

*****January 10, 2014*****

The Signal Mountain Town Council held a special agenda meeting on Friday, January 10, 2014 at 11:00 a.m.

Those present were: Mayor Bill Lusk
Vice Mayor Susan Robertson
Councilmember Annette Allen
Councilmember Dick Gee
Councilmember Bill Wallace

Others present were: Town Manager Chris Dorsey
Police Chief Boyd Veal
Finance Director/Recorder Carol White
See attached list for others present

Mayor Bill Lusk stated that the Town Manager evaluation process began during the search for a new Town Manager when Honna Rogers left. After an intensive interview process, Chris Dorsey was hired. At that time, Council members expressed their goals and expectations for the new Town Manager. After three months, each Council member had an opportunity to express to Mr. Dorsey in an informal review how he or she viewed his job performance to discuss expectations, to praise successes, to point out deficiencies, and voice other concerns or issues that might warrant correction prior to his upcoming formal six months evaluation.

Mayor Lusk further stated that during the interview process, the Council had committed to hold a six month formal review. On December 7, he sent each Council member the standard supervisors' evaluation form. He asked each of the Council members to provide an evaluation for each of the criteria and to return the forms to him by January 1st. He received five evaluations, including his own. Two evaluations were positive and three were not positive.

The Mayor said that he would like to give each Council member an opportunity to address any concerns that he or she may have to Mr. Dorsey, rather than going line-by-line through the combined evaluations and then to allow Mr. Dorsey an opportunity to respond to any of the concerns or comments he might like to address.

The Mayor began the review by stating that his evaluation of Mr. Dorsey was based on his personal experience and his recollections of what he had expressed to Mr. Dorsey as goals, objectives and expectations in the interview process in June, in the informal review process in September and in subsequent discussions on the issues that were of concern to him. Mayor Lusk said he had highlighted those issues in his evaluation. He also stated that he would have to say that he still has concerns that he doesn't know he can overcome. Mayor Lusk said he was pretty clear in what he stated in his evaluation, and that Mr. Dorsey will shortly have an opportunity to address his concerns pertaining to the evaluation.

Vice Mayor Susan Robertson stated that she agreed with the Mayor's comments. She said she still has concerns and believes she was clear in her earlier discussions with Mr. Dorsey.

Councilmember Annette Allen stated that she, too, expressed concerns as well as goals in her discussions with Mr. Dorsey in September and that she doesn't feel that they have been met.

Councilmember Bill Wallace said that he thinks that the Council is very fortunate to have Mr. Dorsey. He stated that a lot of the things Mr. Dorsey has done were housekeeping issues, "dot the i's and cross the t's kind of stuff." Councilmember Wallace stated the need for a manager that has that kind of maturity and experience to be able to get in there and take care of some of "this kind of stuff." He stated that it is not anything that is going to change much of the Town, but then again it's just housekeeping. Councilmember Wallace said that he really appreciates Mr. Dorsey's attention to detail.

Councilmember Dick Gee told Mr. Dorsey that he was simply going to express his support. He stated that obviously one of the positive evaluations was his. Councilmember Gee said that he could see no reason at this time to be concerned at all. He then thanked Mr. Dorsey for the job he was doing.

Town Manager Chris Dorsey stated that he had read through the combined evaluations. He said he has certain things that he wants to comment on and asked if it was proper to do it here or meet individually with Council members to address those concerns. Mr. Dorsey stated there are a few things in the evaluation that he's not sure of; for instance some of the comments could be the result of miscommunications, or not knowing the underlying facts of what has gone on.

Councilmember Gee asked if there were a provision that personnel discussions could be discussed in private rather than in public.

Mayor Lusk stated that the Council had asked that of MTAS before, and they responded that all discussions, including personnel discussions, must be held in public.

Councilmember Gee stated that he understands the Sunshine Law and the purpose behind it, but said that if the Council has some contentious dealing having to do with personnel and personnel performance it would seem that the most appropriate venue for that is in private discussions. Councilmember Gee then moved that the Council carry any further discussion forward in private if that meets the legal requirements.

Councilmember Gee then made a motion to postpone this discussion until the Council could determine the answer. Councilmember Wallace seconded that motion.

Mayor Lusk said that each Council member has had an opportunity from the time Mr. Dorsey was hired up until today to address concerns one-on-one with Mr. Dorsey. The Mayor stated that he has taken advantage of that opportunity. He felt that was an appropriate venue one-on-one to address issues that might need corrective action.

Councilmember Gee stated that he was not questioning the need to do that, but was questioning the proper way to have a performance review. He is accustomed to having them in a confidential environment, which he said is the appropriate way to handle them.

