

*****AUGUST 8, 2005*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, August 8, 2005, at 7:00 p.m. in the Town Hall. Those present were:

Mayor William O. Leonard, III
 Vice-Mayor Stephen Ruffin
 Councilmember Robert V. Linehart, Jr.
 Councilmember Lizetta Paturalski
 Councilmember Robert E. White, II

Also present: Interim Town Manager Diana Campbell
 Town Attorney Phil Noblett
 See attached list for others present

Mayor Leonard called the meeting to order and led the Pledge of Allegiance to the Flag. Councilmember Linehart offered the prayer.

Mayor Leonard announced that Diana Campbell had been named Interim Town Manager and was also acting as Town Recorder. He asked her to call the roll.

Councilmember Paturalski moved that the minutes of the regular July 11, 2005, meeting and a special called work session of July 28, 2005, be approved. The motion was seconded by Councilmember Linehart and passed unanimously.

Mayor Leonard asked Ms. Martha Nagle, Swim Team President, to come forward to present the league trophy for the Championship Trophy for the City Meet where the Green Giants were second in diving, second in the blue division, and then won the overall City Meet swimming by 11 points out of several thousand points and the combination swimming-diving championship.

The first resolution to be considered was "A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES ENGINEERING CONTRACT WITH JAMES CAWTHORNE OF CAWTHORNE ENGINEERING COMPANY, INC. TO REVIEW PLANS, EVALUATE BIDS, AND MAKE A RECOMMENDATION TO THE TOWN OF SIGNAL MOUNTAIN FOR THE CAUTHEN WAY ENGINEERING PROJECT, TO MANAGE THE CONSTRUCTION AND MAKE INSPECTIONS OF THE CONTRACTORS' WORK, IN THE TOTAL AMOUNT OF TWELVE THOUSAND ONE HUNDRED AND 00/100 DOLLARS (\$12,100.00)". Mr. Cawthorne explained that the contract would be for two months and 15 days. Diana Campbell said the notice to proceed would probably be issued in 10 days. Vice-Mayor Ruffin moved that the resolution be approved. The motion was seconded by Councilmember White and passed unanimously.

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The second resolution to be considered was "A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO GREENSTAR, LLC IN AN AMOUNT OF TWO HUNDRED SIX THOUSAND TWO HUNDRED SIXTY-SEVEN AND 25/100 (\$206,267.25) DOLLARS AS THE LOWEST AND BEST BID FOR THE ASPHALT PAVING, STRIPING AND RESURFACING, RETAINING WALL CONSTRUCTION, AND STORMWATER IMPROVEMENTS DURING THE RECONSTRUCTION OF CAUTHEN WAY". Mr. Greg Goodgame asked that Thrasher School be notified so they could let the parents know Cauthen Way would be closed. Vice-Mayor Ruffin moved that the resolution be approved. The motion was seconded by Councilmember White and passed unanimously. The Mayor asked Ms. Campbell to get a firm commitment on the time frame.

The third resolution to be considered was "A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER TO ENTER INTO CHANGE ORDER NO. 1, RELATIVE TO THE CAUTHEN WAY ENGINEERING RECONSTRUCTION PROJECT WITH GREENSTAR, LLC, TO CHANGE THE SIDEWALK MATERIAL FROM PUG MIX/SINGLE BITUMINUS SURFACE TREATMENT TO FIBER-FILLED CONCRETE, AND TO INCLUDE ½ INCH THICK EXPANSION JOINT MATERIAL FOR THE ENTIRE LENGTH TO SEPARATE THE SIDEWALK FROM THE CURB, WHICH CHANGE ORDER INCREASES THE TOTAL CONTRACT AMOUNT BY TWENTY-THREE THOUSAND THREE HUNDRED SEVENTY-NINE AND 25/100 DOLLARS (\$23,379.25), FOR A REVISED TOTAL CONTRACT AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-NINE THOUSAND SIX HUNDRED FORTY-SIX AND 50/100 DOLLARS (\$229,646.50) FOR RESURFACING AND SIDEWALKS ON THE CAUTHEN WAY RECONSTRUCTION PROJECT". The Mayor explained the change order was to add a sidewalk on Cauthen Way. Vice-Mayor Ruffin moved that the resolution be approved. The motion was seconded by Councilmember Paturalski and passed unanimously.

The Council next considered "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH THE HUMANE EDUCATIONAL SOCIETY FOR THE CONTROL OF ANIMALS, RABIES CONTROL, EDUCATION CONCERNING ANIMALS TO THE PUBLIC AND PET THERAPY TO AREA NURSING HOMES FOR A TWELVE (12) MONTH PERIOD BEGINNING JULY 1, 2005, IN A TOTAL AMOUNT NOT TO EXCEED \$26,417.52". Mayor Leonard said it would be nice if the Town had an alternative. After a discussion, it was decided to defer action until September. He wanted to go ahead and pay the monthly bill and get Mr. Bilyeu, Executive Director of the Humane Society to come back and meet with the Council.

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The next resolution to be considered was "A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO IMPROVE AMERICA, INC. IN AN AMOUNT OF THIRTY-EIGHT THOUSAND ONE HUNDRED NINETY-FIVE AND 00/100 (\$38,195.00) DOLLARS AS THE LOWEST AND BEST BID FOR THE TOWN BASEBALL FIELD RENOVATIONS, INCLUDING RECONSTRUCTION OF RESTROOMS AND DUGOUT". This work had been in the budget before and no one had bid on it. It included the inground dugout and restrooms at Rutledge Field. There was \$40,000 in the budget for this project. Councilmember Linehart moved that the resolution be passed. The motion was seconded by Vice-Mayor Ruffin and passed unanimously.

