

***** November 14, 2005*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, November 14, 2005, at 7:00 p.m. in the Town Hall. Those present were:

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

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

The Mayor called the meeting to order and led the pledge of allegiance to the Flag. The Mayor offered the prayer and the Recorder called the roll.

The Council then considered the minutes of the October 10, 2005 regular scheduled meeting. Councilmember Linehart made a motion to approve the minutes. Vice Mayor Ruffin seconded the motion and it passed unanimously.

The first resolution before the Council was "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 PERIOD BEGINNING DECEMBER 1, 2005 THROUGH JUNE 30, 2006, FOR \$2,201.46 MONTHLY." The Council briefly discussed the contract, and then Councilmember Linehart made a motion to approve the contract. Councilmember White seconded the motion and it passed unanimously.

The next two resolutions on the agenda were to designate a Natalie Sitton Memorial Park on Shoal Creek Road and designate Shoal Creek Road as Natalie Sitton Memorial Parkway. The Mayor thanked the people for coming and said he would explain the situation as he knew it. He said consideration for the family had been the underlying concern the whole time. He informed the citizens that the Town had closed the road a couple of times and had received criticism for that. He stated that after the first time he and Chief Veal had gone down to the site, the Chief told Greg Sitton that the cross was temporary and would have to come down at a later date and Greg was in agreement. He said that Chief Veal mentioned to Greg that it was time to move the cross to a private place. He said that as Chief Veal was going out of town everything changed. He explained that was when the television reporters got involved. After the Chief was

Page 2 – Minutes of the November 14, 2005, Council Meeting

back, he explained a meeting was held with himself, the Chief, Phil Noblett, Diana Campbell, Greg Sitton and Park Masterson. He explained at that meeting he had suggested to Mr. Sitton that he consider a living tree be planted in Natalie's memory and, possibly, a small stone with a plaque. He then informed the citizens that he had received a phone call from Judge Bob Moon. The Judge had informed him that Mr. Sitton had contacted him about the matter. Judge Moon offered to mediate on behalf of the Sitton family. The Mayor agreed.

Next Judge Bob Moon addressed the Council and citizens. He explained that he was not there in any legal or judicial capacity. He said he had talked with the family for a long time. He stated that after having time to think about the matter, they wanted the resolutions stricken. He said they did want to place a stone with a small plaque by the road.

Next Brian Sitton addressed the Council and citizens. He thanked the Town, the community and people of the Town. He said the family appreciated all the support everyone had given them. He apologized to the Mayor and Council for any criticism they had received because of the matter. He explained that when his brother, Greg was asked to have the cross removed, he was planning on going through with that. He said that kids were constantly calling him, his parents, and Greg's house. He said they were trying to make something good out of something bad. He said the kids wanted the cross to stay up for the same reason the family did to honor Natalie and to send a message to kids of what happens when they don't buckle up. He said her initials NNS stood for the slogan Never Neglect Seatbelts. He read what he said the plaque might be. He read: "In loving memory of Natalie Nicole Sitton, Age 17, time will fade away but thoughts of you will never. NNS."

The Town Attorney read the revised resolution that was just received before the meeting, "A RESOLUTION AUTHORIZING THE MAYOR TO ALLOW THE PLACEMENT OF A COMMEMORATIVE STONE MONUMENT AND PLAQUE ON THE TOWN'S PROPERTY ADJACENT TO SHOAL CREEK ROAD."

Next Councilmember Linehart addressed the Council. He gave a brief summary of his understanding of the issues and said that the Sittons had brought their attorney into the meetings and that it was the Sittons who called the media, not the Town. He said that it was often mentioned that the memorial was a safety issue, and he contended, in addition to it being a safety issue, it was a case of property rights and would set a bad precedent for the town to rename a park, a road, and build a memorial under those circumstances and with so short a notice to the town. Councilmember Linehart made a motion to table the resolution to allow the Town more time to consider the location of the memorial and the implications thereof. Vice Mayor Ruffin seconded the motion. The Town's

Page 3 – Minutes of the November 14, 2005, Council Meeting

Attorney informed the Council that according to Roberts Rules of Order if the resolution was tabled then there could be no further discussion of the matter. Councilmember Linehart and Vice Mayor Ruffin rescinded the motion and second to allow further discussion.

There was an additional lengthy discussion and questions regarding the matter. One citizen suggested that there be a Natalie Sitton Memorial day at Red Bank High School to raise money to get driver education in schools.

Councilmember White inquired as to where the stone might be placed. The Mayor explained that the location was on the left going down Shoal Creek Road.

