

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

MEMBERS PRESENT:

MAYOR CAGLE
VICE-MAYOR NUNLEY
COMMISSIONER ADAMS
COMMISSIONER SHIPLEY
COMMISSIONER SKATES
CITY MANAGER STULCE
CITY ATTORNEY ELLIOTT
REC. SEC. DOLBERRY

MEMBER ABSENT:

CITY RECORDER JOHNSON

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

OLD BUSINESS:

None.

NEW BUSINESS:

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
TO ESTABLISH IMPOUND LOT REGULATIONS AND FEES FOR
IMPOUNDED AND/OR SEIZED VEHICLES. PUBLIC HEARING
AND FIRST READING.**

City Manager Stulce explained that the ordinance will allow the City to charge a storage fee for vehicles seized in DUI arrests. The fee is in keeping with the storage fees charged by wrecker services. He further stated that the fees are levied against the vehicle title so that the City can re-coop some of the cost. Mayor Cagle stated that most of the funds from the sale of the vehicle are paid to the State less the storage fees. Commissioner Adams questioned if a fee is currently being charged. Police Chief Hamrick stated that it is not.

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

Nancy Sartor and Chad Clark, Wisser Company, gave an update on the transportation plan and made a presentation. Mr. Clark stated that TDOT had given the go ahead for the resurfacing of Montlake Road. On Tuesday the design comments from the State for TDOT to approve plans were received concerning the Sequoyah signals. TDOT will address the comments and once approved by TDOT, then a request will be made for a Notice to Proceed. Dayton Pike turn lane extension project has received environmental clearance, but there are short falls on the total cost and additional funds will need to be requested from the TPO. The request is now in progress. City Manager Stulce stated that he is recommending that the Commission enter into a contract with Wisser Company as an on-going basis of services for assistance with transportation planning, traffic engineering and other engineering services that are beyond the capabilities of staff. He said that they would determine cost estimates, design an overall transportation plan for the City and prioritize similar to Public Works Director Grant's paving priority list, recommendations for 4 way stops, and etc. City Manager Stulce recommended securing Wisser Company's services through an agreement with each individual job coming before the Board. City Attorney Elliott said that Page 2 of the agreement has two blanks. City Manager Stulce stated that one blank is relative to the term of the agreement and the other sets a limit on the cost per particular task. Commissioner Adams questioned if the agreement would be for future projects as the current projects are already under contract. City Manager Stulce stated yes. Commissioner Nunley asked if Wisser could also develop a design for City controlled parking lots. Mr. Clark stated yes that they are a full service civil consulting firm. City Attorney Elliott recommended that the agreement not be entered into with blanks, but that a term and amount be filled in. Mr. Clark stated that the term and the amount could be amended should the need arise in the future. Ms. Sartor recommended a 2 year term with the amount of \$10,000.00. Mayor Cagle said that she

would not recommend any less than 2 years. Commissioner Skates made a motion to enter into the agreement with Wisner for a term of 2 years and the amount not to exceed \$10,000.00, seconded by Commissioner Nunley and the ayes were unanimous.

Mayor Cagle stated that she knows it appears to the citizens that the City is dragging its feet when it comes to large projects and she asked Ms. Sartor to explain how lengthy it is to complete a project when Federal monies are used. Ms. Sartor gave a brief explanation of the process to those in attendance.

Commissioner Adams questioned how long it would be before the traffic signal work would begin. Mr. Clark stated the paperwork would be complete in approximately 2 weeks and the job would be bid in approximately 6 weeks. Commissioner Adams questioned the projected start date for the widening of Dayton Pike. Mr. Clark stated that the design is fifty percent (50%) complete. Ms. Sartor said that the TPO would not approve it until October of 2013 and then the project would be bid in the Spring of 2014.

Commissioner Shipley questioned if the contract with Wisner would improve the City's chances of receiving additional grant monies in the future. City Manager Stulce said that it would help the City to save money in the long run and to be more accurate in projecting the estimate of various projects. Commissioner Shipley stated that this will benefit the City in more ways than one.

Pam Glaser, 209 Lloyd Springs Road and Chattanooga Hamilton County RPA, informed the Board that there would be a meeting next week in which RPA would define a strategic future plan including small towns and asked that the Board attend if possible. She said that the Parks and Recreation Board would meet to discuss greenways' task force on March 7 at 11:30 a.m. This would include network on funding and plans for future projects. She asked the Board to

attend the meeting which is to be held at the Trust for Public Land Office on Tremont Street.

City Manager Stulce read a letter from the NRC concerning re-licensing of the Sequoyah Nuclear Generation Station License. He said the meeting would be held at City Hall on Wednesday, April 3, 2013 from 2-4 pm and from 6-8 pm with an open house one hour before each meeting. City Manager Stulce stated the Road Race information was included in the packets. He stated that the House Bill before Congress relative to annexation would not be in the best interest of the City and recommended that the Board express their opposition to Representative Floyd and Senator Watson. It was noted that the City of Signal Mountain and TML also oppose this Bill. Mr. Stulce further stated that in regard to the SAFER Grant thanks, but no thanks. He also noted that a fundraiser was being held by the Cumberland Trail and the invitation was included in the packets.

