

\*\*\*\*\*SEPTEMBER 12, 2005\*\*\*\*\*

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday September 12, 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: Interim Town Manager Diana Campbell  
Town Attorney Phil Noblett

Mayor Leonard called the meeting to order and led the Pledge of Allegiance to the Flag. Vice-Mayor Ruffin offered the Prayer. The Mayor asked for a moment of silence for Police Officer Dennis Nave who passed away that week. The roll call found all Councilmembers present.

Councilmember Linehart moved that the minutes of the August 8, 2005, regular meeting and the August 22, 2005, special work session be approved. The motion was seconded by Vice-Mayor Ruffin and passed unanimously.

The first resolution to be considered by the Council was "A RESOLUTION APPOINTING CAROLINE WOERNER TO THE PARKS BOARD FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE". Ms. Woerner would be filling the unexpired term of Ann Ozburn which would expire on December 31, 2007. Vice-Mayor Ruffin moved that the resolution be passed. The motion was seconded by Councilmember White and passed unanimously.

The second resolution to be considered was "A RESOLUTION APPOINTING TOWN COUNCIL MEMBER ROBERT V. LINEHART, JR., AS A BOARD MEMBER TO THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY BOARD". The Mayor explained that the Hamilton County Water and Wastewater Treatment Authority Board took over the Town's sewers in 2002. Councilmember Linehart would be replacing Willard Wagner who had retired. Vice-Mayor Ruffin moved that the resolution be passed. The motion was seconded by Councilmember White and passed unanimously.

The third resolution to be considered by the Council was "A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO C. W. MATTHEWS CONTRACTING COMPANY, INC. FOR REPAVING OF VARIOUS TOWN STREETS WITHIN THE TOWN OF SIGNAL MOUNTAIN BASED UPON THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED SIXTY-SEVEN THOUSAND NINE HUNDRED FIFTY DOLLARS (\$167,950.00), AND AUTHORIZING THE

TOWN MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS TO COMPLETE THE PAVING OF VARIOUS TOWN STREETS IN CONNECTION WITH THIS AWARD". The Mayor explained that there were several areas that needed repaving and repairing in the fall and there was a paving schedule for the spring. Councilmember Linehart moved that the resolution be passed. The motion was seconded by Vice-Mayor Ruffin and passed unanimously. This information would be put on the internet for citizens to see.

The fourth resolution to be considered was "A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER TO ENTER INTO CHANGE ORDER NO. 1, RELATIVE TO THE BASEBALL FIELD RENOVATIONS PROJECT WITH IMPROVE AMERICA, INC. TO BREAK UP AND REMOVE SLAB AND TO POUR NEW SLAB AFTER ROUGH IN WORK IS COMPLETED IN THE BASEBALL FIELD RESTROOMS, WHICH CHANGE ORDER INCREASES THE TOTAL CONTRACT AMOUNT BY ONE THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$1,600.00), FOR A REVISED TOTAL CONTRACT AMOUNT NOT TO EXCEED THIRTY-NINE THOUSAND SEVEN HUNDRED NINETY-FIVE AND 00/100 DOLLARS (\$39,795.00)". The Mayor explained this also included the restroom and dugout facility at the ballfield. Councilmember Paturalski moved that the resolution be approved. Councilmember White said one problem was that it did not drain and for a week or ten days after a decent rain the boys could not get in the dugout. Councilmember Linehart said the original resolution took care of that. The motion was seconded by Vice-Mayor Ruffin and passed unanimously.

The next resolution to come before the Council was "A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$10,000.00 TO MOUNTAIN RECREATION, INC., TO PROVIDE FUNDING FOR MAINTENANCE OF THE SHACKLEFORD RIDGE PARK". The Town had funded a portion of the maintenance every year which was provided for in the 20/20 Growth Plan Agreement. The County, Walden, and the Town agreed to fund the maintenance for five years. Vice-Mayor Ruffin moved that the resolution be passed. The motion was seconded by Councilmember Paturalski and passed unanimously.

The last resolution to be considered by the Council was "A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE TOWN OF WALDEN, TENNESSEE, HAMILTON COUNTY, TENNESSEE AND THE HAMILTON COUNTY SCHOOL BOARD FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL AND MIDDLE SCHOOL BUILDING PROJECT IN THE TOWN OF SIGNAL MOUNTAIN, AS AUTHORIZED BY T.C.A. § 9-21-209, SUBJECT TO CERTAIN CONDITIONS". Town Attorney Phil Noblett explained an interlocal

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agreement was attached to the resolution to be signed on behalf of the Town of Signal Mountain, the Town of Walden, Hamilton County, Tennessee, and Hamilton County Board of Education. This document provided for a commitment to build a high school on the mountain and provided the method of payment and certain timing for that to occur. Councilmember Paturalski moved that the resolution be passed. Councilmember Linehart asked if a correction had been made to paragraph three. Ms. Campbell asked if he wanted to add "other than the addition to the Hunter Middle School". Councilmember White seconded the motion and it was passed unanimously.

The first ordinance to come before the Council for second and final reading 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, 2006, AND APPROPRIATING SAME TO THE PAYMENT OF THE EXPENSES OF THE MUNICIPAL GOVERNMENT DURING SAID FISCAL YEAR". The Mayor explained the rate went from \$1.65 per \$100 assessed value to \$1.425 per \$100 assessed value. Councilmember White moved that the ordinance be passed on second reading. The motion was seconded by Councilmember Paturalski and passed 3 to 2 with Mayor Leonard and Councilmembers White and Paturalski voting yes, and Vice-Mayor Ruffin and Councilmember Linehart voting no.

The second ordinance to be considered for second and final reading 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". Mr. Noblett said the Town had to have standards for building houses and standards for inspecting them. He explained that the fees had increased. Vice-Mayor Ruffin moved that the ordinance be passed on second reading. The motion was seconded by Councilmember Linehart and passed unanimously.

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The next ordinance to come before the Council for second and final reading was “AN ORDINANCE TO AMEND SIGNAL MOUNTAIN CODE, TITLE 12, SECTIONS 12-601 THROUGH 12-606, TO REVISE THE COMPOSITION AND POWERS OF THE BOARD OF CONSTRUCTION APPEALS”. Mr. Noblett said this Board would hear appeals from the Building Inspector. Councilmember White moved that the ordinance be passed on second reading. The motion was seconded by Vice-Mayor Ruffin and passed unanimously.

The fourth ordinance to be considered for first reading was “AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 19, CHAPTER 3, SECTION 19-301, IN ORDER TO ADOPT THE NATIONAL ELECTRICAL CODE OF 2005 AS THE OFFICIAL ELECTRICAL CODE OF THE TOWN OF SIGNAL MOUNTAIN AND TO AMEND SECTION 19-303, REGARDING CERTAIN AMENDMENTS TO THE ELECTRICAL CODE ADOPTED AND TO REVISE CERTAIN LANGUAGE UNDER SECTION 19-308 REGARDING NON-REFUNDABLE ELECTRICAL FEES”. Mr. Noblett explained this was the 2005 edition. The fees had also been revised. Councilmember Linehart moved that the ordinance be passed on first reading. The motion was seconded by Vice-Mayor Ruffin and passed unanimously.

The next ordinance to come before the Council for first reading was “AN ORDINANCE TO AMEND TITLE 12, CHAPTER 5, SECTIONS 12-501 THROUGH 12-503, SO AS TO ADOPT THE 2003 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND ADOPT CERTAIN APPENDICES AS REVISED AND AMENDED AND TO ADD CERTAIN AMENDMENTS TO SAID CODE AS THE OFFICIAL MECHANICAL CODE OF THE TOWN OF SIGNAL MOUNTAIN.” Mr. Noblett explained this dealt with heating and air-conditioning design and a specific code dealing with how these were installed on residential and commercial buildings. There were also revisions to the fees. Vice-Mayor Ruffin moved that the ordinance be passed on first reading. The motion was seconded by Councilmember Paturalski and passed unanimously.

“AN ORDINANCE TO AMEND TITLE 12, CHAPTER 2, SIGNAL MOUNTAIN TOWN CODE, SECTIONS 12-201 THROUGH 12-203, SO AS TO ADOPT THE 2003 EDITION OF THE INTERNATIONAL PLUMBING CODE AS REVISED AND AMENDED, AND TO ADOPT CERTAIN APPENDICES AS THE OFFICIAL PLUMBING CODE OF THE TOWN OF SIGNAL MOUNTAIN” was the next ordinance to be considered for first reading. This ordinance dealt with plumbing aspects and adopted amendments to the language of the code and suggested revisions to the fee schedule. Vice-Mayor Ruffin moved that the ordinance be passed on first reading. The motion was seconded by Councilmember Linehart and passed unanimously.

Next the Council considered for first reading was “AN ORDINANCE TO AMEND TITLE 19, CHAPTER 2, SIGNAL MOUNTAIN TOWN CODE, SECTIONS 19-201

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AND 19-202, SO AS TO ADOPT THE 2003 EDITION OF THE INTERNATIONAL FUEL GAS CODE AND CERTAIN APPENDICES AS REVISED AND AMENDED AS THE OFFICIAL GAS CODE OF THE TOWN OF SIGNAL MOUNTAIN, AND TO AMEND SECTION 19-203 CONCERNING AMENDMENTS TO SAID CODE, AND TO ADD A NEW SECTION 19-205 REGARDING FEES". Mr. Noblett explained this was Title 19 and for protection of the public that there would be no gas leaks and also changed the fee schedule. Vice-Mayor Ruffin moved that the ordinance be passed on first reading. Councilmember White seconded the motion and it passed unanimously.

