MINUTES

The regular meeting of the Oliver Springs Town Council was called to order by Mayor Chris Hepler on January 3, 2013 at 7:15 p.m. All were present except Omer Cox, 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 Walker and second by Craze to approve the Minutes of the previous meeting as presented. All voted aye.

COMMENTS FROM CITY MANAGER:

A. Mrs. Treece has received mapping and work details from the Tennessee Department of Transportation as to the planned work it has for Oliver Springs. The materials may be reviewed at any time.

B. Grant Officer Evan Sanders advised that the Town will not begin any plans for the improvement of the parks through the park grant until late spring or early summer of 2013 based upon the schedule of the supervising state agency. Mr. Holland asked and Mrs. Treece advised that the planning on the parks grant will not be until spring of 2013 or later when the State agency decides to review the work submitted by the Town.

C. The tool room has been electrified and is set up and organized. Equipment and tools will be signed in and out of the tool room, and Mrs. Treece will make adjustments as needed to insure that the assets of the Town are protected. Some of the items purchased are halogen light stands; a battery charger, drills and drill bits, safety lamps, saws, screw bins and a shop vac, nut drivers, screw drivers, wrenches. socket sets. extension cords, and wire snips.

D. Approximately $500.00 is left from the sale of the scrap metal and there are still several more scrap metal loads to be sold.

E. The repairs for Sleepy Hollow Road will be made as soon as possible, weather permitting. Due to its large size, the hole has been refilled and packed three times and the fill material is still settling.

F. The Christmas parade was enjoyed by many. Over 60 people came to City Hall and enjoyed visits with Santa, hot chocolate, and cookies.

G. Weather and labor permitting, the Christmas lights will be removed beginning December 31. 2012. The lights will be stored as usual, with any repairs and inspections scheduled for late fall of 2013.

H. City Attorney Jennifer Chadwell advised that the two code violation complaints have been filed with the courts. Copies of the complaints were provided to each councilman.

I. City Attorney Chadwell advises that on March 8, 2013, the Court will set a trial date for the Redbud Park case. Tackett Construction Company has offered a quote in the approximate amount of $35,000.00 that will establish the basis upon which the Town will seek a judgment. This amount of money will allow the Town to make corrections to and complete the project.

J. The codes enforcement officer has spoken several times with the local tobacco shop operators as to their signage. Most of the violations appear to have been corrected.

K. During the leaf pickup, Mrs. Treece discovered that the trailers were not being maintained and several trucks and trailers had faulty or missing wiring. All

have been repaired. Instructions have been given that no trailer is to be pulled until the operator has verified that all lights are working.

L. The bucket truck is being serviced for a bad starter and hydraulic leak.

M. The Insurance Committee has met with the Town's insurance agent as to liability insurance option coverage. The Insurance Committee will meet with the agent in February or March 2013 to review the health insurance plans and to discuss options.

N. Work has begun on revising the Employee Handbooks for the general employees and the Police Department employees. Once the handbook drafts are complete, they will be presented to Town Council for review and approval. Mrs. Treece and Police Chief Morgan advised that TML has determined that a conflict exists in the Employee Handbook as the Charter calls for "at will employment" in one place and in another place the Charter sets out an employee grievance procedure, and the Handbook sets out an employment grievance procedure. The question arises as follows: Is the Town an "at will" employer or is the Town not an "at will" employer? Extensive discussion followed as to the meaning of "at will employment", and any type of possible conflict. Mayor Hepler and City Recorder Van Hook suggested that the opinion of MTAS is merely an opinion, and the Town is not obligated to follow any opinion. City Recorder Van Hook asked about the need for and the authority requiring two separate employee handbooks, and Chief Morgan advised that the liability insurance coverage required different employment provisions for police officers as compared to other employees, and that the police officers would work 40 hours over a period of time of less than five 8-hour days, and there were other reasons involving the need for two separate handbooks. After extensive discussion, the Mayor informally instructed City Manager Treece and Police Chief Morgan to proceed with the drafts of each handbook and present them to Town Council for review, as the current system and its interpretation has been in place for several years and has worked successfully.

O. Beginning in January 2013, City Secretary Becky Campbell will assemble a full inventory of all City Hall property. Other employees will perform a complete inventory of the Water and Sewer Department.