Councilmember Paturalski said that she didn't know Natalie but she said she thought Natalie's heart was where she was happy and suggested a memory garden at Red Bank High School.

Brian Sitton addressed the Council again. He said that in response to several citizens' questions about the size, the stone that had been selected was 5 ½ feet long, 4 feet deep and about waist high.

Councilmember Linehart again made a motion to table the resolution. Vice Mayor Ruffin seconded the motion. Again Phil Noblett said that to table the resolution would require a vote and there could be no more discussion. Councilmember Linehart and Vice Mayor Ruffin again rescinded their motion and second to allow for further discussion.

Councilmember White said he thought it would be very healing to resolve the matter at the meeting rather than wait 30 days.

Councilmember Linehart said he agreed with Councilmember White and said that he had received an e-mail from a citizen that suggested the prudent, thoughtful thing to do would be to appoint a committee to consider the matter. He said the Town had a commission in place that looked at signs.

There was additional discussion and several citizens addressed the Council. One citizen suggested that it was not the Town's place to memorialize any child. Another citizen cautioned the Town about setting a precedent.

Councilmember Linehart said he would like input from the DRC (Design Review Commission.) Phil Noblett said that the DRC approves only commercial properties.

Trish Steel addressed the Council. She suggested a small stone. She also said there was a beautification fund. She said Marilyn Garner and others handled the fund.

Page 4 – Minutes of the November 14, 2005, Council Meeting

Joe Dumas made a suggested that the Council could go ahead and vote on the placement of the stone with the approval of the Beautification Committee.

Ann Sitton said that Natalie's friends built the cross. She said she is sorry if it offended anyone. She said she wanted her son to go ahead and take it down and then the Town could do whatever it needed to do. She explained that Mr. Masterson's daughter was a friend of Natalie and he was not there representing the family.

Phil Noblett read a revised resolution, "A RESOLUTION AUTHORIZING THE MAYOR TO ALLOW THE PLACEMENT OF A COMMEMORATIVE STONE MONUMENT AND PLAQUE TO BE APPROVED BY THE TOWN BEAUTIFICATION COMMITTEE ON THE TOWN'S PROPERTY ADJACENT TO SHOAL CREEK ROAD." Councilmember Linehart made a motion to approve the resolution. Vice Mayor Ruffin seconded the motion and it passed unanimously.

Brian Sitton then asked the Council if the spontaneous memorial with the cross could stay up until the permanent memorial was in place. Councilmember Linehart responded that the residents of the Town did not want their property to be encumbered and the cross and spontaneous memorial needed to come down that week. After some additional dialogue, it was decided that the road would be closed on the following Wednesday from 3:00 p.m. to 5:00 p.m.

The next business before the Council was a report from Lou Oliphant on the Planning Commission meeting. She said that the Regional Planning Agency had presented a study on development in the Shackleford Ridge Road.

Tina Close with the Signal Mountain Newcomers announced the annual tree lighting activities would be Friday, December 2, at 6:00 p.m.

The next item before the Council was a power point presentation by Councilmember Linehart on the Town's parks and facilities. He explained that the presentation had taken many hours. He said he was trying to identify the Town's properties and how many acres of land the Town owned. He explained that he had broken out the properties into several categories such as natural area, parks and recreational fields. He noted that some of the properties did not have names and some had two names. For each location, he had a description, a picture or two and a map. He showed several of the slides and informed the Council and citizens that a printed copy and a CD would be at Townhall and at the Library.

Councilmember White talked about the current zoning in the Town. He noted that under the current zoning laws Olde Town could not be built. He welcomed Mary McClain who had researched a place to raise a first grader and chose the Town.

Page 5 – Minutes of the November 14, 2005, Council Meeting

Councilmember Paturalski thanked the Mayor for all his efforts with the Sittons. She said he had done a great job.

Councilmember Linehart read the following letter that he had sent to the newspaper.

“I believe the most important question regarding growth is: “Will we participate in it or not?” Growth isn’t going to wait for our answer. It is upon us right now. People want to move to the mountaintop to attend Signal Mountain High School and take advantage of this wonderful community. As a result, I believe growth will continue.

If we choose not to participate in that growth within the town limits of Signal Mountain, then growth will occur in the county . . . along Corral Road, Sawyer Road, Roberts Mill area, and other unincorporated areas on the mountain – with less stringent zoning regulations and building requirements. Then we will have more neighbors, congestion on our roads, and additional demands on our recreational facilities; also additional demands on our town services, and additional expenses that growth brings, and finally uncontrolled urban sprawl. Thus we have growth but no control over that growth and no revenue from it. Our choice isn’t growth or no growth – it is whether or not we choose to participate in and manage the growth that will occur.

