

*****January 11, 2010*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, January 11, 2010, 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
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 and December 14th regular meetings and January 4th agenda meeting were discussed. With no corrections or revisions all minutes were approved unanimously.

Honorary Resolutions

The following honorary resolutions were presented:

1. "A RESOLUTION COMMENDING JAMES FARIS FOR HIS SERVICE ON THE SIGNAL MOUNTAIN BOARD OF ZONING APPEALS." Councilmember Allen moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.
2. "A RESOLUTION COMMENDING JASON MEDEIROS FOR HIS SERVICE ON THE SIGNAL MOUNTAIN DESIGN REVIEW COMMISSION." Vice Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
3. "A RESOLUTION COMMENDING KIRK BURNS FOR HIS SERVICE ON THE SIGNAL MOUNTAIN DESIGN REVIEW COMMISSION." Vice Mayor Robertson moved and Councilmember Dick seconded that the resolution be approved. Councilmember Hendricks noted that Mr. Burns didn't actually serve on the DRC for three years, as indicated in the resolution; instead, he is resigning in the middle of his term.

Councilmember Hendricks said the new appointee would therefore have to serve out the remainder of Mr. Burn's term. Ms. Rogers reviewed related documentation and said that an amendment stating Mr. Burns has only served two years is correct. Councilmember Hendricks moved to add such an amendment to the resolution. Mayor Lusk seconded the motion, and the resolution passed unanimously as amended.

4. "A RESOLUTION COMMENDING BOB ANDERSON FOR HIS SERVICE ON THE SIGNAL MOUNTAIN LIBRARY BOARD." Councilmember Dick moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
5. "A RESOLUTION COMMENDING JAMES BARDONER FOR HIS SERVICE ON THE SIGNAL MOUNTAIN LIBRARY BOARD." Councilmember Hendricks noted that the resolution should say "MACC Board", and moved to amend it. Vice Mayor Robertson seconded the motion, and the resolution passed unanimously as amended.
6. "A RESOLUTION COMMENDING WELLS BLAKE FOR HIS SERVICE ON THE SIGNAL MOUNTAIN PLANNING COMMISSION." Councilmember Hendricks moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
7. "A RESOLUTION COMMENDING JEFF DUNCAN FOR HIS SERVICE ON THE SIGNAL MOUNTAIN PLANNING COMMISSION." Councilmember Hendricks asked if Mr. Duncan was another individual who had only completed a partial term. The Council agreed his service was full term, because regardless of when a term begins for however long, all terms end on December 31st. This policy was instituted during the tenure of Town Manager Diana Campbell. Mayor Lusk moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
8. "A RESOLUTION COMMENDING JENNIFER MASTIN FOR HER SERVICE ON THE SIGNAL MOUNTAIN LIBRARY BOARD." Councilmember Allen moved and Councilmember Dick seconded that the resolution be approved. Councilmember Hendricks noted a typographical error in one sentence that referred to her as Jennifer *Martin*. Ms. Rogers agreed to correct the error. The motion passed unanimously as amended.

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 RECOGNIZING AND CELEBRATING MARCH 5, 2010, AS ARBOR DAY WITHIN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE." Councilmember Hendricks moved and Councilmember Allen seconded that the resolution be approved. Noah Long, Chairman of the Tree Board, recited the history of Arbor Day as stated in the body of the resolution. The motion passed unanimously.
2. "A RESOLUTION REAPPOINTING JAY CAUGHMAN AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION." Vice Mayor Robertson moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.
3. "A RESOLUTION APPOINTING EDMUND GARBEE III AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION." Councilmember Dick moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
4. "A RESOLUTION APPOINTING JEREMY RARDIN AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION." Vice Mayor Robertson moved to adjust the term limit in the resolution from "three" years to "one" because Mr. Rardin would be completing Mr. Burn's term. Councilmember Allen seconded the motion, and the resolution passed unanimously as amended.
5. "A RESOLUTION APPOINTING JOHN (RUSTY) SEWELL AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S DESIGN REVIEW COMMISSION." Councilmember Allen moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
6. "A RESOLUTION REAPPOINTING EDWARD LUSK AS THE REPRESENTATIVE TO THE SOUTHEAST TENNESSEE AREA AGENCY ON AGING AND DISABILITY ADVISORY COMMITTEE FOR THE TOWN OF SIGNAL MOUNTAIN." Mayor Lusk moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.
7. "A RESOLUTION APPOINTING LAURIE BUCHANAN AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S MOUNTAIN ARTS COMMUNITY CENTER BOARD." Councilmember Hendricks

moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously. Vice Mayor Robertson noted that Ms. Buchanan said she is happy to serve on the Board.

8. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN A CONTRACT WITH KENNEDY COULTER RUSHING & WATSON IN AN AMOUNT NOT TO EXCEED TWENTY FIVE THOUSAND FOUR HUNDRED FIFTY AND 0/100 (\$25,450) DOLLARS FOR PROFESSIONAL PLANNING ASSISTANCE IN THE DEVELOPMENT OF NEW COMMERCIAL ZONING DISTRICTS AND COORDINATING DEVELOPMENT OF VISION AND DESIGN REVIEW GUIDELINES FOR THE TOWN OF SIGNAL MOUNTAIN." Ms. Rogers explained that Ms. Coulter would be holding a public input meeting and visioning process to guide the community in developing new commercial guidelines and standards. She also said that KCRW would give the Design Review Commission recommendations toward establishing updated and revised guidelines. Vice Mayor Robertson noted the public input meeting would be similar to the Land Use Plan meetings.

Noah Long asked if the scope of work by KCRW was defined in the contract, and he requested that a copy of the contract be made public for review before the vote took place. Ms. Rogers provided him one. Mr. Long said planning is critical to make the project cost-effective.

Councilmember Hendricks said he initially had reservations about spending money out of fund balance for this, but because Ann Coulter is reputable, the fee has been lowered through negotiation, and there is a definite interest in commercial development, he now feels better about supporting it.

Mr. Long said that the scope of the work should be very specifically defined or conflict with KCRW could result. He and the Council discussed what geographic areas would be covered. Ms. Rogers said she has no concerns about Ms. Coulter's willingness to work with the Town. Mr. Long asked how many public meetings would be held. Ms. Rogers said there would be one. Mr. Long said there should be more. Councilmember Hendricks said that would raise the fee. Mr. Long said the Town should get a deliverable product for the amount paid.

Vice Mayor Robertson noted that the Town will help conduct more meetings if needed and that our willingness to do so was one reason why KCRW lowered its fee.

Mr. Long, citing item no. 4 in the contract, asked what the legal authority of the deliverables would be, i.e., will they supersede other Town ordinances or guidelines. Ms. Rogers and the Council said it wouldn't;

KCRW is not producing guidelines or laws, only providing recommendations for them. Mr. Long noted that development planners have no economic interest in what is in the plan but landowners do. He therefore asked if the plan would preclude landowners' rights. Councilmember Allen said it wouldn't because that would be a property taking. Mr. Long agreed. Mr. Noblett reviewed the various phases of work the firm would perform, noting a final deliverable will take the form of a study. Mr. Long said he wanted to ensure the public knows this is only a conceptual process with no legal framework. The Council verified it is. Councilmember Hendricks noted that consultants could not make laws. He said that he hopes developers will follow guidelines in the future and overall economic benefit is attained. Vice Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.

9. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO GIVE NOTICE TO THE HAMILTON COUNTY HUMANE EDUCATIONAL SOCIETY (HES) TO CANCEL THE CURRENT CONTRACT." Ms. Rogers explained that the Town pays an annual fee of \$36,000 to HES for animal control services, but does not feel there are enough animals picked up by or delivered to the shelter to justify this fee; therefore, she and Town staff have worked for a long time to establish another arrangement. She also noted that the Town has oftentimes received incomplete reports from HES or none at all. Vice Mayor Robertson asked how many animals are removed per year. Ms. Rogers cited two previous years - one in which four pickups were performed and another in which two were performed. She noted, however, that this data only tracked pickups, not delivery of unwanted animals by individuals to the shelter. She presented reports from HES indicating animal intakes that far exceeded what was taken from the Town per our log sheets. Many intakes were for animals from outside the town. Ms. Rogers noted that full reports for the Town have been requested and should be here by the end of the week. She said this contract would be replaced by others as noted below.