The last ordinance to come before the Council for first reading was "AN ORDINANCE TO AMEND TITLE 7, CHAPTER 1, SIGNAL MOUNTAIN TOWN CODE, SECTIONS 7-101 AND 7-102 RELATIVE TO THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2003 EDITION, AS THE OFFICIAL FIRE CODE OF THE TOWN OF SIGNAL MOUNTAIN; AND AS APPENDICES TO CODE ADOPTED, AND TO ADD A NEW SECTION 17-103 AS AMENDMENTS TO CODE, AND TO RENUMBER NEW SECTIONS 7-108 AND 7-109, RELATIVE TO ENFORCEMENT AND APPEALS FROM THE APPLICATION OF THE FIRE PREVENTION CODE". Mr. Noblett explained this basically provided that buildings the Town had would not be constructed where there was danger to those who were in them and that any structure would be built in conformity with safety concerns for the public. Councilmember Paturalski moved that the ordinance be passed on first reading. Former Mayor Althaus commended the Council and Planning Commission for all the work they had done on these ordinances and talked about how important they were going to be in future annexations. Councilmember White seconded the motion and it passed unanimously.

Ms. Lou Oliphant, Secretary of the Planning Commission, said the Commission had approved two plats and Mr. Wendell Hardin from the Local Planning Office had given them a summary of what was required to annex. Members had received one hour of credit for the session, and there would be training sessions in October, November, and December. Mayor Leonard commended Ms. Oliphant for her many hours of service to the Town.

The Mayor called on Mr. James Cawthorne, consulting engineer, to give a quick update on construction projects. Mr. Cawthorne explained that the Cauthen Way project was pretty much on schedule. There had been some problems with delays with water and gas lines having to be moved. He said the road had been widened two feet and the contractor completed putting down base rock. They were in the process of excavating for the sidewalk. There would be two feet additional paving, two feet of curb and gutter and a five-foot sidewalk. Former Mayor Althaus asked if there was property acquisition there. Mr. Cawthorne said no, there was a fifty-foot right-of-way there. There was a question about how much longer it would take to complete Cauthen Way. Mr. Cawthorne said a little over a month and a half.

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The Mayor explained the widening or shoulder work on Taft Highway. He said that he was simply working closely with TDOT and expressing a need. They would also widen the shoulder on the other side of Taft Highway to provide a bikeway or walkway to connect the Town Center to Cauthen Way and beyond so people could safely walk that way.

Mayor Leonard talked about Ms. Campbell attending the Regional Planning Agency meetings downtown to try to continue work on getting Town sidewalks. Ms. Campbell said the sidewalks from Inverness Drive to the Library and Maryland to Oak had been approved. Councilmember Linehart commended Mayor Leonard for work on getting sidewalks, etc. for the Town. The Mayor said he had worked with Mr. Ray Rucker on these projects.

Mr. Glenn Showalter and Stan Crewe were in attendance to give the Council an update on the Christmas train. They wanted to reaffirm the agreement with the Town to put up the train and the Town would undertake the liability of the project as it had in the past. They had made a new car, people, Santa and some other accessories. They said it would be put up on November 11 this year.

Mr. Bill Gallagher thanked Hershel Dick for approving cement base to four dugouts on Marion and Driver Fields.

Ms. Valarie Epstein was present representing Ms. Joy Adams, who was also present. Ms. Epstein expressed a drainage complaint across Ms. Adams' property on Signal Road. After some discussion, it was decided to have a meeting at the Town Hall to discuss the specifics of the situation.

Messrs. Richard Casavant, Chip Baker, Hershel Dick, James Althaus, and Tom Caldwell were introduced. Glenn Baird spoke on the signing of the interlocal agreement for the building of a high school/middle school. There were several questions and comments from the citizens.

Ms. Pris Shartle reported on the Sunday walk on Shoal Creek. Ms. Debbie Fassino, who was not in attendance, had brought in six bags of trash that had been collected on the last Sunday's walk. Councilmember Linehart said he had requested the number of people who were walking. Diane Gallagher stated Debbie had said that about 32 people walked.

A student present thanked the Council for the dugouts at Marion and Driver Fields.

Vice-Mayor Ruffin talked about people of South Louisiana and thanked the people in this area for their help.

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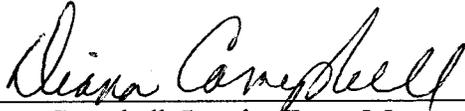
Councilmember Linehart noted that \$37,000 had been raised in the golf tournament for education.

Councilmember White thanked the people present who had worked on the high school.

The Mayor spoke about the Governor coming to this area and updated the citizens on what was being done for the hurricane evacuees.



William O. Leonard, III, Mayor



Diana Campbell, Interim Town Manager and Recorder

Date: SEPTEMBER 12, 2005

NAME	ADDRESS
1. John Houshrop	509 Brady Point Rd.
2. STAN CREWE	41 OLIVER COURT
3. Kelsy Holliday	
4. Amy Dixon	
5. Mark + Pri SHARPE	501 James Blvd
6. Pauline Ragan	185 Woodcliff Cir.
7. Holly Cowart	Signal Man Post
8. Joy E. Adams	501 North Palisades Drive
9. Richard Nelson	326 W. Midway Ave #18 Chattanooga, TN
10. Mallory Opatich	56 Carriage Hill Dr
11. Rebekah Wolfe	3700 Wilson Ave
12. Richard Casavant	114 River Point Rd.
13. Dave + Bill Gallagher	601 S. Palisade Dr.
14. Kelsie Parker	
15. Nicole Lama chif	
16. AMBER WILLARD	
17. JAMES CAWTHORNE	2100 MOUNTAIN HOLLOW DR
18. Lou Olyphant	Cherokee Lane
19. Jean Dolan	Ladder Trail
20. Jay Evans	James Blvd
21. Sam Paul	Brady Pt Rd

Date: SEPTEMBER 12, 2005

NAME	ADDRESS
1. <u>Tom Young</u>	<u>20 Majestic Oaks Dr</u>
2. <u>Jim Dumas</u>	<u>108 STROUD WAY</u>
3. <u>Lindsay Wright</u>	<u>800 Glamis Circle</u>
4. <u>Glenn Showalter</u>	<u>513 GEORGIA AVE</u>
5. <u>Jared Tinson</u>	<u>3602 Wilson Ave</u>
6. <u>Valerie W. Epstein</u>	<u>420 Frazer Ave. Chatt. TN</u>
7. <u>Treena Smith</u>	<u>3710 Scenic Hollows Ln <sup>57405</sup></u>
8. <u>Jane A. Davis</u>	<u>100 Jane Blvd Apt 205</u>
9. <u>Shirley Ruck</u>	<u>1022 Signal Rd.</u>
10. <u>Glenn Baird</u>	<u>210 James Blvd</u>
11. <u>Allison Keith</u>	<u>3501 ANDERSON RILE</u>
12. <u>Kristen Hollingsworth</u>	<u>7423 <del>ANDERSON</del> Taft Hwy.</u>
13. <u>Luke Morgan</u>	<u>914 Kempton Hills Dr.</u>
14. <u>Jeff Holland</u>	<u>213 Timberlinks Dr.</u>
15. <u>MICHAEL HENICHEN</u>	<u>320 AOLT ROAD</u>
16. <u>Chip Baker</u>	<u>911 Dunsirean Rd</u>
17. _____	_____
18. _____	_____
19. _____	_____
20. _____	_____
21. _____	_____

RESOLUTION NO. R-2005-30

A RESOLUTION APPOINTING CAROLINE WOERNER TO THE PARKS BOARD FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that Caroline Woerner, 100 Mountain Court, Signal Mountain, TN 37377, is appointed as a Board Member to the Parks Board to fill the unexpired term previously occupied by Board member Ann Osborne. The term shall expire on December 31, 2007.

William O. Pennington  
MAYOR

Miana Campbell  
RECORDER

9/13/05  
DATE

9-12-05  
DATE

RESOLUTION NO. R-2005-31

A RESOLUTION APPOINTING TOWN COUNCIL MEMBER, ROBERT V. LINEHART, JR., 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 Town Council Member, Robert V. Linehart, Jr., is appointed as a Board Member to the Hamilton County Water and Wastewater Treatment Authority Board.

William O. Levenchuk  
MAYOR

Miana Crayshell  
RECORDER

9/13/05  
DATE

9-12-05  
DATE

PAN/kac

RESOLUTION NO. R-2005-32

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO C.W. MATTHEWS CONTRACTING COMPANY, INC. FOR REPAVING OF VARIOUS TOWN STREETS WITHIN THE TOWN OF SIGNAL MOUNTAIN BASED UPON THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED SIXTY-SEVEN THOUSAND NINE HUNDRED FIFTY DOLLARS (\$167,950.00), AND AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS TO COMPLETE THE PAVING OF VARIOUS TOWN STREETS IN CONNECTION WITH THIS AWARD.

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WHEREAS, Bid tabulation sheets have been received for repaving of various Town streets within the Town of Signal Mountain; and

WHEREAS, the acting Town Manager and Town Public Works personnel have reviewed all bids and recommended that the bid of C.W. Matthews Contracting Company, Inc. be accepted as the lowest and best bid for this project;

NOW, THEREFORE,

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That there be and is hereby authorized the award of the contract of paving contracts for various Town streets, including asphalt surfacing, curb construction and street marking in accordance with the attached bid documents to C.W. Matthews Contracting Company, Inc. based upon its low bid in the amount of \$167,950.00 and that the acting Town Manager is authorized to execute any necessary documents to complete the repaving of certain Town streets in connection with this project.

