

*****MAY 8, 2006*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, May 8, 2006, at 7:00 p.m. Those present were:

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

Also present were: Town Manager Diana Campbell
 Town Attorney Phillip Noblett
 Acting Town Recorder Sherry Morrison
 See attached list for others present

Mayor Leonard called the meeting to order and led the Pledge of Allegiance to the Flag. He also offered the prayer. The Acting Recorder called the roll and found Vice-Mayor Ruffin absent.

Mayor Leonard asked for a motion to approve the April 10, 2006, regular meeting as amended. Councilmember White moved that the minutes be approved as amended. The motion was seconded by Councilmember Paturalski and passed unanimously. The Mayor asked for a motion to approve the April 10, 2006, special called meeting as amended. Councilmember Linehart moved that the minutes be approved as amended. The motion was seconded by Councilmember White and passed unanimously. The Mayor asked for a motion to approve the April 13, 2006, special called meeting. Councilmember Paturalski moved that the minutes be approved. The motion was seconded by Councilmember White and passed three to one. Councilmember Linehart abstained since he was not present at the April 13, 2006 meeting.

The first resolution considered by the Council was "A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO SRM AGGREGATES AS THE LOWEST AND BEST BID AS DETERMINED BY THE TOWN MANAGER AND TOWN PUBLIC WORKS PERSONNEL IN THE AMOUNT OF TWENTY-SEVEN THOUSAND FOUR HUNDRED EIGHTY AND 00/100 DOLLARS (\$27,480.00), FOR STONE AGGREGATE TO BE PROVIDED TO THE TOWN, AND AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION WITH THIS AWARD". Mrs. Campbell explained this would re-supply the current stock of stone and gravel used to do work. Councilmember Linehart asked if this was a budgeted item. Mrs. Campbell explained it was budgeted as part of paving projects. Councilmember Linehart moved that the resolution be approved. The motion was seconded by Councilmember Paturalski and passed unanimously.

The second resolution brought before the Council was "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT TO

AUDIT TOWN ACCOUNTS FROM JULY 1, 2005, THROUGH JUNE 30, 2006, WITH JOHNSON, MURPHEY & WRIGHT, P.C. AND TO PROVIDE PAYMENT FOR MUNICIPAL AUDITING SERVICES PERFORMED ON TOWN ACCOUNTS FOR THAT TIME PERIOD IN THE AMOUNT OF \$14,100.00". The Mayor explained Johnson, Murphey & Wright had been the Town's auditors for about ten years. Councilmember White moved that the resolution be approved. Councilmember Paturalski seconded the motion and it passed unanimously.

The third resolution brought before the Council was "A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO CAWTHORNE ENGINEERING COMPANY, INC. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE PAVING OF MIDDLE CREEK ROAD AND GLAMIS CIRCLE (EXCLUDING CULVERT REPLACEMENT AT GLAMIS CIRCLE) WITHIN THE TOWN OF SIGNAL MOUNTAIN". The Town Attorney explained that the culvert work was to be included in the next resolution to be approved. Councilmember Paturalski moved that the resolution be approved. The motion was seconded by Councilmember White and passed unanimously.

The fourth resolution brought before the Council was "A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO CAWTHORNE ENGINEERING COMPANY, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN THE CULVERT REPLACEMENT AT GLAMIS CIRCLE WITHIN THE TOWN OF SIGNAL MOUNTAIN". Mrs. Campbell said the culvert was along the steep hill going down Glamis Circle into Hidden Brook. Councilmember White moved that the resolution be approved. The motion was seconded by Councilmember Paturalski and passed unanimously.

The fifth resolution brought before the Council was "A RESOLUTION AUTHORIZING AND DIRECTING THE ACTING TOWN RECORDER TO ADVERTISE FOR PUBLIC HEARING ON JUNE 12, 2006, THE ANNEXATION OF SIX PARCELS OF REAL PROPERTY IN THE CONNER CREEK AREA ADJACENT TO SHACKLEFORD RIDGE ROAD, IN HAMILTON COUNTY, TENNESSEE, AS DESCRIBED HEREIN BELOW AND AS SHOWN ON THE ATTACHED MAP, WHICH ARE CONTIGUOUS TO THE TOWN LIMITS OF SIGNAL MOUNTAIN, TENNESSEE". Councilmember Linehart moved that the resolution be approved. The motion was seconded by Councilmember Paturalski and passed unanimously.

