

A MEETING OF THE BOARD OF COMMISSIONERS OF
THE CITY OF SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, FEBRUARY 19, 2015 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 February 5, 2015 were approved as presented.

OLD BUSINESS:

2014-2015 ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE, REZONING
FROM R-2A RURAL RESIDENTIAL DISTRICT TO A-1 AGRICULTURAL DISTRICT
A TRACT OF LAND LOCATED AT 7629 DAYTON PIKE.
SECOND AND FINAL READING.**

1st - Vice-Mayor Skates
2nd - Commissioner Cothran
Ayes - Unanimous

2014-2015 ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE, REZONING
FROM R-2A RURAL RESIDENTIAL DISTRICT TO C-3 GENERAL BUSINESS
DISTRICT A TRACT OF LAND LOCATED AT 11133 DAYTON PIKE.
SECOND AND FINAL READING.**

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

NEW BUSINESS:

AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE, AMENDING TITLE 13, PROPERTY MAINTENANCE REGULATIONS, SODDY-DAISY MUNICIPAL CODE BY ADDING A NEW CHAPTER 3, OPERATION OF MOBILE HOME PARKS. PUBLIC HEARING AND FIRST READING.

- 1st - Vice-Mayor Skates
- 2nd - Commissioner Cothran

City Attorney Elliott stated that over a year ago the City started looking into amending the property maintenance regulations due to the existence of several substandard mobile home parks in the City. He said he spoke with Hardie Stulce who was the City Manager at that time and Janice Cagle who was the Mayor then to establish some regulations. City Attorney Elliott said the City had to be careful to stay in the parameters of the federal standards set forth for mobile home parks. He said this ordinance has been prepared with the help of Public Works Director Steve Grant, Codes Officer Mike Brown, City Manager Cagle, Zoning Clerk Annette Dolberry and himself. City Attorney Elliott stated this ordinance will assist the City in making the mobile home parks a more respectful and nicer place to live.

Ayes - Unanimous

Ashish Chaudhari – Certificate of Compliance Retail Package Liquor Store

Vice-Mayor Skates stated there are concerns from some citizens about this liquor store being in close proximity to John Allen Elementary School and a couple of churches. Mayor Nunley stated Mr. Chaudhari has an approved site plan from the Soddy-Daisy Municipal Planning Commission. Vice-Mayor Skates said the proposed liquor store meets the regulations set forth by the Board of Commissioners, but urged Mr. Chaudhari to reach out to the nearby school and churches. Commissioner Adams stated that the citizens of Soddy-Daisy voted in favor to allow retail package liquor stores and the Board of Commissioners can only regulate to a

certain extent. Commissioner Shipley said the proposed liquor store meets all the criteria but this particular store will be located in a residential area which is different from the other stores that are located on or near Dayton Pike, which is predominately a commercial area. Commissioner Cothran stated that he has lived in the neighborhood where the store will be located all of his life. He said he does not like the fact that a liquor store will be in it but Mr. Chaudhari meets everything in the ordinance so there is nothing the Board can do to prevent it. Commissioner Shipley made a motion to approve the application, seconded by Commissioner Adams and the ayes were unanimous.

Citizens Participation:

Jamie Lemay, 9675 Old Dallas Hollow Road, stated he lived down the road from the proposed liquor store. He said he is a lifelong resident of Soddy-Daisy, a graduate of Soddy-Daisy High School, a pastor at a local church, vice-president of the PTA at John Allen Elementary School and a father of four children. Mr. Lemay stated he is a proud supporter of the Soddy-Daisy community. He said he purchased his home fifteen years ago in this neighborhood and it is distressing to see a liquor store being allowed in it. Mr. Lemay said his upbringing was not good due to his parents drinking and drug use. He said he has an issue with the liquor store being close to the school. Mr. Lemay questioned if the Board members would have liked a liquor store in their back yard while they were raising their children.

Stephanie Putnam, 2120 Dallas Lake Road, said her mother was killed by a drunk driver and didn't want to see it happen again. She said she has a child at John Allen Elementary and she is a member of New Salem Baptist Church. Ms. Putnam asked the Board to reconsider.

April Sumner, 9673 Old Dallas Hollow Road, stated she has two children who attend John Allen Elementary School and her family does not have an issue with the liquor store being

located near the school. She said retail package liquor stores were voted in by the citizens. Ms. Sumner stated not every parent has the same opinion as Mr. Lemay.

