

A MEETING OF THE BOARD OF COMMISSIONERS
OF THE CITY OF SODDY-DAISY, TENNESSEE, WAS
HELD ON THURSDAY, JANUARY 19, 2012 AT 7:00 P.M.

MEMBERS PRESENT:
MAYOR JIM ADAMS
VICE-MAYOR JANICE CAGLE
COMMISSIONER SHANE HARMON
COMMISSIONER RICK NUNLEY
COMMISSIONER GENE SHIPLEY
CITY MANAGER HARDIE STULCE
CITY ATTORNEY SAM ELLIOTT
CITY RECORDER BURT JOHNSON

The minutes of the meeting held January 5, 2012 were approved as presented.

Old Business:

2011-2012 ORDINANCE NO. 6

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
AMENDING THE ZONING ORDINANCE TO EXCLUDE TAX-EXEMPT
INSTITUTIONS FROM C-2, C-3, M-1 AND M-2 ZONES.
SECOND AND FINAL READING.**

City Attorney Elliott explained the purpose of the ordinance is to protect prime commercial property from being occupied by tax-exempt institutions. He said it was to help maintain or boost the City's tax base. There was no other discussion.

1st - Commissioner Shipley
2nd - Vice-Mayor Cagle
Ayes - Unanimous

2011-2012 ORDINANCE NO. 7

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
ACCEPTING BAILEY FARMS ROAD AS A PUBLICLY DEDICATED CITY
STREET. SECOND AND FINAL READING.**

There was no discussion.

1st - Vice-Mayor Cagle
2nd - Commissioner Nunley
Ayes - Unanimous

2011-2012 ORDINANCE NO. 8

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
AMENDING ARTICLE VIII OF THE ZONING ORDINANCE, BY ADDING A
NEW SUBSECTION 845.1. SECOND AND FINAL READING.**

There was no discussion

1st - Vice-Mayor Cagle
2nd - Commissioner Shipley
Ayes - Unanimous

Citizens Participation:

Brenda Sue Smith, 109 Morningside Drive, came before the Board in regards to complaints by a neighbor of her having too many goats on her property. Mayor Adams asked the Board if they would like to amend the current ordinance to accommodate Ms. Smith. Commissioner Shipley asked those in attendance if they were in favor or against Ms. Smith keeping her goats. The majority of those in attendance were in favor of Ms. Smith keeping them. Commissioner Shipley said the majority of the citizens across the City have expressed to him they were in favor of Ms. Smith keeping her goats. He said he felt Ms. Smith had too many goats on her property but on the other hand they have been there for a long time. He stated there are several other land owners in the City with too many animals as well. Commissioner Shipley said it was hard to make an example out of one person. He stated he was not sure what a good solution to the problem would be. Commissioner Harmon said he could identify with both parties in this situation. He asked Ms. Smith if someone was to find a good home for the goats, would it be devastating to her to let them go. Ms. Smith replied that it would. She said she did not trust anyone to care for them. Commissioner Nunley said that everyone sympathizes with Ms. Smith's love for animals but people are forced to give up pets everyday for various reasons. He said the Board has been more than sympathetic with Ms. Smith's situation. Ms. Smith stated

she wants to be able to keep the goats until they die. She said she does not want anymore.

Commissioner Nunley stated that the Board has been asked to fight a family feud and they shouldn't be asked to do that. Commissioner Shipley asked City Attorney Elliott if an ordinance could be written up to protect land owners in the community that have had animals on their property for a long period of time without causing additional animal control problems. City Attorney Elliott said a new ordinance could be drawn up or the existing ordinance could be amended to extend the time. Commissioner Nunley asked Ms. Smith if the Health Department had ever been out to her residence. She stated they had not. Ms. Smith said her goats and her yard are both clean. Commissioner Shipley made a motion to draft an ordinance to give Ms. Smith further relief. Commissioner Harmon stated the Board should hear from Cecil Smith before voting on a solution. Mr. Smith thanked the commissioners for their work on the Veteran's Wall and anyone else who has been associated with it. He stated the situation with the goats is not a family feud. He said the goats are not the only thing he has been concerned with over the years. Mr. Smith read off several other situations he has brought to the Board's attention over the years trying to make the City safer or cleaner. He said his mother tried to get Ms. Smith to give up half the herd of goats several years ago. Mr. Smith said Ms. Smith's property looks bad and he is not in favor of her being able to keep all of them. He said he did not think any of the commissioners would want to live across from her property and put up with the smell that comes from it. Mayor Adams stated the Board was in a "lose lose" situation. He said regardless of what happens someone is going to be mad. City Attorney Elliott stated that Commissioner Shipley made a motion and asked if there was a second to draft an ordinance to address the issue City wide. Commissioner Harmon then seconded Commissioner Shipley's motion.