"A RESOLUTION APPOINTING WILLARD (BILL) WAGNER, TOWN BUILDING OFFICIAL, AS A BOARD MEMBER TO THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY BOARD" was considered by the Council. This resolution was to fill the vacancy left by Hershel Dick on the Board. Vice-Mayor Ruffin moved that the resolution be passed. The motion was seconded by Councilmember Paturalski and passed unanimously.

The next resolution considered was "A RESOLUTION APPOINTING ANDREW HAUSLER TO FILL A VACANCY ON THE BOARD OF ZONING APPEALS FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE". The Mayor explained the process of board appointments. The Mayor was proposing that board openings be posted on the Town website for everyone to have a chance to apply. Town Attorney Noblett explained that Mr. Hausler would be filling an unexpired term of a BZA member. Vice-Mayor Ruffin moved that the resolution be passed. The motion was seconded by Councilmember Paturalski and passed unanimously.

The Council considered "AN ORDINANCE TO AMEND TITLE 5, CHAPTER 4, SECTION 5-401 THROUGH SECTION 5-407 OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO PURCHASING REQUIREMENTS BY THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE" on Second Reading. Mr. Noblett explained the changes that were made. Vice-Mayor moved that the ordinance be passed on Second Reading. The motion was seconded by Councilmember White and passed unanimously.

The second ordinance considered was "AN ORDINANCE TO AMEND ORDINANCE NO. 2005-2, HEREINAFTER KNOWN AS THE 'FY 2005-2006 BUDGET ORDINANCE' TO AMEND THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE TOWN OF SIGNAL MOUNTAIN FOR FISCAL YEAR 2005-2006 FOLLOWING CERTIFICATION OF THE TAX RATE BY THE TENNESSEE BOARD OF EQUALIZATION AND TO PROVIDE FOR CERTAIN CHANGED REVENUES AND EXPENDITURES FOR THE TOWN OF SIGNAL MOUNTAIN DURING THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30,

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2006, AND APPROPRIATING SAME TO THE PAYMENT OF THE EXPENSES OF THE MUNICIPAL GOVERNMENT DURING SAID FISCAL YEAR” on First Reading. The Mayor explained that our tax rate went from \$1.65 per \$100 assessed value to \$1.425. He also explained that the tax rate change of property values went up 13.6 percent. Mr. Noblett explained the property tax rate process. Councilmember Paturalski moved that the ordinance be passed on First Reading. The motion was seconded by Vice-Mayor Ruffin and passed unanimously.

The third ordinance to be considered was “AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 12, SECTIONS 12-101 AND 12-102, SO AS TO ADOPT THE 2003 EDITIONS OF THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE AND CERTAIN APPENDICES OF THOSE CODES AS REVISED AND AMENDED AS THE OFFICIAL BUILDING CODES OF THE TOWN OF SIGNAL MOUNTAIN AND TO AMEND SECTION 12-103 CONCERNING SPECIAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, AND THE INTERNATIONAL RESIDENTIAL CODE, AND TO ADD A NEW SECTION 12-107 CONCERNING THE ADOPTION OF THE ANSI NATIONAL STANDARD AND/OR THE 2002 NORTH CAROLINA ACCESSIBILITY CODE AS THE OFFICIAL HANDICAP AND ACCESSIBILITY CODES OF THE TOWN OF SIGNAL MOUNTAIN” on First Reading. Mr. Noblett explained in depth the building code. He said the 1999 Standard Building Code adopted by the Town was no longer in effect. Mr. Noblett explained that the Town had plumbing codes, mechanical codes, fuel gas codes and fire codes that would have to be adopted over the next several months. Councilmember Paturalski moved that the ordinance be passed on First Reading. The motion was seconded by Councilmember White and passed unanimously.

The fourth ordinance to be considered was “AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 12, SECTIONS 12-601 THROUGH 12-606, TO REVISE THE COMPOSITION AND POWERS OF THE BOARD OF CONSTRUCTION APPEALS” on First Reading. This was for any disputes coming into play between the Town Building Inspector and builders. They would be hearing any appeals concerning construction disputes. This would not take the place of the Board of Zoning Appeals. Vice-Mayor Ruffin moved that the ordinance be passed on First Reading. The motion was seconded by Councilmember White and passed unanimously.

There was no Planning Commission report because it did not meet in August.

Mr. Todd Faulk, Ridge Rock Drive, and Taylor Gill, Norvell Drive were present to discuss tackle football. Councilmember Linehart stated the Council did not want to override the Recreation Advisory Board but wanted to hear about the tackle football. Mr.

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Faulk said they noticed there was not a feeder program to the Signal Mountain Middle School. They have had about 50 kids to sign up to play for the tackle football team. He said they did not know they were supposed to contact the Recreation Board. Originally he didn't think they would need to use Signal Mountain fields. He said they have professional people coming in to help them with safety issues. They decided to go with the American Youth Football which was associated with the NFL. He said they have \$2 million liability insurance, the kids would have \$100,000 medical policy on them and \$1,000,000 on coaches and referees. The AYF does background checks of the coaches and assistant coaches. Councilmember Linehart asked if they intended to use Town fields this year for practice. Mr. Faulk said the Middle School Principal gave them permission to use their fields. They would like to be able to use the Town fields if they need to. Councilmember Linehart asked if the Town would be an additional insured and Mr. Faulk said yes.

