

*****October 12, 2015*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, October 12, 2015, at 6:30 p.m. in the Town Hall. Those present were:

Those present were: Mayor Dick Gee
Vice Mayor Bill Wallace
Councilmember Chris Howley
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

A member of Boy Scout Troup 116 led the pledge of allegiance. Town Attorney Phil Noblett gave the invocation.

Minutes

The minutes for the August 10th regular meeting were presented. There was one spelling correction, which did not change the substance of the minutes. The minutes were approved as corrected.

The minutes for the August 28th special agenda meeting were presented. There being no changes, the minutes were approved.

The minutes for the September 14th regular meeting were presented. There being no changes, the minutes were approved.

Special Resolution

1. "A RESOLUTION RECOGNIZING AND HONORING DON CLOSE FOR HIS COMMITMENT AND SERVICE TO THE YOUTH OF SIGNAL MOUNTAIN AND NAMING THE PLAYGROUND AT THE SIGNAL MOUNTAIN MUNICIPAL COMPLEX, DON CLOSE PARK."

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

Presentation

Barbara Womack presented an update to the Council on the efforts to save the Hemlocks. Ms. Womack provided maps that gave the GPS location of hemlock trees that received chemical

treatment and the location of the 2014 beetle release site. She explained that the Tree Board began the Save the Hemlock project in the spring of 2013. She said that through seminars and neighborhood demonstrations the initial focus was teaching private landowners on Walden's Ridge to protect their hemlocks. Ms. Womack said that in 2014 a subcommittee of the Tree Board, the Hemlock Conservation Task Force was created. She explained that the focus of the Task Force is to protect hemlocks in public park lands. She said that with volunteers and private donations, the Task Force has treated over 120 trees in Green Gorge and Rainbow Lake. She stated that chemical treatment is a stop gap measure until a viable biological control is established.

Ms. Womack said that with the help of Forest Health Specialist, Heather Slayton of the Tennessee Division of Forestry, Director, Dr. James P. Parkman of the Lindsay Young Beneficial Insect Laboratory, and Assistant Research Professor Dr. Yuki Fujita of the Department of Biology and Environmental Science, 1,000 predator beetles (*Laricobius nigrinus*) were released last November at a cost of \$3,000.00. She explained that in November Dr. Fujita and Rob Richie will evaluate the success of the release.

Ms. Womack stated that if granted access in perpetuity to a location in Signal Mountain, the Tennessee Division of Forestry will establish a field insectary where the predatory beetles can be grown. She explained this is advantageous, as many releases will be required to establish a viable population.

Ms. Womack said that Signal Mountain was the first municipality to have a privately funded predatory beetle release in the state. She said that as members of the Tennessee Hemlock Conservation Partnership, and because Signal Mountain park lands are in a conservation easement, Signal Mountain will receive free chemical treatment at Rainbow Lake and Green Gorge.

Ms. Womack said that while the Town has not incurred any costs in treating the hemlocks she recommends budgeting funds for future treatment as ongoing efforts are necessary or the trees will die.

Citizen Comments

Mayor Gee invited comments from the audience.

Claire Griesinger, Carriage Hill, spoke in opposition to the proposed changes to the sign regulations. Ms. Griesinger said taller, larger, no limit on logos or graphic signs, lightboxes, illuminated signs and reader boards that the Council want will change the look of the commercial area. She said that in addition, the Council is also passing an ordinance tonight to take the approval of most signs out of the hands of the DRC and give it to the position of the Building Inspector. She stated that her review of 10 years of DRC minutes did not show any notable delays except for Councilmember Spalding who was required to change his design prior to obtaining DRC approval. Ms. Griesinger said there is the potential for a conflict of interest for the Building Inspector.

Bob Griesinger, Carriage Hill, spoke in opposition to changing the sign regulations. He said that the proposed changes leaves design to people who may not have "good taste".

Mary Hudson, James Boulevard, spoke in opposition to changing the sign regulations. She stated that since commercial properties are located next to and within residential neighborhood the sign ordinance should remain as it is currently. She said the proposed changes would alter the character of neighborhoods.