The sixth resolution brought before the Council was "A RESOLUTION AUTHORIZING AND DIRECTING THE ACTING TOWN RECORDER TO ADVERTISE FOR PUBLIC HEARING ON JUNE 12, 2006, THE ANNEXATION OF EIGHT PARCELS OF REAL PROPERTY LOCATED CONTIGUOUS TO THE NORTHEASTERN TOWN LIMITS BETWEEN FOX RUN SUBDIVISION AND HIDDEN BROOK SUBDIVISION AND ADJACENT TO SHACKLEFORD RIDGE ROAD AT

ANDERSON PIKE IN THE SHACKLEFORD RIDGE ROAD AREA, IN HAMILTON COUNTY, TENNESSEE, AS DESCRIBED HEREIN BELOW AND AS SHOWN ON THE ATTACHED MAP, WHICH ARE CONTIGUOUS TO THE TOWN LIMITS OF SIGNAL MOUNTAIN, TENNESSEE". The Mayor explained this was a necessary procedure for annexation. Councilmember White moved that the resolution be approved. The motion was seconded by Councilmember Linehart and passed unanimously.

The seventh resolution brought before the Council was "A RESOLUTION AUTHORIZING AND DIRECTING THE ACTING TOWN RECORDER TO ADVERTISE FOR PUBLIC HEARING ON JUNE 12, 2006, THE ANNEXATION OF CERTAIN ROADS AND RIGHT OF WAYS AND TWO PARCELS OF REAL PROPERTY ON THE NORTHWESTERN BOUNDARY OF THE TOWN LIMITS IN THE SHACKLEFORD RIDGE ROAD AREA, IN HAMILTON COUNTY, TENNESSEE, AS DESCRIBED HEREIN BELOW AND AS SHOWN ON THE ATTACHED MAP, WHICH ARE CONTIGUOUS TO THE TOWN LIMITS OF SIGNAL MOUNTAIN, TENNESSEE". Councilmember Linehart moved that the resolution be approved. Councilmember White seconded the motion and it passed unanimously.

The first ordinance considered by the Council was "AN ORDINANCE OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, AUTHORIZING AND SETTING THE COMPENSATION OF THE TOWN JUDGE FOR THE NEW TERM BEGINNING AUGUST 5, 2006, THROUGH THE FIRST SATURDAY IN AUGUST, 2014" to be passed on Second Reading. Councilmember Linehart stated that the Council could not increase or decrease the judge's salary during his eight-year term. Councilmember White moved that the ordinance be passed on Second Reading. The motion was seconded by Councilmember Linehart and passed unanimously.

The second ordinance to be brought before the Council was "AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 16 SECTION 16-104, RELATIVE TO STREET OBSTRUCTION" to be passed on Second Reading. Ms. Campbell explained that the Town did not have anything in the ordinances that would let the Town police areas that obstruct vision at intersections. She said the traffic engineer suggested this plan. Councilmember Paturalski moved that the ordinance be passed on Second Reading. Councilmember White seconded the motion and it passed unanimously.

The third ordinance brought before the Council was "AN ORDINANCE TO AMEND ARTICLE VII OF THE SIGNAL MOUNTAIN ZONING ORDINANCE, RELATIVE TO NON-CONFORMING USES". Mr. Noblett explained that in December the Planning Commission had recommended that the amendment be passed and they brought this up again per his request. The provisions dealt with how long property had to comply with the Zoning Ordinance after a zoning change occurred he explained. Councilmember Paturalski commended Brendan Olin for his work on the amendment. Councilmember

Paturalski moved that the ordinance be passed on first reading. The motion was seconded by Councilmember Linehart and passed unanimously.

The fourth ordinance to be considered by the Council was "AN ORDINANCE ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO ANNEX CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE TOWN, BEING SIX PARCELS OF REAL PROPERTY IN THE CONNER CREEK AREA ADJACENT TO SHACKLEFORD RIDGE ROAD IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP". The Mayor stated this was in line with the Town's annexation plans. The Town Attorney said the Town had to provide a plan of services for proposed annexation areas. He also explained the plan of services was approved by the Planning Commission and there had to be a Public Hearing before approval. Councilmember Linehart moved that the ordinance be adopted on first reading. The motion was seconded by Councilmember White and passed unanimously.

The fifth ordinance to come before the Council was "AN ORDINANCE ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO ANNEX CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE TOWN, BEING EIGHT PARCELS OF REAL PROPERTY CONTIGUOUS TO THE NORTHEASTERN TOWN LIMITS ADJACENT TO SHACKLEFORD RIDGE ROAD AT ANDERSON PIKE AND CONTINUING SOUTHWARD BETWEEN FOX RUN SUBDIVISION AND HIDDEN BROOK SUBDIVISION IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP". Councilmember Paturalski moved that the ordinance be passed on first reading. The motion was seconded by Councilmember Linehart and passed unanimously.

The sixth ordinance to be considered was "AN ORDINANCE ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO ANNEX CERTAIN ROADS AND RIGHT OF WAYS AND TWO PARCELS OF REAL PROPERTY ON THE NORTHWESTERN BOUNDARY OF THE TOWN LIMITS CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE TOWN, BEING AN AREA ADJACENT TO SHACKLEFORD RIDGE ROAD IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP". Councilmember Linehart moved that the ordinance be passed on first reading. The motion was seconded by Councilmember Paturalski and passed unanimously.