*William O. Perry*

MAYOR

*Nancy Campbell*

RECORDER

*9/13/05*

DATE

*9-12-05*

DATE

PAN/kac

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 within seven (7) calendar days after the date specified in the "Notice to Proceed."
2. The "Contract Time" provided for the completion of Base Bid shall be the time proposed by the Bidder from the date specified in 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.

CW Matthews Contracting Co., Inc  
CONTRACTOR

BY James T. Yang

1600 Kenview Drive  
ADDRESS

Drawer 970  
ADDRESS

MARIETTA, GA 30061

(seal)

September 7, 2005  
DATE

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

Robert E. Matthews, Chairman of the Board

Q. William Hammack, Jr. President + Chief Operating Officer, Treasurer + Director

James C. Scott Jr., Exec. Vice President, Secretary + Director

Christopher B. Lodge, Senior Vice President

Charles Matthews, Vice President Roadway

Roy H. Jump, Vice President Heavy Commercial

Peter Feindinger, Vice President Structures

Brian Lawrence, Vice President Environmental Affairs

... .. Vice President Governmental Affairs

**SECTION 00301 – BID SCHEDULE  
TOWN OF SIGNAL MOUNTAIN**

**PROJECT:**

- A. Curb Construction and Asphalt Paving of Big Rock Rd., Cool Springs Rd., Hathaway Dr., Ridgerock Dr., Rock Haven Ln. and Rockmoore Ln.
- B. Street Marking (in addition to "A") of Whispering Pines Dr., Maryland Ave., Signal Mountain Blvd., Druid Dr., Miles Rd., Albert Rd., Inverness Dr./Glamis Cir. /Arden Way, Palisades Dr., Shoal Creek Rd., Green Gorge Rd. and North Palisades Dr.

No.	DESCRIPTION	UNIT	NO. UNITS	UNIT PRICE	ITEM TOTAL
1	Mobilization	L.S.		20775.33	<del>20775.33</del>
2	Asphalt Surface, TDOT 411 D	Tons	1385	<del>52.00</del>	<del>72989.50</del>
3	Bituminous Tack Coat, TDOT 403, Grade SS-1H	Gallons	587	<del>1.08</del>	<del>633.96</del>
4	Removal and Disposal of Extruded Asphalt Curb	L.F.	7660	<del>1.60</del>	<del>12868.80</del>
5	Furnish and Install Extruded Concrete Curb	L.F.	9370	<del>2.35</del>	<del>22,019.50</del>
6	Topsoil Backfill Behind Extruded Curb	C.Y.	111	<del>184.82</del>	<del>20,520.22</del>
7	Roadway Striping - 4" (DSYL)* Single Line Mile	Miles	3.80	<del>1100.00</del>	<del>4180.00</del>
8	Roadway Striping - 4" (DSYL & SSWL)* Single Line Mile	Miles	19.78	<del>475.00</del>	<del>9,395.50</del>
9	Traffic Control	L.S.		<del>4,567.50</del>	<del>4,567.50</del>

Total Base Bid: ~~167,950.74~~

The above prices include labor, materials, formwork, equipment, and all other appurtenances or incidentals to provide a complete paving job. Quantities to be verified by purchase tickets. Payment will be made only for quantities incorporated into the work.

\*DSYL – Double Solid Yellow Line; SSWL – Single Solid White Line Each Side

## SECTION 00500 - AGREEMENT

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by and between the Town of Signal Mountain, Tennessee, hereinafter called "OWNER" and \_\_\_\_\_ doing business as \_\_\_\_\_ hereinafter called "CONTRACTOR."

(Individual, Partnership, LLC, or Corporation)

WITNESSETH: That for and in consideration of the payments and AGREEMENTS hereinafter mentioned:

1. The CONTRACTOR will commence and complete:
  - A. Curb Construction and Asphalt Paving of Big Rock Rd., Cool Springs Rd., Hathaway Dr., Ridgerock Dr., Rock Haven Ln. and Rockmoore Ln.
  - B. Street Marking (in addition to "A") of Whispering Pines Dr., Maryland Ave., Signal Mountain Blvd., Druid Dr., Miles Rd., Albert Rd., Inverness Dr./Glamis Cir. /Arden Way, Palisades Dr., Shoal Creek Rd., Green Gorge Rd. and North Palisades Dr.
2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the completion of the PROJECT described herein.
3. The CONTRACTOR will commence the WORK required by the CONTRACT DOCUMENTS on the date specified in the NOTICE TO PROCEED and will complete the entire project within 35 consecutive calendar days unless the period of completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ \_\_\_\_\_.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
 

(A) ADVERTISEMENT FOR BIDS	(F) PAYMENT AND PERFORMANCE BOND
(B) INFORMATION FOR BIDDERS	(G) CONTRACT CHANGE ORDER
(C) BID	(H) NOTICE OF AWARD
(D) BID BOND	(I) NOTICE TO PROCEED
(E) AGREEMENT	(J) GENERAL CONDITIONS
	(K) SUPPLEMENTAL GEN. COND. (OMITTED)

(L) SPECIFICATIONS prepared by Cawthorne Engineering Co., Inc., Chattanooga, Tennessee Dated August 26, 2005.

(M) DRAWINGS (OMITTED).

SECTION 00300 - PROPOSAL FORM

DATE: August 26, 2005  
OWNER: Town of Signal Mountain  
PROJECT: Paving of Various Streets  
LOCATION: Signal Mountain, TN

PROPOSAL OF: C.W. MATTHEWS Contracting Co., Inc  
a Corporation organized and existing under the laws of the State of  
Georgia, U.S.A.

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BIDDER agrees to perform asphalt concrete paving 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 by October 31, 2005.

Bidder agrees that this bid shall be good and may not be withdrawn for a period of 15 calendar days after the scheduled closing time for receiving bids.

(N) ADDENDA:

No. \_\_\_\_\_, dated \_\_\_\_\_

No. \_\_\_\_\_, dated \_\_\_\_\_

No. \_\_\_\_\_, dated \_\_\_\_\_

- 6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
- 7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this AGREEMENT in 3 copies of each which shall be deemed an original on the date first above written.

CONTRACTOR:

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(Please Type or Print)

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

OWNER:

TOWN OF SIGNAL MOUNTAIN, TN

By: \_\_\_\_\_

Name: Diana Campbell  
(Please Type)

Title: Interim Town Manager

ATTEST:

\_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Title: \_\_\_\_\_

(SEAL)

(SEAL)

RESOLUTION NO. R-2005-33

A RESOLUTION AUTHORIZING THE ACTING TOWN MANAGER TO ENTER INTO CHANGE ORDER NO. 1, RELATIVE TO THE BASEBALL FIELD RENOVATIONS PROJECT WITH IMPROVE AMERICA, INC. TO BREAK UP AND REMOVE SLAB AND TO POUR NEW SLAB AFTER ROUGH IN WORK IS COMPLETED IN THE BASEBALL FIELD RESTROOMS, WHICH CHANGE ORDER INCREASES THE TOTAL CONTRACT AMOUNT BY ONE THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$1,600.00), FOR A REVISED TOTAL CONTRACT AMOUNT NOT TO EXCEED THIRTY-NINE THOUSAND SEVEN HUNDRED NINETY-FIVE AND 00/100 DOLLARS (\$39,795.00).

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That the Acting Town Manager is authorized to enter into Change Order No. 1, as attached, with Improve America, Inc. to break up and remove slab and to pour new slab after rough in work is completed in the baseball field restrooms, which change order increases the total contract amount by \$1,600.00, for a total revised contract amount not to exceed \$39,795.00.

William D. Lennett  
MAYOR

Christina Campbell  
RECORDER

9/13/05  
DATE

9-12-05  
DATE

PAN/kac

# ADDITIONAL WORK AUTHORIZATION

11307

**Improve America**  
P.O. Box 5447  
Chattanooga, TN 37406

CHANGE ORDER # 001	DATE 9-1-05
CUSTOMER NAME TOWN OF SIGNAL MOUNTAIN	
STREET	
CITY	STATE/ZIP

**Original Job Information:**

JOB NAME BASEBALL FIELDS RESTROOMS	LOCATION BALL FIELD #122
JOB/CONTRACT # N/A	DATE 9-1-05

We hereby submit the following specifically described additional work: BREAK UP AND REMOVE  
SLAB, POUR NEW SLAB AFTER ROUGH IN WORK IS  
COMPLETE.

Additional charge for above described work is: \$ 1600.00 Dollars  
with payments to be made as follows: PER CONTRACT

Additional work to be performed under same conditions as specified in original contract unless otherwise stipulated.  
We propose hereby to furnish material and labor — complete in accordance with these specifications at above stated price.

Respectfully submitted Shawn Boyer

**ACCEPTANCE OF ADDITIONAL WORK**

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Date of Acceptance 9-1-05 Signature Shawn Boyer

RESOLUTION NO. R-2005-34

A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$10,000.00 TO MOUNTAIN RECREATION, INC., TO PROVIDE FUNDING FOR MAINTENANCE OF THE SHACKLEFORD RIDGE PARK.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the appropriation of \$10,000.00 is authorized to be made to Mountain Recreation, Inc., a nonprofit corporation, pursuant to T.C.A. § 6-54-111, to provide funding for maintenance of the Shackleford Ridge Park. Pursuant to T.C.A. § 6-54-111(c), a copy of an annual report or audit of the proposed use of municipal assistance by Mountain Recreation, Inc. shall be filed with the Town Recorder and be available for inspection by the public.

