a pass of the vote of the appointing of the city clerk.

Mayor: There are no public comments tonight. We have no public comments tonight so we're going to move on. We'll go to Item F. Appointment of city clerk. A resolution on the 13-03, 2015, Council of the city of Riverdale, Georgia and the...

Speaker 2: You have two E's in [inaudible 42:07].

Mayor: Oh my goodness. Okay. A, B, C, D, E, F, G, H, I, J. For correction of the record, that's Item G, appointment of city clerk. Resolution on the 13-03, 2015 to appoint city clerk. A resolution of mayor and city Council of the city of Riverdale, Georgia and the [inaudible 42:45] term as interim city clerk and appointing Sylvia Vaughan as city clerk to provide more stability to the [inaudible 42:54]. Councilman Stamps Jones-Jones?

Mayor: I was going to ask if there are any questions. I'm treating it like a regular meeting. Ms. Jones, will you come in?

CM Stamps Jones: Yes, thank you. After all that has been said and done, I'm going to charge this board with doing the right thing and doing that, the last two clerks, Ms. Thomas and Ms. Henderson, and I spoke with Ms. Lawson in regards

to my position. This board has never, I came to office five, six years ago saying you've got to [inaudible 43:42] let people know what your expectations are. I pray and I hope that that is provided to this individual so that the job and her services will serve everyone, including herself.

Mayor: Thank you. Mr. Davis?

Mr. Davis: The resume that I received from Mr. Woods. Ms. Sylvia was a deputy or is a deputy clerk, which you now serve as a clerk.

Ms. Barnes: Councilman Davis, I'm sorry to interrupt, but I think it's proper. You can have her come up and answer your questions, do so.

Mr. Davis: Please.

Ms. Barnes: Ms. Vaughan?

Mr. Davis: I didn't get a chance Ms. Vaughan to see your references. I'm sure that those who saw it all think they're good. I'm just used to in the corporate world references being a list and the list of the ones you have, I've always done. Many of the jobs that I've held ... I just ... I guess and please hear me from my heart. I guess my concern is that you've been deputy for how many years?

Ms. Vaughan: Eight years.

Mr. Davis: Eight years. I saw seven on the resume.

Ms. Vaughan: Yeah, about seven. Seven, eight. I've been at the city for eight years.

Mr. Davis: Eight years. There's a lot expected on this board of clerks. I think work wise, it's going to be a lot. Are you up for the task? Obviously since you accepted the job, but I guess I would have felt better seeing your references and who they were and where they were and the magnitude of them. Do you understand what I'm saying?

Ms. Vaughan: Yes.

Mr. Davis: That's where I'm coming from. Forget all this other stuff you heard tonight. If you, I want to work with you. I will respect you. That's my resignations. We were looking to go higher. I just don't know if from looking at your resume, I'd be looking to go hire. I don't know, I guess you'll have a chance to prove it if you're voted in, or appointed tonight.

CM Wallace: Ms. Vaughan, again, the only thing I ask of you if you do make it tonight, if you do come aboard, just treat us as one on this board. An equal. Not working for this one, for this one, for this one, but just being neutral.

Ms. Vaughan: That's not a problem.

CM Wallace: That would take you so far in this city. When you become this person's friend on the board, this person friend, whoever friend, that's the problem that a lot of employees run into, I have learned in a lot of cities. You come to work, do your job, what we expect of you, I'm here to work with you. When I start seeing that here, you're taking sides and I want to tell this person this and this person this. The Council Members, I seen it so much. Just to reference, when I reached out, everyone gave you a great recommendation. From your city clerk I guess that you worked with, even people outside gave you very high recommendation and that's what I look for. I think if you can bring an integrity and I feel that you have from people that gave you the recommendation to me, that's what I look for.

Ms. Vaughan: Okay.

Mayor: Like I said, you're going to have everybody in here talking negative about this Council member. The department heads will come to you. I think if you stay focused, work with the city managers, who you're supposed to be working with, and not just go out and do what you want to do. You'll be at the city a long time. Especially with my support. That's what I want. I want everybody to know here. He can tell you, I don't take sides with people because I want to do what's right. That's what I stand with. That's the way my upbringing have always been for the last 49 years. I think that even though you've been a deputy clerk for seven years, I'm quite sure that with the experience you can bring here, you can do a lot can be done here, and I again, looking forward to working with you, to give you a pass tonight.

Ms. Vaughan: Thank you.

CM Wallace: I just want you ask you and all this stuff on my behalf to forgive on what has happened.

Ms. Vaughan: Okay, thank you.

CM Ruffin: All right. I think we got enough. It is right that I said that you already have a doctorate degree?

Ms. Vaughan: Yes.

CM Ruffin: Okay, then seven years versus the previous clerk experience. I'm satisfied. References are like, those are debatable. Nobody's going to put a reference on a resume that's bad. You learn more by asking other people to get the level of respect. A lot of times interviews can be interesting also in terms of, I had a manager and he always asked me a question, he always said, what is your weaknesses and what he explained to me was, when somebody tells him an answer that's contradictory to what they had previously interviewed about, he looks at that as mistrust. Sometimes it's important ... there are certain canned answers on an interview. Sometimes that stuff isn't always 100 percent fool proof. I feel satisfied and very happy.