Mr. Dorsey said that was why he had asked the Mayor prior to the meeting if the Council wanted to meet individually to go over some of these issues. He stated that some of the items he can explain and some he cannot. Mr. Dorsey said he believes that there are some misconceptions held by those in the room, and he wants to make sure that he has discussed them thoroughly and corrected any

misconceptions about the facts. Mr. Dorsey said that if the Council still has the same opinion then that's fine, but he would like to get the chance to address some of the items that are in the evaluation because it's a very long document.

Vice Mayor Robertson stated that she agrees with the Mayor, that the Council has had six months to work with Mr. Dorsey. Vice Mayor Robertson said that she has worked very closely with him, in meetings and in all sorts of ways, and that she has enjoyed that. But, Vice Mayor Robertson stated, she has developed an overall opinion and feels very strongly that there's not a whole lot that Mr. Dorsey can say that is going to make a difference in how she feels. Vice Mayor Robertson asked the Mayor if she could make a motion.

Mayor Lusk stated that there was already a motion and second on the table.

Councilmember Gee said that his motion doesn't deal with whether it was done collectively or individually, it is a question of whether we close the door and have this discussion in private.

Vice Mayor Robertson stated that she didn't think you could..

Mayor Lusk said that this is the opportunity for any further discussion on the motion to move the discussion to a private venue. He noted that the Council can suspend the meeting and do that right now.

Councilmember Gee said that the question of legality is what the Council needs an answer on.

Vice Mayor Robertson said that any vote would have to be in a public meeting.

Mayor Lusk asked what the motion was.

Councilmember Gee answered that it is to suspend the discussion until the Council have an answer as to whether or not the performance review can be done in private.

The vote was taken and the motion failed. Mayor Lusk, Vice Mayor Robertson and Councilmember Allen were in opposition, with Councilmembers Gee and Wallace being in favor.

Mayor Lusk stated that he would like to give Mr. Dorsey an opportunity to address any concerns he has before moving on with the rest of the meeting.

Mr. Dorsey said that he had strived to move forward and do what he thought was proper for the Town since the three month evaluation. He expressed his belief that a six month evaluation was to show you where you stand, where your deficiencies are, where you need to progress, what you need to correct, and it would be written out and documented. He stated that he hopes he has a chance to work on those deficiencies with this Council for the next six months.

Mr. Dorsey said that some of the things that have happened in the first six months are, as Councilmember Wallace noted, dealing with housekeeping, trying to move forward with what existed before he got here, and trying to catch up on certain issues. Mr. Dorsey stated that he had met with Honna Rogers. He did not believe it was during the first eight weeks, but he had asked her if there was anything pressing he needed to be working on. Mr. Dorsey stated that she said no, but to keep certain things in mind that will come up. So he said he did go over certain questions he thought relevant with

Ms. Rogers as time passed. Just like today, he said, he has certain items on the agenda he wants to ask Council members about such as their opinions on replacing water meters. What's been discussed? Have there been any decisions? Etc. He stated that he had asked Ms. Rogers what she had done about meters, but he wants to understand what the Council has understood.

Mr. Dorsey stated that the Library Foundation is not an official foundation. He said that in going through the paperwork to do a Memorandum of Understanding, his research determined that it never had been. He stated that he had just started working with Lou Wadley, and had been working with DiDi Raulston and Art Dickerson, to try to get that straight. Mr. Dorsey told them he was on their side because he understood that they want to be able to raise money for renovations at the Library. Mr. Dorsey said that he knows that having an organization that is a legal entity for raising money for the Library is a concern of the Council. Mr. Dorsey stated that Councilmember Allen had given him some guidance, but it didn't pan out. He said that after talking to the Community Foundation he didn't have any problem with the fiscal aspects of it. It's the organizational aspect of having a designated group raise the money, and the Library doesn't have that. Mr. Dorsey stated that he was finally able to get with Lou Wadley and has moved forward on discussions. He also said that he had been copying Councilmember Annette Allen on the e-mails dealing with the issue so that she would know what was going on.

Mr. Dorsey said that the biggest challenge he had during these six months dealt with the Subdivision Development Agreement. He stated that although the Planning Commission required a Subdivision Development Agreement, there was not a procedure in place to issue one and that was quite a challenge. He said that Councilmember Allen was very helpful in guiding him in that area to look at Hendersonville to see if they had one, and he appreciated that. However, he stated that it ended up the Town could use only some of Hendersonville work as a guide because its regulations were different. Mr. Dorsey stated that he was finally able to get a Development Agreement put together with the help of Jack Kruesi and by understanding what the Planning Commission's intent was for having one.

