

A MEETING OF THE BOARD OF COMMISSIONERS
OF THE CITY OF SODDY-DAISY, TENNESSEE, WAS
HELD ON THURSDAY, OCTOBER 20, 2011 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 October 6, 2011 were approved as presented.

Old Business: None

New Business:

2011-2012 RESOLUTION NO. 6
A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSEE,
AUTHORIZING THE ISSUANCE OF INTEREST BEARING
EQUIPMENT ACQUISITION CAPITAL OUTLAY NOTES, SERIES 2011, IN AN
AMOUNT NOT TO EXCEED \$500,000 AND PROVIDING FOR THE PAYMENT
OF SAID NOTES.

Mayor Adams read the resolution and asked City Manager Stulce to elaborate, he deferred to Finance Director Burt Johnson, who explained the loan was to enable the City to purchase vehicles for the Police Department and equipment for the Public Works Department. Finance Director Johnson stated it is a one year note but the City hoped to pay it off before the year was up. Mayor Adams stated the vehicles and equipment were budgeted items but we have an opportunity to purchase them early. He said the majority of the City's revenue does not come in until January and March, hence the need for the short-term loan.

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

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AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
REMOVING A CONDITION ON A REZONING OF A TRACT OF LAND
LOCATED AT 110 LUTTRELL DRIVE. PUBLIC HEARING AND FIRST
READING.

Mayor Adams stated the original ordinance was approved with conditions. One condition was that a fence be installed. He said this ordinance is asking for the fence to now be removed. Doug Smith, 11205 Captains Cove Road, came before the Board on behalf of the request. Vice-Mayor Cagle asked why the conditions were put there originally. Commissioner Harmon stated that, at the time, there was a motorcycle repair shop located on the property and Mr. Smith owned other properties down Luttrell Drive and was afraid someone would be hit due to the fact that the motorcycles and 4-wheelers were driving up and down the road. Vice-Mayor Cagle remarked that Mr. Smith was the one who asked for the condition to be put in the original ordinance. Mr. Smith stated that he was, but now he has purchased the building and solved the problem. Vice-Mayor Cagle asked if Mr. Smith would be using the building for commercial purposes. He stated that it would be used for a holding company that owns all the property around this location as well as Smith Asset Recovery. Commissioner Harmon stated that Mr. Smith has a rollback and a wrecker that he uses in Smith Asset Recovery to repossess vehicles for financial institutions. Vice-Mayor questioned why in the original ordinance Mr. Smith did not want commercial traffic on Luttrell Drive but now he does. Mr. Smith said originally it was because the motorcycles were being driven through people's yards and tearing them up. He said now that the motorcycle shop is not there; he did not see the need for a fence.

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City Manager Stulce said he had an update on several items from the previous commission meeting. He said he has met with City Attorney Elliott regarding the abuse of the Sparkle Pick Up. City Attorney Elliott said you cannot distinguish between rental property and owner occupied residential property. He said you have to treat all the same. Public Works Director Grant gave a brief detail of how the Sparkle Pick Up began. He said there was some discussion in the past about limiting it to two (2) pick ups per residence per year but nothing was in writing. He said he researched to see how many pick ups had been requested by each residence for the current year and according to the

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ADJOURNMENT 8:38 P.M.

RECORDER JOHNSON

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OF THE CITY OF SODDY-DAISY, TENNESSEE, WAS
HELD ON THURSDAY, OCTOBER 20, 2011 AT 7:00 P.M.

MEMBERS PRESENT:
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VICE-MAYOR JANICE CAGLE
COMMISSIONER SHANE HARMON
COMMISSIONER RICK NUNLEY
COMMISSIONER GENE SHIPLEY
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The minutes of the meeting held October 6, 2011 were approved as presented.

Old Business: None

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AUTHORIZING THE ISSUANCE OF INTEREST BEARING
EQUIPMENT ACQUISITION CAPITAL OUTLAY NOTES, SERIES 2011, IN AN
AMOUNT NOT TO EXCEED \$500,000 AND PROVIDING FOR THE PAYMENT
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Mayor Adams read the resolution and asked City Manager Stulce to elaborate, he deferred to Finance Director Burt Johnson, who explained the loan was to enable the City to purchase vehicles for the Police Department and equipment for the Public Works Department. Finance Director Johnson stated it is a one year note but the City hoped to pay it off before the year was up. Mayor Adams stated the vehicles and equipment were budgeted items but we have an opportunity to purchase them early. He said the majority of the City's revenue does not come in until January and March, hence the need for the short-term loan.

