

## Workshop Meeting July 21, 2015

The workshop meeting of the City Commission of the City of Lakesite was held on July 17, 2015 at 5:00 p.m. at the Lakesite City Hall, 9201 Rocky Point Road, Lakesite.

Meeting was CALLED TO ORDER by Mayor Ken Wilkerson at 5:00 p.m. City Commission members present were Vice Mayor John McPherson, Commissioners Valerie Boddy, David Howell, William Neighbors and Mayor Kenneth Wilkerson. Also present were City Manager Dr. David Edwards, City Recorder Jodi LaCroix, Utilities and Maintenance Official David Tate, Building Official Dan Maxwell and City Attorney Sam Elliott.

There were no members of the public present.

Mayor Wilkerson updated the Commission on the events that took place on July 16 and that continue to take place regarding the domestic terror attack on the two military facilities here in Chattanooga. Mayor Wilkerson was careful to only update those items that could be talked about. He then reviewed the agenda for the 7:00 regular meeting.

Mayor Wilkerson updated the Commission on a meeting he attended whereas the County is proposing working with changes to the State law recognizing unincorporated parts of the county for sales tax purposes. These changes would mean Chattanooga would lose \$4million in funding, Lakesite would lose \$43,387 in funding to the County. It would delay a property tax raise for the County. Shelby County is jumping on this. Mayor Coppinger gave his word if this was amended to the point it was unrecognizable, he would withdraw his support.

### David Edwards, City Manager

Dr. Edwards gave the Commission an end of the fiscal year report of the unaudited budget. We are over \$35,000 in revenues and \$143,000 less in expenses.

Dr. Edwards has been looking at a computer for the Commission, a Microsoft Surface Pro 3. Mrs. Boddy was agreeable to that.

Dr. Edwards asked Mr. Elliott to speak on the Poe Property. Mr. Elliott stated that the owners have come back with a proposal that they would carve the disputed area out of the parcel and sell the rest to us. Mr. Elliott feels it would have to be resurveyed. Dr. Edwards stated we have paid to do that twice.

Mr. Elliott stated that our answer will be to them “will your clients handle all the re-survey and Planning Commission work?”

Dr. Edwards said we offered them \$22,000. We paid for the surveys. We should offer them \$21,000 and get a clear title.

Dr. Edwards spoke on a drainage issue on Banner Elk. Mr. Tate showed the property to Mr. Elliott. It is partially on our ROW. It could wash out. Mr. Elliott said if it is a city ROW, we are protecting the city investment.

Mr. Tate was going to take care of what is on the ROW to protect our property.

Dr. Edwards recognized Mr. Maxwell’s work on the Pedestrian Enhancement Grant.

### David Tate, Utilities and Maintenance

Mr. Tate reported he is still working on getting the tractor and lighting specs together.

### Dan Maxwell, Building, Zoning, Code Enforcement, Parks and Recreation

Mr. Maxwell reported that we went out to bid for the Christmas lights per State Law and City Ordinances. We had one bidder respond.

Mayor Wilkerson asked if there was an early opt out in the contract and will we own the materials at the end of the five years. Mr. Maxwell said that those items can be put in the contract.

Mr. Elliott said you can conditionally approve the bid subject to an acceptable contract.

Mr. Maxwell spoke on Lakesite’s receipt of the Pedestrian Enhancement Grant. It is an 80/20 grant which means we have to put up 20% hard cash.

Dr. Edwards stated we have learned in the past that these grants can be a reporting burden.

Mr. Maxwell stated that Marty Cabe of Edward Jones would like to use the Community Room to do some informational classes as a community service. The first is scheduled for August 27, 6:00 to 8:00 pm. These would be professionally done programs and he would like to make it a regular thing if there is a community interest.

Dr. Edwards stated that the policy is that the Community Room is not to be used for personal gain or profit activities. Mr. Cabe needs to be very aware of that. Mr. Elliott further stated it can’t be a sales meeting but an educational meeting.

Dr. Edwards will leave this up to Mr. Maxwell to monitor to make sure it follows the policy.

