

\*\*\*\*\*March 8, 2004\*\*\*\*\*

The Town Council of the Town of Signal Mountain held a regular meeting on Monday, March 8, 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 Rachel Bryant  
 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 Boy Scout Nathaniel Hendricks led the Pledge of Allegiance to the Flag. Mayor Althaus offered the prayer. The Recorder called the roll.

The Mayor recognized visitors Chip Baker with the Hamilton County School Board, Commissioner Richard Casavant with the Hamilton County Commission, and attorney Tom Caldwell representing the Friends of the Signal Mountain High School.

Councilmember Ruffin made a motion to approve the minutes of the February 9, 2004, regular Council meeting. Vice-Mayor Leonard seconded the motion and it passed unanimously.

The first item taken up by the Council was the ordinance, "AN ORDINANCE AMENDING SECTION 5-102 OF THE SIGNAL MOUNTAIN TOWN CODE REGARDING THE EMPLOYMENT OF AUDITORS FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE", for second and final reading. Attorney Noblett briefly explained the ordinance. Councilmember Bryant made a motion to approve the ordinance on second reading. Councilmember Ruffin seconded the motion and it passed unanimously.

The next item before the Council was the resolution, "A RESOLUTION AUTHORIZING THE TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO ROBERT SMITH, INC. IN AN AMOUNT OF ONE HUNDRED NINETEEN THOUSAND ONE HUNDRED SEVENTY-NINE AND 00/100 (119,179.00) DOLLARS AS THE LOWEST AND BEST BID FOR THE REHABILITATION AND RESURFACING OF THE TENNIS COURTS BEHIND THE GOLF AND COUNTRY CLUB." Councilmember Bryant made a motion to approve the resolution. Councilmember White seconded the motion and it passed unanimously. Then Councilmember Bryant talked about the renovations, stating there would be two tennis courts, one basketball court and one free play court.

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During the opportunity for citizens to address the Council, Glenn Baird, Co-chairman of the Friends of the Signal Mountain High School, spoke to the Council regarding a high school on the mountain. He gave a history of the drive to get a high school built beginning in 1959. He stated that in 1998 the Friends of the Signal Mountain High School started with nine board members and their most important feat was getting a Signal Mountain high school put on phase two of a project list by the Hamilton County facilities task force. He noted they have met weekly for the last two years. He informed the Council that another set of facilities task force is being started now and Signal Mountain may not be on the list. He stated they were asking the Council to pass a resolution to have a referendum to approve a tax increase to help fund a high school on the mountain. Mr. Baird was interrupted by applause from the audience.

The Mayor then spoke about the referendum and a high school. He noted that the Election Commission needed 45 days to have a referendum. He explained that the County and Signal Mountain had to have their budgets in place by July 1<sup>st</sup>. He said that the County only issued bonds for schools every four years. The Mayor then noted that he thought the cost would be \$0.35 per \$100 of assessed value. He said that a person with a house valued at \$100,000 would pay \$87.50.

There were further questions from the Council, and Mr. Baird in response stated that the proposition would include a middle school that also was in Phase II of the County's building plans for renovations. The Friends of the Signal Mountain High School were offering the County \$10,000,000 not one half of the cost of the project. He explained the committee was meeting with the Tennessee Municipal League Bond Fund regarding financing the bonds. He stated that the group would be asking for the Mountain Arts Community Center building, the Bachman School building, and the Signal Mountain Middle School building.

The Town Attorney talked about the Town being able to have a referendum. He stated that he first thought that the Town couldn't have a referendum since the Town's Charter did not give the Town that authority. Then he stated he discovered a separate Tennessee law found in TCA §9-21-210 that deals with bond issues. That law, as he explained it, allows the electorate to make the decision on bond issues for public works projects including schools.

