

*****MAY 14, 2007*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday, May 14, 2007, at 7:00 p.m. in the Town Hall. Those present were:

Mayor Paul Hendricks
Vice-Mayor Hershel Dick
Councilmember Annette Allen
Councilmember Bill Lusk
Councilmember Susan Robertson

Also present were:

Diana Campbell, Town Manager
Phil Noblett, Town Attorney
Sherry Morrison, Town Recorder

The Mayor called the meeting to order and led the Pledge of Allegiance to the Flag. The prayer was offered by Rev. David Harrison Strong, of St. Paul's AME Church of Chattanooga.

Roll call found all Councilmembers present.

The Mayor said the April 27 special called meeting talked about land use plan and he said he thought the information of history on subdivisions would be left in. Councilmember Robertson moved that the minutes of the April 9 regular meeting, the April 12 special called meeting and the April 27 special called meeting, as amended, be approved. The motion was seconded by Councilmember Lusk and passed unanimously.

Mayor Hendricks called on Dr. Richard Urban to talk about status of streams and sewage and septic situation. Dr. Urban explained he had gone before the WWTA Board and given them an opportunity to choose between whether or not they wished to be placed under a commissioner's order or to have their MPDS permit modified to have a compliance schedule that placed the Signal Mountain sewage treatment plant under a set of performance scheduled activities that were directed toward correcting the problems that existed with the collection system and the treatment plant. He said the other thing that was placed in the compliance schedule was a hook-up moratorium, with the exception of the high school/middle school because of public health and safety issues. He said he would arrange a meeting with WWTA to begin negotiations on the elements and the time schedule. He said he hoped to have a draft of a compliance schedule out for public review by the end of June or at least the middle of July.

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Mr. Henry Hoss, WWTAA, said they had been aware of the situation and knew they had a 5-year window to deal with the matter. He said they had serious plans and negotiations in progress and this could possibly be resolved in a year or so.

Mayor Hendricks asked if there would be a public hearing. Dr. Urban said the Town could request a public hearing.

Mr. Dun Monroe asked if Dr. Urban's organization was under the auspices of the Federal Government. Dr. Urban said the Federal Government, the Department of Environment and Conservation, Division of Water Pollution Control, and the Chattanooga Field Office.

Mr. David Evans asked if there were other streams impacted and what were the plans to correct the problems. Mr. Hoss said Bee Creek and Short Creek, in addition to Shoal Creek. Mr. Hoss said the overall objective was to make Bee Creek, Short Creek, and Shoal Creek meet local, state and federal requirements.

Mr. Noah Long talked about a meeting in Savannah regarding sewer alternatives.

Mr. Hoss said the WWTAA are addressing overflow at the sewage plant and looking at alternative ways to handle this. He said they had no plans to build sewer lines in an existing subdivision. The towns and cities are asked to initiate their own sampling programs which Signal Mountain is now doing.

Mr. Hoss was asked if the Town could be fined for noncompliance. He said that was possible. He said the TDEC fine was approximately \$10,000 a day and EPA fine was approximately \$32,000 per day. He noted if it was shown that the community was non-responsive to the data and information and were willingly and knowingly ignoring the problem they could be held responsible.

Ms. Teresa Hon asked Dr. Urban to talk about smoke tests. He said that was a technique that was used to detect leaks in the system. He explained how the smoke tests were done and said the test determined who was responsible for repairing of the leak.

Councilmember Lusk asked if Dr. Urban anticipated a moratorium being in effect in September or before and were sewer connections permitted. Dr. Urban said if there was a contractual agreement between builder, developer, homeowner and WWTAA. Councilmember Lusk then asked how long it would take to do the necessary remediation on the sewer plant before the moratorium was lifted. Dr. Urban said it depended on what the alternative was.

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He said a year was optimistic. Councilmember Lusk said he understood that a feasibility study was underway for Chattanooga's plant at Moccasin Bend. Dr. Urban said that option would be explored.

Ms. Cathy Barker asked if someone was already on sewer could they build under the moratorium. Dr. Urban said no-not if the moratorium was in place.

A question was asked from the audience if children could play in Shoal Creek. Dr. Urban said no. There was a discussion of letting the public know about the condition of the streams. Mayor Hendricks discouraged people from getting in the creeks.