The seventh ordinance to be considered was "AN ORDINANCE TO AMEND TITLE 19, CHAPTER 2, SIGNAL MOUNTAIN TOWN CODE, SECTION 19-205 REGARDING FEES TO INCLUDE CERTAIN ADMINISTRATIVE FEES FOR THE ISSUANCE OF A FUEL GAS PERMIT" was considered by the Council. Mr. Noblett explained that this ordinance would continue to allow the Town to charge the \$20 administrative fee for a fuel gas permit. Councilmember Linehart moved that the ordinance be passed on first

reading. The motion was seconded by Councilmember Paturalski and passed unanimously.

The eighth ordinance brought before the Council was "AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 12, SECTION 12-103 CONCERNING SPECIAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, AND THE INTERNATIONAL RESIDENTIAL CODE, CONCERNING WORK EXEMPT FROM PERMIT AND TO AMEND CERTAIN REFERENCES IN SECTIONS 12-401 AND 12-403 TO ADOPT CHAPTER 41 OF THE INTERNATIONAL RESIDENTIAL CODE AS THE SWIMMING POOL CODE FOR THE TOWN". Mr. Noblett explained that in the fall of 2005 the Town adopted the 2003 International Residential Code requested by the Building Official. There were a couple of changes Mr. Gearhiser(Town Building Inspector) had recommended. The first amendment was Section C, which made a revision to Section R 105.2 of the International Building Code. For years the Town had required building permits for fences that were in the Town. The provisions of the International Code exempted some fences the Town had been requiring permits and Mr. Gearhiser was recommending deleting that section so the Town could still require building permits for fences. The second amendment was Item G of the ordinance which dealt with Chapter 41 of the International Residential Code. That provision had more updated changes than in 1991 when the Standard Building Code was adopted by the Town. The deletion of Section 12-401 and 12-403 and reference to the section of the new code was recommended. Councilmember White moved that the ordinance be approved on first reading. The motion was seconded by Councilmember Linehart and passed unanimously.

The ninth ordinance to be considered on Second Reading was "AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN ZONING ORDINANCE TO INCLUDE REVISIONS TO SECTIONS 614 OF THE ZONING ORDINANCE TO PROVIDE FOR REDUCED SQUARE FOOTAGE OF 14,520 SQUARE FEET ON SEWERED RESIDENTIAL ESTATE LOTS WITHIN THE SHACKLEFORD RIDGE OVERLAY ZONE; AND TO AMEND THE ZONING ORDINANCE TO ADD NEW SECTIONS 617, 618, 619, 620, AND 621 TO PROVIDE FOR REDUCED LOT SIZES ON SEWERED LOTS WITHIN THE SHACKLEFORD RIDGE OVERLAY ZONE AND TO PROVIDE LOT SIZE, FRONTAGE, HEIGHT AND AREA, DENSITY AND PARKING REGULATIONS FOR THE SHACKLEFORD RIDGE LOW DENSITY RESIDENTIAL DISTRICT; SHACKLEFORD RIDGE LOW DENSITY OPEN SPACE SUBDIVISION DESIGN OPTION; SHACKLEFORD RIDGE RESIDENTIAL PLANNED UNIT DEVELOPMENT OPTION; AND SHACKLEFORD RIDGE ALTERNATIVE LOW DENSITY RESIDENTIAL DESIGN OPTION AS SET FORTH IN THESE AMENDMENTS TO THE SIGNAL MOUNTAIN ZONING ORDINANCE".

Mayor Leonard invited comments on this proposed ordinance. He asked citizens to approach the podium and state their name, address, and comments. He also asked that

comments be limited to three minutes. Councilmember White asked that the citizens state if they were a, citizens of the Town for the record.

Mr. Joe Brown, a resident of Town, asked why the Town wanted to reduce lot sizes. Mr. Noblett explained when homes were on the sewer they would not need as much area for percolation. Mr. Brown said he was against reducing size of lots.

Mr. Ellis Umbarger, resident of Town, asked by making lot sizes smaller how that made the Town a better place to live. Mr. Greg Goodgame, taxpaying citizen of the Town, stated he wanted the landowners to be able to develop the land. He said he wanted the Town to be protected, and that having the high density was not a good thing for the Town. He said his problem was the overall density, from two houses on an acre to four houses on an acre. Mayor Leonard explained the five options in the ordinance that the landowners could choose from to bring a plan to the Planning Commission to decide if the proper mixture were being developed on Shackleford Ridge Road.

