

A MEETING OF THE BOARD OF COMMISSIONERS
OF THE CITY OF SODDY-DAISY, TENNESSEE, WAS
HELD ON THURSDAY, APRIL 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 regular meeting held April 5, 2012, the public meeting held April 5, 2012 and the special called meeting held April 10, 2012 were approved as presented.

Old Business:

None.

New Business:

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
OPTING OUT OF THE ANNUAL TRAINING REQUIRED BY SUBSECTION C,
T.C.A. 13-4-101. FIRST READING.**

City Manager Stulce said the Soddy-Daisy Planning Commission had the option to opt out of the annual 4 hour training. He said the Board members chose to opt out of the requirement but they still have the option to voluntarily attend training.

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

**AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
REZONING FROM A-1 AGRICULTURAL DISTRICT AND M-1 INDUSTRIAL
DISTRICT TO A-1 AGRICULTURAL DISTRICT A TRACT OF LAND
LOCATED AT 9177 DAISY DALLAS ROAD.
PUBLIC HEARING AND FIRST READING.**

Roger Radpour approached the Board on behalf this rezoning. City Manager Stulce stated M zoning is hard to get. City Manager Stulce asked Mr. Radpour if his request was due to the higher tax rate on an M zoning and the lot is not suitable to build on. Mr. Radpour said yes to both reasons. He explained that most of the land was in the flood plain and it would cost a lot of money to build a bridge to get to the back of the property.

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

2011-2012 RESOLUTION NO. ____

**A RESOLUTION OF THE CITY OF SODDY-DAISY, TENNESSEE,
ADOPTING A FINANCIAL CONTROL POLICY.**

Finance Director Burt Johnson stated that adopting this policy was a recommendation from the Tennessee Municipal League. He said the City already adheres to these policies but did not have a formal written policy. Commissioner Shipley made a motion to adopt the policy, seconded by Commissioner Nunley and the ayes were unanimous.

Citizens Participation:

Carlene Gooden Quarrels, 10209 Miller Road, said she wanted to bring to the Board's attention that her neighbor has broken ground on a new training and boarding facility for dogs. She handed the Board members printouts of Facebook postings from her neighbor stating there will be a new facility for training and boarding dogs. Ms. Quarrels stated that the neighbor has not gotten the proper permits to allow this. She informed the Board that there are currently 18 dogs on the property and the smell and noise are unbearable. Ms. Quarrels said originally the neighbor said the kennel was for charitable purposes but by looking at the Facebook postings, it is clearly a business. She asked the Board if there was any way to put a stop to it. City Manager Stulce said the neighbor in question came to City Hall that morning and purchased a building

permit for a detached garage and they said it was going to be used to store vehicles. City Attorney Elliott asked if it was zoned agricultural and City Manager Stulce stated that it was. There was debate between Board members about what is allowed in an agricultural zone. City Attorney Elliott stated there could be consequences to getting a permit under false pretences. Commissioner Harmon stated that the building inspector could go over to the site and delay construction of the “garage” by revoking the permit until the issue is researched and resolved. City Attorney Elliott stated he would research the issue and inform the Board on how to proceed. Mayor Adams informed Ms. Quarrels that City Manager Stulce would follow up with the building inspector and have him visit the site.

Carl Gooden, 10211 Miller Road, stated that the owner of the kennel on Miller Road does not keep the property clean and the smell is horrible. He said the dogs bark 24 hours a day. Mayor Adams asked Mr. Gooden what it was that he wanted the Board to do. Mr. Gooden said he wanted them to put a stop to it. Mayor Adams informed him that the City Attorney is going to research the issue and the building inspector is going stop the construction until a decision is reached.

Finance Director Burt Johnson informed the Board that they had a contract from Johnson, Murphy and Wright in front of them to conduct the annual audit of the City’s operations and he recommended they authorize the City to enter into the contract with them. He stated that the City has used their firm for many years to do the annual audit and the fees remain relatively the same from the prior year. Vice-Mayor Cagle made a motion for the City to enter into the contract with Johnson, Murphy and Wright, seconded by Commissioner Harmon and the eyes were unanimous.

City Manager Stulce informed the Board that the City's grant application to receive funds to buy new breathing apparatuses and turnout gear for the fire department was denied.

City Manager Stulce informed everyone that the City is no longer offering brush pick up until other means of disposing the brush can be found. He said the City's current location has exceeded its capacity.

Commissioner Shipley stated the City has been without a judge for a couple of months and the Board had been postponing making a decision. He said the City has been fortunate to have received 13 applications for the position. He said 10 out of the 13 applicants qualified to run for the election in August. He said appointments can be good and sometimes they can be bad. He stated sometimes an appointed person could have an advantage in an election but sometimes it hurts them. Commissioner Shipley stated he would rather keep everyone on a level playing field and not appoint one of the 10 applicants who have qualified to run for the election. He said there are some good candidates that have qualified for the election. Commissioner Shipley made a motion to appoint Attorney Jerry Summers as the City's judge until September when the winner of the election will take office, seconded by Commissioner Harmon and the ayes were unanimous.

Mayor Adams noted there were some boy scouts present at the meeting and thanked them for coming.

ADJOURNMENT 7:27 P.M.

RECORDER JOHNSON