

*****July 12, 2010*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, July 12, 2010, at 6:30 p.m. in the Town Hall. Those present were:

Mayor Bill Lusk
Vice Mayor Susan Robertson
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 June 14th regular meeting and June 14th work session as well as the June 28th agenda meeting were discussed. With no additions, deletions, or corrections both sets of agenda meeting minutes were approved.

Vice Mayor Robertson apologized for an erroneous suggested correction she made to the June, 14th regular minutes draft in which she changed Councilmember Hendricks' statement, "A very similar plan was turned down by the Planning Commission" to "The Planning Commission has rejected Mr. Powell's request to re-zone Taft Highway". Referring to disagreement over this correction, she said she misunderstood that Councilmember Hendricks was referring to the commercial site plan, not the rezoning request. Councilmember Hendricks said that minutes should reflect what is actually said, and he accepted the apology. Vice Mayor Robertson said that she only tries to correct grammar and clarify meaning during her reviews of the minutes. The minutes were approved with the above statement included as originally written.

Honorary Resolution

"A RESOLUTION RECOGNIZING AND COMMENDING THE SIGNAL SCHOOL OF PHYSICAL EDUCATION'S GYMNASTICS TEAM FOR ITS CHAMPIONSHIP SEASON." Vice Mayor Robertson moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously. Members of the team were presented the resolution.

Citizens Opportunity to Address the Council

Mayor Lusk invited comments from the audience.

Polly Ragan, Woodcliff Circle, requested that orange cones be placed at the intersection of Barrington Road and Taft Highway during swim meets for safety. She noted that at the Shepard Forest home owners' association meeting, a gentleman noted that he almost had an accident because of his view was obstructed this. Police Chief Boyd Veal said that the police try to

prepare for parking solutions for the meets when they are aware of them. Recreation Director Jarred Thompson said he could provide the police with a schedule of events. Councilmember Hendricks said that this is one advantage of having a full-time recreation director.

Lou Oliphant, Alexian Way, asked Ms. Rogers when the repaving of James Boulevard to allow for a bus stop was scheduled. Ms. Rogers said the Town is on a waiting list for a grant. She also said that the related engineering is scheduled for next year, although the actual paving should be done in 2013. Ms. Oliphant said she thought it was scheduled for this July. Ms. Rogers said explained the current schedule pertains to repaving another portion of James Boulevard, which is funded by a separate ARRA grant. Ms. Oliphant then asked about the status of the sidewalk along James Boulevard. Ms. Rogers said the Town is awaiting two more permits from the state, after which the construction should begin this fall.

Betty Spaulding, Texas Avenue, said that brush growth and the design of the roads at the 5-point Texas Avenue intersection create a traffic danger. She asked that the brush be trimmed and a police officer be stationed there. Mayor Lusk noted that this issue has been discussed at length previously. Ms. Spaulding asked if a courtesy sign could be erected. Mr. Noblett said that courtesy signs don't conform to uniform signage regulations. Vice Mayor Robertson mentioned that a former Town Manager proposed constructing a type of roundabout for approximately \$600,000, which the town can't afford yet. Ms. Rogers said that the brush would be trimmed. Councilmember Hendricks said that the sidewalk construction in that area should alleviate some of the problem. Chief Veal said that an officer couldn't practically be stationed at the intersection because there is no effective "hiding spot". He said the best method is simply to establish a presence, and therefore an officer could park across the street. Mayor Lusk asked if the problem was greatest in the morning. Ms. Spaulding said it was.

Ms. Spaulding mentioned that, at first, she doubted the effectiveness of automated garbage pickup, but she has been delighted with the results.

Dun Monroe, Cherokee Lane, asked if it would be permissible to use a blinking light at the area referred to above, noting that the Town used to have some. Ms. Rogers said those were owned by the County. Mr. Noblett said that there are several options, most of which are expensive, and that appropriate striping is the best.

