

*****November 30, 2012*****

The Signal Mountain Town Council held a special agenda meeting on Monday, November 30, 2012 at 10:00 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 Honna Rogers
Town Recorder Carol White
See attached list for others present

Town Manager Honna Rogers informed the Council that her research on bee hive ordinances and practices in other communities revealed that it is usually standard to require that a hive be set-back 25 feet more or less from property lines and rights-of-way. If a hive does not meet the setback, then some ordinances require a six-foot barrier to change the bees' flight pattern. Ms. Rogers reported that she spoke with Mr. Studer, the State of Tennessee Apiarist, who stated that the State is currently in the process of adopting new guidelines for beekeeping, including setback requirements for beehives.

Ms. Rogers requested the Council's approval to contact an MTAS attorney to obtain clarification of current state law that may prohibit the Town's ability to make any changes to its existing Ordinance regarding bee keeping. All Council members were in favor. Ms. Rogers will report back to the Council at a future meeting regarding this matter.

Cleveland Grimes, accompanied by Mark Harrison, Michelle Loftin, and Chas Webb from the WWTA, gave a presentation to the Council regarding the current status of the sewer moratorium (copy of presentation attached). Mr. Grimes explained that the WWTA is currently working to make lateral repairs to correct inflow and infiltration issues that prevent the WWTA from connecting the Town's sewer system to the Moccasin Bend sewer plant.

Mr. Grimes informed the Council that the WWTA is currently in Phase I of the Service Lateral Program throughout the Town. He stated that the WWTA is seeking State Revolving Fund financing for this project. In order to obtain this funding the WWTA must prove ownership of the sewer lines. To this end, Mr. Grimes explained that the WWTA has mailed letters to Signal Mountain homeowner connected to sewer requesting that they grant easements for the repair of laterals on their properties. He asked the Council to encourage homeowners to return the consent letters to the WWTA as soon as possible.

Julian Bell, Big Rock Road, addressed the Council and expressed his appreciation of the efforts by Mr. Grimes and the WWTa. He explained that as a developer he has become convinced that septic tanks are not a viable method for treating sewage and that the improvements accomplished by the WWTa are needed. He fully supports any efforts of the WWTa and Council to make improvements and encourages them to find ways to expand the system.

Ms. Rogers presented the Council a draft policy of recently reviewed and revised "New Street Criteria" (see attached). She and Loretta Hopper, Public Works Director, explained that most of the changes were to ensure that the language is the same as that in the proposed Subdivision Regulations. Councilmember Allen asked if the rights-of-way width could be reduced to a maximum of 45 feet for residential streets. Ms. Hopper explained that sidewalks and utilities might not allow for this reduction. Additionally, this reduction could restrict the size of bike/ped paths or larger drain installations. Councilmember Allen also asked why collector roads have an additional 10' width. Ms. Hopper and Ms. Rogers explained that these roads are usually wider because they have greater traffic flow and higher speed limits. Ms. Rogers said she would report to the Council at its December meeting if the police or fire chiefs have safety concerns or other issues regarding street width reduction. Councilmember Allen and Vice Mayor Robertson will meet individually with Ms. Hopper to go over questions they have regarding the revisions of "New Street Criteria."

Robert Moss of ChlorKing made a short presentation regarding the advantages of Nexgen, an on-site chlorine generator designed to make pH neutral chlorine for the Town's pool. Recreation Director Jarred Thompson recommends switching to this system. Mr. Moss presented a chart which indicated that the Town could save as much as \$14,000.00 over a 5 year period in pool maintenance costs. Staff time would also be greatly reduced and there would be significant improvement in water quality.

Britt Reynolds, St. Charles Street, requested that the Council revise Title 11, Chapter 8 of the Municipal Code to allow rock climbing. Mr. Reynolds is an avid outdoorsman and he and his family participates in rock climbing activities. Michael Wurzel, Southeastern Climbers Coalition Executive Director, was also present to address this issue. He informed the Council that current state law relieves landowners of any liability associated with rock climbing activities as long as there is no charge for the use of the land. Mr. Wurzel further explained that his organization would be willing to work with the Town in an effort to ensure that climbers respect the property that they climb on. Ms. Rogers and staff will review the information provided and report their findings to Council at a later date.