William O. Pennington  
MAYOR

Alison Campbell  
RECORDER

9/13/05  
DATE

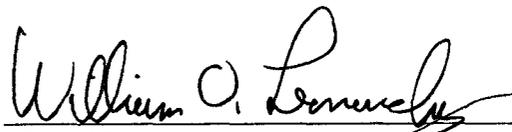
9-12-05  
DATE

PAN/kac

RESOLUTION NO. R-2005-35

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE TOWN OF WALDEN, TENNESSEE, HAMILTON COUNTY, TENNESSEE AND THE HAMILTON COUNTY SCHOOL BOARD FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL AND MIDDLE SCHOOL BUILDING PROJECT IN THE TOWN OF SIGNAL MOUNTAIN, AS AUTHORIZED BY T.C.A. § 9-21-209, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, that the Mayor is hereby authorized to execute an Interlocal Agreement with the Town of Walden, Tennessee, Hamilton County, Tennessee, and the Hamilton County School Board for the construction of a new High School and Middle School building project in the Town of Signal Mountain, as authorized by T.C.A. § 9-21-209, subject to certain conditions, as set forth in the attached Interlocal Agreement.

  
MAYOR

  
RECORDER

7/13/05  
DATE

9-12-05  
DATE

PAN/kac

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is executed by and between the TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THE TOWN OF WALDEN, TENNESSEE, HAMILTON COUNTY, TENNESSEE and THE HAMILTON COUNTY SCHOOL BOARD on this the 29<sup>th</sup> day of September, 2005.

WITNESSETH:

WHEREAS, T.C.A. § 9-21-208 authorizes the governing body of a local government to hold an election for ascertaining the will of the electorate concurrently with a decision of the local governing body to issue general obligation bonds for a public works project; and

WHEREAS, the TOWN OF SIGNAL MOUNTAIN and the TOWN OF WALDEN adopted election resolutions in accordance with T.C.A. § 9-21-209 and held an election for ascertaining the will of the electorate in accordance with T.C.A. § 9-21-210 on May 18, 2004 even without adopting and publishing an initial resolution issuing general obligation bonds; and

WHEREAS, HAMILTON COUNTY, TENNESSEE and the HAMILTON COUNTY SCHOOL BOARD pursuant to T.C.A. §§ 5-1-113 and 49-2-1301 et seq., known as the "Educational Cooperation Act", are authorized to enter into interlocal agreements, compacts, or contractual relations for joint or cooperative action with other political subdivisions to enable them to cooperate with other localities on a basis of mutual advantage and to thereby provide educational services and facilities in a manner that will allow development of local educational facilities and services as may be desirable or necessary; and to permit the county and municipalities to conduct, operate or maintain, either jointly or otherwise, desirable and necessary services under such terms as may be agreed upon by the county legislative body and the chief legislative bodies of the municipalities;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, all parties to this Interlocal Agreement agree as follows:

1. This Agreement shall constitute a written commitment from the legislative bodies of HAMILTON COUNTY, TENNESSEE and the HAMILTON COUNTY SCHOOL BOARD as authorized by T.C.A. § 49-2-1304 to construct a High School/Middle School building to be located within the Town of Signal Mountain on property currently owned by the HAMILTON COUNTY SCHOOL BOARD. The TOWN OF SIGNAL MOUNTAIN and the TOWN OF WALDEN agree either (a) to provide certain construction funding as construction proceeds in an amount not to exceed the cumulative total of \$10 million (\$7.7 million by Signal Mountain and \$2.3 million by Walden), or (b) to pay their pro rata share of the issuance costs and their pro rata share of principal and interest payments on the bonds issued by the County for such project with their share based on \$10 million of such bonds (\$7.7 million in bonds by the Town of Signal Mountain and \$2.3 million in bonds by the Town of Walden), subject to the following:

(a) In the event the Towns, or either of them, decide to provide the construction funds to the County rather than participating in the bonds to be issued by the County, each such Town will pay to the County a pro rata amount of the construction costs on a monthly basis upon receipt of executed requisitions for payment accompanied by copies of general contractor invoices. In no event where the Towns proceed under this subsection shall Signal Mountain be required to contribute more than a total of \$7.7 million or shall Walden be required to contribute more than \$2.3 million to the High School/Middle School project.

(b) In the event the Towns, or either of them, decide to participate in the funding of bonds issued by the County, each of the Towns will pay its pro rata share of

the issuance cost and its pro rata share of principal and interest payments relating to its pro rata share of the bonds (based on a collective maximum issuance of \$10 million in bonds) with such payments to be made to the County one business day prior to the date the County is required to make the payment to the paying agent for the bonds. In no event where the Towns proceed under this subsection, shall Signal Mountain be required to pay more than the debt service on a total of \$7.7 million in bonds nor shall Walden be required to pay more than the debt service of \$2.3 million in bonds.

(c) Debt service payments on any bonded indebtedness of not greater than \$7.7 million to be issued by the TOWN OF SIGNAL MOUNTAIN and/or any other arrangements for payment on any bonded indebtedness of not greater than \$2.3 million by the TOWN OF WALDEN may be supplemented by proceeds from the 1999 sales tax or from other revenues presently collected by both Towns.

2. The parties to this Interlocal Agreement agree that the HAMILTON COUNTY SCHOOL BOARD shall own the facilities and be entirely responsible for all operation of the schools, including without limitation, maintenance, staffing, and funding decisions of the high school/middle school operated on the property located within the Town of Signal Mountain pursuant to the authority of the HAMILTON COUNTY SCHOOL BOARD over school facilities under Tennessee law in the same manner as provided other high school/middle schools which are funded by Hamilton County during the life of this facility. Nothing in this Interlocal Agreement shall be construed to bind the TOWN OF SIGNAL MOUNTAIN or the TOWN OF WALDEN to any obligation for funding other than the payment of specified funds for construction of the school building project as set forth in this Interlocal Agreement.

3. If construction on this High School/Middle School project is not started within a reasonable period of time, which shall not be later than the date construction begins on other new high school or middle school buildings resulting from the bonds to be issued pursuant to Paragraph 1 other than the new additions to the Hunter Middle School, this action shall constitute a breach of contract and the Town of Signal Mountain and/or the Town of Walden shall not be required to make any payments under Paragraph 1.

4. By entering into this agreement, each party agrees that it obtained the appropriate authority to bind its respective political subdivisions to the terms of this agreement.

5. Should any phrase, clause, sentence, or paragraph of this Interlocal Agreement be held invalid, or unconstitutional by any court of competent jurisdiction of the State of Tennessee or the United States of America in any manner or respect whatsoever, it shall in no way affect any or all of the remaining provisions of this Interlocal Agreement, all of which shall remain in full force and effect.

6. The parties hereto agree that this Interlocal Agreement will be enforced and interpreted according to the laws of the State of Tennessee.

IN WITNESS WHEREOF, this Interlocal Agreement is executed this 13<sup>th</sup> day of September, 2005, by and on behalf of the TOWN OF SIGNAL MOUNTAIN, TENNESSEE, by its Mayor, by and on behalf of THE TOWN OF WALDEN, TENNESSEE, by its Mayor, by and on behalf of HAMILTON COUNTY, TENNESSEE, by its County Mayor, by and on behalf of THE HAMILTON COUNTY SCHOOL BOARD by its Board Chairman.

TOWN OF SIGNAL MOUNTAIN, TENNESSEE

BY: William O. Leonard  
WILLIAM O. LEONARD, Mayor

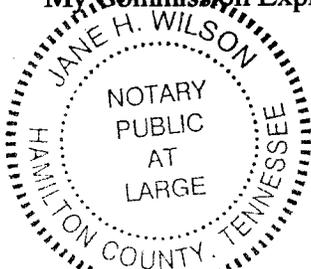
STATE OF TENNESSEE )  
COUNTY OF HAMILTON )

On this the 13<sup>th</sup> day of September, 2005, before me, personally appeared WILLIAM O. LEONARD with whom I am personally acquainted and who upon oath acknowledged himself to be the Mayor of the TOWN OF SIGNAL MOUNTAIN, TENNESSEE, and that he as such Mayor, being authorized so to do on behalf of said corporation pursuant to T.C.A. § 49-2-1304, upon oath acknowledged that he executed the foregoing instrument for the purpose therein contained by signing his name as Mayor.

WITNESS my hand and Notarial Seal on the day and year above written.

Jane H. Wilson  
NOTARY PUBLIC AT LARGE

My Commission Expires: 3-22-08



HAMILTON COUNTY, TENNESSEE

BY: Claude Ramsey  
CLAUDE RAMSEY, County Mayor

STATE OF TENNESSEE )  
COUNTY OF HAMILTON )

On this the 21<sup>st</sup> day of September, 2005, before me, personally appeared CLAUDE RAMSEY with whom I am personally acquainted and who upon oath acknowledged himself to be the Mayor of the COUNTY OF HAMILTON, TENNESSEE, and that he as such County Mayor, being authorized so to do by the legislative body of Hamilton County, Tennessee, pursuant to T.C.A. § 49-2-1304 upon oath acknowledged that he executed the foregoing instrument in his capacity as County Mayor for the purposes therein contained on behalf of Hamilton County, Tennessee.

WITNESS my hand and Notarial Seal on the day and year above written.

Debra K. Ralston  
NOTARY PUBLIC AT LARGE

My Commission Expires: 4-6-2006

TOWN OF WALDEN, TENNESSEE

BY: [Signature]  
PETER HETZLER, Mayor

STATE OF TENNESSEE )  
COUNTY OF HAMILTON )

On this the 28 day of September, 2005, before me, personally appeared PETER HETZLER with whom I am personally acquainted and who upon oath acknowledged himself to be the Mayor of the TOWN OF WALDEN, TENNESSEE, and that he as such Mayor, being authorized so to do on behalf of said corporation pursuant to T.C.A. § 49-2-1304, upon oath acknowledged that he executed the foregoing instrument for the purpose therein contained by signing his name as Mayor.

