

*****NOVEMBER 12,2001*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, November 12, 2001, at 7:00 p.m. in the Town Hall. Those present were:

Mayor James H. Althaus
Vice-Mayor Robert E. Steel, Jr.
Councilmember Rachel Bryant
Councilmember Steve Ruffin

Also present were:

Town Manager Hershel Dick
Town Recorder Diana Campbell
Town Attorney Joe Wagner
Advisory Attorney Phil Noblett
See list attached for additional people

The Mayor called the meeting to order and offered the prayer. The Recorder called the roll.

Vice-Mayor Steel made a motion to approve the minutes of the October 8, 2001, regular monthly meeting and October 11, 2001, special called meeting. The motion was seconded by Councilmember Bryant and passed unanimously.

The first item before the Council was a presentation of the Town of Signal Mountain audit report by Brian Wright of Johnson, Wright, and Murphy, P.C., certified public accountants. He stated that there was no circumstance noted that would have qualified his opinion of the financial statements. He further noted that there were no findings to report. In addition, he pointed out various items.

Beer Board Convened

The Mayor convened the Beer Board. He explained to the citizens that the Council was the Beer Board. He further explained that the Council had passed an ordinance giving restaurants in the Town with a seating capacity of 50 or more the authority to sell beer on premises and to permit brown bagging. He noted that the Beer Board had two applications from Bill Woodcock to consider, one for the sale of beer and one for brown bagging.

Phil Noblett, advisory attorney for the Town, addressed the Beer Board. He noted that there was a \$100 permit fee for brown bagging and a \$250 fee for the sale of beer on premises. He stated that there had been an investigation as to the extent of the application. He asked if there had been a check of the distance requirement and the Town Manager stated it had been checked. Mr. Noblett stated that he did not see anything that would prohibit Mr. Woodcock from being considered for the permits.

Vice-Mayor Steel made a motion to accept the application for the brown bagging and issue a permit. Councilmember Bryant seconded the motion and it passed unanimously.

Vice-Mayor Steel made a motion to accept the application for an on-premises beer permit. Councilmember Bryant seconded the motion and it passed unanimously.

The Beer Board was adjourned.

Council Meeting Re-Convened

The first ordinance for the Council to consider was "AN ORDINANCE TO AMEND THE TOWN OF SIGNAL MOUNTAIN MUNICIPAL CODE BY ADDING TO TITLE 18 A NEW CHAPTER 7 FOR THE PURPOSE OF REGULATING AND CONTROLLING THE RUNOFF OF STORMWATER."

Page 2 – Minutes of November 12, 2001, meeting

Hershel Dick, Town Manager, introduced the Building Inspector Bill Wagner and the Town Engineer Art Parry.

Bill Wagner spoke to the Council and explained that the EPA enacted a law that required stormwater management and control by cities with a population over 100,000 to comply with their law under Phase I. The City of Chattanooga was included in Phase I. The Town of Signal Mountain was named as a town that must comply under Phase II because of its proximity to the City of Chattanooga. He explained that the first thing the Town must do would be to pass an ordinance to regulate stormwater. The next thing that the Town needed to do would be to produce a map of the stormwater system. The Town had ordered equipment and should begin that process in the next few weeks. He further explained that the Town must develop a manual and the State required a minimum of six steps of Best Management Practices (BMP) in the manual. The six are Public Education, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post Construction Stormwater Management, and Pollution Prevention/Good Housekeeping for Municipal Operations. An application for a permit must be submitted by March, 2003. He noted that there is a list called a 303D list of polluted streams in Tennessee but none of the streams in the Town of Signal Mountain are on the list.

He summarized the status of the Stormwater Management by explaining there had been a Stormwater Committee established, the Committee had presented the ordinance for the Council's consideration, a budget had been approved by the Council, equipment had been ordered for the mapping and the Committee was working on a manual. He further stated that the EPA had established a \$10,000 a day fine for noncompliance by March, 2003, and the Town could meet the deadline.

A discussion with several questions from the Council followed. Vice-Mayor Steel made a motion to approve the ordinance. Councilmember Bryant seconded the motion and it passed unanimously.

The next ordinance before the Council was "AN ORDINANCE ESTABLISHING A CURFEW FOR MINORS BELOW THE AGE OF EIGHTEEN YEARS; PROVIDING FOR VALID EXCEPTIONS TO THE OPERATION OF THE CURFEW; AND ENFORCEMENT WHEN A CHILD IS IN VIOLATION." The Mayor explained that the Council had passed the ordinance on first reading at the last regular meeting. He further explained that the ordinance was prepared at the direct request of the Police Department and the Town Manager. He noted that the Council had received numerous calls regarding this matter. He explained that a citizen's committee had been put together to review this matter and make recommendations to the Council. The committee includes Bonnie Hamilton, Fay Rothberger, Mike St. Charles, Chris Albright, George Galloway, and one Signal Mountain Police Officer but not the Chief of Police.