Councilmember Linehart inquired if children from other townships were going to play in the league because he said he had heard this would be a Signal Mountain/Red Bank tackle football league. Mr. Faulk stated only two children from Red Bank were going to play in the league. Councilmember Linehart said the Town had no intention of being exclusive, but that Signal Mountain didn't have fields designed specifically for tackle football. Councilmember Linehart stated that the Town Recreation Advisory Board's bylaws stated that a person had to have a 517 or 886 telephone prefix to participate in recreation leagues within the Town of Signal Mountain. He said tackle football would be very tough on turf and the cost associated with repairing it after tackle football was finished could be significant. He also said allowing children from outside the mountain top could very well expand the league and create so much demand for fields that it might limit the number of mountain children who could sign up and play tackle or flag football.

Mayor Leonard said that third graders seemed very young to be playing tackle football and worried there would be injuries, broken arms, etc. He also stated that we didn't want to discourage children from other townships to play in our sports leagues. He said children learn valuable lessons in recreation. Because we were a small town with a limited number of fields and parks, we had to be careful to provide specifically for the people who were funding them.

Recreation Director Scott Cook commented that several years ago the swim team was so successful that children from all over Hamilton County wanted to join. The Giants were already very large and placed a heavy tax on Town facilities, so a decision was made then for some of the reasons mentioned above to limit its members to mountain-top children.

Ms. Jackie Carson, James Boulevard, came before the Council to talk about the condition of the house and yard at 1155 James Blvd. She said the yard needed to be mowed, there was trash in the yard, etc. She said she had contacted the Building Inspector several times and had not heard from him. It was explained that the house was in foreclosure, the pipes were broken in the house, environmentalists had to come and seal the house

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because of mold problems. She was told that if it was in foreclosure, there may be a mortgage company involved and the Building Inspector may have had trouble contacting them. The Mayor asked Diana Campbell to follow up on the complaint. Mr. Noblett explained that the Town had ordinances against littering and the Town also has a Condemnation Board that might look into it if it was uninhabitable.

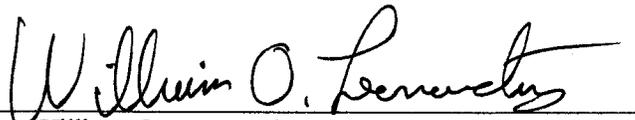
Ms. Leann Dolan, Lane Ford, and Ann Evan came to express their concerns about a speeding problem along James Blvd. They were concerned about children walking to school and people going out to their mailboxes. They were asking for a 3-way stop sign at James Blvd. and Cauthen Way. They were advised there were several things to be considered when putting up stop signs. After much discussion, the Town would investigate moving or adding additional signage to control the speed, or moving the flashing light farther away from the school.

Mr. Joe Dumas thanked the Council for advertising vacancies on boards, committee, and commissions.

Councilmember Paturalski and Vice-Mayor Ruffin talked about the lights at the playground and tennis courts. The tennis court lights and security light needed a timer. Diana Campbell would check on this. He thanked Richard Casavant for his support for the Town. He also thanked the Council for its diligent work and for working together.

Mayor Leonard stated that an ad had been put in the Chattanooga Free Press and in the state-wide TML newspaper advertising for the Town Manager position. He said the Council would not be in a hurry to select someone. He thanked Diana, and the Town team and Town Attorney Phil Noblett.

There being no further business, the meeting was adjourned.



William O. Leonard, III, Mayor



Diana Campbell, Town Recorder

Date: AUGUST 8, 2005

NAME	ADDRESS
1. John P. Howstrup	509 Brady Point Rd.
2. Don Chin	
3. JAMES S. CAWTHORNE	2100 MOUNTAIN HOLLOW DR.
4. MARK ^{MR} FRU SHARCE	501 James Blvd
5. Yell, Sam, John, Ashley Musick	507 Barrington Rd
6. Jackie Carson	1161 James Blvd
7. Jean Dolan	1004 Ladder Tr
8. Irby Park	105 Mountain Court
9. Greg Goodgame	1112 Glamis Circle
10. Art Dickman	176 WOODCHIFF CIRCLE
11. Joe Dumas	1111 James Blvd.
12. Lane Ford	1212 James Blvd.
13. Doug Torrance	899 Ladder Trail
14. Martha Naeke	? Big Rock Rd.
15. Leanne Dolan	1500 James Blvd.
16.	
17.	
18.	
19.	
20.	
21.	

RESOLUTION NO. R-2005-24

A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES ENGINEERING CONTRACT WITH JAMES CAWTHORNE OF CAWTHORNE ENGINEERING COMPANY, INC. TO REVIEW PLANS, EVALUATE BIDS, AND MAKE A RECOMMENDATION TO THE TOWN OF SIGNAL MOUNTAIN FOR THE CAUTHEN WAY ENGINEERING PROJECT, TO MANAGE THE CONSTRUCTION AND MAKE INSPECTIONS OF THE CONTRACTORS' WORK, IN THE TOTAL AMOUNT OF TWELVE THOUSAND ONE HUNDRED AND 00/100 DOLLARS (\$12,100.00).

