

A MEETING OF THE BOARD OF  
COMMISSIONERS OF THE CITY OF  
SODDY-DAISY, TENNESSEE WAS HELD  
ON THURSDAY, SEPTEMBER 16, 2021 AT 7:00 P.M.

INVOCATION BY: JACKIE PENNEY

MEETING CALLED TO ORDER BY:  
MAYOR NUNLEY

MEMBERS PRESENT:  
MAYOR NUNLEY  
COMMISSIONER COLEMAN  
COMMISSIONER EVERETT  
COMMISSIONER SHIPLEY  
CITY MANAGER JOHNSON  
CITY ATTORNEY ELLIOTT  
ASSISTANT RECORDER DOLBERRY

MEMBER ABSENT:  
VICE-MAYOR COTHRAN

The minutes of the regular meeting held on September 2, 2021 were approved as presented.

OLD BUSINESS:

None.

NEW BUSINESS:

**2021-2022 RESOLUTION NO. 1**

**A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSEE,  
ESTABLISHING A POLICY FOR DE-ANNEXATION FROM THE CITY.**

City Attorney Elliott said that he and City Manger Johnson had worked on this Resolution to create considerations for this, but the Commission certainly does not have to follow them, ultimately as stated in the Resolution it will remain within the Commission's discretion to retain or remove territory. It is a policy, a guideline to use should you ever choose to do so. Commissioner Everett said that he had discussed this with City Manager Johnson that in order to be considered you could not have purchased property after annexation. The 75

percent would also have to meet the qualifications as well. City Attorney Elliott said if you purchased property already in the City, you have nothing to complain about.

- 1<sup>st</sup> - Commissioner Everett
- 2<sup>nd</sup> - Commissioner Shipley
- Ayes - Unanimous

**2021-2022 RESOLUTION NO. 2**

**A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSEE, TO PARTICIPATE IN PUBLIC ENTITY PARTNERS' JAMES L. RICHARDSON "DRIVER SAFETY" MATCHING GRANT PROGRAM.**

City Manager Johnson said this is a reimbursement for the in-car cameras we just purchased. This grant is offered every year and if we apply, we should receive it. It is \$4,000 and should offset some of that cost. The Police Department is currently working on a THSO grant in the amount of \$5,000 and if we receive that it will also offset the cost of the cameras.

- 1<sup>st</sup> - Commissioner Everett
- 2<sup>nd</sup> - Commissioner Shipley
- Ayes - Unanimous

Citizens Participation:

None.

City Manager Johnson stated that bids had been received for the resurfacing of Dayton Pike. He said the bid received was for \$4.4 million, which includes \$1 million for guardrail. He stated that the grant is for \$3.5 million. He said that guardrail has increased from \$25/foot to \$60/foot. He recommended that the bid be rejected and re-bid in the Spring possibly without the guardrail. He said the contractor had stated that if awarded the bid, they could not start until Spring of 2022. He said the City will monitor steel prices and if the guardrail is removed from the bid, some sections of guardrail will be replaced as needed. City Manager Johnson said with the delay on the resurfacing, the south end of Dayton Pike will be re-striped.

- 1<sup>st</sup> - Commissioner Shipley to reject the bid
- 2<sup>nd</sup> - Commissioner Everett
- Ayes - Unanimous

City Manager Johnson stated that the purchase of the dispatch consoles, which are a budgeted item, originally was at a cost of \$130,000, but the cost has been increased to \$155,000. He said the recent sale of the transport van for \$9,000+ and between other budgeted items such as the vehicles and cameras would help to offset the increase so the purchase would not be over what was budgeted in capital outlay. He requested approval so the order can be placed for the software to clone E911.

- 1<sup>st</sup> - Commissioner Shipley
- 2<sup>nd</sup> - Commissioner Coleman
- Ayes - Unanimous

City Manager Johnson requested in conjunction with the software purchase, authorization for the Mayor to sign the contract with Motorola which is a communication system agreement.

- 1<sup>st</sup> - Commissioner Everett
- 2<sup>nd</sup> - Commissioner Coleman
- Ayes - Unanimous

Fire Chief Mike Guffey said that the thermal cameras have been received.

City Manager Johnson recognized OIC (Officer in Charge) Rick Cook and thanked him for accepting the second shift position.

Commissioner Coleman said that the overgrowth around the horseshoe pits has recently been cleared and the old playground is being removed to allow for additional parking at the North Park. He asked if the area between the horseshoe pits and the road could also be cleaned. He said this would provide shade for spectators. Public Works Director Grant stated this is already on the list. Commissioner Coleman expressed his appreciation for the Public Works Department and all they do. He said their work on Fire Hall #3 has saved the City a lot of money. Public Works Director Grant stated that sheetrock is being installed in the new fire hall.

Commissioner Shipley reiterated Commissioner Coleman's comments.

Commissioner Everett expressed his appreciation to the department heads and thanked them for maintaining their budgets.

