

A MEETING OF THE BOARD OF
COMMISSIONERS OF THE CITY OF
SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, APRIL 20, 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
COMMISSIONER PENNEY
COMMISSIONER SHIPLEY
CITY MANAGER JOHNSON
CITY ATTORNEY ELLIOTT
ASSISTANT RECORDER DOLBERRY

The minutes of the regular meeting held April 6, 2023 were approved as presented.

OLD BUSINESS:

None.

NEW BUSINESS:

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
TO AMEND THE SODDY-DAISY MUNICIPAL CODE, TITLE 17, REFUSE
AND TRASH DISPOSAL, SECTION 17-103, STORAGE RELATIVE TO
DUMPSTER REQUIREMENTS. PUBLIC HEARING AND FIRST READING.**

City Attorney Elliott said that there are several areas in the City where trash is not being set out properly. He said that the City has found that in concentrated housing this happens more often than not. He said that City has police and zoning powers to address this issue. This amendment is relative to that.

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

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
TO AMEND THE SODDY-DAISY ZONING ORDINANCE, ARTICLE VIII,
ACCESS CONTROL, PARKING AND SITE PLAN REQUIREMENTS,
SECTION 824.10, RELATIVE TO DUMPSTER REQUIREMENTS.
PUBLIC HEARING AND FIRST READING.**

City Attorney Elliott stated that this amendment is the Zoning Ordinance counterpart to the Municipal Code amendment.

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

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
AMENDING 2022-2023 ORDINANCE NO. 13 TO EXTEND THE MORATORIUM
ON THE ACCEPTANCE OF SHORT-TERM RENTAL APPLICATIONS FOR
NONOWNER-OCCUPIED RENTAL PROPERTIES THAT ARE NOT THE
PRIMARY RESIDENCE OF THE APPLICANT, FOR A PERIOD BEGINNING
ON MAY 1, 2023, UP TO AND INCLUDING JUNE 18, 2023. PUBLIC HEARING
AND FIRST READING.**

City Manager Johnson stated this Ordinance is to extend the Short-Term Rental Moratorium from May 1st through June 18, 2023. He said City Attorney Elliott has recommended that the moratorium be extended to July 1st. Commissioner Shipley said that Hamilton County had passed a Short-Term Rental Ordinance. He said if the house is a five bedroom house then occupancy could be 14 people. He said the Fire Marshal got involved and reduced the number of occupants to 12. He said in some cases the square footage of the home may require a sprinkler system to be installed. He said he felt the amendment should require that adjacent property owners be notified if a Short-Term Rental Application is made and that they should come before the Planning Commission or Zoning Board of Appeals to be addressed. He said a person's home is their largest investment. He said the neighborhood may not be able to prevent the granting of a short-term rental, but should be made aware if one is operating nearby.

- 1st - Commissioner Shipley to extend the moratorium through July 1, 2023
- 2nd - Commissioner Keith
- Ayes - Unanimous

Citizen's Participation:

Nate Sanden, 10773 Loop Road and Keep Soddy-Daisy Beautiful, gave an update to the Board on the recent large cleanups held by Keep Soddy-Daisy Beautiful. He said that 150 tires and 40 bags of trash were removed from Hotwater Road. He said that a cleanup was held near Soddy Elementary School and thanked Vice-Mayor Coleman for joining in. He said Soddy-Daisy High School students recently picked up the area of Lovell Road near Tsati Terrace. He said another 150 tires were picked up there as well. He thanked Vice-Mayor Coleman and Commissioner Keith for their assistance in this area. He said a young man had gotten into trouble in Georgia and the Judge ordered him to complete 40 hours of community service. He said that the young man completed his community service in our City. He said he picked up 91 bags of trash in the Sequoyah Road area.

Mr. Sanden said the Cleanup Challenge being held this week is currently on Day 4. He said Earth Day is on April 22nd and with the number of teams register to participate they are having difficulty finding enough areas to work. Mayor Everett thanked Mr. Sanden for all they do.