Ms. Vaughan: Thank you.

Mayor: Ms. Sylvia, I thank you for coming. I think the potential to resolve any issues is there. In due process. We always do evaluations. From everything you must learn, and from all these processes we are going to learn and move forward. As Mayor Avery, gave you very high ratings and a lot of people who you work and have had interactions. I just think her resume was good and I trust Mayor Avery very well, so thank you very much.

Ms. Vaughan: Thank you.

Mayor: Hold on one sec.

Mr. Davis: Ms. Vaughan that was a good point. It is Doctoral. Is that in government?

Ms. Vaughan: Public administration.

Mr. Davis: Public administration.

Does that make you the highest best mind for a clerk, public administration? When I say that, I knew a guy that had a PHD. and he couldn't ride a bicycle. You would think with a PHD he could ride a bicycle. That doesn't qualify you, and not only you; the PHD only qualifies you for that that you study for. It doesn't make you great at whatever something else is. Now believe what I'm saying.

Ms. Vaughan: Excuse me, but I'm also certified. I'm a certified clerk.

Mr. Davis: Okay.

Ms. Vaughan: No disrespect.

Mr. Davis: No, I believe that. I'm really looking at this different.

Ms. Vaughan: Yeah, since 2010 and I have served as an Interim City Clerk.

Mr. Davis: All I'm saying is the doctorate doesn't make you the master of everything. It makes you the master of that, which you presented to the doctoral. That's all I'm saying, and that's true. I knew a guy, he has a PHD. Smart as he can be, but he can't even ride a bicycle. He just can't ride. There's nothing intellectually that connects to say you can ride a bicycle, but he's a rare person and he holds a high job within the government of the United States, but he can't ride a bicycle.

CM Wallace: You've got a lot of work in the city of Riverdale if you can reason all this. I'm not trying to knock some of the people that are still here. That's just my opinion. I just also Ms. Vaughan just to say even Mayor Pro-Tem and all this stuff. Just for they know that she was looking, and they gave you a good recommendation. That's what made me really step back. They know she's looking yet still they never tried to say anything negative about you and that's the respect. I'm like wow, they don't give her supporting here to put here out here. To move on up into a position of, you find a lot of city clerks and they do get into a position, they're not looking to go anywhere. Especially if they've been there awhile. Of course you know that's true.

Ms. Vaughan: Yes, oh yes.

Mayor: I'd just like to say again, thank you. The fact that you are certified speaks volumes and for that number of years. I thank you and I'm going to take you from the center of the table off the platter. You can please go have your seat and I thank you very much and I do commend you on getting your PDD. That is no small fee. Thank you very much.

Ms. Vaughan: Thank you.

Mayor: The fact that you didn't frown when everybody was saying something. My emotions would show on my face. That speaks volume for you are a bad girl for that. Okay. Now we want to move on.

Now that we've had the opportunity to review and discuss about the city clerk, may I have a motion to move on regarding resolution number 32-03 2015?

CM Wallace: I make the motion that we approve resolution number 32-03 2015 to appoint a city clerk. 15, I'm sorry.

Mayor: May I have a second?

CM Ruffin: You have a second.

Mayor: Now court roll call.

Ms. Barthell: Council member Stamps Jones

CM Stamps Jones: Nay

Ms. Barthell: Council Member Ansel Davis

CM Davis: Nay

Ms. Barthell: Council Member Wallace

CM Stamps Jones: Yay

Ms. Barthell: Council Member Stamps Jones

CM Stamps Jones: Yay

Ms. Barthell: Mayor there is a tie vote, may I have your vote?

Mayor: Yay

Ms. Barthell: Motion to approve resolution passed with a vote of 3 to 2.

Mayor: Thank you.

CM Stamps Jones: I have a question in regards to that.

Mayor: Yes

CM Stamps Jones: Since it just passed, what is the effective date on that?

Mayor: I don't have an effective date. I don't really know the effective date.

Ms. Barnes: When a resolution fails to state an effective date, it is when it's passed.

Mayor: Which is today.

CM Stamps Jones: It's when it's passed?

Ms. Barnes: Yes ma'am.

CM Stamps Jones: At this moment she's the official city clerk.

Ms. Barnes: Yes ma'am.

CM Stamps Jones: What happens to the interim city clerk at this point? She is no longer a service to the city?

Ms. Barnes: She would no longer be the interim city clerk.

CM Stamps Jones: She no longer has access, everything that she has stops? I don't know, that's why I'm asking.

Ms. Barnes: Access I can't speak to. I understand. I don't know if anything has been communicated to Ms. Henderson, but by you passing a resolution to appoint a city clerk that is now your city clerk. If the resolution had an effective date for some time in the future, like when we did some of the charter amendments, we had one that had an effective date of January, 2016. When you don't provide an effective date is when you pass it, and then as with respect to the interim city clerk, she will no longer serve as the interim based on this passing of this resolution to appoint Sylvia Vaughan.