Eugenia Allderdice, Carriage Hill, spoke in opposition to lighted and reader board signs. She suggests that businesses should use media type advertising instead. Ms. Allderdice said the Town should apply for grants instead of selling the water system. She stated the Town should pay commission to a lobbyist instead of a contracted amount. She said it is disgraceful that the Town is paying for an SRO.

Lisa Garbee, Signal Mountain Boulevard, spoke in opposition to the proposed changes to the sign regulations. She said that bigger, brighter or more colorful signs are not going to draw any more business than a sign that follows the current regulations.

Patrick Hollard, Brady Point Road, spoke in support of the proposed changes to the sign regulations. He said that as the owner of the toy store, proper logos and branding make a significant impact on the number of customers a business receives and cited Nike, and Coca Cola as examples.

Sally Halloran, owner of Hummingbird Pasteria, spoke in support of the proposed graphic design and font changes in the sign regulations.

Anne Hagood, James Boulevard, spoke in opposition to the proposed administrative review changes to the sign regulations. She stated that if review is shifted to the Building Inspector he needs to have training in graphic design and that he could be subject to political and societal pressure from an influential member of the community.

Public Hearing

Zoning Ordinance – Minimum Lot Size – Minor Subdivisions

Mayor Gee invited comments from the audience.

Jo Kellum, Louisiana Avenue, spoke in opposition to the proposed changes to the zoning ordinance. She said that while only a few lots are said to be affected, in reality all lots in sight of changed lots will be affected. She said this affects the consistency of the neighborhood. Ms. Kellum said she believes the proposed change would allow numerous homes be built behind her home where none can now be built.

Dun Monroe, Cherokee Lane, spoke in opposition to the proposed changes to the zoning ordinance. He said that this change will result in unequal treatment of property owners. He said that since the original requestor has withdrawn their request, the Council should stop proceedings on this issue.

Eugenia Allderdice, Carriage Hill, spoke in opposition to the proposed changes to the zoning ordinance. She suggested that the Council could be recalled because of this change.

Claire Griesinger, Carriage Hill, spoke in opposition to the proposed changes to the zoning ordinance. She said there have been changing reasons given for the proposed change and thinks the change will allow developers to tear down old houses to build 2 more in their place. She said that the Council is disregarding 35 years of zoning to make this change.

Mary Hudson, James Boulevard, spoke in opposition to the proposed changes to the zoning ordinance. She said the proposed changes do not follow the Land Use Plan. She said that the proposed changes do not take into account the many citizen and professional ideas on design growth, protecting the existing pattern of development, and protection of natural resources and historic preservation. Ms. Hudson said that there must be lots that will be affected by this change that have not been identified.

Jo Kellum, Louisiana Avenue, said that the town cannot rely on a map as the legal definition of which lots will be affected and that there needs to be a definition for the word "contiguous".

Lance Edwards, James Boulevard, thanked the Council, staff and residents for their time in this matter. He said because it has taken so long to pass the change, the contract has fallen through.

Anne Hagood, James Boulevard, spoke in opposition to the proposed changes to the zoning ordinance. She said that more lots will result in greater impervious surface area. She said that increased development results in the loss of trees and provided many examples she said support this thought.

Art Hagood, James Boulevard, reiterated what Anne had said and stated that even the addition of a driveway can kill trees.

Brendan Olin, Cherokee Lane, spoke in opposition to the proposed changes to the zoning ordinance. He said that this proposed change is the same as the actions taken in regard to lot sizes in Shackelford Ridge. He suggested that this change could result in a recall election. He also asked the Council to abolish the agenda meeting held during the day as many residents can't attend at that time.

Brook Daniel, Mississippi Avenue, spoke in opposition to the proposed changes to the zoning ordinance. She said that the spaces in Old Town are not empty lots, but they are trees.

Resolutions

2. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SUBMIT AN APPLICATION FOR THE TML RISK MANAGEMENT POOL "DRIVER SAFETY" MATCHING GRANT PROGRAM."

