

*****JANUARY 10, 2005*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, January 10, 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 were: Town Manager Hershel Dick
 Town Recorder Diana Campbell
 Town Attorney Phil Noblett

Mayor Leonard called the meeting to order and asked Mr. Brian Wright and his Scout Troop to lead the Pledge of Allegiance. Councilmember Linehart offered the prayer. The Recorder called the roll.

Vice-Mayor Ruffin moved that the minutes of the December 13, 2004, regular meeting be approved. The motion was seconded by Councilmember White and passed unanimously.

The Council then considered "AN ORDINANCE TO AMEND CHAPTER 4, SECTION 15-401 OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO SPEED LIMITS IN UNPOSTED LOCATIONS IN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE." There was general discussion regarding the 30 miles per hour speed limit location and for a better definition of the eastern boundary of the commercial district. During the discussion it was noted that the Public Works Director, Art Parry, had said that Ault Road could not be used as a boundary because Ault Road was in a school zone and the State does not allow a speed zone change in a school zone. After discussion, Councilmember White moved that the ordinance be amended and passed on second reading with the eastern boundary of the commercial district at Ault Road being changed to Shoal Creek Falls Road across from the Recycle Center. Town Attorney Phil Noblett suggested that since the boundary of the commercial district was being changed that the amended ordinance should be passed on first reading in order to give two readings on the commercial area boundary as amended. Vice-Mayor Ruffin moved that the amended ordinance defining the commercial area on Taft Highway from Shoal Creek Falls Road west to Elberfield Road with a speed limit of 30 miles per hour be passed on first reading. The motion to substitute and adopt the amended ordinance on first reading was seconded by Councilmember Linehart and the amended ordinance passed on first reading unanimously.

The first resolution considered by the Town Council was "A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF SIGNAL MOUNTAIN,

TENNESSEE, TO EXECUTE AN AMENDMENT TO THE 2000 INTERLOCAL COOPERATION AGREEMENT BETWEEN AND AMONG, CLEVELAND, TENNESSEE, AND ALL CITIES AND/OR POLITICAL SUBDIVISIONS WHICH HAVE ADOPTED AND APPROVED THIS INTERLOCAL AGREEMENT FOR INCREASED HOURLY RATES FOR CHIPPING, SHREDDING AND/OR GRINDING OF YARD WASTE SERVICE". The Town Recorder Diana Campbell explained the background and cost increases paid under this Interlocal Agreement providing for chipping services in the Town since 1999. Town Manager Hershel Dick further explained the provisions for maintenance and use of the chipper that are needed in the Town. He also explained that the chips produced from limbs and yard waste was placed at the Recycle Center for Town citizens to use as a free service. Vice-Mayor Ruffin moved that the resolution be passed authorizing the Town to pay an increased hourly rate for Yard Waste Services of Four Hundred Twenty-Five and 00/100 (\$425.00) Dollars per hour. The motion was seconded by Councilmember Paturalski and passed unanimously.

The second resolution considered by the Town Council was "A RESOLUTION AUTHORIZING TOWN OFFICIALS TO MAKE TRANSACTIONS AT SUNTRUST BANK". The Town Attorney noted that a resolution was voted on at the last meeting, but SunTrust Bank told the Town it could not use the form resolution the Town Attorney had prepared and that the Council would have to sign a form corporate resolution prepared by SunTrust Bank. Vice-Mayor Ruffin moved that the resolution be passed. The motion was seconded by Councilmember Linehart and passed unanimously.

During the opportunity for citizens to address the Council Mr. John Houstrup congratulated the new Council and said they were doing a good job.

Lou Oliphant reported that there was no Planning Commission report for January. An orientation meeting had been planned for January 29, 2005 at 9:00 a.m. for the new Councilmembers that were on the Planning Commission.

Councilmember Linehart advised he had received a memo from Recreation Director Scott Cook saying the Recreation Advisory Board was going to make a five-year plan.

