

A MEETING OF THE BOARD OF  
COMMISSIONERS OF THE CITY OF  
SODDY-DAISY, TENNESSEE WAS HELD  
ON THURSDAY, APRIL 6, 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

Mayor Everett recognized David and Cathy Loftis. He said both of these individuals were influential in his life. Mayor Everett said that on the morning of February 5, 2023 while enroute to church, Mr. Loftis noticed smoke on Oakwood Drive. He said the house was on fire. He said that when Mrs. Loftis noticed there were cars parked in the driveway she began knocking on the door and windows to wake the residents of the home. When this did not work, she selflessly entered the home, woke the residents and was able to get three adults and two children out of the home safely. According to the Fire Chief if it had not been for Mr. Loftis' keen observation and Mrs. Loftis' heroic actions, the individuals in the home would have most likely perished. He presented Cathy Loftis with the Life Saving Award.

Mayor Everett said he is proud of the City of Soddy-Daisy and its volunteer spirit. He presented a Certificate of Achievement to Seth Green, Troop 20 for the construction of a flag retirement pit at Veterans Park. He said this was Mr. Green's Eagle Scout project. He thanked Mr. Green for a job well done.

The minutes of the regular meeting held March 16, 2023 were approved as presented.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

Citizen's Participation:

Patrick Harris, 9996 Miller Road, stated that he lives at the corner of Miller Road and Neighbors Drive. He said that drainage issues over the years have caused the curbing to deteriorate and he now has an erosion and flooding issue in his front yard where his septic lines are located. He said he has called City Hall to make them aware of this. He said there is a catch basin at the intersection and the drain tile under the road is broken in the center. He said that the Electric Power Board trucks had parked in his yard and he believes they may have driven over the tile and broke it. He said he wanted to bring these issues to the Commission's attention. Public Works Director Steve Grant said that Hedgecoth Construction was to have made the repairs. He said he will address this issue.

Billy Petty, 10139 Card Road, announced Opening Day for the Kids Club softball and baseball season scheduled for April 15<sup>th</sup> at 10:00 a.m. He invited the Commission to attend and suggested they arrive by 9:30 a.m. He said that they are holding a Kids Club Fundraiser and tickets are \$10.00. The grand prize is tickets to a Braves game with Otis Nixon, club house passes, \$500 cash, and signed memorabilia.

Ann Newman, 171 Ducktown Street, stated that she received a letter from the City earlier this week regarding her property at 175 Ducktown Street. She said her husband, Andre' Newman,

passed away 15 months ago. She said he ran the campground and she doesn't want any trouble. She stated that she did not run the campground nor did she get a chance to discuss it with her husband before he died. She asked for more time to be in compliance. She said the letter did not give her enough time to be in compliance. She said she is trying to improve the campground. Commissioner Shipley asked to see the letter. Commissioner Penney said the letter gave her ten (10) days from receipt of the letter for each tenant to buy a temporary use permit and after 60 days they cannot renew their permit but will have to leave the property. The current tenants have already exceeded the 180 days allowed by the Ordinance. She said her husband ran the campground from 2005 until 2017 with no issues. She said in 2017 the City passed an ordinance and they were told they had to comply with the Ordinance. She said this is her understanding. City Attorney Elliott stated that the property is zoned TC & M Tourist Court and Motel District. He said the ordinance is set up so this does not become a permanent mobile home park. Mrs. Newman said she does not want this to be a permanent mobile home park either. City Attorney Elliott said the City had a dispute with Mr. Newman five to six years ago, the case went to court and a court order was issued requiring Mr. and Mrs. Newman to comply with the Ordinance. He said that Mrs. Newman is now in violation of that Ordinance. City Attorney Elliott said the court order not only applies to Mr. Newman, but to Mrs. Newman as well. He said that any tenant who has been on the property for over 90 days is illegal. He said the point of the letter is this needs to be cleaned up. Mrs. Newman said she is in agreement to that. Commissioner Keith asked Mrs. Newman how much time she needed to comply. Mrs. Newman said she needs to sit down and talk to someone about this. Commissioner Keith said the Ordinance does not allow the travel trailers to be there after 90 days without a permit. Mrs. Newman said she can ask each tenant to