Mr. John Houstrup gave some history of the sewer system on the mountain.

The first resolution before the Council was "A RESOLUTION APPOINTING JEFF DUNCAN AS A MEMBER OF THE SIGNAL MOUNTAIN TOWN PLANNING COMMISSION AND CLARIFYING TERMS OF CURRENT PLANNING COMMISSION MEMBERS". Mayor Hendricks moved that the resolution be passed. The motion was seconded by Councilmember Robertson and passed unanimously.

The second resolution before the Council was "A RESOLUTION APPOINTING NOAH LONG, GLEN BAIRD, STEVE MONROE AND NANCY EVANS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S CITIZEN ADVISORY COMMITTEE – MOUNTAIN VISION SUBCOMMITTEE". Councilmember Robertson introduced the new members. Councilmember Robertson moved that the resolution be passed. The motion was seconded by Councilmember Allen and passed unanimously.

The third resolution was "A RESOLUTION ESTABLISHING NEW RULES OF DECORUM FOR THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE". Mayor Hendricks explained that the resolution was for guidelines for orderly conduct of the Council meetings. Councilmember Robertson moved that the resolution be passed. The motion was seconded by Councilmember Allen and passed unanimously.

The first ordinance before the Council was "AN ORDINANCE TO AMEND CHAPTER 4, SECTION 15-401 OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO SPEED LIMITS WITHIN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE". Vice-Mayor Dick moved that the ordinance be passed on first reading. Councilmember Lusk seconded the motion and it passed unanimously.

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Police Chief Boyd Veal explained the reasons for the speed limit change. Mayor Hendricks said the change was from the Cleveland's house to Citizen's Tri-County Bank. The motion passed unanimously on first reading.

The second ordinance was "AN ORDINANCE AMENDING SUBSECTIONS 18-203 (3) AND (4) OF THE TOWN CODE TO ESTABLISH REQUIREMENTS FOR CONNECTION TO PUBLIC SEWERS BEFORE ANY FINAL APPROVAL FOR SUBDIVISION PLATS MAY BE GRANTED BY THE PLANNING COMMISSION AND MAINTENANCE REQUIREMENTS OF PROPERTY OWNERS AND SEWER USERS WITHIN THE TOWN OF SIGNAL MOUNTAIN". Mr. Noblett explained. He said there was a provision in the ordinance that no final plat approval for any subdivision would be granted until there was connection to the sewer main had been inspected and approved. He said it had to be in the ground before there was a connection. Councilmember Lusk moved that the ordinance be passed on first reading. Vice-Mayor Dick seconded the motion and it passed unanimously.

Mayor Hendricks announced that Mr. Randall Arendt, a land use planner, was visiting to speak regarding the Town's land use plan.

Mr. Noah Long gave a report from the Mountain Vision Committee. He noted issues the committee would like to discuss 1) the issue of zoning, density, and types of development to meet future needs of the community; 2) the transportation concerns such as capacity, public safety, interconnectivity; 3) issues that dealt with the look and feel of the community; 4) quality of life issues as they relate to things like biking, sidewalks, greenways and; 5) the need to revisit the commercial area development and what it meant to the Town--services, revenue, etc. He said the first recommendation was the Town move forward with a landscaping and vegetation ordinance.

Mr. John Combs, Horvath Engineering, was present and gave an update on the sidewalks. He had some preliminary copies of the sidewalk plans. He said the bid advertisement was on the 20th, and announcements on the 21st, bid opening on June 5, award bid on June 11 with notice of award approximately the 12th, notice to proceed on June 25 and completion by August 3rd.

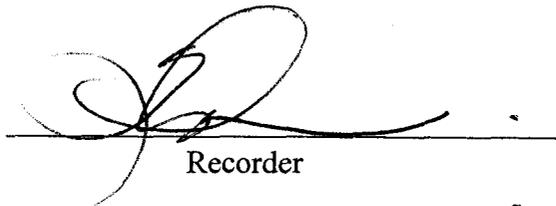
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Mayor Hendricks said the Council had spent two days reviewing the budget, and it had been a positive process. He was happy to advise there was no tax increase for 2007.

There being no further business, the meeting was adjourned.



