

*****September 8, 2014*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, September 8, 2014, at 6:30 p.m. in the Town Hall. Those present were:

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

Also present were: Town Manager Boyd Veal
Town Attorney Phillip Noblett
Town Recorder Carol White
See attached list for others present

Mayor Lusk led the pledge of allegiance. Stacey Seals, Fire Chaplain, gave the invocation.

Minutes

The minutes for the August 11th regular meeting were presented. There being no changes, the minutes were approved.

Resolutions

1. "A RESOLUTION DESIGNATING THE BUILDING AT 1116 JAMES BOULEVARD AS THE SIGNAL MOUNTAIN HISTORY CENTER AND AUTHORIZING THAT BUILDING TO BE USED BY THE SIGNAL MOUNTAIN HISTORICAL COMMITTEE TO SHARE THE ARCHIVES OF THE TOWN."

Vice Mayor Robertson explained that 1116 James Boulevard was purchased to relieve overcrowding and provide additional parking for the Library. In addition, this building will house the Historical Committee and the Town's historical archives.

Vice Mayor Robertson motioned to approve the resolution. Councilmember Allen seconded the motion. All present being in favor, the motion was approved.

2. "A RESOLUTION THANKING TOM AND SALLY CALHOUN FOR THEIR GENEROUS DONATION OF FURNISHINGS TO THE SIGNAL MOUNTAIN HISTORY CENTER LOCATED IN THE TOWN AT 1116 JAMES BOULEVARD."

Vice Mayor Robertson read the resolution. Mayor Lusk motioned to approve the resolution. Councilmember Allen seconded the motion. All present being in favor, the motion was approved.

Citizen Comments

Mayor Lusk invited comments from the audience.

Noah Long, Tree Board Chairman, informed the Council that passage of a resolution recognizing Arbor Day is required prior to October 3rd. He stated that he had sent a draft resolution to Councilmember Wallace and the Town Manager, but that it was not included for approval on the agenda. Mr. Long requested the Council pass a resolution in the current meeting in order to satisfy the deadline. The Council agreed. (See Resolutions below for details of the action.)

Bob Spalding, Shackelford Ridge Road, asked Councilmember Allen when the first presentation regarding the conservation easement had occurred. Councilmember Allen responded that the first public presentation was held in 2011. Mr. Spalding stated that he counted 18 people having attended conservation easement meetings and 20 e-mails. He said that they appear to be split ½ in favor and ½ opposed to the conservation easement program. Mr. Spalding then asked the Council to have a referendum on the conservation easement issue. Town Attorney Phil Noblett stated that there is no provision in the Town's Charter that would allow a referendum on this issue. Mr. Spalding asked what would be a more transparent method of getting the community more involved. Councilmember Allen replied that the first public meeting had approximately 50 people in attendance. She stated that at the end of the meeting there was a straw poll with 48 for and 2 had a few concerns. Councilmember Allen further stated that an e-mail was received that had 80 signatures in support of conservation easements. She said that there had not been many e-mails opposed until recently, when she said an e-mail blast titled "Give Away Parkland" had been distributed that held erroneous information. Councilmember Allen stated that the intent of the Council is to protect the park land and not to give it away.

Jerry Ferrari, Woodbine Way, stated that he had read with interest about the speeding around the Arden Way intersection. He stated that he lives at the top of "Heart Attack Hill". Mr. Ferrari stated that he has often observed people speed and drive recklessly from James and onto Inverness, and not stop at the stop sign. He further stated that people coming out of the Glamis curve floor their accelerators. Mr. Ferrari said that he had observed a lady with a stroller going up Inverness who was forced off the road by a driver who cut the curve too fast and sharp. He also told about a teenager in a SUV who sped around the S curves to make a right to go down Inverness, lost control and hit the left curb on Mr. McDuff's property. Mr. Ferrari said that if there had been a vehicle coming from the opposite direction it would have been a disaster. He stated that a few minutes later 6 children came up Woodvine Road riding bicycles. Mr. Ferrari said he is greatly concerned over the out of control speeding in the neighborhoods. He is interested in something being done, whether that is speed bumps, enforcement, etc. before there is a tragedy. He further stated that the S curve is a perfect place for drivers to practice their racing car skills. He thanked the Council for anything that can be done to remedy the situation.

Mayor Lusk asked Town Manager Boyd Veal for an update on the efforts to alleviate this matter. Mr. Veal stated that additional speed limit signs have been placed in the Hidden Brook area and that staff is continuing to look at different options. Mr. Veal said that while looking at solutions to this matter, the Town continues to get input from surrounding areas. He stated that he has received complaints about the other end of Glamis as well.

There being no further comments, the meeting resumed.

Resolutions

3. "A RESOLUTION RECOGNIZING AND CELEBRATING OCTOBER 3, 2014, AS ARBOR DAY WITHIN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE."

Mayor Lusk motioned to approve the resolution. Vice Mayor Robertson seconded the motion. All present being in favor, the motion was approved.

4. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) EAGLE AIR, BREATHING AIR CASCADE SYSTEM FROM NAFECO, INC. IN THE AMOUNT OF TWELVE THOUSAND TWO HUNDRED THIRTY NINE AND 00/100 (\$12,239.00) DOLLARS TO BE USED BY THE FIRE DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN."

Councilmember Allen motioned to approve the resolution. Vice Mayor Robertson seconded the motion. All present being in favor, the motion was approved.

5. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING WITH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS."

Mayor Lusk motioned to approve the resolution. Councilmember Wallace seconded the motion. All present being in favor, the motion was approved.

6. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) PIERCE ARROW XT 75' AERIAL LADDER TRUCK FROM PIERCE MANUFACTURING, FOR AN AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY THOUSAND AND 00/100 (\$750,000.00) DOLLARS TO BE USED BY THE FIRE DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN."

