

A MEETING OF THE BOARD OF COMMISSIONERS OF  
THE CITY OF SODDY-DAISY, TENNESSEE WAS HELD  
ON THURSDAY, DECEMBER 4, 2014 AT 7:00 P.M.

MEMBERS PRESENT:  
MAYOR NUNLEY  
VICE-MAYOR SKATES  
COMMISSIONER ADAMS  
COMMISSIONER COTHRAN  
COMMISSIONER SHIPLEY  
CITY MANAGER CAGLE  
CITY ATTORNEY ELLIOTT  
RECORDER JOHNSON

The minutes of the regular meeting held November 20, 2014 were approved as presented.

Old Business:

**2014-2015 ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,  
DESIGNATING THE BIG SODDY CREEK GULF AREA AS A PUBLIC PARK  
AND AMENDING TITLE TWENTY OF THE MUNICIPAL CODE TO ADD A  
NEW CHAPTER TWO CODIFYING REGULATIONS FOR THE BIG SODDY  
CREEK GULF PARK. SECOND AND FINAL READING.**

City Attorney Elliott stated that the Parks and Recreation Board along with the City administration has looked at this ordinance and has helped the Board establish rules and regulations for the Big Soddy Creek Gulf Park. He said this is a good start. Mayor Nunley said this ordinance is Phase 1 for this park. He said that the ordinance states that the City will make arrangements to open the park one day per month to allow access for elderly or disabled people. City Attorney Elliott said the rules and regulations are to protect the pristine nature of the park. Mayor Nunley explained that the park needed to be gated to help keep it clean. Commissioner Adams said he appreciated everyone's effort in preparing the ordinance. He stated he would like to see it open more in the Spring and Summer months. Public Works Director Steve Grant said he would like to only put the wording "No Camping" on the sign at the park due to the fact if the

Board decides to allow camping in the future, you can add wording to the sign to allow camping in designated areas. It was the consensus of the Board to accept Public Works Director Grant's recommendation for the sign and leave the ordinance as is.

1<sup>st</sup> - Commissioner Adams  
2<sup>nd</sup> - Commissioner Cothran  
Ayes - Unanimous

**2014-2015 ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE, TO AMEND  
TITLE 8 OF THE SODDY-DAISY MUNICIPAL CODE TO ESTABLISH PACKAGE  
LIQUOR REGULATIONS. SECOND AND FINAL READING.**

Dave Denham approached the Board. Mr. Denham said he would like to get "permitted" to establish a liquor store in the Wal-Mart area. He said he would like a copy of the ordinance after it is passed. The Board was questioned if there was going to be a limit on the number of retailers in the City. City Manager Cagle said there is no limit on the number of retailers, but there is a distance requirement on how close liquor stores can be from one another.

1<sup>st</sup> - Commissioner Cothran  
2<sup>nd</sup> - Commissioner Adams  
Ayes - Commissioner Adams, Commissioner Cothran, Commissioner Shipley  
Nays - Vice-Mayor Skates, Mayor Nunley

New Business:

**Marcus Wolff – Certificate of Compliance Retail Package Liquor Store**

Marcus Wolff, 1987 Turnberry Circle, Hixson, Tennessee, said he needs approval for his Certificate of Compliance to send to the Tennessee Alcohol Beverage Commission. City Attorney Elliott stated that since the ordinance is not effective until 15 days after the second reading, to write on the Certificate of Compliance that it will not be effective until December 19<sup>th</sup>. Commissioner Shipley made a motion to approve the application with an effective date of

December 19<sup>th</sup> being added to the application, seconded by Vice-Mayor Skates and the ayes were unanimous.

**2014-2015 RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSE,  
ADOPTING THE STATE OF TENNESSEE DEFERRED COMPENSATION PLAN II –  
401(K) AND PARTICIPATING EMPLOYER AGREEMENT.**

Mayor Nunley asked Finance Director Burt Johnson to explain. Finance Director Johnson stated that several employees along with Vice-Mayor Skates have inquired about a deferred compensation retirement plan in addition to the Tennessee Consolidated Retirement System (TCRS) Pension Plan. Finance Director Johnson stated that the TCRS offers a 401(k) and 457 Retirement Plan. He said that he and City Manager Cagle met with representatives from the State Treasury Department and Great West Financial in regards to these plans. Finance Director Johnson stated that there will be no cost to the City and enrollment for the employees will be voluntary. He said this will be a good benefit for the employees.

1<sup>st</sup> - Commissioner Shipley  
2<sup>nd</sup> - Vice-Mayor Skates  
Ayes - Unanimous

**A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSE,  
ADOPTING THE STATE OF TENNESSEE EMPLOYEES DEFERRED  
COMPENSATION PLAN AND TRUST – 457 (B) AND PARTICIPATING EMPLOYER  
AGREEMENT.**

There was no discussion.