Councilmember Linehart said that he thought under Section 621 that there was a reduction of the lot size to 9,600 square foot which was .22 of an acre or less than a quarter of an acre. He said that under the plan the Town could have a tract or plat of land approved, such as 100 acres and then have no more than three homes per acre over the entire tract. He said the Town could have sections of that 100 acre plat that had a density of four homes per acre. He stated that on a 100 acre tract you could not have more than 300 homes. He then said you could put those 300 homes in a fairly dense section of the 100 acres, the part that was flat and easily developed and the areas that were hollows and difficult could be left open. He said the point was there were 1,700 acres and a good portion of that could be developed under 619 and 621 and have a pretty dense area with potentially 3 homes per acre and certain areas more dense than that. He said the old Town area did not develop like the other sections of Town because it was mostly developed prior to the Town having zoning ordinances. In the Palisades area the Town did have a zoning ordinance after 1938, so the Town developed some smaller lot sizes there. He said they did not use the method of a 621 or a 618 or 619 to develop that area. He further stated that if they had, that area might be denser than it is now. Instead, he explained that area was just carved out and made a park, but the Town still kept the minimum one-third of an acre. He said he agreed with Mr. Goodgame that it could be pretty dense. It could be more than three homes per acre in certain areas; it just couldn't be more than three homes over the entire 1,700 acre area. Mr. Goodgame said the Planning Commission considered the four different choices of development to be sure it was balanced.

Vanessa Young, 7 Carriage Hill, a taxpaying citizen, said if the developers decided how to develop the land it could be as dense as they wanted it to be. She said she had some real fears about that and the road up the mountain was not going to get any bigger. She said she believed it was the Council's responsibility to consider what the citizens had to say because once it was done it was done and there was no going back. She said she did not think they should vote yes that night.

Mr. Greg Cullum, Shoal Creek Falls and resident of the mountain spoke next. He said he had talked to several people about this and asked about the number of houses per acre. Mr. Noblett then explained the process that had been followed since the discussions started in October 2005. Mr. Cullum expressed his concern about the added number of homes and effect on the road up the mountain. Mayor Leonard explained that studies are being done by various organizations regarding the road up the mountain.

Ms. Young asked what were the reasons for doing this. She said why not say three houses and not four. She said the Town's people did not want to have the same standards as other municipalities and that was not why people moved up here.

Mr. Robert Mastin identifying himself from 3 Shoal Creek Fall and taxpayer, said the concern he had was if this should pass would the Town be able to continue this kind of zoning in closer areas. He said it could be opened up where $\frac{1}{4}$ -acre could be used in any part of Town.

Ms. Charlene Smith, Palisades's area and taxpayer, said it bothered her to hear it said that hopefully the developers would want to use the open-space concept. She wanted to know if was the job of the Planning Commission to see that the developers follow a plan like that. Mr. Noblett explained to her that was not a requirement but an option. She said it did not seem right to let the developers have control over the type of development. She also asked if a traffic impact study had been done to see what effect the development would have on the traffic. Mr. Noblett said there were studies being made. She said she thought this information was not accessible to citizens before this meeting. Councilmember Linehart said in defense of the Town, he thought the media had been doing a good job informing the citizens. He said there were only two or three people at the last meeting on this issue. He said the time for the open debate was the last meeting but no one was there and that was why this meeting was scheduled.

Ann Nolan, resident of Alexian Village, thanked the Council for doing this. She said that in 1960 if the Town had put up a gate, many of the people here tonight would not be here. She said the Town was fortunate to have people who give so much time to work on these Town projects. She said that developers of this property are people who lived on the mountain and cared about the mountain.

Dr. Billy Steele, resident for more than 55 years, had three questions: What were the benefits, who benefits, and could it be done without changing the lot size? Councilmember White said it started with wanting a high school. He said the Town started talking with the WWTA about sewers and meeting with the landowners about what would make sense. He explained that the Town had only had about three or four new houses a year. If the Town did not grow, the taxes would have to go up. He reminded the group the Town had voted to tax itself for the high school. He said if the Town had growth that means the tax would go away quicker.

Mr. Tim Thelan, stating he was from St. Ives Way and a taxpayer said he was concerned about what the landowners would pay for a road extending from Timesville to Shackelford Ridge Road. He said that would be a very expensive road and wanted to know who would pay for it. Councilmember Linehart expressed concern about the traffic and the need for a connector road. He said he had been an advocate of a connector road for a long time knowing there would be huge bottleneck problems on Timberlinks and the other direction. He said that was why the Town was going to meet with RPA and traffic folks. He said there was also a question of on whose land the road should be built and that was not the Town's land. He said that if a particular landowner said he did not think that road was necessary, that it was fine to have through traffic cutting through Hidden Brook and Birnam Wood, then what would the Town have to do. Under eminent domain the Town could condemn the land and take the land. He said he was not in favor of eminent domain under any circumstance and that was a huge issue. He stated there could potentially be 2,000 new homes, under that amount of acreage, and under 621 and 619. Mr. Thelan said we would have to get about 4,000 more cars down the mountain. Councilmember Paturalski said the Planning Commission was working on the land use plan and that plan said how the Town wanted to grow. The Planning Commission would be looking into the traffic situation she said. Mr. Noblett said the Council was just creating zones within which people may develop if they got approval by Planning Commission. He said landowners would have to go to the Planning Commission to ask to be zoned into one of these categories. The Mayor said the developers would be responsible for their streets and that TDOT was assisting in studies. He said it was too early to know.