Mayor Lusk reiterated that the Town has often not received sufficient or reliable data from HES. Ms. Rogers recommended passage of the resolution. Councilmember Hendricks reiterated that individuals have dropped off many animals at the shelter, including individuals who do not live in the Town. He stated that an individual surrendering his/her personal animal should not be allowed to burden Town taxpayers. Mayor Lusk moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously.

10. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN A CONTRACT WITH ANIMAL CONTROL EMERGENCY SERVICES FOR ANIMAL CONTROL RESPONSE." Councilmember Allen moved

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

11. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF CLEVELAND FOR THE HOUSING OF ANIMALS CAPTURED THROUGH ANIMAL CONTROL." Councilmember Dick moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.
12. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF EAST RIDGE FOR THE HOUSING OF ANIMALS CAPTURED THROUGH ANIMAL CONTROL." Councilmember Hendricks moved and Vice Mayor Robertson seconded that the resolution be approved. Councilmember Allen asked if there were a limit on how long an animal is housed at the shelter until it is put up for adoption. Ms. Rogers said that by law the limit is three days. She noted, however, that the Town could often find the owners of lost pets before they are even delivered to the shelter. Councilmember Hendricks asked if Cleveland is bound by the same law. Ms. Rogers said it is. Councilmember Hendricks asked if the Town has a device that detects tracking microchips that some people use for their pets. Chief Veal said the Town doesn't. Ms. Rogers said she would research the option of purchasing one along with other items under consideration, such as constructing a holding pen. Already, several Town personnel have been trained in animal control. The motion passed unanimously.
13. "A RESOLUTION APPOINTING JENNIFER BOYD AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S TREE BOARD." See discussion below.
14. "A RESOLUTION APPOINTING JOSEPH HORTON AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S TREE BOARD." See discussion below.

Vice Mayor Robertson noted that there were five applications submitted to the Tree Board, and only two could be selected. One was Jennifer Boyd, who has a PhD in plant ecology and teaches at UTC. The other was Joe Horton, a retired individual who enjoys working outdoors. Councilmember Hendricks asked who made the decision to suggest these two individuals. Vice Mayor Robertson said that she, Noah Long, and Barbara Womack, another Tree Board member, made the decision by talking to the applicants. Councilmember Hendricks said that process wasn't sufficiently open to the public and that all committees should review applications in public meetings. Ms. Rogers noted that the current

process is to deliver them to the applicable chairpersons. Councilmember Hendricks said not all Chairpersons have received these recently. Ms. Rogers apologized for any that may have been missed. Mayor Lusk asked if this process was formalized. Ms. Rogers said it wasn't, but she would document it. Councilmember Hendricks noted that he was only making a procedural point and had no reservations with these appointments. Councilmember Hendricks moved and Vice Mayor Robertson seconded that both resolutions be approved. The motion passed unanimously. Mr. Long said he agreed with Paul about consistency in the public process and apologized, noting that the Board was merely trying to bring in its new members in time for them to become involved in the upcoming Arbor Day celebration.

Ordinances

The following ordinances were presented:

1. "AN ORDINANCE OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, GRANTING TO COMCAST OF THE SOUTH, A COLORADO GENERAL PARTNERSHIP, ITS SUCCESSORS, LESSEES AND ASSIGNS, A FRANCHISE FOR THE TERM OF FIVE (5) YEARS, THE RIGHT, AUTHORITY, POWER, PRIVILEGE AND PERMISSION TO OPERATE A NONEXCLUSIVE CABLE TELEVISION SYSTEM WITHIN THE TOWN OF SIGNAL MOUNTAIN." Mr. Noblett explained the most significant language of the contract provisions. He noted the Town has a similar ordinance/agreement prepared for EPB that will be presented at the February regular meeting.