Another issue to think about is the growth that will occur in this unincorporated area will allow people not to participate in the payment of the tax we have chosen to encumber upon the residents of Town of Signal Mountain - \$7.7 million dollars to be exact - for the construction of the Signal Mountain High School. They certainly will not be participating financially in funding the services the Town of Signal Mountain provides to the entire mountain top – yes the entire mountain top – and will receive those services for little or no cost.

Sewer lines which have been proposed to be built by the WWTA are much more environmentally friendly than our current septic systems. Current zoning regulations within the town were made when septic systems were the main wastewater treatment option. Many neighborhoods such as Hidden Brook and Fox Run have septic systems that are in poor condition and have created excess sewage run off into Middle and Conner Creeks and other areas. Construction of 12 inch sewer lines will enable us to correct the septic problems in these neighborhoods some time in the future. Septic fields take up large portions of lots and require the removal of the trees to accommodate the field lines. Twelve inch sewer lines will give us the opportunity to use land more efficiently, be better stewards of the environment, adequately plan for the future, correct some of the oversights of the past, and not pass on problems to future generations.

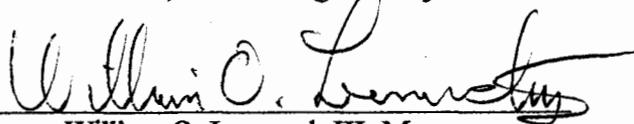
The Town of Signal Mountain has nearly 300 acres of green and forestland within its town limits – Rainbow Lake, Green Gorge, and Shoal Creek Parks. We have several hundred acres of County trails though the heavily forested Shackleford Ridge Park. We have thousands of acres in the Prentiss Cooper reserve – all minutes from our homes.

And specifically speaking on the development of Prentiss Cooper, no member of the Town Council has ever discussed or proposed developing Prentiss Cooper. That statement was made recklessly by a member of the Planning Commission and inaccurately reported by the Signal Mountain Post as a statement made by the Mayor. Prentice Cooper State Park is currently owned and controlled by the state and even if a portion of it was deeded to the Town of Signal Mountain, it would rightly and permanently remain as a park and not open to any kind of development. I believe in the sanctity of public land and believe it is a key component of what makes Signal Mountain a wonderful place to live and raise a family.

Page 7 – Minutes of the November 14, 2005, Council Meeting

easements. Councilmember Paturalski made a motion to authorize the Mayor to negotiate a temporary construction easement and a permanent easement for manholes on the Town's property adjacent to the CVS Pharmacy. Councilmember Paturalski made a motion to approve the motion. The Mayor seconded the motion and it passed unanimously.

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



William O. Leonard, III, Mayor



Diana Campbell, Interim Town Manager and Recorder

Date: NOVEMBER 14, 2005

NAME	ADDRESS
1. <u>Ann Anderson</u>	<u>38 Carriage Hill</u>
2. <u>Lynn Anderson</u>	<u>38 Carriage Hill</u>
3. <u>Bob Steel</u>	<u>10 VICTORIA LN</u>
4. <u>Eugenia Alford</u>	<u>84 Carriage Hill</u>
5. <u>Tom Jones</u>	<u>41 Carriage Hill</u>
6. <u>Billie Beard</u>	<u>4 Carriage</u>
7. <u>Dorothy Robinson</u>	<u>6 Graywood Hill Rd</u>
8. <u>Morna Simon</u>	<u>106 Circle Dr.</u>
9. <u>Low Cliphart</u>	<u>Cherokee Ln</u>
10. <u>Jana Linhart</u>	<u>5 Rockrest Lane</u>
11. <u>Russell Aron</u>	<u>312 Green Gorge</u>
12. <u>Pris Shackle</u>	<u>501 James Blvd</u>
13. <u>Craig Honey</u>	<u>416 Ault Rd</u>
14. <u>Joe & Frances</u>	<u>108 STRATFORD</u>
15. <u>Wendell Dick</u>	<u>1022 Signal Road</u>
16. <u>Ann Ventura</u>	<u>3 Highdown Court</u>
17. <u>Brendan Taylor</u>	<u>422 Ault Road</u>
18. <u>Joe Dumas</u>	<u>1111 James Blvd.</u>
19. <u>IRBY PARK</u>	<u>105 Mountain Court</u>
20. <u>James Ault</u>	<u>3509 Anderson</u>
21. <u>Will Gailmard</u>	<u>955 Ravine Rd</u>

