

*****January 12, 2004*****

The Town Council of the Town of Signal Mountain held a regular meeting on Monday, January 12, 2004, at 7:00 p.m. at the Town Hall. Those present were:

Mayor James H Althaus
Vice-Mayor William O. Leonard
Councilmember Stephen Ruffin
Councilmember Robert E. White II

Also present: Town Manager Hershel Dick
Town Recorder Diana Campbell
Town Attorney Phil Noblett

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

Councilmember Ruffin made a motion to approve the minutes of the December 8, 2003, regular meeting. Councilmember White seconded the motion and it passed unanimously.

The Recorder read the caption for the first resolution before the Council "A RESOLUTION REAPPOINTING LAMAR RANKIN, WELLS BLAKE, AND BRENDAN OLIN AS THREE APPOINTED MEMBERS TO THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, PLANNING COMMISSION WHOSE TERMS HAVE CURRENTLY EXPIRED." Vice-Mayor Leonard noted that a biographical sketch was attached that showed the appointees had impressive qualifications. Councilmember Ruffin made a motion to approve the resolution. Councilmember White seconded the motion and it passed unanimously.

The next item before the Council was "A RESOLUTION EXTENDING TERM OF MEMBERS BILL WILKERSON AND WARREN DROPKIN TO THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION FROM JANUARY 1, 2004, UNTIL COMPLETION OF TWO PENDING PROJECTS BEFORE THE DESIGN REVIEW COMMISSION." The Town Attorney briefly explained the resolution. The Mayor further explained that the next meeting would have been on January 19 and the two pending projects were the construction of a CVS and an addition to Alexian Village. Councilmember Ruffin made a motion to approve the resolution. Councilmember White seconded the motion and it passed unanimously.

The next resolution was "A RESOLUTION REAPPOINTING MEMBERS TO THE TOWN OF SIGNAL MOUNTAIN'S RECREATION ADVISORY BOARD." The Town Attorney briefly explained. This resolution reappointed Gene Ezell and Don Close to the Board. Vice-Mayor Leonard made a motion to approve the resolution. Councilmember Ruffin made a motion to second the resolution and it passed

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unanimously. Vice-Mayor Leonard in response to a citizen's inquiry explained some of the responsibilities and functions of the board.

Next the Council considered the resolution "A RESOLUTION AUTHORIZING CHIEF LARRY EDDINGS TO APPLY FOR RECOGNITION AS A FIRE DEPARTMENT WITH THE TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE AND DESIGNATING LARRY EDDINGS AS ASSISTANT TO THE COMMISSIONER OF COMMERCE AND INSURANCE FOR THE TOWN OF SIGNAL MOUNTAIN, AS REQUIRED BY T.C.A. § 68-102-108." The Town Attorney explained that the Town had received an application for a certificate from the State of Tennessee under a new public act in 2003. He further explained that after July 1, 2003, no one could operate a fire department unless they received a certification from the State. Councilmember Ruffin made a motion to approve the resolution. Vice-Mayor Leonard seconded the motion and it passed unanimously.

The next resolution to be considered was "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) 2004 FORD CROWN VICTORIA, POLICE INTERCEPTOR, TENNESSEE STATE BID NUMBER 218, FROM NEIL-SANDLER FORD, IN THE AMOUNT OF TWENTY-TWO THOUSAND TWO HUNDRED NINETY AND 00/100 (\$22,290.00) DOLLARS, TO BE USED BY THE POLICE DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN." The Town Manager informed the Council of the vehicle that would be purchased noting that the Town would be receiving a 2003 price. Councilmember Ruffin made a motion to approve the resolution. Vice-Mayor Leonard seconded the motion and it passed unanimously.