purchase a permit. She said there may be six people in the campground that's been there and are not here working. She said she has one man on the pad that works at Sequoyah and goes home every other weekend, but he flies home and leaves his camper at the campground. City Attorney Elliott said the Law was 90 days for a permit when Mr. Newman sued in 2017. He said the policy behind the Ordinance is to keep the use from being permanent. Mr. Simon Newman asked if the Law could change. City Attorney Elliott said the Commission could change it if they are so inclined, but there is a process that must be followed. Mrs. Newman said she is going to comply and does not mind complying. She said she also received a Notice regarding the cars on the property. She said these cars are worth money to someone. She said she can build a fence to block the view of the cars. Public Works Director Grant said that as the Notice gives 10 days to comply, but as long as the property owner is making an effort he is willing to work with them on allowing more time. City Attorney Elliott asked Mr. Newman to state his name and address from the record. He said his name is Simon Newman, 171 Ducktown Street, said he is Andre's son. He said he could stack the cars up under a shed if this would satisfy the Notice. He said they need more time to comply. Mrs. Newman said she has planted 50 green giants and will hedge her whole property in. City Attorney Elliott said that Mr. Grant had stated that he will allow more time on the Notice of Violation as long as they are making an effort. He said the travel trailers must comply with the Ordinance as Court Ordered. City Manager Johnson said that the letter stated that the City will allow a one-time 90 day permit to the existing tenants. Mrs. Newman said that under the current regulations they cannot come back for two years to her campground. She asked if this could be changed. City Manager Johnson said that would be up to the Commission

and would require an amendment to the Ordinance. Commissioner Keith said that he would be in favor of reviewing the ordinance, but could not promise any changes. City Attorney Elliott said that the tenants cannot be permanent and those that have been there for 8 months to one year are hinging on permanent. Mayor Everett said that Mrs. Newman should have each tenant to come to City Hall and purchase a 90 day permit. He said she would need to contact Public Works Director Grant to discuss the cleanup of the property. Mayor Everett said these are two separate issues Mrs. Newman said she wished that someone had knocked on her door instead of sending a letter. Commissioner Keith said this is not always possible. City Manager Johnson said that the letter provides a paper trail and that verbal notices are not good record keeping.

City Manager Johnson requested approval for signatures on an agreement with Terracon for Geotech services to determine if the ground behind City Hall is buildable and what it would take to do so. He said the City Attorney has reviewed the contract. He gave the cost as \$5,600.

- 1<sup>st</sup> - Commissioner Keith
- 2<sup>nd</sup> - Commissioner Shipley
- Ayes - Unsnimous

City Manager Johnson requested approval to enter into a contract with the State of Tennessee to spend approximately \$132,000.00 for railroad crossing improvements which includes markings and signage. He said the cost is fully reimbursable. Commissioner Shipley questioned which crossings are included. City Manager Johnson said he believes it includes all of them. Public Works Director Grant said this is for pavement markings and signs only and does not include crossing arms.

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

Commissioner Keith said there are several policies in the City that he feels should be reviewed. He said that one such policy is the wrecker policy. He asked if the wrecker service is responsible for cleaning up debris on the roadway when an accident occurs and they do not clear the debris, can they be billed for the cost incurred if the City Public Works Department cleans it up. City Attorney Elliott said several years ago there was an interpretation of Federal Law that basically made wrecker services where we can't touch them. He said that district wreckers to have to meet certain criteria as it is not in effect how they conduct their business but what they have to do to receive the privilege of district wrecker status. City Attorney Elliott said that he would look into this. Commissioner Keith said a district wrecker service recently left debris on Highway 111 and the debris is still there. He said he feels it is hazardous for the Public Works Department to have to clean these areas. Mayor Everett said the City of Chattanooga has an ordinance that requires all wrecker services to abide by the Ordinance. He said that he feels if a district wrecker service does not then they can be disqualified as a district. City Attorney Elliott said he would review City of Chattanooga's Ordinance as well.

Commissioner Keith said that there are no written guidelines between the City and the Kids Club as what role each plays. He said he felt that guidelines need to be established. He requested that a workshop be held to discuss City policies and Ordinances. He further requested that a meeting be held with the Kids Club to establish guidelines as well.

Commissioner Coleman requested a dumpster to be placed at the north end of the City to assist with Keep Soddy-Daisy Beautiful. He said that perhaps this would help to alleviate some of the trash issues. He noted the increase in the monthly building permit report.

Commissioner Penney said he had also seen the email from one of the Kids Club parents

regarding the fence. He thanked Public Works for repairing it. He thanked Chad Crowe with the public works department for all the work he does with the Kids Club.

Mayor Everett noted that building permit report shows a 1.2 million dollar home being built in the City. He said that he feels a draw to the City by new homeowners is the City services, low crime rate as well as good fire, police and public works departments. He said he would like to see more involvement in parks and recreation grants. He said that he would also like to see someone dedicated to parks only. He said the City is growing and more employees are needed.

Mayor Everett said that several of the Commissioners recently attended a TML Conference with City Manager Johnson. He said that City Manager Johnson's networking skills are fabulous and he feels that he can provide years of leadership for the City and make this City phenomenal. He further stated that City Manager Johnson is well respected by political leaders. He expressed his appreciation for City Manager Johnson.

Adjourned 7:52 p.m.

Recorder Burt Johnson