Resolutions

The following resolutions were presented:

1. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO RENAME THE CAPITAL PROJECTS FUND REFERENCED IN THE FY 2010-2011 TOWN BUDGET ORDINANCE AS THE VEHICLE REPLACEMENT FUND AND INSTRUCTING THE TOWN MANAGER TO TRANSFER ALL REMAINING FUNDS INTO THE VEHICLE REPLACEMENT FUND AS A SPECIAL FUND. Mayor Lusk summarized a history of the Capital Projects Fund. Vice Mayor Robertson moved and Councilmember Hendricks seconded that the resolution be approved. The motion passed unanimously.
2. "A RESOLUTION OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, AUTHORIZING THE ISSUANCE OF CERTAIN INTEREST BEARING

GENERAL OBLIGATION CAPITAL OUTLAY NOTES, SERIES 2010, IN AN AMOUNT NOT TO EXCEED SIX HUNDRED THOUSAND AND 00/100 (\$600,000.00), AND PROVIDING FOR THE PAYMENT OF SAID NOTES.” Mayor Lusk moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.

3. “A RESOLUTION APPOINTING RICHARD FAULKNER AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN’S HEALTH, EDUCATIONAL, AND HOUSING FACILITY BOARD.” Mr. Noblett explained that one of the primary benefits of this board is that it can obtain bond financing for profit making or not-for-profit entities that make appropriate requests related to health, education, and housing. Councilmember Hendricks moved and Vice Mayor Robertson seconded that the resolution be approved. Councilmember Hendricks noted that Mr. Faulkner’s resumé was impressive. The motion passed unanimously.
4. “A RESOLUTION REAPPOINTING RUZHA CLEAVELAND, SAM POWELL, TOM HEYS, AND GUY BEATTY TO THE TRANSPORTATION SUBCOMMITTEE FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.” Mayor Lusk moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
5. “A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SUBMIT AN APPLICATION FOR THE TML RISK MANAGEMENT POOL “SAFETY PARTNERS” LOSS CONTROL MATCHING GRANT PROGRAM WHICH SHALL BE AWARDED IN SEPTEMBER OF 2010.” Vice Mayor Robertson moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously.
6. “A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO VOLKERT ENGINEERING COMPANY, INC. FOR AN AMOUNT NOT TO EXCEED FORTY ONE THOUSAND EIGHT HUNDRED SEVENTY THREE AND 18/100 (\$41,873.18) DOLLARS FOR PROFESSIONAL CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR RESURFACING WITHIN THE TOWN OF SIGNAL MOUNTAIN.” Mayor Lusk explained that as part of ARRA requirements, an engineer must be hired for this kind of project. He moved and Vice Mayor Robertson seconded that the resolution be approved. The motion passed unanimously.
7. “A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO VOLKERT ENGINEERING COMPANY, INC. IN THE AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND SEVEN HUNDRED EIGHTY AND 19/100 (\$18,780.19) DOLLARS FOR PROFESSIONAL CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR SIGNALIZATION UPGRADE WITHIN THE TOWN OF SIGNAL MOUNTAIN.” Mayor Lusk reiterated ARRA requirements. Councilmember Hendricks moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously.

Ordinances

The following ordinances were presented:

1. "AN ORDINANCE TO AMEND TITLE 18 TO CREATE A NEW CHAPTER 9 ENTITLED "FLOOD INSURANCE REGULATIONS" WHICH IS ADOPTED PURSUANT TO TENNESSEE CODE ANNOTATED SECTION 6-19-101 FOR THE PURPOSE OF REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF SIGNAL MOUNTAIN, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM." Ms. Rogers explained that this ordinance must be passed for the Town to remain a part of FEMA's flood insurance program. She further explained that potential flooding affects ten to fifteen homes within the Town, and notifications were sent to those homes. Mayor Lusk moved and Councilmember Hendricks seconded that the ordinance be approved. The motion passed unanimously.

