

*****December 10, 2012*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, December 10, 2012, at 6:30 p.m. in the Town Hall. Those present were:

Mayor Bill Lusk
 Vice Mayor Susan Robertson
 Councilmember Annette Allen
 Councilmember Dick Gee

Also present were: Town Manager Honna Rogers
 Town Attorney Phillip Noblett
 Town Recorder Carol White
 See attached list for others present

Mayor Lusk led the pledge of allegiance. Stacey Seals, Fire Chaplain, gave the invocation.

Minutes

The minutes for the November 10th specially called meeting were presented. There being no changes, the minutes were approved.

The minutes for the November 12th regular meeting were presented. Councilmember Annette Allen requested one correction: the addition of "of non-citizens" in the fifth page, third paragraph, and seventh sentence. This sentence then read: "*Councilmember Allen asked if the Council could make appointment of non-citizens in December for positions that would not begin until January.*" The minutes were approved as amended.

The minutes for the November 30th special agenda meeting were presented. Councilmember Annette Allen requested one correction: the addition of "new guidelines for beekeeping, including setback requirements" in the first page, first paragraph, and seventh sentence. This sentence then read: "*...currently in the process of adopting new guidelines for beekeeping, including setback requirements for beehives.*" The minutes were approved as amended.

Public Hearing

The regular meeting was temporarily suspended to enable the Council to hold a public hearing on proposed zoning ordinance changes to maximum building height in two zoning districts.

Mayor Lusk explained that the hearing is to discuss proposed changes to maximum building height requirements in the PUD and HDR zoning districts that are currently inconsistent with the height requirements in the other zoning districts in the town. The ordinance to amend the height requirement in HDR zoning districts passed on first reading at the last Council meeting. A like amendment to set height requirements in PUD zoning districts is on the agenda for its first reading tonight.

Vice Mayor Robertson explained that the inconsistency of height in the various zoning districts came to light when Alexian approached the town with a proposal to construct a six story building. Ten zoning districts in the town limit the height of buildings to 40 feet. The requirements in the HDR and PUD zoning districts allow buildings of up to 60 feet. Vice Mayor Robertson explained that this discrepancy came about in 2004 when the Town adopted a new zoning ordinance that used Chattanooga's zoning ordinance as a template. Unfortunately, the provisions relating to height requirements in HDR and PUD districts were never discussed or revised and migrated into the final draft. As a result of the Alexian's intent to build to 60 feet, the consensus of citizens has been negative. They do not want any buildings in the town to be taller than 40 ft.

Mayor Lusk informed the audience that the law requires a public hearing whenever there is a proposed change to the zoning ordinance, and this hearing is an opportunity for residents to be heard on this issue.

There being no public input, the regular meeting was reconvened.

Presentations

Brian Wright, CPA, of Johnson, Murphy & Wright, presented the Fiscal Year 2011-12 Town of Signal Mountain audit documents to the Council. Mr. Wright gave a brief explanation of the Statement of Revenues, Expenditures and Changes in Fund Balance charts on pages 19, 33 and 57 of the audit. All funds maintained a positive cash balance. Mr. Wright stated that the auditors were able to give an unqualified opinion on the Town's financial presentation. He explained that this was the best type of opinion to receive. However, there was one internal control issue that was documented which has already been addressed by management.

Ms. Sandy McCrea, MACC Board Chair, presented the Council with a revised Strategic Plan for the MACC (attached). Ms. McCrea explained that the revised plan also included an expanded Mission Statement. She explained that Goals 1, 2 and 3 were revised and carried forward for another year. Ms. McCrea then informed Council that the MACC Board had added two additional goals to the Strategic Plan. Councilmember Gee expressed his support of Ms. McCrea as the Board Chair, Barb Storm as the MACC Director, and commended them for the work they do.

Citizen Comments

Mayor Lusk invited comments from the audience.

Pete Gammon of Bahama Road addressed the Council. He explained that while his residence is located just outside the Town limits, he receives his water service from Signal Mountain. Mr. Gammon asked to speak to the Council about the lack of fire hydrants on Sunset Drive. He explained that the closest fire hydrant is at the intersection of Balmoral and Sunset Drive. Mr. Gammon stated that during the past year the City of Chattanooga added two fire hydrants on Balmoral and is making water line

improvements in that area, but the lack of fire hydrants on Sunset Drive increases insurance rates 20 to 40% for homeowners.

The local homeowners association has had prior meetings with local fire departments. Mr. Gammon stated that fire department personnel are also concerned about the lack of fire hydrants in the area. The Majestic Views Homeowners Association is asking the Town to consider installing additional fire hydrants along Sunset Drive. Mr. Gammon stated that the association would be willing to assist in the financing of the project.

Town Manager Honna Rogers agreed to assist Mr. Gammon with contacting WRUD and Walden's Ridge Emergency Service to encourage them to help work towards a solution to this issue.