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

3. "A RESOLUTION APPOINTING PAUL HENDRICKS, OLIVE DURANT, JAMES DOUTHAT, PATRICK EMANUEL, RITA IRVIN AND JOHN WAYNE AS MEMBERS

OF THE TOWN OF SIGNAL MOUNTAIN'S CITIZENS ADVISORY COMMITTEE,
CENTENNIAL CELEBRATION SUBCOMMITTEE.”

Councilmember Howley made a motioned to approve all members as a single resolution. Vice Mayor Wallace seconded the motion. All present being in favor, the motion to approve all members as a single resolution was approved.

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

4. “A RESOLUTION AUTHORIZING THE TOWN MANAGER TO RELEASE AND ADVERTISE A REQUEST FOR PROPOSALS SEEKING PROPOSALS FOR THE PURCHASE AND TRANSFER OF THE SIGNAL MOUNTAIN WATER UTILITY AND CERTAIN ASSOCIATED ASSETS AND/OR FOR THE CONTRACTUAL OPERATION, MAINTENANCE AND IMPROVEMENT OF THE WATER UTILITY SYSTEM UNDER THE CONTINUED OWNERSHIP OF THE TOWN OF SIGNAL MOUNTAIN.”

Councilmember Howley motioned to approve the resolution as corrected. Vice Mayor Wallace seconded the motion. All present being in favor, the motion was approved.

5. “A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE EIGHT (8) 2015 FORD POLICE INTERCEPTORS, TENNESSEE STATE BID NUMBER 40034, FROM GOLDEN CIRCLE AUTO GROUP, JACKSON, TENNESSEE, FOR A TOTAL MOUNT NOT TO EXCEED ONE HUNDRED NINETY ONE THOUSAND SEVEN HUNDRED FOURTEEN AND 40/100 (\$191,714.40) DOLLARS TO BE USED BY THE POLICE DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN.”

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

6. “A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT WITH ACCOUNTEMPS FOR TEMPORARY LABOR FOR THE BILLING CLERK POSITION IN THE WATER DEPARTMENT AND TO MAKE PAYMENT FOR LABOR SERVICES PERFORMED FOR THE TOWN WATER DEPARTMENT FOR AN AMOUNT NOT TO EXCEED THIRTY TWO THOUSAND DOLLARS NO/100 (\$32,000.00).”

Mayor Gee motioned to approve the resolution. Councilmember Lusk 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 FIFTEEN THOUSAND ONE HUNDRED TEN DOLLARS (\$15,110.00) 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, SEATBELT USAGE FOR CHILDREN AND PASSENGERS
WITHIN MOTOR VEHICLES IN THE TOWN.”

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

Ordinances

1. “AN ORDINANCE TO AMEND TITLE 14, CHAPTER 5, “SIGN REGULATIONS”, IN THE SIGNAL MOUNTAIN TOWN CODE TO INCLUDE A PROCESS FOR ADMINISTRATIVE APPROVAL OF SIGN APPLICATIONS.”

Mayor Gee said that the DRC has reviewed and approved this action. Councilmember Lusk said that he does not believe that this change is necessary. Mayor Gee said that the requirements are well described and that if the applicant meets all the requirements this action will streamline the approval process.

Mayor Gee motioned to approve the second reading of the ordinance. Councilmember Spalding seconded the motion. The motion to approve passed with a vote of 4 to 1, with Councilmember Lusk opposed.

2. “AN ORDINANCE TO AMEND TITLE 14, CHAPTER 5, “SIGN REGULATIONS”, IN THE SIGNAL MOUNTAIN TOWN CODE REGARDING GRAPHIC ELEMENTS.”

Councilmember Lusk said that the current regulations serve well to enhance the character of the community. He stated that when Dominoes requested a variance, it was granted and only took an additional week or so. Mayor Gee said that the variance being so rapidly approved showed that this type of sign should be within the approved treatments

When asked, Karen Rennich, Chairperson of the DRC, said that the committee discussed the fact that branding of a company has changed over the years, and now can be a logo as with Dominoes or it can also be that the company name is the logo as in Coca Cola. She explained that color, font, graphic elements and pictures can be a business’s brand and is something that has changed since these regulations were written. She said that trying to parse these items is no longer possible. Following discussion Ms. Rennich suggested that this action be reviewed in a year.

