

A MEETING OF THE BOARD OF  
COMMISSIONERS OF THE CITY OF  
SODDY-DAISY, TENNESSEE WAS HELD  
ON THURSDAY, OCTOBER 5, 2023 AT 7:00 P.M.

INVOCATION BY: JACKIE PENNEY

MEETING CALLED TO ORDER BY:  
MAYOR EVERETT

MEMBERS PRESENT:  
MAYOR EVERETT  
VICE-MAYOR COLEMAN  
COMMISSIONER KEITH  
COMMISSION PENNEY  
COMMISSIONER SHIPLEY  
CITY ATTORNEY ELLIOTT  
ASSISTANT RECORDER DOLBERRY

MEMBER ABSENT:  
CITY MANAGER JOHNSON

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

The minutes of the regular meeting held September 21, 2023 were approved as amended to reflect that Vice-Mayor Coleman called the meeting to order as Mayor Everett was absent.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Public Works Director Grant requested approval for payment of an Invoice for Hedgecoth Construction in the amount of \$28,148.09 for the labor cost of paving Old Dayton Pike (South). Commissioner Penney asked if this was budgeted. Commissioner Shipley said yes and is under budget. Public Works Director Grant said approximately \$80,000 under budget.

1<sup>st</sup> - Vice-Mayor Coleman to approve  
2<sup>nd</sup> - Commissioner Shipley

Ayes - Unanimous

Public Works Director Steve Grant requested approval for payment of an Invoice for Southeastern Material in the amount of \$57,723.71 for the asphalt for the pavement of Old Dayton Pike (South). Mayor Everett questioned if this was under budget also. Public Works Director Grant said that it was lower than the bid price. He said it was approximately a \$1.50 per ton.

1<sup>st</sup> - Commissioner Keith to approve

2<sup>nd</sup> - Vice-Mayor Coleman

Ayes - Unanimous

David Hale, 9214 Crystal Brook Drive, Apison, Tennessee, came before the Commission regarding trash cans being left out on the right-of-way of Dayton Pike. He said that he manages the five duplexes located at 11209 – 11221 Dayton Pike which consists of ten tenants. He said the owner is James Douglas Edrington and lives on Mississippi Avenue, Chattanooga, Tennessee. He said they received a letter from Steve Grant and sent their tenants e-mails regarding the trash situation and asking the tenants to be sure to bring their cans in the day after the trash is picked up. He said they have now received a second letter from Steve Grant that they must get a dumpster. He said that he has spoken to several dumpster companies and none of them are able to bring a dumpster up the long driveway to the properties. He asked that they be allowed to send the tenants another email and that the cans be numbered, so that they know which tenants are not in compliance. He questioned if that would work for the Commission. Public Works Director Grant said that he also contacted Capital/Priority Waste and was advised that they cannot get a truck up the driveway. He said they offered to place a dumpster on the right-of-way of Dayton Pike. He said this is not good. Commissioner Keith

asked if there is another location where one could be placed. Public Works Director Grant said no. Commissioner Keith said that this is a daily issue and that he is contacted every day regarding the cans being left on the right-of-way, debris scattered around the area of the cans and not being picked up, and bags being thrown out in the vicinity of the cans, but not placed in the cans. He showed Mr. Hale a picture of the area that was taken earlier in the day. He further stated that bags not in cans are being opened and scattered by animals. Mayor Everett asked if this situation can fall under the purview of the Administration Hearing Officer. Commissioner Shipley said that the owner/manager of the property is responsible for correcting this situation and Apison is not too far to come each week and make sure the tenants are complying. Mayor Everett said he understands if they cannot get a dumpster up the driveway, but ultimately it is the responsibility of the owner of the property. He said that out of town owners typically do not care about the City. He said Mr. Hale as the property manager is not addressing the situation. Commissioner Keith advised the manager not to put limbs in the trash cans as the trash collector will not take the trash if limbs are in the cans. Mayor Everett questioned if this property is considered a commercial building. City Attorney Elliott said it could be argued that this is an issue that can be heard by the Administrative Hearing Officer who can levy a \$500 per day fine if it applies. He said this can be very serious. He said the owner has delegated Mr. Hale as the manager and he needs to understand this is a trouble spot and the City is taking the complaints very serious. It was noted that someone needs to inspect the properties and take action on the tenants. City Attorney Elliott suggested that the manager hire someone to clean up the area each week. Commissioner Penney said that the dumpster ordinance is to be enforced. Public Works Director Grant said that a dumpster cannot be put on the City's right-of-way. City Attorney

Elliott said if it becomes a nuisance it extends our powers to abate the nuisance. Mr. Hale said he wants to cooperate and asked if Public Works Director Grant could call him each week?

Commissioner Keith said it is not our responsibility to call you, that burden lies on you.

Citizens Participation:

Cindi Sanden, 10773 Loop Road, thanked the City for all their help with the recent Fall Festival. She said it was a wonderful event.

Kelsey Nunley Moore, 8401 Gann Road, requested use of the Veteran's Park on November 18<sup>th</sup> for a fundraiser for the Soddy-Daisy High School Softball Team. Commissioner Keith made a motion, seconded by Commissioner Shipley and the Ayes were unanimous to approve the use of the park.

Mayor Everett noted that there is no report from the City Manager as he is currently on vacation.

Commissioner Keith thanked the Public Works, Police and Fire Departments for their work at the Fall Festival. He announced a cleanup scheduled for October 7<sup>th</sup> at the Big Soddy Creek Gulf. He also announced a Festival scheduled for October 28<sup>th</sup> at the North Park.

Vice-Mayor Coleman said that he also enjoyed the Fall Festival.

Commissioner Shipley said he felt this is the biggest festival in the City since the days when the Firemen's Muster was held on the 4<sup>th</sup> of July. He thanked Keep Soddy-Daisy Beautiful and Cindi Sanden for all they do for the City.

Commissioner Penney reiterated appreciation for the hard work on the Festival. He commended the Police Department and thanked Chief Sneed for his leadership.

Mayor Everett stated that the building permit totals were over 1 million dollars this

month. He also thanked Keep Soddy-Daisy Beautiful for an amazing Festival and the impact it had on the Community. He said the City was blessed this week that all personnel were safe. He said the Public Works Department personnel are most often in harm's way with working on the streets in the City. He expressed his appreciation for all City employees.

Adjourned 7:30 p.m.

Recorder Burt Johnson