At the Council's request, Ms. Rogers presented a draft Ordinance to amend the Town Code regarding crosswalk enforcement. The proposed draft requires drivers to come to a stop if pedestrians are in the crosswalk or waiting to enter the crosswalk. It was noted that state law is somewhat unclear. It requires drivers to stop for pedestrians inside a crosswalk, but doesn't clearly address pedestrians waiting to enter a crosswalk. The

Town's proposed ordinance is clearer and more restrictive than state law by clarifying that drivers must also stop for pedestrians waiting or about to enter a crosswalk.

Councilmember Gee questioned the need to increase the standard that drivers are accustomed to. He felt this could lead to confusion. Mayor Lusk replied that signage at crosswalks would be required to inform drivers of the increased requirement and its potential for enforcement. This Ordinance will be proposed at the the next Council meeting.

Ms. Rogers informed the Council that at its next meeting she would propose a first reading of an ordinance giving the Town an option to retain an Administrative Hearing Officer to decide certain property code violations. She explained that a draft ordinance had been e-mailed to the Council and asked members to review it prior to the meeting.

Councilmember Gee spoke to the Council regarding the Christmas Train. He explained that an agreement between the Town and the Crewe family should exist if the Town is to provide storage for the train during the year. The Council expressed its support and asked Councilmember Gee pursue this agreement.

Ms. Rogers presented the Council with a list of board reappointment/appointment requests and new applications. The Town has advertised for 6 weeks seeking applicants for board positions, with three of those weeks specifically requesting applicants from the newly annexed areas. In addition, an informational letter was mailed to all the new residents informing them of the board vacancies and seeking applications. After some discussion, it was decided that at the December meeting the Council would elect someone to fill a vacancy on the MACC Board and reappoint the members on the Planning Commission.

Vice Mayor Susan Robertson announced that she will be resigning as Council liaison to the Tree Board at the end of the year.

Ms. Rogers inquired if the Council would be interested in having a Strategic Planning session. The goal of this session would be to identify short term projects or goals that staff can realistically investigate, plan for, and incorporate into the budget process. The Council expressed an interest in pursuing a planning process of this scope. Ms. Rogers agreed to seek a facilitator for the process.

Councilmember Wallace inquired as to the status of the proposed improvements to Highway 127. Ms. Rogers explained that she and Public Works Director Ms. Lorretta Hopper had submitted a revised TIPS request. Following a meeting with state personnel it was clear that replacement of the road is not a viable option; therefore, the new request is to have repairs made to improve the safety of the road. This request will be considered by the TPO Board to be included in the 2040 Regional Transportation Plan.

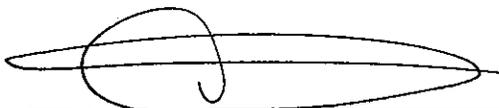
The December 10, 2012 regular meeting agenda was discussed as follows:

- Ms. Rogers will offer the prayer in Chaplain Seals' absence
- Public Hearing on making building height consistent in the Zoning Ordinance by amending the PUD and HDR zones
- Presentation of the Audit Report
- Presentation of a MACC Strategic Plan
- Resolution Honoring David Lewis – TN APWA Award
- Resolution adopting New Street Criteria
- Resolution appointing various board members
- Ordinance amending the Zoning Ordinance – HDR building height (2nd reading)
- Ordinance establishing an Administrative Hearing Officer (1st reading)
- Ordinance amending the Zoning Ordinance – PUD building height (1st reading)
- Ordinance amending Title 16 of the Town Code, pedestrian crossings (1st reading)

Ms. Rogers explained that the Town is currently working toward the water interconnection with WRUD. The next step will be a boring under Taft Highway. Authorization for this step will be presented to Council at a future meeting.

Ms. Rogers informed the Council that she had received 34 applications for the position of Fire Chief. She has worked with Dennis Wolf at MTAS, and she has rated the applications. Ms. Rogers anticipates having interviews in the next few weeks.

There being no further business, the meeting was adjourned.