The Town Attorney stated that the International Building Code was currently being adopted by other cities in Hamilton County. He explained that the Town's current building code is based on the Southern Building Code that is no longer in existence. The Town Attorney said the latest code developed and used by other cities was the new International Code for Building, Electrical, Gas, Plumbing and Mechanical Codes. He explained that he currently is working on a draft of an ordinance to adopt the International Building Code and that he will work with the Building Inspector before bringing this matter before the Town Council.

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Mayor Leonard talked about the Christmas tree lighting and the train that had been put together. He mentioned Winterfest on February 5 and the groundhog parade being planned. He informed the citizens about a Town Council work session planned for January 27, 2005. The Mayor also stated that the Town should have a plan in place this year for future annexations if desired by the Town Council. Mayor Leonard expressed his concerns about the highway coming up the mountain and needs for repairs to that highway. He suggested that the Town Manager work with TDOT to get the work done with limited problems for citizens of the Town. He advised there would be a new guardrail going down the mountain and that this construction would start in the spring. Mayor Leonard also talked about the Town being good neighbors with Walden and Hamilton County.

There being no further business before the Council, the meeting was adjourned.


Stephen Ruffin, Vice Mayor


Diana Campbell, Town Recorder

Date: January 10, 2005

NAME	ADDRESS
1. John Houshurg	509 Brady Point Rd.
2. Ashby Ward	2531 Corral Rd.
3. PRIL AND MARK SHARTZ	501 James Blvd
4. Jaami Zeiser	510 Rolling Way
5. Jula Bennett	3114 Greenwich Ave.
6. Rachael Fischer	906 Shady Circle
7. Ed + Pat Utley	1108 Applewood
8. Ron Oliphant	796 Cherokee Lane
9. JEFF DUNCAN	428 TIMBERLINKS DR.
10. Pauline Ragan	185 Woodcliff Cir.
11. Joe Dumas	1111 James Blvd.
12. Kimberly Starks	Times Free Press
13. Greg Coalburne	1112 Glamis Circle
14. Matt Brooks	1109 Timesville Ave.
15. Brian Wright	↓
16. Sam Wright	
17. Ben Walter	6245 Forrest Trail
18. Helen Pierce	2917 Blue Teal Ln
19. James Bird	2921 Blue Teal LN
20. Nathan Bird	919 Kentucky Ave.
21. David Wood	3111 Pintail Lane
	+ Bb Wood

RESOLUTION NO. R2005-1

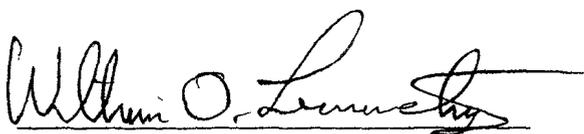
A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE TO EXECUTE AN AMENDMENT TO THE 2000 INTERLOCAL COOPERATION AGREEMENT BETWEEN AND AMONG, CLEVELAND, TENNESSEE AND ALL CITIES AND/OR POLITICAL SUBDIVISIONS WHICH HAVE ADOPTED AND APPROVED THIS INTERLOCAL AGREEMENT FOR INCREASED HOURLY RATES FOR CHIPPING, SHREDDING AND/OR GRINDING OF YARD WASTE SERVICE.

WHEREAS, the Town of Signal Mountain, as a participant Town, has entered into an interlocal agreement with the City of Cleveland dated September 11, 2000 for the chipping, shredding and/or grinding of yard waste services for term ending December 31, 2010; and

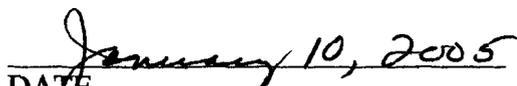
WHEREAS, Article I, Section 4 of that agreement established an hourly rate for chipping, shredding, and/or grinding of yard waste applicable to all cities and a mobilization charge for each specific city, and all costs for providing these services have increased and the hourly rate charge for all participating municipalities was last increased to Three Hundred Twenty-Five and 00/100 (\$325.00) Dollars per hour in August of 2004; and