WHEREAS, sealed bids were opened on June 23, 2005 at 2:00 p.m. in the Town Hall for the reconstruction of Cauthen Way; and

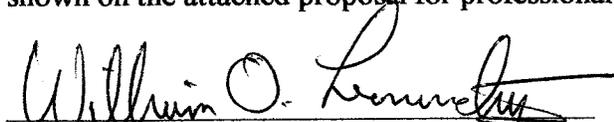
WHEREAS, shortly after that bid the Town Engineer left employment at the Town; and

WHEREAS, the Mayor William O. Leonard, Acting Public Works Director Loretta Hopper, Building Official Bill Wagner and Interim Town Manager Diana Campbell met with James Cawthorne of Cawthorne Engineering Company, Inc. and James Cawthorne has agreed to review the plans, evaluate the bids and make a recommendation to the Town regarding said bids and has agreed to manage the construction and make inspections of the contractors' work;

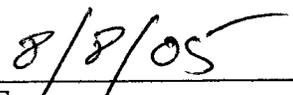
NOW, THEREFORE,

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That the Mayor and/or Acting Town Manager are authorized to enter into a professional services Engineering contract with James Cawthorne of Cawthorne

Engineering Company, Inc. to review plans, evaluate bids, and make a recommendation to the Town of Signal Mountain for the Cauthen Way Engineering Project, and to manage the construction and make inspections of the contractors' work, in the total amount of \$12,100.00 as shown on the attached proposal for professional engineering services.


MAYOR


RECORDER


DATE


DATE

PAN/pm

CEC

CAWTHORNE ENGINEERING CO. INC.

civil-environmental consultants

530 N. MARKET STREET
CHATTANOOGA, TENNESSEE 37405
PHONE (423) 267-2222
FAX (423) 267-2343

July 6, 2005

Ms. Diana Campbell
Interim Town Manager
Town Of Signal Mountain
1111 Ridgeway Ave.
Signal Mountain, TN 37377

SUBJECT: Proposal for professional Engineering Services

Dear Ms. Campbell,

We appreciate the opportunity to offer this proposal to provide consulting Engineering services to the Town of Signal Mountain. As you may be aware, prior to the hiring the town Engineer, we provided consulting Engineering services to the town for many years. We very much look forward to working with the town again on a consulting basis.

There are two way in which we provide Engineering services which are (1) Project Basis and (2) Time and Expenses.

Project Basis

When a project scope of work can be clearly defined and general contractors are used to construct the project, an Engineering fee schedule is used based on a percentage of construction cost. The Engineering fee includes services for:

- (1) Developing a scope or work and preparing a project budgetary cost estimate,
- (2) Working with a licensed surveyor to obtain field measurements and elevations (the town would be responsible for the surveyors fees,),
- (3) Preparing a set of design documents, including detailed plans, construction specifications, bid packages, advertisements for bids, construction contracts and other documentation required for the completion of the project,
- (4) Assisting with the bidding process,
- (5) Evaluating the bids and recommending the lowest and best bid,
- (6) Conducting a pre-construction conference (if needed),
- (7) Contract administration including approval of shop drawing and submittals,
- (8) Engineering surveillance during construction
- (9) Approving contractor partial payment requests,
- (10) Approving changes in construction and preparing change orders, and
- (11) Preparing as-build drawings.

The Engineering fees for the project based services are based on a percentage of contract amount. The attached table shows the Engineering fee schedule used by Cawthorne Engineering. This Engineering fee schedule is approximately 90% of the fee schedule used by USDA-Rural Development Services for Federally funded construction projects.

Time And Expenses Basis

When a scope of work for a project cannot be clearly defined such as preliminary investigations of field measurements, or the work is too small for project status, the Engineering fees can be performed on a time and expenses basis. This basis includes an hourly rate for Engineering personal, a mileage rate for automobiles, equipment rentals and any expenses that may accrue such as expendable materials or supplies. The following will apply:

Professional Engineering Hourly Rate	\$75.00
Engineering Technicians Hourly Rate	\$35.00
Mileage Per Mile Rate	35¢
Material And Supplies	At Cost

Specific Projects

1. Cauthen Way Reconstruction

Because a significant portion of the Engineering work (approximately 50%) already has been completed, the percentage of construction fee schedule must be reduced by 50%. Therefore the Engineering cost for the remaining portion of the project will be 3.16% or \$6500.00.

The resident inspection based on 60 days construction assuming 33% working time or 20 days, the resident inspection fee will be 20 days x 8 Hrs/Day x \$35.00/Hr or \$5600.00 the total Engineering fees will be \$12100.00.

2. Ridge Rock Road Culvert Replacement

Because of the emergency nature of this project, it will be constructed without plans or specifications but with a brief scope of work, on-site Engineering will be required. We proposed to provide the Engineering services including resident inspection for a lump sum fee of \$3500.00.

If this proposal meets your approval, please sign and return one copy. The return copy will serve as the notice to proceed.

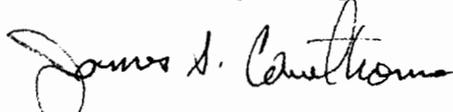
Approved For:
Town Of Signal Mountain

Signature

Title

Date

Sincerely,
Cawthorne Engineering Co., Inc.



James S. Cawthorne, P.E.
Director of Engineering

CAWTHORNE ENGINEERING CO., INC.
CHATTNOOGA, TENNESSEE

This table will apply to roadways and streets, drainage systems, water distribution system, package lift stations, package treatment plants (water and sewer), water storage tanks (elevated ground, underground), industrial buildings, warehouses, garages, etc., and any construction where the supplier furnishes a pre-engineering design.

Note: Resident construction inspection is not included in the following fee schedule. Resident construction inspection is furnished (if needed) on a time and expenses basis or a lump sum fee based on an estimate of inspection time required.

CONSTRUCTION COST	FEE SCHEDULE
50,000 & Under	8.69
100,000	7.88
200,000	7.14
300,000	6.74
400,000	6.47
500,000	6.27
600,000	6.11
700,000	5.98
800,000	5.87
900,000	5.77
1,000,000	5.69
2,000,000	5.16
3,000,000	4.87

The fees for project cost falling between the figures shown shall be interpolated to nearest one-hundredth of the percent.

