

*****FEBRUARY 28, 2008*****

The Town Council of the Town of Signal Mountain held a special agenda meeting on Monday, February 28, 2008 at 9 a.m. in the Town Hall. Those present were:

Mayor Paul Hendricks
Vice-Mayor Hershel Dick
Councilmember Allen
Councilmember Lusk
Councilmember Robertson

Also present were:

Interim Town Manager Lynn Wampler Town Attorney Phil Noblett
Town Recorder Mark Johnson

The meeting began with discussion of the high school electronic sign. Greg Goodgame from the Design Review Committee (DRC) was present for the discussion. The primary concern was determining the specific location of the sign. It was determined that further discussion was needed involving other members of the DRC, possibly at the March 10, 2008 Council meeting. Mr. Noblett also noted he would look into traffic engineering regulations as they relate to sign messages.

Mayor Hendricks asked Greg about the DRC's position on the memorial proposal. He then asked the Council members to look over the proposal and that Greg attend the March 10th meeting. Greg agreed to this tentatively. A draft of the memorial ordinance had been prepared, per Mr. Noblett. Councilmember Robertson proposed the idea of combining the numerous sign ordinances into one comprehensive ordinance, and Greg was receptive to this proposal.

Jarred Thompson, Recreation Director, was present to discuss Norris Field. The Recreation Board recommended getting rid of the dugouts and backstops on the field, as well as landscaping and making other general improvements. It is currently an open field that is used very little. The Council was receptive to this, and determined no official action via resolution or ordinance was required. Mr. Thompson was given permission to start planning the project.

Councilmember Allen asked Mr. Thompson if there had been any comments from the swim team regarding the recent fee change ordinance. Mr. Thompson indicated there were none, although certain representatives who had planned to be at the February 11, 2008 Council meeting, at which the ordinance was read, could not attend. He informed them there would be an upcoming second reading.

Mayor Hendricks mentioned he was contacted recently by representatives of the local baseball leagues regarding the \$5.00 maintenance fee, and asked Mr. Thompson what their concern was. Mr. Thompson indicated they did not agree with the fee and felt it provided little benefit. Mayor Hendricks indicated he would speak with them.

As a final issue, Mr. Thompson noted the concession stands for recreation areas were not operable as the owner, Jennifer McNabb, ran into financial difficulties. Ms. McNabb had an agreement with the town in which she paid rental fees. Options such as replacing the stands with vending machines or finding someone else to operate them were discussed.

Next, the proposed unification of 911 for the municipalities of Hamilton County was discussed. Mr. Noblett summarized the cost figures, which were designed to achieve parity, according to the County. There were concerns, however, over whether parity would actually be achieved primarily because each municipality's cost would be weighted based on call volume. The program's costs are to be phased in over a four-year term. Mr. Wampler suggested the Town accept the program, contingent upon the acceptance of it by Red Bank and Collegedale. He also suggested the Town evaluate the program after the fourth year. It was agreed a resolution should be drafted and a decision made by the March 10th Council meeting. Councilmember Lusk said the language of the resolution should indicate the Town does not feel the program is equitable.

Loretta Hopper, Director of Public Works, was then presented. The first issue in her report related to the cost estimations of garbage pickup in the Jamestown and Westfield areas. The estimated cost was \$8.93 per household per month. Fee structure options to cover this were discussed, including charging everyone in these areas a special fee if garbage cans were not placed at the curb or waiving the fee for those residents who were under the age of 70. It was ultimately decided an ordinance would be drafted providing for a \$9.00 fee per resident for those residents who did not bring their garbage to the curb, unless they were over the age of 70.

Ms. Hopper then reported the auto-garbage truck bids were reviewed. The two lowest bidders can provide trucks of an almost identical type at an almost identical cost. The decision would probably be based on who can deliver the truck in the shortest time. Mayor Hendricks indicated Mr. Wampler and Ms. Hopper should have discretion in this matter, but it would be brought up at the March 10th Council meeting.

Per Ms. Hopper, the bids for waste hauling services had also been reviewed. Waste Services was the lowest bidder per initial review; however, research on other factors, such as fuel surcharges, would need to be performed. A resolution would be prepared for this for the March 10th Council meeting.

Mayor Hendricks inquired about the status of the payment management software project and whether or not the software was helpful. Ms. Hopper stated we were waiting on Chattanooga to have its street testing done in conjunction with its own pavement management software so we would be able to use the same contractors for the testing at a lower price in conjunction with our program; i.e. - recent work in another area would help the contractors achieve greater efficiency.

