

*****June 8, 2015*****

The Signal Mountain Town Council held its regular monthly meeting on Monday, June 8, 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

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

Citizen Comments

Mayor Gee invited comments from the audience.

Steve Benton, Middle Creek Road, stated that he has a petition signed by 40 people that asks for action regarding 17 Middle Creek Road. He said the property has been unoccupied since November, 2010 and has not been maintained. Mr. Benton said the structure suffers from serious structural defects, including deterioration of siding, door and window framing, fascia and decking, has visible mold infestation, unsecured access due to failure of door systems, and poses a hazard to children and other neighborhood residents. He said the petition requests the Council to condemn, seize and demolish the structure as soon as possible.

Town Manager, Boyd Veal explained that staff have reviewed the property. He said staff had begun action some time ago but had been contacted by someone inquiring about a demolition permit as the property was to be sold and demolished. He said this stopped action by the Town assuming that action was going to move forward. Mr. Veal explained that since that action had not occurred, staff met at the property today to initiate action. He explained that this property is currently in foreclosure.

Barbara Chapman, Signal Road, said that there is an empty lot behind her and adjacent to the highway. She said she is concerned about the noise the traffic is making and said this implies that the traffic is going very fast. Ms. Chapman asked if there is a way to slow the traffic down.

There being no further comments, the meeting resumed.

Resolutions

1. "RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH BLUE CROSS BLUE SHIELD OF TENNESSEE TO PROVIDE MEDICAL INSURANCE FOR ALL TOWN EMPLOYEES FOR A PERIOD OF ONE YEAR BEGINNING JULY 1, 2015 BASED UPON PREMIUMS NOT TO EXCEED \$412.13 PER MONT FOR SINGLE COVERAGE AND \$1,073.60 PER MONTH FOR FAMILY COVERAGE."

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

2. "RESOLUTION AUTHORIZING THE TOWN MANAGER FOR THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO AWARD A CONTRACT TO POINTE GENERAL CONTRACTORS, LLC, IN THE AMOUNT OF ONE MILLION SIX HUNDRED SEVENTY SEVEN THOUSAND EIGHT HUNDRED FORTY DOLLARS (\$1,667,840.00), AS THE LOWEST AND BEST BID FOR THE CONSTRUCTION OF A PUBLIC WORKS FACILITY AND ASSOCIATED STRUCTURES INCLUDING SITE PREPARATION AND ALL WORK DETAILED INT EH PROJECT SPECIFICATIONS AND ENGINEERED PLANS."

Councilmember Spalding motioned to approve the resolution. Councilmember Lusk 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 SIMPLEX-GRINNELL, LP, IN THE AMOUNT OF ONE HUNDRED SIXTY SIS THOUSAND FOUR HUNDRED TWENTY FOUR AND NO/100 (\$166,424.00) DOLLARS, AS THE LOWEST AND BEST BID FOR THE INSTALLATION OF A FIRE ALARM SYSTEM AND FIRE SPRINKLER SYSTEM AT THE MOUNTAIN ARTS COMMUNITY CENTER."

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

4. "AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PUBLIC UTILITY EASEMENT AGREEMENT WITH ROBERT AND HARRIET PHILEGAR FOR EXISTING UTILITIES WITHIN THE ABANDONED TOWN RIGHT-OF-WAY BETWEEN SOUTH STREET AND FAIRVIEW STREET IN SIGNAL MOUNTAIN, TENNESSEE."

Councilmember Howley made a motion to defer this resolution. Vice Mayor Wallace seconded the motion to defer the resolution. All present being in favor, the motion to defer was approved.

Public Hearing

The regular meeting was temporarily suspended for the Council to convene a Public Hearing on the proposed Ordinance to amend the Town's Zoning Ordinance regarding minimum lot size for minor subdivisions.

Mayor Gee explained that this item is about a change to the zoning ordinance regarding the division of lots from larger to smaller.

Mayor Gee invited comments from the audience.

