

*****December 8, 2008*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, December 8, 2008, at 6:30 p.m. in the Town Hall. Those present were:

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

Also present were: Town Manager Honna Rogers
Town Attorney Phillip Noblett
Town Recorder Mark Johnson
See attached list for others present

Stacey Seals, Fire Chaplain, opened the meeting with the invocation. Mayor Lusk led the pledge of allegiance. The roll was called.

Minutes

The minutes for the November 10th regular meeting, November 8th swearing-in ceremony, and December 1st agenda meeting were discussed. Vice-Mayor Robertson noted a few minor grammatical errors on the November 10th and December 1st minutes. Vice-Mayor Robertson moved, and Councilmember Allen seconded that the November 8th minutes be approved. The motion passed unanimously. Councilmember Dick moved, and Councilmember Allen seconded that the November 10th minutes be approved. The motion passed unanimously. Vice-Mayor Robertson moved and Councilmember Allen seconded that the December 1st minutes be approved. The motion passed unanimously.

Public Hearing

The Council suspended the regular meeting to convene as the Beer Board for a public hearing to discuss a beer permit renewal request from the Signal Mountain Golf and Country Club. There were no comments from the audience on this matter. Mr. Noblett noted all the necessary paperwork was in order, but the Council would need to vote to approve the permit. Councilmember Dick moved and Vice-Mayor Robertson seconded that the permit be approved. The motion passed unanimously, and the Council reconvened the regular meeting.

Honorary Resolutions

The following honorary resolutions were presented:

1. "A RESOLUTION HONORING WILLIAM M. (MUECKE) BARKER FOR HIS MANY YEARS OF SERVICE TO THE TOWN OF SIGNAL MOUNTAIN AND TO THE STATE OF TENNESSEE AS A CIRCUIT COURT JUDGE, COURT OF CRIMINAL APPEALS JUDGE, AND AS CHIEF JUSTICE OF THE TENNESSEE SUPREME COURT." Chief Justice Barker was present and thanked the Council for the recognition. Councilmember Hendricks moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously.
2. "A RESOLUTION COMMENDING CATHY BARKER FOR HER SERVICE ON THE COMMUNICATION COMMITTEE FOR THE TOWN OF SIGNAL MOUNTAIN." Mayor Lusk thanked Mrs. Barker for her efforts and noted that, beginning with the inception of the Communications Committee, communication between the Town and the community had improved greatly. Councilmember Dick moved and Vice-Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.

Chief Justice Barker and Mrs. Barker were presented their resolutions.

3. "A RESOLUTION COMMENDING PAUL HENDRICKS FOR HIS SERVICE AS MAYOR FOR THE TOWN OF SIGNAL MOUNTAIN." Mayor Lusk moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously among all Council members with the exception of Councilmember Hendricks, who abstained from voting.
4. "A RESOLUTION COMMENDING HERSHEL DICK FOR HIS SERVICE AS VICE-MAYOR FOR THE TOWN OF SIGNAL MOUNTAIN." Councilmember Hendricks moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously.

Councilmembers Hendricks and Dick were presented their resolutions.

Special Presentations

Brian Wright of Johnson, Murphy, and Wright P.C. presented the audit report for the fiscal year that ended June 30, 2008. He noted that the Town received an unqualified, or "clean", opinion on its financial statements. He reviewed key points within the report, including the net change in fund balance for the general fund of \$1,238,282, which he explained was produced partially by loan funds received in September, 2007 that were actually requested to cover construction expenses for fiscal year ending June 30, 2007. Since the funds had to be received by August 2007 to be accrued as revenue by June 30, 2007, they were actually recorded as revenue for the year ending June 30, 2008. He said that when factoring out this effect, net income for June 30, 2008 would be approximately \$600,000. He also reviewed transfers between the general and other governmental funds, noting where individual financial statements for the other governmental funds could be located in the report. He reviewed the net change in fund balance for the enterprise

funds, and noted the Town as a whole did very well financially. Finally, he noted no procedural control issues were discovered during the audit. Noah Long asked for a reiteration of the net change in the fund balance figure. Mr. Wright repeated the \$1,238,282 figure. Based on that result, Mr. Long suggested taxes should be lowered. Mayor Lusk asked if formal action was needed to approve the report. Mr. Noblett said it was not.

