

*****December 14, 2009*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, December 14, 2009, at 6:30 p.m. in the Town Hall. Those present were:

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

Also present were:

Town Manager Honna Rogers
Town Attorney Phillip Noblett
Town Recorder Mark Johnson
State Representative Richard Floyd
Hamilton County Commissioner Richard Casavant
See attached list for others present

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

Minutes

The minutes for the November 9th regular meeting and December 1st meeting were discussed. With no changes or corrections, the December 1st minutes were approved unanimously. Councilmember Hendricks disagreed with one statement in the November 9th minutes under the speed camera enforcement discussion that read ...*Councilmember Hendricks confirmed that the Council had decided against cameras by motioning for a formal vote.* He said that the Council hadn't actually decided anything before the motion, and that the original minutes appropriately said ...*the Council discussed the enforcement camera issue. Councilmember Hendricks moved to defeat the issue...* Vice Mayor Robertson and Mayor Lusk said that the Council unofficially agreed to defeat the issue in the December 1st work session. Councilmember Hendricks said that a few Council members were opposed to cameras, but no decision was made. He moved to approve the minutes as originally circulated. Vice Mayor Robertson asked if a motion to accept the discussion as as taped would be acceptable. Councilmember Hendricks said it wouldn't. With no second, the motion failed. Mayor Lusk moved to accept the minutes as they were currently written. With no second, that motion failed as well. Mr. Noblett said a motion could be made to defer approval of the minutes until the issue is resolved. Ms. Rogers volunteered to review the tape of the December 1st meeting. Mayor Lusk moved to defer approval of these minutes until the next regular meeting on January 11th. Councilmember Dick seconded, and the motion passed unanimously. Councilmember Hendricks said he was displeased that two sets of minutes were apparently circulated. He also said only minor changes should be made via e-mail; significant changes must be suggested at public meetings. Vice Mayor Robertson said this meeting is the appropriate

venue for that type of public discussion. Mr. Noblett confirmed that significant changes must be discussed in a public meeting. Ms. Rogers explained that Mr. Johnson interpreted the change suggested as merely a cosmetic one. Vice Mayor Robertson said that it was.

Honorary Resolutions

The following honorary resolution was read:

“A RESOLUTION HONORING MARILYN GARNER FOR HER MANY OUTSTANDING ACHIEVEMENTS AND YEARS OF DEDICATED SERVICE TO THE TOWN OF SIGNAL MOUNTAIN”. Vice Mayor Robertson read the body of the resolution, citing Ms. Garner’s many contributions to the Town. She moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.

Special Presentation - Fiscal Year 2008-2009 Audit Report

Brian Wright of Johnson, Murphy & Wright P.C. presented the fiscal year 2008-2009 audit report. 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 decrease in fund balance per the traditional financial statements for the general fund of \$725,728, which he explained was primarily caused by an additional principal payment on the high school loan, the purchase of an automated garbage truck and related cans. He also noted that under the government-wide statements included in the audit, which report financial statements as if they were those of a commercial business entity, the Town actually had “net income” of approximately \$850,000. He reviewed proprietary fund financial statements; i.e., the water and stormwater funds, noting revenues exceeded expenses for both. He also noted that there were no procedural control issues discovered during the audit. Finally, he said that the summary page that reflects all the opinions in the report indicated there were no issues, which distinguishes the Town from other municipalities his firm audited this year.

Special Presentation – Road Damage Along Taft Highway

Ken and Jennifer Flynn, representatives of TDOT, and Jeff Sikes of Thompson Engineering, Inc. were present to discuss the recent collapse of a portion of Hwy 127 in the Town due to heavy rains and related traffic concerns.

Mayor Lusk thanked them for their diligence and effective communication.

Mr. Sikes summarized repair efforts, saying that TDOT had issued an emergency contract to Wright Brothers Construction Co. to repair the road. The work began on Friday, and while the road was closed over the weekend, a lot of fill material had been added. He

said that full road access might be granted as soon as next Monday. Mr. Sikes, Mr. Flynn and Ms. Flynn agreed that in order to expedite the work, however, the road needed to be closed at night. They asked what hours were best for evening closures. Police Chief Veal replied that road closures should ideally begin no earlier than 9:00 p.m. due to holiday traffic with reopening occurring by 6:00 a.m. He also noted that his department continues to be ready to assist at a moment's notice and is prepared for potential problems. Mr. Sikes replied he had spoken with Sherriff Hammond, who was also very cooperative.