Mr. Dorsey stated that he received a letter from Tennessee American at the beginning of September about a contract with the Town. He said he met with Kevin Rogers, and then started digging into the history of the TN American contract and the fact that the Town has not had one since December 31, 2010. Kevin Rogers came to a Council meeting in the middle of October to ask about moving forward. Mr. Dorsey stated that at that time, the Mayor and he told Mr. Rogers the Town would have something in the beginning of the first quarter, which is January. After that, Mr. Dorsey said he met with Walden's Ridge Utility District to get an update on other possible sources of water. Mr. Dorsey stated that he is waiting to get a report back on that issue. He stated that he got help from Chief Veal to work through that. Mr. Dorsey then said that in the middle of December, which was roughly five weeks later, TN American sent a letter saying they would to increase the Town's water rates. He stated that he began looking through former agreements as well as disagreements on increases such as the one when the Town had to go to Nashville to file with the TRC. The dates for that agreement on the rates are from November 1, 2012 to November 30, 2013. Mr. Dorsey said that after he got the letter, he got in touch with TN American and set up a meeting between them, the Mayor and himself. The Town now has a contract extension without an increase.

Mr. Dorsey said that the other comments he received from Mr. Deron Allen, President of TN American, was that TN American had been sending contracts and letters to the Town for the last 2 ½ years, not just in the last five months or so. Mr. Dorsey stated that this was something that had been ongoing before he got here. Mr. Dorsey said that once the Mayor and he told TN American that the Town would have something for them by January that is the date he worked toward. Mr. Dorsey

expressed his belief that the reason TN American sent the letter out in December was to send a shot over our bow. He stated that it is on the Town record (that he doubled checked) and shared with TN American saying that we pledged to have a contract agreement in January and that it was done. Mr. Dorsey said that he sent the Mayor a copy of that e-mail.

Mr. Dorsey said that in regards to overpaying the Town Attorney, staff has requested that Mr. Noblett submit his hours multiple times. Mr. Dorsey stated that he has spoken to Vice Mayor Robertson to say that Mr. Noblett's lack of response would be part of his evaluation. He said that he got Councilmember Wallace's evaluation just this week and he has put them all together and sent them to the Mayor. He said that's a different issue that's not relevant here, but the evaluation of the attorney is. Mr. Dorsey said that he has asked Mr. Noblett multiple times for his hours, and we still have not gotten those but it is not from lack of asking.

Councilmember Wallace asked if Mr. Noblett was on retainer. Mr. Dorsey replied that he is. Mr. Noblett is paid a certain amount of hours whether he works them or not, he said. Mayor Lusk said that he is obligated to provide us a monthly accounting of that. Councilmember Wallace asked if he had done that and the Mayor and Vice Mayor replied that he had not done so since last March. Mr. Dorsey pointed out that that is three months before he began his employment. Vice Mayor Robertson stated that Mr. Noblett is getting paid for 27 hours and generally works about 10. Mayor Lusk commented that in the past, the Town did not pay him until he submitted his bill.

Mr. Dorsey stated that Vice Mayor Robertson had mentioned the contract with CTI for water improvements that has been going on for a month and a half. He said that when they first asked us about the contract, we knew nothing about it. He said that Ms. Rogers said she signed it, but nobody could find it. Vice Mayor Robertson stated that it was on Mr. Dorsey's desk. Mr. Dorsey said that it was not. He said that the contract was finally found in one of the files. It had been signed by both parties but had not been forwarded back to CTI. That contract was dated May 20th. Mr. Dorsey said that since then, staff has had a meeting with CTI to find out what the scope of the contract was. He stated that we then moved forward and the first bill is in. He said that he was trying to get some more information to them from Arcadis about the water pressure study and things of that nature.

Mr. Dorsey said that there was something in the evaluation about the contract with CTI that supposedly was in his to-do file, that he hadn't signed it and because of it rates were raised. The Town then had to renegotiate, which resulted in a higher cost. Mr. Dorsey said that the comment came from Councilmember Allen. He declared that there is no truth to any of that and doesn't know where that came from. He said that the only reason the CTI contract price was increased dealt with James Boulevard, and he had explained that during a Council meeting. He said it had nothing to do with an unsigned contract, but was related to additional questions about dealing with the rails in the resurfacing project on James. This increased the scope of the study, and more hours were put in because of requests by staff and by the Council. Mr. Dorsey stated that is why the contract for the James Boulevard tracks, just that individual study, went up. He said the increase had been discussed at a Council meeting. Therefore, he said, it is not true that a contract was on my desk, and that we ended up paying more because he didn't sign it. He stated that he didn't know where that came from, and he was just trying to address some of the things that he read. He said he did not understand that.