RESOLUTION NO. R-2005-25

A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO GREENSTAR, LLC IN AN AMOUNT OF TWO HUNDRED SIX THOUSAND TWO HUNDRED SIXTY-SEVEN AND 25/100 (\$206,267.25) DOLLARS AS THE LOWEST AND BEST BID FOR THE ASPHALT PAVING, STRIPING AND RESURFACING, RETAINING WALL CONSTRUCTION, AND STORMWATER IMPROVEMENTS DURING THE RECONSTRUCTION OF CAUTHEN WAY.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Acting Town Manager is authorized to award a contract to Greenstar, LLC in an amount of \$206,267.25 as the lowest and best bid for the asphalt paving, striping and resurfacing, retaining wall construction, and stormwater improvements during the reconstruction of Cauthen Way as shown on the attached bid documents.

William O. Lemmetts
MAYOR

Liana Campbell
RECORDER

8/8/05
DATE

8-8-05
DATE

PAN/kac

SECTION 00300 - PROPOSAL FORM

DATE: June 13, 2005
OWNER: Town of Signal Mountain
PROJECT: Reconstruction of Cauthen Way
LOCATION: Signal Mountain, Tennessee

PROPOSAL OF: GREENSTAR, LLC
a Corporation organized and existing under the laws of the State of
TENNESSEE

OR

an individual or partnership doing business as
hereinafter called "Bidder."

LADIES AND GENTLEMEN:

The undersigned bidder has carefully examined the Contract Documents (referred to in the "Instructions to Bidders") and the site of the work and will provide all necessary labor, machinery, tools, apparatus, and other means of construction and will do all the work and will furnish all material called for by the Contract Documents in the manner prescribed therein and in said Contract, and in accordance with the requirements of the Contract.

Bidder acknowledges receipt of the following addenda:

1,

BIDDER agrees to provide the labor, materials, and equipment for Reconstruction of Cauthen Way as described in the Specifications and as shown on the Plans, for the unit prices indicated on the attached bid schedule.

TIME OF COMPLETION

The above work, including Base Bid, shall be substantially completed on within 60 days of notice to proceed
(Your Completion Date)

Bidder agrees that this bid shall be good and may not be withdrawn for a period of 45 calendar days after the scheduled closing time for receiving bids.

The undersigned also agrees as follows:

FIRST: Within seven (7) days from the date of the "Notice of Acceptance" of this proposal, to execute the Contract and to furnish to the Owner a satisfactory Performance Bond in the amount equal to the total of the accepted bid, guaranteeing the faithful performance of the work and the payment of material and labor.

SECOND: The Contract Time

1. The work to be completed under this Contract shall be commenced with seven (7) calendar days from the date of "Notice to Proceed."
2. The "Contract Time" provided for the completion of Base Bid and selected alternates shall be the time proposed by the Bidder from the date of the "Notice to Proceed."
3. Failure to complete the work within the number of consecutive calendar days provided as "Contract Time" above, including extension granted thereto as determined by the General Conditions, shall entitle the Owner to deduct from the moneys due the Contractor as "Liquidated Damages" an amount of one hundred fifty dollars (\$ 150.00) for each calendar day of delay in completion of the work after the agreed Date of Completion.

GREENSTAR LLC
CONTRACTOR

[Signature]
BY

P O Box 5238
ADDRESS

CLEVELAND, TN 37320
ADDRESS

423-472-4554
PHONE

(seal)

6-23-05
DATE

NAMES, TITLES, AND ADDRESSES OF MEMBERS OF THE FIRM:

LARRY ESKEW, CHIEF MANAGER P.O. Box 5238 Cleveland
CLAUDE SIMPSON, SECRETARY " " "

SECTION 00301 - BID SCHEDULE
 Reconstruction

21 05 04:18p

SIGNAL MTN ENGINEERING

423 886 4333

p. 3

SECTION 00301.1 - BID SCHEDULE
 Cauthen Way Reconstruction

Item No.	Description	Units	Quantity	Unit Price	Cost
SCHEDULE 1 - STREET					
1	Mobilization	L.S.	1	50000	50000
2	Asphalt TDOT 411 Grading F, 100% natural sand	Ton	400	87	34800
3	Asphalt TDOT 311, Grading B-M	Ton	90	101	9090
4	Mineral Aggretate TDOT 303 Type A, Grading Pug Mix	Ton	530	23	12190
5	Coarse Aggregate AASHTO M43 #57	Ton	90	18	1620
6	Seed and Mulch	S.Y.	1500	1	1500
7	Curb - Type A Curb & Gutter	L.F.	1400	17.80	24920
8	Concrete Driveway	S.Y.	16	50	800
9	Topsoil - spread and raked	C.Y.	150	15	2250
10	Single Bituminous Surface Treatment	S.Y.	785	4.35	3414.75
11	Drain Pipe 4" perforated	L.F.	125	3.50	437.50
12	"Terrace Wall" Block Wall	L.F.	14	30	420
13	Fill Material	C.Y.	20	25	500
14	Roadway Striping - 4"	L.F.	5600	0.65	3640
15	Raised Pavement Markers @ 40'	EA	35	17	595
TOTAL BID SCHEDULE 1					\$ 145 337.25
Alternate 1:					
1	Retaining Wall	S.F.-face	500	---	---
2	Retaining Wall Cap	L.F.	125	---	---
TOTAL ALTERNATE 1					\$ ---
Alternate 2:					
1	Redi-Rock Wall	S.F.-face	500	15	7500
2	Top Rock, flat top, No domes	L.F.	125	86	10750
3	Redi-Rock End Block, Top	S.F.-face	57.5	32	1840
TOTAL ALTERNATE 2					\$ 20090
Schedule 2 - Stormwater					
1	Drain Pipe 18" RCP	L.F.	525	34	17850
2	Drain Pipe 24" RCP	L.F.	24	45	1080
3	Riprap	Ton	30	25	750
4	Curb Inlet	EA	3	2500	7500
5	Junction Box	EA	1	1300	1300
6	Precast Concrete Headwall 24" pipe	EA	2	550	1100
7	Precast Concrete Headwall 18" pipe	EA	2	450	900
8	Coarse Aggregate AASHTO M43 #57	Ton	600	17	10200
9	Erosion Control Hay Bales	EA	20	8	160
TOTAL BID SCHEULDE 2					\$ 40840
TOTAL BASE BID (SCH 1 + 2) + ALT 1					\$ ---
TOTAL BASE BID (SCH 1 + 2) + ALT 2					\$ 206 267.25

