

Metropolitan Board of Ethical Conduct
Minutes of Meeting

Monday July 8, 2024

The Board of Ethical Conduct held a meeting on this date in Metropolitan Council Committee Room 1 of the Second Floor of the Historic Courthouse in Nashville, Tennessee.

Persons in Attendance:

Diane DiIanni, Board Chair
Brigid Carpenter, Board Member
Kirsten Grimes, Board Member
John Spragens, Board Member
Kinika Young, Board Member

Tom Cross, Legal Counsel
Nikki Eke, Legal Counsel
Courtney Mohan, Legal Counsel
Austin Kyle, Metropolitan Clerk

Call to Order

The Chair called the meeting to order at 9:05 a.m.

Public Comment Period

No members of the public signed up to speak.

Approval of Minutes of June 5, 2024

Ms. Young moved to approve the minutes of June 5, 2024, which motion was seconded and approved by the following vote: “Ayes” (5): DiIanni, Carpenter, Grimes, Spragens, and Young; “Noes” (0); “Abstain” (0).

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 amended complaint: Yousief v. Carol McCoy (Arts Commission)

Chair DiIanni gave a brief summary of the process that would be followed for the hearing on this matter.

After some discussion, it was determined that a motion to dismiss filed by Ms. Carol McCoy would not qualify as a preliminary motion to be considered and that the Board would be moving into the evidentiary hearing. Chair DiIanni called the hearing to order. The complainant, Ms. Lydia Yousief, offered an opening statement. Ms. McCoy waived the right to give an opening statement.

Ms. Lydia Yousief began the presentation of her case for the accusations in her complaint. During the presentation, the Board asked questions of Ms. Yousief. Ms. McCoy was sworn in and began the presentation of her case against the accusations. Ms. McCoy read an affidavit into the record. The Board asked questions of Ms. McCoy. Chair DiIanni closed the evidentiary hearing.

Ms. Yousief gave closing arguments. After some discussion, Council Member Joy Styles was sworn in to provide additional context to questions that were raised during the hearing. Ms. McCoy gave closing arguments. Chair DiIanni closed the hearing and moved on to deliberations by the Board.

The Board deliberated and asked question for the Department of Law. After discussion, Ms. Carpenter moved to find that based on the evidence presented, the conduct in the complaint did not rise to a violation of Metro Code of Laws Section 2.222.020(k), which motion was seconded and failed by the following vote: “Ayes” (3): DiIanni, Carpenter, and Spragens; “Noes” (1): Grimes; “Abstain” (1): Young.

Chair DiIanni moved that the conduct raised by the complainant raises concerns and felt that the respondent didn’t prioritize equity in the performance of her duties, but the Board finds no basis in fact that any ethical violation was committed, which motion was properly seconded. After discussion, Chair DiIanni withdrew the motion.

Mr. Spragens moved to reconsider the prior failed vote, that based on the evidence presented, the conduct in the complaint did not rise to a violation of Metro Code of Laws Section 2.222.020(k), which the motion to reconsider was seconded and approved by the following vote: “Ayes” (5): DiIanni, Carpenter, Grimes, Spragens, and Young; “Noes” (0); “Abstain” (0).

Mr. Spragens moved to find that based on the evidence presented, the conduct in the complaint did not rise to a violation of Metro Code of Laws Section 2.222.020(k), which motion was seconded and approved by the following vote: “Ayes” (4): DiIanni, Carpenter, Grimes, and Spragens; “Noes” (0); “Abstain” (1): Young. Chair DiIanni declared that the complaint is hereby resolved and dismissed.

Chair DiIanni called for a brief recess at 12:30 p.m.

Chair DiIanni resumed the meeting at 12:40 p.m.

Hearing for complaint: Griswold v. Council Member Joy Styles

Chair DiIanni called the hearing to order.

Mr. John Griswold and Council Member Styles waived their rights to give an opening statement. Mr. Griswold was sworn in and began the presentation of facts to support the accusations in his complaint. The Board asked questions of Mr. Griswold. Council Member Styles presented her case. The Board asked questions of Council Member Styles. Chair DiIanni closed the evidentiary hearing.

Mr. Griswold and Council Member Styles gave closing arguments. Chair DiIanni closed the hearing and moved on to deliberations by the Board.

After deliberations, Ms. Carpenter moved that based on the evidence presented there is a finding of a technical violation of the Metro Code of Laws Section 2.222.020(r) for reporting years 2022 and 2023, which motion was seconded and approved by the following vote: “Ayes” (5): DiIanni, Carpenter, Grimes, Spragens, and Young; “Noes” (0); “Abstain” (0). Chair DiIanni declared that the Board has found that a violation of the standards of conduct was committed and would be subject to sanctioning by the Board.

Chair DiIanni opened deliberations regarding the issuance of sanctions for the violation. After discussion, Mr. Spragens moved to recommend a censure to the Metropolitan Council with reservations, which motion was seconded and failed by the following vote: “Ayes” (0); “Noes” (5): DiIanni, Carpenter, Grimes, Spragens, and Young; “Abstain” (0).

Chair DiIanni moved to recommend that if the Council Member would not commit to completing the disclosures prescribed in the Metropolitan Code, that they should consider resigning their position. The motion failed due to lack of a second. Chair DiIanni declared that ethical violations were found but the Board did not feel the sanctioning options available were appropriate and the vote to censure failed unanimously.

Next Steps/Scheduling

At this time, the next scheduled meeting is the annual standing meeting of the Board scheduled for March 3, 2025 at 9:00 a.m.

Adjournment

Upon motion properly seconded, the meeting was adjourned at 2:00 p.m.