Next the Mayor stated the Council should pass a motion to permit a referendum to pass a property tax increase of \$.35 per \$100 dollars of assessed value with the following caveats: the timing of the referendum should be early to mid-May; an agreement would be reached with the Town of Walden on the Signal Mountain-Walden split of required bond amounts; Walden's agreement to proceed with their own referendum; pin down the TML Bond Fund "estimated" cost/millions for bonds; have the understanding that Friends of the Signal Mountain High School would vigorously promote and explain the referendum to the public; Tom Caldwell, Glenn Baird and/or Chip Baker would secure

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assurances from the County Mayor Ramsey that the schools would be built. The Mayor stated in response to a question that if Walden said no to the funding the deal would be off. Councilmember Ruffin moved that the motion as stated be approved. Councilmember Bryant seconded the motion and it passed unanimously.

Councilmember White noted that Hamilton County School Board awarded three Teacher-of-the-Year awards and two of the three were awarded to teachers at Thrasher. He informed the citizens the Thrasher gym had been started the week before.

Councilmember Bryant stated that she was looking forward to the Mountain Vision presentation at the next month's meeting. She noted that the Personnel Committee was planning to meet and requested to see an organizational chart for the budgeting process. She noted that the Playground Committee met again with Phil Noblett and Hershel. She stated that a drawing had gone out with the bid and inquired from the Town Attorney if that meant the heights on the drawing were required of the bidders. She stated that she was not for re-bidding because of the price of steel. She asked if the low bidder could substitute or change their equipment to meet the heights on the drawing. The Town Attorney stated he would check into the drawings.

Councilmember Ruffin asked for an update on the Rainbow Lake parking lot. The Town Manager explained that the Town had been waiting on the Alexian Village construction to begin to get the fill dirt that was needed for the parking lot. Next he inquired about a fence at a house on Texas Avenue and wanted to know if the owner had received a permit for the fence. The Town Manager stated he would check into the matter.

The Town Attorney informed the Council that last month a new lawsuit had been filed against the Town in a shooting incident. He explained that he had a report that the Town of Signal Mountain police officer's gun was not the gun that fired the round that blinded the girl.

The Mayor informed the citizens that the CVS would be starting on April 1 and would be approximately \$1.6 million.

Debra Blake asked the Council what was the status of the bid on the playground equipment. The Mayor stated that if the Council voted at that time, he understood that they would have to vote for the low bid. Attorney Noblett explained that there was a state law that said the Town must take the low bidder or have justification for not taking the low bidder. Councilmember Bryant stated the low bidder did not meet the perimeter size that was on one of the two areas. Jock Dunbar addressed the Council and noted that the drawing attached to the bid request showed an area of 120 feet X 66 feet. The bid from Miracle was shortened 6 feet to 120 feet X 60 feet. Councilmember Ruffin said that if they didn't meet the specifications, then the Town should disqualify them. Mr. Dunbar stated that on the drawing the platforms showed 8 feet but all of the low bidder's

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platforms were less than the 8 feet. Councilmember Ruffin asked if the Council could disqualify the low bidder and vote on the next lowest bidder. The Attorney said the Council could vote on anything during a public meeting. Councilmember Bryant made a motion to take the second lowest bid based on the fact that the lowest bidder did not meet the specifications and based on the Attorney's review of the specifications. Councilmember Ruffin seconded the motion and it passed unanimously.

The meeting was adjourned.

  
James H. Althaus, Mayor  
Diana Campbell, Recorder

Date: MARCH 8, 2003

NAME	ADDRESS
1. <del>Al Bednarczyk</del>	323 CREEKSHIRE
2. Chere Dumas	1111 JAMES BLVD.
3. Warren Dreyfus	16 Cool Springs
4. <del>Don White Dreyfus</del>	100 Cool Springs Rd.
5. Tom Downs	512 Fern Trail
6. Steve Banta	16 Middle Creek Rd
7. Al Hawkins	505 Fern Trail
8. Mark & Patti SWARTZ	501 JAMES BLVD
9. Lizette Petruski	54 Middle Creek
10. HUNTER MARKS	67 WHISPERING PINES
11. Laura Pierce	914 Shady Circle
12. Anna Claire Pierce	"
13. Will Pierce	"
14. Shauna DeSiere	321 Hampton Rd
15. Irby Park	105 Mountain Court
16. Rhonda Griffith	2590 Bristlecone Lane
17. Sara Griffith	2590 Bristlecone Lane
18. Marcos Smith	511 Boulder Place
19. David Brock	306 High Crest Rd
20. Sarah Kate Brock	" "
21. Davis Brock	" "
Ellis Gardner	1912 Hollister
Colly Johnson	15 Northfield
Brandi Buntain	114 Green Gorge Dr.