Mr. Dorsey stated that he got a letter from Barb Storm in June, probably on day two into his employment. This letter talked about the MACC and the new demands that the church wanted dealing with Sunday services and things like that. The MACC wasn't prepared to do some of those items. Mr. Dorsey said that he talked to Councilmember Gee about the church and the MACC, because he was

liaison with the MACC. Mr. Dorsey said that he was under the impression that Ms. Rogers was on board with the decision not to renew the church's contract. Afterward, he said he found out she was not on-board with that. By that time, however, Mr. Dorsey said the church had already been looking for a new venue because of certain issues. They had been looking at Bachman or at other places to be able to go. As you know, he said, he then met with them to try to see if the Town could keep them at the MACC. After going through two meetings with them, he stated he found out that storage issues, and other issues about trying to have the stage ready for them on Sunday just wasn't going to be able to work out for them, and they just thought because they could get such a cheaper deal from Bachman that it was to their benefit to just go. Mr. Dorsey explained that he informed MACC Director Barb Storm that the \$15,000 in lost revenue would have to come out of MACC funding because that revenue was operational. He said that she understood that the \$15,000 was to come out of some of her program funding and not impact other parts of the Town.

Mr. Dorsey said that Chief Veal has done a great job for the Town. He said that at one point the Council mentioned that it might be good to look at being able to do something to compensate Chief Veal. He stated that he did so in October. He further stated that he wrote a job description and it is in the drop-box. Mr. Dorsey said that Vice Mayor Robertson. Liaison to the Personnel Committee, had said that there was not a job description for Chief Veal. Vice Mayor Robertson replied that she didn't think there was. Mr. Dorsey said yes there was, and that he would be happy to print it out for her. He said that there is a job description in the drop-box that he had revised from a draft from October 13th.

Mr. Dorsey stated that he thought the SE TN Development District would be a good source for the Town to use for planning. He said it probably took him over six weeks to first get in touch. He said that after a couple of e-mails back and forth with Beth Jones, he went down and met with her. He told them what the Town might be looking for. He said that's when he came back and tried to get some information on the Planning Commission; on how many resolutions they do, how many hours, and all this sort of stuff and sent it back to them. He said that he then had a second meeting with them. He stated that after that Councilmember Allen met with them to go over details about the Planning Commission. He stated that this project was finished in November. He said he thought we did very well getting the SE TN Development District on-board because we've needed planning help, and he thought that was very helpful to get.

Mr. Dorsey stated that there was an issue about why he hadn't hired a stormwater person yet. He said he had been speaking with Ms. Loretta Hopper, Public Works Director, on that issue. He said they have even talked about having it posted this month as a matter of fact. He said he believed that if you have competent people on staff, you should give them consideration to look at the position first. . He said the one person on staff that might be able to fulfill that job has, over the last couple of months, been going to some stormwater management training classes to make sure he is able to apply, that he is prepared and able to do that job, and has the experience to do that. Mr. Dorsey said he had decided to wait until January to see how things sifted out in the budget and to see how things were going. He said he and Ms. Hopper decided to let that person go to some of these training classes, and they talked to that person just to make sure that he is interested in being able to do that. He stated that he wanted us to do our due diligence before we posted it. He said he had already talked to Ms. Hopper about having that posted a couple of weeks ago, and that she had the OK to go ahead and post it.

Mr. Dorsey said that when the issue of South Palisades came up his first notice was that the man across the street had asked Jarred Thompson, Recreation Director, if he could clear brush to make it so that people walking can see a view. Mr. Dorsey said that he found out after that, by reports from the Council and from residents, that more was happening than that. At that point, staff went and talked to

the people and told them to stop. Mr. Dorsey stated that he even talked to Chief Veal about having police patrols go by there once in a while to see what was going on. He said that there were more reports the next weekend or two that more work was being done. Mr. Dorsey stated that all the trees there were cut were way before this year because they are all browned over. It became a lot more noticeable when all the scrub brush, which was 6 or 8 feet high, had been removed. As you know, he said, we had a meeting afterwards with one or two of the residents and told them what we were going to do was to put up yellow tape, barricades, and we were going to make some signs to put over there. The signs finally came in during this last week which read, "Town Property No Trespassing". Mr. Dorsey said that it's one thing if someone goes over there to do some cutting and clearing, but you have to catch them doing it. He said the signs are ready and we are planning to put those up. He stated that when he left at Christmas time the barricades were still up. He said that as Mayor Lusk mentioned, I don't know when, but some time during this last week the barricade was down. Mr. Thompson asked him about it and Mr. Dorsey told him to just go ahead and put the signs up. He explained that the signs weren't up yesterday because there was a huge waterline break on Palisades and Mr. Thompson spent all day helping to repair it. Mr. Dorsey stated that he did follow up and that staff is in the process of putting the signs up and the police are patrolling. Mr. Dorsey said that we were on it, but we just didn't catch them when they broke the tape and the barricades down..