The final resolution presented to the Council was "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH OLIVER BENTON FOR THE PURCHASE OF 2.5 ACRES OF LAND ON SHACKLEFORD RIDGE ROAD, KNOWN AS LOTS 7 AND 8 OF BENTON ESTATES, FOR THE TOWN OF SIGNAL MOUNTAIN, IN AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND AND 00/100 (\$45,000.00) DOLLARS, PLUS TITLE AND TAXES." The Town Attorney briefly explained noting that the deed would need to be approved by the Town Attorney. In the discussion that followed, it was noted that the property was on the right going out Shackleford Ridge Road across the street from the Windtree Subdivision, the property was for a fire substation, and the Town had been designating \$50,000 a year for building a fire substation with \$400,000 designation accumulated. Councilmember Ruffin made a motion to approve the resolution. Vice-Mayor Leonard seconded the motion and it passed unanimously.

During the opportunity for citizens to address the Council, Joe Dumas inquired about the sidewalks. The Town Manager stated that there had been some delays by the State, but the sidewalks should be completed by late spring.

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Lou Oliphant gave a report on the Planning Commission's January 8, 2004, meeting. She stated that there had been much discussion on Article VI, Schedule 4 District Regulations. She explained that the outcome had been that the Town Attorney Phil Noblett, Planning Commission Member Brendan Olin, and Local Planning Office employee Brian Shults would review the Zoning Ordinance in the light of 2004 state laws and possible future annexation. Each section reviewed would be presented to the Planning Commission for approval.

Next the Mayor informed the citizens of the plans by the City of Chattanooga to build an animal shelter on the land where Portland Park was located at the foot of the mountain. He explained that the land had been donated to the City by the cement plant for a park. He noted that he had written Chattanooga Mayor Bob Corker and had several conversations with Mr. Corker about the shelter. He made an appeal to the citizens to help stop the shelter from being built at that location. He further informed the citizens that the Town had hired an outside attorney explaining the Town Attorney had a conflict of interest since Phil was an Assistant Attorney for the City of Chattanooga. He indicated the grounds might be Indian burial grounds and the cement plant might object. In response to several questions, he stated it would better serve the animals of Chattanooga if their shelter would be placed in a more central location.

During the Council's opportunity to present new business, Councilmember White informed the citizens of some information on several departments of the Town. He said the Fire Department had made 16 responses for cardiac and trauma during the month of December noting that they do more than just fight fires. He also talked about the Building Inspection Department. He explained that there had been 2,194 inspections in the year 2003 and a total of 360 permits issued. He pointed out that he thought all departments seem to be very efficient.

Councilmember Ruffin said he was glad that the Town's fire department was getting the official recognition from the State.

Vice Mayor Leonard stated that he had a few comments to follow up on Councilmember White's remarks about the departments. He explained that the Councilmembers get monthly activity reports on each department, and they follow very closely the work of the departments. He noted that some of the police officers have to go on calls that are very dangerous. He further talked about the work the water department did in working to resolve problems without complaint. He stated that the citizens in the areas that may be annexed would have confidence in the Town's first class work. He also noted that the Town received back from Blue Cross a refund of \$18,453.93. In addition he informed the citizens that the Town had saved the Thrasher School over \$11,000 on the cost of the gym.

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Mayor Althaus informed the citizens that the Sign Committee had been reconvened to address the Town's Sign Ordinance. He noted they were an all-volunteer committee headed by Mike St. Charles. In addition to reviewing the Sign Ordinance, he stated they would be reviewing the rules and regulations on the sign board coming up the mountain.

The meeting was adjourned.



James H. Althaus, Mayor



Diana Campbell, Recorder

Date: January 12, 2004

NAME	ADDRESS
1. Shawn Craig	312 Green Gorge Rd
2. Irby Park	105 Mountain Court
3. Tom Dunbar	36 Mtn Orchard Path
4. Ron Olfkand	Cherokee Lane
5. Jean Balan	Ladder Trail
6. Marking Pri Saxece	501 James Blvd
7. Coughlin Cooper	918 James Blvd.
8. Deborah S Blake	823 Cherokee Lane
9. BRENTAN CLIN	821 CHEROKEE LANE
10. Joe Dumas	1111 James Blvd.
11. Greg Goodgame	3106 1112 Glam's Circle
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RESOLUTION NO. R2004-1

A RESOLUTION REAPPOINTING LAMAR RANKIN, WELLS BLAKE, AND BRENDAN OLIN AS THREE APPOINTED MEMBERS TO THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE PLANNING COMMISSION WHOSE TERMS HAVE CURRENTLY EXPIRED.