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

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REMOVING A CONDITION ON A REZONING OF A TRACT OF LAND
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Mayor Adams stated the original ordinance was approved with conditions. One condition was that a fence be installed. He said this ordinance is asking for the fence to now be removed. Doug Smith, 11205 Captains Cove Road, came before the Board on behalf of the request. Vice-Mayor Cagle asked why the conditions were put there originally. Commissioner Harmon stated that, at the time, there was a motorcycle repair shop located on the property and Mr. Smith owned other properties down Luttrell Drive and was afraid someone would be hit due to the fact that the motorcycles and 4-wheelers were driving up and down the road. Vice-Mayor Cagle remarked that Mr. Smith was the one who asked for the condition to be put in the original ordinance. Mr. Smith stated that he was, but now he has purchased the building and solved the problem. Vice-Mayor Cagle asked if Mr. Smith would be using the building for commercial purposes. He stated that it would be used for a holding company that owns all the property around this location as well as Smith Asset Recovery. Commissioner Harmon stated that Mr. Smith has a rollback and a wrecker that he uses in Smith Asset Recovery to repossess vehicles for financial institutions. Vice-Mayor questioned why in the original ordinance Mr. Smith did not want commercial traffic on Luttrell Drive but now he does. Mr. Smith said originally it was because the motorcycles were being driven through people's yards and tearing them up. He said now that the motorcycle shop is not there; he did not see the need for a fence.

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Mayor Adams read the resolution and asked City Manager Stulce to elaborate, he deferred to Finance Director Burt Johnson, who explained the loan was to enable the City to purchase vehicles for the Police Department and equipment for the Public Works Department. Finance Director Johnson stated it is a one year note but the City hoped to pay it off before the year was up. Mayor Adams stated the vehicles and equipment were budgeted items but we have an opportunity to purchase them early. He said the majority of the City's revenue does not come in until January and March, hence the need for the short-term loan.

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A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSEE,
AUTHORIZING THE ISSUANCE OF INTEREST BEARING
EQUIPMENT ACQUISITION CAPITAL OUTLAY NOTES, SERIES 2011, IN AN
AMOUNT NOT TO EXCEED \$500,000 AND PROVIDING FOR THE PAYMENT
OF SAID NOTES.

Mayor Adams read the resolution and asked City Manager Stulce to elaborate, he deferred to Finance Director Burt Johnson, who explained the loan was to enable the City to purchase vehicles for the Police Department and equipment for the Public Works Department. Finance Director Johnson stated it is a one year note but the City hoped to pay it off before the year was up. Mayor Adams stated the vehicles and equipment were budgeted items but we have an opportunity to purchase them early. He said the majority of the City's revenue does not come in until January and March, hence the need for the short-term loan.

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

2011-2012 ORDINANCE NO. _____
AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
REMOVING A CONDITION ON A REZONING OF A TRACT OF LAND
LOCATED AT 110 LUTTRELL DRIVE. PUBLIC HEARING AND FIRST
READING.

Mayor Adams stated the original ordinance was approved with conditions. One condition was that a fence be installed. He said this ordinance is asking for the fence to now be removed. Doug Smith, 11205 Captains Cove Road, came before the Board on behalf of the request. Vice-Mayor Cagle asked why the conditions were put there originally. Commissioner Harmon stated that, at the time, there was a motorcycle repair shop located on the property and Mr. Smith owned other properties down Luttrell Drive and was afraid someone would be hit due to the fact that the motorcycles and 4-wheelers were driving up and down the road. Vice-Mayor Cagle remarked that Mr. Smith was the one who asked for the condition to be put in the original ordinance. Mr. Smith stated that he was, but now he has purchased the building and solved the problem. Vice-Mayor Cagle asked if Mr. Smith would be using the building for commercial purposes. He stated that it would be used for a holding company that owns all the property around this location as well as Smith Asset Recovery. Commissioner Harmon stated that Mr. Smith has a rollback and a wrecker that he uses in Smith Asset Recovery to repossess vehicles for financial institutions. Vice-Mayor questioned why in the original ordinance Mr. Smith did not want commercial traffic on Luttrell Drive but now he does. Mr. Smith said originally it was because the motorcycles were being driven through people's yards and tearing them up. He said now that the motorcycle shop is not there; he did not see the need for a fence.

