## MINUTES

The regular meeting of the Oliver Springs Town Council was called to order on May 15, 2014 at 7:00 p.m. by Mayor Chris Hepler. All were present except Gary Stinnett, who had an excused absence.

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

Motion by Cox and second by Shillings to approve the minutes of the previous meeting as presented. All voted aye.

## COMMENTS FROM CITY MANAGER:

A. Health insurance quotes have been received and it appears that the increase in premium was not as great as initially estimated. The current premium health insurance cost has been updated in the draft 2014-2015 budget documents.

B. The City Manager has provided three sample ordinances to Town Council: Animal Control; Abandoned, Wrecked, and Dismantled Vehicles; and Flea Markets. One or more of these draft ordinances can be considered and passed if so desired by Town Council.

C. Building Inspector Glen Cofer's report as to the Gifford property is expected shortly and a copy will be provided to Town Council members. The Mayor has the pictures that were taken during the property inspection on May 2, 2014, and are available for viewing or copying.

D. The following property maintenance code violations have been turned over to the City Attorney: Bill Phillips on Caldwell Circle; Ray Tinker, Tenant/Ms. Hester, Owner, on Hen Valley; and Harman at 229 Hanna Drive.

E. Code enforcement letters have been sent out to the following properties outlining code violations: 306 Kingston Avenue and 761 Sleepy Hollow. Upon complaint(s) and inspection(s) by the City Manager, additional code violation letter(s) may be sent out beginning next week.

F. The City Manager requested Town Council to consider the closing City Hall for thirty minutes each day for a lunch break as this would allow the ladies to have a well desired lunch break. Although this was normal routine for City Hall several years ago but was terminated, City Manager Treece believes the reinstatement of this break would be helpful for the staff, even if for only two or three days a week.

G. At a TVA Ash Spill Funds meeting last week, the Town's request for funding for the action taken at the meeting in April was approved and the funds should be paid shortly. As TVA approved the plan as passed by Town Council, the Town may proceed with the work.

H. An Excel spreadsheet will be provided to detail the unpaid property taxes from 2004 to 2013. The large amounts of unpaid property taxes have been turned over to City Attorney Nick Armes for collection and/or possible litigation.

I. Although rain and equipment failures have delayed and prolonged the brush pickup this Spring, the brush pickup is now complete.

## COMMENTS FROM CITIZENS:

Mr. Freddie Collins, the owner of Collins Wrecker Service, advised that he had towed automobiles for the Police Department and the Town for many years, and he was not made aware of the fact that the Town changed qualifications and specifications for towing and then changed to a different wrecker service. Mr. Collins advised that whatever fee the new wrecker service may charge, he would charge the same or even

charge less. Mr. Collins stated that he believed that his wrecker service complied with all the qualifications of the new contract, and Mr. Collins stated that he wished that the Town had given him the curtsey of being able to place a bid for the wrecker services, rather than the Town simply approve the new wrecker service without input from other wrecker services. Mr. Collins requested that his wrecker service be placed on the list for rotation. Mr. Collins advised and the Mayor acknowledged that he had turned in a bid to Town Council for the wrecker services. After discussion, the Mayor advised that he would present the Collins wrecker service bid to Town Council at the next workshop, and allow input from Police Chief Morgan and others as to the request made by Mr. Collins.

## COMMENTS FROM TOWN COUNCIL MEMBERS:

Mr. Walker announced that the Windrock Coal Miners Association would have a reunion meeting at the Union Valley Baptist Church Fellowship Hall on Saturday, May 17, 2014, beginning at 2:00 p.m., where that all who worked, together with their family and friends, at the Windrock mines are invited to this reunion, and a Windrock Coal Miner's Wall will be unveiled. This wall has engraved on the wall all of the names of those who mined coal and those who worked on Windrock. All are invited to attend.

Mr. Cox thanked the first responders and the EMS crew for their fast and efficient response when his wife had a medical emergency several days ago.

Mr. Craze announced that on Sunday at 2:00 p.m., at the library, the summer reading program signups will be held. This is a program for children four years to six years old, once a week during the summer. All are invited to attend, register, and participate.

Mr. Holland asked and Mrs. Treece advised that she will be with the Carmichael Park representatives and others over the next several days to plan how to improve the access road, improve the property, develop the property, and implement the specifications of the grant.