RESOLUTION NO. R-2005-26

A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER TO ENTER INTO CHANGE ORDER NO. 1, RELATIVE TO THE CAUTHEN WAY ENGINEERING RECONSTRUCTION PROJECT WITH GREENSTAR, LLC, TO CHANGE THE SIDEWALK MATERIAL FROM PUG MIX/SINGLE BITUMINUS SURFACE TREATMENT TO FIBER-FILLED CONCRETE, AND TO INCLUDE 1/2 INCH THICK EXPANSION JOINT MATERIAL FOR THE ENTIRE LENGTH TO SEPARATE THE SIDEWALK FROM THE CURB, WHICH CHANGE ORDER INCREASES THE TOTAL CONTRACT AMOUNT BY TWENTY-THREE THOUSAND THREE HUNDRED SEVENTY-NINE AND 25/100 DOLLARS (\$23,379.25), FOR A REVISED TOTAL CONTRACT AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-NINE THOUSAND SIX HUNDRED FORTY-SIX AND 50/100 DOLLARS (\$229,646.50) FOR RESURFACING AND SIDEWALKS ON THE CAUTHEN WAY RECONSTRUCTION PROJECT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Acting Town Manager is authorized to enter into Change Order No. 1, as attached, with Greenstar, LLC to change the sidewalk material from Pug/Mix Bituminus Surface Treatment to Fiber-Filled Concrete and to include 1/2 inch thick expansion joint material for the entire length to separate the sidewalk from the curb, which change order increases the total contract amount by \$23,379.25, for a total revised contract amount not to exceed \$229,646.50 for resurfacing and sidewalks on the Cauthen Way Reconstruction Project.

William O. Lemmetts
MAYOR

Sharon Campbell
RECORDER

8/8/05
DATE

8-8-05
DATE

PAN/kac

CAWTHORNE ENG. CO. INC.
 530 N. MARKET ST.
 CHATTANOOGA, TN 37405

ORDER NO.	1
DATE	
STATE	Tennessee
COUNTY	Hamilton

CONTRACT CHANGE ORDER

CONTRACT FOR Cauthen Way REconstruction

OWNER The Town of Signal Mountain, Signal Mountain, Tennessee

To Greenstar, LLC (Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
DELETE	\$	\$
1. 190 Tons Pug Mix @ \$23.00/Ton	4370.00	
2. 785 sq.yd.(SBST)@ \$4.35/sq.yd.	3414.75	
ADD		
1. 6800 sq.ft.Conc.Sidewalk @\$4.44/sq.ft.		30192.00
2. 54 Tons #57 Crushed Stone @ \$18/Ton		972.00
TOTALS	\$ 7784.75	\$ 31164.00
NET CHANGE IN CONTRACT PRICE	\$	\$ 23379.25

JUSTIFICATION: The Town Of Signal Mountain desires to change the sidewalk Material From Pug Mix/Single Bituminus Surface Treatment to Fiber-Filled Concrete. The Concrete Sidewalk must be seperated from the curb with 1/2" thick expansion joint material for the entire length.

The amount of the Contract will be ~~(Decreased)~~ (Increased) By The Sum Of: Twenty Three Thousand, Three Hundred, Seventy Nine and 25/100 Dollars (\$ 23,379.25).

The Contract Total Including this and previous Change Orders Will Be: Two Hundred, Twenty Nine Thousand, Six Hundred, Forty Six and 50/100 Dollars (\$ 229,646.50).

The Contract Period Provided for Completion Will Be ~~(Increased)~~ ~~(Decreased)~~ (Unchanged): 0 Days.

This document will become a supplement to the contract and all provisions will apply hereto.
 For The Town of Signal Mountain

Requested For Cawthorne Engineering Co. (Owner) _____ (Date)

Recommended James S. Cawthorne _____ 8-3-05 (Date)

For Greenstar, LLC (Owner's Architect/Engineer) _____ (Date)

Accepted _____ (Contractor) _____ (Date)

Approved by Agency N/A _____ (Name and Title) _____ (Date)

FOR APPROVAL

RESOLUTION NO. R-2005-27

A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO IMPROVE AMERICA, INC. IN AN AMOUNT OF THIRTY-EIGHT THOUSAND ONE HUNDRED NINETY-FIVE AND 00/100 (\$38,195.00) DOLLARS AS THE LOWEST AND BEST BID FOR THE TOWN BASEBALL FIELD RENOVATIONS, INCLUDING RECONSTRUCTION OF RESTROOMS AND DUGOUT.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Acting Town Manager is authorized to award a contract to Improve America, Inc. in the amount of \$38,195.00 as the lowest and best bid for the Town baseball field renovations, including reconstruction of restrooms and dugout, as referenced on the attached bid documents.