CM Stamps Jones: For clarification purposes, Ms. Vaughan would take the city clerk position in the morning?

Ms. Barnes: She would need to be administered the oath per the charter.

CM Stamps Jones: Okay

Ms. Barnes: First

CM Stamps Jones: I don't know. Ms. Vaughan, you need to step to the podium and state what you know.

I mean, I don't know.

Mr. Wood: My recommendation would be Ms. Vaughan, I don't know, I'm assuming she's still interested in this job after tonight. Making that pretty broad assumption, I think she currently has a job, so I think it's a matter of professional routine and protocol that she would need to give proper notice where she is, which again, routinely is a minimum of two weeks. The effective date of this appointment I understand and agree with Ms. Barnes, when you're talking about at typical resolution, it normally would take effect immediately. In this case I think, because you're talking about somebody who's got a job somewhere else, I think it's to be assumed that she's going to give notice if she still is willing to accept this job, and wouldn't start until the end of that notification period.

Ms. Barnes: Again, just like before, if you want, whether it would be Mr. Wood, myself, give us some direction. This is your appointee.

Mr. Wood: Yeah, I agree.

Mr. Davis: If we're waiting on, and I know Ms. Vaughan hasn't spoke for herself, if she's waiting on her exist, a two week exist, a one week exit, seven day exist. I know the new rule of thumb is seven days. Nobody gives two weeks anymore, but who is going to be the clerk.

Ms. Barnes: In the meantime.

Mr. Davis: In the meantime. I just need to know.

Ms. Barnes: That's a good question.

Mr. Davis: Nobody thought about that I guess.

Mayor: They did.

Mr. Davis: Oh they did? Who's it going to be?

Mr. Wood: No. I have not said anything.

Ms. Barnes: Let me see if I can solve this. One second. May I make a suggestion?

Mayor: Make a recommendation.

Ms. Barnes: April 8th would be Ms. Vaughan's start date. If that's the case, I would like for you to allow me to revise the resolution and make that so. I think we need another vote. Secondly I would leave it to the board, don't leave it to the city manager, I think you guys should need to determine what you want to do until April 8th which is two weeks and a few days. Yes sir. Two weeks and a few days. I would like for you guys to make a determination of what you're going to do between March 18th and the night of April 7th of who is going to serve as your appointed interim city clerk. Are you going to allow Ms. Henderson to continue in that vein? Are you going to appoint someone else to serve as interim, but I think that needs to be a board decision. Don't leave it to me, HR, or the city manager.

Mayor: Do we need to discuss this in this executive session?

Ms. Barnes: If you're talking about personnel matters, yes. If we need to, when we come back out of executive session, we'll make an emergency amendment to the agenda for you to decide what you're going to do in the interim. I guess any recommendations about who that should be will have to be discussed, because it could be some of your existing employees.

Mayor: Are we going to have an executive session upstairs?

Ms. Barnes: I think we can go right in Nate's office, can we not?

Mayor: Have you got a key?

Ms. Barnes: No ma'am.

Mayor: Nate's office.

Ms. Barnes: That's what I meant when I said Nate, that little conference space. Yes ma'am.

CM Wallace: Then for the budget, do you want us back upstairs?

Ms. Barnes: Wherever you like.

CM Wallace: Why don't we just go upstairs?

Ms. Barnes: Well you're going to have to come back and close this meeting though.

CM Wallace: Can't you just open the door.

Ms. Barnes: I'm saying you've got to close out this meeting.

CM Wallace: What I'm saying, can't this meeting be closed out upstairs once the board is over.

Ms. Barnes: Your agenda does not say that your business session was being held in here, so that's fine. I was just seeing if there was a location on your agenda, because if somebody came late, they're going to be looking for you.

CM Wallace: Well again, with public buildings, it just said City Hall.

Ms. Barnes: It just says City Hall, so without a location, you want to close it out upstairs, I'm not opposed to that.

Mayor: Okay. Now that we've concluded all the business, we'll recess it to an executive session to discuss a personnel matter.

Ms. Barnes: Make a motion.

Mayor: May I have a motion to convene to the executive session upstairs?

CM Wallace: I make a motion to move the executive session to discuss a personnel matter.

Mayor: Can I have a second.

CM Ruffin: You have a second.

Mayor: All in favor

Mayor: All in favor? Hello? You all in favor of going to the meeting?

Ms. Barnes: Yeah we need to put that vote on the record. We're in the session, we're not in work session. Roll call.

Ms. Barnes: She's going to do roll call, madam mayor.

Ms. Barthell: for a motion to vote into a different session.

Ms. Barnes: It's in session now. It's more efficient.

Ms. Barthell: Council member Stamps Jones

CM Stamps Jones: Yay.

Ms. Barthell: Council Member An'cel Davis

Mr. Davis: Yay.

Ms. Barthell: Council Member Wanda Wallace

CM Wallace: Yay.

Ms. Barthell: Council Member Kenneth Ruffin

CM Ruffin: Yay.

Speaker 2: The vote is passed to go into execution session.

Mayor Evelyn Wynn Dixon

Sylvia Vaughan City Clerk