

*****APRIL 14, 2003*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday April 14, 2003, at 7:00 p.m. in the Town Hall. Those present were:

Mayor James H Althaus
Vice Mayor Bill Leonard
Councilmember Rachel Bryant
Councilmember Steve Ruffin

Also present:

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

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

Vice Mayor Leonard made a motion to approve the minutes of the March 10, 2003 regular monthly meeting and the March 24, 2003 special called meeting. Vice-Mayor Leonard made a motion to approve the minutes. Councilmember Ruffin seconded the motion. He then noted that there should be one correction to the March 24, 2003 minutes. He had asked for a roll call vote and the minutes had stated that the Mayor had made the request. The vote to approve the minutes of the meetings as amended was unanimous.

The first resolution for the Council to consider was "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH MUTUAL OF OMAHA FOR TWENTY-FOUR (24) MONTHS FOR LIFE INSURANCE FOR ALL EMPLOYEES OF THE TOWN OF SIGNAL MOUNTAIN AT A MONTHLY COST NOT TO EXCEED TWENTY-TWO CENTS (\$.22) PER THOUSAND DOLLARS OF INSURANCE COVERAGE." The Town Manager explained the Town currently carries life insurance on the employees with Blue Cross Blue Shield for \$.59 per thousand for \$10,000 of coverage and \$.342 per thousand with Hartford for two times the employee's wages. He further explained that the resolution will allow the Town's life insurance coverage to be purchased from Mutual of Omaha at \$.22 per thousand saving the Town \$756.93 per month based on March coverage. Councilmember Ruffin made a motion to approve the resolution. Vice Mayor Leonard seconded the motion. There was a brief discussion and the Council asked several questions. The Council then voted unanimously to approve the resolution.

The second resolution before the Council was "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH VULCAN MATERIALS COMPANY FOR PAVING APPROXIMATELY THREE (3) MILES OF ROADS IN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE IN AN AMOUNT NOT TO EXCEED TWO HUNDRED NINETY-NINE THOUSAND ONE HUNDRED SIXTY-EIGHT AND 75/100 (\$299,168.75) DOLLARS." The Town Manager explained that the Town had received sealed bids on April 10, 2003. He explained the bids received were Southeastern Materials, Inc. in the amount of \$422,437.20; Highway Inc. in the amount of \$344,700.00 and Vulcan Materials the lowest in the amount of \$299,168.75. The Mayor explained the Town Manager and Town Engineer's program to pave 3 miles of the 60 miles of roads in the Town per year. The Town Manager informed the Council of all the streets that would be paved. Councilmember Ruffin made a motion to approve the resolution. Councilmember White seconded the motion. After some further discussion on the timing of the paving and other items, the Council voted unanimously to approve the resolution.

The next resolution before the Council was "A RESOLUTION URGING TENNESSEE GOVERNOR PHIL BREDESEN AND EACH MEMBER OF THE TENNESSEE GENERAL ASSEMBLY TO PROPOSE, SUPPORT, AND REMAIN OPEN TO OPTIONS AND ALTERNATIVES TO LEAVE INTACT OUR SYSTEM OF REVENUE SHARING, OR AT A MINIMUM, TO REDUCE THE MAGNITUDE OF PROPOSED STATE-SHARED TAX REDUCTIONS AND TO REDUCE THE DETRIMENTAL EFFECT OF ANY REDUCTIONS IN STATE-SHARED TAXES BY THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE." The Mayor explained that the Towns in Tennessee had been approached by the Tennessee Municipal League to express their displeasure to the Governor's proposal to cut 9% from all the state-shared revenue to the cities. The Mayor explained that the 9% cut would be about \$125,000 in reduction but if the State took the Hall Income Tax from the cities, the reduction would be about \$500,000 to the Town. The Mayor made a motion to approve the resolution. Councilmember Ruffin seconded the motion and it passed unanimously.