WHEREAS, pursuant to Signal Mountain Municipal Code § 14-101, eight (8) members of the Signal Mountain Planning Commission shall be appointed by the Mayor and two (2) other members of the Planning Commission shall be the Mayor and another member of the Town Council selected by the Town Council; and

WHEREAS, the terms of the eight (8) members appointed by the Mayor shall be of a length of time prescribed by the Town Council and arranged so that the term of one (1) member will expire each year; and

WHEREAS, it appears that the terms of office of three (3) of the eight (8) appointed members of the Planning Commission of the Town of Signal Mountain have expired and any vacancies in these appointed positions shall be filled for their unexpired terms by the Mayor.

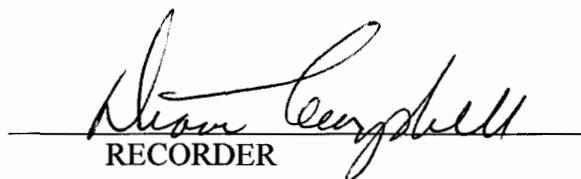
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that:

Section 1. Pursuant to the authority granted to the Mayor under Signal Mountain Municipal Code § 14-101, the Mayor is hereby authorized to reappoint Lamar Rankin, P. O. Box 149, Signal Mountain, TN for a three (3) year term expiring on January 31, 2007; Wells Blake,

823 Cherokee Lane, Signal Mountain, TN for a three (3) year term expiring on January 31, 2007; and Brendan Olin, 821 Cherokee Lane, Signal Mountain, Tennessee for a two (2) year term expiring on January 31, 2006; as three of the Mayor's appointed members to the Signal Mountain Planning Commission for the Town of Signal Mountain, Tennessee. The other appointed members' terms are currently unexpired.

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


MAYOR


RECORDER

January 12, 2004
DATE

January 12, 2004
DATE

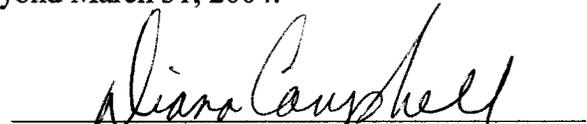
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RESOLUTION NO. R2004-2

A RESOLUTION EXTENDING TERM OF MEMBERS BILL WILKERSON AND WARREN DROPKIN TO THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION FROM JANUARY 1, 2004, UNTIL COMPLETION OF TWO PENDING PROJECTS BEFORE THE DESIGN REVIEW COMMISSION.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the terms of members Bill Wilkerson and Warren Dropkin to the Town of Signal Mountain's Design Review Commission are extended from January 1, 2004, until completion of two pending projects before the Design Review commission. The terms of these members shall expire after these projects are completed and shall not be extended beyond March 31, 2004.


MAYOR

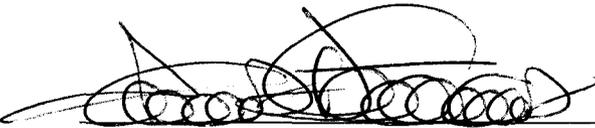

RECORDER

January 12, 2004
DATE

January 12, 2004
DATE

RESOLUTION NO. R2004-3A RESOLUTION REAPPOINTING MEMBERS TO THE TOWN
OF SIGNAL MOUNTAIN'S RECREATION ADVISORY BOARD.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Town Council renews the appointments to the Signal Mountain Recreation Advisory Board of Don Close, 8 Shoal Creek Falls, Signal Mountain, Tennessee, for a three (3) year term expiring on January 31, 2007; and Gene Ezell, 7 Ridge Rock Drive, Signal Mountain, Tennessee, for a three (3) year term expiring on January 31, 2007.