Mayor Everett said that District Attorney Cody Wamp met with all the judges recently to discuss community service. Mayor Everett said he had discussed this with Judge Lasley. He said Judge Lasley had expressed his concern with liability to the City. City Attorney Elliott said that the City would need to check with their insurance carrier regarding this. Mayor Everett said that he would like to schedule a meeting with Judge Lasley, Police Chief Sneed and City Manager Johnson to discuss this further.

Larry Hinds, 2123 Hilltop Crest, requested handicap parking space at Holly Circle to accommodate a vehicle and boat. Commissioner Shipley requested that Public Works Director Steve Grant look into this. City Manager Johnson said that he has applied for a grant to add additional parking at Holly Park.

City Manager Johnson said that he had sent an email regarding Cyber74 security and risk assessment. He said that Tuesday night he attended a Cyber Risk meeting with MCA (Mike Collins and Associates). He said that due to the climate we are in a risk assessment is needed. He stated the cost is \$12,600.00. He requested approval to spend the monies with a security risk check both inside and outside the building. He said that depending on the findings, additional costs may be incurred.

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

City Manager Johnson requested approval for payment of audit services with Johnson, Murphy and Wright. He said that they have performed the City's audit for years. He said the cost would be \$31,025.00 which is an increase of \$3,000.00 from last year. He said there would be a Federal Audit required also, due to federal grants received. He gave the total cost of the audit as \$41,175.00. He stated this is a budgeted item. Commissioner Shipley stated Johnson, Murphy and Wright have always done a good job for the City.

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

Public Works Director Grant said the bridge in the Gulf is now open. He said that the only thing left to do is back fill the two piers.

Commissioner Penney questioned if the developers of the Cape Townhomes had donated

the material for the fishing pier. Public Works Director Grant stated not at this time.

Vice-Mayor Coleman made a motion to authorize the City Manager to proceed with having prints drawn for a new City Hall building 80 ft. x 100 ft. behind the current City Hall. He said he felt the City needed to get started on this. He also said to ease everyone's minds the City is not tearing down or moving Poe's Tavern.

- 1st - Vice-Mayor Coleman
- 2nd - Commissioner Shipley

Mayor Everett said that Geotech finished their testing on Tuesday. He questioned the results.

Public Works Director Grant said there is one area of concern. He said lab work is not yet complete. Commissioner Penney asked if the expansion would be for the Police Department and courtroom. Commissioner Shipley said he felt it would be good to keep everyone on one campus. Mayor Everett asked if in 10 to 20 years, would this be sufficient. He questioned if we are using all the area we can, is this the only size we can build? City Manager Johnson said the new building would be 8,000 square feet and would add 14 offices. He said the new building would create additional spaces in the existing building as well.

Ayes - Unanimous

Vice-Mayor Coleman made a motion to contact an agent for the sale of the dentist office recently purchased and to deposit the money from the sale into the COVID fund to offset the cost of the new building. Vice-Mayor Coleman made a motion to sell the building as is. City Manager Johnson said it appraised at \$800,000.00 as is. Commissioner Penney asked how long the building was on the market previously? City Manager Johnson said it had been on the market twice. City Manager Johnson said he had spoken to Curtis Cecil of the Soddy-Daisy Library about the possibility of them leasing the building. Mr. Cecil said it would only be a stepping stone for them. Mayor Everett said he wanted to be sure the City did not have a use for

the building before selling it. City Manager Johnson said we do not.

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

Vice-Mayor Coleman made a motion to use the funds from the sale of the dentist office to pay off Firehall #3 and be debt free. He said should the City receive above asking on the dentist office building, the additional funds would go to the concession stand. City Manager Johnson said \$150,000.00 of AARP funds is currently earmarked for the concession stand. It was noted that the shower doors and bathroom stalls would be done on Thursday. Commissioner Shipley questioned the 2 million dollars to build a City Hall. City Manager Johnson noted that the cost of construction could exceed the 2 million. He said the interest paid on the current loan this year was almost \$11,000.00. He said should the cost of the new building go over budget it should not be an issue as he hopes to make \$250,000.00 on the sale of the dentist office. City Manager Johnson noted that you cannot predict interest rates in the future. The City should get a slightly better rate than most individuals.