Mr. Dorsey stated that he was getting ready to sign some purchase orders for work dealing with the public works facility, however, before he signs anything that's unusual he asks for a copy of the contracts to look at. The contracts had never been signed or executed, yet we had been making payments on them since the beginning of the year. He stated that at one point he met with Thompson Engineering and went over the contracts and had them execute them. He said that they were not executed before hand, so that was an issue. Mr. Dorsey stated that the price did not go up; it is the same price as before.

Mr. Dorsey questioned Vice Mayor Robertson's comment that his weekly staff meetings have supposedly gone from 20-30 minutes to lengthy productions that last half a day. He said that at his first staff meeting, he asked what staff normally does at staff meetings. He said that staff replied that my predecessor would go in there, speak about a few things to them and that would be it. He said that our staff meetings are communications where all department heads talk about what is going on in their areas and everybody knows. We have had instances where one department head is able to help another. We go around the table and everybody speaks about what is going in their department. Mr. Dorsey stated that usually, those meetings are done before 10:00, which is an hour and half or less. He said that he didn't know where that comment about half a day comes from.

Mr. Dorsey stated that there are always other duties that pop up for a Town Manager to deal with every day. He said that you don't know what is going to happen, where you are going to go with it or what you need to do. He said that to him those are other duties that are not assigned. A Town Manager never has assigned duties, he explained, because there are always different things that they have to work on all the time. He said that to him it's very important to know that he has to address those in a forthright and open manner and to know where he is going to go with those items.

Mr. Dorsey said that it has been said that his hours have been more like 8:30 to 4:00 lately. He said that he admits that sometimes he gets in about 8:10. He stated that he very rarely does any 8:30's. Sometimes he drives around and looks at things before he comes in to the office. He said he didn't understand the 4:00. Most days he is here till 4:30 or 5:00 still finishing things up. There might be a day or two where if his kid has a soccer game, he might skip lunch and leave at 4:00. He said he stays in his office and just works through and talks to staff. Plus as the Council knows, there are night

meetings. Last night he said he was here till 9:00. If the Council wants him to make sure he is here more, he said he can do that, but he has been trying to stick to the normal hours.

Mr. Dorsey stated that as far as he knew, he has only taken leave twice. He had the Mayor sign a sick leave form. He said that he has a copy of the signed form. He said that the Mayor said he hadn't signed any forms. Mayor Lusk said that he was talking strictly about vacation time. Mr. Dorsey said that the only vacation time he had taken was just recently for Christmas holidays and that pay period is coming up now. So you have the form for that, he said. Any other time I have been off has been for going to a conference or for training.

Mr. Dorsey said that he just wanted to address a couple of those items and go through where he stood on some of the items. He stated that he believed some of the issues were out of his control, but some things he has tried to control, tried to move forward with and tried to be proactive. He said that to him that's part of being a Town Manager, you have to deal with different items that come up every day, even items that are not signed, and try to get through them. Yes, there has been a backlog, but he has been trying to catch up on some things either from the past or trying to work through brand new things that are going on with the town that haven't happened before. Mr. Dorsey said that right now he is pretty much caught up with all of those things.

Mr. Dorsey stated that he just wanted to mention that he is caught up, and hopes that he will still have the chance to be able to show the Council, over the next six months, where he can go with these items. He said he took the three month evaluations to heart, and he still has those sitting in his desk. He said he is trying to go through and keep up with what the Council had asked of him, and now he thinks he has.

Councilmember Gee stated that the least the Council could do is to eliminate the things that are obviously inaccurate in that report. He asked if he could get agreement on that at least. Vice Mayor Robertson said yes. Mayor Lusk said, sure, to the extent that they are inaccurate. He said that he thinks everything that he had noted in his evaluation is factual. Councilmember Gee said that's fine, but there are some things that are not in agreement, and he heard an affirmation, a confirmation that they weren't accurate. He further stated that the things that are not accurate need to be eliminated from that report. He said he didn't think that is asking too much.

Mayor Lusk said that with respect to the leave forms, he went through, since he never throws anything away, all e-mails pertaining to vacation time and tallied up seven days. But other than the sick leave, which he did receive a yellow slip he hadn't seen anything on vacation time. And to him that's akin to not receiving an attorney's bill, but paying it anyway. The only way the Council really has of checking he said to Mr. Dorsey, is by the email trail you've left to record time out, as granted by your bosses around the table.

Mr. Dorsey asked if the e-mails about vacation were when he went to the training in Murfreesboro. Were some of those when I went to TCMA? He said that those were the only times he knew of, besides this Christmas time, where he had taken a vacation day.