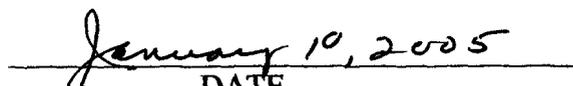
WHEREAS, the Town Manager has recommended that the Town enter into an amendment to the Interlocal Agreement increasing the hourly rate for Yard Waste Services to Four Hundred Twenty-Five and 00/100 (\$425.00) Dollars per hour for such services in 2005.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Mayor is hereby authorized to enter into an Amended Interlocal Agreement with the City of Cleveland to increase the hourly rate for Yard Waste Services in the Interlocal Agreement to Four Hundred Twenty-Five and 00/100 (\$425.00) Dollars per hour as stated in the attached Interlocal Agreement Amendment.


MAYOR


RECORDER


DATE


DATE

PAN/kac



Corporate Resolution and Certificate of Incumbency (Deposit Accounts)

I, the undersigned hereby certify that I am the THE TOWN RECORDER and custodian of the records of TOWN OF SIGNAL MOUNTAIN (legal name of corporation), a corporation duly organized and existing under the laws of the state of TENNESSEE (the "Corporation"); that the following is a true and correct copy of certain resolutions duly adopted by the Board of Directors of said Corporation at a meeting duly held on the 10TH day of JANUARY 2005, at which a quorum was present; and that the following resolutions are in conformity, and not in conflict, with the charter and by-laws of said Corporation and have not since been rescinded or modified.

Deposit Accounts and Wire Transfer

Resolved, that SunTrust Bank ("Bank") be and is hereby designated a depository of this Corporation; that any one of the officers with the titles shown below be and is hereby authorized to enter into on behalf of this Corporation any of Bank's checking, savings, time deposit, wire transfer, night deposit or cash management and corporate service agreements or other deposit account agreements; that this Corporation shall be bound by both the terms and conditions of said agreements and Bank's rules and regulations related thereto, all as now existing or as amended from time to time; and that any officer of this Corporation with the title shown below is hereby authorized on behalf of this Corporation to endorse for deposit with said Bank, or for negotiation or collection, any and all checks, drafts, certificates of deposit, savings certificates, items or other instruments or written orders for the payment of money payable to this Corporation, which endorsement, if any, may be in writing, by stamp, or otherwise affixed, with or without designation or signature of the person so endorsing, it being understood that all prior endorsements on such items are guaranteed by this Corporation, regardless of the lack of an express guarantee in the endorsement of this Corporation.

Further Resolved, that said Bank be and is hereby directed to honor, pay and charge to the accounts of this Corporation, without inquiry as to the circumstances of the issuance or application of the proceeds of, checks, drafts, items or other written orders on any of this Corporation's accounts with Bank, whether or not payable to, endorsed or negotiated by or for the credit of any person signing the same or any other officer of this Corporation when signed by any of the following officers of this Corporation with the titles shown below.

Further Resolved, that any of the officers of this Corporation with the titles shown below are hereby authorized to execute the Funds Transfer Agreement to authorize the transfer of funds to other financial institutions or other accounts at Bank by written instruction, telephone or terminal communication device and all the schedules thereto, and to appoint persons from time to time who are authorized to request such transfers on behalf of the Corporation.

Officer Titles (titles, not names) authorized to act as indicated in Deposit Accounts and Wire Transfer paragraphs on behalf of the Corporation.

- MAYOR
VICE-MAYOR
COUNCIL MEMBER
COUNCIL MEMBER

- COUNCIL MEMBER
TOWN MANAGER
TOWN RECORDER

Facsimile Signatures (Complete this section only if machine or facsimile stamped signatures are to be used on items)

Further Resolved, that Bank is hereby requested, authorized and directed to honor any check, draft, item or other written order on any of this Corporation's deposit accounts with Bank when bearing or purporting to bear the following authorized machine or facsimile signature of any of the above officers whose signatures are reproduced below, regardless of by whom or by what means the actual or purported machine or facsimile signatures may have been affixed.