City Manager Stulce said that the City had received a letter from the design engineer for the proposed turn lane on Dayton Pike relative to the access of the new CVS pharmacy near the intersection of Harrison Lane and Dayton Pike. He said this had been discussed with the City Attorney. The site plan had sailed through the Planning Commission with 8 or more amendments. The original design for the parcel did not have an entrance onto Dayton Pike at the proposed location for the CVS. He said that this entrance poses a hazard to Dayton Pike traffic and that now was the time to address and correct it. He further stated that the City has an ordinance relative to sprinklers in place assuring that fire protection for the City is preserved. He said that commercial property is required to sprinkle their buildings in order to maintain the City's ISO rating. If a commercial building is sprinkled it is removed from the calculation of the ISO rating. He said that the CVS reduced the square footage of their building to avoid this requirement. He said that the ingress and egress proposed onto Dayton Pike needed to be addressed and it was his opinion that a stop work order be issued and the design be taken back

before the Planning Commission. City Attorney Elliott advised that the City inform the developer that it has obtained a professional opinion and that this access is undesirable and that this matter be taken back before the Planning Commission. Mayor Cagle questioned if this entrance is eliminated could a tractor trailer circle the building from the proposed ingress and egress off of the Private Drive. Public Works Director Grant stated that as proposed it could not for ingress. City Attorney Elliott stated that the new CVS on Signal Mountain has the same situation. He said he felt the City should conduct a study and then decide. City Attorney Elliott said that the City should inform the developer and contractor in writing of its concerns and that the access needed to be re-evaluated and brought back before the Planning Commission.

Commissioner Skates questioned if anything could be done concerning the sprinkler system. Public Works Director Grant stated not according to the building codes. City Attorney Elliott questioned if there were a record of this being required for trucks to enter the site. Mayor Cagle asked if the minutes reflected this. Recording Secretary Dolberry stated that this was discussed. Planning Commissioner Chastain stated that this was questioned at the Planning Commission meeting. She said that they were told that the trucks would enter off of Dayton Pike and exit on the Private Drive to the traffic signal. Mr. Clark suggested that a wider scope of functionality of the whole development be conducted to review the access points. Mr. Clark stated that the right in/right out must be enforced with physical construction to prohibit left turns. He stated that he had discussed this design with former traffic engineers and in their professional opinion with the close proximity to the traffic signal the access onto Dayton Pike should be a right in only and designed in such a way as to prevent left turns. If it has to happen narrow the entrance so that trucks can make the radius, but cars cannot make left turns in or out. Mayor Cagle requested that Wisner attend the Planning Commission meeting with their recommendation. City Attorney Elliott stated that the Board could request that the Planning Commission reconsider the proposed

access based on Wiser's recommendation as it creates a dangerous situation. Commissioner Skates stated she was not in favor of access onto Dayton Pike at all. City Manager Stulce questioned Recording Secretary Dolberry as to the date of the next Planning Commission meeting. She stated March 13, 2013 at 12:00 noon. Commissioner Skates made a motion that a stop work order on the Dayton Pike access for the CVS be issued until such time as it can be reviewed by the Planning Commission for a re-evaluation based on the professional advice the City has received that the current design creates a dangerous situation, seconded by Commissioner Nunley and the ayes were unanimous. City Attorney Elliott advised Public Works Director Grant to notify the developer and contractor in writing tomorrow of the stop work order and the review by the Planning Commission. Commissioner Shipley stated that the side roads cut in several years ago and the original design included a frontage road in front of and behind the proposed building sites with access only at Springfield Road and Harrison Lane.

Commissioner Shipley thanked the Public Works Director and the Police Department for the speed limit signs and 4-way stop at Ducktown Street.

Commissioner Skates commended the fire department for their response to last night's fire. She also asked the Police Chief to check on speeding complaints on Hatlin Drive.

Commissioner Nunley questioned if the installation of the new ballfield lights had been completed today. Public Works Director Grant stated that they were all installed and that approximately 100 yards of concrete had been required in the holes. Commissioner Nunley said that graffiti had been painted on the street signs at the intersection of Hotwater Road and Back Valley Road as well as the electrical boxes at the same intersection. Public Works Director Grant stated that these were fiberoptic boxes and that he would notify the owners.

Commissioner Skates requested an update on the Walden Street condemnation. Mayor Cagle questioned if the City would have to proceed with removing the house. Public Works

Director Grant stated that they would and the contractor would complete this as soon as possible. City Attorney Elliott advised videoing the property once the house is on the ground. Mayor Cagle questioned the recently condemned mobile homes. Public Works Director Grant stated that one had been removed and the other was partially removed. She asked if the City would complete this as well and Public Works Director Grant advised that he would.

ADJOURNED 7:54 p.m.

REC. SEC. DOLBERRY