Councilmember Hendricks thanked the representatives for their quick response. He said he approves of Chief Veal's timeframe recommendation. He said this road issue has raised concerns over possible road failures in the future and asked if any reassurance can be given on the road's long-term stability. Mr. Flynn said TDOT monitors the road frequently and during the current repair work, other maintenance issues were also being addressed. He said he feels the road is safe, but can't guarantee that. Ms. Flynn reiterated Mr. Flynn's comments, and explained that the road's safety is a matter for long-range planning. Mr. Flynn said the current problem was primarily caused by rainfall saturation in one particular spot. Mayor Lusk noted that the Town is already on the Rock-fall Mitigation list, and part of rock-fall is caused by storm water runoff. He asked if there were plans to address such runoff. Mr. Flynn said he was unsure, but he felt confident all state mountain roads will be monitored in light of recent problems on several of them. Ms. Flynn noted that the mitigation program is relatively new, and that Hwy 127 up Signal Mountain is on its priority list.

Mr. Sikes thanked the community for its hospitality to the road workers. Councilmember Allen asked if the scope of the work included inspecting the rest of roadbed for other erosion problems. Mr. Sikes said they had reviewed only the area in which they were working, not the entire road. However, they had repaired cracks and areas that appeared compromised there. Noah Long, a citizen, asked if the repairs included improving culverts under some of the curves. Mr. Flynn replied that only the damaged area was being addressed. Mr. Long stated that if the culverts aren't addressed, the repairs aren't worthwhile. He noted that water tends to accumulate in some areas even after only little rainfall. He said that culverts should be addressed now to prevent further problems because the whole road won't likely be replaced for several years because of lack of funding. Mr. Flynn disagreed with Mr. Long, saying the problem at hand was due to water falling from higher elevations. Mr. Long restated his position that the inadequate culverts should be addressed now. Mayor Lusk said that the Town will be addressing this and other issues with the state.

Mayor Lusk welcomed County Commissioner Richard Casavant and Tennessee State Legislature Representative Richard Floyd, who were both in attendance. Representative Floyd wished everyone Merry Christmas and noted that the state is monitoring highway issues. He said he is grateful that due to the road collapse, there was no consequential accident or loss of life. Commissioner Casavant reiterated what Representative Floyd said and offered his help, if needed.

EPB presentation

Mayor Lusk opened a discussion of a cable franchise agreement proposed by EPB. He said the Council had requested a number of changes to the proposed agreement because it was modeled after Comcast's current agreement with the Town, based on a 17 year old agreement with Telescripps (now Comcast). He said EPB has consistently adopted municipalities' contracts similar to those currently in force with Comcast. Since the Town is on the brink of a new contract with Comcast, it hopes that EPB will agree to accept a contract similar the revised Comcast agreement, which is scheduled to be finalized on January 11th, or at least agree to make similar revisions in the EPB contract when the Comcast contract is finalized. In reply, the EPB agreed to discuss any revisions, but did not agree to make changes based on them. As a result, Mayor Lusk informed the Council that they had three choices: (1) accept EPB's proposed agreement "as is"; (2) adopt an agreement with EPB based on the Comcast agreement which will be finalized shortly; or (3) do nothing. Mayor Lusk then recognized EPB representatives and invited them to speak.

Rick Hitchcock, counsel for EPB, and Katie Espeseth, Head of EPB's Fiber Optic division, introduced themselves. Mr. Hitchcock also introduced others that were there. Mr. Hitchcock said EPB is anxious to provide service here and in other municipalities. He said it's a complicated task because of the number of communities to be served.

Ms. Espeseth said that EPB's goal is twofold - to improve electrical service and to provide second-generation broadband services. She said EPB is prepared to begin work in early 2010 if the agreement is finalized tonight.

