

A MEETING OF THE BOARD OF
COMMISSIONERS OF THE CITY OF
SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, MARCH 4, 2021 AT 7:00 P.M.

MEETING CALLED TO ORDER BY:
MAYOR NUNLEY

INVOCATION BY: JACKIE PENNEY

MEMBERS PRESENT:
MAYOR NUNLEY
VICE-MAYOR COTHRAN
COMMISSIONER COLEMAN
COMMISSIONER EVERETT
COMMISSIONER SHIPLEY
CITY MANAGER/RECORDER JOHNSON
CITY ATTORNEY ELLIOTT
SECRETARY RICHEY

MEMBER ABSENT:
ASSISTANT RECORDER DOLBERRY

The minutes of the regular meeting held February 18, 2021 were approved as presented.

OLD BUSINESS:

2020-21 ORDINANCE NO. 7

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
REZONING FROM R-2 URBAN RESIDENTIAL DISTRICT, A-1 AGRICULTURAL
DISTRICT AND C-2 LOCAL BUSINESS DISTRICT TO R-2 URBAN RESIDENTIAL
DISTRICT TRACTS OF LAND LOCATED AT 155 AND 157 DEPOT STREET.
SECOND AND FINAL READING.**

There was no opposition.

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

2020-21 ORDINANCE NO. 8

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
AMENDING THE SODDY-DAISY ZONING ORDINANCE, ARTICLE XIV,
ADVERTISING SIGNS, SECTION 1400, DEFINITIONS, READER BOARD.
SECOND AND FINAL READING.**

There was no opposition.

1st - Commissioner Cothran

2nd - Commissioner Shipley

Ayes - Unanimous

NEW BUSINESS:

None.

CITIZENS PARTICIPATION:

Joseph Petruniak, 601 Sunset Valley Drive, expressed concerns regarding the property adjacent to the first lot in Sunset Valley Estates and the removal of dirt and trees from that property. The tract is approximately 60 feet wide x 120 feet long. He said one of the builders has removed this dirt to be used on other tracts of land that he owns. Mr. Petruniak stated that when he discussed this with Mayor Nunley, he informed him that Public Works Director Steve Grant had allowed the builder to take this dirt. He asked City Attorney Elliott if Public Works Director Grant's position allows him the power to give this dirt away. City Attorney Elliott asked who owns the land. Mr. Petruniak stated it is the City's property. Public Works Director Grant stated the property is City right-of-way and the City has allowed everyone in the area to move dirt around. He said the owner of the property informed him he is planning to build a wall. It would have left a flat spot and a hill 12-14 feet tall down to Sequoyah Road. He said that Barry Higgins was allowed to remove dirt. He said that Bobby Keyes had removed dirt in the same manner from the property owned by Mr. Petruniak when the subdivision was developed. Public Works Director Grant stated that the City has allowed people to level property throughout the City. City Attorney Elliott questioned if this benefits the City to have this area level. Public Works Director Grant said in his opinion it increases the site distance on Sequoyah Road. Mr. Petruniak stated that when he purchased his property, he planted 35 trees which improved the aesthetics. He said he dug the drainage ditch to the end of his property and the

City provided rip rap for the ditch. He said the removal of the dirt has caused a disturbance as well as a change to the drainage. He said it drained to a detention pond now it drains to Sequoyah Road. He said he has contacted TDEC on numerous occasions and they have issued violations to the builder. He said the subdivision sign has also been damaged. Mr. Petruniak asked when it would be restored to an appealing state. Mr. Petruniak said that Mr. Manandhar burned the trees when he removed them and was issued a citation for burning without a permit. Fire Chief Mike Guffey stated that he had issued no such citation. Mr. Petruniak said this is what he was told. He said he is concerned with the decrease in value of his home. He said he has had to look at this for 5 years now. Mr. Petruniak questioned with the height of the hill would a fence be required. Public Works Director Grant said the builder has indicated that he plans to build some type of retaining wall behind the house.

City Attorney Elliott stated that the City does not regulate water on private property unless there is a violation of the building code. He said that the City participates in the Stormwater Program through Hamilton County which regulates 1 acre lots or larger. Public Works Director Grant asked if there is a homeowner's association. Mr. Petruniak stated no. City Attorney Elliott suggested that Mr. Petruniak and Public Works Director Grant discuss this at a later time.

Curtis Cecil, Kelcort Foundation and Community Library, 9619 Dayton Pike, stated that pre-COVID 1,000 books per week were being checked out at the Library and now there are 600 books per week. He said they celebrated their 3rd Anniversary. Mr. Cecil introduced the new library mascot as "Minerva" the Owl. He further stated that the library now has 10 new Chrome Books and every Saturday free computer training courses are offered. He said they have a new partnership with Tree House where university type courses are taught in PHP SQL HTML, etc. He said this is free until June. He said that his company had donated 50 trees to the City last year. This year they would like to donate 25 trees to the City. He said they would work with City Manager Johnson to get those planted. He said the girl's division of the

Boy Scouts has offered to assist with the planting. Mr. Ceil said they have over 300 participants in the library program. He asked for permission to have a movie night similar to last year at the Veteran's Park. He asked if they could reserve September 18th, with September 25th as the rain date. Mr. Cecil said this year's movie would be the Goonies. He said this is not a fundraiser. He stated that they hope to double or triple last year's participation. He said 44 adults and children have completed the summer reading program. Vice-Mayor Cothran stated that a car show is scheduled on September 18th, but would be over by 2:00 p.m. so this should not be an issue to have both on that day. He said they will not begin setup until 5:00 p.m. It was the consensus of the Commission to allow this use.