MAYOR

January 12, 2004
DATE



RECORDER

January 12, 2004
DATE

RESOLUTION NO. R2004-4

A RESOLUTION AUTHORIZING CHIEF LARRY EDDINGS TO APPLY FOR RECOGNITION AS A FIRE DEPARTMENT WITH THE TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE AND DESIGNATING LARRY EDDINGS AS ASSISTANT TO THE COMMISSIONER OF COMMERCE AND INSURANCE FOR THE TOWN OF SIGNAL MOUNTAIN, AS REQUIRED BY T.C.A. § 68-102-108.

WHEREAS, the State of Tennessee has enacted the "Fire Department Recognition Act" as part of the Public Acts of 2003; and

WHEREAS, after July 1, 2003, no municipality is authorized to operate a Fire Department within the State of Tennessee unless it has been duly recognized to do so by the Department of Commerce and Insurance, State Fire Marshal's Office; and

WHEREAS, all municipal Fire Departments are required to file an application with the State Department of Commerce and Insurance requesting a Certificate of Recognition to the Fire Department which shall be valid for a period of three (3) years from its date of issuance; and

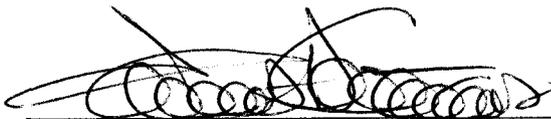
WHEREAS, no governmental unit shall represent itself as having a Fire Department without first obtaining a Certificate of Recognition and may not and shall not solicit money or receive money from any source for the purpose of operating a Fire Department unless the governmental unit maintains a valid Certificate of Recognition from the State Fire Marshal's Office.

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

1. That Chief Larry Eddings is authorized to file an application for recognition as the

Fire Department for the Town of Signal Mountain, Tennessee with the Tennessee Department of Commerce and Insurance for the purpose of suppressing fires, performing rescue services, or for other emergency response purposes within the boundaries of the Town of Signal Mountain, Tennessee; and

2. That Chief Larry Eddings is further designated by the Town of Signal Mountain as its Assistant to the Commissioner of Commerce and Insurance for any fire prevention and investigation purposes required by T.C.A. § 68-102-108.



MAYOR



RECORDER

January 12, 2004
DATE

January 12, 2004
DATE

RESOLUTION NO. R2004-5

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) 2004 FORD CROWN VICTORIA, POLICE INTERCEPTOR, TENNESSEE STATE BID NUMBER 218, FROM NEILL-SANDLER FORD, IN THE AMOUNT OF TWENTY-TWO THOUSAND TWO HUNDRED NINETY AND 00/100 (\$22,290.00) DOLLARS, TO BE USED BY THE POLICE DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That the Town Manager be and is hereby authorized to purchase one (1) Ford Crown Victoria, Police Interceptor, Tennessee State Bid Number 218, from Neill-Sandler Ford, in the amount of \$22,290.00, to be used by the Police Department for the Town of Signal Mountain.



MAYOR



RECORDER

January 12, 2004
DATE

January 12, 2004
DATE

PAN/kac

RESOLUTION NO. R2004-6

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH OLIVER BENTON FOR THE PURCHASE OF 2.5 ACRES OF LAND ON SHACKLEFORD RIDGE ROAD, KNOWN AS LOTS 7 AND 8 OF BENTON ESTATES, FOR THE TOWN OF SIGNAL MOUNTAIN, IN AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND AND 00/100 (\$45,000.00) DOLLARS, PLUS TITLE AND TAXES.

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 Oliver Benton for the purchase of 2.5 acres of land on Shackleford Ridge Road, known as Lots 7 and 8 of Benton Estates, for the Town of Signal Mountain, in an amount not to exceed \$45,000.00, plus title and taxes. The location of this real property is shown on the attached tax map and any purchase shall be subject to warranty deed in a form approved by the Town Attorney.



MAYOR

January 12, 2004
DATE



RECORDER

January 12, 2004
DATE