Margaret Chastain, 206 Northern Trails Drive, said no one spoke against the ordinance when it was passed. She said she is a substitute teacher at John Allen Elementary and passes by Wesley's Corner all the time and frequently patronizes the store. She said she is not sure why people are against it.

Vice-Mayor Skates questioned City Attorney Elliott in regard to changing the ordinance. City Attorney Elliott stated that the ordinance cannot be changed at this time to prevent this liquor store from going in at this location. He said this has been tried before by another municipality and they lost the case. City Attorney Elliott said the ordinance cannot be retroactive.

Angee Parlier, 9605 Dallas Hollow Road, said currently she feels safe in her neighborhood but in a year from now it might not be the case.

City Manager Cagle said the City received bids for a dump truck to replace the one that caught on fire several months ago. She said the low bid was a Kenworth from Worldwide Equipment for \$85,985 and it is the recommendation of the Public Works Director to accept the low bid. Vice-Mayor Skates made a motion to accept the low bid of \$85,985 from Worldwide Equipment, seconded by Commissioner Shipley. Finance Director Burt Johnson stated this is an unbudgeted item and requested for the Board to approve the funds to be paid out of the "Unbudgeted Funds" line item. Vice-Mayor Skates amended her motion to authorize the funds to be paid from the "Unbudgeted Funds" line item, Commissioner Shipley accepted the amended motion and the ayes were unanimous.

City Manager Cagle said the Board members were given data regarding the amount of phone calls received by the police department as well as City Hall. Vice-Mayor Skates informed everyone that in 2014 182,000 calls went through dispatch and approximately 100,000 calls went through City Hall.

Fire Chief Mike Guffey said he received a finalized contract from TVA to provide fire service to Sequoyah Nuclear Plant. He said City Attorney Elliott has reviewed and approved it. City Attorney Elliott said the Board, if they so choose, would need to approve the contract and authorize Fire Chief Guffey to sign it. Vice-Mayor Skates made a motion to approve the contract and authorize Fire Chief Guffey to sign it, seconded by Commissioner Cothran and the ayes were unanimous.

Police Chief Phillip Hamrick informed the Board that in January the police department performed 80 school checks and drove 39,000 miles. He said there were 186 charges, 4 burglaries of which 2 have already been cleared and 66 drug arrests.

City Manager Cagle thanked the public works department for the job they did in keeping the streets passable this week during the winter weather events.

Commissioner Shipley thanked the fire, police and public works department for the job they do and commended them for how well they all work together.

Commissioner Shipley said he would like to know exactly where Cox Lane ends in regard to being a designated city street. He said there are 4 to 6 house at the end of this road that are not considered part of the dedicated City street and he would like for the Board to consider accepting this extension. Public Works Director Grant said a survey will need to be performed and the home owners would need to donate some right of way to the City. He said there are

costs involved and the homeowners would need to pay for these costs. Public Works Director Grant said he will have the necessary information by the next commission meeting.

Vice-Mayor Skates questioned Public Works Director Grant in regard to the number of hours his street employees have worked on the roads during the past four days due to the winter weather events. He stated that he was not sure about the total hours but had two out on Monday night, two out on Wednesday night and will probably have two more out on Friday night.

Commissioner Cothran commended the public works department for their work in keeping Green Pond Road passable.

Commissioner Cothran said he was told earlier this week that the legal papers are in the mail to allow the armored personnel carrier to be placed at the Veterans' park. He said it should be in place soon.

Commissioner Adams said he was grateful for the people "we" have at City Hall. He said it is also nice to see the notice in the commissioner's packets regarding the sales tax revenue the City will receive in March. He informed everyone the amount is a little over \$173,000 which is the largest amount the City has ever received. Commissioner Adams said this increase will help prevent the Board from having to raise property taxes in the near future.

Mayor Nunley thanked all the departments for their efforts.

Commissioner Cothran said he would like to see those in attendance tonight continue to attend the commission meetings. He said if they had attended previous meetings when the retail package liquor store ordinance was being voted on, they might have been able to prevent a store from going in their neighborhood.

ADJOURNED 7:44 P.M.

RECORDER JOHNSON