Mr. Hitchcock said they are happy to discuss changes, if made by Comcast, but they are in a difficult position if Comcast doesn't agree to changes. He said EPB and Comcast both want equitable agreements. He asked that the Council consider either accepting an agreement that is equal to its current agreement with Comcast or relay any changes accepted by Comcast to EPB for consideration. Mayor Lusk asked if EPB had received a copy of the newly proposed Comcast agreement. Mr. Hitchcock said they had, but noted the agreement had not yet been approved. Vice Mayor Robertson acknowledged that fact, but reiterated that the agreement is scheduled to be finalized in a matter of weeks. Mr. Hitchcock said he is aware of that, but no commitments can be made until an equitable franchise is officially in place. Ms. Espeseth said EPB's goal is to bring as many services to as many people as quickly as possible, and the quickest way to do that is to have an equitable franchise granted. Mayor Lusk said the problem is that other Towns have much more recent Comcast agreements, and Signal Mountain should be given that opportunity also. Mr. Hitchcock said that agreements vary. For instance, Chattanooga's agreement was updated, but the county and other communities' agreements are of a similar "vintage" as that proposed for the Town. Mr. Hitchcock reiterated that EPB merely wants a level playing field with Comcast.

Councilmember Allen asked if accepting this proposed sixteen-year contract now would make Comcast reluctant to make changes. Mayor Lusk said they would probably want exactly what is agreed to with EPB, which would not be in the best interests of the Town.

Councilmember Hendricks asked why everything has to be equalized in the manner that is being described; i.e., what is the point of negotiation. Mr. Hitchcock said franchise competitors typically operate in this manner and generally don't want to implement new terms without this being discussed with other competitors. Councilmember Hendricks said the Town has been willing to discuss this, but EPB indicated it would only *consider* discussing it further. Mr. Hitchcock said EPB personnel have been discussing this with the Town since April. Councilmember Hendricks noted that EPB cancelled its meeting with the Council at the November meeting. Mr. Hitchcock said that was because EPB didn't receive a franchise agreement that was consistent with what its representatives asked for. Councilmember Hendricks said that a letter from the CEO had an unsettling tone and indicated Town staff and the Council had delayed the process, and consequently EPB would bypass service to the Town and contact the Council again in one year. He said the Town has acted in good faith and asked if one month is too long a time for EPB to wait for finalization of the Comcast agreement. Mr. Hitchcock said there wasn't intent to significantly delay service, but realistically, if crews are not here within a few weeks, they will have to be deployed elsewhere for the time being. He said that therefore, if an agreement isn't reached tonight, those crews would be redeployed.

Mayor Lusk reiterated the three options. Vice Mayor Robertson said a delay is more favorable than rushing into a sixteen-year agreement that could be unfavorable to the Town. Councilmember Hendricks agreed. Option "2", adopting a proposed agreement with EPB based on the new agreement with Comcast, was read as follows:

"AN ORDINANCE OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, GRANTING TO THE ELECTRIC POWER BOARD OF CHATTANOOGA, AN INDEPENDENT BOARD OF THE CITY OF CHATTANOOGA, TENNESSEE, ITS SUCCESSORS, LESSEES AND ASSIGNS, A FRANCHISE FOR THE TERM OF TEN (10) YEARS, THE RIGHT, AUTHORITY, POWER, PRIVILEGE AND PERMISSION TO OPERATE A CABLE TELEVISION SYSTEM WITHIN THE TOWN OF SIGNAL MOUNTAIN." Councilmember Hendricks moved, and Vice Mayor Robertson seconded, that the ordinance be approved. The motion passed unanimously. Councilmember Hendricks asked if the Council should invite EPB to the Jan 11th meeting in case anything needs to be resolved. Ms. Rogers said she would contact them.

Citizens Opportunity to Address the Council

Mayor Lusk invited comments from the audience. There were none.

Resolutions

The following resolutions were presented:

1. "A RESOLUTION APPOINTING DAVID CANTRELL AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S BOARD OF ZONING APPEALS." Mayor Lusk moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.
2. "A RESOLUTION REAPPOINTING ELAINE PRESTON, JOHN WYNNE, DAVID REED, AND MARY SCOTT NORRIS AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S HISTORICAL COMMITTEE." Vice Mayor Robertson moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously.
3. "A RESOLUTION REAPPOINTING JERRY ROBERTSON, ALAN DERTHICK, JIM RAULSTON, AND NOAH LONG AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S ADJUSTMENT AND APPEALS FOR MECHANICAL CODES BOARD." Mr. Noblett explained that this Board is required by state law and exists to resolve disputes developers may have with building codes. Mayor Lusk moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.
4. "A RESOLUTION REAPPOINTING SAM POWELL AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S PARKS BOARD." Councilmember Allen moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
5. "A RESOLUTION REAPPOINTING TOM HEYS, ROBBIE HENDERSON, AND TERESA JONES AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S PERSONNEL COMMITTEE" Vice Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
6. "A RESOLUTION APPOINTING GUY BEATY AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S PLANNING COMMISSION." Mayor Lusk moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
7. "A RESOLUTION REAPPOINTING MELISSA CANTRELL AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S PLANNING COMMISSION." Mayor Lusk moved and Councilmember Dick seconded that the resolution be approved. The motion passed by a majority vote, with Councilmember Hendricks opposing.
8. "A RESOLUTION APPOINTING ANN HAGOOD AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S TREE BOARD.

