

\*\*\*\*\*November 9, 2015\*\*\*\*\*

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

Those present were: Mayor Dick Gee  
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

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

### Minutes

The minutes for the September 25<sup>th</sup> special agenda meeting were presented. There being no changes, the minutes were approved.

The minutes for the October 12<sup>th</sup> regular meeting were presented. There being no changes, the minutes were approved.

### Ordinances

1. "AN ORDINANCE TO AMEND THE TOWN OF SIGNAL MOUNTAIN ZONING ORDINANCE REGARDING MINIMUM LOT SIZE FOR MINOR SUBDIVISIONS."

Councilmember Spalding made a motion to bring the ordinance to the table for consideration. There being no second to the motion, the motion failed and the ordinance was defeated for lack of a second reading.

### Citizen Comments

Mayor Gee invited comments from the audience.

Rachel Miller, James Boulevard, spoke in opposition to selling the water utility. She said that water is a valuable resource and had strong opposition to Tennessee American Water Company.

Eugenia Allderdice, Carriage Hill, spoke in opposition to selling the water utility. She said that water is valuable and the Town should try to get Federal grants or obtain loans to fix any water utility problems instead.

Dun Monroe, Cherokee Lane, asked if there were any further information regarding a re-distribution of sales tax revenue. Town Attorney, Phil Noblett replied that there has not.

Daphne Kirksey, Applewood Circle, spoke as a representative of Tennessee American Water. She informed the Council that Tennessee American would be holding public meetings at the MACC on December 3<sup>rd</sup>, and the Country Club on December 15<sup>th</sup>, from 6 to 8 p.m. and invited residents to attend and learn more about Tennessee American Water. Ms. Kirksey explained that Tennessee American has been in the local area since 1887 and said they can offer system improvements and repairs that is sensitive to customer rates. She said that rates are subject to state oversight by the Tennessee Regulatory Authority.

### Resolutions

1. "A RESOLUTION RECOGNIZING AND HONORING JEAN DOLAN AND, IN RECOGNITION AND CELEBRATION OF HER 100<sup>TH</sup> BIRTHDAY, DECLARING NOVEMBER 12, 2015 TO BE JEAN DOLAN DAY IN THE TOWN OF SIGNAL MOUNTAIN."

Mayor Gee read the resolution in its entirety and said this was a joyous occasion to celebrate for not only the Town of Signal Mountain but also by the great citizens of the Town.

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

2. "A RESOLUTION RECOGNIZING AND HONORING TOWN EMPLOYEES WHO ARE VETERANS OF THE UNITED STATES ARMED FORCES."

Councilmember Howley 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 BRUCE GOODWIN, INCORPORATED IN AN AMOUNT NOT TO EXCEED EIGHTY FIVE THOUSAND DOLLARS (\$85,000.00), FOR THE RENOVATION OF THE LOWER LEVEL OF THE SIGNAL MOUNTAIN LIBRARY INCLUDING ALL WORK DETAILED IN THE PROJECT SPECIFICATIONS AND ARCHITECTURAL PLANS."

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

4. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) 2015 FORD F-150 XL, TENNESSEE STATE BID NUMBER 40034, FROM GOLDEN CIRCLE AUTO GROUP, JACKSON, TENNESSEE, FOR A TOTAL AMOUNT NOT TO EXCEED TWENTY SEVEN THOUSAND NINE HUNDRED SIXTY NINE AND 78/100 (\$29,969.78) DOLLARS TO BE USED BY THE BUILDING AND CODES DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN."

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

### Ordinances

1. "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."

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

2. "AN ORDINANCE TO AMEND ARTICLE VI SCHEDULE OF DISTRICT REGULATIONS OF THE SIGNAL MOUNTAIN ZONING ORDINANCE REGARDING ALLOWING LIQUOR STORES IN HIGHWAY COMMERCIAL DISTRICTS."

Mr. Veal explained that Title 8 of the Municipal Code states that liquor stores shall be located in a highway commercial zone and/or planned commerce center. He said that however, the Zoning Code for highway commercial does not list this as a permitted use, but does in a planned commerce zone. He said that the general provisions of the Zoning Code indicate that if a use is not specifically listed as permitted, then it is assumed to be not allowed. He stated this item will amend the Zoning to allow liquor stores in highway commercial districts subject to all licensing provisions and other governmental regulations. Mr. Veal said the Planning Commission has approved this change.

Mayor Gee motioned to approve the first reading of the ordinance. Councilmember Spalding seconded the motion. The motion to approve passed with a vote of 3 to 1, with Councilmember Lusk abstaining.

### Discussion

Councilmember Spalding informed the Council that the first meeting of the Centennial Committee will be January 5<sup>th</sup> at the MACC.

Council discussed rescheduling meetings for November and December due to the holidays.

Councilmember Howley asked Mr. Veal to provide information on the process and potential time line regarding the proposed Request for Proposal (RFP) for the water utility. Mr. Veal explained that staff is currently compiling the RFP which is extremely involved. He said it is being fashioned so that the Town is requesting proposals on multiple levels. He said one proposal is for acquisition of the utility and associated assets and the second proposal is to contract operations of the utility with the Town retaining ownership. He said he expects the RFP to be ready for review and release in the next few weeks. He said once that is accomplished a schedule will be established for proposal submittals. Mr. Veal said a committee will then be formed to review the proposals and make recommendations to the Council. He said there will be several public meetings and opportunities to provide information to the residents and seek input. He said the Town is also looking at options related to retaining ownership and operation of the utility and what that future

will be and what changes and/or improvements will be required. Mr. Veal said the very broad and inclusive look at what is needed to serve the Town is what is under review and is being done as quickly but as cautiously as possible. When asked by Councilmember Spalding, Mr. Noblett explained there is no statutory provision to allow this issue to go to a referendum vote. Mr. Noblett said he will continue to investigate the possibility.

Councilmember Howley requested a financial report consisting of a monthly and year-to-date comparison of revenues and expenditures to the budget. Mr. Veal explained there have been discussions with the Mayor and Finance Director regarding this issue. He said he needed to speak with Councilmember Howley regarding his preferred format for the information. Mr. Veal said it is not a problem to provide the information, he just wanted to be sure it will be in a format that is useable and productive for everybody. He asked Councilmember Howley for an example of the format he would prefer.

Mayor Gee said he received an e-mail from the County Mayor's office concerning the anti-smoking campaign. The Town will be provided materials and he and the Town Manager will meet with program representative to discuss where the materials might be used.

Mr. Veal presented the Council with a copy of the letter from the State of Tennessee giving approval for the Town's FY 2015-16 budget. He explained that the letter is required to be included in the minutes (copy attached). Mr. Veal briefly explained that the Comptroller of the Treasury said they have received a certified copy of the Town's budget and found that it does meet the qualifications and requirements and is a balanced budget. He said they note that if expenditures take place as budgeted in the water fund, that fund will see a negative change in position. Mr. Veal explained that is not uncommon for the budget but it generally does not play out that way. He explained that major projects are budgeted that if completed could see a negative change in position for that fund.

There being no further business, the meeting was adjourned.



Dick Gee, Mayor



Recorder