During the opportunity for citizens' to address the Council, Lisa Hawkins representing the Thrasher PTA Organization and parents of all the children at Thrasher as the Gym Committee Chairperson addressed the Council. She explained that they wanted to give the Council a brief overview of why they wanted to build a gymnasium at Thrasher School. She further explained that they had three reasons for wanting the gym. The first reason she gave was to provide a place for the children to have physical activities. The second reason she gave was the gym would assist the school in their before care and after care program. The third reason she gave for wanting the gym was to help relieve a shortage of gym facilities in the Town. She noted that the State had mandated that children have physical education instruction in the elementary schools but had not retrofitted any schools built before the mandate. She presented a map and drawing of the facility. She told the Council that they had raised \$264,000 of an estimated \$400,000 cost. She noted that they had asked Hamilton County to put the additional amount they needed \$100,000 to \$150,000 in a bond issue. She explained that Hamilton County

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would be willing to do this if the group could get the Town of Signal Mountain to act as a guarantor for the loan. She answered along with Jean Trohanis, Principal of Thrasher School several questions from the Council. Phil Noblett the Town's Attorney explained the legal issues and asked if there could be some type of lease to protect the citizens and explained he would need to see the bond documents. In addition, he noted he would need a letter verifying their non-profit status. The Mayor briefly outlined the budget process and explained that matter would need to be addressed in the budget for the next fiscal year that was currently being prepared. Ms. Hawkins noted that if everything went well the school would break ground in late October and the gym would be completed by spring.

After a lengthy discussion, it was noted that the group was asking the Town to act as guarantor on the bonds issued for the project and in addition they were asking the Town of Signal Mountain to fund the amount over \$10,000 that would be needed to service the debt. The County would maintain the building. The Mayor asked that the Town be kept informed on this project.

The Mayor moved that "THE TOWN OF SIGNAL MOUNTAIN HAS SEEN AND HEARD THE PRESENTATION FROM THE THRASHER GYMNASIUM COMMITTEE AT ITS REGULAR MEETING OF APRIL 14, 2003, AND IT IS THE SENSE OF THIS COUNCIL AT THIS TIME THAT WE WANT TO EXPRESS A VOTE OF CONFIDENCE TO THE THRASHER PTA AND ITS ORGANIZING COMMITTEE AND TO PURSUE FURTHER THE IMPORTANT EFFORTS OF BUILDING A GYMNASIUM AT THRASHER SCHOOL." Phil Noblett requested that it should be added to the motion "THE TOWN ATTORNEY IS INSTRUCTED TO MEET WITH THE BOND COUNSEL FOR HAMILTON COUNTY AND BEGIN LEGAL DRAFTING OF ANY NECESSARY AGREEMENT FOR LOAN REPAYMENT GUARANTY BY THE TOWN OF SIGNAL MOUNTAIN OR ANY OTHER NECESSARY AGREEMENTS WITH THE THRASHER PTA OR ITS DESIGNATED NON-PROFIT ENTITY TO ACCOMPLISH THIS GYMNASIUM CONSTRUCTION PROCESS." The motion as amended was seconded by Councilmember Ruffin and passed unanimously.

Lou Oliphant of the Planning Commission reported that Mr. Thelan of 8 St. Ives Way had requested a motion saying that the Planning Commission had no objection to Mr. Thelan having the road right-of-way on Lot 34 moved 14 feet toward Lot 33 at his expense subject to approval of all utilities. She stated that the Town's attorney had stated that Mr. Thelan owns all the lots and the right-of-way would remain 50 feet. She noted he would like to come back in September for the road closure. Lou Oliphant also reported that the Planning Commission worked on their continuing education at the last meeting.

Councilmember White said that he was proud to see what Thrasher School had done and was confident that they would accomplish their goal. He also said it was good to see how the Council had come together since he had been on it.

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Councilmember Bryant commented on the request she had had to open the swimming pool at 11 a.m. for the public and was glad to see that this would be done in the summer. She also commented on the times for adult swim. She suggested the time for adult swim be changed from 3 p.m. to 3:30 p.m. to the period 3 p.m. to 3:15 p.m. or to have two lanes open at all times for adult swim. The Town Manager said he would talk with Scott Cook about her concerns.

Councilmember Bryant said this was a great Town Council and she knew there was a Department Head meeting on Monday mornings and maybe it would be good to have a meeting when all could meet. She would like to be included but cannot come on Monday mornings.

Councilmember Ruffin said he would like to look into the possibility of high school age or younger using our library at no charge, and in turn, keeping the fee structure the same. Councilmember Bryant asked if the Librarian knows if there were kids not using the Library because of the fee.

Vice-Mayor Leonard commented on the Monday morning meetings. He explained that there was a staff meeting with the Department Heads on Monday morning. He said it had helped him to really get to know the Department Heads, to see what they really face, and the issues they are involved in. He noted there were no decisions made on a Council basis during these meetings. He explained the Councilmembers were just observers. He said the Town had done a good job and he was impressed with the services the Town had provided.