Honorary Resolutions

The following honorary resolutions were presented:

1. "A RESOLUTION COMMENDING AND CONGRATULATING DAVID LEWIS AS THIS YEAR'S RECIPIENT OF THE AWARD OF MERIT FROM THE TENNESSEE CHAPTER OF THE AMERICAN PUBLIC WORKS ASSOCIATION."

Mayor Lusk read the resolution and motioned to approve it. Councilmember Allen seconded the motion.

Ms. Rogers informed the Council that thousands of Tennessee public works employees are eligible for this award. She explained that it is a huge honor that Mr. Lewis was chosen from so many. Ms. Rogers commended Mr. Lewis for the excellent work he performs for the Town.

The Mayor called for the vote. All present being in favor, the motion passed.

2. "A RESOLUTION CONGRATULATING FIRE CHIEF JOHN GUS VLASIS UPON HIS RETIREMENT AND THANKING HIM FOR HIS SERVICE TO THE TOWN OF SIGNAL MOUNTAIN."

Mayor Lusk read the resolution in its entirety. Councilmember Gee made a motion to approve the resolution. Vice Mayor Robertson seconded the motion. The motion passed unanimously.

Resolutions

3. "A RESOLUTION APPOINTING CATHY PIERCE AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S MOUNTAIN ARTS COMMUNITY CENTER BOARD."

Councilmember Gee read the resolution. Councilmember Gee made a motion to approve the resolution. Mayor Lusk seconded the motion. The motion passed unanimously.

4. "A RESOLUTION REAPPOINTING CHERYL GRAHAM, MELISSA CANTRELL, GUY BEATY, AND CHARLES POSS AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S PLANNING COMMISSION.

Councilmember Allen read the resolution. The motion to approve the resolution was made by Councilmember Allen and seconded by Vice Mayor Robertson. All present being in favor, the motion carried.

5. "A RESOLUTION APPOINTING LARRY MCCLURE AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION.

Vice Mayor Robertson read the resolution, and Mayor Lusk motioned to approve the resolution. Vice Mayor Robertson seconded the motion. The motion passed unanimously.

6. "A RESOLUTION APPOINTING EARL (BILL) WARDLAW AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION.

Vice Mayor Robertson read the resolution and explained that this appointment would begin on January 1st. Councilmember Allen made a motion to approve the resolution. Vice Mayor Robertson seconded the motion. The motion passed unanimously.

Ordinances

1. "AN ORDINANCE TO AMEND ARTICLE III, SECTION 303 OF THE SIGNAL MOUNTAIN ZONING ORDINANCE (SM TOWN CODE AP-A-1) REGARDING THE DEFINITION OF BUILDING HEIGHT AND TO AMEND ARTICLE VI, SECTION 605.02.01 OF THE SIGNAL MOUNTAIN ZONING ORDINANCE TO LIMIT MAXIMUM BUILDING HEIGHT IN THE HIGH DENSITY RESIDENTIAL ZONE TO FORTY (40) FEET ABOVE FINISHED GRADE ELEVATION WITHIN THE TOWN."

The Mayor explained that this is the second reading of this ordinance. Mayor Lusk made a motion to approve the ordinance. Vice Mayor Robertson seconded the motion. All present being in favor, the motion carried.

2. "AN ORDINANCE TO AMEND ARTICLE VI, SECTION 613.03.01 OF THE SIGNAL MOUNTAIN ZONING ORDINANCE (SM TOWN CODE APP-A-1) TO LIMIT MAXIMUM BUILDING HEIGHT FOR ANY PLANNED UNIT DEVELOPMENT WITHIN SECTION 613 TO FORTY (40) FEET ABOVE FINISHED GRADE ELEVATION WITHIN THE TOWN."

Councilmember Gee made a motion to approve the first reading of this ordinance. Vice Mayor Robertson seconded the motion. The motion passed unanimously.

3. AN ORDINANCE TO AMEND TITLE 12 OF THE SIGNAL MOUNTAIN MUNICIPAL CODE TO ADD A NEW CHAPTER 8 ESTABLISHING AN OFFICE OF ADMINISTRATIVE HEARING OFFICER IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED, TITLE 6, SECTION 54, SECTIONS 1001 THROUGH 6-54-1018.”

Councilmember Allen made a motion to approve the first reading of the ordinance. Mayor Lusk seconded the motion. The motion passed unanimously.

4. “AN ORDINANCE ADDING TITLE SIXTEEN (16) CHAPTER ONE (1) OF THE SIGNAL MOUNTAIN TOWN CODE, TO INCLUDE NEW SECTION 16-112.”

Mayor Lusk explained that this is the first reading of an ordinance designed to protect pedestrians entering or inside crosswalks in the Town. Mayor Lusk motioned to approve the ordinance. Councilmember Allen seconded the motion. Councilmember Gee noted that this ordinance is more restrictive than current State law. He expressed a need to educate the public on this new restriction. The Mayor called for the vote. All present being in favor, the motion carried.

There being no further business, the meeting was adjourned.



Bill Lusk, Mayor



Recorder