William O. Lounta
MAYOR

Diana Campbell
RECORDER

8/8/05
DATE

8-8-05
DATE

PAN/kac

TO: Town of Signal Mountain, Tennessee
1111 Ridgeway Avenue
Signal Mountain, TN 37377

RE: Baseball Field Renovations
Signal Mountain, TN 37377

FROM:	<u>IMPROVE AMERICA INC</u>	BIDDER
	<u>P.O. Box 5447, 2511A Riverside Dr</u>	ADDRESS
	<u>CITANTANCOGA, TN 37406</u>	CITY/STATE/ZIP
	<u>423-622-0888</u>	TELEPHONE NO.
	<u>TN 00049479</u>	LICENSE NO.

The above Bidder is: () An Individual A Corporation 9-30-05 70,000 BCA

() A Partnership () A Joint Venture consisting

of _____

Licensed to do business in Tennessee.

BASE BID PROPOSAL

Having become completely familiar with the local conditions affecting the cost of work at the place where work is to be executed, and having carefully examined the site conditions as they currently exist, and having carefully examined the drawings, the specifications, and other related Construction Documents prepared by: Town of Signal Mountain (Town) and titled: "Signal Mountain Baseball Fields Renovations" dated July 29, 2005, the undersigned hereby proposes and agrees to provide all labor, materials, plant, equipment, transportation and other facilities as necessary and/or required to execute all of the work described by the aforesaid Construction Documents for the lump sum consideration, including allowances, of:

\$ 38,195 (Numbers)
\$ Thirty eight thousand one hundred ninety five and 00/100 (Words)

said amount being hereinafter referred to as the Base Bid.

ADDENDA ACKNOWLEDGEMENT

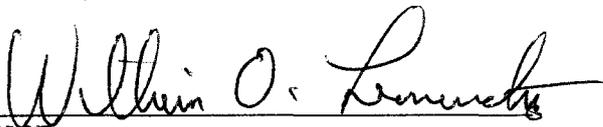
The undersigned acknowledges receipt of the following addenda: (List by number and date appearing on each addendum).

<u>Addendum No.</u>	<u>Date</u>	<u>Addendum No.</u>	<u>Date</u>
_____	_____	_____	_____

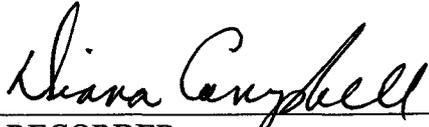
RESOLUTION NO. R-2005-28

A RESOLUTION APPOINTING WILLARD (BILL) WAGNER,
TOWN BUILDING OFFICIAL, AS A BOARD MEMBER TO THE
HAMILTON COUNTY WATER AND WASTEWATER
TREATMENT AUTHORITY BOARD.

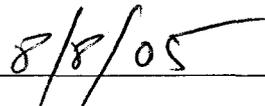
BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee
that Willard (Bill) Wagner is appointed as a Board Member to the Hamilton County Water and
Wastewater Treatment Authority Board.



MAYOR



RECORDER



DATE



DATE

PAN/kac

RESOLUTION NO. R-2005-29

A RESOLUTION APPOINTING ANDREW HAUSLER TO FILL A VACANCY ON 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 Zoning Appeals may only be filled by Resolution of Chief Legislative Body for the unexpired term of the member affected;

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 Town Council under Article X of the Signal Mountain Zoning Ordinance, Andrew Hausler, 510 Georgia Avenue, Signal Mountain, Tennessee 37377 is hereby appointed to fill the remaining portion of the term of Bobby Pickrell which expires on December 31, 2006 as a member of the Board of Zoning Appeals for the Town of Signal Mountain, Tennessee.

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

William O. Lemmety
MAYOR

Alison Campbell
RECORDER

8/8/05
DATE

8-8-05
DATE

ORDINANCE NO. 2005-3

AN ORDINANCE TO AMEND TITLE 5, CHAPTER 4, SECTION 5-401 THROUGH SECTION 5-407 OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO PURCHASING REQUIREMENTS BY THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT:

SECTION 1. That Title 5, Chapter 4, Sections 5-401 through 5-407, of the Signal Mountain Town Code be amended to delete the language in said sections in their entirety and to substitute in lieu thereof the following new sections 5-401 through 5-414:

5-401 Purchases of less than \$1,500.00. All purchases involving expenditures less than \$1,500.00 must be approved by the department head of the Town department making the purchase. No type of quote or bid shall be required unless requested by the Town Manager.

5-402. Purchases of \$1,500.00 through \$4,999.99. All purchases involving expenditures of \$1,500.00 through \$4,999.99 must be approved in advance by the Town Manager, or, in his absence, the Mayor or the Town Recorder. No type of quote or bid process shall be required for such purchases unless requested by the Town Manager.

5-403. Purchases of \$5,000.00 through \$9,999.99. All purchases involving expenditures of \$5,000.00 through \$9,999.99 must be approved in advance by the Town Manager, or, in his absence, the Mayor or the Town Recorder. Three competitive bids or quotations either verbally or written may be obtained by the Town Manager, in his or her sole discretion, whenever possible or practicable for all purchases in excess of \$5,000.00.

5-404. Purchases of \$10,000.00 or greater. All purchases involving expenditures of \$10,000.00 or greater shall only be approved by a majority vote of the Town Council of the Town of Signal Mountain, Tennessee, after the Town Manager has obtained sealed bids by advertising in a newspaper of general circulation within Hamilton County, Tennessee, and after posting notices on the Town bulletin board. In no event shall any requisition for purchase, voucher, or contract be split or divided into two (2) or more requests with the intent of evading the necessity for having competitive bids and/or the necessity of obtaining the approval of the Town Council.