2. "AN ORDINANCE TO ADD DEFINITIONS FOR "PRIMARY SIGNS" AND "SECONDARY SIGNS" WITHIN SECTION 20-502 OF THE TOWN CODE AND TO AMEND SECTION 20-507 REGARDING DRC DISCRETION ON SECONDARY SIGNS AND ESTABLISHING A MAXIMUM SIGN AREA FOR BUSINESSES WITHIN THE TOWN." Mayor Lusk explained that these changes were recommended by the DRC, primarily to specify primary and secondary signs. Vice Mayor Robertson noted that, in section 20-507, one statement should be corrected to read "...secondary signs *shall* be acceptable up to 25 feet". Mayor Lusk invited comments from Linda Rob Harris of the Mountain Business Association (MBA).

Ms. Harris said that she basically understood the ordinance, but it is still confusing for a new business owner; i.e., the determination of how the regulations apply to them (what kinds of signs a new business can have, etc.). Vice Mayor Robertson agreed that this is a problem. She explained that the purpose of the DRC's work is to establish fairness. She said it would be unfair, for example, to allow a business in a stand-alone building to have more signs than one storefront inside a strip mall. She explained further that the final revision of the sign regulations is in early stages. Meanwhile, defining "primary" and "secondary" signage as well as a maximum size of 25 square feet will serve in the interim. Some regulations are unclear and others are contradictory in the existing ordinance and that is why the DRC is reviewing and revising the regulations. Vice Mayor Robertson explained there will be public meetings to include the MBA in the revision process of a first draft when it is completed. Ms. Harris asked if the limit refers to total signage, or square feet per sign. Vice Mayor Robertson and Councilmember Hendricks said it was the limit per sign.

Mayor Lusk said that Town personnel and the DRC have been discussing the creation of a "new business guide", which would be a resource to help new businesses comply with Town regulations. Ms. Harris said she would be interested in reading the final document. Ms. Harris noted a recent discussion with a new business owner in which the owner was upset because of confusion over what she was to do regarding her sign design. She had been told she was "on the agenda", but she didn't realize this meant she was supposed to appear before the Design Review Commission. Ms. Harris suggested this be addressed in any new guide.

Vice Mayor Robertson noted that the DRC is also working toward greater documentation of request approvals.

Councilmember Hendricks said he hopes that, as this process moves forward, the MBA will work with the DRC and give input. He reiterated that he hopes the process becomes smoother for more business owners. Ms. Harris noted one instance approximately two years ago in which she had notched the corners of her signs and had to wait 45 minutes for approval at a DRC meeting. Vice Mayor Robertson noted that another requirement that is being developed is that during the approval process, DRC members will be required to make site visits to view proposed locations for signage requests in order to make more informed decisions..

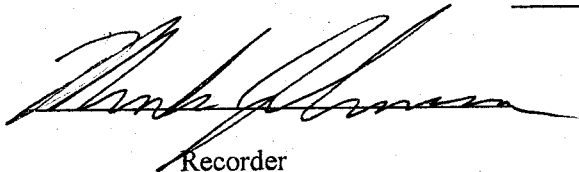
Mayor Lusk said one of the goals should be to remove subjectivity from the regulations.

Mayor Lusk moved and Vice Mayor Robertson seconded that the ordinance be approved as amended. The motion passed unanimously.


Discussions

Councilmember Hendricks noted that rumors were circulating that he was reconsidering running for Council again. He said this was untrue.

There being no further business, the meeting was adjourned.



Recorder



Bill Lusk, Mayor

DATE: July 12, 2010

NAME

ADDRESS

1. Mrs. Charles Rager 185 Woodcliff Circle
2. Jeremy + Tammy Rader 709 Cawthon Way
3. Brenda + Don Monroe 907 Cherokee Ln
4. Chap Stacy W. Loub 2114 W. Fairmont Rd.
5. Lou Olickano 622 Alexian Way
6. Charity Painter 4410 Tenn Ave Chattanooga, TN 373
7. Mark Davis
8. Martha Swasey c. 24 Summit View. Krogan Dr. Chattanooga
9. ROBB BRENER 107 GOLF DRIVE
10. DOTTE SWASEY 107 GOLF DR.
11. WERNER SLABBER 303 WILDWOOD.
12. Joe Dumas 1111 James Blvd.
13. Ruzha Cleveland 1000 SM Blvd.
14. Sandy Lusk 212 North Palisades
15. Betty Spaulding 602 Texas Ave
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____