Councilmember Linehart asked under what circumstances could the Planning Commission deny development under 619 or 621 repeatedly. He asked could a developer come to the Town and say that it was on the Town's books but the Town continued to deny it. He said this action would be bringing suits against the Town. He said the developers could say they thought the Town was being arbitrary and capricious deciding against them. He said he did not know all the details of the CVS but the property owners sued the Town because of something similar when the Town was trying to enforce its zoning regulations. He said CVS eventually won so that was why it was built. Mr. Noblett said there was a provision in the law called fairly debatable. He explained the legislature had the authority by ordinance to regulate zoning within the Town. Courts do not have that authority he said but they could review complaints from property owners who had been consistently denied. Councilmember White said it was important to act on this now because the high school was supposed to open in the fall of 2008.

Mr. Bill Gallagher stated he was taxpayer living in the Palisades area and said there were many empty-nesters and in the next few years there would be a lot more. He said the Town needed some less-costly housing for empty-nesters who were on fixed incomes. He said new developments in the Town had not impacted traffic yet and that this would not.

Mr. John Houstrup, 60-year resident of the Town, wanted to congratulate the Council on doing a good job.

Dr. Paul Nolan, long-time resident and taxpayer, said the growth was going to occur on this mountain whether in the Town, in Walden, in the County, wherever, but was going to happen. His question was did the Town want to have the Town Council and other Town groups approve all these things and have the final say in what happens or have them occur outside the Town. He said others do not have the standards the Town has. He said growth could run rampant in Sequatchie County and those people would be coming through the Town.

Mr. Bob Riggs, Majestic Oaks Drive and taxpayer, said he appreciated everyone in the room who had made it a great place to live. He said most people were not opposed to growth, but were concerned about why zoning rules should be changed for that growth.

Ms. Levy who lives in Windtree and does not pay taxes to the Town said she felt her opinion was not wanted. She said the Council should be listening to those who are in the area to be annexed. She wanted to know if the Town had looked at plans for other towns. She said she was wondering if the burden for cost of the sewers could be taken care of by the people who would be helped by it. Councilmember Linehart said this was an open meeting and they wanted to hear from everybody. He said he was glad she was present that night.

The Mayor said the Town wanted to keep everyone informed about what the Town was doing and the progress it was making.

Mr. Jeff Jackson, Middle Creek Road and taxpayer, said he was for growth, but did not see a reason for changing the lot size. He said his real question was what had been done about getting sewers for Hidden Brook. Mayor Leonard said it was his understanding it was very difficult to sewer an existing neighborhood

Councilmember Linehart thanked the Council and Planning Commission. He said he was not able to make the very last meeting where it was voted on and approved. He said if he had made that meeting he would have made his comments then. He wanted to thank the Councilmembers because he knew these four would be informed votes. He said these folks read documents, they get involved, they participate, they come to vote and they care. He said this issue was the most important issue he had faced in his two years on the Council. He said it would affect the way the Town develops and grows for a generation to come. He said by and large this along with what the Town would annex was the only developable property the Town had left and essentially was going to be the final chapter in 100-year history of growth and development in the Town of Signal Mountain. He said they were the stewards of that. He then said he was the only Councilmember who ran with a stated position of supporting residential growth, and he wanted to read an excerpt from the mailer he sent home to every home in the Town of Signal Mountain during his 2004 campaign

“Shackleford Ridge will eventually be developed. We need to ensure neighborhoods are developed and services are delivered that conform to the community oriented and residential standards that befit the rest of Signal Mountain. I believe we need to support a moderate amount of residential growth. The cost of Town services will continue to rise. If our tax base doesn't moderately increase to help defray these cost increases, we will be faced with a decision between tax increases or service reductions.”

