

June 2, 2025
5:30 p.m.
Ripley Power Board Meeting
Ripley City Courtroom

Mayor Fitzhugh called meeting to order and requested Recorder Buckner to issue roll call.

Board members present: Alston, Chipman, Frazier, Keeley, Long and Fitzhugh

Board members absent: Thompson

Also present: Donna Buckner, Attorney Rachel Jackson, Superintendent Mike Allmand

Visitors: Ron Goforth, Linda E. Love, Eunice and Debby Jenkins and Angie Allmand

1. Motion by Alderman Chipman and second by Alderman Frazier to approve May 5, 2025 minutes as printed and delivered in agenda package. All aye

Mayor Fitzhugh gave the board an overview of the upcoming resolution establishing a new Ripley Power & Light Board

Alderwoman Alston stated the resolution wasn't in the agenda package which didn't allow the board to review the resolution in a timely manner. She stated that the previous board was a 5-member board and that every alderman has a board except Alderman Frazier.

Mayor Fitzhugh stated that Alderman Frazier is a member of the Ripley Planning Commission and that there is no requirement that states you have to have an alderman on each board.

Public comments: none

Alderman Alston stated the mayor has put himself on the board of a company that he has sued. She stated that Tyler deserves to be on the board. She stated the mayor is cutting the board down from a 5-member board to a 3-member board and the new board members know nothing about the power board.

2. Motion by Alderman Chipman and second by Alderman Long to increase online bad check fee from \$25 to \$35 due to vendor raising charge to \$35. All aye

Superintendent Allmand stated he spoke personally with Frank Carnie regarding update on IRS guidelines for the new pension plan. He asked Mr. Carnie to expedite his findings.

Mayor Fitzhugh adjourned meeting at 5:15 p.m.

Donna Buckner, Recorder

Craig Fitzhugh, Mayor

June 2, 2025
5:30 p.m.
Public Hearing
Ripley City Courtroom

- Ordinance of the City of Ripley, Tennessee adopting the annual budget and tax rate for the fiscal year beginning July 1, 2025 and ending June 30, 2026

Board members present: Alston, Chipman, Fraizer, Keeley, Long and Fitzhugh

Board members absent: Thompson

Also present: Donna Buckner and Attorney Rachel Jackson

Visitors: Ron Goforth, Linda E. Love, Eunice and Debby Jenkins and Angie Allmand

No negative comments.

Meeting adjourned 5:40 p.m.

Donna Buckner, Recorder

Craig Fitzhugh, Mayor

June 2, 2025

6:00 p.m.

Ripley Board of Mayor and Aldermen

Ripley City Courtroom

Mayor Fitzhugh called the meeting to order and requested Recorder Buckner to issue roll call.

Board members present: Alston, Chipman, Fraizer, Keeley, Long, Thompson (arrived at 6:10 p.m.) and Fitzhugh

Board members absent: none

Also present: Donna Buckner, Attorney Rachel Jackson, Fire Chief Tracey Worlds, Police Chief Mitchell Turner, Sergeant Herbert Gwynn, Superintendent Mike Allmand, Superintendent Scott Nelson and Park Director Mike Worlds

Visitors: Ron Goforth, Linda E. Love, Jay Heath, Angie Allmand, Eunice and Debby Jenkins, Chris Rose, Steve Tate, Jordan Gardner, Austin Tate, Josh Northcott, Marcus Keeley, Kamisha Dixon, Rev. Dr. Cathi Spicer and Rev. Dr. Cyronose Spicer, Sr.

