

*****March 2, 2012*****

The Signal Mountain Town Council held a special agenda meeting on Friday, March 2, 2012 at 10:30 a.m. Those present were:

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

Others present were: Police Chief Boyd Veal
Town Recorder Mark Johnson
Others (as noted)

Councilmember Gee moved and Vice Mayor Robertson seconded that an ordinance to amend MACC rental fees be added to the agenda. The motion passed unanimously. The Council discussed possible changes that would allow a percentage split of gate revenue in cases where entertainers perform at MACC events and that would allow the Town to accept in-kind donations from nonprofit entities in lieu of rental fees. Sandy McCrae, MACC Board Chairperson, was present for the discussion. Negotiation parameters and procedures for percentage splits were discussed. The Council agreed to amend the ordinance to allow a gate revenue percentage split in lieu of hourly rental fees and to allow discounts to nonprofits as well as the provision allowing in-kind gifts. The conversation was deferred until later in the meeting when the changes could be made.

Town Librarian Karin Glendenning was present to propose prorating non-resident library fees for patrons in the newly annexed Fox Run and Windtree subdivisions. Councilmember Allen moved and Councilmember Gee seconded that fees be prorated or, if necessary, that a resolution be presented at the next regular meeting to make such an amendment. The motion passed unanimously.

The following ordinance was presented: "AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 2, TO AMEND TITLE 2 BY REPLACING CHAPTERS 1 THROUGH CHAPTERS 16 WITH THE TEXT BELOW TO INCLUDE REFERENCES TO ALL CURRENT BOARDS AND COMMISSIONS IN THE TOWN." Councilmember Gee moved and Vice Mayor Robertson seconded that the ordinance be approved. The motion passed unanimously.

Public Works Director Loretta Hopper was present for a discussion of a recent infraction in which the Signal Mountain Golf and Country Club planted trees in the Town right-of-way adjacent to SMGCC property. Chief Veal explained that the Club requested that the trees be allowed to remain so long as they do not create a problem. He also noted that Club representatives wish to perform additional landscaping between the sidewalk and the course's cart path. He said that, while the Town could have the Club relocate the trees, leaving the trees in place might provide an opportunity to reach an agreement of

mutual benefit. The Council discussed this as well as the buffer strip along the golf cart path. The Council agreed to have Mayor Lusk send a letter to Club officials informing them that the trees could remain as long as the Club maintained them, kept them cut back from the sidewalk, recognized that the Town could remove them at any time, and that planting on the Town ROW in the future would not be allowed. The letter would also indicate a preference for a fence or other type of barrier to be erected between the cart path and sidewalk to discourage vandals from driving onto the golf course and causing damage.

The Council discussed MACC activities. Councilmember Gee said that the MACC would send letters to prior and current donors explaining recent changes regarding the SMART Foundation – formerly the MACC Foundation -- and how MACC donations should be made from now on. He noted that the MACC recently acquired replacement seating for the auditorium at a heavily discounted price. The folding seats would allow for reduced capacity but greater comfort and aid in attracting more prestigious acts.

Councilmember Gee and Ms. McCrae explained that the SMART Foundation recently offered to transfer the interest it has, if any, in ownership of the annual “Fall Hodge Podge” to the Town. The Council discussed the historical financial performance of the event and how it might be administered; i.e., whether it could be contracted to a third party.

The meeting was temporarily recessed because of a tornado warning.

Upon resuming the meeting, the Council agreed to take complete ownership of Hodge Podge with no SMART Foundation ownership or sponsorship involvement.

Mayor Lusk exited the meeting.

The March 12, 2012 meeting agenda was discussed as follows:

- Second reading of an ordinance to amend MACC rental fees.
- A resolution appointing new MACC Board members.
- Honorary resolutions recognizing the Arbor Day poster contest winners.

Chief Veal noted that recently, two beer permit violations were cited during a beer sting. He said that the two businesses charged have been cited to court, but unless the cases are dismissed, the Council will have to convene as Beer Board to discuss permit penalties.

Recreation Director Jarred Thompson was present for a discussion of recreation facility fees, but the discussion was tabled because of Mayor Lusk’s absence. Councilmember Gee asked about the status of *Scenic City Tackle Football’s* proposal. Mr. Thompson said that a public meeting was held by the proposed Signal Mountain Youth Athletic Association in February to discuss the issue. The Recreation Board had discussed it since

then, indicating that they are not in favor of having another league. He noted that another public meeting will be held on March 11th. The Council discussed the inter-relationship of the leagues and the makeup of the Recreation Board as well as *Scenic City's* need to use Town fields for practice.

Councilmember Gee noted that at a recent WWTA meeting, it was announced that Tennessee American Water Company (TAWC) no longer plans to bill for any services other than water. Councilmember Gee noted that this does not affect the Town *directly* as it owns the water utility which bills customers; however, TAWC's new policy will create a financial hardship for the WWTA because it will have to create a new billing service for its sewer customers who purchase water from TAWC. Unless the State steps in to require TAWC to bill for other services, then all WWTA customers, including the Town, will have to bear the costs of a new billing service.

Councilmember Gee noted that work on the WWTA Lateral Program is still being performed.

The MACC amended fee ordinance as discussed earlier in the meeting was presented as follows: "AN ORDINANCE TO AMEND TITLE 5, CHAPTER 5 OF THE SIGNAL MOUNTAIN TOWN CODE, TO ADD A NEW SECTION 5-505 TO SET THE RATES ON RENTAL AND ASSOCIATED FEES FOR USE OF FACILITIES WITHIN THE MOUNTAIN ARTS COMMUNITY CENTER." Councilmember Gee moved and Councilmember Wallace seconded that the ordinance be approved. The motion passed unanimously.

With no further business, the meeting was adjourned.



Bill Lusk, Mayor



Recorder