WITNESS my hand and Notarial Seal on the day and year above written.

[Signature]  
NOTARY PUBLIC AT LARGE

My Commission Expires: 7/12/08



HAMILTON COUNTY SCHOOL BOARD

BY: [Signature]  
JESSE B. REGISTER, Superintendent

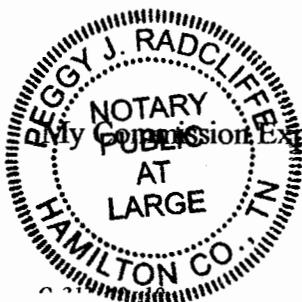
BY: [Signature]  
CHIP BAKER, Board Chairman

STATE OF TENNESSEE )  
COUNTY OF HAMILTON )

On this the 20<sup>th</sup> day of September, 2005, before me, personally appeared JESSE B. REGISTER and CHIP BAKER with whom I am personally acquainted and who upon oath acknowledged themselves to be the Superintendent and the Board Chairman of the HAMILTON COUNTY SCHOOL BOARD, respectively, and that they, as such Superintendent and Board Chairman, being authorized so to do on behalf of said school board pursuant to T.C.A. § 49-2-1304, upon oath acknowledged that they executed the foregoing instrument for the purpose therein contained by signing their names as Superintendent and as Board Chairman.

WITNESS my hand and Notarial Seal on the day and year above written.

[Signature]  
NOTARY PUBLIC AT LARGE



My Commission Expires: 4-26-08

ORDINANCE NO. 2005-4

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, 2006, AND APPROPRIATING SAME TO THE PAYMENT OF THE EXPENSES OF THE MUNICIPAL GOVERNMENT DURING SAID FISCAL YEAR.

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WHEREAS, pursuant to and in compliance with the provisions of the Charter of the Town of Signal Mountain, Tennessee, revenue has been estimated for operating the municipal government for fiscal year 2005-2006 from all Town revenue sources as previously adopted in Ordinance No. 2005-2; and

WHEREAS, the Tennessee Board of Equalization has now certified the tax rate for the Town for 2005 based upon adjustments to assessed value of property within the Town and it is further necessary to amend the appropriations to the various departments of the Town of Signal Mountain for FY 2005-2006 based on certified municipal revenues for the coming fiscal year and to provide for certain expenditures which expired without appropriation under the 2004-2005 budget;

NOW, THEREFORE,

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

SECTION 1. That the budgets of the various departments, agencies, boards,

commissions, offices, divisions or branches of Town government for the fiscal year beginning July 1, 2005 are amended as hereinafter set out on the attached amended FY 2005-2006 Budget from the amounts previously designated in Ordinance No. 2005-2 and the amount so fixed for each department, agency, board, commission, office, division or branch of Town Government is hereby appropriated out of the estimated revenue for said year for the use of that department, agency, board, commission, office, division or branch of government in accordance with the attached amended FY 2005-2006 Budget.

SECTION 2. For the purpose of raising revenue to operate the various departments, agencies, boards, commissions, offices, divisions or branches of the municipal government, and to pay the interest on and retire bonds of said Town as they mature, there be and is hereby levied on all taxable property within the Town of Signal Mountain, Tennessee, a tax for the year 2005 at a rate of \$1.425 upon every \$100.00 in assessed value of such taxable property and to the extent applicable, there is also levied a tax at the same rate upon every \$100.00 of merchant and other ad valorem within the corporate limits of the Town of Signal Mountain, Tennessee.

SECTION 3. The assessment made by the Assessor of Property of Hamilton County, Tennessee, and by the Tennessee Board of Equalization on July 21, 2005 for the year 2005 on all property located within the corporate limits of the Town of Signal Mountain, Tennessee, be and is hereby adopted as the assessment of the Town of Signal Mountain.

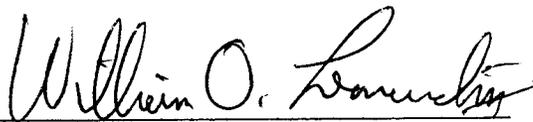
SECTION 4. That the taxes herein levied on all taxable property within the corporate limits of the Town of Signal Mountain shall come due and payable at the Office of the Town Manager on October 1, 2005, and shall become delinquent on March 1, 2006, after which the unpaid taxes shall bear interest at Twelve Percent (12%) per annum and subject to a penalty of Six Percent (6%)

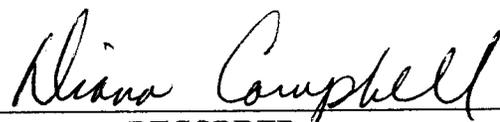
per annum, plus other penalties as provided by law, which shall be paid by the taxpayer; provided, except for taxpayers receiving tax relief under T.C.A. § 67-5-702 through § 67-5-705.

SECTION 5. That this Ordinance shall become effective immediately upon its passage as provided by law.

Passed First Reading 8/8, 2005.

Passed Second Reading 9/12, 2005.

  
MAYOR

  
RECORDER

PAN/kac

**TOWN OF SIGNAL MOUNTAIN**  
**FISCAL YEAR 7/1/2005 - 6/30/2006 BUDGET**

	Actual <u>2,004</u>	Estimated <u>2,005</u>	Budget <u>2,006</u>	Proposed <u>Amendment</u>	Amended Budget <u>2006</u>
<b>GENERAL FUND</b>					
<b>A. Revenues</b>					
1. Taxes	\$ 2,935,361	\$ 2,950,640	\$ 2,960,500		\$ 2,960,500
2. License & permits	39,910	31,390	44,120		44,120
3. Intergovernmental - State	943,086	796,643	881,407		881,407
4. Intergovernmental - Federal	164,759	93,611	95,159		95,159
5. Intergovernmental - Other	5,000	5,000	5,000		5,000
6. Charges for services - MACC	48,695	56,300	50,205		50,205
7. Charges for services - Recreation	88,901	63,100	71,400		71,400
8. Charges for services - Library	21,116	22,900	28,800		28,800
9. Charges for services - Misc	1,250	1,250	1,400		1,400
10. Fines, forfeitures, penalties	40,910	45,000	42,000		42,000
11. Other revenue	254,398	127,076	142,746		142,746
12. Loan proceeds	1,120,000				0
12. Revenue from fund balance		55,300		6334	6,334
Total revenues	<u>\$ 5,663,386</u>	<u>\$ 4,248,210</u>	<u>\$ 4,322,737</u>	<u>6,334</u>	<u>\$ 4,329,071</u>
<b>B. Expenditures</b>					
1. Financial Admin - Salaries	\$ 214,720	\$ 229,488	\$ 228,206		228,206
2. Financial Admin - Other	298,031	311,851	223,740		223,740
3. Judicial - Salaries	22,890	25,327	24,440		24,440
4. Judicial - Other	3,727	4,356	9,107		9,107
5. Building Inspector - Salaries	29,809	31,934	33,967		33,967
6. Building Inspector - Other	7,961	9,396	11,021		11,021
7. Police - Salaries	550,388	568,343	585,511		585,511
8. Police - Other	332,538	347,417	407,194	2,418	409,612
9. Fire - Salaries	533,649	556,700	547,931		547,931
10. Fire - Other	356,871	284,449	329,000		329,000
11. Public Works Admin-Salaries	84,552	90,058	88,852		88,852
12. Public Works Admin-Other	37,185	49,983	42,969		42,969
13. Street Maintenance - Salaries	182,717	246,561	225,451		225,451
14. Street Maintenance - Other	147,293	260,887	225,638		225,638
15. Shop - Salaries	26,200	27,230	28,001		28,001
16. Shop - Other	38,181	59,115	28,931		28,931
17. Recreation - Salaries	173,660	163,097	160,644		160,644
18. Recreation - Other	384,416	318,903	209,852	50,000	259,852
19. Library - Salaries	93,200	98,571	101,415		101,415
20. Library - Other	88,051	97,830	97,008		97,008
21. Mountain Arts Center-Salaries	42,245	48,536	49,166		49,166
22. Mountain Arts Center-Other	59,255	59,330	55,105		55,105
23. Transfer to Debt Service Fund	1,318,810	160,191	160,630		160,630
24. Transfer to Solid Waste Fund	405,518	198,657	402,874		402,874
Total expenditures	<u>5,431,867</u>	<u>4,248,210</u>	<u>4,276,653</u>	<u>52,418</u>	<u>4,329,071</u>
<b>C. Major changes in FY 2006 from FY 2005 = \$ 46,084 Added to fund balance</b>					
<b>D. Fund Balance anticipated on June 30, 2005 = \$2,567,572</b>					
<b>Fund Balance anticipated on June 30, 2006 = \$2,613,656</b>					
<b>E. Full-Time equivalent positions in this Fund = 71.58</b>					