Invocation: Superintendent Scott Nelson

Pledge of Allegiance

1. Motion by Alderman Frazier and second by Alderman Alston to approve May 5, 2025 Board of Mayor and Aldermen meeting minutes as printed and delivered in agenda package. All aye
2. Motion by Alderman Chipman and second by Alderman Long to approve May 2025 financial statement as printed and delivered in agenda package. All aye

Correspondence: Thank you card from the family of Billy Poston

Mayor Fitzhugh stated the situation with the City of Ripley and Ripley Power & Light has been going on for quite some time and it's time we moved on. We've moved the power board to this board in order to make some adjustments and get information we needed. Now all of that is behind us. Experience and debate give rise to understanding and compromise. We have been trying to debate and compromise for 20 years but there has been some antagonism between the City and Power & Light and it's time to move on. You get tired that the things you do for the right reasons limit the success of your city. We are being hampered by the fact that our failure to get along is limiting our success. It's time to move forward. The superintendent who has been here for many years has one of the best known power and light companies for a city of our size. We have had some good conversations lately and we both believe it's time to move on. Mr. Allmand has 2 years until retirement and I (Fitzhugh) have the rest of the term. Working together we can make the City of Ripley even a better place. There will be a resolution presented later in the meeting that provides for an independent power board. It will go back to the original 3-member from

2011 with staggered terms. He has discussed with Mr. Allmand the very progressive and important projects he has planned for the future of our city and he looks forward to working with Mr. Allmand. There will be a position for a member of the Board of Mayor and Aldermen and he is asking the board to appoint him as that liaison. To reduce the complexity of the board he's asking the new power board be 3 members with Mr. Dwight Beard for a 2-year term and Mr. Randy White for a 4-year term. He thanked the past members who have served and he looks forward to a fresh start. We need to be together in every department. We will see loads and loads of benefits from it.

Department reports:

3. Motion by Alderman Long and second by Alderman Keeley to approve department reports as printed and delivered in agenda package. All aye

Public comments: Ms. Love expressed her concern that she has applied for the power board position 3 times and has not been selected. She also is concerned that the mayor is acting like a dictator in nominating the power board members.

4. Motion by Alderman Chipman and second by Alderman Thompson to approve conveying Knee Street to Lauderdale County. All aye
5. Motion by Alderman Alston and second by Alderman Frazier to approve 2nd reading ordinance of the City of Ripley, Tennessee adopting the annual budget and tax rate for the fiscal year beginning July 1, 2025 and ending June 30, 2026. Roll call. All aye
6. Motion by Alderman Thompson and second by Alderman Keeley to approve 1st reading ordinance of the City of Ripley, Tennessee amending Title 15 – Motor Vehicles, Traffic and Parking, Chapter 7 - Enforcement. All aye
7. Motion by Alderman Chipman and second by Alderman Long to reappoint Donnie York to Ripley Gas, Water & Wastewater Board. All aye
8. Motion by Alderman Keeley and second by Alderman Frazier to approve TCRS Employer Contribution rate of 7.36% effective July 1, 2025 through June 30, 2026. All aye
9. Motion by Alderman Chipman and second by Alderman Alston to award Ripley LPRF 2023 splash pad bid to Great Southern Recreation in the amount of \$599,866 as recommended by TLM Associates. Roll call. All aye
10. Motion by Alderman Thompson and second by Alderman Frazier to approve grant contract between the State of Tennessee Department of Commerce and Insurance and the City of Ripley for Tennessee Law Enforcement Hiring, Training and Recruitment Program to Tennessee law enforcement agencies to award hiring and retention bonuses. Roll call. All aye
11. Motion by Alderman Chipman no second to approve resolution establishing Ripley Power & Light board.

Attorney Jackson reminded the board of prior discussions with Attorney Amber Shaw several months ago that nominations of the board membership come from the mayor. The statute regarding the Municipal Electric Plant Act law does provide if the membership is not established tonight the membership will not be seated and begin to serve until July 1, 2026. This is the last board meeting before July 1 and statute provides that the members take their seats effective July 1 thus an independent board determination must be tonight.

Alderman Alston stated there are so many things in the resolution and we've not read it. It's like we are still over the board and we don't want to have anything to do with it (power board). Like all the other boards, let them run their board.

