

\*\*\*\*\*December 17, 2010\*\*\*\*\*

The Signal Mountain Town Council held its regular monthly meeting on Friday, December 17, 2010, at 10:00 a.m. in the Town Hall. Those present were:

Mayor Bill Lusk  
Vice Mayor Susan Robertson  
Councilmember Annette Allen  
Councilmember Bill Wallace  
Councilmember Dick Gee

Also present were:  
Town Manager Honna Rogers  
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 8<sup>th</sup> regular meeting, November 6<sup>th</sup> swearing-in ceremony, and November 29<sup>th</sup> agenda meeting were discussed. Mayor Lusk noted that his name should be removed from the list of attendees on the November 6<sup>th</sup> minutes because he wasn't there. The minutes were approved as so amended. With no additions, deletions, or corrections, the November 8<sup>th</sup> and November 29<sup>th</sup> minutes were also approved.

### Beer Permit Request

The regular meeting was temporarily recessed and the Council convened as the Town Beer Board to hear a beer permit request by Alexian Village. Matt Fox, President and CEO of Alexian Village, presented the request and explained that the Village had filed an application. He noted that an issue exists because the serving area is less than 500 feet from the one of the Village's two chapels, which is a violation of the Town ordinance. He explained that the chapel is not an actual church, but a worship area for private use.

Councilmember Wallace asked if beverages would actually be *sold*. Mr. Fox explained that the cost would be deducted from residents' food and beverage allowances and any overage would be billed to them. Mayor Lusk asked if service would only be provided to residents. Mr. Fox replied that only residents and their guests would be served. Councilmember Wallace said he thought receptions involving alcohol distributions were already being held. Mr. Fox said they are, but the beverages are given rather than sold, and many people bring their own. Vice Mayor Robertson asked if any of the dining areas would be outside the 500 feet limit. Mr. Fox said it depends on how the 500 feet is measured; i.e., if elevation and the various routes to the facility are considered.

Noah Long, Woodcliff Circle, suggested that how the word "church" is defined is the operative issue, noting that "churches" have pastors, regular services, collections, etc., whereas a chapel is more private in nature. Ms. Rogers noted that "church" is not defined

in the zoning ordinance. Mayor Lusk said that the intent of the ordinance should also be considered, which was to prevent bars, honky-tonks, and other such public establishments from opening near churches. Mayor Lusk noted that Town Attorney Phil Noblett suggested that great care be taken with this decision as it could set a precedent. Mayor Lusk then suggested that the zoning ordinance be adjusted to define "chapel" vs. "church" and to stipulate that only organizations with chapels set up for private use of members be allowed to distribute alcohol.

Vice Mayor Robertson asked if the Village had a time frame for initiating this service. Mr. Fox said that due to renovations the subject area is scheduled to reopen in March, although its opening and beer distribution don't necessarily have to coincide. He noted that eventually the center may also wish to obtain a liquor license from the State.

Mayor Lusk reiterated that the primary concern seemed to be the definition of "church". Ms. Rogers said that the RPA might be contacted for an opinion. She asked if the chapel holds regular services. Mr. Fox said that some of the center's chapels do.

Vice Mayor Robertson asked if the closest chapel could discontinue regular services. Mr. Fox said that would cause logistical difficulties for some of the residents.

Mayor Lusk moved that the issue be tabled until Town Attorney Phil Noblett could review it. Councilmember Allen seconded the motion. Mayor Lusk invited comments from the audience. There were none. The motion passed unanimously.

The regular Council meeting was reconvened.

### Citizen Comments

There were no citizen comments.

### Resolutions

1. "A RESOLUTION APPOINTING CATHERINE BARKER AND GLENN SHOWALTER AS MEMBERS OF THE MOUNTAINARTS COMMUNITY CENTER BOARD." Mayor Lusk moved and Councilmember Gee seconded that the resolution be approved. The motion passed unanimously.
2. "A RESOLUTION APPOINTING CHERYL CARICO AND JEFF WISHMYER AS MEMBERS OF THE SIGNAL MOUNTAIN PARKS BOARD." Vice Mayor Robertson moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
3. "A RESOLUTION APPOINTING LINDA MCGANN AS A MEMBEROF THE SIGNAL MOUNTAIN LIBRARY BOARD."

Councilmember Gee moved and Councilmember Wallace seconded that the resolution be approved. The motion passed unanimously.