Vice Mayor Robertson stated that he took a day last fall when the kids were out of school. She said that he took a day to stay home with them. She went on to state that he then took an extra day when he went to Memphis, and she thought he took an extra day when he went to Boston. She said his payroll slips do not show that he had taken any vacation at all.

Vice Mayor Robertson said she thinks Councilmember Gee is absolutely right, and anything that's inaccurate she would be glad to change on the evaluation. However, she stated, what it didn't do is to change is her overall confidence in Mr. Dorsey as Town Manager, and she would like to make a motion that the Council take a vote whether or not to retain Mr. Dorsey after today.

Mayor Lusk asked for a second to the motion. The motion failed for lack of a second. The Mayor then asked how the Council wished to proceed.

Mr. Dorsey said that he would like to spend some one-on-one time with each of the Council members. He stated that he thinks he can allay their concerns, and he would like to be able to prove that he can deal with some of these items. Some of these are just incidents that have only happened because he is in his first six months, he said. He would hope to be given a chance to be able to correct these items and perform to the Council's satisfaction during the next six months. He stated that if he can't do that he understands and would expect not to be retained. He said that to him this is part of the learning experience of what he needs to be doing as a Town Manager, and how he needs to be progressing to deal with the Council's concerns. He said that if there are things that he had misunderstood or had not done, he hoped he would be able to alleviate that so that we can move forward in a positive manner to do the things that need to be done. Mayor Lusk asked if each of the Council members would have an opportunity to address those concerns with Mr. Dorsey between now and Monday.

Councilmember Allen asked Mr. Dorsey what he would have done differently.

Mr. Dorsey said it depends on which item you are referring to, knowledge in hindsight is almost 20/20. He wished he had had more information dealing with the MACC before the initial letters went out. After that he had met with the church to try to pull them back in. He said that we didn't just send the letter out and say bye bye. We did try to pull them back in. He stated that maybe he needs to make sure that at every meeting he has a place on the agenda to do a status report on where things are, as opposed to just discussing issues here at the work session. Mr. Dorsey stated that usually if something comes up, if he has an issue or question, he will get with the individual person that has the question, but he can make sure that everybody knows and do a monthly recap of how everything is going on in the Town. He said that regarding finances, we haven't gone down that road yet because we are just at the six month point. He said he planned to see about doing a six month review to let the Council know where the finances are at this point at the January work session, which is at the end of the month. Mayor Lusk stated that would be good.

Mr. Dorsey said that he does think it's important to be able to rely somewhat on the expertise of the people on the Council in certain areas. He apologized if it feels like he took advantage of them on the land development agreement, but as he told them, he knew that was one of his weak areas, and that was one thing he did need help on. He was taking it as constructive and useful help to look to see what he needed to do to move on with it.

Mr. Dorsey stated that a lot of things have just been housekeeping, just trying to get caught up to be able to move forward in a positive direction. With several of those things done, he said, he is hoping he can now move forward, keep a good tally on what we need to get done, when it needs to get done, and maybe give some status updates in meetings on things that the Council has asked him to do. In some cases, he might e-mail individually to let Council members know when something is going on, but it's probably better if the whole Council knows about each of those items that might be requested. In some cases he has been asked not to e-mail the whole Council if one Council person asks him

something, so that is sort of a quandary for him, and how he should deal with it. Vice Mayor Robertson stated that it's up to each Council member to decide who to copy on an email.

Mayor Lusk said that the Council used to receive a weekly recap from Mr. Dorsey's predecessor and he found that to be very helpful. Councilmember Allen stated that initially she did, and then it moved to monthly. Mayor Lusk said that he found those updates to be very informative, at least in staying in touch with stuff that he's not at all involved in, like development agreements.

Vice Mayor Robertson said that the issue of Mr. Noblett had been discussed even before Mr. Dorsey was hired and that issue is going into the seventh month now. The Town is paying him without invoices and he hasn't had his review yet. She stated that it seemed to take an awful long time to get that together.

Mr. Dorsey replied that regarding the review, he had been trying to get the information. He finally got Councilmember Wallace's evaluation this week. He had been asking for a couple of months to try to get these in, and was able to finally compile that together and send it out to the Mayor at the beginning of last week. As soon as he got Councilmember Wallace's, he included it with the others and sent it to the Mayor.

Mayor Lusk said that's probably something we need to go ahead and distribute to all of the Council members. Mr. Dorsey replied that was why he sent it, and asked him how he wants to proceed.

Vice Mayor Robertson said perhaps he could tell Mr. Noblett that we are not going to pay him in the future without an invoice. Mr. Dorsey replied that he can do that. He further stated that he is also under the impression that it is the Council that hires and fires Mr. Noblett as opposed to himself. Vice Mayor Robertson replied, yes. Mayor Lusk stated that Mr. Dorsey acts as the Council's facilitator.

