

A MEETING OF THE BOARD OF
COMMISSIONERS OF THE CITY OF
SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, OCTOBER 7, 2021 AT 7:00 P.M.

INVOCATION BY: JACKIE PENNEY

MEETING CALLED TO ORDER BY:
MAYOR NUNLEY

MEMBERS PRESENT:
MAYOR NUNLEY
VICE-MAYOR COTHRAN
COMMISSIONER COLEMAN
CITY MANAGER JOHNSON
ASSISTANT RECORDER DOLBERRY

MEMBER ABSENT:
COMMISSIONER EVERETT
COMMISSIONER SHIPLEY
CITY ATTORNEY ELLIOTT

Cindy Sanden, 10773 Loop Road, Keep Soddy-Daisy Beautiful, came forward to give the Commission a recap on the Fall Festival held at Poe's Tavern. She said it was a success. They estimated 50+ vendors and approximately 1,000+ members of the community who participated in the event. She thanked Courtney Hammond, Jessie Lake Photography, her daughter, Toria and others who helped. Debbie Hudson, Goose Head Insurance, was a huge help the day of the event. She thanked Sara Thompson, Hands on Exotics, Diane Johnson Seals, face painting and Janie Whittener owner of Creative Corner and Board members and their families for all of their help in making this event successful. She also expressed her appreciation for the many sponsors who helped to make this event free to the community. Those sponsors included Randy Fairbanks, City of Soddy-Daisy, JC Lake Photography, North Hamilton Chamber, Vote Tennessee, Creative Corner, Williamson and Son Funeral Home, Goose Head Insurance, and Sanden Solutions and donors Floyd Hardware, Soddy-Daisy Wal-Mart, Soddy-Daisy Food City, Creative Discovery Museum, and the festival vendors and local businesses who gave items for

the giveaway. She thanked everyone for their support of the community.

The minutes of the regular meeting held on September 16, 2021 were approved as presented.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

Citizens Participation:

Lisa Flores, 112 Pine Street, came before the Commission. She stated her concerns with building on the corner of Dayton Pike and Pine Street. Ms. Flores said that she came before the Commission on May 6th and expressed her concerns regarding water runoff from this area. She said she was told by this Commission that there were no building project for this property. She said in early July, the Dollar General began construction, by July 24th she was already having problems with flooding which was her original concern in May. She said that on August 5th she again expressed her concern to the Commission with flooding. She said flooding occurred yet again this weekend. She asked the Commission to take her concerns seriously. She said on October 6th after 15 minutes of hard rain, her yard was completely flooded and water got into the crawl space of her home. She asked when she could expect this to be cleaned up and who is responsible for approving this plan? She said this time four houses were flooded. She expressed her appreciation for Commission Shipley who came out during the recent rain. She said the foreman of the jobsite quickly responded verifying that the pond plug was in place, but it flooded anyway and that's without the retention pond at capacity. She said the contractor has begun a temporary solution by digging the pond deeper, but she wants to know what the long term solution will be. She said the developer has installed a pipe that shoots water out onto Pine Street which is a residential street with no infrastructure for stormwater runoff. It is not functional and is causing

the flooding. She said she has contacted TDEC (Tennessee Department of Environment and Conservation) and is awaiting a return call to find out the legality of the issue. She said this is her third visit to the Commission and she She asked the board to take her concerns seriously. Mayor Nunley asked Public Works Director Grant to address this. Public Works Director Grant said that he had spoken with Blackburn Construction concerning the flooding. He further stated that he has a meeting scheduled tomorrow morning with Blackburn Construction, the Engineer that designed the pond and a representative of Hedgecoth Construction. He said we will resolve the problem. We are going to do something to resolve your issue. He further stated that she is going to get some water because in the past she has gotten some water, but you will not get water from the Dollar General Store. Ms. Flores said not this much. She said she already has water from Dollar General. He said hopefully not from the retention pond. He said we rely on the engineer's design and apparently their design was flawed. He said that Dollar General has requested a temporary Certificate of Occupancy be issued while the issue is resolved. He said that this could be done with Blackburn Construction posting a bond to cover the cost of the resolution to the issue. Ms. Flores said that all four property owners affected by the flooding are hear tonight. She said she was promised that the store would not open until the issues are resolved. She said she is dissatisfied with this and would like to petition against it. She said she is highly dissatisfied that despite telling them about this before the project even started and that a project would be approved by who in the City. She again questioned who approved the plans? Public Works Director Grant stated the Planning Commission. She said we did not get any sayso in it. She said neither she nor the neighbors were notified. Mayor Nunley said that is correct. She asked how will she be notified of these updates because she doesn't want to find out about it every time it rains. She wants to know who can dry her crawl space. Public Works Director Grant said that he has the photos she left today as well as pictures that he took. Mayor Nunley stated that the engineer is the responsible

