

\*\*\*\*\*March 9, 2015\*\*\*\*\*

The Signal Mountain Town Council held its regular monthly meeting on Monday, March 9, 2015, at 6:30 p.m. in the Town Hall. Those present were:

Those present were: Mayor Dick Gee  
Vice Mayor Bill Wallace  
Councilmember Bill Lusk  
Councilmember Robert Spalding

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

Mayor for a Minute Clarissa Portilla led the pledge of allegiance.

Mayor Gee read a proclamation naming Clarissa Portilla as Mayor for a Minute (proclamation attached).

Stacey Seals, Fire Chaplain, gave the invocation.

### Citizen Comments

Mayor Gee invited comments from the audience.

Clint Bloomer, Alexian Village, reminded the Council of the two accidental deaths that have recently occurred at Signal Point. He asked that signs be posted warning of the danger of that area. Fire Chief Eric Mitchell said that the accidents were on State land. Town Manager Boyd Veal stated the most recent accident occurred off of a marked trail. However; he said that he will soon be meeting with representatives from Parks Service to address this matter.

Allison Evans, Middle Creek Road, thanked the Council for the speed bumps and for their concern for the safety of her children and other citizens.

Ross Clingan, Arden Way, reminded the Council that he has a box in his yard that was used some time ago to collect traffic data on his street. He said that the data showed that there is a speeding issue. He said he felt that Hidden Brook has met all the criteria requirements proposed by MTAS for needed traffic calming measures. Mr. Clingan said that he supports speed bumps to protect children. He informed the Council that he knew a man that while jogging on Middle Creek had been hit by a car, breaking several bones and giving him a concussion.

Laura Kennedy, Middle Creek Road, said that the speed bumps have slowed traffic and made Hidden Brook safer.

Sally Ratterman, Prentice Lane, said that she lives where one of the speed bumps is located. She said she has direct observation that the speed bumps have greatly decreased the number of speeders. Ms. Ratterman said that you can tell children to not go into the street but sometimes, being children, they forget. Ms. Ratterman thanked the Council for taking action.

Clint Bloomer, Alexian Village, said he is in favor of speed bumps and said that there was a need for some at Alexian.

Jennifer Goodrich, Creekshire Drive, said that the residents that are against the speed bumps are not against child safety. She said that those against the speed bumps taught their children to play in yards and not on the streets. Ms. Goodrich said that those residents in favor of speed bumps are not against neighbors. However, she said, speed bumps are the wrong solution. She said that the traffic is not different because of the speed bumps but because of the variation caused by the larger number of trips required because of activities at certain times of year and the weather. She said that the problem is attributable to one or two maniacs. She asked when penalizing the 99% is justified and asked that there be better enforcement instead.

Bill Kennedy, Middle Creek Road, asked the Council to leave the speed bumps for now and to make a final decision after the completion of the study. He said he sent the Council an e-mail that explained the increased stopping distances for every 10 mph increased speed which he said equates to an additional 60 feet. He also said that he had sent information regarding the increased injury and death rates for increased speeds. Mr. Kennedy said that this is a big deal and that he hopes it is not a catastrophe that changes people's minds. He thanked the Council for what they are doing but does ask them to reconsider and not remove the speed bumps for the time being.

Clint Bloomer, Alexian Village, said that he does not accept the statement that cars are injured going over speed bumps. He said that occurs because the driver is going too fast. He said that if the driver slowed down, as they are supposed to do, there would not be any damage to the vehicle.

Mayor Gee closed the citizens comment portion of the meeting. He said the Council will be discussing the traffic situation later.

### **Sign Variance Requests**

Glen and Brenda Davison of the Trolley Station, 712 Mississippi Avenue, asked the Council for a variance of the height limitation for a business sign. Mr. Veal explained that the DRC has approved the content of the sign and supported the height of the sign but was not able to approve it as it exceeds the regulation requirements.

Mr. Davison stated that the sign is 6'x4' and exceeds the height requirements due to its 6' height and that it is mounted at 7' to 7½' above the level of the parking lot. He stated that if the sign was only the allowed 4' high, it will be blocked by cars parking in the lot and would not be visible to passing traffic.

In discussion, the Council determined that there is a need for a variance based on the lack of practicality of the existing regulations in regard to this sign.

Councilmember Spalding motioned to approve the variance request. Mayor Gee seconded the motion. All present being in favor, the motion was approved.

Malcom Ramey with Brookshire Hathaway Home Services Realty Center, 1315 Taft Highway, asked the Council for a sign variance for a sign that had been approved in 2006. He explained that a recent change in franchises required them to re-face the existing sign which does not meet the height requirements. Mr. Ramey explained that they did not change the physical size of the sign, just the logos.

Mayor Gee explained that if the sign had been painted for routine maintenance with no change in the name, the sign would have been a non-conforming approved sign. However because of the changed name it became a non-conforming unapproved sign.