"Councilmember Allen moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.

9. "A RESOLUTION ADJUSTING THE TERMS FOR NOAH LONG, BARBARA WOMACK, NANCY CALDWELL, NEELD MESSLER, AND CORRINE GIAGNORIO AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S TREE BOARD." Vice Mayor Robertson noted that this resolution staggers the terms of its members. She said Mr. Messler's name should be removed as he has resigned. Vice Mayor Robertson moved and Councilmember Dick seconded that the resolution be approved as amended. The motion passed unanimously.

Vice Mayor Robertson asked if the resolution appointing Charlie Poss to the Planning Commission should be read. Ms. Rogers said it wasn't finalized in time for the meeting. Mr. Noblett said a motion could be made now, but it is easier to wait for the actual resolution. Councilmember Hendricks noted that the next agenda session would occur before the next Commission meeting. Vice Mayor Robertson said the main concern was ensuring Mr. Poss has enough time to prepare for that meeting. Councilmember Allen asked if his appointment can be approved now and formally approved later. Mr. Noblett said a resolution makes the official action clearer in the minutes. The Council agreed that a motion to approve his nomination now would at least let Mr. Poss know that he should prepare for Commission activities. Councilmember Hendricks moved and Councilmember Allen seconded that the nomination of Charlie Poss be accepted. The motion passed unanimously.

10. "A RESOLUTION REAPPOINTING GREG GOODGAME AND JAY CAUGHMAN AS MEMBERS OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION." Mayor Lusk noted that there had been several applications submitted for DRC since the last agenda meeting when these appointments had been discussed, and he hadn't had the chance to review them all. Consequently, he moved to postpone approval of this resolution until they could be reviewed. Councilmember Hendricks said that the DRC has a lot of work to do currently and there would be plenty of opportunity to add new members later, so he suggested approving this resolution now. Mayor Lusk said he thought the existing members' terms ended upon replacement. Councilmember Hendricks and Mr. Noblett said their terms actually end on December 31, 2009; however, Mr. Noblett said that in the event no new member is selected, the term could be extended. Councilmember Hendricks said it might be detrimental to tell those existing members that they may be removed in the short term. Councilmember Allen seconded Mayor Lusk's motion. The motion passed by a majority vote, with Councilmember Hendricks opposing. Councilmember Hendricks asked if Mayor Lusk would communicate to these members that the resolution has been deferred. Mayor Lusk said he would.

11. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) 2010 CHEVROLET IMPALA, TENNESSEE STATE BID NUMBER 4038587, FROM WILSON COUNTY MOTOR CO., IN THE AMOUNT OF SEVENTEEN THOUSAND THIRTY SEVEN AND 60/100 (\$17,037.60) DOLLARS TO BE USED BY THE POLICE DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN." Ms. Rogers said the new police car would replace a very old car that is in need of significant repair. Mayor Lusk moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously. Ms. Rogers noted that the price includes a discount received for paying early.
12. "A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A DEED OF TRANSFER FROM THE TOWN TO THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY (WWTA) FOR THE SEWER LINES AND SEWER PLANT TRANSFERRED TO THE WWTA ON SEPTEMBER 16, 2002." Mr. Noblett and Ms. Rogers explained that there was an agreement signed in 2002 that transferred the subject property to the WWTA; however, it should be officially transferred by deed. Vice Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
13. "A RESOLUTION SUPPORTING THE MOUNTAIN ARTS COMMUNITY CENTER (MACC) AND EXPRESSING INTENT TO RESTORE IT TO FUNCTIONAL STATUS." Mayor Lusk moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.
14. "A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO VOLKERT ENGINEERING COMPANY, INC. IN THE AMOUNT OF FORTY ONE THOUSAND FIVE HUNDRED AND 0/100 (\$41,500) DOLLARS FOR PROFESSIONAL ENGINEERING SERVICES FOR THREE ARRA FUND PROJECTS INCLUDING A RESURFACING AND SIGNALIZATION UPGRADE WITHIN THE TOWN OF SIGNAL MOUNTAIN." Ms. Rogers noted that Volkert has already worked on environmental clearance engineering as required by ARRA regulations, but further engineering services are also required. She said the projects cover replacing a red light with an LED light and resurfacing four miles of Palisades Drive and James Boulevard. Councilmember Hendricks asked if the projects would create jobs, as intended by the legislation. Ms. Rogers said subcontractors and engineers would be hired to complete the job. Vice Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.