party. Public Works Director Grant said he is not a lawyer, but that if she gets flooded by the Dollar General Store then they are the ones who will have to take care of it. She said, but the City Planning Commission is the one who approved this engineering plan. Mayor Nunley said the Planning Commission approves the site plan based on their plan and the engineer's design. City Manger Johnson stated that the City does not have an engineer on staff. Mayor Nunley said so they base their decision on the engineer's plan and recommendation. Ms. Flores said so despite the fact that she came before the Commission twice, the Planning Commission went with it. Ms. Flores said she was told in May that nothing would be built on this lot. Mayor Nunley said he did not know who told her that, but they may not have purchased the lot at that time. She requested if the recorder could contact her with the name of who would clean out her crawl space as there is mold. Public Works Director Grant said he would have Mike, the superintendent on the job, to contact her.

Roy Rogers, 108 Pine Street, came before the Commission. He stated that he has lived on Pine Street since 1955. He said he has more water now than ever before due to the overflow pipe that Dollar General installed. He said the detention pond pipe runs directly into his driveway. He said he spoke to Mr. Shipley and asked if this was legal. He said Mr. Shipley told him they cannot dump more water onto the road than what is normally on the road. He said he was told this week when he came to City Hall that the store will not open until this is resolved. He said he was promised that. He said he does not know who designed this. He said they have a 9 ½ foot alley on the other side of the dollar store where they could have put that pond or a drain to the creek through that alley. He said that there is a big right-of-way on that road and they have filled that up. That lot has always been a natural drain for us because it is sand and creek rock. He said they never had water on their property and the ditch never had water in it. He said they already have a mosquito issue from the junk yard on Dayton Pike. He said he loved the idea of a Dollar General in walking distance from his house, but wants the flooding issue addressed. He said he wants

something done about the pipe at the end of his driveway.

Jerry Eldridge, 113 Pine Street, showed the Commission a phone video of the flooding on his property. He said that he has water on his driveway and under his carport now. He said that he paid \$110,000 for his house and has made \$60,000 worth of repairs to his home. He also asked that the flooding issue be addressed.

Ronald Burt, 106 Pine Street, he said that his water issue is coming from the front of the Store, not out of the pipe and the water was within inches of his HVAC unit last night.

Mayor Nunley asked Public Works Director Grant what time the meeting was scheduled for. Public Works Director Grant stated 10:00 a.m. Mayor Nunley said he would also attend the meeting.

Ramona Johnson, 9610 Old Dallas Hollow Road, stated that she is seeking approval to put another single-wide mobile home back on her property for her son. She said she knows there is a 6 months rule, she thought was 90 days. She said her mother has owned the property for 30+ years. She said there was a single-wide mobile home on the property until the Spring of 2019 when her grandmother passed away. She said it had been there for decades before they tore it down. She said her son needs a place to live and there is a housing crisis. She said the power pole, meter and septic tank are already on the property. She said they also have access to the sewer line. She asked for approval to put a mobile home back in the same place as the one that was torn down. She said she had sent an application to Hamilton County Groundwater for a septic permit, but the application and money were returned to her. She said that Groundwater told her they could not issue a permit without an address being assigned. She said only the City Council can approve this, you have the authority. City Manager Johnson said that according to the City Attorney the Commission cannot approve the placement of the single-wide mobile home and absolutely not without subdividing the property. He asked if there is a reason she cannot subdivide the property.