Mr. Dorsey said that's why he had been trying to get those hours. And as he mentioned to the Vice Mayor, a good time to work through that is during the budget season coming up. He said he has been trying to get the hours in to find out. Mr. Dorsey said that like you said we have his hours through March. Vice Mayor Robertson asked if he had given Mr. Noblett a deadline. Mr. Dorsey replied that he had a couple of times said that we need that. We figured if we asked him for his hours we would get them, he said, however we will give him a deadline.

Vice Mayor Robertson said that she doesn't want to see procrastination. She's seen a lot of putting things off and Council members have to come to him and ask why something isn't done yet. She said that Mr. Dorsey always says he'll get right to it. She stated that she doesn't want to hear that anymore. She wants to hear, yes, you asked for something and here it is. Or a progress report instead of just throwing things out into the ether. She reminded him that they had discussed this problem very clearly three months ago.

Mr. Dorsey said that they had talked about his to-do list, and he had been trying to go through those things and give updates when he had something based on requests at that point. If there is an instance, besides Mr. Noblett's, then we can discuss it, but when Council members have asked him for something he'd tried to get it for them.

Vice Mayor Robertson said that Mr. Dorsey had been very helpful in a lot of areas. She thinks he is very good with details. She just wants to make sure he sees the big picture, sees all the dots and knows how to connect them. She said that worries her.

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Mayor Lust suggested that each of the Council members, any of them who have any remaining concerns, take the time to meet with Mr. Dorsey between now and Monday. If the Council chooses to take this up Monday evening under other discussions we will, he said.

The January 13, 2014 regular meeting agenda was discussed as follows:

- Town Manager, Chris Dorsey, informed the Council that there was not yet enough information available to properly discuss funding costs for MACC and Public Works Facility projects. Therefore this item will not be included on the January agenda. Mr. Dorsey did state that there was more information now available on potential costs for the Public Works Facility.

Mayor Lusk suggested that these items should be included in the January agenda. Councilmember Gee asked if the James Boulevard cost overrun would also be part of the discussion. Loretta Hopper, Public Works Director informed the Council that while there has been funds available in prior TIPS cycles for cost overages, she would have to check to see if that is still true with this TIPS cycle.

Mayor Lusk informed the Council that he had spoken with Robin Bauchnagel at Alexian early last week. At that time, Mr. Bauchnagel had not made the request to Ascension and of the brothers. Mayor Lusk stated that he had reiterated the six figure number that Mr. Bauchnagel's predecessor had talked about. Mayor Lusk stated that he expects an update on the funding request soon.

The Council had a general discussion regarding various cost estimates for the MACC and Public Works Facility. During the discussions, Councilmember Gee informed the Council that he had been a supporter of the church's move from the MACC. He stated that the MACC Board had questioned whether having the church use the facility was appropriate.

The Council decided to review these issues at the regular meeting of January 13, 2014.

- Public Hearing – Zoning Ordinance - Definitions
- Resolution – TN American Water Contract Extension
- Resolution – Appointment of Administrative Hearing Officer
- Ordinance – Zoning Changes – First Reading

RESOLUTIONS

1. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH LEE SMITH, INC. FOR ENGINE REPAIR/REPLACEMENT TO PUBLIC WORKS VEHICLE ST 316 IN AN AMOUNT NOT TO EXCEED \$20,000.00"

Loretta Hopper, Public Works Director explained that this vehicle is a flat bed dump truck used for plowing and salting. Ms. Hopper explained that this vehicle is used all year and is needed back on the road and in service.

Councilmember Gee made a motion to approve the resolution. Councilmember Allen seconded the motion. All present being in favor, the resolution was passed.

2. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT AMENDMENT WITH ARTECH DESIGN GROUP FOR ADDITIONAL ARCHITECTURAL AND INTERIOR DESIGN SERVICES ON THE NEW PUBLIC WORKS FACILITY FOR AN AMOUNT OF \$21,039.00 RESULTING IN A NEW TOTAL CONTRACT AMOUNT OF \$61,539.00"

Ms. Hopper explained that this amendment is needed due to the increased scope of services, which includes a truck wash, scales, and other items in the plan.

Councilmember Allen made a motion to approve the resolution. Vice Mayor Robertson seconded the motion. All present being in favor, the resolution was passed.

3. "A RESOLUTION ESTABLISHING AND ADOPTING THE TOWN OF SIGNAL MOUNTAIN YOUTH SPORTS CONCUSSION POLICY"

Boyd Veal, Police Chief, explained that this is a new law. The Town must verify that the leagues have properly informed the parents of those children involved in youth sports of the new concussion guidelines.