Recorder



Bill Lusk, Mayor

Opening Statement

On behalf of the WWTA, we appreciate the opportunity to communicate with the Town Council. We realize that any program that has a fee associated with it is going to result in Public Out-Cry and that you are on the frontline. The WWTA Board is mainly made up of civic-minded individuals that were asked to serve and do so willingly. The Board's responsibilities may not always allow them to do what is wanted politically. Staff does feel that the Board has always acted and made decisions in the best interest for its member Towns, Cities, and Hamilton County's Health and Economic Development.

MOM Program

We would like to take this time to explain the program that the WWTA has developed to deal with the requirements of developing a Maintenance Operation and Management (**MOM**) program by Environmental Protection Agency (**EPA**) Region 4 and the State's Department of Environment and Conservation (**TDEC**).

The MOM program had to include a comprehensive plan to eliminate inflow and infiltration (**I/I**) into the system and eliminate Sanitary Sewer Overflows (**SSO**). This comprehensive plan could take 5 to 7 years to complete and includes an ongoing maintenance requirement.

In addition to the affect on the environment by this program, is the affect on the potential for Signal Mountain to connect to the Wastewater Treatment Plant (**WWTP**) at Moccasin Bend. The Regional WWTP cannot handle the I/I from our system and their own, during major rain events. The City of Chattanooga will be requiring all of its Regional Customers to address the I/I in their systems. The WWTA submitted its MOM program to EPA Region 4 May 1, 2012.

Service Lateral Program

The Service Lateral Program (**SLP**) is one part of the MOM program to address I/I and SSO. It is usually assumed that for every mile of public sewer line, there is an equal corresponding mile of private service lateral lines or more. The WWTA Signal Mountain system has nearly 40 miles of sewer pipe in our system and nearly 31 miles of that is gravity sewer. With 1300 customers, that is approximately 126 feet of service line in each yard in Signal Mountain. Each of those 1300 laterals will have to be evaluated, mapped, and repaired or replaced (when necessary).

What were the Considerations when Establishing the Cost?

- We considered the average age of the laterals in the sewer system. Much of the sewer system for Signal Mountain was installed in the late 70's.
- We estimate that 80% of the customers on Signal Mountain will need at least one clean-out installed during the evaluation process at an average cost of \$300 each, for a total of \$312,000.
- We estimate that 70% of the customer's service laterals will need all or a portion of their lateral repaired or replaced at a minimum cost of \$3000 each, for a total of \$2,730,000.

- We estimate the evaluation and mapping of each gravity connection to cost average cost of \$500.00, for a total of \$650,000.
- The estimated cost to complete the Service Lateral Program on Signal Mountain is around 3.7 million dollars.

Who Paid to fix the Lateral Line before the WWTA Lateral Programs?

In the past, each property owner was individually responsible for paying for all private lateral line repairs. This is perhaps one of the leading contributors to the lateral deterioration problem. No one really volunteers to take \$4,000 or more out of their savings account to fix a sewer pipe that no one sees until the toilets will not flush and the bathtub and shower or sinks will not drain, or are back-filled with raw sewage, then there is no choice.

The WWTA chose to spread the risk and spread the cost to all of our Customers.

- The WWTA requires all customers connected by gravity to participate in the Private Sewer Lateral Program (**PSLP**) with a monthly fee of \$8.00 per month, added to their sewer or water bill.
- The WWTA presently pays the Regional Treatment Plant \$1.25/1000 gallons for wastewater to be treated at the Moccasin Bend WWTP.
- Reducing the I/I to be treated by any WWTP will benefit every customer served by the WWTA. This program is a component of controlling the cost to treat waste by reducing the energy needed to operate the WWTP; which is a component of keeping the customers sewer rates stable for all existing and new connections.
- The SLP will assist the WWTA to meet the requirement to reduce our rate I/I and SSO imposed by EPA, TDEC, and the Regional Treatment Plant.
- This program will address environmental issues caused by sewage leaking into the ditches, streams, creeks, and waterways; however, most of the stream impacts are due to septic tank failures. That is why you developed a Master Sewer Plan for Signal Mountain. Removing enough I/I will allow that plan to be implemented.

Conclusion:

We hope that our presentation will show the need for these programs and explain why EPA, TDEC, & the Regional Treatment Plant are requiring them.