

**Metropolitan Board of Ethical Conduct**  
**Minutes of Meeting**

Wednesday, January 4, 2023

The Board of Ethical Conduct held a meeting on this date in Metropolitan Council Committee Room 2 of the Second Floor of the Historic Courthouse in Nashville, Tennessee.

Persons in Attendance:

Diane DiIanni, Board Chair  
Brigid Carpenter, Board Member  
Larry Patton, Board Member  
John Spragens, Board Member  
Diamond Stewart, Board Member  
Kyonzte Toombs, Ex-Officio Board Member

Nicki Eke, Legal Counsel  
Courtney Mohan, Legal Counsel  
Austin Kyle, Metropolitan Clerk  
Shawn Reed, Deputy Clerk

Call to Order

The Chair called the meeting to order at 9:31 a.m.

Approval of Minutes of November 8, 2022

Chair DiIanni requested a modification to the proposed minutes to properly reflect that Council Member Toombs is an ex-officio member of the Board and to make a clarification within the Summary and Discussion of Metro Legal Report re: Weatherspoon v. Styles section of the minutes.

Mr. Spragens moved to approve the minutes of November 8, 2022 as modified, which motion was seconded and approved by a unanimous vote of the Board.

Announcement of Appeal Rights

The Clerk announced that parties who disagree with a final decision of the Board may appeal by filing a writ of certiorari with the Davidson County Chancery Court within sixty (60) days of entry of the Order, and parties are encouraged to seek independent legal advice to ensure that applicable procedures and deadlines are properly followed.

Hearing for complaint Weatherspoon v. Styles

Chair DiIanni reviewed the procedures for the conduct of the hearing. Danielle Nellis and Rita Roberts-Turner identified themselves as attorneys for Council Member Joy Styles. John Honeysucker from Metro Water Services, Monica Bishop and Scotty Brown from Metro Codes, and Council Member Porterfield were identified as witness for Council Member Styles. The complainant, Ms. Nicole Weatherspoon, indicated that Ms. Bishop and Mr. Brown would also be witnesses for her. The Clerk swore in all the witnesses.

Ms. Weatherspoon declined to offer an opening statement. Ms. Roberts-Turner made an opening statement on behalf of Council Member Styles. Ms. Weatherspoon took the stand and asked questions and gave answers to the Board. Ms. Roberts-Turner cross examined Ms. Weatherspoon.

Ms. Nellis asked the Board to consider a motion to dismiss the complaint. Chair DiIanni indicated that the Board would be proceeding with the hearing.

Council Member Styles took the stand and was examined by Ms. Roberts-Turner. Board Members asked questions for clarification on some details of the matter. Ms. Weatherspoon cross examined Council Member Styles. Ms. Nellis called for Monica Bishop to take the stand as a witness for the respondent. Ms. Bishop was interviewed by Ms. Nellis for the respondent and Ms. Weatherspoon, the complainant. Ms. Nellis called for Scotty Brown to take the stand as a witness for the respondent. Mr. Brown was interviewed by Ms. Nellis for the respondent and Ms. Weatherspoon, the complainant. No further witnesses were called.

Ms. Weatherspoon offered a closing statement. Ms. Nellis offered a closing statement on behalf of Council Member Styles. Chair DiIanni closed the hearing and moved for the Board to begin deliberation.

After discussion, Board members found that the respondent did not demonstrate the intent necessary to support a finding that the Code was violated. Ms. Carpenter moved that the complaint be dismissed on the basis that there was insufficient evidence to establish an ethical violation of the Code, which motion was seconded and approved by the following vote: “Ayes” (5): DiIanni, Carpenter, Patton, Spragens, and Stewart; “Noes” (0); “Abstain” (0).

#### Administrative Items

A. Currently, the board is mandated to have one standing meeting a year, in March of each year. Last year, the Board had a busy season and scheduling became a bit challenging and had discussed a proposal to move to mandating a quarterly meeting schedule on the 1st Thursday of March, June, September, and December. As the volume of work has now eased, Chair DiIanni is withdrawing that proposal.

B. There are some pending bills in Council that are relevant to the Board:

a. BL2022-1528 changes the composition of several boards & commissions, including the Board of Ethical Conduct. This ordinance will result in the Board increasing from 5 to 7 members, and having members appointed by additional organizations to address statutory diversity requirements for the makeup of the Board. The Metro Clerk will be reaching out to the organizations to request nominees so the Board can be at full membership in time for the March meeting. Legal will review the ordinance and other reference material to determine whether quorum & voting thresholds change with the change in membership number.

b. BL2022-1450 by Council Member Allen is currently on hold. There was discussion about exactly what the ordinance did. In general, the board did not want to be asked to make

decisions about whether legal fees should be covered.

#### Next Steps/Scheduling

The next meeting will be held at 9:00 am on Monday, March 6, 2023. Due to the expected increase in the number of Board members and the need for more space, the meeting will be scheduled for Council Committee Room 1.

#### Adjournment

Upon motion properly seconded, the meeting was adjourned at 11:52 a.m.