Russell Byrd, Comcast's Senior Director of Government Affairs, was present and noted that the agreement is a non-exclusive franchise; i.e., the Town is free to grant any other company a franchise as well. He also noted that this agreement mirrors the state agreement for franchises, which govern providers such as AT&T. Therefore, if AT&T offers services, Comcast would be on a "level playing field" with them. He said he believes this agreement is in everyone's best interest. He said Comcast agreed to allow EPB to modify its contractual language regarding public channel use, provided such service is provided equally by Comcast and EPB. He noted that originally, the EPB proposal called for a sixteen-year term, whereas Comcast asked for a five-year term. As a result, Comcast modified the language to add a five-year renewal provision to come closer to equalization. He said that, 36 months before end of the term, a letter will be sent to indicate Comcast's wish to renegotiate another agreement. Mayor Lusk noted that this proposed agreement is much more up-to-date than the current one. He mentioned that the Town's Comcast representative has been outstanding to work with. Mr. Byrd said he looks forward to working with the Town. Vice Mayor Robertson moved and

Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.

2. "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." Ms. Rogers said that she a copy of the Comcast agreement to EPB, and they asked to delay consideration of their agreement until the next agenda meeting, after they have had a chance to review it. Councilmember Hendricks mused that previously, EPB seemed to complain about the Town delaying the process, but now its officials are asking for more review time. Ms. Rogers said that she felt EPB would probably accept this agreement. Ms. Rogers and Mr. Noblett said EPB would review it as some of the terms regarding public access to records will be different for them as a public entity than for Comcast, a private company. Mayor Lusk moved to table the ordinance, Councilmember Hendricks seconded, and the motion passed unanimously.
3. "AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 20, TO ADD A NEW CHAPTER 5, ENTITLED "PARK REGULATIONS AND GUIDELINES." Councilmember Allen moved and Councilmember Dick seconded that the resolution be approved. The motion passed unanimously. Councilmember Allen thanked the Parks Board members for their work.
4. "AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 2, TO AMEND 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." Vice Mayor Robertson moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.

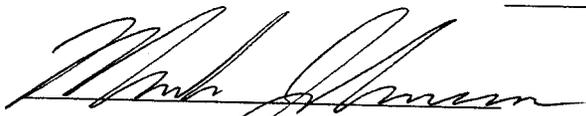
Discussions

Mayor Lusk opened a conversation on appointing a new liaison to the DRC. Councilmember Allen moved to appoint Vice Mayor Robertson. Mayor Lusk seconded the motion, and it passed unanimously, with the exception of Vice Mayor Robertson, who abstained from voting but agreed to accept the appointment.

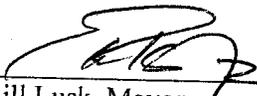
Ms. Rogers mentioned that the Planning Commission meeting was cancelled due to inclement weather and was rescheduled to January 21st. Councilmember Hendricks

asked if Blue Highways Development had planned more public meetings. Ms. Rogers said she was not aware of any.

There being no further business, the meeting was adjourned.



Recorder



Bill Lusk, Mayor

DATE: January 11, 2010

NAME	ADDRESS
1. <u>Stephen Steacy Seals</u>	<u>2114 W. Feinberg Rd.</u>
2. <u>Lon Clephant</u>	<u>622 Alvan Way</u>
3. <u>Jean Dotson</u>	<u>1004 Loddon</u>
4. <u>Moak Lee</u>	<u>171 Woodcliff Ln</u>
5. <u>Melissa Cantrell</u>	<u>105 South Dr</u>
6. <u>Jennifer Moore</u>	<u>105 South Dr</u>
7. <u>DAVID CANTRELL</u>	<u>105 South Dr</u>
8. <u>Tammy Rardin</u>	<u>709 Cauthern</u>
9. <u>Jeremy Rardin</u>	<u>709 Cauthern</u>
10. <u>Clair Huesig</u>	<u>40 Carriage Hill</u>
11. <u>Bob Huesig</u>	<u>40 Carriage Hill</u>
12. <u>VA Eder</u>	<u>1179 James Blvd</u>
13. _____	_____
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*****January 29, 2010*****

The Signal Mountain Town Council held a special agenda meeting on Monday, January 29, 2010 at 10:00 a.m. in the Town Hall. Those present were:

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

Others present were: Town Manager Honna Rogers
Town Recorder Mark Johnson
Town Attorney Phil Noblett
Others (as noted)

The agenda for the February 8, 2010 regular meeting was discussed as follows:

- Approval of the January 11th and 29th minutes.
- A resolution supporting "Kids in the Kitchen", a program designed to encourage healthy lifestyles for kids K-5.
- A resolution honoring the Thrasher Environmental Club.
- A resolution to support "Earth Hour."
- A resolution to appoint two new members to the Library Board.

