

A MEETING OF THE BOARD OF
COMMISSIONERS OF THE CITY OF
SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, MAY 2, 2024 AT 7:00 P.M.

INVOCATION BY: REV. JACKIE PENNEY

MEETING CALLED TO ORDER BY:
MAYOR EVERETT

MEMBERS PRESENT:
MAYOR EVERETT
COMMISSIONER KEITH
COMMISSIONER PENNEY
COMMISSIONER SHIPLEY
CITY MANAGER JOHNSON
CITY ATTORNEY ELLIOTT
ASSISTANT RECORDER DOLBERRY

MEMBER ABSENT:
VICE-MAYOR COLEMAN

STAFF AND OTHERS PRESENT:
SEE ATTACHED COPY OF SIGN IN SHEET

The minutes of the regular meeting held April 18, 2024 were approved as presented.

OLD BUSINESS:

2023-2024 ORDINANCE NO. 17

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE
ABANDONING A PORTION OF RIGHT-OF-WAY ALONG THE EAST
SIDE OF DAYTON PIKE PARALLEL TO 8644 DAYTON PIKE.
SECOND AND FINAL READING.**

1st - Commissioner Keith to approve
2nd - Commissioner Penney
Ayes - Unanimous

NEW BUSINESS:

City Manager Johnson requested approval to purchase a security system in the amount of \$40,889.20 from WiFi America which would replace the cameras at City Hall, the Public Works Building and the Detectives' Building. Commissioner Penney asked if these will be the same as

those in the Gulf. City Manager Johnson said with this purchase all of the cameras would be on the same system.

1st - Commissioner Keith
2nd - Commissioner Shipley
Ayes - Unanimous

City Manager Johnson requested approval of the Independent Audit Agreement with Johnson, Murphy & Wright in the amount of \$42,350.00 which includes the cost of a single audit in the amount of \$6,600.00 should this be required for grant funding. He said that this auditing firm has been used by the City for years.

1st - Commissioner Shipley
2nd - Commissioner Keith
Ayes - Unanimous

City Manager Johnson requested approval to surplus several vehicles currently in the City's impound yard and awarded to the City. He said a list of the vehicles was included in the packet. He said once approved for surplus the vehicles would be given to the Fire Department to be used for training. Commissioner Keith asked if these were seized vehicles. City Manager Johnson said yes.

1st - Commissioner Keith
2nd - Commissioner Shipley
Ayes - Unanimous

City Manager Johnson requested approval to purchase fireworks for the July 4th celebration in the amount of \$14,850.00. It was noted that this was the same cost as last year. It was noted that the celebration will be held on July 6th this year.

1st - Commissioner Keith
2nd - Commissioner Penney
Ayes - Unanimous

City Manager Johnson requested approval to purchase an F-250 Super Cab 4 x 4 Truck under State Contract at a cost of \$50,116.00. He said the purchase is budgeted and the truck is on the lot. Public Works Director Grant said it is suppose to be on the lot.

1st - Commissioner Shipley
2nd - Commissioner Keith
Ayes - Unanimous

City Manager Johnson requested approval to purchase a 2012 Int'l 7300 4 x 4 60' Altec MH Utility Bucket Truck in the amount of \$59,500. He said this has been a much needed item for several years. It will replace a 1989 model. He said this item was difficult to find. He said \$90,000.00 had been budgeted.

1st - Commissioner Keith
2nd - Commissioner Shipley
Ayes - Unanimous

City Manager Johnson requested approval of additional funds for the purchase of fire apparatus. Fire Chief Dusty Morgan said that the Commission had a letter from him in the packets explaining the additional funds requested. He said that he and two other fire fighters had traveled to Wisconsin last week to go over the specifications of the truck item by item (approximately 1,000 items) to be sure the functionality of the truck would be what they need. He said the request is for \$21,000.00 per truck in additional funds for a total of \$42,000.00. He said the original sales representative is no longer with the company. He stated the changes would make the truck safer and more functional. Commissioner Penney questioned if the trucks are on order. Fire Chief Morgan said yes. He said they will start building the truck in September or October and most likely delivered in February 2025.

1st - Commissioner Keith
2nd - Commissioner Shipley
Ayes - Unanimous

Citizen's Participation:

Mayor Everett asked everyone who wished to address the Commission to please limit their comments to 3 minutes.

Allen Cross, 600 North Brook Drive, said he has an issue with the Soddy-Daisy Police Department. He said he was working nights at Volkswagen, his shift was switched from days

to nights. He was having trouble sleeping. He said a guy gave him half of a pill to take. He took the pill and was outside mowing when he fell out in the garage. His daughter called 911. He said it was Fentanyl, that was the conclusion they came to, but that is not the big issue. He said the ambulance revived him. He said the big issue is the police department confiscated his cell phone without a warrant and violated his civil and constitutional rights. He said ACLU said no judge would sign a warrant. He said two days later he was unable to get his phone back, the police department would not give it to him. He said they were unjustified in taking his phone without a warrant, violated his rights and he is ticked off. He said he will not give the name of the friend who gave him the pill as he is not going to be killed. He said he plans to sue the Soddy-Daisy Police Department over this. He said Police Chief Petty said the phone was kept as evidence. Mr. Cross said he was not arrested. He said that he formerly worked with Jeff and Pam Gann for five years. He said he was accused of cussing the police. He said he did not cuss them but if he had, the police should be able to take being cussed. City Attorney Elliott stated that his 3 minutes are up and there would be no comment tonight as Mr. Cross has threatened a lawsuit.

