

Meeting Minutes
August 25, 2022

The Mayor and Board of Commissioners of the City of Sweetwater met in a called meeting on Thursday, August 25, 2022 at 5 p.m. Mayor Doyle F. Lowe called the meeting to order with Commissioners present being: Lamar Hughes, Sam Moser, Alan Richeson, Billy G. West, and James H. Stutts. City Attorney John W. Cleveland was present.

Mayor Lowe opened the meeting by stating the purpose was to confirm the actions taken in the meeting Monday, August 22, 2022. He stated that he believed the meeting was not legal, in his opinion. He said he would support a city election to fill the vacancy. He stated that we did not have three voters. He said he may not take a vote tonight and that he didn't think tonight was a valid meeting. He said all business in Monday's meeting was null and void. He turned the meeting over to City Attorney John W. Cleveland.

City Attorney John W. Cleveland recapped the Monday, August 22, 2022 meeting's action. He stated a quorum of three commissioners as required by the charter was present at the Roll Call. The fact that the Vice-Mayor could not vote unless there was a tie did not change the fact that there was a quorum. He advised that after the meeting, he contacted Melissa Ashburn, an MTAS Attorney to review the rule of the quorum. She confirmed John's initial assessment that a quorum was present. She also agreed that she thought it was an excellent idea to hold this called meeting as a matter of "Belt and suspenders". He noted there was certainly a quorum present at this meeting, as the Roll Call will show. He noted the only agenda item was to confirm the appointment from Monday. He instructed with the Mayor and all commissioners present, they should exercise their own opinion on the appointment, stating the board should give new and substantial reconsideration to the appointment. He noted the items concerning the appointment including Mr. Stutts' previous experience as Mayor, Vice-Mayor, Police Commissioner, Assistant District Attorney, and his support from the police department as evidenced by their attendance Monday and the meeting tonight.

Mayor Lowe asked City Attorney John Cleveland if Robert's Rules of Order said three voters had to be present. Mr. Cleveland answered that once a quorum was present, any majority vote was a legal and decisive vote. Mayor Lowe was unable to provide the rule he was alledging existing.

Commissioner Sam Moser called for the Order of the Day to return to the agenda. City Attorney John Cleveland said that would return the board to Roll Call on the agenda. City Attorney John Cleveland advised a Roll Call should proceed. Upon the Roll Call, Commissioner Hughes, Moser, Richeson, West, and Stutts were present. Mayor Lowe asked if Commissioner Stutts had been sworn in, and City Recorder Jessica Morgan and City Attorney John Cleveland advised that he had.

Mayor Lowe called for a vote to confirm. Commissioner Richeson moved to confirm the appointment of James H. Stutts to fill the vacancy as City Commissioner, Police Commissioner,

and Board Member to Sweetwater Utilities Board. The motion was seconded. The board discussed their reasoning. The question was called. The appointment was confirmed unanimously.

No further action was taken.

The meeting was adjourned at 5:24 p.m.
This the 25th day of August, 2022.

Mayor

ATTEST: _____
Recorder