Councilmember Allen updated the Council on the effort to establish a conservation easement for Rainbow Lake and adjacent wilderness areas and trails in the town. She reported she and Ms. Rogers had met with Tennessee River Gorge Trust representatives, and they were receptive to the idea of holding the easement and will present the idea to the Trust's Acquisition Committee.

Councilmember Allen opened a discussion on forming a "Green Committee". She noted that ICLEI, Local Governments for Sustainability, has developed a program for smaller communities that delineate the steps necessary to establish and measure a community's carbon footprint. Establishing a Green Committee is part of that process. The Council agreed to pursue Ms. Allen's idea and to research the possibility of hiring an intern or utilizing a board member for research. Other potential benefits of using an intern were discussed as well.

Representatives from EPB were present to answer/discuss any questions on the proposed cable franchise agreement prior to related ordinance passage. It was noted that previous issues and questions had been resolved. The attorneys noted they were both comfortable with the agreement. The representatives noted that service should be available by early fall 2010. The following ordinance was then presented: 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 (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. This served as the second reading.

Jarred Thompson, Recreation Director, was present to discuss gym roof repairs. He explained that rain water over the years that had caused the roof to bow and trap water. In addition the roof was old, cracked and brittle. Various roofing contractors and Building Official Chuck Gearhiser advised the roof should be replaced quickly. The details of various replacement options were discussed. Finally, Ms. Rogers and Mr. Noblett recommended funding an emergency purchase to replace the roof as soon as possible.

The following resolution was presented: "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN EMERGENCY PURCHASE CONTRACT WITH ASSOCIATED ROOFING SERVICE TO REPAIR DAMAGES TO THE TOWN GYM ROOF IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND TWO HUNDRED AND 0/100 DOLLARS (\$37,200.00) PLUS COSTS FOR A WARRANTY WHICH SHALL NOT EXCEED FIVE HUNDRED THIRTY TWO AND 0/100 DOLLARS (\$532.00). ARS's proposed service was discussed, including references, bond requirements, potential change orders, etc. Other bid proposals were discussed as well. Mr. Thompson noted that another potential bidder was scheduled to arrive within the next few days to provide a quote. The Council discussed whether to pass the resolution or await the new quote. Mr. Noblett explained that the resolution can be passed now, and if a better offer is delivered, a new resolution can be passed at the February 8th meeting. Ms. Rogers suggested amending the current resolution to change the contract price to a maximum of \$39,000 to allow for potential decking costs. Councilmember Hendricks moved to pass the resolution with an amendment to increase the cost cap to \$39,000, with a second by Councilmember Dick. The motion passed unanimously as amended. The Council agreed that Mr. Thompson should also get a quote from the potential new bidder mentioned above and JD Helton Construction as well.

Ms. Rogers and Mr. Thompson presented a proposal to charge the local swim team the Town's costs for pool use, lifeguards and lost revenue during home swim meets. Ms. Rogers noted that teams in which each member pays a \$5.00 maintenance fee are not typically charged costs; however, the costs the Town incurs during meets is quite significant. The \$5 maintenance fee is intended to assist with upkeep of the facility and not reimbursement of costs. The Council agreed to assess rent of \$1,000.00 per year.

The meeting was temporarily recessed to allow for an Attorney/Client meeting.

Upon reconvening the agenda session, Loretta Hopper, Public Works Director, was present for a discussion of the proposed James Boulevard sidewalk construction. Preliminary plans and various options for the sidewalk were reviewed. Ms. Rogers said

that an official recommendation from Thompson Engineering is needed before any commitment can be made in favor of a particular option. Representatives from the Signal Mountain Golf and Country Club were present. Doug Fisher, President of the club's Board, said that the club's only real concern is substantially maintaining the presence and condition of the Leyland Cypress trees adjacent to the proposed construction area. The history of the sidewalk grant, Town rights-of-way, utilities concerns, safety benefits of trees, Town and Club liability issues, etc., were discussed. The Council agreed that the number of trees that might be removed is uncertain, and it was noted that Thompson Engineering will host a public drop-in meeting to listen to concerns and gather input on February 3rd between 6 and 8pm.