Dr. Paul M. Hendricks, Mayor



Recorder

Date: May 14, 2007, 7:00 p.m.

NAME	ADDRESS
1. <u>Dun Monroe</u>	<u>907 Cherokee LN</u>
2. <u>Brenda Monroe</u>	<u>907 Cherokee LN</u>
3. <u>Pauline Ragan</u>	<u>185 Woodcliff Cir.</u>
4. <u>John Houshrop</u>	<u>509 Brady Pt. RD</u>
5. <u>Dean Holland</u>	<u>213 Timberlinks Dr</u>
6. <u>Bob Crisinger</u>	<u>40 CRATER AVE Hill</u>
7. <u>Henry Hess</u>	<u>2425 Baskette Way</u>
8. <u>Cleveland Gorman</u>	<u>1250 Market Street</u>
9. <u>John Anderson</u>	<u>100 Hazeta Road</u>
10. <u>Mable and Bill HARTLE</u>	<u>501 John Road</u>
11. <u>Dick Urban</u>	<u>707 Windy Way</u>
12. <u>Elaine Preston</u>	<u>968 Sig. Rd.</u>
13. <u>Frank Presta</u>	<u>968 Signal Rd.</u>
14. <u>Larry McClure</u>	<u>908 Dunsinane Rd</u>
15. <u>Teresa Hon</u>	<u>1000 West Crown Point Rd.</u>
16. <u>Hopie Swick</u>	<u>302 Berry Point Rd</u>
17. <u>CAROL DOWNS (LIBRARY BD)</u>	<u>512 Fern Trail</u>
18. <u>Joel Rind</u>	<u>502 Barrington Rd</u>
19. <u>John Jumper</u>	<u>820 Timberlinks</u>
20. <u>Margaret Jumper</u>	<u>"</u>
21. <u>NOEL LOTH</u>	<u>171 WOODCLIFF CIRUF</u>

Date: May 14, 2007, 7:00 p.m.

NAME	ADDRESS
1. Lou Diphant	796 Cherokee Lane
2. JOHN COMBS	HORVATH ASSOCIATES
3. ANN EVANS	1179 James
4. Uwe Zitzow	405 Ferncliff Dr
5. JEFF DUNAW	951 Ravine
6. Margaret Spittler	505 Rollingway
7. Joanne Zeiser	510 Rollingway
8. J J Evans	1179 James
9. Tom BAIRD	2020 CORRAL
10. Mike Evans	1179 James Penn
11. Cathy Barber	1038 Dan. Dr.
12. Carrie Ledford	415 N. Palisade
13. Joe Dumas	1111 James Blvd.
14. Melissa Carrell	105 South Dr.
15. Jeff Holland	213 Timberlinks Dr.
16. Bobbie M Smith	102 South Drive
17.	
18.	
19.	
20.	
21.	

RESOLUTION NO. R2007-40

A RESOLUTION APPOINTING JEFF DUNCAN AS A MEMBER OF THE SIGNAL MOUNTAIN TOWN PLANNING COMMISSION AND CLAIRIFYING TERMS OF CURRENT PLANNING COMMISSION MEMBERS.

WHEREAS, pursuant to Signal Mountain Town Code § 14-101, the Signal Mountain Planning Commission shall consist of not less than nine (9) members nor more than ten (10) members; two (2) of these members shall be the Mayor and another member of the Town Council, selected by the Town Council; and the other eight (8) members shall be appointed by the Mayor; and

WHEREAS, the terms of the eight (8) planning commission members appointed by the Mayor are to be of a length of time prescribed by the Town Council and arranged so that the term of at least one (1) member will expire each year;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee, that:

Section 1. Pursuant to the authority granted to the Mayor under Signal Mountain Town Code § 14-101, the Mayor is hereby authorized to appoint one (1) additional member of the Signal Mountain Town Planning Commission which shall be Jeff Duncan, 951 Ravine Road, Signal Mountain TN, 37377 to serve on the Planning Commission for a three year term to expire on 12/31/2010.