4. "A RESOLUTION REAPPOINTING VAN BUNCH AND WAYNE WILLIAMS AS MEMBERS OF THE SIGNAL MOUNTAIN PLANNING COMMISSION." Mayor Lusk moved and Councilmember Allen seconded that the resolution be approved. The motion passed unanimously.
5. "A RESOLUTION REAPPOINTING DON CLOSE AS A MEMBER OF THE SIGNAL MOUNTAIN RECREATION ADVISORY BOARD." Councilmember Gee moved and Vice Mayor seconded that the resolution be approved. The motion passed unanimously.
6. "A RESOLUTION REAPPOINTING CAROL DOWNS, LEW WADDEY, AND SANDY PARTELOW AS MEMBERS OF THE SIGNAL MOUNTAIN LIBRARY BOARD." Mayor Lusk moved and Councilmember Wallace seconded that the resolution be approved. The motion passed unanimously.
7. "A RESOLUTION REAPPOINTING ROB HAILE AND TIM BURNS AS MEMBERS OF THE SIGNAL MOUNTAIN ADJUSTMENTS AND APPEALS FOR MECHANICAL CODES BOARD." Mayor Lusk moved and Councilmember Gee seconded that the resolution be approved. The motion passed unanimously.
8. "A RESOLUTION REAPPOINTING FRANK PRESTON, ART DICKERSON, AND TERESA JONES AS MEMBERS OF THE SIGNAL MOUNTAIN PERSONNEL COMMITTEE." Vice Mayor Robertson moved and Wallace seconded that the resolution be approved. The motion passed unanimously.
9. "A RESOLUTION REAPPOINTING JEREMY RARDIN AND KAREN RENNICH AS MEMBERS OF THE SIGNAL MOUNTAIN DESIGN REVIEW COMMISSION." Vice Mayor Robertson moved and Mayor Lusk seconded that the resolution be approved. The motion passed unanimously.
10. "A RESOLUTION REMOVING ANDREW HAUSLER AND APPOINTING ROBERT GRIESINGER AND BRITT REYNOLDS AS MEMBERS OF THE SIGNAL MOUNTAIN BOARD OF ZONING APPEALS." Mayor Lusk moved and Councilmember Gee seconded that the resolution be approved. The motion passed unanimously.

Vice Mayor Robertson suggested making a decision on an appointment to MACC Board.. She noted that Tammy Rardin had applied and asked if a decision had been made on appointing Lee Abelson. Councilmember Gee said that appointing him was discussed at the last MACC Board

meeting. It was determined that if Mr. Abelson were appointed there would be three Signal Mountain Playhouse members on the MACC Board, which could pose a conflict. Councilmember Allen said that Ms. Rardin is great. Vice Mayor Robertson said that MACC Director Barbara Storm suggested that Ms. Rardin's youth would be a good addition on the Board. Councilmember Allen moved to accept Ms. Rardin's application. Councilmember Wallace asked if the MACC Board had to recommend a member. Ms. Rogers explained that a board's recommendations are always welcomed and taken into consideration, but the decision belonged to the Council. Vice Mayor Robertson noted that openings on the MACC Board had been publicized for five weeks and Mr. Abelson and Ms. Rardin were the only applicants. Councilmember Gee said that he didn't want this to be a negative reflection on Mr. Abelson. Vice Mayor Robertson agreed, saying that he had been a very valuable Council member. Councilmember Gee said he would defer to Ms. Storm's opinion. Vice Mayor Robertson seconded Councilmember Allen's motion. It passed unanimously.

### Ordinances

The following ordinance was presented:

"AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED RIGHT-OF-WAY AT THE CORNER OF WINDY WAY AND HIDDEN BROOK LANE WITHIN THE TOWN OF SIGNAL MOUNTAIN, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS." Mayor Lusk moved and Councilmember Wallace seconded that the ordinance be approved. The motion passed unanimously.

### Discussions

Councilmember Allen noted that the new manager at the recycle center is doing an excellent job. The Council recommended that his work be recognized. Ms. Rogers suggested writing a letter to Orange Grove.

Mr. Long noted that the leaf collection crews did an excellent job this year.

Councilmember Wallace noted that he received a call from a citizen who was concerned about the expense associated with street reflectors that were being accidentally removed by snow plows. Ms. Rogers explained that whenever possible collected reflectors are reattached in the spring. She also agreed to research a solution to the problem.

There being no further business, the meeting was adjourned.

  
Recorder

  
Bill Lusk, Mayor

DATE: DECEMBER 17, 2010  
(RESCHEDULED FROM DECEMBER 13, 2010)

NAME	ADDRESS
1. <u>Glenn Showalter</u>	<u>513 GEORGIA AV</u>
2. <u>Steph Stacy W. Seals</u>	<u>2114 W Fairmount Rd.</u>
3. <u>Nouh Long</u>	<u>171 Woodchiff</u>
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