

Special Call
June 23, 2009

The Harriman City council met in a special call session June 23, 2009 at 6:00 P.M. in the City Municipal Complex. Mayor Mason was present and presiding. Mayor Mason called meeting to order. Roll call of Council was as follows:

PRESENT: Kenyon Mee
 J.D. Sampson
 Lonnie Wright
ABSENT: Ken Mynatt
 Chase Tedder

Mayor Mason verified that the Clerk sent Publication Notification and Council was notified.

AGENDA

1st Reading of Ordinance 0609-1 an Ordinance Abandoning a Right-Of-Way known as "Trenton Street" on the Roane County Board of Education Property in The City of Harriman, Tennessee

Mayor Mason read the Ordinance aloud and asked for a motion to pass the 1st reading of the Ordinance that recommends closure of the Right-of-Way. The motion was made by Councilmember Sampson and seconded by Councilmember Wright. There were some brief discussion on where the actual property lies and what will be closed. Mayor Mason asked Mr. Balcom about Winslow Rights and if the Roane County Board of Education has to file for them. Mr. Balcom stated the he didn't think it would fall under this and that if it did, the Board of Education was aware of that. The motion passed with a unanimous "Aye".

Discuss and possibly take action on closing the clerk's office at noon on Friday June 26, 2009 to move to new facility

Mayor Mason stated that everyone would stay at work and start packing up for the move. Councilmember Wright requested that we publish the closing the best we can by putting in Fridays edition of the Roane County News and to post signs up at the windows. Motion was made by Councilmember Wright to close the offices at Noon on Friday June 26, 2009 to move to new facility and was seconded by Councilmember Mee. Mayor Mason stated that he wanted to make sure everything was ready to open for business on Monday June 29, 2009. After no more discussion the Motion was passed with a unanimous "Aye".

Councilmember Tedder arrived at 6:05 pm.

Discuss and possibly take action on Lively vs. Roane Medical Center

Harold Balcom was yielded the floor. Harold gave a statement that the patient arrived at the Hospital due to multiple falls at home. She was taken to the X-Ray department and after her X-Rays were done the patient was placed in a wheelchair, unrestrained, to await an attendant to take her back to the room. The patient got up walking around and fell, badly injuring her knee and the socket to one of her eyes. It is the obligation of the Hospital, when someone comes in the Emergency room with injuries associated with falling, to restrain the patient appropriately as possible. The Hospital had to admit liability. Harold stated that we have tail coverage in effect but it still has a deductible that is \$50,000. The current offer on the table is \$150,000. He said that this case should settle out somewhere in the middle of \$100,000 to \$150,000. The mediation for this case is scheduled for July 14, 2009. Harold has to have the authority to make an offer to the client before or on the date of the mediation. The City will be responsible for the \$50,000 deductible and the insurance company will be responsible for \$50,000 or more depending on how the case would be settled. Harold is finishing up his reports for the Insurance Company. They are hoping to settle this before the mediation to save everyone a few extra dollars.

Harold asked the Council for a vote authorizing the expenditure of up to \$50,000 of City funds in this particular matter. He stated that he would have to have authority from the Insurance Company as well before mediation. Mayor Mason asked if there was a motion to approve the spending of the \$50,000 on this suit. Motion was made by Councilmember Mee and seconded Councilmember Sampson. After a little more discussion the motion passed with a unanimous "Aye".

There being no further business, motion was made by Councilmember Tedder and was seconded by Councilmember Mee. Motion to adjourn was passed with a unanimous "Aye".



Chris Mason/Mayor

Tracey Bolden/City Clerk