Brad Sims, 199 Hickman Street, said he was arrested 1-1/2 years ago. He said he was pulled over coming down the freeway. He said he called the female officer an expletive and was arrested. He said he knows guys in the Police Department and has been in church with them. He was treated like he was the worst person in the world when he was brought into the police department. He said he was crying like a baby in the booking room asking to make a phone call to have his dog attended to. It was an hour and a half later before he was permitted to make the phone call. He said Billy Petty heard him and the pervert/pedophile both told him you do not cuss one of our officers. He said it was a violation of his civil rights to not let him make the phone call. Finally he made the phone call. He said he saw it on the news about the pedophile

and asked what was going to happen to him and was he going to lose his job or is he still on the force, Jeremy Wright. He said his human rights were violated when he was not allowed to make phone call. City Attorney Elliott said there will be no comments made tonight.

Robert Cothran, 10175 Dallas Hollow Road, announced the Wall of Honor Ceremony scheduled for May 6th at 10:00 a.m. He said the names are already on the wall. He invited the Commission to attend.

Michelle Conner, 1101 Pendall Lane, Soddy-Daisy, Tennessee asked if the City still has the crime mobile unit? Commissioner Shipley said he believes this was sold years ago. City Manager Johnson said he also believes this was sold years ago, but was unsure of the date. Mrs. Conner asked if it was sold before he became City Manager. City Manager Johnson said he could not say for sure. She said she wants to learn more about the dynamics of the police department, to the Commission to the city manager and asked when a police officer does not know how to do paperwork whether a warrant, ticket or something of that nature who is responsible for making sure that is done? City Manager Johnson said he believed his/her supervisor. Police Chief Billy Petty said the immediate supervisor. Mrs. Connor asked who hires and fires police officers. City Manager Johnson replied I do. Mrs. Connor asked if one is under FBI investigation should they be on the force or allowed to go to a scene? City Manager Johnson said he does not know of anyone who is under FBI investigation. City Attorney Elliott said that Mrs. Conner litigated against the City, filed a claim, lost the claim and you are here tonight trying to stir things up. City Attorney Elliott said the bottom line is that it depends on the circumstances of what is going on and that's the answer. Mayor Everett said there is no checklist on that, it depends on the circumstances. Mrs. Conner questioned why Soddy-Daisy Police Vehicles would be in Pikeville on a regular basis. Mayor Everett said the officers have take-home cars. Police Chief Billy Petty said several of the officers live in Dunlap.

Diane Walker, 9986 Lovell Road, said that a lot of the citizens who attend the Commission Meetings do not know how the City works. She suggested a community education event at the meetings. They are all elected officials and a lot of people attend, but don't understand the procedures. She said she feels there is a lot of intimidation coming in not knowing how the City works. She said Soddy-Daisy is growing. She said a lot of people are tired of the good ole boy system and it is changing. In order to increase participation she asked if the Commission would be in favor of allowing a portion of the meeting maybe every other month be allocated to citizens being able to ask any questions as to how things are done so they don't feel ignorant. She said she knows community education is key. She said if this was offered she feels more people would get involved. She said this would be another way to elevate 37379.

Edward Allen, 9929 Dayton Pike, said he had purchased a shipping container to be used as a storage building. He said he recently received a letter from the City that this is not allowed and he would have to remove the container. He said he is retired and is currently renting two storage buildings and is moving the items into the container to save money and will eventually remove the container. City Attorney Elliott said there is no variance for the use. City Attorney Elliott asked how long Mr. Allen would need to remove the container. Mr. Allen said I don't know. Commissioner Shipley asked if it is a conex trailer? He said these are located all over the city. Commissioner Keith said that the Commission may need to review this use and possibly make some changes to the Ordinance. He said that he reported the container on this property. He said the goal is to make Soddy-Daisy look good. Mr. Allen said he planned to give the container to someone else when he no longer needs it. Commissioner Shipley asked if any relief could be given? City Attorney Elliott said they could leave the time frame to Public Works Director Grant. Public Works Director Grant said more than one letter has been mailed.

Commissioner Keith said appearance is also a consideration that they need to make. City Attorney Elliott said that the Board could extend the time for Mr. Allen for 60 days while they review a possible amendment, but if the ordinance is not amended then Mr. Allen would have to remove the container. City Attorney Elliott said his 2 minutes were up.

James Berry, 8921 Springfield Road, thanked Fire Chief Morgan for his department's assistance with a large fire on Mowbray recently. He said the help was much needed and very appreciated.

Cindi Sanden, 10073 Loop Road, said the Cleanup Challenge last week was a success. She said they had 15 teams and 288 volunteers. She said the area included Soddy-Daisy and Red Bank. She also reported on the recent recycle event held at the North Park. She said they collected 40 mattresses and 1,500 tires were recycled at the Sequoyah Recycling Center. She said that the event helped the residents to do the right thing. She said they hope to make it easier for people to dispose of items. Commissioner Shipley asked if Mrs. Sanden and Mrs. Conners knew each other as Mrs. Conners is doing a good job in Sale Creek with the same type of events. He suggested they might work together on this.

Commissioner Keith questioned the status with the burnt house at Brumlow Hollow Road. City Attorney Elliott said this is tied up in litigation. He said this happens when property rights are involved and unfortunately it happens more than once.

Commissioner Penney asked that everyone be aware at the Kids Club when driving past the ballfields at the North Park. He said that Mr. Sims had complained at the last meeting of the families parking on Depot Street. He asked that everyone slow down and be aware of kids.

Mayor Everett said he agrees with Mrs. Walker to get people to attend the meetings and to form for-profit partnerships and non-profit partnerships as well. He said that an informational portion of the meeting might be held once bi-monthly. He said budget meetings are held mostly

during the day but are open to the public. He encouraged the citizens to attend as often as they can.

Adjourned 7:39 p.m.

Burt Johnson