Mr. Holland asked and Mrs. Treece advised as to the status of the Esther Brooke Avenue sidewalk project.

Mr. Shillings asked and Mrs. Treece advised that the Sleepy Hollow house is in foreclosure and the grass needs to be cut. She also advised that the house that has burned down is scheduled to be cleaned up.

Mr. Shillings asked and Mrs. Treece advised that she was requesting the closing of the City Hall for thirty minutes for a lunch break for the City employees. The Mayor advised that this had been done in the past, but several citizens had complained that they had come by to pay water bills and other City business and the City Hall was closed, and with the complaints, the City Hall was reopened for business during lunch. Mrs. Treece advised that there was now the outside water department bill payment box, and she did not think that this would as much of an inconvenience as it once was. After other discussion, motion by Walker and second by Shillings to authorize the closing of the City Hall building from 11:30 a.m. until Noon five days a week for the employees to eat lunch to be effective June 1, 2014. All voted aye.

## OLD BUSINESS:

None.

## NEW BUSINESS:

Mr. Aaron McCoy of the Powell Clinch Utility Department advised that the Powell Clinch Utility Board and several other utility boards, along with Tennessee 811, are extending an invitation to city, county, and utility board members and officials to attend the Tennessee Emergency Response and Pipeline Safety Awareness Seminar. The purpose of this program is to discuss pipeline and distribution safety, damage prevention,

and how to handle pipeline emergencies in Anderson County, Knox County, Campbell County, Grainger County, Union County, and Roane County. The meeting will be held on June 9, 2014, at the Bearden Banquet Hall at 5806 Kingston Pike, Knoxville, Tennessee 37923 beginning with registration at 5:30 p.m. followed by a dinner and the presentation of the information. There will also be informational displays provided by the sponsoring companies with the representatives available to answer any questions. Mr. McCoy invited all to attend, and advised that there would be no charge for the dinner or the program, but Powell Clinch did need to receive RSVP to obtain a head count of the number in attendance wherein enough food and accommodations could be prepared and available.

After discussion motion by Cox and second by Craze to pass ordinance number 2014-19-15, the Animal Control Ordinance, limiting the number of animals per lot, defining animals more specifically, and generally stream lining the animal control ordinance into a more modern ordinance; and requesting the Planning Commission to consider rezoning large tracts of land available for cattle or other large animals with the appropriate agricultural designation. All voted aye.

After discussion, motion by Cox and second by Walker to pass the Abandoned Vehicle Ordinance number 2014-19-15A. All voted aye.

After discussion, motion by Walker and second by Craze to pass ordinance number 2014-19-15B, the Flea Market Ordinance. All voted aye.

Upon recommendation by Police Chief Morgan, and after extensive discussion, motion by Walker and second by Shillings to authorize the Police Department to purchase ten first VU professional wearable video systems for the Police Department pursuant to the invoice of Digital-Ally dated April 14, 2014, for the total amount of nine thousand six hundred dollars ($9,600.00). All voted aye.

Parks Director Kelly reported that an anonymous friend purchased two new score boards for the baseball field and the softball field, and he may need to use City equipment and employees, as well as volunteers, to remove the old score boards and install the new score boards. After discussion, informally the Town Council agreed.

Mr. Craze asked and Mrs. Treece advised that she would obtain one or more cost estimates or quotations for a splash pool (splash pod) (wadding pool) for Arrow Head Park.

The Mayor next advised that Building Inspector Cofer had written a citation to Mr. Tim Giles of Tri-County Tires to appear before Town Council regarding the enormous number of used automobile and truck tires that are located on his Tri-County Boulevard tire shop lot. Building Inspector Cofer advised that Mr. Giles was storing many tires outside of his building that would hold water and be a breading ground for mosquitoes, and would also create a possibility for a hazardous smoke and chemical tire and rubber fire. Mr. Tim Giles, the owner of Tri-County Tires, responded that although there are a number of junk or worn out tires in his inventory, there were also a large number of used tires that he was holding in inventory to be sold from time to time to customers who wanted used tires. One of the biggest reasons that he has such a large number of used tires stored on his property is that Anderson County has a contract with a used tire collection company where the used tire collection company has several collection trailers at a lot on Block House Valley Road. Each tire dealer or others in Anderson County who deals in tires have a scheduled day at which time and date that dealer or other individual can deliver tires to this collection point. Many times Mr. Giles takes a load of tires to this collection point but is unable to deposit the tires for removal and/or recycling. During his many failed attempts to recycle these used ties, Mr. Giles has been advised by the officials of Anderson County that if the used tire collection trailers are full, then Mr. Giles cannot leave his tires at this collection point. Anderson County uses some of the Anderson County jail inmates as a prison work crew at the used tire collection point, and/or if it is too cold, raining, and/or if the work crew is otherwise unavailable, then he is not allowed to deposit his tires at this collection point. Mr. Giles says that he and the other tire companies and others have to comply with these rules,