Mayor Lusk made a motion to approve the resolution. Councilmember Wallace seconded the motion. All present being in favor, the resolution was passed.

DISCUSSIONS

Mayor Lusk asked that the discussion of water meters be first as he would need to leave the meeting early. Mr. Dorsey explained that the Town has budgeted for water meter replacements for the last few years. Mr. Dorsey said that he has had discussions with William Sanders, Utility Director, and Ms. Rogers on this matter. He stated that a study been performed by MTAS in previous years.

Mayor Lusk stated that the MTAS study had stated that there is no cost justification for the purchase and installation of automatic meters.

Mr. Dorsey stated that he was checking with the Council to verify that he had all the information prior to proceeding with the purchase of manual meters which have the ability to be upgraded to automatic capability. The Council agreed that was their intention.

Mr. Dorsey stated that he and Phil Noblett, Town Attorney, had met with Kevin Rogers of TN American Water on Monday. Mr. Dorsey had put together the fifth contract extension and had forwarded that document to Darren Allen, attorney for TN American and to Mr. Noblett. This extension is for 18 months and is at the same cubic foot rate of 1.034 as covered in the settlement that was effective November 1, 2012.

Mayor Lusk informed the Council that the new contract proposed by TN American required a one year notice of an intention to end the contract, thus it would prevent the Town from doing an interconnection with Walden's Ridge, even in the case of an emergency.

Mr. Dorsey assured the Council that those requirements are not in the current extension. However, there might be a need to negotiate these issues with TN American in the next 18 months.

Mr. Dorsey informed the Council the he had met with Ron West from Walden's Ridge on Tuesday to propose having preliminary discussions regarding proposed WRUD water rates. In addition, Mr. Dorsey requested that Mr. West look into what is needed to complete the emergency interconnection. Mr. Dorsey stated that the interconnection should be completed in case of any emergency that should require an alternative water supply.

Mayor Lusk left the meeting at this time.

Mr. Dorsey reminded the Council that the Strategic Planning session is scheduled for February 7th. He has spoken with Ms. Rogers about limiting this session to one day. Councilmember Wallace stated that while he has the utmost respect for Ms. Rogers, he wanted to express a concern about having her as the facilitator of this meeting. He expressed a concern as to Ms. Rogers's ability, as a former Town Manager and current resident, to remain completely impartial. Councilmember Allen stated that it would be very noticeable if Ms. Rogers should have any bias on a subject. Vice Mayor Robertson expressed her complete confidence in Ms. Rogers's ability to remain impartial.

Vice Mayor Robertson left the meeting at this time.

Mr. Dorsey reminded the Council that they had passed a resolution appointing an Administrative Hearing Officer. Charlie Poss completed the Administrative Hearing Officer class in December. Mr. Poss is one of only ten certified Hearing Officers in the state.

Councilmember Wallace mentioned that because of the detour in Palisades, he had noticed that the town does not have enough left turn detour signs. Town employees were forced to turn right turn signs upside down and Councilmember Wallace thought that was confusing to drivers.

Mr. Dorsey informed the Council that the Town had experienced some technical difficulty with the e-mail blast system. Local Government is currently in the process of resolving the problem.

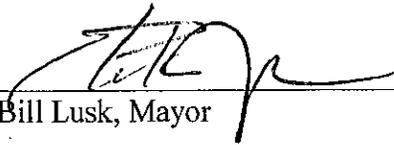
Councilmember Wallace commended Ms. Hopper and Mr. Sanders for their work in staying ahead of all the cold weather related issues.

Councilmember Gee stated that he had received a few complaints from parents in Hidden Brook who are frustrated with speeding traffic due to the diversion of traffic from Timberlakes. Chief Veal will have officers watch that area before and after school.

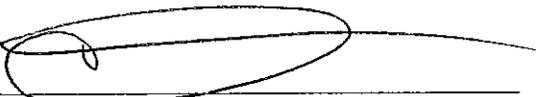
Mr. Dorsey informed the Council of a \$5,000.00 lawsuit brought by Forrest Walker for mold damage to his home. Mr. Dorsey stated that the Town has done everything possible to assist in alleviating this problem. He stated that the flooding of Mr. Walker's residence stems from issues on private land, over which the Town has no control. Mr. Dorsey has spoken with MTAS stormwater engineers and attorneys who believe the Town has done everything possible.

Chief Veal informed the Council that there will be a need for a Beer Board meeting at the next Council Agenda Meeting. There is a request for an off-site consumption permit. This permit would allow beer to be dispensed from a small trailer.

There being no further business, the meeting was adjourned.



Bill Lusk, Mayor



Recorder