

MINUTES

The regular meeting of the Oliver Springs Town Council was called to order by Vice-Mayor Terry Craze on February 7, 2013 at 7:15 p.m. All were present except Mayor Hepler, who had an excused absence due to illness.

The meeting was opened in prayer by City Recorder Van Hook followed by the pledge to the flag.

Motion by Brummett and second by Walker to approve the minutes of the previous meeting as presented. This passed 5-01, Cox abstaining due to his absence.

COMMENTS FROM CITY MANAGER TREECE:

- A. The bucket truck is still in the shop for repairs as the hydraulic lines had dry rotted and the entire bundle is being replaced. Due to the fact that the bucket truck has been out of service and the high amount of rain, the Christmas lights, the large Christmas tree at the flag court, and the wreath at City Hall have not yet been removed.
- B. The street department has been working on cleaning culverts and ditch lines and to patch ruts or holes in city streets.
- C. The city snowplow truck has been inspected to assure that all systems are functioning and are operational for safety and for use if needed.
- D. As time allows and weather permits, more of the trimming of vegetation obstructing head stones, plots, repairs, and maintenance, have been or will be performed at the cemetery.
- E. The street department has been picking up leaves and debris to prevent culvert blockages due to heavy rains.
- F. The contract with SETT has been signed by the Mayor and Midge has been sent agenda and contact information for all members of the planning commission and the board of zoning appeals.
- G. The auditor should be finishing up the 2011-2012 audit this week.
- H. As soon as weather permits, the street department will be repainting the handicapped parking spaces to the left side of the library due to the fact that the parking space lines are not as visible as needed.
- I. As weather permits, the water department will be painting the fire hydrants throughout the Town "yellow" at request of the fire department.
- J. TVA has responded as to the beaver dams at Indian Creek and has advised that the town is allowed to proceed with removal of the beaver dams as long as no changes are made in the creek line and as long no further damage will be caused by equipment. In order to prevent damage to the creek, this matter probably will wait until dryer weather when the heavy equipment can be used with little or no damage to the creek.
- K. This spotlights at the Court of Flags have been repaired.
- L. Police Chief Morgan and Mrs. Treece have completed the changes to the employee handbooks. Most of the changes are clarifications of standard procedure, TML and Labor Board updated items, and the addition of a hostile work environment statement. Mrs. Treece and Chief Morgan recommended that this be adopted as soon as possible in order to save insurance costs.

- M. Mr. Cox asked and Mrs. Treece said that as to the lost sign for Prince Street, she thought it was on her list to replace.

COMMENTS FROM CITIZENS:

Mrs. Julia Daniel spoke that the Mayme Carmichael School Organization, Inc. had received its charter and had become a nonprofit corporation. The honorary board members are Senator Ken Yager, Representative Ken Calphie, and Dr. Chris Whaley. The advisory committee members are James Cain, President of the Green McAdoo Cultural Center, Claude (Buster) Harvey III, and Dr. Steve Smith. The officers are as follows: President - Julia H. Daniel; Vice-President - Ronalda Dooley; Secretary/Treasurer - Faye M. Curd; Assistant Secretary - Shirley McConico; Assistant Treasurer - Alma Fletcher. The Board of Directors are as follows: Shiri Anderson; David Benjamin; Alma Fletcher; Edward Jackson; Jean Hopper King; Kelvin Knaff; and Joseph H. Van Hook. The Trustees are Charles E. Boyd; Dewayne Carmichael; Norman Eskridge; Curtis Fritts; and Calvin Knaff. The mission is to preserve the heritage of the African American Community, promote education, and support the development of the historical black school location, which is now Carmichael Park, in Oliver Springs. Mrs. Daniel thanked Attorney Joseph H. Van Hook for the work in preparing and recording the corporate charter and related documentation; the Town Counsel for its support for the park grant; Mayor Hepler and Terry Holland for meeting with their committee; Chairman James Brummett of the Roane County Commission; Pat Crowe of the Oliver Springs Historical Society; and Carolyn Kelly, who helped with the park and the nonprofit corporation. Mrs. Daniel advised that she and her group is looking forward to working with City Manager Tina Treece. Mrs. Daniel advised that Mr. Jones and Dewayne Carmichael, Mayme Carmichael's grandson, may want to provide services at no cost for the development of the park. On May 4, 2013, there will be a school reunion at the park prior to the Little Leaf Baptist Church homecoming celebration. Recorder Van Hook requested and Vice-Mayor Craze agreed that the group could use the Town Counsel room as a meeting facility as long as there were no Town Council meetings, Planning Commission meetings, Board of Zoning Appeals meeting, or other meetings previously scheduled. Mrs. Daniel is to check with City Manager Treece or City Secretary Campbell in order to schedule use of the room and the facilities. Mrs. Daniel advised that her group would meet with the Afro American Alliance, consisting of representatives from Carson Newman College, The University of Tennessee at Knoxville, and Tusculam College, as this organization attempts to locate abandoned black cemeteries in the region. The Mayme Carmichael School Organization, Inc. will represent Roane County, Morgan County, and Anderson County.

Mr. Jerry White spoke representing the Oliver Springs Historical Society wherein the Historical Society is sponsoring a spaghetti lunch dinner on February 10, 2013 at the DAV building in Oliver Springs from 11:45 a.m. until 2:30 p.m. The cost is \$8.00 per adult and \$3.00 per child. All are invited to attend. The proceeds will be used to help with the work at the Abston Garage in Oliver Springs.