He said when people asked him why he didn't support this ordinance, he could honestly say the ordinance was not moderation and this was not moderate growth. He said the ordinance included a new section, section 621, which he believed would be the manner in which the entire or almost the entire area would be developed. He said it allowed 9,600 square foot minimum lots which was less than a quarter of an acre. He said he did not have a problem with the lot size. It allowed a maximum of three homes per acre over the entire tract of land to be developed. Depending on how the green space and the roads were laid out within that tract of land developed, the Town could have a density of up to 4 homes per acre in a large portion of that. He said the Town did not have any other neighborhood with that kind of density. He said there were about 1,700 or 2,000 acres out there counting the area the Town was going to be annexing. He said it was rolling hills there and so was Carriage Hills and a lot of others areas which included the Palisades. He said developers chose 40 and 50 years ago not to develop those areas. It was simply inconsistent with the manner in which the Town had developed. He said if we development occurred at a maximum of 2-1/4 homes or 2-1/2 homes per acre, which was the density of most of the neighborhoods on the mountain, the Town would have tremendous infrastructure issues to address. He said he was confident the Town could solve those infrastructure issues, but moving to three homes per acre over the vast amount of acres, would make solving those issues more difficult. He said he thought the developers played an extremely beneficial role in the community and economy. He said the landowners are our friends and our neighbors but he believed this was absolutely the wrong to do. He said he was glad a developer had taken the unpopular position of clearing James Point in the 1960s and building the Carriage Hill neighborhood, but it was built at one unit per acre. He listed density in neighborhoods—Old Towne 2.2, Shoal Creek .9, Shepard Forest 1.7, Cherokee neighborhood which he said he thought was the densest area in the entire Town with 2.6 or 2.7. He stated that if he had to choose between a no growth position which was essentially where the Town's current laws had placed the Town or the zoning ordinance as it was written he would have to think about it and probably would vote for it because he though growth was more important than the stagnant position the Town was currently in. He then said the ordinance was not the only choice. He said the Council could make the zoning ordinance better and more consistent with the historical growth and character of the Town. He said he thought the Council should choose to move the ordinance back to the Planning Commission, eliminate section 621 which he said was his biggest issue or change section 621 to be a maximum of 2-1/4 or 2-1/2 units per acre. He stated that by doing that the Town would be able to accommodate the type of growth that would be more consistent with the way in which the mountain had developed historically. He said he would commit whatever time would be necessary over the next month to work with the landowners, to work with the Planning

Commission, to work with the Council to make the ordinance one that would be more consistent with the integrity of the mountain. He said that if any Councilmember had any trepidation, any second thoughts regarding the zoning ordinance or if they didn't think it was right for the Town they should join him in a motion to send the ordinance back to the Planning Commission so it could be made more consistent with the Town's historical growth and limit section 621.

Mayor Leonard said when the process was started Councilmember Linehart said he could live with three houses per acre and then that was moved to 2.75. He said now Councilmember Linehart was saying 2.2 to 2.5. He said Councilmember Linehart's suggestion of 3 houses per acre was what he recalled was translated into the original document.

Then Councilmember Linehart said that in September when the discussions began, they had quite a few opponents to changing the zoning ordinances. He said he believed he and Robert were the only ones at that point that were adamant advocates of residential growth. He said at that time the Town needed to consider a quarter acre minimum lot and the reason he said that was that he knew the topography there would not allow full development of the entire ridge and he knew that once roads and easements were put in that it would move down to probably to 2.5 or 2.75 homes per acre and that was based on conversations he had had with friends who were developers. He said then when there were further talks he limited the size to one-third of an acre which was what section 618 was. He said he thought it would be at 1/3 of an acre and that was the way the Town had developed for the most part since 1938 to 1992. Then Councilmember Linehart said those landowners bought that land when the Town had one-third acre minimum lot size so why not return it to one-third acre minimum lot. He said that once the roads were put in, the easements, take in those areas that are undevelopable, those bluffs, those gorges, there would probably come out to be around 2 to 2-1/4 homes per acre throughout the entire area. He said Section 621 is unlike anything he had ever seen. Dan Saieed said in response to the Councilmember's question that Hamilton County did not have anything like section 621.

Councilmember Paturalski said the Planning Commission had to approve each and every development with the Land Use Plan to make sure that the Town develops the way the Land Use Plan says. Councilmember Linehart said he didn't think the Planning Commission was going to be able to continue to say no to a developer whether they live on the mountain or not. He said that at some point the landowners may sell to someone who was an economic developer. He said an economic developer would be very aggressive. He said he believed the Planning Commission could be overruled.

Mr. Noblett said the courts usually do not get involved. The decisions would be made on each case by the Planning Commission and then has to be approved by the Council.

Mayor Leonard said there was a motion by Councilmember Linehart to send this back to the Planning Commission. The motion failed for the lack of a second.

Councilmember Paturalski said there would be openings on the Planning Commission, etc. soon and asked people who had time to serve on these boards to please let the Town Manager know of their interest. She explained that she was in favor of moderate growth.

Councilmember White said he had a hard time agreeing to the fact that developers would want to develop under section 621. Councilmember Linehart said he was not against the zoning ordinance, but wanted 621 limited.