Missy Cantrell, South Drive, said this ordinance calls for a reduced setback for lots down to ¼ acre with anything less than ½ acre having a sliding ratio. She said that, worst case scenario, you have ¼ acre side setback of 7.5 feet, with a Town allowance for an overhang of 1 ½ to 2 feet, and then there has not been any reduction in the height requirement. Ms. Cantrell said this means there could be as much as a 35 to 40' foot wall. She said this ordinance applies to all of the Town and not just Old Town. She said that she does not think this is what the Council wants to do. Ms. Cantrell said that she is also objecting because this ordinance sets any lot under a ½ acre as a small lot of record so the Town can reduce the setbacks, yet she said, there has not been anything done regarding the height which stays the same at 35'.

Mr. Veal explained that these issues really relate to the second proposed ordinance relating to creating and subdividing lots. He said that this Public Hearing is being held relative to the second reading of the first ordinance which changes 1 acre back to ½ acre lots because that decreases the amount that setbacks can be reduced. He said an existing ordinance lets property owners decrease the setbacks if they have a small lot of record. Mr. Veal said that because the minimum lot size was raised to 1 acre, it would allow the property owner to decrease the setbacks tremendously, whereas replacing these figures minimizes those reductions by about half. He explained that there would be a public hearing when the second reading of the second ordinance takes place.

There being no further public comment, the meeting was resumed.

Ordinance

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

Mr. Veal explained that this ordinance will reduce the minimum lot size for minor subdivisions to the previous level of ½ acre versus 1 acre to minimize the impact of reduced setbacks.

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

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

Council Lusk said that he still doesn't know how many lots are affected or where they are located. He said there is potential for significant harm and said he considers this to be spot zoning. He said that without further work by the Planning Commission the Town could be creating a nightmare for neighbors throughout the community.

Councilmember Howley said that the lots that are contiguous have to be the same size, which would severely limit it, because there are not many lots that size and you can't build anymore lots that size.

Town Attorney, Phil Noblett said this ordinance allows a minor subdivision to occur throughout the Town that would consider the average lot size of contiguous properties, so as long as those lots are all 100 foot frontage lots and are on an existing street then there could be no variation from that lot width. He said the minimum lot width is going to be nothing less than 75 feet of frontage. He said there is no language in the ordinance regarding the McMansion exception that someone might try to put something really big on that one lot. He said the Planning Commission could possibly add regulations about bulk and height.

Vice Mayor Wallace stated that the lot to be created by this revision will still be larger than most of the lots on the street. Mayor Gee said that while that is true, the concern is what might extended beyond that one lot. Councilmember Howley said that the Planning Commission added language that a subdivision of a lot must work within the lots that are contiguous to it and said that would protect the neighborhood.

Councilmember Howley motioned to approve the first reading of the ordinance. Councilmember Spalding seconded the motion. Councilmembers Howley and Spalding voted to approve the motion. Mayor Gee, Vice Mayor Wallace and Councilmember Lusk voted against approving the motion. The motion was not approved.

3. "AN ORDINANCE AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PUBLIC UTILITY EASEMENT AGREEMENT WITH ROBERT AND HARRIET PHILEGAR AND ABANDONING THE TOWN RIGHT-OF-WAY BETWEEN SOUTH STREET AND FAIRVIEW STREET IN SIGNAL MOUNTAIN, TENNESSEE."

Councilmember Howley made a motion to defer this ordinance. Councilmember Lusk seconded the motion to defer the ordinance. All present being in favor, the motion to defer was approved.

4. "AN ORDINANCE TO AMEND ORDINANCE NUMBERS 2014-05 AND 2014-11, ENTITLED THE "FY 2014-2015 BUDGET ORDINANCE," SO AS TO PROVIDE FOR CERTAIN ADDITIONAL REVENUES AND EXPENDITURES IN THIS BUDGET YEAR."

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

5. "AN ORDINANCE OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016 HEREINAFTER KNOWN AS THE "FY 2015-2016 BUDGET ORDINANCE."

Mayor Gee complimented Finance Director, Carol White and all the department heads who participated in the budget process. He said that the Town has a very ambitious budget with lots of things going on, especially in Ms. Hopper's Public Works Department. He said that he thinks the Town has a budget that is well done and complimented the staff.