COMMENTS FROM TOWN COUNCIL MEMBERS:

Mr. Stinnett asked and Mrs. Treece advised that the lawsuit involving the condemnation of the house in Sleepy Hollow is scheduled for a hearing tomorrow. The other cases are in progress. There was some discussion that a house may have had improvements recently, and Mr. Coffey advised that if the house had a 50% or greater improvement, then there is a good likelihood that the condemnation action may be resolved.

Mr. Cox encouraged all to support the Historical Society dinner as it is for a good cause.

Mr. Holland advised that the culvert under the railroad near the old Archie Raby gas station needed to be cleaned out to prevent flooding, and Mrs. Treece said she would get to that as soon as possible.

Mr. Holland asked and Mrs. Treece advised that the CUB estimated the cost of the Christmas lights.

OLD BUSINESS:

None.

NEW BUSINESS:

Upon recommendation of City Manager Treece and Police Chief Morgan, motion by Walker and second by Stinnett to pass ordinance number 2013-7-2A, the employee handbook, and the police department employee handbook. After discussion, all voted aye.

Upon recommendation of City Manager Treece and City Finance Officer Romona Walker that Billie Jo Marney had successfully completed her probation, motion by Maurice Walker and second by Brummett to hire Billie Joe Marney to be a permanent part time employee at the regular rate (a .25 cent increase from the existing pay). All voted aye.

Motion by Brummett and second by Cox to pass ordinance number 2013-7-2B and 2013-7-2C, amending the 2012-2013 general fund budget. All voted aye.

After discussion involving a matching library grant, Vice Mayor Craze directed that this be placed on the agenda for the next meeting.

Building Inspector Coffey reported that the house at 109 Kries Circle has been condemned, by court action, and no visible progress has been made to improve the property. The condemnation notices were sent to the property owner by mail and also posted on the property. If the property wants to bring the building up to code, the property owner must meet with a codes officer in order to obtain permits and to establish a plan of action. Mr. Coffey advised that the condemnation notices had been removed, and removing these notices was a Class C misdemeanor crime. Mrs. Gifford, the owner, was present and she advised that she had never received notices by mail of the condemnation. She stated that she pulled down one of the notices of condemnation as it was late at night and dark and she wanted to bring it into her car where she could have light to read the notice. Recorder Van Hook advised that if this were a court proceeding, Mrs. Gifford should be advised of her Miranda rights, and that all present could be now be witnesses (as to this statement against interest) in any criminal or civil prosecution against Mrs. Gifford. Mr. Walker suggested that the property owner be prosecuted for the Class C misdemeanor (for removing the condemnation notices) by the building inspector. Recorder Van Hook observed that it may be better to allow building inspector Coffey to determine which remedy or remedies might be appropriate, as if the property has already been condemned, the failure of the property owner to resolve the deficiencies could be contempt of court, which as penalties jail, fines, and court costs, which could be imposed in the existing lawsuit as compared to the filing of a criminal prosecution on a Class C misdemeanor offense. In addition, in the civil lawsuit, the court could order the demolition of the building either by the town or by the property owner as compared to a Class C misdemeanor conviction, which would most likely result only in fines, court costs, jail, or supervised or unsupervised probation. Building Inspector Coffey advised that the procedure is as follows. The first step is to bring the property in compliance. The second step is to remedy the problem by the property owner removing the building. The third step is if that does not happen, ask the court to hold the property owner in contempt. The last step is that the contempt process wherein the solution may be jail time for failure to remedy the problem, or in the alternative

authorizing the town to demolish the building. Building Inspector Coffey also observed that sometimes the property owner will bring the property up to a minimum compliance, and then do nothing, and the building falls out of compliance, and the process is repeated. One can easily see that this is a problem. Mr. Walker stated that this Kries Circle property had been an eye sore for several years and he had received many complaints regarding the property and action needs to be taken now. Mr. Cox stated that building inspector Coffey is working the problem.

Police Chief Morgan introduced Patrolman Brandon Davis and reported that he had successfully completed his 90 day probation. Upon recommendation by Chief Morgan, motion by Stinnett and second by Walker to hire Brandon Davis full time at the regular rate of pay and benefits. All voted aye.

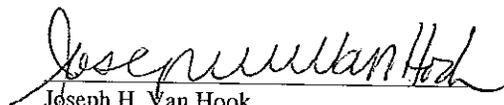
Fire Chief Terry Phillips advised that his fireman are now using a paging system through the Police Department that used to be free, but now cost \$11.00 per year per fireman. The fireman turned in their city telephones and even with this new cost, there is a net savings for the budget. As this expense was small, Vice-Mayor Craze advised that this could be handled in the existing budget.

City Manager Treece thanked the Fire Department, the Police Department, and the Sewer Department in their outstanding work in the "non-incident" at the sewer plant several days. Their efforts were very much appreciated.

Mr. Cox advised that if he had offended anyone tonight in his discussion of the Green Acres Trailer Park sewer problem, he apologized.

With no further business to come before the meeting, the meeting was, upon motion duly made and seconded and unanimously approved, adjourned at 8:07 p.m.

Respectfully submitted,


Joseph H. Van Hook
City Recorder

APPROVED:


Terry Craze
Vice-Mayor

02-07-2013 TOS