

A MEETING OF THE BOARD OF COMMISSIONERS OF
THE CITY OF SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, NOVEMBER 21, 2013 AT 7:00 P.M.

MEMBERS PRESENT:

VICE-MAYOR NUNLEY
COMMISSIONER ADAMS
COMMISSIONER SHIPLEY
COMMISSIONER SKATES
CITY MANAGER STULCE
CITY RECORDER JOHNSON
CITY ATTORNEY ELLIOTT

MEMBER ABSENT:

MAYOR CAGLE

GUESTS PRESENT:

PAMELA GLASER
JEANETTE ESCH
JOE ESCH
PHILLIP HAMRICK
JOHN MITCHUM
JOYCE CAMPBELL
MARTHA O'REAR
GAIL PERRY
MAX FINKLE
PUNK HEARD
DOYLE PENNEY
JACKIE PENNEY
PETE BURNS
JOSEPH PIETRUNIAK
ROBERT OLSEN
MARIA MILLSAPS HARRIS
JAMES MILLSAPS
HARLAN ORR
BILL SNEED
PETER D'AMICO
ARNOLD STULCE
THOMAS LAWSON

Brian Wright, Johnson, Murphey and Wright, presented the City's 2012-2013 Fiscal Year audit report. Mr. Wright said he had a good report for the Board. He said revenues were approximately \$6.7 million and expenditures were approximately \$6.6 million. Mr. Wright said the net change in

fund balance was a positive \$202,000. He said this was really good considering the City was able to purchase \$1.4 million in Capital Outlay. Mr. Wright said another positive for the City is that there is no debt. He said the City received an Unqualified Opinion, which is what you want. Mr. Wright stated the only audit finding was odometer readings were being entered incorrectly. He said someone needs to follow up on the odometer reports when this happens. Mr. Wright commended the staff for their good work. City Attorney Elliott said this is great to hear and the Board should be proud.

The minutes of the meeting held November 7, 2013 were approved as presented.

Old Business:

None.

New Business:

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
REZONING FROM R-5 SINGLE LOT MOBILE HOME DISTRICT TO C-2 LOCAL
BUSINESS DISTRICT A TRACT OF LAND LOCATED AT 9831 WEST RIDGE TRAIL
ROAD. PUBLIC HEARING AND FIRST READING.**

Joe Esch, 13006 Susan Lane, stated the he and his wife, Jeanette, wanted to purchase the Jehovah's Witness Church contingent on the property being rezoned. He handed the Board a business plan and maps of the area. Mr. Esch gave the Board background information on him and his wife. He said he was retired from the Electric Power Board and that his wife is a retired art teacher. Mr. Esch said the building was approximately 2,200 square feet with parking lots on each side. He said they would like to open a gallery and tea room. Mr. Esch stated the business would have limited hours. He said the building was ideal due to it having a room with no windows and a big wall to hang pictures. He said they would add a kitchen and have arts & crafts for sale in the entry way. Mr. Esch stated he was informed by the Planning Commission that rezoning this to C-2 is considered spot zoning. He said this property is in close proximity to other commercial businesses. He urged the Board to study whether this fits into a logical future use plan for this area. City Attorney Elliott asked Pam Glaser

from the Regional Planning Agency (RPA) if development of this area is included in the “Regional Plan.” Ms. Glaser said she was not sure. She stated the RPA had received no information about the rezoning request prior to the meeting. City Attorney Elliott stated that a plan would already have to be in place to allow the Board to rezone this property. He said if no plan is currently in place then it would be spot zoning. Leon Orr, 9819 West Ridge Trail Road, said this area does not need a commercial business. He said if this business “goes under” then any type of business could locate there. Ms. Glaser said there are several items to look into when rezoning (buffers, signage requirements, etc.). She said the Board needs to review what is allowed in a C-2 zone. She said conditions can be placed on the rezoning. City Attorney Elliott said first the Board needs to find out what the current plan’s future use is for this area, then they would need to examine these other issues. William Potucek, 10212 Card Road, questioned if an R-5 zone had other allowable uses besides single lot mobile homes. City Attorney Elliott said Mr. Potucek would need to call City Hall and ask one of the staff to research all the potential uses. Joe Pietruniak, 601 Sunset Valley Drive, stated his home overlooked this property and would hate to see a future eyesore at this location. Jackie Penney, East Daisy Church of God, said his church is directly behind this property and he is concerned about there being a dance hall as part of the business plan. Commissioner Shipley stated he is concerned due to the road being narrow and there not being enough parking. He said the Board denied a rezoning recently for the same issue of spot zoning.

- 1st - Commissioner Shipley to accept the Planning Commission’s recommendation to deny
- 2nd - Commissioner Adams
- Ayes - Unanimous

Commissioner Skates told Ms. Esch she would help her find another suitable location in Soddy-Daisy for her business. Ms. Esch said she looked for two months and nothing was large enough to suit the different needs for the business. She stated this building had a large parking lot, clean

restrooms and a big wall for artwork. Ms. Esch said she was not interested in any other property, this one was perfect. Commissioner Shipley said no one thinks that Ms. Esch would do anything unpopular with the property. He said it would be spot zoning and the Board has denied these requests in the past.

Citizens Participation:

None.

City Manager Stulce said the Board received a notice of all upcoming events in their packets. He said the Vietnam Veterans' Christmas Dinner was Monday, December 9th.

City Manager Stulce said the resurfacing of Montlake Road was complete as of today. He stated this project was an 80/20 match from the Federal Highway Administration.

City Manager Stulce said he had identified 34 intersections in town that are in need of street lights. He recommended to the Board to add 20 street lights at this time at a cost of \$226.40 per month. Commissioner Shipley made a motion to approve, seconded by Commissioner Skates and the ayes were unanimous.

Commissioner Shipley thanked City Manager Stulce, Finance Director Johnson and the staff for their efforts in receiving an excellent audit report. He said public works is doing a great job as well. Commissioner Shipley said the police department has their hands full right now and urged citizens to assist in the neighborhood watch efforts.

Commissioner Adams asked about the status of getting an architect to prepare a design for the North Park area. Pam Glaser, RPA, said a representative from the Hamilton County Water Quality is interested in visiting the site. Ms. Glaser said she also plans to contact the Lyndhurst and Benwood Foundations to see if they have any interest in helping.

Commissioner Adams said he was contacted by a group requesting permission to plant seedlings on both sides of the stream running through the South Park. It was the consensus of the Board to allow it.

Commissioner Shipley said the bulky item pickup from Waste Connections is not working. He said items are not being picked up. City Manager Stulce said he would call Waste Connections and discuss the issue with them.

ADJOURNED 8:25 P.M.

RECORDER JOHNSON