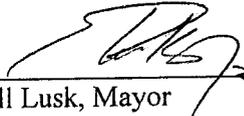
Transportation Committee member Ruzha Cleaveland was present to report the Committee's prioritized recommendations to the Council. They are summarized as follows:

- The erosion issue at Shoal Creek Road. Ms. Hopper is working on this issue.
- The "Complete Streets Concept", a program wherein roadways incorporate pedestrian and bicycle pathways as well as roads for cars and trucks.
- The up-grading of Highway 127. Mayor Lusk explained how this project would have to be added to the TDOT's long-range transportation plan. A discussion was held hoping that TDOT would be willing to work with the town in the planning stage of the project. Ms. Cleaveland stated the Committee would be willing to help the Council in any way. The Council thanked her and said it would keep her informed.

Ms. Rogers updated the Council on the status of ARRA funding. She noted that the Town award should be approved/obligated by Tuesday.

Ms. Rogers opened a discussion on a request from East Ridge to join them and Red Bank by passing a resolution requesting the state legislature amend the voting structure of the WWTA Board so that the number of votes a municipality has is based on the number of its WWTA customers. Various facets of the issue were discussed, including the fairness of determining the number of votes a municipality may have by population or by the number of WWTA customers. Ms. Rogers stated she was unsure if the state legislature would support the resolution but did not feel it had strong support. After some discussion, the Council agreed to not pass one.

There being no further business, the meeting was adjourned.


Bill Lusk, Mayor


Recorder

DATE: January 29 2010

NAME	ADDRESS
1. D. Bullock	EPB
2. D WADE	EPB
3. A. Webb	EPB
4. Greg Eans	EPB
5. Rick Hitchcock	Chamblier Barnes
6. DL Peterson	
7. B. Varnes	607 Albest Rd.
8. Noah Long	171 Woodcliff Cir
9. Bob F. J.	
10. THOMAS S FORD	
11. Ruzha Cleveland	1000 SM Blvd
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*****November 2, 2009*****

The Signal Mountain Town Council held a special agenda meeting on Monday, November 2, 2009 at 9:00 a.m. in the Town Hall. Those present were:

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

Others present were:

Town Manager Honna Rogers
Town Recorder Mark Johnson
Town Attorney Phil Noblett
and others (as noted).

Greg Goodgame and Karna Levitt were present and participated in a discussion of Design Review Commission (DRC) responsibilities and how the DRC could be better prepared to address future commercial development. Councilmember Allen noted that after a recent seminar by Randall Arendt, she wondered if the DRC Design Standards should be reviewed and updated in light of some of his suggestions. The Council discussed some of Arendt's suggestions such as requirements for connecting sidewalks, rear parking, village-like buildings with two stories, etc. They also discussed how DRC regulations could relate to a potential Town plan to address future commercial development. Ms. Rogers noted that she had been speaking with Anne Coulter, a land use planner, about such a plan and agreed to have Ms. Coulter develop a proposal for the Council to review at the next agenda session. Mr. Goodgame suggested discussing commercial development plan with Walden as well. Ms. Rogers agreed to contact Walden representatives and discuss the idea. Other DRC activities and needs were discussed such as when the Council could expect to see revised sign regulations, which it asked the DRC to begin work on last year.

Chuck Gearhiser, Building Official and Stormwater Manager, was present and participated in a discussion of retention/detention ponds and whether or not a need for fences exists. Mr. Gearhiser explained that a detention pond retains water, and then releases it over a period of several hours whereas a retention pond retains water indefinitely. The Council discussed safety issues and whether surrounding fences should be mandated. Mr. Gearhiser recommended that rather than create a general rule by ordinance for all ponds, each pond should be evaluated separately, preferably by the Planning Commission. Ms. Rogers agreed to research the issue further for the next agenda session.