- 1st - Vice-Mayor Coleman to pay off Fire Station #3 upon sale of the dentist office
- 2nd - Commissioner Keith
- Ayes - Vice-Mayor Coleman, Commissioner Keith, Commissioner Shipley, Mayor Everett
- Nay - Commissioner Penney

Commissioner Penney said almost always Cash is King. He said he is not in favor of paying off one low interest loan only to take out another loan at a higher interest rate. City Manager Johnson said he does not anticipate going over the 2.2 million dollars. Mayor Everett asked if the 2.2 million dollars is in the bank. City Manager Johnson said yes.

Fire Chief Dusty Morgan gave the Commission a breakdown on purchasing a third fire truck. He gave the cost versus the date of payment. He said the current motor is being

discontinued. He gave the cost of \$900,000.00 for the truck. He said they paid \$700,000.00 last July for the same truck. Vice-Mayor Coleman thanked Fire Chief Morgan for the information.

Commissioner Shipley thanked Public Works Director Grant and the entire City for the biggest opening day ever at the Kids Club. He said over 650 kids signed up.

Commissioner Shipley announced the Wall of Honor Ceremony set for May 6th at 10:00 a.m. at the Veterans Park.

Commissioner Shipley complemented the City's staff. He said other cities are struggling with a tax increase and he was glad to see there would not be a tax increase for Soddy-Daisy.

Commissioner Penney said that he had spoken with City Attorney Elliott and City Manager Johnson regarding complaints received in regard to Mountain Shade Mobile Home Park. He said the owner lives in New Jersey and the property manager was recently fired. He said he feels there is not a lot the City can do, but reach out to the owners. City Attorney Elliott said they can be fined and shut down if they do not get the Park in compliance.

Mayor Everett announced the Sequoyah High School Graduation on May 18, 2023 at 5:00 p.m. to be held at the Chattanooga Convention Center.

Mayor Everett noted there is a cleanup issue on Hyatte Road. He said that a number of capital projects are coming. He said these are being hammered out in budget workshops. He said the Fire Department capital improvements have already been done. He said there is a lot more to do. Mayor Everett said that City Manager Johnson is looking to hire a planner/hybrid clerk for City Hall.

Mayor Everett said that he would like to schedule a meeting with City Attorney Elliott, Judge Lasley, Police Chief Sneed and City Manager Johnson to discuss the deficit in our judicial department and ideas to help offset this. He said there have been a lot of traffic stops and

warning tickets issued by the Police Department. He said radar tends to be effective in slowing speeders down. Commissioner Shipley asked how much deficit. Mayor Everett said \$200,000.00. City Manager Johnson said he would arrange a meeting.

Mayor Everett said that the City Hall staff is operating with 1.5 less people than in the 1990's. He said he would like to see additional personnel hired to lessen the load on City Manager Johnson and Assistant City Recorder Dolberry. He stated that he has not had any complaints from either of them. He said the Fire Department is requesting 3 additional firefighters. He said that he wants to be able to fund all of this. He further stated that he appreciates the staff and all they do.

Commissioner Shipley said that he believes the County is willing to step up and assist in cleaning the right-of-way in the City. He said Sequoyah Road and Dallas Hollow Road are on the list for May 6th. He said volunteers from other agencies are slated to help.

Adjourned 7:53 p.m.

Recorder Burt Johnson

4/20/23 COMMISSION MEETING

7:00 P.M.

Gail Perry
Pat Ricketts
Thomas Ransom
Evelyn Penney
Jackie Penney
Tom Hill
Dorinda A. Hill

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W.H. J. Morgan
Mandell
LARRY HINDS
Diane Walker

April 20, 2023