The Mayor noted that the Town is also asking the same committee to make recommendations to the Town on directional signs coming up the mountain.

The Mayor asked that the Council defer the curfew ordinance until after the committee had met and made recommendations. Vice-Mayor Steel made a motion to table the ordinance establishing a curfew for minors. The Mayor seconded the motion to table the ordinance. The motion passed unanimously.

The Mayor opened the meeting to discussion from the citizens regarding the curfew ordinance. A lengthy discussion followed. Vice-Mayor Bob Steel made a motion to add Greg Wright to the committee. Councilmember Bryant requested that the committee be increased to a nine-member committee and let the citizens at the meeting select two more individuals to be on the committee. The Council agreed to a nine-member board and Councilmember Bryant agreed to be responsible to see that two more citizens in addition to Greg Wright are selected.

Page 3 – Minutes of November 12, 2001, meeting

The Town Attorney presented a Resolution for the Council stating how the Town Council feels about a high school. The Mayor read the Resolution:

“WHEREAS, the population of the Town of Signal Mountain, Tennessee, has increased in recent years and,

WHEREAS, there is now a real need for a high school in the Town of Signal Mountain, therefore,

BE IT ORDAINED that the Council of the Town of Signal Mountain, Tennessee, desires to publicly proclaim that it is completely in favor of the building and operation of a high school in the Town, and will do all it possibly can to see that a high school is built and put into operation as soon as possible.”

Councilmember Ruffin made a motion to approve the Resolution. Vice-Mayor Steel seconded the motion and it passed unanimously.

Sam Powell addressed the Council. He told the Council the Town had received a grant through the Recreational Trails Program for \$40,000. He stressed that the money was not from the State, but the Federal Government under the Intermodal Surface Transportation Act. He explained that the grant is an 80 percent grant and there is a 20 percent match required by the Town. He requested that the Council appropriate \$8,000 for the project. The Mayor stated that he was under the impression that the match money could consist of volunteer labor. Mr. Powell agreed that it could be, but the project needed more money. He had requested \$50,000 and received \$40,000. Mr. Powell explained the grant was for three years and money could be budgeted in the next two years. The Mayor told Mr. Powell the Council would consider this for next budget year.

A citizen asked if the Council might comment on the newspaper story that Signal Mountain might provide police service to Walden. The Mayor explained that the Town of Walden made a decision to get out of the police business and asked the Town of Signal Mountain if the Town of Signal Mountain would be interested in providing police service to the Town of Walden. He explained that we said we would be interested and gave them a “bare bones” bid. They also got a bid from the Sheriff’s office. Our Town Manager then received a very nice letter from Mayor Akins thanking us for our interest and politely declining to accept our offer. Walden police service will be done by the Sheriff’s office. Vice-Mayor Steel commented that in the past when Walden and Hamilton County police, especially after hours, were inaccessible, the Town of Signal Mountain would take the call. He noted with the new arrangement with Walden paying the County, Signal Mountain would no longer be taking care of Walden’s police business, except in cases with mutual aid calls.

Lou Oliphant noted that the Council had received copies of the minutes of the Planning Commission meeting.

As a motion, report or discussion item, the Mayor noted that Pat St. Charles III, who has been on the Design Review Commission since its inception, has resigned because of other pressing responsibilities and had made a recommendation to us to fill his position to appoint Mr. George Kangles. The Mayor made a motion to approve the appointment. Vice-Mayor Steel seconded the motion. By show of hands, the Council vote was unanimous.

The Town Recorder presented information to the Council on four bid items that were below the level that required Council action. She stated that sealed bids had been opened on October 30, 2001, for 200 tons of road salt. All three responses were a no bid. She explained that subsequent to the bid opening, IMC Salt, Inc., offered to sell the Town 100 tons of salt at \$44.33 a ton for a total of \$4,433. Next sealed bids were opened on November 6, 2001, for the Public Works facility on Timberlinks heating system. There were six bids. The lowest bid was from Scenic City Heating and Air for \$6,648.80. Bids were opened on November 9, 2001, for GPS (Global Positioning System) equipment f

Page 4 – Minutes of November 12, 2001, meeting

for the Stormwater Department. The low bid was from Duncan-Parnell, Inc., for \$5,495. The last item she explained was for the Police Department. A purchase order had been issued to U. S. Radar, Inc., for \$4,865 for seven radar guns. She explained the Police had received a \$5,000 grant in the Click-it or Ticket program that had to be spend on safety.