Mr. Veal explained that while Fire Chief Eric Mitchell was preparing the specification to go out for bid for the desired ladder truck, Mr. Mitchell found that a stock unit was available. Mr. Mitchell's review of the specifications of the stock unit revealed that it meets the specifications the Town was looking for in the new ladder truck. Mr. Veal further explained that the price for the stock unit is locked in at the 2012 price due to the multi-year contract Pierce Manufacturing has with the Houston-Galveston Area Council of Governments. He stated that this will result in a \$40,000.00 savings for the ladder truck with approximately \$20,000.00 in added savings for optional equipment. This price includes lettering and painting the Town's color scheme on the truck. Mr. Veal said this

stock unit can be delivered within 90 days, while a bid process will result in a 9 to 14 month delivery time.

Councilmember Allen motioned to approve the resolution. Vice Mayor Robertson seconded the motion. All present being in favor, the motion was approved.

7. "A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO ACCEPT A GRANT FROM THE GOVERNOR'S HIGHWAY SAFETY OFFICE IN AN AMOUNT OF FORTY THOUSAND AND 00/100 DOLLARS (\$40,000.00) WHICH WILL RESULT IN PAYMENT FOR EQUIPMENT, AND OVERTIME TO BE PROVIDED AS A HIGHWAY TRAFFIC SAFETY GRANT FOR LAW ENFORCEMENT ACTIVITIES TO REDUCE SPEEDING, AGGRESSIVE DRIVING, DRIVING UNDER THE INFLUENCE, AND NON-SEATBELT USAGE FOR CHILDREN AND PASSENGERS WITHIN MOTOR VEHICLES IN THE TOWN."

Mr. Veal explained that this is a 100% reimbursement grant.

Mayor Lusk motioned to approve the resolution. Councilmember Wallace seconded the motion. All present being in favor, the motion was approved.

8. "A RESOLUTION REAPPOINTING KERRY LANSFORD AS A MEMBER OF THE TOWN OF SIGNAL MOUNTAIN'S BOARD OF ZONING APPEALS."

Councilmember Allen motioned to approve the resolution. Vice Mayor Robertson seconded the motion. All present being in favor, the motion was approved.

9. "A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONSERVATION EASEMENT PURSUANT TO THE CONSERVATION EASEMENT ACT OF 1981, TENN. CODE ANN. § 66-9-301 ET. SEQ. WITH THE LAND TRUST OF TENNESSEE, INC., FOR THE PURPOSE OF FOREVER CONSERVING THE CONSERVATION VALUES OF TWELVE TRACTS OF LAND OWNED BY THE TOWN WHICH ARE LISTED IN THE ATTACHED CONSERVATION EASEMENT CONSISTING OF APPROXIMATELY THREE HUNDRED FORTY TWO (342) ACRES."

This item was removed from the agenda for further review.

Ordinances

1. "AN ORDINANCE TO AMEND TITLE 3, CHAPTER 1, SECTION 3-110, OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO MUNICIPAL COURT COSTS."

Mr. Veal explained that this ordinance updates the municipal court costs structure and levels that were last set in 2007. The primary difference is that suggested costs have been reviewed by the Municipal Technical Advisory Service (MTAS), and changes have been made to the formatting of the ordinance to refer to the Tennessee Code Annotated (TCA).

Mr. Veal stated that this revision standardizes a variety of municipal fees. He also stated that since the first reading, the footnotes had been re-ordered. He explained that they were not changed, simply rearranged. Mr. Noblett noted that this was a clerical change and does not affect the ordinance passing on second reading.

Mayor Lusk motioned to approve the second reading of the ordinance. Councilmember Wallace seconded the motion. All present being in favor, the motion was approved.

Discussions

Councilmember Allen stated that there have been approximately 14 public meetings regarding the conservation easement. In addition, once the Conservation Easement Working Group completed the project, they hosted two 4-hour meetings over two days for public input. Councilmember Allen said that she understands that some people are hearing about this for the first time; therefore, she offered to conduct a town open house regarding the conservation easement. She stated that some Working Group members would also participate and they will answer questions, display the map, and discuss details of the agreement.

Councilmember Wallace asked if the agreement could be posted on the Town's web site and at Town Hall. Mr. Veal agreed that once the agreement is finalized it will be posted at both locations.

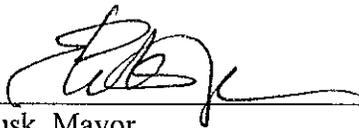
Vice Mayor Robertson reminded the Council that the Town advertised for 3 weeks for persons interested in working on the Conservation Easement Working Group. She stated that all applicants were accepted. Vice Mayor Robertson said that the group then worked 8 months drafting the agreement. She stated that the agreement sets out the parameters for a resolution to proceed, which was passed in April.

Mayor Lusk informed the Council that there is precedent in the State of Tennessee with other municipalities who have granted conservation easements. Some of these are Franklin and Shelby counties, Oakland, Chattanooga and Red Bank. Mayor Lusk further stated that the original deed for the Rainbow Lake property to the Town had a deed restriction. He stated that the restriction required the Town to keep the property for public recreation. That restriction was removed in the 80's because of a tax liability that was created for the grantor.

Mayor Lusk informed the Council that there will be a referendum on the November ballot to allow the sale of wine in grocery stores. He stated that Vice Mayor Susan Robertson worked with Pruett's and Olive Bean to obtain the needed signatures.

Councilmember Wallace asked that there be a discussion to set a standardized date and time for worksessions. Mr. Veal stated that he will include the topic on the next worksession agenda.

There being no further business, the meeting was adjourned.



Bill Lusk, Mayor



Recorder