Date: MARCH 8, 2003

NAME	ADDRESS
1. Edward McKinney	10 Shoal Creek Falls
2. J Dolan	1004 Ladder
3. CHRIS BURSCH	61 Cool Springs Rd
4. Paul Hendricks	31 Mtn Orchard Path
5. Bob Heggie	2 Oliver Ct.
6. Sam Lee	10 Big Rock Rd.
7. Glenn BAIRD	210 James Blvd.
8. Sheri Liou	529 Fern Trail
9. Sherron Craig	312 Green Gorge
10. DAVE MALEY	506 HATHAWAY DR.
11. Chr Baker	911 Dunshane Rd
12. TODD HENON	3121 BEE TREE
13. Jesse Johnston	100 Maledm Ln.
14. Jason Lorne	715 Kentucky
15. Chris J. Houley	67 Cool Springs Road
16. Joselyn Willis	630 Signal Mtn Blvd
17. Nancy Willis	630 Signal Mtn Blvd
18. W H W H	630 Signal Mtn Blvd
19. David McClain	907 Autumn Way Cir.
20. Bob Admover	1 St Ives Way
21. MARY ELIZABETH Smedley	91 Mtn. Orchard Park
22. ALAN & BETTY JOHNSON	3120 HATHAWAY LN.

# Attendance

10792

Date: 3-8, 2005

NAME	ADDRESS
1. <u>Maecel Holsomung</u>	<u>101 Short Creek Road</u>
2. <u>Luane Culppepper</u>	<u>204 Primrose Way</u>
3. <u>GEORGE + EMILY DICKSON</u>	<u>2 WINDY WAY</u>
4. <u>Kevin Kilig</u>	<u>1605 James Blvd</u>
5. <u>Lori Smith</u>	<u>906 Crown Point Rd W</u>
6. <u>Dani + Nancy McCaffrey</u>	<u>2 Stacy Circle</u>
7. <u>MARK + BETH HACKETT</u>	<u>4 FIRESIDE Way</u>
8. <u>Allyson Kinard</u>	<u>311 N. Palisades Dr</u>
9. <u>Coughlin Cooper</u>	<u>918 James Blvd.</u>
10. <u>Susan Wickizer</u>	<u>902 Glamis Circle</u>
11. <u>Jabus Braxton</u>	<u>3119 Edgewood Dr.</u>
12. <u>Ina Braxton</u>	<u>3118 Edgewood Dr.</u>
13. <u>Barry Steelman</u>	<u>914 Dunsinane Rd 37377</u>
14. <u>Scott Walker</u>	<u>305 Signal Mtn Blvd</u>
15. <u>Ben Gordon</u>	<u>1203 Laurel Springs Way</u>
16. <u>DAVE ADAIR <sup>354</sup></u>	<u>22 Mtn Orchard, 1222 James, + 126 Cuyler Way</u>
17. <u>James L. O'Kelley Jr</u>	<u>115 Palisades Dr.</u>
18. <u>Jock Durbin</u>	<u>36 Mtn Orchard Path.</u>
19. <u>Nathan Koss</u>	<u>46 Mtn Cove Road</u>
20. <u>Julie Daniel</u>	<u>1243 Mtn Brook Cir</u>
21. <u>James Boyette</u>	<u>1115 Applewood Circle</u>
22. <u>Stephanie Koukas</u>	<u>3130 Pntail Lane</u>
23. <u>MICHAEL + SOPHIE ANJAN</u>	<u>211 Mathis Lane</u>
24. <u>Jack + Linda Huguelet</u>	<u>4446 Shackelford Ridge Rd.</u>