Noah Long, Chairman of the Tree Board, reported on the "Honor Tree" program, under which trees can be planted to honor people or events. He said many municipalities have similar programs and have reported very good results. Mr. Long distributed copies of a recently published "Honor Tree" brochure describing the program to the Council. He thanked the Council for its inaugural donations-three trees to be planted on Town Hall property. Mayor Lusk asked if an American chestnut hybrid would be an acceptable tree to use. Mr. Long said it was and added there will be a list of suggested native trees for the Honor Program available on the website in the near future. Vice-Mayor Robertson noted "Honor Tree" brochures are available at Town Hall.

A citizen asked if the swim team would be recognized as indicated by the agenda. Ms. Rogers said a representative of the team postponed the resolution until the January regular meeting.

Citizen Comments

Noah Long, Woodcliff Circle, addressed the recent application of Reclamite. He said citizens had been told it would cure in three days, but it had not cured on Woodcliff even after ten days. He said it was also supposed to be applied when the ambient air temperature was above 40 degrees. Instead, it was applied when it was 38 degrees. He said he told a Town official that the truck used in the project was moving too fast and did not provide good coverage. He said he thought that the contractor was in a hurry to finish the work as it was nearing the end of the season for proper application. He also noted that, anyone who walked on the street noted its "sticky" condition due to the fact that it had not cured properly. Mr. Long requested that the Town demand that the contractor re-apply the Reclamite in April, when the temperature is more conducive to proper application.

Mr. Long also said a resolution endorsing the Pickens energy plan, scheduled for the meeting, should be voted down. He stated Mr. Pickens is an entrepreneur, and that he had terminated his bond request, advertisements, and his plan in general, citing unfavorable market conditions. Mr. Long claimed Mr. Pickens' plan was proposed only for his own benefit, with no altruistic intentions, and that it would be inappropriate for the Town to endorse the plan.

Resolutions

The following resolutions were presented:

1. "A RESOLUTION AUTHORIZING THE MAYOR TO ENDORSE THE PICKENS' ENERGY INDEPENDENCE PLEDGE ON BEHALF OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE." Councilmember Dick moved and Vice-Mayor Robertson seconded that the resolution be discussed. Mayor Lusk said he was inclined to agree with Mr. Long about the plan and had determined to defer the vote. Councilmember Hendricks said he felt it should be voted down. All voted unanimously against approval of the resolution.
2. "A RESOLUTION REAPPOINTING JUDY EKISS, ANDREW HAUSLER, AND LARRY TRABUCCO TO THE BOARD OF ZONING APPEALS FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE". Councilmember Allen moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.
3. "A RESOLUTION REAPPOINTING SCOTT FERGUSON AND APPOINTING LOUIS GLENDENNING, JR TO THE TOWN OF SIGNAL MOUNTAIN'S CONDEMNATION BOARD." Ms. Rogers noted the word "to" should be included before the word "the" in the caption. Councilmember Allen moved and Vice-Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
4. "A RESOLUTION REAPPOINTING CHERYL GRAHAM AND KARNA LEVITT AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION." Councilmember Dick moved and Vice-Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
5. "A RESOLUTION APPOINTING MIKE FEHER AS THE TOWN REPRESENTATIVE TO THE SIGNAL MOUNTAIN GOLF & COUNTRY CLUB FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE." Councilmember Hendricks moved and Councilmember Allen seconded that the resolution be approved. Mayor Lusk noted the caption should say "reappointing" rather than "appointing". The motion passed unanimously.
6. "A RESOLUTION REAPPOINTING BOB ANDERSON AND DEBRA BLAKE TO THE LIBRARY BOARD FOR THE TOWN OF SIGNAL MOUNTAIN." Councilmember Allen moved and Vice-Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
7. "A RESOLUTION APPOINTING SANDRA MCCREA AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S MOUNTAIN ARTS COMMUNITY CENTER (MACC) BOARD." Councilmember Hendricks moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.