COMMENTS FROM CITIZENS:

Surveyor Gene Lackey spoke on behalf of Ronnie Crass who is in the process of purchasing the corner lot at Esterbrook and Kingston Avenue. Surveyor Lackey advised that Mr. Crass wishes to divide the one large lot into two smaller lots, assuming good title can be obtained. Mr. Crass plans to purchase two of the houses from the new Kroger shopping center location in Oak Ridge and locate the houses on the two lots. These lots will conform to all applicable zoning laws. The sidewalk in front of this lot is in disrepair, and after discussion, the Mayor advised that the Town would not alter the sidewalk as it now exists, and in return Mr. Crass suggested that the Town might offer some sort of financial assistance to help Mr. Crass pour a new sidewalk. Discussion also followed as to the possible repair or replacement of the sidewalk on front of the Janice Daugherty homeplace at the same time Mr. Crass pours a new sidewalk in front of his property. The Mayor advised that the Town Council will take this under advisement.

COMMENTS FROM TOWN COUNCIL MEMBERS:

Mr. Stinnett requested that litter be picked up on several of the Town's streets, and Mrs. Treece advised that she had pulled the inmate litter crew from litter pickup to street department road patching, but the inmate crew will return to litter pickup tomorrow.

Mr. Stinnett thanked Christmas parade director Tammie Barger for her outstanding work organizing and presenting the Christmas parade.

Mr. Walker also thanked Christmas parade director Tammie Barger for her hard work on the parade.

Mr. Walker, on behalf of the Insurance Committee, reported that the general liability insurance premium for the Town has incurred a $26,000.00 increase from last year due to mistakes on the previous insurance policy wherein all of the motor vehicles owned by the Town were not covered, and several motor vehicles not owned by the Town were covered, resulting in a net increase for the premium. Two insurance companies bid, but the lower premium policy bid offered too high of a deductible. Upon unanimous recommendation by the Insurance Committee, motion by Walker and second by Stinnett to accept the insurance bid of TML for general liability insurance for the Town in the amount of $116,350.00 to be paid in cash, or to be paid in two or more installments, plus any installment fee, depending upon the cash flow needs of the general fund and/or water department. All voted aye.

Motion by Walker and second by Stinnett to authorize the condemnation of the John P. Gifford and Carolyn B. Gifford property as shown in the Anderson County, Tennessee Chancery Court lawsuit of Town of Oliver Springs v. Carolyn B. Gifford and John P. Gifford, Docket No. 08-CH-9151, wherein the real property and any remaining personal property be condemned; and if the condemnation is successful, then the Town shall then remove the building, remove any personal property, and tow away any automobiles, and sell what can be sold for scrap, and apply the proceeds to the cost of litigation, the costs of condemnation, and the costs of cleanup; and that a lien for these aforesaid costs be imposed on the real property and any remaining personal property as authorized by law. After further discussion, all voted aye.

Mr. Brummett observed that a similar lawsuit against Cynthia McGuffin involving property at 612 Sleepy Hollow Road in Oliver Springs was styled "In the Chancery Court for Roane County, Tennessee", when most likely it should have been styled for the Anderson County Chancery Court.

Mr. Brummett stated that he was deeply disturbed that the Green Acres Trailer Park sewer project is taking too long, and that the rules and requirements should not be changed in the middle of the event. He encouraged that every decision and action be made wherein the project can be quickly and efficiently completed and placed into operation with as little additional cost and work and delay as possible.

OLD BUSINESS:

None.

NEW BUSINESS:

Teddy Dison of Alpha House, a non-profit faith based home for women coming out of incarceration, announced that her organization has opened a house at 212 W. Spring Street. This facility will house four women with 24 hour per day, 7 day a week supervision. Alpha House has been in operation for some time now at another location, and of the 60 women that have participated to date, 28 have successfully completed the program; 22 have been successfully reunited with family; and 2 have failed. These women are generally non-violent offenders. Alpha House does not charge a fee and relies upon community support and donations.

After discussion, motion by Brummett and second by Walker to hire as the planner for the Town the East Tennessee Development District to work with the the Town officials and the Oliver Springs Planning Commission and the Oliver Springs Board of Zoning Appeals. This passed 4-0-1, with Craze abstaining.

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:

Chris Hepler
Mayor

01-03-2013 TOS