Attorney Jackson stated all the language was taken from the statute of Tennessee Law with the exception the last provision which addresses the city charter. All of it is either our existing local law or state law.

Alderman Alston asked if one company can have 5 members and just cut it down to 3.

Attorney Jackson stated the statute reads the chief executive officer may, with the consent or approval of the board, establish a 2- or 4-member board. But the nomination of the 2- or 4-member board comes from the mayor.

Alderman Alston stated we just got this and they want us to vote on it. It states right here "it is the Board of Mayor and Alderman expressed intention that actions include any contract entered into by the superintendent or power board and that failure to report timely any meeting actions or disbursement shall constitute cause for the removal of a power board member or superintendent".

Attorney Jackson stated that she discussed with Mr. Allmand, prior the power board meeting, that portion of the resolution and that it had been removed by the request of the mayor.

Mr. Eunice Jenkins asked if he could speak.

Mayor Fitzhugh stated not at this time.

Mr. Jenkins indicated that Attorney Jackson shouldn't be speaking either.

Mayor Fitzhugh stated she is the city attorney.

Attorney Jackson stated this a matter that is determined by the city board.

Mr. Jenkins stated that it involves the power board and Ms. Jackson recused herself from power board matters.

Mayor Fitzhugh stated she is advising the board.

Ms. Jenkins asked could they not make a comment.

Mayor Fitzhugh stated that was the reason for the public comment portion of the meeting as Ms. Love did.

Ms. Jenkins ask could they not speak before the item takes a vote.

Mayor Fitzhugh stated no ma'am not according to the rules.

Ms. Jenkins stated the rules have been changed a lot. She asked when she could speak.

Attorney Jackson stated there was a time to sign up for public comments.

Mayor Fitzhugh stated that state law requires a sign- up sheet for public comments.

Alderman Chipman asked if anyone second the motion.

Alderman Alston stated no.

Alderman Thompson asked why the mayor wanted to be the liaison for the power board when Tyler doesn't have a department right now. Why can't he be appointed to the power board.

Mayor Fitzhugh stated that it's his appointment and he thinks Tyler is doing a great job on the Planning Commission. It's his (mayor's) intention to reduce the power board so that we can get more done while Mr. Allmand is still here. Mr. Allmand and he have discussed this and now have a good understanding of how this is going to go forward. Mr. Allmand and the city have agreed to some things and he thinks everyone will be pleased.

Alderman Frazier asked if the resolution can be changed? Everybody really wants a 5-member board.

Attorney Jackson stated it can be changed but only the mayor nominates the 4 members.

Alderman Frazier stated everybody has a board. There are six departments in the city. Every alderman has department. Has any mayor been a member of a department board?

Mayor Fitzhugh stated his appointment is to clear the air. To take the pressure off of the board members so that some of the things that have happened in the past won't happen in the future. Mr. Allmand and he (mayor) have discussed that. We won't have lawsuits that are personal and against each other. He's responsible for making these nominations and you're responsible for either approving them or turning them down.

Attorney Jackson stated it still depends on the mayor's nominations. He will have to come back with additional nominations and that would be in July and they would not take office until July 1 following the date of their appointment.

Alderman Alston stated we could have called meeting. Tyler deserves to be on that board. She doesn't think the mayor should be on that board.

Mayor Fitzhugh stated he's not excited about it but he's excited that we can move this thing forward. It's a lot simpler and better when we have the possibility of getting more jobs when the Power & Light Company is an integral part of this moving forward in different ways.

Ms. Jenkins asked what is wrong with the previous members. They were appointed by the city council and did great jobs. They have done nothing to get taken off the board for except that this is the board you (mayor) want appointed.

Attorney Jackson stated the nominations come from the mayor.

Mayor Fitzhugh stated this, for whatever reason, has been going on for 20 years. We've had the city suing the board. That suit was declared that we are all one and we are not all one right now.