Ordinances

The following ordinances were presented:

1. "AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 20, TO ADD A NEW CHAPTER 5, ENTITLED "PARK REGULATIONS AND GUIDELINES." Vice Mayor Robertson and Ms. Rogers noted a total of four grammatical errors and requested their amendment. Mayor Lusk moved and Councilmember Allen seconded that the resolution be approved as amended. The motion passed unanimously.

2. "AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 2 BY DELETING CHAPTERS 1 THROUGH CHAPTERS 7 AND ADDING NEW CHAPTERS 1 THROUGH CHAPTERS 16 TO INCLUDE REFERENCES TO ALL CURRENT BOARDS AND COMMISSIONS IN THE TOWN." Mayor Lusk explained that the ordinance is needed to replace previous conflicting board ordinance language. He thanked Mr. Hendricks for beginning the work on this ordinance and Ms. Robertson for her revision efforts. Vice Mayor Robertson asked for the meaning of "single family residential detached structure" as noted on page eight the ordinance. Mr. Noblett said that is legal terminology for a house. Vice Mayor Robertson asked if references to 70% required participation in "regular" meetings should be changed to simply "meetings" since a significant amount of work takes place in work sessions. Councilmember Allen said that work sessions are certainly important for the Planning Commission but was unsure about other Boards. Ms. Rogers said that, since she has been employed, only the Commission and the DRC have held work sessions, and the DRC only holds them when a significant topic is to be discussed. Councilmember Hendricks said that members' work schedules might need to be considered. Ms. Rogers suggested using a lower percentage for special sessions. Councilmember Hendricks noted that the percentage participation rule is meant only as a guide. Mayor Lusk asked if, since this is only a first reading, amendments could be made before the second reading. Mr. Noblett said they could be; however, any significant changes may necessitate another first reading. Mayor Lusk moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.

3. "AN ORDINANCE OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE AMENDING TITLE 3, CHAPTER 1, TO CREATE A NEW SECTION 3-114 OF THE TOWN CODE RELATING TO THE EMPLOYMENT OF COLLECTION AGENCIES TO COLLECT MUNICIPAL FINES AND COSTS." Ms. Rogers explained that the Town employs collection agencies to collect various debts, but the law requires that this ordinance be passed to allow collection of court costs and fines. Mr. Noblett noted that this also allows the Town to add costs of collection to what is owed. Councilmember Allen moved

and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.

Discussions

Mayor Lusk opened a conversation on proposing a service fee for citizens who purchased or will purchase a second garbage can. Ms. Rogers noted that the Public Works department had researched the idea.

Loretta Hopper, Public Works Director, said the proposal is essentially a monthly fee for disposing of additional garbage. She said her calculations were based on weight. A few secondary cans were weighed and the average weight was 26 pounds, which was much lower than she expected. She said she would like more time to weigh additional cans to get a better sample. She said that it is hard to get a good weight at this time of year because of the holidays and resulting additional garbage. She noted that about 100 residents have two carts, producing about twelve tons per year, or \$250 in additional landfill fees. She also said the additional twelve tons produced about five or six additional "pulls" for a cost of around \$720 per year. Mayor Lusk noted that this ultimately costs the Town about \$970 per year. Ms. Rogers said she was surprised at how small the figures are.

Councilmembers Hendricks and Dick noted that they had received e-mail from a citizen that said the cost per capita should be taken into consideration as some homes have more residents. Councilmember Hendricks said he would like to revisit curbside recycle service.