Councilmember Spalding motioned to approve the variance request. Councilmember Lusk seconded the motion. All present being in favor, the motion was approved.

### Resolutions

1. "RESOLUTION AUTHORIZING A LOAN PURSUANT TO A LOAN AGREEMENT BETWEEN THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, AND THE PUBLIC BUILDING AUTHORITY OF THE CITY OF CLARKSVILLE, TENNESSEE, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,000,000.00; AUTHORIZING THE EXECUTION AND DELIVER OF SUCH LOAN AGREEMENT AND OTHER DOCUMENTS RELATING TO SAID LOAN; APPROVING THE ISSUANCE OF A BOND BY THE PUBLIC BUILDING AUTHORITY; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID LOAN AND THE PAYMENT OF SUCH INDEBTEDNESS; AND, CONSENTING TO THE ASSIGNMENT OF THE TOWN'S OBLIGATION UNDER SUCH LOAN AGREEMENT, AND CERTAIN OTHER MATTERS."

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

2. "A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE TOWN OF SIGNAL MOUNTAIN'S WATER FUND IN LIEU OF AD VALORUM TAX PAYMENTS ON THE PROPERTY OF THE PUBLIC WORKS WITHIN THE TOWN FOR THE WATER SYSTEM FOR FISCAL YEAR 2014-2015 IN THE SUM OF \$29,390.00."

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

3. "A RESOLUTION AUTHORIZING THE TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO WASTE SERVICES OF TENNESSEE LLC, IN AN ANNUAL AMOUNT OF ONE HUNDRED FORTY THREE THOUSAND SEVEN HUNDRED FORTY EIGHT AND NO/100 (\$143,748.00) DOLLARS, FOR A THREE (3) YEAR AND THREE (3) MONTH TERM BEGINNING ON APRIL 1, 2015 AND ENDING JUNE 30, 2018, AS THE LOWEST AND BEST BID FOR THE HAULING AND DISPOSAL OF WASTE FROM THE TOWN TRANSFER STATION."

Councilmember Spalding motioned to approve the resolution. Councilmember Howley seconded the motion. All present being in favor, the motion was approved.

4. "A RESOLUTION APPOINTING BOYD VEAL AS A PROXY FOR THE TOWN OF SIGNAL MOUNTAIN'S REPRESENTATIVE, BILL LUSK, ON THE CHATTANOOGA-HAMILTON COUNTY/NORTH GEORGIA TRANSPORTATION PLANNING ORGANIZATION.

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

#### Discussions

Mayor Gee thanked all persons who have given comments on the issue of traffic calming. He said he thinks participatory government is good and appreciated all comments both for and against. He said that his take away from the previous meeting on traffic calming is that speed control and identifying safety issues is more complicated than first thought. Mayor Gee said this is why the decision was made to hire an expert to help with the process. He stated that he believes that where the speed bumps are there is a danger. He said the speed bumps do work but he wondered if they are the right speed bumps and if they are in the right places. Mayor Gee reminded the Council that a snow plow has already removed the speed bumps on Arden Way. He stated there was a concern as to the liability of the Town if they should remove the speed bumps on Middle Creek knowing there are safety concerns in that area.

Town Attorney, Phil Noblett explained that the Town has the authority to regulate speed within the Town for the public safety of residents. In addition, he stated that the Town does not have liability for efforts to save the health, safety and welfare of the citizens. Mr. Noblett said he did not believe there was any liability with the Town removing a non-engineered/designed solution.

Councilmember Lusk suggested that the Town leave the speed bumps in place on Middle Creek, not replace the ones already removed from Arden Way, and engage an engineering firm to immediately address the concerns at Hidden Brook. He recommended then taking a look at where there are issues throughout the Town as a longer term program.

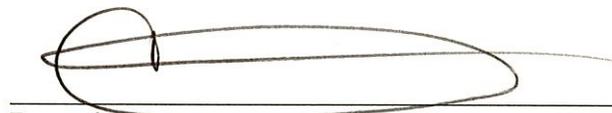
Councilmember Lusk also explained that the Town does not have the funding or manpower in the Police department to have an officer dedicated to these problem areas when the potential for the worst offences coincide with times that officers are already committed to the school traffic and other Town wide patrols.

Councilmember Spalding reminded the Council that when the traffic issue was first brought before the Council, the Police department was also investigating a sudden outbreak of burglaries which required a lot of the Police Officers' time. He stated that he wanted to err on the side of safety and leave the speed bumps in place for the time being. However, he said there needs to be a time-line on when the safety study is completed.

Mayor Gee suggested leaving the current speed bumps in place with a review at the next agenda meeting with a report from the consultant. He reminded the audience that the Council was not committed to speed bumps but to the right solution and that the Council is awaiting the results of the engineering study.

There being no further business, the meeting was adjourned.

  
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Dick Gee, Mayor

  
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Recorder