Chief Turner tried to regain control of the meeting.

Mayor Fitzhugh stated that he was sorry that the previous members can't serve on the power board as long as he is mayor because he has to decide who to put before this board. That's the bottom line and he just can't in good conscience continue with the previous board, even though they did a good job, they sued the City of Ripley. The suit was brought because we wrote to the comptroller about some things that are water under the bridge now, that are gone. Mr. Allmand and he have talked about this and are ready to start fresh. We don't want the next two years being used talking about who's on the board. It's just time we move forward. The reason the first suit was filed was because the comptroller said we needed to get some answers and to take legal means to get them. The first legal means would have been, at some point years ago, to ask the Attorney General for an opinion. The Attorney General doesn't do that anymore. We had no choice but to ask for a declaratory action with the court. That's when the court said we are all one body and can't sue each other. We all agreed with that. Then there was another lawsuit that was individually against some members that Ripley Power & Light filed and that was also resolved in the city's favor. Here we are. If I'm wrong you can out vote me, that's fine. Just know that more than you know, he (mayor) has concerned himself with this. He had 4 or 5 good friends on that before but that's not the point. The point is to give the citizens the ability to know exactly what's going on and on a timely basis and to disclose things properly. That is what we didn't have, in his mind, efficiently before. We are going to end up doing this for the next 2 years and it's going to be tough for us to get new industry and other things because Ripley can't get their act together. We are very close. There are things that Ripley Power & Light can do that will be revolutionary for us. But we don't need this back and forth. It's the ability for a body of aldermen to make sure that they totally protect the public interest when rate payers and the public are at stake. It's not Mr. Allmand's money, it is not my money, it is not your money. It is the rate payers and the citizens money and we cannot afford to do anything less with one department than we do with the other departments. That's it. Do we have a second? If we don't have a second, we will be doing this the rest of the year until July 1 of next year. That's the bottom line. He didn't make the law but he will abide by it.

Alderman Alston stated we still have the month of June.

Attorney Jackson stated the nominations are still going to come from the mayor.

Alderman Alston stated they don't have to be the same.

Attorney Jackson stated they don't have to be the same but could be the same and ultimately if he doesn't change his nominations and you all don't approve his nominations the next possibility of seating will be July 1, 2026.

Alderman Thompson stated the board just got this (resolution) why couldn't the aldermen have a meeting to discuss this item before we got here tonight.

Mayor Fitzhugh stated because of the Sunshine Law. It's against the law to talk individually. This is the first opportunity we've had. We can put it off and have another special called meeting but we've got to do it so it can happen before July 1.

Alderman Thompson stated he thinks we should put it off until we can have a special meeting.

Mayor Fitzhugh stated we've been dealing with this for so long and we need to put it behind us and we are going to do it with this superintendent who wants to push this city forward.

Ms. Jenkins asked if Mr. Allmand agreed with the 3-member board opposed to the 5-member board.

Alderman Alston stated they just want Tyler on the board and they don't feel he (mayor) should put himself on the board. Nothing else.

Mayor Fitzhugh stated if there is no second on the motion, the meeting is adjourned.

Attorney Jackson stated before the meeting adjourned, she wanted to make the board aware that there is always a possibility that the mayor comes back at the called meeting and doesn't recommend the appointment of a 2- or 4-member independent board. The nomination to establish an independent board membership comes solely from him.

Alderman Alston stated at least that would give the board time to study the resolution. If the board had of gotten the resolution Friday in the agenda package, we would not have been saying this. We just got this an hour ago and it's not fair to put us through this.

Alderman Frazier stated the main thing is that they want him (Frazier) to be on the board.

Mayor Fitzhugh stated that he can't, in good conscience, do that. He's trying to do what is best for the constituents.

Meeting adjourned 7:00 p.m.

Donna Buckner, Recorder

Craig Fitzhugh, Mayor