

*****January 11, 2016*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, January 11, 2016, 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 Gee led the pledge of allegiance. Phil Noblett, Town Attorney, gave the invocation.

Minutes

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

Citizen Comments

Mayor Gee invited comments from the audience. There being no comments, the meeting resumed.

Presentation

Brian Wright, CPA with Johnson, Murphey & Wright, P.C. presented the Council with the Annual Financial Report for year ended June 30, 2015.

Mr. Wright gave a brief explanation of the Statement of Revenues, Expenditures and Changes in Fund Balances on pages 20, 64, and 34.

Mr. Wright discussed the Vehicle Replacement Fund explaining the fund had revenues of \$66,000.00 with expenditures of \$1.2 million. He stated this was accomplished by the use of the fund balance which had been built up over the years. He said the Town was able to put a lot of good, new equipment on the road and commended the Council for the great work in planning for the future by setting aside the funds for these purchases.

Mr. Wright explained that GASB #68 was implemented this year, which required the Town to show unfunded pension liabilities in the Statement of Net Position (page 16) instead of footnotes as in prior years.

Mr. Wright stated the auditors were able to give an unqualified opinion on the Town's financial presentation. He explained this was the best type of opinion to receive. He said no internal control deficiencies or material noncompliances were found. He said of the 12 cities he audited only 2 had no findings. He explained that a clean opinion with no findings is very rare.

Vice Mayor Wallace asked if the Town has too much money in the bank. Mr. Wright stated that the Town may have cash now but it is going to need it later for large projects like road paving, building construction, and equipment purchases and it is good to have funds when that time comes.

Representative Patsy Hazelwood was present and addressed the Council

Representative Patsy Hazelwood told the Council she does not expect there to be any changes this legislative season to the State's shared sales tax distribution. Ms. Hazelwood said while there is conversation regarding this issue, she anticipates it more likely that the legislature will look at finding a base line of monies the cities are currently collecting and then share the growth over that base line with counties. She said the Tennessee Municipal League (TML) is very engaged and is very concerned about this issue. She said she will commit to the Council that she will not support a major change that will take away a major revenue source from municipalities.

Ms. Hazelwood said she thinks there will be a continued move to increase the exemption level for the Hall Tax. When asked, Ms. Hazelwood said there is currently no legislation to increase the gas tax. She said there are no bills regarding highway funding at this time. She said one of the things she is committed to, and she believes both speakers are also, is to reimburse \$200 million to the State transportation fund for monies taken several years ago to fund the increased costs of TennCare. Ms. Hazelwood reminded the Council that there is a \$6 billion shortfall in transportation funding for already approved projects.

Claire Griesinger, having arrived after citizens' opportunity to address the Council, requested an opportunity to speak

Claire Griesinger, Carriage Hill, asked the Council what would happen to cash in the Water Fund if the system should be sold. Mayor Gee replied that is unknown at this time. Ms. Griesinger asked if there will be public meetings later regarding any changes proposed for the water department. She was assured there would be multiple meetings for the residents.

Resolutions

1. "A RESOLUTION APPOINTING EDWARD A. CHAPMAN TO THE TOWN OF SIGNAL MOUNTAIN'S MOUNTAIN ARTS COMMUNITY CENTER BOARD."

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

2. "A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE (1) 2016 FORD F-150 XL, TENNESSEE STATE BID NUMBER 40034, FROM GOLDEN CIRCLE AUTO GROUP, JACKSON, TENNESSEE, FOR A TOTAL AMOUNT NOT

TO EXCEED TWENTY EIGHT THOUSAND SEVEN HUNDRED FIFTY ONE AND 42/100 (\$28,751.42) DOLLARS TO BE USED BY THE BUILDING AND CODES DEPARTMENT FOR THE TOWN OF SIGNAL MOUNTAIN.”

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

Public Hearing

Zoning Ordinance – Liquor Stores in Highway Commercial Zoning

Town Manager, Boyd Veal, explained a third reading was required as the second reading occurred one day prior to the 15 day wait period required by the state from the advertisement of this action. He informed the Council that this action had been re-advertised approximately 21 days in advance.

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 however, the Zoning Code for highway commercial does not list this as a permitted use, but does in a planned commerce zone. He said 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 invited comments from the audience. There being no comments, the meeting resumed.

Ordinances

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

Vice Mayor Wallace motioned to approve the third reading of the ordinance. Councilmember Spalding seconded the motion. The motion to approve the third reading passed with a vote of 3 in favor with Councilmember Lusk abstaining.

2. “AN ORDINANCE TO AMEND TITLE 14, CHAPTER 3, SECTION 14-303, OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO THE AREAS OF SPECIAL FLOOD HAZARD AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY WITHIN THE TOWN.”

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

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

Discussion

Mr. Veal informed the Council that in light of the environmental issues facing the MACC due to mold growth, his concerns regarding public health prompted him to have a second and broader inspection performed by Environmental Air Quality Professionals, Inc. He said the study revealed that air quality is still not an issue, however mold was found in several new areas. Mr. Veal said that there is no definitive determination of any hazard but he has become concerned about the Town's ability to assure the patrons that there are no health concerns.

He said he, Fire Chief Eric Mitchell, MACC Director Barb Storm and the Mayor have met and determined it would be prudent to err on the side of caution. Mr. Veal said Ms. Storm is looking for alternative sites for instructors to use while the Town seeks a solution to the issue. He said a comprehensive study of the facility as a whole will be performed and he anticipates having a proposal for an assessment ready by the agenda session on the 22nd.

Mayor Gee said remediation, while effective, without changing the environment lasts 48 hours at the best.

Mayor Gee informed the Council that he had been approached by Walden Mayor Bill Trohanis to issue a joint resolution to proclaim opposition to the reallocation of State shared sales tax distributions to municipalities. All members present agreed that a joint resolution is an appropriate action.

There being no further business, the meeting was adjourned.



Dick Gee, Mayor



Recorder