Councilmember White suggested maybe there could be a meeting once a quarter to sit down and talk about things.

Mayor Althaus commented to the press specifically. The recent article on the settlement agreement with the Tabbs that was in the Signal Mountain Post said that Tabb, LLC, would be allowed to use 40 percent of the property zoned Low-Density Residential for parking which, he stated, was not right. They were going to be permitted to use 19-20 parking spaces and there were several acres that were zoned Residential part of which were going to be given to the Town. Councilmember Bryant suggested that the Mayor ask the Post to run a correction. The Mayor said the Town had attempted in the past to review the articles with the various newspapers in order to avoid mistakes, and the answer has been routinely no.

The Mayor also commented on the article in the News-Free Press on April 8, 2003, on stormwater saying the Town of Signal Mountain faced costs higher than those in multi-community plan. The article said that the smaller communities were going to get their stormwater fees around \$8.00 and Signal Mountain's would be around \$40.00. He explained that was only putting together the plan. The Town's fee was designing and implementing a plan, and their \$8.00 does not include implementation. He explained the Town had put our plan together in-house, and did a superb job.

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Mr. John Houstrup commended the Town of Signal Mountain for doing a good job with the stormwater process.

Town Attorney Phil Noblett introduced two resolutions. The first resolution considered for approval was "A RESOLUTION REAPPOINTING WILLIS J. MURDOCK AS A MEMBER OF THE BOARD OF DIRECTORS FOR THE HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, FOR A SIX-YEAR TERM". Mayor Althaus moved that the resolution be approved. The motion was seconded by Councilmember Ruffin and passed unanimously.

The second resolution introduced for approval was "A RESOLUTION APPOINTING WALLACE DAVIES, EVERETT "BO" HIXSON, JR., AND STEVE BULLARD TO THE BOARD OF ZONING APPEALS FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE. Councilmember Ruffin moved that the resolution be approved. The motion was seconded by Councilmember Bryant and passed unanimously.

The meeting was then adjourned.



JIM ALTHAUS, Mayor



Recorder

List of additional people in attendance attached.

Date: April 14, 2003

NAME	ADDRESS
1. <u>Rza Hawkins</u>	<u>505 Fern Trail</u>
2. <u>Jan Luber</u>	<u>103 Brow View Ln</u>
3. <u>Ron Oliphant</u>	<u>Cherokee Inn</u>
4. <u>Corrie Mc Dade</u>	<u>101 Mtn. Court</u>
5. <u>Timothy M. Miller</u>	<u>8 ST. IVES WAY</u>
6. <u>John Houstrup</u>	<u>509 Brady Pt. Rd</u>
7. <u>MARK AND PRIS STUART</u>	<u>501 JAMES BLVD</u>
8. <u>Deedee Raulston</u>	<u>Library Board</u>
9. <u>Judy Park</u>	<u>105 Mtn. Court</u>
10. <u>Jean Garner</u>	<u>115 Norvell Dr.</u>
11. <u>Linda Benton</u>	<u>513 Rock House Ct.</u>
12. <u>Kevin King</u>	<u>1605 James Blvd</u>
13. <u>Joe Thomas</u>	<u>1111 James Blvd.</u>
14. <u>Greg Goodgame</u>	<u>1112 Glannis</u>
15. <u>Glenn BAIRD</u>	<u>210 James Blvd.</u>
16. <u>Dea Linhart</u>	<u>5 Rockcrest Lane</u>
17. <u>Yvonne Culppepper</u>	<u>204 Primrose Way</u>
18. <u>ReeAnn Williamson</u>	<u>305 Signal Mtn Bl.</u>
19. <u>Bo Patten</u>	
20. <u>Chiz Baker</u>	
21.	

RESOLUTION NO. R2003-4

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH MUTUAL OF OMAHA FOR TWENTY-FOUR (24) MONTHS FOR LIFE INSURANCE FOR ALL EMPLOYEES OF THE TOWN OF SIGNAL MOUNTAIN AT A MONTHLY COST NOT TO EXCEED TWENTY-TWO CENTS (\$.22) PER THOUSAND DOLLARS OF INSURANCE COVERAGE.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Town Manager is authorized to enter into a contract with Mutual of Omaha for twenty-four (24) months for life insurance for all employees of the Town of Signal Mountain at a monthly cost not to exceed twenty-two cents (\$.22) per thousand dollars of insurance coverage.



