

June 5, 2020

Dear Council Member Allen,

Thank you for your continued attention to Rose Park and especially for your response to concerns shared in our meeting on May 14. As we discussed, both the recent Metro Audit and investigative news reports have confirmed problems with the proposed lease that go beyond its details and include its origins and premise.

We are grateful for your commitment to request the further investigation of these issues by Metro auditors. We are sharing the following information in support of this commitment.

In addition to information that has come to light through the Metro Audit, News Channel 5 has aired a related series of news stories beginning last September. These include:

- September 23, 2019: ["Neighbors say Belmont University should not be allowed to build an athletic facility on Metro Schools property."](#)
- January 13, 2020: ["Land deal between MNPS and Belmont to change after NewsChannel 5 Investigates raises questions."](#)
- January 22, 2020: ["Top Metro administrator claims no MNPS money went to youth sports program, but records show otherwise."](#)
- January 29, 2020: ["CEO of Boys & Girls Clubs abruptly resigns one day after Metro Schools Director calls for investigation."](#)
- February 11, 2020: ["After school program promoted as part of Belmont's batting facility deal has no money to pay for it."](#)
- April 14, 2020: ["Longtime MNPS administrator announces immediate retirement after audit confirms conflict of interest."](#)
- May 7, 2020: ["Termination letter reveals MNPS Chief wanted to fire longtime administrator for conflict of interest."](#)

Among these stories, the two that present the most disturbing new information with reference to the proposed lease are the reports that aired on January 13, 2020 and on February 11, 2020:

- The January 13, 2020 story includes a portion of a letter dated November 21, 2018, from Belmont University Vice President Jason Rogers to two MNPS officials, Dr. Tony Majors and Mr. David Proffitt. The letter presents talking points for a planned interdepartmental meeting with Parks Director Monique Odom. These talking points

include the need to avoid the Metro Council process (“a drawn out battle at the Metro Council”) and a joint request by Rogers, Majors, and Proffitt that Director Odom and CM Colby Sledge keep the proposed school land deal confidential.

- The February 11, 2020 story reports (accurately, based on our experience) that Belmont University “aggressively promoted” an “Extended Learning Site” -- for which it knew that federal funding had been denied -- to manufacture support for the proposed school lease. The story reports that several Edgehill residents, two of whom were interviewed, had been asked to sign pre-written letters to the Metro Planning Commission in October 2019 supporting the proposed school lease on this basis.

Belmont University also used the “Extended Learning Site” -- before the Board of Zoning Appeals on October 3, 2019, and before the Metro Planning Commission on October 24, 2019 -- to overcome zoning and land-use restrictions protecting the educational use of school property.

Critical questions following from these stories and requiring official investigation include:

1. How, when, and from whom did the proposed school lease originate?

Documents included in the January 13, 2020 news story strongly suggest that Belmont University -- rather than Dr. Majors or anyone acting on behalf of MNPS -- originated the proposed lease.

As you know, Dr. Majors attended a Rose Park community meeting convened by CM Sledge on Saturday, October 13, 2018. The Parks Board had required CM Sledge to hold the meeting after months of neighborhood advocacy.

At the meeting, Dr. Majors expressed support for the construction of an indoor batting facility in the park but rejected the need for a second floor with private Belmont University offices, which had been a primary neighborhood objection. An unanswered email from our committee to CM Sledge the following Thursday – October 18, 2018 – noted our appreciation for this consensus and requested that CM Sledge work with us to “address the priorities of the community expressed at the meeting.”

The News Channel 5 report reveals that Belmont University’s architect, Mr. David Minnigan, was already writing to Mr. Proffitt, copying in Vice President Rogers and Dr. Majors, on Wednesday, October 17, 2018, at the latest. It is unlikely that Dr. Majors, during this short interval, reversed his position regarding the second floor, determined that the two-story building could fit on the grounds of Rose Park Middle School, and reached out to Mr. Minnigan. It is even less likely Dr. Majors recommended use of MNPS property as a way to circumvent the Metro Council.