Vice-Mayor Cothran asked City Manager Johnson to check available dates. He said that he believes September 18th is reserved for a car show, but said that it should not pose a problem as the car show would be gone by 2:00 p.m. He said that car shows on September 18th and October 2nd had already been approved by the Board. It was the consensus of the Board to allow the movie night on September 18th following the Car Show with a rain date of September 25th.

Mayor Nunley questioned Mr. Cecil regarding a recent donation in honor of former Commissioner Jim Adams. Mr. Cecil stated that Shirley Adams, widow of Jim Adams, had donated Mr. Adams' entire library to the Community Library. He said Mr. Adams was a man who loved the world. He expressed their appreciation for the donation.

Angela Nunley, Studio 27 Hair Salon, 9745 Dayton Pike, stated that she has purchased and is remodeling the "old" filling station just south of City Hall for a hair salon. She stated that she has had issues regarding septic and sewer on the property. She said her business is currently completely shut down and asked for the Board's assistance in resolving the issues and getting the business open. She said she has invested a large amount of money in moving her business to this location. Commissioner Shipley stated that WWTA is not the issue as sewer is not available at this location. Inspector Grant said the issues are with Hamilton County Groundwater. He said

he does not know if the final building inspection has been completed. He said that Bobby Stott, Hamilton County Groundwater Protection, had sent an inspector out to the site. He said the lines have been backfilled. The plumber has stated that he can install a system that will work.

Commissioner Shipley stated that this is an issue that will have to be addressed with Hamilton County Groundwater. He said he and Inspector Grant have tried to get answers. Commissioner Shipley asked if Mr. Stott had indicated that she would be allowed to use the system recommended by her plumber. She again asked for the Board's help. Mayor Nunley asked Commissioner Shipley and Inspector Grant to see if they could provide any further assistance.

Charles Waterson, 1124 Harbor Point Drive, voiced his concern over littering on City streets. He asked if the City could do anything about the garbage issue. Mayor Nunley stated that this was discussed at the last meeting. Mr. Waterson asked if the Board could organize a City sponsored clean-up. City Manager Johnson said that he and Public Works Director Grant are looking into solutions to the issue. He said Mr. Grant spoke with the County this week, but it will not be a viable solution for some time. Mr. Waterson said he felt this type of situation needed to be taxed. City Attorney Elliott stated that the City gets their authority to tax from the State and they do not have that type of authority. Mayor Nunley stated they are addressing the situation.

Nate Sanden, 10773 Loop Road, stated he moved to Soddy-Daisy a year ago. He said he and his wife had organized 100 volunteers to clean up litter around the pier at Soddy Lake last Saturday. He expressed his appreciation to Steve Grant for his willingness to help them out.

City Manager Johnson stated that the bid for the emergency vehicle lighting was opened and as you can see the bid is for \$7,500 per vehicle. He said Chief Sneed contacted Truckers Lighthouse who has done the lighting in the past and they are on State contract. They quoted \$6,839.09 per vehicle. He said they would like to purchase three which will be over his spending limit. He requested approval for the purchase from Truckers Lighthouse. The vehicles should

be here by April.

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

City Manager Johnson requested approval to award the Veterans' Park ballfield fence bid to Quality Fence in the amount of \$84,430.00.

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

City Manager Johnson requested approval to auction the list of surplus items (including the Expedition, generator, rifle ammunition, Ford F150, and Total Station) from the Police Department. He said any questions could be directed to Chief Sneed.

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

Vice-Mayor Cothran questioned if surplus ammunition could be sold to individuals. Chief Sneed said it had to be auctioned. He further stated that Compass Auctions is handling the auction. City Manager Johnson said there may be a 30 day wait time the same as required for weapons. Chief Sneed stated that the seized weapons and 9 assault rifles recently auctioned will yield \$33,300.00 for the City.

Vice-Mayor Cothran questioned if the July 4th Celebration would be held this year at the park. It was the consensus of the Board to have the celebration.

Vice-Mayor Cothran asked for approval for two Car Shows to be held as fundraisers at the Veterans' Park. He requested September 18th for Jody Millard for his Church and October 2nd for Green Pond Baptist Church. It was the consensus of the Board to approve both car shows.

Commissioner Coleman expressed appreciation from Andy's Automotive for the increase in police patrol in the industrial park. He stated that the Firefighter's Association had been purchasing and donating water to the Elementary Schools in the City as the water fountains at the schools are not operational due to COVID concerns. He expressed a need for water to be donated.

Commissioner Everett thanked Chief Sneed for the surplus funds. He asked Commissioner Shipley if WWTA could provide any assistance to Mrs. Nunley. He said he is forced to pay for sewer and does not use it as do many residents in the City. He said he understands there is up keep to the sewer system and would like to see audits for WWTA. He said he is not anti-WWTA, but would like to work closely with them to assist residents with issues like Mrs. Nunley is having. Commissioner Shipley said Mrs. Nunley would have to spend a lot of money to connect to sewer as it is not available to her property. Commissioner Everett reiterated a desire to see where the money is going. City Attorney Elliott said it is a matter of State Law that if you are in so many feet of the sewer line you must pay for possible access.

Mayor Nunley welcomed Vice-Mayor Cothran back from his battle with COVID. He also congratulated Commissioners Coleman and Everett for having completed the Elected Officials Academy Level I.

ADJOURNED 8:04 P.M.

RECORDER JOHNSON