Commissioner Nunley stated he did not want the Board to get in the habit of re-writing

ordinances every time someone comes before the Board and complains. He said this is the third time this particular ordinance has been amended or re-written. Mayor Adams said that was his position on this matter as well. Mayor Adams asked City Recorder Johnson to call the role. Commissioner Harmon, Commissioner Nunley and Commissioner Shipley voted in favor of City Attorney Elliott drafting an ordinance to address the issue of property owners being able to keep their animals and Mayor Adams and Vice-Mayor Cagle voted against it. The motion carried.

Nicky Wright, 291 Montlake Road, came before the Board to express his concern about the drug problem at Ivy Academy. He said his granddaughter attends Ivy Academy and informed him that there is a lot of drug use going on and nothing is being done about it. Commissioner Harmon told Mr. Wright that there was an arrest there today dealing with the problem. Police Chief Phillip Hamrick said there were actually two arrests there that morning. He said the school has a new principal and she is trying to address the problem. He said that she has requested more police presence on campus. Mr. Wright asked would the police department be going onto campus with drug dogs. Police Chief Hamrick said they would if invited by the principal. He informed Mr. Wright that the police department does not have free reign to go on school property without being invited. Police Chief Hamrick stated that he and 3 other officers recently met with all the students and teachers and he said that he thinks Principal Markum is being aggressive with the problem.

City Manager Stulce stated that several months ago the Board discussed dealing with surplus equipment and whether the City wanted to continue having public auctions. He said the public auctions are costly due to the overtime they require. He stated a lot of cities are using GovDeals to sell vehicles as they become available. City Manager Stulce said that a few of the Board members have expressed interest in using GovDeals. He said he would like the Board to

decide if the City wants to pursue using GovDeals and authorize the execution of a contract to do so. Commissioner Shipley asked how much money would be saved. City Manager Stulce said the City would save on overtime and would be able to put cars online as they are released. He said the City recently spent money to increase the size of the impound lot and stated there are times when vehicles sit for over two years waiting to clear the court system. City Manager Stulce said the City has to house them or pay someone to house them. Commissioner Shipley made a motion to approve entering into a contract with GovDeals, seconded by Commissioner Nunley and the ayes were unanimous.

City Manager Stulce said in the previous commission meeting that the Board asked him to initiate the process of revisiting the existing garbage contract with the vendor who currently provides the service to the City. He said City Attorney Elliott has provided the Board some information regarding the contract in their packets. City Manager Stulce said he needs some direction from the Board on how to re-write the specifications/requirements for a new contract that would be bid on. He said some of the Board members and people around the City thought the previous requirements were too restrictive and did not give enough people the opportunity to bid on the contract. There was some discussion from the Board on the options that are available in providing garbage service to mobile home parks. Vice-Mayor Cagle stated one of the restrictions on the current contract relates to the length of time someone had been in the sanitation business. Commissioner Shipley stated he felt the current restrictions would only allow big corporations to bid on the contract. He said the City wants a garbage company that can provide a good service but at the same time give everyone a fair chance.

City Manager Stulce said Mayor Adams has called a public meeting Tuesday January 24th at 11:00 a.m. at City Hall with the Wisser Company to discuss the installation of new traffic

signals at Sequoyah Road and Highway 27, Sequoyah Road and Dayton Pike, the turn lane extension and intersection improvement at Dayton Pike and Harrison Lane and the resurfacing on Montlake Road. He said there were some questions by the Board about the contract. City Manager Stulce said he met with Mayor Adams and they both felt everyone should meet and get on the same page before initiating the contract with the Wisser Company. He encouraged anyone who was interested to attend the meeting.

City Manager Stulce informed the Board there was some information in their packets in regards to staffing the fire department. He said there are four different proposals for them to consider. He asked each of them to please take this information with them to review.

City Manager Stulce said the police department purchased a mass casualty/crime scene vehicle. He said it will serve several different functions and departments. Police Chief Hamrick stated “the police department is going to be cracking down real hard on the drug situation”. He thanked the Board for their support and thanked them for allowing them to buy the crime scene vehicle.

City Manager Stulce said the City had an employee meeting and he thanked everyone for what they had done over the past two and half years. He said, in the meeting, he pointed out that he had never seen the level of communication that is currently present between all the departments. He stated he felt the community was proud of the City’s employees.

Phillip Johnson made an announcement that Mike Guffey is the new fire chief for the Soddy-Daisy Fire Department. He noted that Mr. Guffey is only the 7th fire chief the City has had in over 40 years of existence. Mr. Johnson said he has really enjoyed the last two years of being fire chief.

Mayor Adams said the City has an excellent staff and there is almost no turnover. He stated the staff goes over and above the call of duty.

Commissioner Nunley said he feels the police department is doing a good job and stated he has seen their efforts first hand.

ADJOURNMENT 7:50 P.M.

RECORDER JOHNSON