Date: \_\_\_\_\_, 2003

NAME	ADDRESS
1. Debbie, Gary, Fern + Rebel	Fassong 125 Arrow Drive
2. Bill Faulkner Tracy Faulkner	602 Dunshire
3. Tracy McHugh	308 Arrow Drive
4. CHRIS GILES	923 Arden Way
5. Nancy S. Williams	1055 CANDLEWICK CT.
6. <del>John</del> P. Williams	1055 CANDLEWICK CT
7. Cathy Jelder	6 Silver Fox Lane
8. ARTHUR N. DICKERSON	176 WOODCLIFF CIRCLE
9. Laura Jones	624 Valley Bridge Road
10. Rachel Carboni	3556 Valley Trail
11. Connie Brown	47 Cool Springs Rd
12. Judy Clark	29 Majestic Oaks
13. Becky Cullen	17 Shoel Creek Falls
14. THOMAS WILLIAMS	710 KENTUCKY DR.
15. Tony St. Charles	419 S. Palisades Dr
16. Jeff + Janice Leatherwood	2632 Miller Rd.
17. Deborah S Blake	803 Cherokee Lane
18. Anne Oshorn	502 Ohio Ave
19. Cindy Kean	511 Fern Trail
20. Kay Glenn	502 Ohio Ave
21. Greg Goodgame	1112 Janis Circle
JAN Kelley	115 Palisades
Jan Kelley	115 Palisades
Bob & Leslie Briggs	19 Majestic Oaks
Dotti Pali	506 Barrington Rd

ORDINANCE NO. 2004-1

AN ORDINANCE AMENDING SECTION 5-102 OF THE SIGNAL MOUNTAIN TOWN CODE REGARDING THE EMPLOYMENT OF AUDITORS FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That Section 5-102 of the Signal Mountain Town Code is deleted in its entirety and the following language is substituted in lieu thereof:

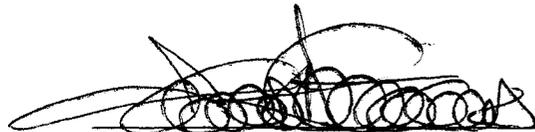
**5-102. Audits and Auditors**

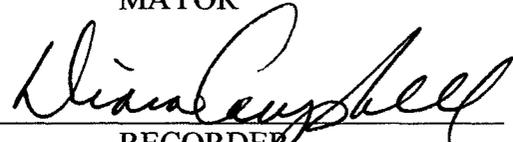
The Town of Signal Mountain shall employ an auditor or auditing firm to conduct an annual audit each year as required by state law. The auditor shall be selected by the Town Manager, subject to the approval of the Town Council, from those firms or individuals who are recognized as qualified to conduct municipal audits by the State of Tennessee.

SECTION 2. That this Ordinance shall become effective two (2) weeks from and after its passage as provided by law.

Passed First Reading 2-9-04, 2004.

Passed Second Reading 3-8-04, 2004.

  
MAYOR

  
RECORDER

RESOLUTION NO. R2004-9

A RESOLUTION AUTHORIZING THE TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO ROBERT SMITH, INC. IN AN AMOUNT OF ONE HUNDRED NINETEEN THOUSAND ONE HUNDRED SEVENTY-NINE AND 00/100 (\$119,179.00) DOLLARS AS THE LOWEST AND BEST BID FOR THE REHABILITATION AND RESURFACING OF THE TENNIS COURTS BEHIND THE GOLF AND COUNTRY CLUB.

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BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Town Manager to is authorized to award a contract to Robert Smith, Inc. in the amount of \$119,179.00 as the lowest and best bid for the rehabilitation and resurfacing of the tennis courts behind the Golf & Country Club.

  
MAYOR

March 8, 2004  
DATE

  
RECORDER

March 8, 2004  
DATE