2. How did Metro officials respond to Belmont University's request to keep the proposed school lease confidential?
3. Did meetings regarding the proposed school lease comply with the Tennessee Open Meetings Act and other policies governing the behavior of Metro officials?
4. What Metro officials, if any, erroneously advised Belmont that it could obtain a 50-year lease of public real estate without the approval of the Metro Council?
5. What Metro officials were responsible for framing and presenting the proposed lease as an "easement" for "access to the school's property" on the consent agenda of the November 27, 2018 meeting of MNPS Board of Education?
6. CM Sledge notified members of our committee of the proposed school lease by email on February 21, 2019. He referred to the notification as an "update" following on "a conversation I had with MNPS this week" and indicated that approval was still pending at this time.

When, and by whom, was CM Sledge informed of the proposed lease? What conversation or meeting does his email reference? What approval was pending at this time?

7. Were Metro officials involved in the misrepresentation of the proposed building as a "hitting/clubhouse facility for Metro schools" in the application for a construction permit on March 1, 2019?
8. What was the purpose of the undated Belmont University document titled "MNPS Belmont Batting Facility" sent to MNPS Director Dr. Adrienne Battle and others by Mr. Proffitt on July 17, 2019? Who were the MNPS sources for the information presented in the Belmont University document? Who are the individuals identified in the Belmont University document as "RBI/MNPS staff"?
9. Why was the Memorandum of Understanding between Belmont University and MNPS revised in September 2019? What changes were made? Why did Reviving Baseball in Inner Cities (RBI) remain a private beneficiary of the proposed school lease at this time? Why did the revised agreement continue to commit MNPS to the operation of an "Extended Learning Site" for which it was known that funds did not exist?
10. Who filed BL2019-11 supporting the proposed school lease in September 2019? Why were they not identified as a sponsor of the bill?

11. What Metro officials, if any, advised Belmont to continue construction on MNPS property without a valid lease and while seeking Metro Council approval?
12. Why did photographs presented to the Board of Zoning Appeals on October 3, 2019 – purporting to show “current conditions at the property” – exclude evidence of construction long since underway?
13. Belmont University's response to the February 11, 2020 News Channel 5 story claims that it acted “in good faith” based on a “clear understanding” of unspecified information from MNPS. This statement risks shifting responsibility to MNPS officials for the extensive misinformation presented by Belmont officials to the Edgehill neighborhood, the Board of Zoning Appeals, and the Planning Commission.

Who originated the idea of promoting the athletics building as a part of an "Extended Learning Site," and when? Why did this promotion continue – at community meetings, in public hearings, and in official documents -- long after MNPS had informed Belmont University that funding had been denied? Why was the lack of funding not disclosed in these meetings and public hearings at any point?

14. What recourse is available to the Board of Zoning Appeals and to the Metro Planning Commission with respect to extensive false information presented to these bodies on October 3, 2019, and October 24, 2019, respectively?

This false information includes claims exposed by News Channel 5 regarding the "Extended Learning Site" and statements made by Mr. Proffitt to the Board of Zoning Appeals describing the origins of the proposed lease and its review by the MNPS Board of Education. These claims were central to Belmont University's argument that the proposed building was consistent with zoning and land-use conditions ensuring the educational use of school property.

Thorough investigation of these questions is needed to inform decisions by the MNPS Board of Education regarding the proposed lease and to inform potential decisions by the Metro Council. As you know, members of both bodies have consistently expressed concerns about the quality, accuracy, or truthfulness of information presented to them regarding Rose Park. These officials include Mayor Cooper, who has publicly characterized Belmont's 2017 proposal to the Metro Council as “deceptive” and urged Edgehill not to let “a respected university” take neighborhood assets.

It was clear in our meeting that your commitment to seeking accountability in these matters is serious and sincere. We appreciate your suggestion of a Metro audit review as an appropriate path forward. We hope that the information and questions above are helpful in beginning this process.

Sincerely,

The Edgehill Coalition Rose Park Committee
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