1<sup>st</sup> - Vice-Mayor Skates  
2<sup>nd</sup> - Commissioner Cothran  
Ayes - Unanimous

**A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSEE,  
TO DEFINE VESTED PROPERTY RIGHTS IN THE CONTEXT OF DEVELOPMENT  
PLANS.**

City Attorney Elliott stated that action was needed before January 1, 2015 for municipalities to have something in place in regard to vested property rights. He said there has been some tension over the years between developers and local governments in relation to changes pushed down from governmental agencies onto developers. He said this resolution protects developers from this type of situation. City Attorney Elliott said once a preliminary set of plans have been approved, developers have protection from any changes that are made during that time and once final plans have been drawn, they have an additional two years. He said this resolution will need to be “fine tuned” in the near future. City Attorney Elliott recommended the Board to approve the resolution.

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

**Citizens Participation:**

Michael Jenkins, President of the Soddy-Daisy Kids Club, approached the Board at the request of Commissioner Shipley. Commissioner Shipley said he met with Mr. Jenkins to discuss some wants and needs of the Kids Club. The Board, Mr. Jenkins and Public Works Director Grant discussed maintenance needs for the boys’ fields. Commissioner Shipley said the Kids Club would like to improve the batting cages by building a concrete pad for each of them. Mr. Jenkins said he thinks the Kids Club Board would agree to contribute between \$2,500 to \$3,000 toward the cost. City Manager Cagle questioned if Mr. Jenkins should go before the Parks and Recreation Board with these requests and have them make a recommendation to the Board of Commissioners based on priority. Public Works Director Grant said this is

maintenance and this is something the City should be doing on a year to year basis. City Manager Cagle said she would be willing to meet with Mr. Jenkins to discuss further and get a total cost estimate and report back to the Board. Commissioner Shipley made a motion to allow City Manager Cagle to meet with Michael Jenkins and develop a maintenance plan subject to the City Manager's authorized spending limit, seconded by Commissioner Adams and the ayes were unanimous.

City Manager Cagle questioned if the Board wished to award the employees with the same bonus as last year. She said this bonus amounts to approximately \$50 per employee once payroll taxes are deducted. Vice-Mayor Skates made a motion to award the bonus, seconded by Commissioner Cothran and the ayes were unanimous.

City Manager Cagle said she needed voucher approval for Card's Paving in the amount of \$10,814.42 and for Southeastern Material for \$6,050.85. She said this completed the resurfacing project for Neighbors Drive and Miller Road. Commissioner Shipley made a motion to approve pay, seconded by Commissioner Adams and the ayes were unanimous.

City Manager Cagle stated she had a request from the Police Department to purchase outer bullet proof vests. She said they would like to purchase 20 vests at a cost of \$400.30 per vest for a total of \$8,006. Vice-Mayor Skates made a motion to approve, seconded by Commissioner Cothran and the ayes were unanimous.

City Manager Cagle said Fire Chief Mike Guffey is currently working on a new contract with TVA to provide fire services to Sequoyah Nuclear Plant. She said right now there are some issues to work out before entering into a new contract. City Manager Cagle requested permission to sign the agreement once it has been approved by the City Attorney, the City Manager and the Fire Chief. Commissioner Shipley made a motion to authorize the City

Manager to Sign the contract once approved, seconded by Commissioner Adams and the ayes were unanimous.

Commissioner Shipley reminded everyone of the Christmas Parade at 2:00 p.m. on Sunday, December 7<sup>th</sup> and said the Christmas in the Park Celebration immediately following at Poe's Tavern Park. He wished everyone a Merry Christmas and a Happy New Year.

Vice-Mayor Skates questioned if all the street lights have been installed that the City requested several months ago. City Manager Cagle said she does not have a list to check from. She said if provided with a list she would make sure they are installed.

Vice-Mayor Skates asked City Manager Cagle if she had heard from the Hamilton County Department of Education on the donation of the "Old High School" property. City Manager Cagle said she has not.

Vice-Mayor Cagle asked City Manager Cagle if she had heard from TVA about the lease agreements for the North Park and Holly Park. City Manager Cagle said they have not responded to her e-mails.

Commissioner Cothran thanked Public Works Director Grant and his department for their work in fixing the water drainage issue for Carl and Connie Shaw. Commissioner Cothran wished everyone a Merry Christmas and Happy New Year.

Commissioner Cothran stated that he had spoken with Bill Layne several times in regard to his request for the City to de-annex Bowman Road. Commissioner Cothran said he would like to settle this issue and move on. He said he would like to put on record the consensus of the Board. Commissioner Shipley said no one likes to pay taxes including him. He said the City of Soddy-Daisy residents get garbage service, sparkle pick up, police services, fire service and use of several parks for their tax dollars. He said City residents' Hamilton County tax dollars go

toward schools and jails. Commissioner Shipley said that Hamilton County does not share in the expense of paving City streets. It was the consensus of the Board not to de-annex Bowman Road.

Mayor Nunley and Commissioner Cothran each read a poem written by Ruth Stewart. The first poem was written for the opening ceremony for City Hall on September 11, 1995. The second poem was written to thank the commissioners for building a wheel chair ramp for her home.

Mayor Nunley questioned if the Board members wanted to cancel the next two commission meetings. He said the December 18<sup>th</sup> meeting is close to Christmas and he felt people were busy at this time of year. He said the first meeting in January would be on New Year's Day. Vice-Mayor Skates made a motion to cancel both meetings, seconded by Commissioner Cothran and the ayes were unanimous.

ADJOURNED 7:57 P.M.

RECORDER JOHNSON