

*****April 2, 2013*****

The Signal Mountain Town Council held a special agenda meeting on Tuesday, April 2, 2013 at 10:00 a.m. Those present were:

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

Others present were: Town Manager Honna Rogers
Town Recorder Carol White

Councilmember Allen introduced Justin Davis, General Manager of Pruett's Market. Mr. Davis informed the Council that while Pruett's Market abided by the Town Beer Ordinance (Title 8, "Alcoholic Beverages," Chapter 2, Section 8-204) that only allows the selling of beer after 1:00 p.m. on Sundays, he had witnessed other merchants nearby selling beer as early as 8am on Sundays. He explained that his intent wasn't to complain about other stores, but he did feel that one standard, whatever it is, should be applied equally to all sellers in the town as a matter of fairness. He estimated he was losing approximately \$400 each week in sales from competitors who were not abiding by the law. Police Chief Veal explained to Council that no complaints against merchants selling before 1:00 p.m. on Sundays have ever been filed with the Police Department.

Council reviewed the current Beer and Intoxicating Liquor Ordinances, some of which dated to 1992. After discussion, the Council decided to update Chapter 2, Section, 8-204, "Hours of sale restricted" to allow the sale of packaged beer 24 hours a day, but prohibit on-site consumption sales from 3:00 a.m. to 10:00 a.m. The Council also decided to revise Title 8, Chapter 1 (Intoxicating Liquors), Section 8-111 (Hours regulated) to prohibit the sale of "liquor by the drink" from 3:00 a.m. to 10:00 a.m. daily.

The April 8, 2013 regular meeting agenda was discussed as follows:

- Beer Board Hearing of Proposed Amendments to Title 8, Alcoholic Beverages.
- Public Hearing – Zoning Fox Run Subdivision and Certain Adjacent Parcels to LDR.
- Public Hearing – Zoning Windtree Subdivision and Certain Adjacent Parcels to LDR.
- Resolution Thanking Frank Preston (Personnel Committee).
- Resolution Awarding a Bid for an Equipment Trailer (Public Works).
- Resolution Authorizing the Town Manager to sign a contract with Orange Grove (Recycling).
- Resolution regarding Conservation Easements.
- Second reading to adopt a new PUD Ordinance.

- Second reading of an Ordinance Zoning Windtree Subdivision and Certain Adjacent Parcels to LDR.
- Second reading of an Ordinance Zoning Fox Run Subdivision and Certain Adjacent Parcels to LDR.
- First reading of an Ordinance to Amend the Title 8, Alcoholic Beverages.
- First reading of an Ordinance to Amend the Sign Regulations.

Vice Mayor Robertson introduced an ordinance to amend the Sign Regulations to modify and clarify certain sections relating to window signage and monument signs. Vice Mayor Robertson informed Council that Vance Travis's assistance on the proposed revisions was very helpful.

Loretta Hopper, Public Works Director, presented Council with information showing that the current leaf pickup process costs the Town an estimated \$182,600 per year. Additionally, Council discussed the fact that current leaf pickup procedures create a safety issue due to leaves on roadways that clog stormwater drains and create dangerous driving conditions. This information was provided so that Council may, during budget deliberations, decide if changes in leaf pickup procedures need to be modified.

Based on a prior request from Council to re-visit the issue of General Sessions Court at a future time, Honna Rogers asked Council if they wish to change the Town's charter to allow for the discontinuation of the Sessions Court. Following Council discussion, it was decided that Ms. Rogers will explore the legality of changing the Town charter to allow Council the flexibility to discontinue the Sessions Court at some time in the future if it should deem a change is necessary.

Ms. Rogers informed Council that there is a Thrive 2055 meeting scheduled for Wednesday, April 10th in Chattanooga and on Thursday, April 11th in Ringgold.

Mayor Lusk informed Council that Lynn Wampler has requested it to authorize the payment of travel expenses for interviewees applying for the position of town manager. No objection was made.

Councilmember Wallace informed Council that the driveway and parking lot at the mulch pile located at the recycling center is in need of repair. There are potholes and muddy conditions. Ms. Rogers agreed to have staff make the necessary repairs.

Ms. Rogers introduced Lew Waddey, Treasurer of the Library Board, and Karin Glendenning, Librarian. Mr. Waddey presented tentative plans to remodel the library basement. Mr. Waddey informed the Council that he estimates the total cost of the project will be \$80,000 and asked the Council to consider funding half of the cost of the project. The remaining cost would come from donations. Council will review the matter at their upcoming budget session.

Ms. Rogers introduced MACC Board Chairperson Sandy McCrea and MACC Director Barb Storm. Ms. Storm informed the Council that the MACC Board has received a

request to allow SME alumni to raise money to renovate a hallway and classroom at the MACC and then name the location "The Sarah Lewis Wilhite Hall". Councilmember Gee made a motion to allow the project. Councilmember Wallace seconded the motion. All present being in favor, the motion passed.

Councilmember Gee informed Council that the MACC Board has reservations as to its current role at the MACC. The Board feels they should not be so heavily involved in the restoration of the building. They would prefer to serve as advisors to the operational activities at the MACC.

Ms. Rogers informed Council that her investigation of how to conserve Town parks and green space has revealed that there is no apparent method to protect parkland from development in perpetuity except through conservation easements. Any council can undo any of the alternatives currently presented by residents who object to placing conservation easements on certain town parklands.

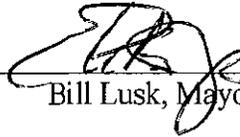
Councilmember Allen presented information she had obtained from investigating the communities cited by residents at the last agenda meeting. She informed the Council that she had spoken with the Town Manager at Hampton, Maine, who has been the Manager for 13 years. The Manager stated that they have no special provisions to protect their parks, but do have a conservation commission that works with developers who are doing conservation subdivisions to advise them on appropriate areas to set aside as open space. The Town Manager also said that Chevron was responsible for a significant oil leak near the river in town. As a result, the state required Chevron to secure a parcel of land for a municipal park and trails and to place the land in a conservation easement.

Councilmember Allen also spoke to a representative at Mountain Lakes, New Jersey who stated that they had no special or legislative conservation provisions, but do have citizen volunteers who form an advisory woodlands commission. They call for designated lands set aside for conservation to be included in their master plan. Tamworth, New Hampshire performed a study of costs associated with various types of land uses. They determined that open space and parklands cost the town less than more developed lands because they increase the value of the land around them but require only minimal services. They also seek to establish wildlife borders by means of conservation easements. Erie County, Pennsylvania Director of the Conservation District explained that they use state funds to buy development rights from farmers near Lake Erie waterways and place the land in conservation easements. Pennsylvania requires that municipalities have all potential changes in use of park and open space be reviewed by a state court. In addition, Philadelphia has an ordinance that requires a review process for any non-park use on parkland. If such use is approved the developer must provide a one-to-one exchange of property to replace the park land to be lost. The ordinance was a result of a public outcry after the city tried to lease twenty acres of park land to a medical center.

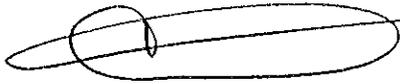
Councilmember Gee and Wallace expressed concern regarding implementing conservation easements. They stated their belief that elected government officials should

be the ones to oversee the Town's resources for the best interest of the Town. There was further discussion by the Council regarding the need and appropriate use of conservation easements.

There being no further business, the meeting was adjourned.



Bill Lusk, Mayor



Recorder