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Citizens Participation:

Punk Heard, 9061 Daisy Dallas Road, asked if the sign at Harrison Lane and Daisy Dallas Road that reads, “no turn on red”, could be replaced with one that reads “right turn on red after stopping”. Public Works Director Steve Grant stated he thought it was a stipulation from the railroad. City Attorney Elliott told Mr. Heard that he would check to see if it can be changed.

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City Manager Stulce announced he was making a presentation Tuesday November 1st, at 1:30 P.M. at the Regional Planning Agency concerning the Harrison Lane Bridge. He stated it would be a connector road between Harrison Lane, Middle Valley Road and Lovell Road. He said he has also made a request for a major resurfacing project that would be for Dayton Pike starting at Highway 153 and ending at Highway 27. City Manager Stulce said he would appreciate attendance from as many of

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City Manager Stulce brought to the Board's attention that in the prior commission meeting, they authorized payment of \$20,864 for repairs to one of the City's dump trucks and authorized the City Manager to spend up to \$10,000 on lighting for the Veterans Wall but did not stipulate which line item to charge these expenditures to. He said it is the recommendation of Finance Director Johnson that the items be paid for out of the "Unbudgeted Funds" line item. City Manager Stulce stated the repairs for the dump truck would make the repairs line item for the Public Works Department \$5,000 over their annual budget. He also said it was the recommendation of Finance Director Johnson that expenses that have already been incurred for the Poe's Tavern project of over \$7,000 be paid for out of the "Unbudgeted Funds" line item and to authorized the City Manager to spend an additional \$5,000 or \$10,000 for any additional future expenses for the Poe's Tavern project. There was some conversation and questions from Board members on what the City has purchased for the Poe's Tavern project and what had been paid for by private donations. Commissioner Shipley stated donations continue to come in to help pay for the Poe's Tavern project and hopefully enough money will be raised that there is a minimal amount of tax dollars that will have to be spent toward the project. Vice-Mayor Cagle made a motion to authorize the repairs to the dump truck of \$20,864 and the cost of the lighting for the Veterans Wall to come out of the "Unbudgeted Funds" line item and she made a motion to allow the City Manager to spend up to \$20,000 from the "Unbudgeted Funds" to cover expenses for the Poe's Tavern project which was seconded by Commissioner Nunley and the ayes were unanimous.

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Mayor Adams thanked City Manager Stulce and Finance Director Johnson on their efforts in pursuing grants for the City. Commissioner Nunley thanked Public Works Director Grant for his efforts in pursuing these grant as well.

ADJOURNMENT 8:38 P.M.

RECORDER JOHNSON

A MEETING OF THE BOARD OF COMMISSIONERS
OF THE CITY OF SODDY-DAISY, TENNESSEE, WAS
HELD ON THURSDAY, OCTOBER 20, 2011 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 October 6, 2011 were approved as presented.

Old Business: None

New Business:

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Ayes - Unanimous

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research there was only 2 or 3 residents that has requested more than two pick ups. City Manager Stulce said in light of what City Attorney Elliott and Public Works Director Grant have brought before the Board, he recommends the Board to set a policy to allow two (2) residential pick ups per year.

City Manager Stulce said he wanted to re-visit his recommendations to annex properties and de-annex some roads. He said he met with City Attorney Elliott regarding the process. City Attorney Elliott said de-annexing property can be done by ordinance, which would require two public hearings, notice given to the Hamilton County Mayor, and the properties put back in the Urban Growth Plan. Commissioner Shipley asked if now was a good time to be acting on annexing and de-annexing properties due to the recent news that Mayor Littlefield wants to annex properties into Chattanooga. City Attorney Elliott said he did not think it makes a difference. He suggested that City Manager Stulce get with the City's planners and move forward with the de-annexing but hold off on annexing any properties. City Attorney Elliott said the City would not be able to collect property tax on any annexed properties until the 2012-2013 fiscal year but would have to start providing services. He said the City should annex small tracts even if it takes 10 ordinances. City Attorney Elliott said large tracts are more open to litigation if one property owner objects. It was the consensus of the Board for City Manager Stulce to gather information on annexing.

City Manager Stulce said he met with the EPB regarding changing the power coming into City Hall by putting it underground and setting a pad transformer to serve Poe's Tavern Park. He said they have not given a definite answer as of yet.