The Mayor gave a brief update on the Duke Energy pumping station. He stated that it looked like the station would be moved out of the Town maybe a short distance away on Kell Road but outside the Town limits.

Vice-Mayor Steel stated that several years ago the Town was having the same problems as today with derelict houses. He obtained a copy of the Litter, Weed, and Mud Control Ordinance from the City of Montgomery, Alabama. He requested that the Town consider an ordinance of this type.

The Mayor informed the citizens that the Town had made an annual contribution for \$5,000 to the Mountain Education Fund. He explained the Council has been asked to increase the contribution 10 percent to \$5,500. The Council agreed to consider the increase for next year's budget.

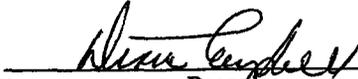
Councilmember Ruffin publicly thanked the Baird family for being good stewards of the land in dealing with Duke Energy. He stated that he has received more phone calls requesting speed laws be enforced on Texas and Ohio Avenues.

Councilmember Bryant asked the citizens to voice their opposition to the pumping station on Kell Road or anywhere in the area.

The meeting was adjourned.



James H. Althaus, Mayor



Recorder

List of additional people in attendance attached.

Date: November 12, 2001

NAME	ADDRESS
1. <u>Joan Housharp</u>	<u>509 Brady Pt. Rd</u>
2. <u>Bill Woodcock</u>	<u>906 Signal Mtn</u>
3. <u>Brian T. Wright</u>	<u>800 Glamis</u>
4. <u>Bob Anderson</u>	<u>520 Fern Trail</u>
5. <u>Ann Richey</u>	<u>4 Brooks Edge Lane</u>
6. <u>Ruth Maxwell</u>	<u>7 Silver Bow Ln</u>
7. <u>Mark & Pat SHARPE</u>	<u>501 JAMES BLVD</u>
8. <u>EARL + DAWN STONY</u>	<u>7316 FOX RUN DR.</u>
9. <u>GEO. + JANE WRIGHT</u>	<u>#2 STONE BIT CV</u>
10. <u>Ron Orliphant</u>	
11. <u>Jean Balan</u>	
12. <u>Greg Goodgame</u>	<u>1112 Glamis Circle</u>
13. <u>Cindy Kedrowski</u>	<u>8 Ballard Bluff</u>
14. <u>Jim Kedrowski</u>	<u>8 Ballard Bluff</u>
15. <u>John Park</u>	<u>105 Mtn. Court</u>
16. <u>Jane Welch</u>	<u>1132 James Blvd.</u>
17. <u>Dr. Paul Kola</u>	<u>100 James Blvd</u>
18. <u>Tom Duxon</u>	<u>163 Woodcliff</u>
19. <u>Bill</u>	<u>1005 Crown Pt Rd</u>
20. <u>Ken & Leah Corner</u>	<u>33 Carriage Hill</u>
21. <u>John & Sheri</u>	<u>205 Hathorn Rd.</u>
22. <u>Monty & Thresa Bishop</u>	<u>925 Dunsinane Rd.</u>
23. <u>Tom + Barb Reynolds</u>	<u>420 GENTLEMEN'S RDG.</u>
24. <u>Ken Hylceaway</u>	<u>103 Short Creek</u>
25. <u>Bill CRABBOLD</u>	<u>35 MOUNTAIN CURE RD</u>
26. <u>Steve Hictis</u>	<u>6 Northfield Rd</u>
27. <u>Ambera Young</u>	<u>7 Carriage Hill</u>
28. <u>Susan Jeha</u>	<u>62 Cool Springs</u>
29. <u>Terri Raelin</u>	<u>18 Ridgerock Dr.</u>

Date: 11/2/01

NAME	ADDRESS
1. <u>Patty Baker</u>	<u>638 Dr. 2 Dr.</u>
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	
21.	
22.	
23.	
24.	
25.	
26.	
27.	
28.	
29.	

RESOLUTION NO. R-2001-11

WHEREAS, the population of the Town of Signal Mountain, Tennessee has increased in recent years and,

WHEREAS, there is now a real need for a high school in the Town of Signal Mountain, therefore,

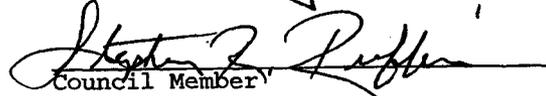
BE IT ORDAINED that the Council of the Town of Signal Mountain, Tennessee desires to publicly proclaim that it is completely in favor of the building and operation of a high school in the Town, and will do all it possibly can to see that a high school is built and put into operation as soon as possible.



Mayor



Council Member



Council Member



Council Member

Council Member