## TOWN OF SIGNAL MOUNTAIN - FISCAL YEAR 7/1/ 2005-6/30/2006 BUDGET

	Actual 2,004	Estimated 2,005	Budget 2,006	Proposed Amendment	Amended Budget 2006
<b>STATE STREET AID</b>					
<b>A. Revenues</b>					
1. Intergovernmental - State	\$ 242,052	\$ 379,400	\$ 402,867		402,867
2. Other revenues	2,087	2,000	3,200		3,200
3. Revenue from fund balance		308,447	368,933		368,933
Total revenues	<u>\$ 244,139</u>	<u>\$ 689,847</u>	<u>\$ 775,000</u>		<u>775,000</u>
<b>B. Expenditures</b>					
1. Salaries	\$	\$	\$		
2. Other	326,311	689,847	775,000		775,000
Total expenditures	<u>\$ 326,311</u>	<u>\$ 689,847</u>	<u>\$ 775,000</u>		<u>775,000</u>
<b>C. Major changes in FY 2006 from FY 2005 = None</b>					
<b>D. Fund Balance anticipated on June 30, 2005 = \$671,112</b>					
Fund Balance anticipated on June 30, 2006 = \$302,179					
<b>E. Full-Time equivalent positions in this Fund = 0</b>					
<b>III. SOLID WASTE FUND</b>					
<b>A. Revenues</b>					
1. Local taxes/revenues	\$ 38,285	\$ 36,200	\$ 44,700		44,700
2. Other revenues	36,938	26,500	32,050		32,050
3. Operating transfers in	405,518	198,657	402,874		402,874
4. Revenue from fund balance		310,025			0
Total revenues	<u>\$ 480,741</u>	<u>\$ 571,382</u>	<u>\$ 479,624</u>		<u>479,624</u>
<b>B. Expenditures</b>					
1. Salaries	\$ 198,687	\$ 196,106	\$ 196,447		196,447
2. Other	389,701	375,276	283,177		283,177
Total expenditures	<u>\$ 588,388</u>	<u>\$ 571,382</u>	<u>\$ 479,624</u>		<u>479,624</u>
<b>C. Major changes in FY 2006 from FY 2005 = Purchased garbage truck 2005</b>					
<b>D. Fund Balance anticipated on June 30, 2005 = \$12,884</b>					
Fund Balance anticipated on June 30, 2006 = \$12,884					
<b>E. Full-Time equivalent positions in this Fund = 9.34</b>					
<b>IV. DEBT SERVICE FUND</b>					
<b>A. Revenues</b>					
1. Other revenues	\$ 1,842	\$ 1,820	\$ 700		700
2. Operating transfers in	1,318,810	160,191	160,630		160,630
3. Revenue from fund balance		34,438			0
Total revenues	<u>\$ 1,320,652</u>	<u>\$ 196,449</u>	<u>\$ 161,330</u>		<u>161,330</u>
<b>B. Expenditures</b>					
1. Salaries	\$	\$	\$		
2. Loan payoff on refinancing	1,120,000				0
3. Other	188,712	196,449	161,330		161,330
Total expenditures	<u>\$ 188,712</u>	<u>\$ 196,449</u>	<u>\$ 161,330</u>		<u>161,330</u>

- C. Major changes in FY 2004 from FY 2005 = None
- D. Fund Balance anticipated on June 30, 2005 = \$115,623  
Fund Balance anticipated on June 30, 2006 = \$115,623
- E. Full-Time equivalent positions in this Fund = 0

OWN OF SIGNAL MOUNTAIN - FISCAL YEAR 7/1/ 2005-6/30/2006 BUDGET

	<u>Actual 2,004</u>	<u>Estimated 2,005</u>	<u>Budget 2,006</u>	<u>Proposed Amendment</u>	<u>Amended Budget 2006</u>
<b>V. WATER FUND</b>					
<b>A. Revenue</b>					
1. Local taxes	\$	\$	\$		
2. Intergovernmental					
3. Other revenue/user fees	1,067,498	1,246,300	1,145,100		1,145,100
5. Revenue from fund balance		252,811	311,171		311,171
Total revenues	<u>\$ 1,067,498</u>	<u>\$ 1,499,111</u>	<u>\$ 1,456,271</u>		<u>1,456,271</u>
<b>B. Expenditures</b>					
1. Salaries	\$ 158,993	\$ 163,031	\$ 166,205		166,205
3. Other	791,116	1,336,080	1,290,066		1,290,066
Expenditures	<u>\$ 950,109</u>	<u>\$ 1,499,111</u>	<u>\$ 1,456,271</u>		<u>1,456,271</u>
<b>C. Major changes in FY 2006 from FY 2005 = None</b>					
<b>D. Net Asset Balance anticipated on June 30, 2005 = \$4,497,724</b> Net Asset Balance anticipated on June 30, 2006 = \$4,183,446					
<b>E. Full-Time equivalent positions in this Fund = 5.50</b>					

VI. STORMWATER FUND

<b>A. Revenue</b>					
1. Local taxes	\$	\$	\$		
2. Other revenue/user fees	154,524	154,760	155,170		155,170
3. Revenue from fund balance		128,273	39,053		39,053
Total revenues	<u>\$ 154,524</u>	<u>\$ 283,033</u>	<u>\$ 194,223</u>		<u>194,223</u>
<b>B. Expenditures</b>					
1. Salaries	\$ 29,905	\$ 30,129	\$ 31,837		31,837
2. Other	32,431	252,904	162,386		162,386
Expenditures	<u>\$ 62,336</u>	<u>\$ 283,033</u>	<u>\$ 194,223</u>		<u>194,223</u>
<b>C. Major changes in FY 2006 from FY 2005 = Street Sweeper purchased 2005</b>					
<b>D. Net Asset Balance anticipated on June 30, 2005 = \$141,250</b> Net Asset Balance anticipated on June 30, 2006 = \$102,197					
<b>E. Full-Time equivalent positions in this Fund = .80</b>					

## TOWN OF SIGNAL MOUNTAIN - FISCAL YEAR 7/1/ 2005-6/30/2006 BUDGET

	Actual 2,004	Estimated 2,005	Proposed 2,006	Proposed Amendment	Amended Budget 2006
<b>VII LIBRARY BOARD FUND</b>					
<b>A. Revenue</b>					
1. Other revenue	\$	\$	\$		
2. Revenue from fund balance	160	7,400	12,200		12,200
<b>Total revenues</b>	<u>\$ 160</u>	<u>\$ 7,400</u>	<u>\$ 12,200</u>		<u>12,200</u>
<b>B. Expenditures</b>					
1. Other	\$ 1,876	\$ 7,400	\$ 12,200		12,200
<b>Expenditures</b>	<u>\$ 1,876</u>	<u>\$ 7,400</u>	<u>\$ 12,200</u>		<u>12,200</u>
C. Major changes in FY 2006 from FY 2005 = None					
D. Fund Balance anticipated on June 30, 2005 = \$31,163					
Fund Balance anticipated on June 30, 2006 = \$18,963					
E. Full-Time equivalent positions in this Fund = 0					

**VII POLICE DRUG FUND**

<b>A. Revenue</b>					
1. Fines, forfeitures, penalties	\$ 3,915	\$ 2,800	\$ 2,000		2,000
2. Other revenue		800	400		400
3. Revenue from fund balance		11,400	2,600		2,600
<b>Total revenues</b>	<u>\$ 3,915</u>	<u>\$ 15,000</u>	<u>\$ 5,000</u>		<u>5,000</u>
<b>B. Expenditures</b>					
2. Other	\$ 50	\$ 15,000	\$ 5,000		5,000
<b>Expenditures</b>	<u>\$ 50</u>	<u>\$ 15,000</u>	<u>\$ 5,000</u>		<u>5,000</u>
C. Major changes in FY 2006 from FY 2005 = None					
D. Fund Balance anticipated on June 30, 2004 = \$17,057					
Fund Balance anticipated on June 30, 2005 = \$14,457					
E. Full-Time equivalent positions in this Fund = 0					

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.

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SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, that Section 12-101, Signal Mountain Town Code, be and hereby is amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-101. Building Code Adopted.

The International Building Code, 2003 Edition, and the International Residential Code, 2003 Edition, one (1) copy of each which are, and have been on file in the Office of the City Council Clerk for more than fifteen (15) days, are hereby adopted as the Official Building Codes of the Town.

SECTION 2. BE IT FURTHER ORDAINED that Section 12-102, Signal Mountain Town Code, be amended by striking same in its entirety and substituting in lieu thereof the following words and figures:

Section 12-102. Appendices to Code Adopted.

The following appendices to the International Building Code, 2003 Edition, and the International Residential Code, 2003 Edition, and as further amended in this chapter, are hereby adopted as part of the official Building Codes of the Town:

a. International Building Code

- Appendix A – Employee Qualifications, as amended
- Appendix C – Agricultural Buildings
- Appendix D – Fire District, as amended.
- Appendix F – Rodent Proofing
- Appendix G – Flood Resistant Construction
- Appendix I – Patio Covers
- Appendix J – Grading, as amended

b. International Residential Code

- Appendix A – Sizing and Capacities of Gas Piping
- Appendix B – Sizing of Venting Systems
- Appendix C – Exit Terminals of Mechanical Draft
- Appendix J – Existing Buildings and Structures
- Appendix L – ICC International Residential Electrical Provisions Cross Reference

SECTION 3. BE IT FURTHER ORDAINED that Section 12-103, Signal Mountain Town Code, be amended by striking said section in its entirety and substituting in lieu thereof the following words and figures:

SECTION 12-103. Amendments to Code Adopted.

The following sections and appendices of the International Building Code, 2003 edition, are hereby amended, as hereinafter provided:

- a. Section 101.2, Exception 2 is deleted in its entirety.
- b. Section 104.4 is amended by deleting the last sentence in its entirety.
- c. Section 105.1.1 and 105.1.2 are deleted in their entirety.
- d. Section 106.1 is amended by adding a new Subsection 106.1.4 and other new subsections through 106.1.7 which shall read as follows:

**106.1.4 Requirements.** When required by the building official, two or more copies of specifications, and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications shall contain

information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

**106.1.5 Additional data.** The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal.

**106.1.6 Design professional.** The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following:

1. All Group A, E and I occupancies.
2. Buildings and structures **two** stories or more high.
3. Buildings and structures 5,000 sq ft (465 m<sup>2</sup>) or more in area.