Councilmember Allen noted that towns that charge fees have a larger comprehensive program in which the size of a can determines its fee. She volunteered to research this further. Councilmember Dick said that the automated service has saved the Town about \$100,000, so it's premature to establish a fee. Councilmember Allen said citizens would have more control over how much they pay for garbage under a fee structure, rather than paying through property taxes. Councilmember Dick said citizens might not appreciate additional fees unless we can lower taxes to compensate them. Councilmember Hendricks agreed. The Council agreed that more research should be performed.

Ms. Rogers noted that she contacted Ann Coulter regarding Town commercial planning services, and that Ms. Coulter is available next Monday to meet with the Council. If that isn't acceptable another date can be scheduled. Ms. Rogers suggested that a meeting would give all Council members the opportunity to hear Ms. Coulter's proposal and ask questions they might have. Councilmember Hendricks asked if she could meet with the Council at the January agenda session. Ms. Rogers said she would call her to confirm.

Councilmember Dick suggested the Council shouldn't be in too big of a hurry because Ms. Coulter's proposal was expensive and should be considered carefully. Councilmember Hendricks agreed, saying the current rezoning request that might be affected by a new plan probably won't occur for some time due to the moratorium. Vice

Mayor Robertson agreed, but also noted that the current development group are pushing for a quick decision. Councilmember Hendricks acknowledged that, but said the Planning Commission won't review it until January, and the Council can't review it until after that; therefore, it will still be some time before any rezoning occurs.

Councilmember Allen asked about how commercial development progression relates to design standard adherence; i.e., what regulations must developers comply with prior to beginning construction. Mr. Noblett said that issues could arise because designs must be made well in advance of construction, and the design standards in effect at that time may be different than those at the time of actual construction. He said that design standards should therefore specify their effective date. Mayor Lusk noted that the developer's intent regarding the moratorium is to apply for a special permit to allow sewer connection. Councilmember Hendricks said he still felt the Council could wait until the next agenda session to meet with Ms. Coulter. Councilmember Dick asked Mr. Noblett if there would be any recourse on the part of developers if a commercial plan isn't approved before they receive a zoning change. Mr. Noblett said there might be an issue if it is ever determined that all parties were not on the same page regarding design standards.

Returning to the issue of the road collapse and current repair status, Ms. Rogers pointed out that several agencies have worked well with the Town during this emergency and commended the Town's personnel for their hard work. Councilmember Hendricks as well as the rest of the Council commended Ms. Rogers on her handling of the road situation.

Department Reports

Police

Police Chief Boyd Veal reported that a new officer, Mike Alderson, was hired. The department is now advertising the second open position. A record number of students at Nolan and Thrasher Elementary schools graduated the D.A.R.E program. The bicycle safety program has been expanded to address helmet use by older children. Erlanger is willing to sponsor helmet safety programs. Also, helmets may be donated.

Fire

Fire Chief John Vlasis reported that two firefighters were hired. Two fires have occurred recently – one major and one minor. The department helped Signal Mountain Social Services with a food drive.

Public Works

Public Works Director Loretta Hopper reported that recent inclement weather has caused problems, not the least of which is the damage to the highway. Also, a few trees fell during the storms. TDOT has treated the "W" road with brine. Leaves are being raked,

and there have been fewer complaints regarding leaf pickup than in previous years. Ms. Rogers commended the public works employees for assisting citizens and demonstrating concern for citizen safety during the fires noted above. Also, Ms. Rogers noted that Ms. Hopper had recently been appointed to the Tennessee Chapter of the American Public Works Association Diversity Board.

Recreation

Recreation Director Jarred Thompson reported that ball field reconditioning is continuing. Light poles will be replaced at Scott and Rutledge fields. Councilmember Allen asked how often clay is spread on ball fields. Mr. Thompson said every six or seven years, but yearly review is now a requirement because drainage problems cause deterioration.

Water

Utilities Director William Sanders reported there were four major leaks. Paving work was performed. Line repairs and shutoffs are planned.

MACC

MACC Director Barbara Storm reported that fall semester classes are concluding. Winter classes begin in January. Three publications of catalogs have been issued. Two new classes – a Broadway dance class and a voice class have been added. She thanked the Council for their support of MACC and its necessary repairs, and she is delighted that the long difficult process of full restoration of the MACC is now underway.

Other Business

There being no further business, the meeting was adjourned.


Recorder


Bill Lusk, Mayor