City Manager Stulce said he is still waiting on the final contract agreement from the Soddy-Daisy Falling Water Utility for the Mayor to sign as authorized by the Board in the previous commission meeting.

City Manager Stulce said Public Works Director Grant met with the property owner at the north end of the City regarding the garbage issue. He said it has been addressed and settled. City Manager Stulce said a meeting has been set for next week to discuss the garbage issue at the south end of the City.

City Manager Stulce said he met with Public Works Director Grant and Public Works Supervisor Paul Miller concerning a project to add additional parking at the North Park. He said Steve Leach, Public Works Director from the City of Chattanooga, is going to design a parking area to make the most advantageous use of the amount of land that is available.

City Manager Stulce asked Police Chief Hamrick to address the Board concerning a grant recently awarded to the police department. Police Chief Hamrick stated the police department was awarded \$24,960 from the Governor's Highway Safety Office (GHSO). He said the grant will pay for some in-car cameras and \$8,000 toward overtime costs for traffic enforcement.

City Manager Stulce announced he was making a presentation Tuesday November 1st, at 1:30 P.M. at the Regional Planning Agency concerning the Harrison Lane Bridge. He stated it would be a connector road between Harrison Lane, Middle Valley Road and Lovell Road. He said he has also made a request for a major resurfacing project that would be for Dayton Pike starting at Highway 153 and ending at Highway 27. City Manager Stulce said he would appreciate attendance from as many of

the Board members as possible. He said it would be more likely to be voted into the long range transportation plan if the City had a good representation of elected officials.

City Manager Stulce brought to the Board's attention that in the prior commission meeting, they authorized payment of \$20,864 for repairs to one of the City's dump trucks and authorized the City Manager to spend up to \$10,000 on lighting for the Veterans Wall but did not stipulate which line item to charge these expenditures to. He said it is the recommendation of Finance Director Johnson that the items be paid for out of the "Unbudgeted Funds" line item. City Manager Stulce stated the repairs for the dump truck would make the repairs line item for the Public Works Department \$5,000 over their annual budget. He also said it was the recommendation of Finance Director Johnson that expenses that have already been incurred for the Poe's Tavern project of over \$7,000 be paid for out of the "Unbudgeted Funds" line item and to authorized the City Manager to spend an additional \$5,000 or \$10,000 for any additional future expenses for the Poe's Tavern project. There was some conversation and questions from Board members on what the City has purchased for the Poe's Tavern project and what had been paid for by private donations. Commissioner Shipley stated donations continue to come in to help pay for the Poe's Tavern project and hopefully enough money will be raised that there is a minimal amount of tax dollars that will have to be spent toward the project. Vice-Mayor Cagle made a motion to authorize the repairs to the dump truck of \$20,864 and the cost of the lighting for the Veterans Wall to come out of the "Unbudgeted Funds" line item and she made a motion to allow the City Manager to spend up to \$20,000 from the "Unbudgeted Funds" to cover expenses for the Poe's Tavern project which was seconded by Commissioner Nunley and the ayes were unanimous.

City Manager Stulce stated for the first time in the City's history, we will be allowed to manage our own highway projects. He commended Finance Director Johnson and Public Works Director Grant on their efforts in getting permission from the State. City Manager Stulce said the City received "Notice to Proceed" for the environmental phase from TDOT on the resurfacing of Montlake Road, the intersection improvement at Harrison Lane and Dayton Pike and replacement of traffic signals at the intersection of Sequoyah Road and Dayton Pike as well as Sequoyah Road and Highway 27.

City Manager Stulce requested permission from the Board for the Mayor to sign a enhancement grant application for Federal Highway money to help fund the Poe's Tavern project. He gave details of the project costs and said the City would have to fund 20%. Commissioner Shipley made a motion to authorize the Mayor to sign the grant application which was seconded by Vice-Mayor Cagle and the ayes were unanimous.

City Manager Stulce informed the Board that the annual report from the Humane Society was in their packet. He said he met with the Director from the Humane Society and they have proposed no cost increase even though the City's population has increased.

Mayor Adams thanked City Manager Stulce and Finance Director Johnson on their efforts in pursuing grants for the City. Commissioner Nunley thanked Public Works Director Grant for his efforts in pursuing these grant as well.

ADJOURNMENT 8:38 P.M.

RECORDER JOHNSON