Jarred Thompson, Recreation Director, was present and participated in a discussion of a request by Signal Mountain Golf and Country Club representatives to obtain and use Driver Field as an expansion of the course. Mr. Thompson noted that the Recreation Board discussed the issue and agreed to recommend that the request be denied. The

Council discussed current uses of the field as well as alternatives to the request. The position of the impending sidewalk along the course at James Boulevard was discussed also. Councilmember Hendricks moved to accept the recommendation of the Recreation Board to deny the request. Councilmember Allen seconded, and the motion passed unanimously.

Vice Mayor Robertson noted that the Tennessee Urban Forestry Council recommended that the Town employee most responsible for maintenance of municipal property and parks should be appointed as the staff representative for the Tree Board. She suggested that Mr. Thompson be that person. Ms. Rogers agreed to consider this further.

Barbara Storm, MACC Director, was present and reported she had assisted in an update of repairs at the MACC. Ms. Rogers noted that raccoons and possums are still being trapped, classes are held in alternate locations, and estimates for ceiling and roof repair are being obtained. She said portions of the building may be reopened on a piece-by-piece basis. She also noted historic building grants are being researched for possible funding. Mr. Gearhiser noted that he is reviewing structural damage.

Vice Mayor Robertson asked if artwork by SMMHS students could be displayed in the foyer of the Town Hall on Monday, November 9th before the regular Council meeting. The Council agreed that was a good idea and that the Council should encourage all the schools to display student artwork at the Town Hall from time to time.

Various revisions to the Board ordinance were discussed, including membership eligibility and makeup, appointment/removal provisions, powers of certain Boards and Committees, use of Town staff, etc. The ordinance will appear on the December agenda.

Police Chief Boyd Veal was present and participated in a discussion of whether or not to consider proposing a youth curfew. Current enforcement authority and the additional authority that would be allowed under an ordinance were discussed as well as legal issues. The Council agreed unanimously there was no reason to propose or adopt a youth curfew.

Chief Veal also participated in a discussion of a noise ordinance amendment, an issue that came up during Tom Poteet's proposal to purchase the former SMMS property. He demonstrated how a decibel meter works, and noted that he had reviewed several noise ordinances from other municipalities. The Council considered noise decibel ratings, detection problems, and enforcement issues that might arise from an amended noise ordinance. Ms. Rogers agreed to research the issue further.

The agenda for the November 9, 2009 regular meeting was discussed as follows:

- Approval of the October 12th regular meeting and November 2nd agenda meeting minutes.
- A resolution honoring the Signal Mountain High School golf team's state championship victory.

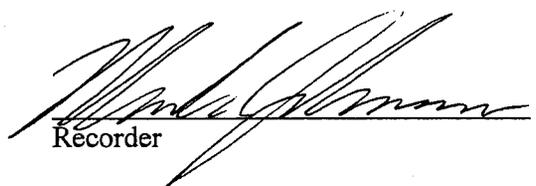
- A resolution honoring the Thrasher Environmental Club – to be placed on the December agenda.
- A “State of the Town” presentation by Mayor Lusk. The Council agreed this should be scheduled before citizen comments.
- A resolution updating the personnel policy, if the updates are approved by the Personnel Committee.
- A resolution appointing Bonnie Hamilton to the Historical Committee.
- Board ordinance amendments – to be placed on the December agenda.
- Noise ordinance amendments – to be discussed at a later date.
- An ordinance authorizing use of a collection agency for delinquent court costs.
- A discussion of the proposed sales tax increase referendum.
- A discussion of photo-enforcement traffic cameras.
- An ordinance approving a cable franchise agreement. Ms. Rogers noted she is working on resolving questions regarding the proposed contract with the current service provider.

Councilmember Allen requested that Town staff research information on bicycle helmet safety for future discussion and promotion by the Town.

There being no further business, the meeting was adjourned.



Bill Lusk, Mayor



Recorder

DATE: November 2, 2009

NAME	ADDRESS
1. <u>Clairie Trusmy</u>	<u>40 Carriage Hill</u>
2. <u>Gregory Clough</u>	<u>1112 Clavis Circle</u>
3. <u>Karen Lentz</u>	<u>307 SMB</u>
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