Section 2. Pursuant to the authority granted to the Mayor under Signal Mountain Town Code § 14-101, the date of expiration of the members of the Signal Mountain Town Planning Commission shall be:

Dan Saieed - term expiration change from 1/31/2008 to 12/31/2007

Hale Hamilton – term expiration change from 1/31/2008 to 12/31/2007

Lou Oliphant – term expiration change from 1/31/2009 to 12/31/2008

Wells Blake – add term expiration to 12/31/2010

Dick Dillender – term expiration change from 1/31/2008 to 12/31/2007

Don Moon – term expiration change from 1/31/2009 to 12/31/2008

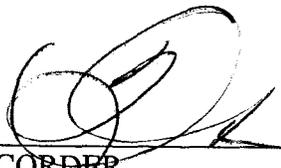
Melissa Cantrell – add term expiration of 12/31/2010

Jeff Duncan – term expiration 12/31/2010

Section 3. This resolution shall become operative on the date of passage, the public welfare requiring it.



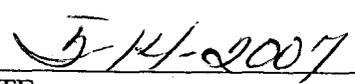
MAYOR



RECORDER



DATE



DATE

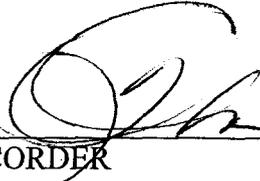
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RESOLUTION NO. R2007-41

A RESOLUTION APPOINTING NOAH LONG, GLEN BAIRD, STEVE MUNROE AND NANCY EVANS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S CITIZEN ADVISORY COMMITTEE - MOUNTAIN VISION SUBCOMMITTEE.

BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee, that the Town Council hereby appoints Noah Long 171 Woodcliff Circle, Signal Mountain, Tn 37377; Glen Baird 210 James Boulevard, Signal Mountain, TN 37377; Steve Munroe, 3105 Pintail Lane, Signal Mountain TN 37377 as the Hamilton County liaison; and Nancy Evans, 6524 Forest Park Drive, Signal Mountain, TN 37377 as the Fox Run liaison, to the Signal Mountain Citizen Advisory Committee - Mountain Vision Subcommittee for one (1) year terms expiring on March 12, 2008.


MAYOR


RECORDER

5-14-2007
DATE

5-14-2007
DATE

RESOLUTION NO. R2007-42A RESOLUTION ESTABLISHING NEW RULES OF DECORUM FOR THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That the following new Rules of Decorum of the Town Council be and hereby are established:

RULES OF DECORUM

Public participation is encouraged at appropriate times during all proceedings of the Town of Signal Mountain. The general conduct of the business of the Town Council and its boards is governed by Robert's Rules of Order. The general conduct of the public must be civil in manner, directed to the business at hand, and must conform to the following rules of decorum:

- Upon recognition by the Chair, a citizen or spokesperson will come to the microphone, identify him/herself by stating name and address, and be given three (3) minutes to speak directly to the Council or its board. The time limit may be waived at the discretion of the Chair.
- Citizens will not address the audience nor answer questions from the audience without permission from the Chair. Debates or discussions between members of the audience and speaking without permission are unacceptable.
- Citizens will be civil in tone and demeanor. Profane language and inflammatory or derogatory personal remarks are unacceptable.
- Citizens will be respectful of the opinions of others. Shouting, booing, hissing or other inappropriate or disruptive behaviors are unacceptable.
- Citizens must leave signs, banners or placards outside.

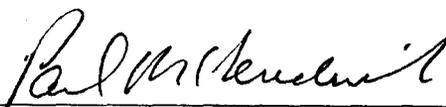
Citizens who participate in unacceptable behavior will be ruled out-of-order and, if necessary, will be removed from the premises.

The Chair will make every effort to recognize speakers in order of request. To provide an orderly structure should there be a large number of speakers, a "Sign-Up" sheet may be used at the discretion of the Chair. Preference will be given to those speakers, but will not be exclusive of others who wish to speak at the conclusion of those who signed up.

Organizations such as clubs, associations, or groups wishing to address a specific issue should appoint a spokesperson to represent them. By prior arrangement with the Town to be listed on the agenda, such representatives may be given special consideration for extra time.

All decisions by the Chair on any of the above matters may be over-ruled by a majority vote of the Council or its board. The Chair can also call for a vote to suspend or modify any or all of the rules by majority vote.

Please remember to turn off or silence cell phones, pagers, or other electronic devices before meetings commence.



MAYOR



RECORDER

5-14-2007

DATE

5-14-2007

DATE

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