5-405. Advertising or bidding – exceptions. Public advertisement and competitive bidding shall be required for the purchase of all goods and services

exceeding an amount of ten thousand dollars (\$10,000.00) except for those purchases which are specifically exempted from advertisement and bidding by the Municipal Purchasing Law of 1983, which is codified at T.C.A. § 12-3-101, *et seq.*, and including other general laws regulating municipal purchases. Contracts for professional services shall not be subject to competitive bidding pursuant to T.C.A. § 12-4-106. Certain insurance purchases shall not be subject to competitive bidding pursuant to T.C.A. § 29-20-407.

5-406. Purchase requisitions required; approval of form. All purchases made under the provisions of this article shall be made pursuant to a written requisition from the head of a department of the Town. The Town Manager shall approve the form of any requisition.

5-407. Signing, custody of contracts.

(a) Contracts for the purchase of supplies, materials and equipment shall be signed for and on behalf of the Town by the Town Manager or Mayor. Contracts for construction, services and all other contracts shall be signed for and on behalf of the Town by the Town Manager or the Mayor.

(b) The original of all contracts shall be delivered to and kept by the Town Recorder.

5-408. Approval of expenditures exceeding ten thousand dollars. Whenever any requisition or voucher or contract calls for the expenditure of more than ten thousand dollars (\$10,000.00), the issuance of a purchase order or the payment of a voucher, or the award of a contract shall be subject to the approval of the Town Council, and shall not be binding on or create any liability against the Town until approved by the Town Council. Such approval shall be by resolution or by motion adopted by majority vote of the Town Council; provided, however, that such approval shall not be necessary where a voucher or requisition is issued pursuant to a prior lawful contract or pursuant to an ordinance authorizing such expenditure.

5-409. Submission, opening, acceptance of bids.

(a) All bids shall be sealed and submitted to the official authorized herein to request bids on or before the specified time when such bidding is to be closed. The official receiving bids shall open them publicly on the date and at the hour specified. A purchase order may be issued, and/or a contract may be awarded, to the lowest responsible bidder submitting the best bid after approval by the Town Council. The Town Council may reject any and all bids submitted regardless of the amount involved. The term "lowest responsible bidder submitting the best bid" shall mean that in addition to price, consideration may be given to the following factors:

(1) The ability, capacity and skill of the bidder to perform the contract or provide the service required;

- (2) Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference;
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- (4) The quality of performance of previous contracts or services;
- (5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;
- (6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
- (7) The quality, availability and adaptability of the supplies, material and equipment, or contractual services to the particular use required;
- (8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract, and the proposed warranty or guaranty;
- (9) The number and scope of conditions attached to the bid;
- (10) The approach of the bidders to issues raised in the solicitation for bids;
- (11) The peculiar capabilities of the bidders to perform the contract;
- (12) The proprietary features of the bid; and
- (13) The overall responsiveness of the bid to the needs of the Town.

5-410. Contents of bid proposals. All bid proposals for contracts to furnish supplies, materials or equipment, or to do construction work, shall set forth with particularity the nature of the work to be performed, how it shall be done, the type and quality of the material to be used and any other details necessary for the guidance of the contractor and the protection of the Town.

5-411. Specifications attached to contracts. The Town Manager may have the Town engineer or other competent Town officer or employee, or private consultant, draw specifications in detail which shall be attached to the contract and construed to be a part thereof. Such specifications shall be made in duplicate, one (1) copy to be furnished to the contractor and the other retained by the Town Recorder the office as a part of the records of the Town.

5-412. Public improvement contracts. All contracts of the Town for any public improvement, when the cost shall exceed ten thousand dollars (\$10,000.00) shall be let to the lowest responsible bidder, the Town Council to be the judge thereof, and the Town

Council shall have the right to reject any and all bids. All contracts of the Town shall be in writing, and may be signed on behalf of the Town by the Mayor or Town Manager. All contracts shall be subject to the approval of the Town Council. Notice to bidders shall be given by publication in a daily newspaper published in Hamilton County, Tennessee, giving the date, hour and place bids will be received and publicly opened, which publication notice shall be at least ten (10) days before the bids are to be received.

5-413. Force account or cost-plus contracts for public improvements. After bids have been advertised and received for making any public improvement, the Mayor or Town Manager may negotiate with the lowest responsible bidder to have such bidder make such public improvement by force account or on a cost-plus basis if, in the opinion of the Mayor or the Town Manager, the making of such agreement is advantageous to the Town. Contracts for repair of buildings or structures may be let on a cost-plus basis which shall include the cost of labor, material, insurance or other legitimate expenses of the contractor and a fixed fee or percentage for profit with a maximum cost to the Town of such contract. All such agreements shall be in writing and approved by the Town Council.

5-414. Contractor's bond. No contract shall be let for any public work until the contractor shall have first executed a good and solvent bond to the effect that he will pay for all the labor and materials used by such contractor, or any immediate or remote subcontractor under him, in such contract, in lawful money of the United States. The bond to be so given shall be for one hundred (100) percent of the contract price. Where advertisement is made, the condition of the bond shall be stated in the advertisement; provided, that this section shall not apply to contracts under Ten Thousand dollars (\$10,000.00).

SECTION 2. That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading JULY 11, 2005

Passed Second Reading AUGUST 8, 2005



WILLIAM O. LEONARD, III, Mayor



DIANA CAMPBELL, Town Recorder