Date: NOVEMBER 14, 2005

NAME	ADDRESS
1. Michael Bennett	3905 Chickadee tr
2. Ceilia Bonff	206 Louanna Ave
3. Mike Lawrence	2516 Stewart Rd
4. KONTI HAWKS	4300 Taft Hwy
5. Karen & Kasey Tolbert	651 Godsey Ln Chatt TN 37415
6. Brenda & Tyler Livingston	5014 Rlyd Ln Chatt 37415
7. Emmarean & Lauren Redwell	647 Godsey Ln Chatt, TN 37415
8. Justin Lee	204 Arrow Drive
9. Amber Willard	313 Hampton Rd
10. Sarah Caldwell	909 Fairmount Ave
11. FERRIN PIVLEY	
12. Lauren Miller	3824 Knollwood Dr.
13. Andrew Cramble	931 Ravine Road
14. Ryan Houston	121 Coleman Road
15. JACOB HUSKEY	4710 N. FAIRMOUNT Rd. G2
16. JEFF DUNLAN	951 RAVINE RD.
17. DAVID TALLENT	1113 GLAMIS Circle
18. Jinda Walker	609 Cauthen Way
19. JAMES S. CAWTHORNE	2100 MTN. HOLLOW DR.
20. Leah Corner	33 Carriage Hill
21. Ken Corner	33 Carriage Hill

Date: NOVEMBER 14, 2005

NAME	ADDRESS
1. Debbie Pancake	1422 Riverview Rd.
2. Miranda Younger	110 W. Ridgewood Ave.
3. Greg Sifton	2801 Corral Road
4. Amy Sifton	2801 Corral Road
5. Lamar Sifton	3509 Anderson Pike
6. Angelina Quarante	2814 Haywood AVE.
7. Cady E. Boe	2813 Haywood Ave.
8. John Mills	2702 Fairmount Pike
9. Thom Mills	2702 Fairmount Pike
10. Jordan Bore	103 Mountain Cr. Dr.
11. Mary McLean	11a Graysen Rd.
12. Jean Zessin	510 Rolling Way
13. Jess Noble	126 Arrow Dr.
14. C. P. Martin	w/ Sifton
15. Mary Richter	w/ Sifton
16. Ben and Joan Smith	1300 James Blvd
17. Eddie Reep	213 Sonnybrook Tr.
18. Scott J. My	6431 Forest Park Dr
19. Alicia Furina Clett	406 Rolling Way
20. Ryan Elerd	3805 Choked Trail
21. Jennifer McGowan	1003 Olsen Ave.

Date: NOVEMBER 14, 2005

NAME	ADDRESS
1. <i>Emma S. Young</i>	<i>7 Carriage Hill</i>
2. <i>Chris Goff</i>	<i>7 Carriage Hill</i>
3. <i>Rob Phillyaw</i>	<i>4 Glenarm Court</i>
4. <i>Walter O'Neil</i>	<i>Twin Tree Drive</i>
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____
16. _____	_____
17. _____	_____
18. _____	_____
19. _____	_____
20. _____	_____
21. _____	_____

RESOLUTION NO. R-2005-40

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 PERIOD BEGINNING DECEMBER 1, 2005, THROUGH JUNE 30, 2006, FOR \$2,201.46 MONTHLY

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Town Manager is authorized to enter into an Agreement with the Humane Educational Society for the control of animals, rabies control, education concerning animals and pet therapy to area nursing homes at an annual rate of \$26,417.52 to be paid in monthly installments in the amount of \$2,201.46 for a period beginning December 1, 2005, through June 30, 2006. A copy of the contract is attached.


MAYOR


RECORDER

11/14/05
DATE

11-14-05
DATE

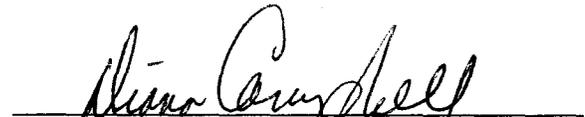
RAN/kac

RESOLUTION NO. R-2005-41

A RESOLUTION AUTHORIZING THE MAYOR TO ALLOW THE PLACEMENT OF A COMMEMORATIVE STONE MONUMENT AND PLAQUE TO BE APPROVED BY THE TOWN BEAUTIFICATION COMMITTEE ON THE TOWN'S PROPERTY ADJACENT TO SHOAL CREEK ROAD.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That the Mayor is hereby authorized to allow the placement of a commemorative stone monument and plaque to be approved by the Town Beautification Committee on the Town's property adjacent to Shoal Creek Road.


MAYOR


RECORDER

11/14/05
DATE

11-14-05
DATE

PAN/kac