MAYOR

April 14, 2003

DATE



RECORDER

April 14, 2003

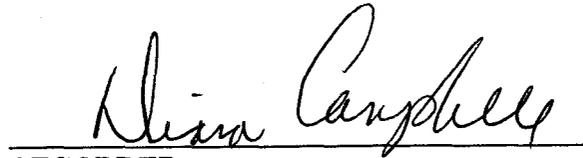
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RESOLUTION NO. R2003-5

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH VULCAN MATERIALS COMPANY FOR PAVING APPROXIMATELY THREE (3) MILES OF ROADS IN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE IN AN AMOUNT NOT TO EXCEED TWO HUNDRED NINETY-NINE THOUSAND ONE HUNDRED SIXTY-EIGHT AND 75/100 (\$299,168.75) DOLLARS.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Town Manager is authorized to enter into a contract with Vulcan Materials Company recommended by the Town Engineer as the lowest and best bid for paving approximately three (3) miles of roads in the Town of Signal Mountain, Tennessee, in amount not to exceed \$299,168.75.


MAYOR


RECORDER

April 14, 2003
DATE

April 14, 2003
DATE

RESOLUTION NO. R2003-6

A RESOLUTION URGING TENNESSEE GOVERNOR PHIL BREDESEN AND EACH MEMBER OF THE TENNESSEE GENERAL ASSEMBLY TO PROPOSE, SUPPORT, AND REMAIN OPEN TO OPTIONS AND ALTERNATIVES TO LEAVE INTACT OUR SYSTEM OF REVENUE SHARING, OR AT A MINIMUM, TO REDUCE THE MAGNITUDE OF PROPOSED STATE-SHARED TAX REDUCTIONS AND TO REDUCE THE DETRIMENTAL EFFECT OF ANY REDUCTIONS IN STATE-SHARED TAXES BY THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

WHEREAS, the State of Tennessee is experiencing lower than expected tax collections and higher than expected increases in costs; and

WHEREAS, Governor Phil Bredesen has proposed a fiscal year 2003-2004 budget that includes estimated growth in revenues of \$242 million, new spending of \$629 million, state government budget cuts of \$237 million, cuts in dedicated transportation revenues of \$65.8 million, cuts in state-shared taxes of \$60.7 million; and other cuts, reductions, and revenue redirections; and

WHEREAS, Tennessee's local governments are experiencing lower than expected tax collections and higher than expected increases in the same manner as Tennessee state government; and

WHEREAS, state-shared tax revenues are a critical funding source for local governments; and

WHEREAS, state-shared tax revenues are critical and necessary to maintain stable bond ratings; and

WHEREAS, state-shared tax revenues do not represent state spending, but, instead, represent an efficient, centralized system of taxation to produce revenues for multiple levels of governments; and

WHEREAS, state-shared tax revenues, are deemed to meet constitutional requirements for state mandate funding; and

WHEREAS, state-shared tax revenue losses could result in local property tax increases, reductions in local government services, or a combination of tax increases and service reductions; and

WHEREAS, residents, businesses, and community organizations of the Town of Signal Mountain, Tennessee deserve, demand, and depend upon essential municipal services; and

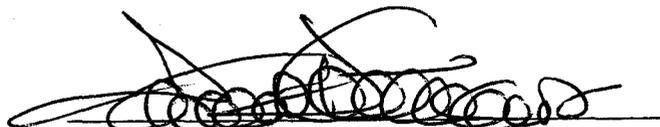
WHEREAS, the services provided by the Town of Signal Mountain, Tennessee have fostered and maintained a high quality of life for residents, a favorable business environment, and a strong community spirit; and

WHEREAS, Tennessee's local governments, which are already experiencing local budget problems, recognize the seriousness and importance of the state's budget problem;

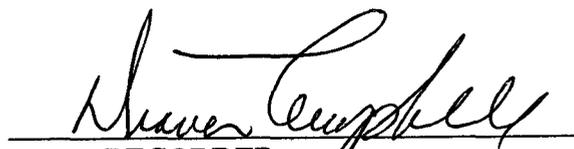
NOW, THEREFORE,

BE IT RESOLVED that the Town of Signal Mountain, Tennessee urges the Governor and each member of the Tennessee General Assembly to propose, support, and remain open to options and alternatives to leave intact our system of revenue sharing, or, at a minimum, to reduce the magnitude of proposed state-shared tax reductions.