8. "A RESOLUTION REAPPOINTING DON MOON AND ANNETTE ALLEN AND APPOINTING BILL LUSK AND REID SISSON AS MEMBERS OF THE SIGNAL MOUNTAIN TOWN PLANNING COMMISSION." Vice-Mayor Robertson moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.
9. "A RESOLUTION REAPPOINTING SAM POWELL, GEORGE DAVENPORT, AND BILL FRONK AND APPOINTING JOHN (RUSTY) SEWELL TO THE STORM WATER BOARD FOR THE TOWN OF SIGNAL MOUNTAIN." Vice-Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
10. "A RESOLUTION APPOINTING TOWN MAYOR BILL LUSK AS A PROXY FOR THE TOWN OF SIGNAL MOUNTAIN'S REPRESENTATIVE, HONNA ROGERS, ON THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY BOARD." Councilmember Dick moved and Councilmember Allen seconded that the resolution be approved. Councilmember Hendricks asked Mayor Lusk if he wanted to fill this role. Mayor Lusk said he didn't mind. The motion passed unanimously.
11. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITIES OF ATHENS, CLEVELAND, CLEVELAND UTILITIES, DAYTON, ETOWAH, SODDY-DAISY, AND THE UNIVERSITY OF TENNESSEE FOR A POSTGRADUATE INTERN IN AN AMOUNT NOT TO EXCEED SIX THOUSAND THREE HUNDRED THIRTY THREE AND NO/100 DOLLARS (\$6,333.00) AND AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION WITH THIS AWARD." Ms. Rogers said a similar resolution was passed last month, but the agreement was redrawn so that the Town could hire the intern for an additional month, since one municipality had withdrawn from the original agreement. She said the first month's expense would be in the current budget year, and the second month's expense would be applied to the next. She also said projects are being planned for the intern to work on, and candidates will be interviewed next week. Mayor Lusk asked if one project could involve the census. Ms. Rogers said it could. She also said all of the candidates had master's degrees and working experience in other municipalities. Finally, she noted the caption should be corrected to remove Athens and add East Ridge. Mayor Lusk noted that Ms. Rogers had been an intern under this program and believed that it obviously produced good results. Councilmember Dick moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.

Ms. Rogers commented on the need for a resolution that was not on the agenda and proposed an amendment to the Town's existing agreement with Rock-Tenn Company. Instead of receiving a lump sum portion of aluminum proceeds, the Town should agree to accept 55% of sales. She also recommended an additional clause to indicate that, when

practical. Rock-Tenn will expand its plastics collections. Mr. Noblett explained the amendment was motivated by a request from Rock-Tenn in response to rising costs and a dramatic drop in aluminum prices. Councilmember Dick moved and Councilmember Allen seconded that Ms. Rogers be allowed to enter into discussions with Rock-Tenn concerning the matter. The motion passed unanimously.

Ordinances

The following ordinances were presented:

1. "AN ORDINANCE TO AMEND ORDINANCE NO. 2008-08 ENTITLED THE 'FY 2008-2009 BUDGET ORDINANCE' SO AS TO PROVIDE FOR AN EXPENDITURE CHANGE IN THE STREET AID BUDGET WHICH SHALL INCLUDE THE REALLOCATION FROM PAVING FUNDING TO SIDEWALK FUNDING IN THE AMOUNT OF FIFTY THOUSAND AND 00/100 (\$50,000)." Mayor Lusk said this issue was discussed at a Regional Transportation Planning Organization meeting in reference to an outstanding sidewalk project proposal. He said a previous contractual arrangement necessitates that the Town show it has the necessary funds (\$50,000) to contribute to the project. Ms. Rogers said that if everything goes according to schedule, sidewalk construction to complete the connection between Maryland and the Library could begin in the fall. Councilmember Dick moved and Vice-Mayor Robertson seconded that the ordinance be approved. The motion passed unanimously. Mr. Noblett reminded the Council that the ordinance would need a second reading to become effective.