An audience member asked if there is a conflict of interest for Councilmember Spalding to vote on this ordinance. Mr. Noblett replied that there is no conflict of interest nor any violation of the code of ethics as Councilmember Spalding has no direct financial interest in this ordinance.

Mayor Gee motioned to approve the second reading of the ordinance. Councilmember Spalding seconded the motion. The motion to approve passed with a vote of 4 to 1, with Councilmember Lusk opposed.

3. "AN ORDINANCE TO AMEND TITLE 14, CHAPTER 5, "SIGN REGULATIONS", IN THE SIGNAL MOUNTAIN TOWN CODE REGARDING REVIEW OF GRAPHIC DESIGN AND DESIGN ELEMENTS FOR SIGNAGE."

Mayor Gee motioned to approve the second reading of the ordinance. Councilmember Spalding seconded the motion. The motion to approve passed with a vote of 4 to 1, with Councilmember Lusk opposed.

4. "AN ORDINANCE TO AMEND TITLE 14, CHAPTER 5, "SIGN REGULATIONS", IN THE SIGNAL MOUNTAIN TOWN CODE REGARDING GRAPHIC EMBLEMS, LOGOS OR SYMBOL PERCENTAGES IN SUBDIVISION ENTRANCE FEATURES."

Mayor Gee motioned to approve the second reading of the ordinance. Councilmember Spalding seconded the motion. The motion to approve passed with a vote of 4 to 1, with Councilmember Lusk opposed.

5. 'AN ORDINANCE ABANDONING RIGHT-OF-WAY BETWEEN SOUTH STREET AND FAIRVIEW STREET IN SIGNAL MOUNTAIN, TENNESSEE.'

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

6. "AN ORDINANCE TO AMEND ORDINANCE NO. 2015-03, ENTITLED THE "FY 2015-2016 BUDGET ORDINANCE," SO AS TO PROVIDE FOR CERTAIN ADDITIONAL REVENUES AND EXPENDITURES IN THIS BUDGET YEAR."

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

Discussion

Mr. Veal said that the biggest hindrance to being able to facilitate communication with the community and improve the ability to turn around minutes is the sound system in the Council room. He said it is difficult to hear when someone is at the podium and that it is hard to hear to transcribe the minutes. He asked the Council to approve the purchase of new microphones, a wireless system for the podium and getting feedback suppressors. Mr. Veal said that the cost to purchase these items and to have them professionally installed is just under \$6,500.00.

Mayor Gee made a motion to approve the purchase and installation of the proposed equipment. The motion was seconded by Councilmember Spalding. All present being in favor, the motion was approved.

Mr. Veal provided the Council with the Report on Debt Obligation and the final debt schedule for the \$3 million capital outlay loan. He explained that this is required due to the nature of the loan type. He said that by establishing additional debt to the Town, that staff is required to present the Council a representation of the potential debt obligation for the Town in an open meeting. During

general discussion, Mr. Veal explained item 10 showing the maturity dates, amounts and interest rates.

Mr. Noblett explained that he met with attorneys for Collegedale, Lakesite, Red Bank, Soddy Daisy, and Walden regarding whether there is any interest in hiring a government relations professional or lobbyist concerning the sales tax issues. He said he had been concerned about the Town issuing a contract with an individual unless there were some specific provisions made. Mr. Noblett said that with the recommendation of MTAS the municipalities have agreed that Collegedale will hire an individual and then the other communities can enter into an inter-local agreement with them. Mayor Gee said he has reservations about this type of agreement. Councilmember Howley agreed.

Councilmember Lusk reminded the Council that Kerry Lansford had volunteered to work on this issue pro bono. Council discussed the fact that TML is already a paid representative for the Town.

An audience member asked that the proposed Zoning Ordinance be withdrawn. Councilmember Wallace made a motion to withdraw the zoning ordinance. Councilmember Lusk seconded the motion. Mr. Noblett explained that this item is not on the agenda and therefore the Council cannot take a vote on it at this time. Councilmember Wallace withdrew his motion. Councilmember Lusk withdrew his second.

There being no further business, the meeting was adjourned.



Dick Gee, Mayor



Recorder