She said there is a 6 month's rule. City Manager Johnson said that there is a 6 month's rule on replacing the existing home, that time has expired and the property would now have to be subdivided. Ms. Johnson stated that she cannot subdivide the property due to the shape of the lot. Vice-Mayor Cothran questioned what is on the property now. City Manager Johnson replied, her home. Ms. Johnson said that her property is between Dallas Hollow Road and Old Dallas Hollow Road and because of the two roads she cannot subdivide. City Manger Johnson said that the City Attorney has said a mobile home cannot be placed on the property without the property being subdivided. City Manger Johnson said he would defer this to the City Attorney. Mayor Nunley asked City Manger Johnson to discuss this with the City Attorney for review.

Darrell Meeks, 1012 Holland Johnson Road, said that the North Hamilton Church of Christ has built a building at the corner of Dayton Pike and Holland Johnson Road. He said they raised the property up 3 feet which is now flooding him and three other houses. He said the water is now running over the road. Public Works Director Grant presented the Commission with pictures of the area during the recent rainfall. He stated that he was on site until 5:00 p.m. and the water never ran over the crest of the road. Mr. Meeks stated that by 6:00 p.m. it was over the crest of the road. Public Works Director Grant said that he has plans to meet with church member Willard Elsea to discuss a possible ditch along the road or a swell behind the church adjacent to the Marlow property to the natural drainage area. Public Works Director Grant stated that most of Mr. Meeks' problem is from the parking lot. Public Works Director Grant said it will take time for the situation to be addressed. He said that the front of the building contains the fieldline area and this area has 6-8 inches of standing water.

City Manager Johnson requested approval to purchase a truck for the police department out of the drug fund to replace a 2012 Expedition. He said they recently were awarded confiscated drug funds that will more than pay for the truck. He asked for approval of up to \$34,000.

1st - Vice-Mayor Cothran
2nd - Commissioner Coleman
Ayes - Unanimous

City Manager Johnson presented the Commission with a list of surplus items for the Public Works Department. He asked for the Commission's approval to surplus the items and to use the proceeds on the North and South Park improvements. He said the list includes 2 mowers, a backhoe, dump truck, 1998 Chevy pickup, Ford one ton, auger, 72 in Kabota mower, John Deere tractor and trailer.

1st - Vice-Mayor Cothran
2nd - Commissioner Coleman
Ayes - Unanimous

City Manger Johnson noted that these are placed on the website at Compass Auctions for online bidding, and the auction is held "live" on the last day.

City Manager Johnson announced that the Fire Department Yard Sale would be held on October 16th beginning at 8 a.m. at Fire Hall Number 3. Donations are currently being accepted.

City Manager Johnson announced that the Motorcycle Run would be held on December 4th at noon starting at Charlie's. It was noted that the yard sale and motorcycle run both are fundraisers for the Christmas for Kids.

City Manger Johnson requested approval of a change order for Firehall # 3 from George Wright Construction in the amount of \$34,401.57. He said this is due to significant increases in Materials cost since the bids were taken.

1st - Commissioner Coleman
2nd - Vice-Mayor Cothran
Ayes - Unanimous

City Manager Johnson stated that the City's website is being upgraded. He said the cost is under his spending limit, but wanted to be sure the Commission is on board with it and one of the items to be added will be a list of all the businesses in the City with telephone numbers. Vice-Mayor Cothran said that he would also like to see a list of the schools in the City as well. City

Manager Johnson said that the website would compare to Collegedale's.

Vice-Mayor Cothran thanked Cindy Sanden for a fantastic job on the Fall Festival. He stated that the Christmas Parade would be held on the first Sunday in December with Christmas in the Park being held the Saturday before. He said the south ballfields are in need of repair. He said that with \$90,000 recently spent on fencing he feels the bathrooms and concession stand should be torn down and rebuilt. He said he does not feel the building is worth repairing. Public Works Director Grant stated it could be torn down, but a new building would cost \$100,000+.

City Manager Johnson said that Commission Shipley has requested a workshop on October 25th at 9:00 a.m. He said this could be discussed further at the workshop. He said the tennis courts are to be repaired as well as bids taken for the dirt for the ballfields.

Commissioner Coleman said he hoped the festival would continue and thanked everyone for a good job.

Mayor Nunley echoed everyone's appreciation for the festival. He also thanked the Police Department for their hard work on the manhunt last week. He said there were numerous agencies involved. He also expressed his appreciation for the Hamilton County Department of Education and how they coordinated getting the kids to safety.

Adjourned 7:47 p.m.

City Recorder Johnson