For all other buildings and structures, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

**Exception:** Group R3 buildings, regardless of size, shall require neither a registered architect or engineer, nor a certification that an architect or engineer is not required.

**106.1.7 Structural and fire resistance integrity.** Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems. Such plans shall also indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls and where joints occur in required fire resistant construction assemblies.

**106.1.8 Affidavits.** The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of

\$100,001 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,001 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof

Fees for swimming pools will be assessed per the above schedule.

**108.2.1 MOVING FEE**

For the moving of any building or structure, the fee shall be \$100.00

**108.2.2 DEMOLITION FEES**

For the demolition of any building or structure, the fee shall be:

Residential Structures (maximum of 4 units)	\$100.00
Non-Residential and Apartments	\$200.00

**108.2.3 PENALTIES**

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees herein specified may be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work no from any other penalties prescribed herein.

**108.2.4 OTHER FEES**

Certificates of Occupancy (New Facility)	\$ 10.00
Certificates of Occupancy (Existing Facility)	50.00
Certificates of Completion	10.00
Fee for Zoning Letter	50.00
Fee for Re-inspections (Bldg., Plumbing, Gas, Mechanical, And Electrical and Signs)	25.00
Cell Tower Hook On Fee	1,000.00
Construction Board of Appeals:	
Fee for 1-2 Family Structure Appeals	50.00
Fee for all other appeals	100.00
Fee for Variance or Appeal Request to Board of Zoning Appeals	75.00
Fee for Sign Appeal	100.00

construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical, or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances. Affidavits will only be accepted by the Building Official where emergency or extraordinary circumstances are established. If sufficient evidence of emergency or extraordinary circumstances is shown, the Building Official shall have discretion to issue permits based upon affidavits without stamped drawings.

- e. Section 106.3 is amended by deleting it in its entirety and substituting the following in lieu thereof:

**106.3 Plan Review.** The building official shall examine or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, computations and additional data, and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the technical codes and all other pertinent laws or ordinances.

- f. Section 108.2 is amended by adopting a non-refundable fee schedule for all building permits which shall be as follows:

**108.2 NON-REFUNDABLE PERMIT FEES**

<b>Total Valuation</b>	<b>Fee</b>
\$100 to \$1,000	\$15.00 fee.
\$1,001 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,001 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00

All of the fees in 108.2.4 shall be nonrefundable.

- g. Section 108.4. Work commencing before permit issuance shall be amended by adding a new sentence at the end of that subsection which shall state as follows:

Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees.

- h. Section 112. Board of Appeals is amended by deleting said section in its entirety and substituting in lieu thereof the following:

The Construction Board for the Town of Signal Mountain shall hear all Building, Electrical, Fire, Fuel Gas, Life Safety, Mechanical and Plumbing appeals of the Signal Mountain Town Code as established by Section 12-601, et seq.; and shall act as the Board of Appeals for appeals from any decision of the Building Official or any designee and to consider variances of the technical codes as provided in this Code.

- i. Section 3107, Signs, is amended by adding a new Section 3107.1.1 which shall state as follows:

**3107.1.1 Conflicting Provisions.**

To the extent that any provision in this chapter is in conflict with the provisions of Article XXV of the Signal Mountain Zoning Ordinance.

- j. Section 3403.1 Existing buildings or structures is amended by deleting such section in its entirety and substituting in lieu thereof the following language:

**3403.1 Existing buildings or structures**

**3403.1** Alterations, repairs or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes, provided that the alteration, repair or rehabilitation work conforms to the requirements of the technical codes for new construction. The building official shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction by applying the following standards:

- (1) If, within any twelve (12) month period, alterations or repairs costing in excess of thirty (30%) percent of the replacement value of the entire building are made to an existing building, such building shall be made to conform to the requirements of this code for new buildings.
- (2) If an existing building is damaged by fire or otherwise in excess of thirty (30%) percent of its replacement value before such damage is repaired, the entire building shall be made to conform to the requirements of this code for new buildings.
- (3) For purposes of this section, the building official shall use the latest edition of R.S. Means Square Foot Costs Data, one copy of which is, and has been on file with the Town Recorder, to determine the replacement cost of an existing building. The building official may require the replacement cost of an existing building to be determined by a registered architect, engineer, licensed general contractor or other professional. Any such review shall be approved by the building official and all costs associated with such review shall be paid by the party asserting that the alterations and repairs are less than thirty (30%) percent of the replacement cost of the building at the time they are made.

k. Section 3408, Moved Structures is amended by deleting such Section 3408 in its entirety, and substituting in lieu thereof the following:

3408. Moving of Buildings.

- (1) Any owner, agent or contractor who desires to move any building through or across any sidewalk, street, alley or highway within the corporate limits of the Town from one location to another, or cause same to be moved from one location to another on the same property shall first make application to the Building Inspection Department and obtain a permit therefor.
- (2) Each application for permit, with the required fee therefor, shall be filed with the Building Inspection Department on a form furnished by that department showing the location of the building as it exists and a site plan showing the location of the building which is proposed on the new lot. Before the Building Inspection Department may issue a permit for the moving of a building from one location to another, a building inspector shall make an inspection of the building and of the lot onto which such building is to be moved and determine whether or not the building, after its relocation, will be substandard or cause the area into which it is being moved to be a blighted area.

- (3) All buildings being moved shall be situated on the recipient lot in such a way as to assure the front door of any moved building shall face the street. Any surface holes, irregularities, wells, septic tanks, basements, cellars, sidewalk vaults, or coal chutes remaining on any property from which a building is removed shall be filled with material as approved by the Building Official within thirty (30) days from the date any building is moved and shall be graded in such manner that will provide effective surface drainage.
- (4) The property owner of any lot to which a structure is being moved shall post said lot with a red sign not less than ten (10) days prior to the removal to said lot, which notice shall give the Building Inspector's telephone number and list the address of the Building Inspector's Office where the site plan can be seen and the present location of the building so that the structure itself may be seen prior to removal. If violations of this Code are found, the Building Inspector may issue a stop work order on the new location that the building has been moved to until such violations on the property from which the building was moved have been completed by the permittee.
- (5) In the event, after an inspection by the building inspector, it is determined that the building, after removal and renovation, will meet the applicable Building Code standards and will not cause blight or dilapidation of the area into which such building is moved, the building inspector may issue a permit for such removal and relocation; provided, the application shall first be approved by the Building Official and Town Police Chief, who shall fix the time such building is to be moved and the route over which such movement is to be made. Any determination of blight or dilapidation shall be made in consideration of the standards set out in T.C.A. § 13-20-201. No building shall be moved over any street, other than the one approved, within the hours fixed by the Building Official and Police Chief.
- (6) No permit shall be issued under this ordinance for the moving of any building until the applicant has paid a fee of One Hundred (\$100.00) Dollars to pay the expense of the necessary investigations by the Building Inspection Department and the Town Police Department.
- (7) The applicant for a permit for the moving of a building within the corporate limits of the Town shall file with the Building Inspection Department:

A certificate of insurance (or provide other proof in form and substance to be approved by the Town Attorney) indicating that the applicant is insured and where the Town of Signal Mountain, Tennessee is named as an additional insured, issued by a casualty company authorized to do business in the State of Tennessee, in an amount of not less than \$250,000.00 for injury to one and \$600,000.00 for an injury to more than one in any one accident and \$85,000.00 property damage, conditioned that the building removal will conform to all regulations and ordinances of the Town in reference to the moving of buildings along or over any street, alley or public way of the Town.

- (8) Improvements on moved buildings. The owner, agent, or contractor of any house, building or structure which is moved to a new location shall make all necessary improvements required in order for said house, building or structure to comply with all requirements of the Official Building Codes adopted by the Town within 180 days from the date of the issuance of the moving permit. Extensions of such time as deemed reasonable may be granted by the building official upon a showing of delay caused by matters beyond the control of the owner or house mover. In the event that all exterior renovations are not completed at the new location within 120 days or any reasonable extension by the Building Official, the owner shall be cited to Town Court for noncompliance with this section and each day of continuing violation shall constitute a separate offense.
- (9) The application for the moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or the owner's agent.
  - l. That any reference to the International Electrical Code shall be deleted from the reference standards in Chapter 35 of the International Building Code and all such references shall be construed to reference the appropriate official codes adopted by the Town of Signal Mountain.
  - m. By deleting Appendix A and adopting instead an Amended Appendix A – Employee Qualifications which shall read as follows:

## EMPLOYEE QUALIFICATIONS

- (1) **Building official.** The building official shall have at least ten (10) years' experience or equivalent as an architect, engineer, inspector, contractor or superintendent of construction, or any combination of these, five years of which shall have been supervisory experience. The building official should be certified as a building official through a recognized certification program. The building official shall be appointed or hired by the applicable governing authority.
  
- (2) **Chief Inspector.** The building official can designate supervisors to administer the provisions of the International Building, Residential, Mechanical and Plumbing Codes, International Fuel Gas Code, and the National Electric Code (NFPA 70). Each supervisor shall have at least ten (10) years' experience or equivalent as an architect, engineer, inspector, contractor or superintendent of construction, or any combination of these, five years of which shall have been in a supervisory capacity. They shall be certified through a recognized certification program for the appropriate trade.
  