Mayor Leonard proposed to meet again in about a week to give time to study and think about these alternatives. Mayor Leonard moved that the Council revisit this next week, Monday, May 12. Councilmember Linehart said he had attended some of the Planning Commission meetings. He said he would like to have a joint meeting with the Planning Commission and the five major landowners. Mr. Bell, a landowner, said he liked the ordinance the way it was. The Council agreed to meet on May 12 at 2 p.m. The motion passed unanimously.

Lou Oliphant said Huckleberry Grove could not file a final plat because the road had not been rough graded.

Mayor Leonard read from a report from Volkert Engineering regarding traffic at CVS intersection. He read "Volkert has evaluated the concerns expressed by Mayor Bill Leonard and Signal Mountain staff in meetings conducted the last two months regarding the traffic situation on Ridgeway Ave. at Palisades Ave., Signal Mountain Blvd. and the new CVS." He added that this expressed the concern of his colleagues on the Council. "Let me state at the outset that the conditions that exist today should not be categorized as unsafe. As long as drivers obey the existing traffic laws the area will operate safely. But there are actions that could be taken to improve traffic operations on Ridgeway Avenue in the Palisades area. The Town of Signal Mountain may wish to consider the following initiatives of which there are four: Initiative one is to have CVS move their driveway on Ridgeway Avenue northerly approximately 50 feet. This would reduce the operational problems of drivers traveling southerly or down the mountain wanting to turn into CVS below the locations where the drivers traveling northerly desire to turn on Signal Mountain Boulevard. Because CVS has added heavy asphalt at the existing driveway, that driveway would have to remain open only as an exit for trucks. Access and egress for the shoppers would be made at the new driveway. This driveway would be approximately 30 feet in width which is shown on the attached diagram. Initiative two: This initiative is relatively inexpensive and can provide reduction in opposing vehicular movements without taking away one of the through traffic lanes as specified in initiative three. Use existing striping configuration with two lanes traveling north up the mountain, two lanes traveling south down the mountain as it is now. Implement a no left turn operation for south bound or down the mountain traffic into CVS and require south bound drivers desiring to shop at CVS to turn left at Palisades and use that driveway entrance off of Palisades. Signage would be placed at the traffic signal for the south bound traffic that CVS shoppers should turn left. Also no left turn signs would be placed for south bound drivers at the Ridgeway Avenue driveway entrance to CVS. To reduce

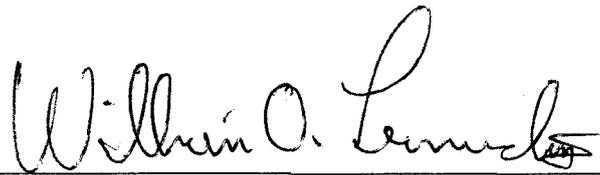
opposing vehicular movements at the CVS exit for those who wish to travel westerly on Signal Mountain Boulevard a sign stating Signal Mountain Boulevard traffic use Palisades signal should be installed. Initiative three: This was the one that caused eyebrows to pop up when it was presented. This initiative was more restrictive and expensive than initiative two. It does reduce opposing vehicular movements and provides a refuse for drivers traveling north bound or south bound who wish to turn into commercial establishments.” The fourth thing, the Mayor said, was to do nothing and see what developed down the line.

Councilmember Linehart suggested an amendment to one of the initiatives and that was to put a speed restriction there. He said traffic had been slowed at the shopping center from 40 to 30. Councilmember Linehart’s proposal was to make the CVS intersection speed 30 mph. He said perhaps the solution was to make the speed limit on Ridgeway 35 mph all the way from Town limit to Town limit. He said traffic counters were being used at the CVS intersection to see how many vehicles are traveling through there. He said a decision would be made at a public meeting. He cautioned the citizens to be careful driving on the mountain.

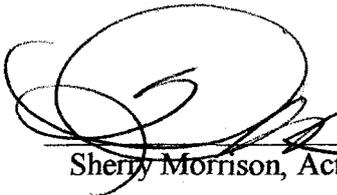
Councilmember Paturalski said she had an e-mail from a lady wanting to come to the June meeting to address the Council regarding a “Drive 25 and Keep Kids Alive” campaign. She wanted to do something in the Hidden Brook neighborhood. Councilmember White said Officer Russell Craig had been involved with this campaign before.

The Town Manager wanted to let the Council and citizens know that the Town sometimes had surplus vehicles. She said the State requires the Town to sell the vehicles at public auction. She explained that some cities are using a website to sell this property successfully. She said the Town was going to start having the Town’s surplus equipment on the website Govdeals.com.

There being no further business, the meeting was adjourned.



