

*****September 29, 2008*****

The Signal Mountain Town Council held a special agenda meeting on Monday, September 29, 2008 at 9:00 a.m. in the Town Hall. Those present were:

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

Also present were: Town Manager Honna Rogers
 Town Recorder Mark Johnson
 Town Attorney Phil Noblett

The closing of Shoal Creek Road on Sunday afternoons for pedestrian walks was discussed. Debbie Fassino was present to provide an assessment of how much the road is used. After reviewing seasonal and holiday factors, as well as time scheduling, options for different walking routes and use of staff for the closing process, the Council agreed to continue with the current schedule and to communicate the conversation to the community via various methods for any possible future discussion. It was also decided that the Police Chief and the Town Manager would secure the Fire Department's help in seeing that the road is opened promptly at 5pm. One of the major complaints from citizens has been that the road is not re-opened on time. Ms. Fassino exited the meeting.

Chuck Gearhiser, Building Official, joined the meeting to discuss his recent inspection of safety issues at the playhouse. He noted several safety issues such as inconsistency in stair steps, a lack of handrails, tripping hazards, wiring problems, and fire hazards. Liability issues, options, related costs for repair work, and the possibility of using other sites for play productions were discussed. Ms. Rogers agreed to investigate these issues further.

Councilmember Allen opened a discussion about creating maps detailing slopes, rock outcroppings, riparian and other sensitive natural areas within Town limits for use by developers in conservation-style development. The Council and Mr. Gearhiser discussed what resources the Town has on hand for such a project, State-imposed restrictions, and ways to possibly identify wildlife, historic structures, mines, etc. in the Town. Property owner Glenn Baird echoed Councilmember Robertson's suggestion that the Town should consult with property owners on this project. The Council decided to collect data, begin work on the maps, and bring in property owners to assist in detailing the features of their specific lands. Mr. Gearhiser exited the meeting.

The Council then discussed a request by Patrick Hagan from the September 8th regular meeting regarding keeping fowl within Town limits. Zoning restrictions and potential problems associated with the request were discussed. The Council decided not to pursue the request, but to inform Mr. Hagan at the next Council meeting that he may look into

petitioning that his property be re-zoned as "Residential Estate" on which livestock is allowed to be kept under certain conditions.

Ms. Rogers opened a discussion of a recent comparison by the water department of the Town's water fees vs. those of other utilities. William Sanders, Utilities Director, had requested an increase in the water deposit fees because about 40% of renters leave Town without paying their water bills. Mr. Noblett mentioned an increase would have to be made by ordinance. Pat Pixler, Water Clerk, was asked to join the meeting to provide more information. Finally, the Council agreed to create an ordinance to increase the deposit fee from \$50.00 to \$100.00 to be refundable at the discontinuance of service and payment of the final bill.

Ms. Rogers then opened a discussion of a proposed rate increase by the Tennessee Regulatory Authority (TRA) for water service. The Council felt the increase, which was equivalent to that of Walden, was unfair because the Town has to pump its own water up the mountain. Ms. Rogers mentioned minutes from a recent TRA meeting were unclear on the actual rate increase for the Town and will work with Mr. Noblett to obtain clarification.

Ms. Rogers presented copies of the proposed recycle stickers that will be placed on garbage cans. The Council approved the stickers.

Ms. Rogers mentioned she was in Dunlap the previous week for depositions regarding a lawsuit involving the Town.

The upcoming "Governor's Summit on Clean-Energy Technology" was discussed. Councilmembers Lusk, Allen, and Robertson agreed to attend with Ms. Rogers.

Issues associated with the sale of the SMMS property were discussed.

Councilmember Robertson inquired as to why churches in the Town don't pay business taxes on fees received for classes they provide. Ms. Rogers said this has been the case, historically, for most other municipalities she is familiar with, but she had attended a seminar in which she had learned that it is lawful to charge churches taxes on sales and other incomes. The Council agreed not to pursue the issue, however.

Vice-Mayor Dick asked if there had been any issues with obtaining fuel. Ms. Rogers said there were no significant issues. Also discussed was the prospect of stockpiling a supply of gasoline for emergencies/shortages.

Tree Board appointments were discussed. Four individuals have volunteered to be Board members. Ms. Rogers said she would prepare a resolution for the October 6th regular meeting appointing these individuals.

It was noted one Planning Commission member, Lou Oliphant, plans to step down, and a replacement would be needed.

Ms. Rogers noted that it was recently discovered that temporary banners for civic events were allowed under the sign ordinance. Methods of enforcing sign usage and the use of directional signs for the High School were also discussed.

Ms. Rogers noted she is working on the vicious dog ordinance, and it should be ready next month.

The Glendale, Arizona citizen participation ordinance was reviewed. The Council agreed this would be a good ordinance model for the Town. It could help resolve differences over development projects between citizens and developers earlier in the process when differences are more easily resolved and before they come before the Town. The Council also agreed to review the model ordinance over the next month.

Discussion of the Town Boards ordinance was postponed until the next agenda meeting.

The October 6th regular meeting agenda was reviewed, and the following items were attended to:

- A resolution honoring Judge Muecke Barker will not be read until December.
- Citizens' opportunity to comment will be held after resolutions, ordinances, and general discussion.
- Resolutions to adopt the plan of services, as recommended by the Planning Commission, for the Fox Run and Windtree areas will be read.
- A resolution awarding the Quonset hut roof repair contract will be read.
- A proposed fee for commercial entities for purchasing additional garbage cans will be discussed. The proposed fee will be \$13.00 per can for up to two additional cans.
- The employee of the quarter will be announced.

Ms. Rogers presented a pamphlet listing recycle center guidelines that will be made available to the public.

Ms. Rogers said Town personnel will meet with representatives of Bio-Diesel Logic, Inc. regarding bio-diesel fuel machines sometime in the coming year.

Mayor Hendricks noted next year will be the Town's 90th anniversary and suggested some sort of celebration.

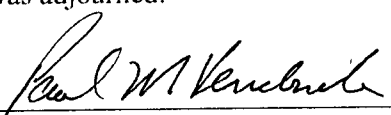
The status of the agreement with Signal Mountain Physical Education was discussed.

The use of the pump station house as a residence by Willis Sanders and related tax issues were discussed.

The status of the request by Susan Humphries to the Planning Commission for zoning revisions was discussed.

There being no further business, the meeting was adjourned.


Recorder



Dr. Paul Hendricks, Mayor