regulations, and contractual provisions as dictated by Anderson County, and if Anderson County will not allow his to dump his used tires, he cannot dump the tires, and he has to bring them back to his shop in Oliver Springs. Many times he does not know when he leaves his shop with a load of tires whether he will be able to drop the tires off at the collection point or whether he will have to come back with the tires. In addition, if the tire collection trailers are full, he cannot leave any tires. Some of the time the tire collection company does not leave enough empty trailers into which the used tires can be dumped. This is why these tires are stacked in front of his tire shop on his business lot. Anderson County has in the past not gotten the best service from this used tire recycling company, but he has been advised that Anderson County has worked through many of the problems with the used tire collection company, and Mr. Giles is hopeful that service may be better in the future, and that he may be able to reduce the number of tires stored on his lot. Mr. Giles stated that some weeks the nature of the tire business results in him having received from between 1,500 used tires to 1,800 used tires, and he and his staff will sort through these tires, and discard the tires that are worn out or in poor condition, and the tires that still have some tread and life left, will be retained as inventory for used tire sales. Mr. Giles also advised that his business was a tire shop, and that he has been inspected on numerous occasions by the state inspectors, and that each time of inspection, he is in compliance.

Mr. Jimmy Giles, the father of Tim Giles, stated that no one from the Town came to talk with his son about any used tire storage issues. When he owned the shop for over twenty years, no one from the Town came and talked with him. Mr. Giles suggested that this could have been avoided had there been better communication from the officials of the Town with the Mr. Giles, the owner of the tire shop.

Mr. Giles also stated that from time to time, he has business accounts with others, and he collects their used tires, and sorts them, and some are recycled, some are re-treaded, some are discarded, and some are held in inventory for sale as used tires. Mr. Giles also stated that the sprays a pesticide over the used tires in order to eliminate any issue of mosquitoes. Mr. Walker observed that although this may resolve the mosquito and insect issue, there was still the issue of the possibility of a chemical or rubber fire creating hazard smoke and chemicals, if these used tires happen to catch fire, and that would have to be resolved.

Building Inspector Cofer advised that there may be a possibility that these used tires could be disposed of at other locations outside of Anderson. Mr. Cofer indicated that he would work with Mr. Giles to explore other avenues of used tire disposal.

Recorder Van Hook noted that if it were legally (based upon Anderson County used tire collection regulations or perhaps state law), contractually, and/or physically impossible for Mr. Giles to dispose of these used tires on his day and time appointment, for the various reasons as discussed, then it could very well be legally impossible for the Town Council to vote to declare his property a nuisance, vote to declare his property out of compliance with the zoning laws and any other ordinances or state laws that may appear to govern all of these issues, or otherwise take adverse action against Mr. Giles, his property, or his business. If the matter is not resolved by agreement, the City Attorney shoul be consulted to determine what action may be appropriate.

As a result of the extensive and productive discussion, it was decided that a substantial amount of additional time was needed in order to analysis, review, investigate, and work through all these issues, and accordingly motion by Cox and second by Walker to grant a one hundred and sixty day (160) day continuance as to all of these matters in controversy, and have Building Inspector Cofer and Mr. Giles work together, in order to try and resolve as many of these issues as possible by agreement, if not resolve all these issues by agreement if possible, and report back to Town Council in approximately one hundred and sixty days (160). All voted aye.

With no further business to come before the meeting, the meeting was upon motion duly made and seconded and unanimously approved, adjourned at 8:00 p.m.

Respectfully submitted,

Joseph H. Van Hook
City Recorder

Approved:

Chris Hepler
Mayor

TOS Minutes 5-15-14