Councilmember Hendricks said he expected Patrick Hagan to attend the meeting to discuss his request for an amendment to the fowl ordinance; however, he was not present. Ms. Rogers said she told Mr. Hagan it would be discussed at the January 6th agenda meeting which he is expected to attend.

Planning Commission Report

Lou Oliphant reported on the December 4th meeting, saying two subdivision requests were discussed and will be deferred until the January meeting. Ms. Rogers spoke at the meeting on mixed-use zoning. This will be discussed again at the January Commission meeting, which due to the New Year holiday, will be held on the second Thursday, January 8th. Mayor Lusk was welcomed as a new member.

Councilmember Hendricks requested copies of the two mixed-use zoning ordinances. He also asked how far the property in one of the subdivision requests extended. Ms. Oliphant indicated she was unsure.

Department Reports

Police

Police Chief Boyd Veal reported that Scott Ogradowczyk, who should be re-certified soon, has filled the last open position in the department. The officers recently completed stress management training. Chief Veal will complete his training at the leadership academy soon.

Fire

Fire Chief John Vlassis reported that two firefighters recently completed EMT school, and their next step is to complete state exams. Flow testing for hydrants is currently being performed and should be completed by the end of December. Pre-planning has begun for Town businesses: i.e., creating diagrams to facilitate faster service in the event of emergencies. Also, there had been enough moisture in the air during the month to prevent brush fires. Mayor Lusk asked how many certified EMT's are on staff. Chief Vlassis said there are nine, which is more than the department has ever had, and he is working on scheduling so that there will be adequate EMT staff available at all times.

MACC

Karen Shropshire, MACC Director, reported there was a "Live Coffee Café" on November 29th, in which Shani Hedden Palmer performed with her band. She will return in early spring to take part in a fundraiser. The Town tree lighting was held last week. "Arts on the Mountain" is being worked on. A children's "Best Christmas Ever" play will be held this coming weekend. "Friends of MACC" had recently advertised its fundraiser.

Library

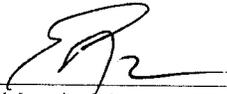
Karin Glendenning, Librarian, said students from a Nolan Elementary science class planted about 500 daffodils in memory of Ruth Rogers. Jed Mescon read at "Story time" last week. The Library is now a member of the Tennessee Electronic Library (TEL), a state electronic program for book categorization. It contains 26 separate databases and provides an opportunity to obtain information not otherwise stored in the library. The Book Nook in the library is available for people to purchase affordable used books in good condition. Mayor Lusk asked if donations are still accepted. Ms. Glendenning said they are.

Other Business

Mr. Noblett noted the Town received notice of a lawsuit regarding the annexation of the Fox Run and Windtree subdivisions on December 4th. As a result, no new services to those areas will be provided until the lawsuit is resolved. Also, no new taxes will be received until then either.

There being no further business, the meeting was adjourned.


Recorder


Bill Lusk, Mayor

DATE: December 8, 2008

NAME	ADDRESS
1. Karen Skrapshire	
2. Cathy Barber	1038 Druid
3. William M. Bach	1058 Druid Drive
4. Louis G. Kennedy	706 Tamei
5. Mike Fekes	3000 W. Main Orchard Path
6. Charles Tracy Lewis	2114 W. Summit Rd.
7. Tom Dean	1004 LADDER
8. Brian Wright	200 Glamis
9. Claire/Bob Gussing	up Carriage Hill
10. Anne C. Dealey	43 Carriage Hill
11. Mark	3620 Edge Creek Loop
12. Gene Chisport	62 Dobbins Place
13. John & Kent	904 Signal Rd.
14. Mark	171 Woodcliff Cir
15. Missy Cantrell	605 South Dr.
16. Marnie Abel	1100 Signal Rd.
17. " "	" "
18. James McCarty	900 James
19. Callie M. Cook	900 James
20. J. Abel	1100 Signal Rd.
21. Tom Colledge	37 N.H. Lane Rd.