William O. Leonard, III, Mayor



Sherry Morrison, Acting Town Recorder

Date: May 8, 2006

NAME	ADDRESS
1. <u>Dominical</u>	<u>937 Demare</u>
2. <u>Sean Nelson</u>	<u>3805 Sliger Cr. (Red Bank)</u>
3. <u>Jim O'Kelly Jr.</u>	<u>115 Palmetto Dr.</u>
4. <u>John Houshup</u>	<u>509 Brady Point Rd</u>
5. <u>Greg Goodgame</u>	<u>112 Glamis Circle</u>
6. <u>Bob Briggs</u>	<u>19 MAJESTIC OAKS DR</u>
7. <u>Mary McLean</u>	<u>119 Grayson Rd</u>
8. <u>LAURA KOLLER</u>	<u>16 St. Ives Way</u>
9. <u>MARK ANDREI STARTER</u>	<u>501 James Blvd</u>
10. <u>Sarah Candler</u>	<u>4528 Spring Lake Rd (Red Bank)</u>
11. <u>Erin Candler</u>	<u>4528 Spring Lake Rd (Red Bank)</u>
12. <u>Brooke Penny</u>	<u>2025 Oak Street.</u>
13. <u>Lou O'Riphant</u>	<u>Shuckee Lane</u>
14. <u>Warren Smor</u>	<u>709 James Blvd</u>
15. <u>Jordan Campbell</u>	<u>445 Timberlinks Dr.</u>
16. <u>Corey Skow</u>	<u>" "</u>
17. <u>Becky Cullum</u>	<u>17 Shoal Creek Falls</u>
18. <u>Chs Umbarger</u>	<u>937 RAVINE RD.</u>
19. <u>Jay Bell</u>	<u>1938 Cotto Rd.</u>
20. <u>Nick Zocharts</u>	<u>7730 Sawyer Pike</u>
21. <u>Vanessa Young</u>	<u>7 Carriage Hill</u>

Date: May 8, 2006

NAME	ADDRESS
1. Allen Culp	64 Whispering Pines
2. Eric Steele	104 Ripton Way
3. Kuni Clatter	505 Barrington Rd.
4. Don Gausman	505 Barrington Rd
5. Jim Wilson	100 James Blvd
6. Paul Nolan	100 James Blvd.
7. Anne Nolan	100 James Blvd.
8. Art Dickerson	176 Woodcliff Circle
9. Libby Fulton	6009 Texas Ave.
10. Andy Mullins	4716 Hunter Trail Red Bank, TN 37411
11. Lindsey Walker	804 Glamis Circle
12. Kristine Braun	4420 Crestview Dr.
13. Bernie Leof	2107 Hittin Hollow Dr
14. Lenore "	" " " "
15. Tim Therten	8 ST. IVES WAY
16. Greg Callam	17 Shoal Creek Falls
17. Blaise Elser	2825 Kell Rd.
18. James Mish	407 Gentlemens Ridge
19. Mark Bous	510 Rolling Way
20. Mark Bous	
21. Julian B Bell	51 Middle Creek

Jay McCurdy 737 MARKET, # 719 - 37402
Amy Bales 915 Ridgeway, Signal TN 37377
Patrick Bales " " " "

MARK TROEL 4 SILVER BOW LANE
Stephen Santos 1004 Brynherill Ln.
Julie Daniel 1243 Mtn Brook Cir 37377
Jon Thors Jensen 3700 Same Hiller Lane 37377

Lynn Davis 906 McLean Ave. Signal Mtn 37377
Patti Marsden 88 Carnagethill Signal Mtn. 37377
Asuey Ford 120 Wilder Dr Sig Mtn 37377

Beth Dowling 101 Woodcliff Cr Signal 37377
Brian Dowling " " " "
Cara Cameron 904 Glamis Circle
Sheri Mastin 3 Shoal Creek Falls " "

~~Don M Mastin~~ 3 SHOAL CREEK FALLS " "
Tomasa Balazy 204 Timberlinks Dr " " "
Sasha Aft 910 B Ridgeway Ave

Michael Lomen 1035 Balmoral Rf
Brymer Carter 186 Hood Cliff Cir
Norma Stuey 1236 Mtn. Brook Circle

Andy Tucker 406 Georgia Ave.
Mary Carlson 414 Gentlemen's Ridge
Sherril Oelleich

Kay Turner	182 Woodcliff Circle
Julie Bony	5448 Sunnyfield Ln.
Billy + Diane Gallagher	601 S. Palisades Dr
Jeff Billings	3007 Pinta Hill Lane
David Brocke	306 Highcrest Rd
Alan + Sue Jacobs	3130 Pinta Hill Lane
Jennie Rogers	938 Ridgeway Av.
Jennie B. Sullivan	206 Jones Blvd.
Meggy Sullivan	11
Annette Allen	Brady Pt. Road
Helen Brill	218 Stratford Way
John Tucker	209 S. Palisades Drive
Terry Roseman	106 Brow View Lane
Matt Lewis	6 Windy Way
Glenn BAIRD	210 James Blvd
Jeff Jackson	44 Middle Creek Rd
Joe Brown	1 Rock Moore Ln