- (3) **Inspector and plan examiner.** The building official shall appoint or hire such number of officers, inspectors, assistants and other employees as shall be authorized by the jurisdiction. A person shall not be appointed or hired as an inspector of construction or plans examiner who has not had at least five (5) years' experience as a contractor, engineer, architect, or as a superintendent, foreman or competent mechanic in charge of construction. The inspector or plan examiner shall be certified through a recognized certification program for the appropriate trade.

### REFERENCED STANDARDS

IBC-2003	<i>International Building Code – 2</i>
IMC-2003	<i>International Mechanical Code – 2</i>
IPC-2003	<i>International Plumbing Code – 2</i>
IFGC-2003	<i>International Fuel Gas Code - 2</i>

SECTION 4. BE IT FURTHER ORDAINED THAT Section 12-103 of the Signal Mountain Town Code be further amended to add the following amended sections of the International Residential Code, 2003 edition, as hereinafter provided:

- a) Section R108.2 Schedule of fees is deleted in its entirety and the following language shall be substituted in lieu thereof:

All fees approved by the Town under § 108.2 of the International Building Code, as amended, shall be collected in the same manner under this section.

- b) Section R112 is amended by deleting such section in its entirety and substituting in lieu thereof the following language:

Section R112. Construction Board of Appeals.

The Construction Board for the Town of Signal Mountain shall hear Building, Residential, Electrical, Fire, Fuel Gas, Life Safety, Mechanical and Plumbing appeals of the Signal Mountain Town Code as established by Section 12-601, et seq., and shall act as the Board of Appeals for appeals from any decision of the Building Official or any designee and to consider variances of the technical codes as provided in this Code.

- c) R311.4.1. Exit doors required. Not less than two exit doors conforming to this section shall be provided for each dwelling unit. The required exit doors shall provide for direct access from the habitable portions of the dwelling to the exterior without requiring travel through a garage. Access to habitable levels not having an exit in accordance with this section shall be by a ramp in accordance with Section R311.6 or a stairway in accordance with Section R311.5.

**Exception:** Travel through a garage is allowed when the exterior wall of the garage has an exit door meeting the requirements of Section R311.4.2.

- d) R311.4.2. Door type and size. The required exit door shall be a side-hinged door not less than 3 feet (914mm) in width and 6 feet 8 inches (2032mm) in height. Other doors shall not be required to comply with these minimum dimensions.

**Exception:** The second means of egress exit door shall be a side-hinged door or a side sliding door not less than 2 feet 8 inches (812mm) in width and 6 feet 8 inches (2032mm) in height.

- e) Section R403. Table R403.1 entitled Minimum Width of Concrete or Masonry Footings is deleted in its entirety and the following Amended Table and subsection is adopted in lieu thereof:

**TABLE R403.1**  
**MINIMUM WIDTH OF CONCRETE OR MASONRY FOOTINGS**  
**(inches)<sup>a</sup>**

	LOAD-BEARING VALUE OF SOIL (psf)			
	1,500	2,000	3,000	≥ 4,000
<b>Conventional light-frame construction</b>				
1-story	16	16	16	16
2-story	20	16	16	16
3-story	27	21	16	16
<b>4-inch brick veneer over light frame or 8-inch hollow concrete masonry</b>				
1-story	16	16	16	16
2-story	25	20	16	16
3-story	36	28	20	16
<b>8-inch solid or fully grouted masonry</b>				
1-story	20	16	16	16
2-story	33	25	18	16
3-story	46	36	25	20

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kN/m<sup>2</sup>.

Where minimum footing width is 16 inches, a single wythe of solid or fully grouted 12-inch nominal concrete masonry units is permitted to be used.

**R403.1.3.1 Foundations with stemwalls.** Foundations with stemwalls shall be provided with a minimum of one No. 4 bar at the top of the wall and one No. 4 bar at the bottom of the footing.

- f) Any reference to the International Electrical Code shall be deleted from the reference standards in Chapter 43 of the International Residential Code and all such references within the International Residential Code shall be construed to reference the appropriate official codes adopted by the Town of Signal Mountain.

SECTION 5. BE IT FURTHER ORDAINED, That a new Section 12-107 entitled

Handicap and Accessibility Codes is adopted as follows:

**12-107. Handicap and Accessibility Codes adopted.**

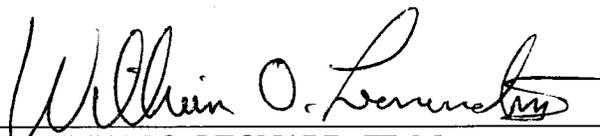
The American National Standard entitled Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1-1998) and/or the 2002 North Carolina Accessibility Code, one (1) copy of which is, and has been on file for more than fifteen (15) days, with the Town

Recorder of the Town Council, are hereby adopted as the Official Handicap and Accessibility Codes of the Town.

SECTION 6. That this Ordinance shall become effective immediately after its passage, but the Building Official shall have discretion to accept drawings and designs based upon the 1999 Standard Building Code and the amendments of that Code adopted by the Town Council upon a showing of significant financial effect upon existing projects up to and including January 1, 2006.

Passed First Reading 8/8, 2005

Passed Second Reading 9/12, 2005

  
WILLIAM O. LEONARD, III, Mayor

  
DIANA CAMPBELL, Town Recorder

ORDINANCE NO. 2005-6

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.

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SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, that Title 12, Sections 12-601 through 12-606 are deleted in their entirety and the following new language is substituted in lieu thereof:

**CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS**

**SECTION**

- 12-601. Created.
- 12-602. Composition; qualification of members.
- 12-603. Appointment and terms of members.
- 12-604. Chairman and secretary.
- 12-605. Powers and duties generally.
- 12-606. Appeals from determinations of the Construction Board.

**12-601. Created.** There is hereby created a Construction Board of Adjustments and Appeals for the Town. (1985 Code, § 4-701)

**12-602. Composition; qualifications of members.** The Construction Board shall consist of seven (7) members, who shall be residents of the Town, shall be active in the field of construction and shall serve without compensation. One (1) member of the board shall be a building contractor; one (1) member of the board shall be a plumbing contractor; one (1) member shall be an electrical contractor; one (1) member shall be a realtor; one (1) member shall be an architect; one (1) member shall be an engineer; and one (1) member shall be a homeowner. (1985 Code, § 4-702)

**12-603. Appointment and terms of members.** The members of the Construction Board shall be appointed by the Town Council for terms of three (3) years each. (1985 Code, § 4-703)

**12-604. Chairman and secretary.** The Construction Board shall organize by electing one of its members as a chairman and one as a secretary. (1985 Code, § 4-704)

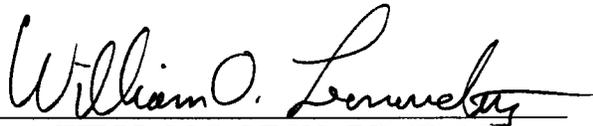
**12-605. Powers and duties generally.** The Construction Board shall meet on call by its chairman to consider appeals from the decisions of the various enforcement officers of the various mechanical codes of the town adopted in this code or other ordinances of the town and to consider adjustments in Building, Fire, Fuel Gas, Life Safety, Mechanical and Plumbing Codes adopted by the Town. The board shall have the power to determine questions of administrative interpretations of the various mechanical codes of the town code, questions of the use of materials and types of construction, to hear proof of performance of new materials or materials not specifically covered in the codes and to determine the usability of such materials and safety and permanence of various types of construction. The Construction Board shall also have power to make recommendations for revisions or modifications of existing Building, Fire, Fuel Gas, Life Safety, Mechanical and Plumbing Codes to the Town Council. (1985 Code, § 4-705)

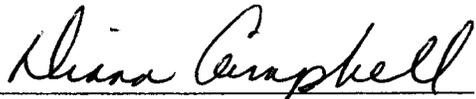
**12-606. Appeals from determinations of the Construction Board.** Any person aggrieved by any action or decision of the Construction Board may appeal to the Town Council by requesting an appeal, in writing, within ten (10) days after the action or decision which is sought to be appealed. (1985 Code, § 4-706)

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

Passed First Reading 9/12<sup>with</sup>, 2005

Passed Second Reading 9/12, 2005

  
WILLIAM O. LEONARD, III, Mayor

  
DIANA CAMPBELL, Town Recorder

\*\*\*\*\*OCTOBER 10, 2005\*\*\*\*\*

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, October 10, 2005, at 7:00 p.m. in the Town Hall. Those present were:

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

Also present were: Interim Town Manager Diana Campbell  
 Town Attorney Phil Noblett

Mayor Leonard called the meeting to order and led the Pledge of Allegiance to the Flag. Councilmember White offered the prayer. The roll call showed all Councilmembers present except Vice-Mayor Ruffin.

Councilmember White requested an error on the September 12, 2005, minutes be corrected. He pointed out that on page seven, paragraph two there were extra words. The minutes stated "Councilmember White thanked the people present who had worked on the high school. He talked about the". Diana Campbell said that was a typographical error and she would remove "he talked about the" from the notes. Councilmember Linehart moved the minutes of the September 12, 2005, regular monthly Council meeting and the September 18, special called Council meeting/work session be approved as corrected. Councilmember White seconded the motion and it passed unanimously.

The first resolution before the Council was "A RESOLUTION AUTHORIZING THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL 'SAFETY PARTNERS' LOSS CONTROL MATCHING GRANT PROGRAM." Diana Campbell explained that the grant would provide 50% of the cost of safety equipment up to \$2000. She further explained that the Town would not be spending any additional money than was already budgeted for safety equipment. Councilmember Paturalski made a motion to approve the resolution. Councilmember White seconded the motion and it passed unanimously.