Commissioner Nunley stated that he had attended a Chamber of Commerce meeting and luncheon earlier today. He said they are planning a dedication of the “new” playground and track at the North Park during next month’s meeting. City Manger Johnson stated this would be on Friday, October 22 at noon.

Mayor Nunley announced a Fall Festival/Grand Reopening of the Farmer’s Market at Poe’s Tavern on October 2<sup>nd</sup>. He thanked Cindi Sanden for her hard work on the festival. City Manager Johnson stated that he has been forwarding her emails to the Board so they are informed as to what is being planned. He noted there will be live music, games and food.

Commissioner Coleman requested a recall to address the striping in front of City Hall. Public Works Director Grant stated this would be done as soon as he can get the paint. He said currently you cannot get the white striping paint, all suppliers are out.

Adjourned 7:15 p.m.

Immediately upon adjournment, Eric Booker, requested to address the Commission. Mayor Nunley reconvened the meeting in order to allow Mr. Booker to do so. Eric Booker, 1037 Clift Cave Drive, expressed his concern with Short-Term Rentals in his neighborhood. He gave the Commission a handout containing the City of Soddy-Daisy Short-Term Rental Ordinance, the City of Chattanooga’s Ordinance and a deed for the sale of the neighbor’s property. He stated that he was born and raised in Lakesite and after college he purchased his dream home on Clift Cave Drive. He said that he is employed by the City of Chattanooga as the Public Works Engineering Manager. He said his neighbor has sold their house to an individual in Florida who plans to use the home as an Airbnb. Mr. Booker stated that recently he took his family and friends to the beach to have a good time and it didn’t matter if they raised a little cane,

got a little loud, etc. They had a good time, party is over, you come back to Chattanooga and leave all that loudness there because you are there to have a good time. Airbnb you come to a location to have a good time and you really don't care who the neighbors are because you are there for a short time. He said he called the City of Soddy-Daisy and asked what protects me from Airbnbs. He said he was sent the Short-Term Rental Ordinance which keeps cars off of the right-of-way and provides for smoke detectors and carbon monoxide detectors in the home at the time of inspection. He said this document does not protect the neighbors. He said he did further research and found the Ordinance for the City of Chattanooga pertaining to Airbnbs. He said Chattanooga is a tourist town and allows Airbnbs downtown and in the St. Elmo area. He said they have restrictions and guidelines and have semi-tried to protect the residents. He said they have a protocol so you vent to your neighbors that you plan to open an Airbnb. Mr. Booker said there are two types of Airbnbs, occupancy and non-occupancy. He again stated that Chattanooga has guidelines and restrictions. City Attorney Elliott questioned "What the guidelines and restrictions?" Mr. Booker said they are highlighted. City Attorney Elliott said in looking over the document provided, it appears that application is made to the land development office, a sign is posted and if four objections are received it goes to the City Council. He asked what criteria does the City Council apply to reject the request. He asked if it was just on the basis of objections? Mr. Booker replied that if within 300 feet of the residence you object and they get 4 or more then the council has the last view. City Attorney Elliott said it appears that the objections are the only consideration. Mayor Nunley said it appears that Mr. Booker's concern is with someone renting the property and being disruptive. Mr. Booker said Hamilton County does not allow them in R-1 zoning, which is his zoning. He said Signal Mountain only allows owner occupied Airbnbs. He said Airbnb can hurt a community. He said he does not want to live next to a hotel. Commissioner Shipley asked Assistant City Recorder Dolberry if the City only has one legal short-term rental at this time and that is on Depot Street? Assistant City Recorder Dolberry replied yes, and there is currently a second residence on Depot

Street under inspection for a permit as well. City Attorney Elliott asked if a permit has been applied for on the Clift Cave Drive property? Assistant Recorder Dolberry replied no.

It was noted that the one permitted property on Depot Street is owner occupied. City Attorney Elliott asked if Mr. Booker has seen the property advertised as an Airbnb. Mr. Booker stated no, they are working on the property to get it ready to advertise. Mr. Booker said he wants to voice his concerns before it becomes an issue. City Attorney Elliott stated that if the Commission wants to consider some of these conditions, he will prepare something. Mr. Booker said he is concerned that once the permit is issued it's too late. He said the property is 5 feet off the property line.

Commissioner Shipley said that he would like to look at the Ordinance for possible amendments.

Mayor Nunley noted that the current Ordinance does address public nuisance and revocation of the permit. City Attorney Elliott said the Ordinance puts it on the property owner. City Attorney

Elliott stated that he will prepare an amendment for consideration by the Commission on October

21<sup>st</sup>. City Manager Johnson said that this is not a quick turnaround. He noted that Ordinances take

time to process. Mr. Booker asked if they make application can it be held until the amendment is

made. City Attorney Elliott stated no, the Law is a certain way until it is changed. City Attorney

Elliott said that he has to make certain legalities on this are looked at. Commissioner Shipley

stated that the legal Airbnb operating on Depot Street is nice and she runs a tight ship. Mayor

Nunley noted that the Commission is empathetic to his concerns.

Adjourned 7:38 p.m.

City Recorder Johnson