Councilmember Allen asked Ms. Hopper about non-resident use of the transfer station, in reference to recent discussions the Council had about non-resident fees. It was decided to reinstitute a "one-time" use fee for non-residents, despite the fact there isn't a practical way to properly enforce collections. An ordinance would be produced to this effect for the March 10th meeting.

Mr. Wampler reviewed the revised personnel policy, noting changes made to the calculation of longevity bonuses, Occupational Safety and Health Program, and the take-home vehicle policy. Mr. Noblett mentioned the language related to disability should indicate compliance with state law. The Council agreed to postpone approval of the policy until the March 10th Council meeting, giving Mr. Noblett time to review it.

Mr. Wampler then reviewed an issue with sales tax collections. He suggested making an accounting entry that would bring sales taxes collected from July, 2007 to November, 2007 into the general fund's unrestricted reserves. The following was therefore presented: "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO DESIGNATE THAT ALL SALES TAX PROCEEDS COLLECTED BY THE TOWN OF SIGNAL MOUNTAIN AFTER JUNE 30, 2007 SHALL BE CREDITED TO THE TOWN'S GENERAL FUND. It was moved by Councilmember Robertson, and seconded by Vice Mayor Dick, that the resolution be accepted. The motion passed unanimously.

Mr. Wampler noted budget requests from department heads were due on March 10th.

Mr. Wampler then reviewed the Town's non-tort liability coverage. Currently, the town has coverage of \$2,000,000, which is higher than the average for most municipalities of its size - \$1,000,000. Councilmember Lusk offered a suggestion that we check into purchasing an excess policy for amounts over \$1,000,000, possibly from another provider. It was decided the Town will adjust the policy to \$1,000,000, but the possibility of excess packages would be explored.

Mr. Wampler discussed the franchise contract with Comcast. Mr. Wampler and Mr. Noblett were reviewing this with Comcast's representatives. The proposal at the time was undesirable. Mr. Wampler indicated the Town should charge a penalty, as well as interest, on late payments.

Councilmember Lusk mentioned he had been to a recent meeting with Waste Water Treatment Association (WWTA). Councilmember Lusk and Mayor Hendricks agreed representatives from WWTA should be invited to a special called public meeting.

Councilmember Lusk suggested that each Councilmember, in the remaining months of the term, develop a list of priorities he or she would like accomplished by the end of the term.

Boyd Veal, Police Chief, was then presented. He noted April 10, 2008 was to be recognized nationally as DARE Day. He asked that the Town recognize it as well. It was decided a resolution draft would be prepared.

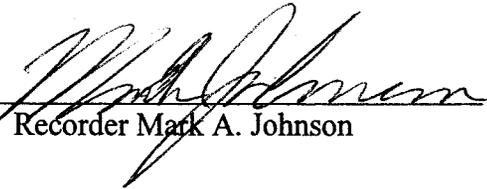
Mr. Wampler questioned how the seating arrangement would be at the March 10th Council meeting; i.e. - at what time would the new Town Manager, Honna Rogers, be seated with the

Council. Mayor Hendricks indicated Mr. Wampler would be seated with the council to address current issues, but at some point in the meeting would step to allow Ms. Rogers to assume seating.

With no further business presented, the meeting was adjourned.



Mayor Paul M. Hendricks



Recorder Mark A. Johnson

RESOLUTION NO. 2008-24

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO DESIGNATE THAT ALL SALES TAX PROCEEDS COLLECTED BY THE TOWN OF SIGNAL MOUNTAIN AFTER JUNE 30, 2007 SHALL BE CREDITED TO THE TOWN'S GENERAL FUND.

WHEREAS, the Town of Signal Mountain began restricting the one-half (1/2) cent sales tax proceeds collected in the Town of Signal Mountain to a fund designated for the High School since the referendum was approved effective August, 1999; and

WHEREAS, a countywide referendum passed imposing a one-half (1/2) cent sales tax in the unincorporated county during 2004 which now requires distribution of sales tax revenues in accordance with T.C.A. § 67-6-712 and allows a city or town, by contract, to provide for distribution of the one-half (1/2) of the one-half (1/2) cent sales tax in such manner as may be designated by the Town; and

WHEREAS, MTAS Legal Counsel Melissa Ashburn has now opined that since Hamilton County has now imposed its own ½ cent sales tax for businesses in the Town in 2004 by a countywide referendum, the Town is no longer obligated to use these funds only for High School purposes because the County referendum essentially nullified the 1999 ordinance passed by the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Signal Mountain, Tennessee that the Town Manager is authorized to designate that all sales tax proceeds collected by the Town of Signal Mountain after June 30, 2007 shall be credited to the

012458

Town's General Fund.

Paul M. Keenan
MAYOR

2/28/08
DATE

Mark Johnson
RECORDER

2/28/08
DATE

PAN/kac