(Name of Authorized Signer)
[Handwritten signature: Devin Campbell]

(Machine or Facsimile Stamped Signature of Authorized Signer)
[Machine or Facsimile Stamped Signature of Devin Campbell]

Further Resolved, that the Corporation shall indemnify and hold Bank harmless from any and all claims, expenses, losses, damages and costs (including attorneys' fees) resulting from, or growing out of Bank's honoring the facsimile signature of any of the above officers, its refusal to honor any facsimile signature of an officer not listed above, or resulting from the unauthorized use of the instrument used to produce the facsimile signatures by persons other than authorized officers.

Additional Signers' Designation

Further Resolved, that the custodian of the records of this Corporation and any other authorized officer hereby designate the following individuals as additional signers and any one is authorized only to sign checks, drafts, items or other written orders and initiate wire transfers and execute Bank's Funds Transfer Authorization wire request form and disclosure on any of the Corporation's within named deposit accounts with Bank.

Table with 2 columns: Additional Signers' Names (Non-corporate Officers) and Position. The table is currently empty.

Exemption (this section applies if marked with an "X")

I further certify that the above named corporation is eligible to earn interest in compliance with Regulation D of the Federal Reserve Act (12CFR 204) as a Non-Profit Organization that is operated primarily for Religious, Philanthropic, Charitable, Educational, Political or other similar purposes under one of the following sections:

Organization- Section 501 (C)(3) through (13), and (19) of the Internal Revenue code (26 USC (IRC 1954) 501 (C) (3) - (13) and 19).

Political Organization - Section 527 of the Internal Revenue Code (26 USC (IRC 1954) 527).

Homeowners and Condominium Owners Associations - Section 528 of the Internal Revenue Code (26 USC (IRC 1954) 528).

General

Further Resolved, that the custodian of the records of this Corporation be and is authorized and directed to furnish said Bank a certified copy of these resolutions, which resolutions shall continue in full force and effect until written notice of the rescission or modification of the same has been received by Bank, and Bank has had a reasonable time to act on said change; and to furnish said Bank the names and specimen signatures of the person(s) named herein, and such persons from time to time holding the positions named herein, on Bank's usual form of signature card or on a form acceptable to Bank.

I hereby certify that the following are the names and specimen signatures of the authorized person(s) listed in the foregoing resolutions and that each presently holds the title or designation indicated and has full authority for all acts noted herein. Refer to the Account Signature Card for specimen signatures of Designated Additional Signers.

Officers Authorized to Act on Behalf of the Corporation

Name	Officer Title
1. <u>WILLIAM O LEONARD III</u>	<u>MAYOR</u>
2. <u>STEPHEN R RUFFIN</u>	<u>VICE-MAYOR</u>
3. <u>ROBERT V LINEHART</u>	<u>COUNCIL MEMBER</u>
4. <u>LIZETTA PATURALSKI</u>	<u>COUNCIL MEMBER</u>
5. <u>ROBERT E WHITE</u>	<u>COUNCIL MEMBER</u>
6. <u>HERSHEL DICK</u>	<u>TOWN MANAGER</u>
7. <u>DIANA CAMPBELL</u>	<u>TOWN RECORDER</u>

Designated Additional Signers' Names

Position

Designated Additional Signers' Names	Position

Specimen Signatures of Officers Authorized to Act on Behalf of the Corporation

- William O. Leonard III
- Stephen R. Ruffin
- Robert V. Linehart
- Lizetta Paturski
- Robert E. White
- Hershel Dick
- Diana Campbell

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Corporation

this day of 01-04-05

Seal

01-10-05

Diana Campbell
 Signature
Recorder
 Title (Secretary or Assistant Secretary)

Bank Use (to be completed by preparer):

Account Numbers 15511,71621,6801072205,1000001259596,6801072403,1000001260479,6801072338,6801072106,600733

Verification Method SIGNATURE CARD Phone No. (423)517-9237

Center Name SIGNAL MOUNTAIN Center No. 0808514