Mr. Veal explained that the Council has had several meetings to go over the details of the budget. He said that in summary he would address what makes this budget a little different from those of the past. He said that one of the big changes was that at the beginning of the budget process staff looked at turnover issues that the Town has been having, especially in Fire and Police, but in general looked at the work force and where the Town is on a competitive basis as an employer. Mr. Veal stated that the Town initially looked at the pay plan for the Fire and Police and found that the Town had fallen well behind other area agencies. He said that, given the Town's compensation plan, those changes were also applied to the other positions in the Town. He said that thereafter he went back and looked at those positions to make sure the Town was not headed down the wrong path and found pretty much the same thing. Mr. Veal said the changes that the Town is making across the board are making the Town more competitive. He said the problem is not having a competitive wage, while benefits are competitive. He said the problem manifested itself and became apparent primarily in the Police Department. He said that looking at that it was apparent that the same problem existed elsewhere. Mr. Veal said that since then it has been realized with the opening for a mechanic. He said that there have been applicants who were interested but wouldn't take the position for the salary the Town was offering.

Mr. Veal also explained that there was a significant increase in insurance costs. He said that the debt service has funds budgeted to retire the existing fixed interest 2010 capital note which resulted in a significant savings in interest payments.

He said that he had been asked by the Council to look at a reduction of the Town's fund balance. Mr. Veal said that one of the ways that this budget accomplishes that is by replacing the self-contained breathing apparatus for the Fire Department which is outdated and parts are hard to get. He explained that a second use of fund balance is to repair the tennis courts which continue to deteriorate. He reminded the Council that other on-going projects in the budget include the James Boulevard project and construction of the new fire station. These and other fund balance reduction items were presented to the Council for their review and approval.

Mr. Veal stated that all operational, day-to-day, costs are funded through projected revenues. He said this includes the new debt for the construction of the public works facility. He said that additional capital projects and expenditures are funded with fund balance, but ultimately this is a balanced budget with a measured and calculated approach to the fund balance reduction. He said that all the proposed fund balance reduction expenditures are non-recurring, one-time costs.

Mayor Gee stated that Mr. Veal had done a masterful job. He also noted that this budget does not include any increase in the tax rate.

Mr. Noblett informed the Council that there were several changes in the format of this budget ordinance. He explained that Ms. White had worked closely with MTAS regarding the State Comptrollers recommendations on changes to the ordinance language.

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

Discussions/Other Business

Councilmember Howley said that he is a representative of the Parks Board. He introduced Mr. Bill Fronk who is an active member of the Parks Board. Councilmember Howley explained that the Parks Board have received help from UTC to create a detailed map of the trail system. He stated that the Parks Board wishes to place trail signs at various places, including several places at Green Gorge and Ohio Avenue, in addition to other locations throughout the Town property. Councilmember Howley said that these signs have to be specially made on aluminum and sized to fit the kiosks. He asked the Council to fund \$2,000 to the Parks Board to accomplish this goal.

Mr. Veal informed the Council that funds for the Parks Board projects are included in the Parks & Recreation budget. He said that staff can find the needed funds within the existing budget with direction from the Council that this is what they wish to do. He said that he wanted to clarify that this is not a matter of providing funds to the Parks Board but a matter of making funds available to them, which also includes donated and grant funds.

Councilmember Lusk made a motion to approve an amount not to exceed \$2,000.00 to fund the Parks Board for cost of the signs. Councilmember Spalding seconded the motion. All present being in favor, the motion was approved.

Councilmember Spalding asked where the funds are for the proposed video streaming project. Mr. Veal replied staff is reviewing what equipment and resources might be pulled together from the existing budget. He said once that is determined he will bring to the Council any further costs that might be incurred.

Mr. Veal informed the residents and Council that the next agenda meeting will include a public hearing and second reading of the budget ordinances.

There being no further business, the meeting was adjourned.



Dick Gee, Mayor



Recorder