BE IT FURTHER RESOLVED that the Town of Signal Mountain, Tennessee urges the Governor and each member of the Tennessee General Assembly to propose, support, and remain open to options and alternatives to reduce the detrimental effect of any reductions in state-shared taxes.



MAYOR



RECORDER

April 14, 2003
DATE

April 14, 2003
DATE

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RESOLUTION NO. R2003-7

A RESOLUTION REAPPOINTING WILLIS J. MURDOCK AS A MEMBER OF THE BOARD OF DIRECTORS FOR THE HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE FOR A SIX YEAR TERM.

WHEREAS, pursuant to the corporate Charter and by-laws of the Health, Educational and Housing Facility Board of the Town of Signal Mountain, Tennessee, any vacancy occurring in the Board of Directors may only be filled by the Mayor and Town Council of the Town of Signal Mountain; and

WHEREAS, it appears that the term of Board member Willis J. Murdock of the Health, Educational and Housing Facility Board of the Town of Signal Mountain has expired and such vacancy may be filled only by the Mayor and Town Council; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that:

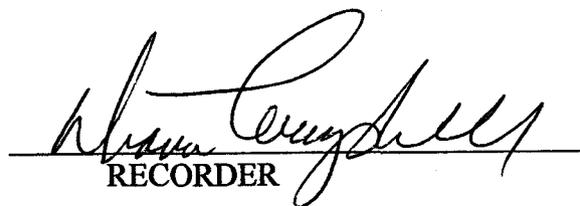
Section 1. Pursuant to the authority granted to the Mayor and the Town Council pursuant to the by-laws of the The Health, Educational and Housing Facility Board of the Town of Signal Mountain, Tennessee, the Mayor is authorized to appoint Willis J. Murdock, 112 Woodcliff Circle, Signal Mountain, Tennessee 37377 as member of the board of directors for the Health, Educational and Housing Facility Board for the Town of Signal Mountain, Tennessee.

Section 2. Pursuant to the provisions of T.C.A. 48-101-307 and the by-laws of the Health, Educational and Housing Facility Board of the Town of Signal Mountain, the term of this appointment shall be for six (6) years from and after the date of passage of this resolution.

Section 3. This resolution shall become operative on the date of passage, the public welfare requiring it.



MAYOR



RECORDER

April 14, 2003
DATE

April 14, 2003
DATE

RESOLUTION NO. R2003-8

A RESOLUTION APPOINTING WALLACE DAVIES, EVERETT "BO" HIXSON, JR., AND STEVE BULLARD TO THE BOARD OF ZONING APPEALS FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

WHEREAS, pursuant to Article X of the Signal Mountain Zoning Ordinance, Members of the Board of Zoning Appeals shall be appointed for three (3) year terms and the term shall be so arranged so that one (1) term shall expire for each year; and

WHEREAS, any vacancies occurring in the Board of Directors may only be filled by Resolution of Chief Legislative Body for the unexpired term of the member affected; and

WHEREAS, it appears that the terms of office of three Board members of the Board of Zoning Appeals of the Town of Signal Mountain have expired and such vacancies may be filled only by Resolution of the Chief Legislative Body; and

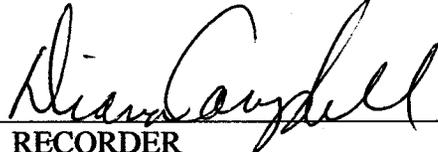
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that:

Section 1. Pursuant to the authority granted to the Mayor and the Town Council that pursuant to Article X of the Signal Mountain Zoning Ordinance the Mayor is hereby authorized to appoint Wallace Davies, 1120 Applewood Circle, P. O. Box 245, Signal Mountain, Tennessee 37377 for a three year term expiring on December 31, 2006; Everett "Bo" Hixson, 408 Dunsinane Lane, Signal Mountain, Tennessee for a two (2) year term expiring on December 31, 2005; and Steve Bullard, 821 James Boulevard, Signal Mountain, Tennessee 37377 for a one (1) year term expiring on December 31, 2004; as members of the Board of Zoning Appeals for the Town of Signal

Mountain, Tennessee. These terms are staggered in duration in order to allow the term of board members to expire each year for the next four (4) years.

Section 2. This resolution shall become operative on the date of passage, the public welfare requiring it.


MAYOR


RECORDER

April 14, 2003
DATE

April 14, 2003
DATE