Mayor Wilkerson asked Mr. Maxwell about the church that has moved into the old Kyoto restaurant. Mr. Maxwell said he has been working on that and trying to reach the Pastor and the owner of the property. No permits have been pulled, no fire inspections or electrical inspections were done.

### Mayor Ken Wilkerson – Public Safety

Mayor Wilkerson informed the Commission that on Friday, July 24 it is Light Up Chattanooga night to show solidarity and support. Everyone is supposed to leave their porch lights on. There will also be a Nooga Support photo shoot at Finley field on Saturday. People are asked to arrive by 8:45, wearing a black shirt. The crowd will be organized into a black ribbon.

### Commissioner David Howell – Parks and Recreation

Mr. Howell thanked Dave Tate for the fireworks. Vice Mayor McPherson said we need to find a place to store the fireworks outside the building. Renting a storage

unit was suggested.

**City Attorney Sam Elliott**

Mr. Elliott reported that we held our first Municipal Court since he has been the City Attorney. We had 3 cases and it went very well. One person with two citations did not show.

As there was no other business, the meeting adjourned at 6:40 p.m.

ATTEST: \_\_\_\_\_  
Jodi P. LaCroix, CMC  
City Recorder

Minutes Approved by the City  
Commission on August 18, 2015

\_\_\_\_\_  
Mayor Kenneth Wilkerson

**Regular Meeting July 21, 2015**

The **regular meeting** of the City Commission of the City of Lakesite was held on **July 21, 2015** at 7:00 p.m. at the Lakesite City Hall, 9201 Rocky Point Road, Lakesite.

Meeting was CALLED TO ORDER by Mayor Kenneth Wilkerson at 7:00 p.m. Mayor Wilkerson asked for a Moment of Silence for the servicemen that were killed last week during the attacks on the two military facilities in Chattanooga. Commissioner Howell gave the Invocation followed by the Pledge of Allegiance. City Commission members present were Mayor Kenneth Wilkerson, Vice Mayor John McPherson, Commissioners Valerie Boddy, David Howell and William Neighbors. Also present were City Manager Dr. David Edwards, City Attorney Sam Elliott, City Recorder Jodi P. LaCroix, Utilities and Maintenance Official David Tate and Building and Code Official Dan Maxwell.

Also Present: Jack Brellenthin, Matt Lea, Joan Kirby, Nicky Kellam, Carolyn Horne.

**Approval of [Minutes](#)**

Motion made by Vice Mayor McPherson, seconded by Mr. Neighbors and approved unanimously the minutes of June 16, 2015.

**Communications**

**Sheriff's Report:**

Matt Lea from the Sheriff's Department thanked the two Deputies that were in attendance tonight. He then gave a report for June:

	2015			
POLICE	Jan	Feb	May	June
Traffic Citations	17	10	15	8
Traffic Warnings	4	39	38	37
Arrest	0	0	0	8
Disorder	0	0	0	12
Traffic Crash	0	6	12	7
Rape/Assault	0	0	0	0
Burglary	1	1	3	5
Burglar Alarms	1	7	9	18
Park and Walk	0	2	3	4
Theft	3	0	4	3
Watch	6	1	4	3
TOTAL	32	66	88	105
Calls for Service	207	180	217	198

Mr. Lea stated that when the weather is stormy as it has been the burglar alarms seem to go off, there are more snafus.

Mr. Howell thanked all the officers that are out protecting us. We sometimes forget they are out there protecting us but we are very thankful for them.

Mayor Wilkerson echoed what Mr. Howell stated. There were people at the scene from every level. It brought home why we train by the same rules and what those rules of engagement are.

Nicky Kellam stated that the response of the officers, according to the news, showed we are well protected.

Mayor Wilkerson said the evil we hear about is here and is the normal now.

**Dallas Bay Volunteer [Fire Department](#) Report:**

Deputy Chief Brellenthin gave the fire department report for June:

	2015					
FIRE	Jan	Feb	March	April	May	June

Outside trash or waste fire	0	0	3	2	1	1
Building Fire	0	1	0	0	0	0
Vehicle Fire	1	0	1	0	0	0
Vehicle Extrication	0	0	2	0	0	0
Rescue/EMS	26	27	37	27	22	24
Vehicle Accident/Injuries	5	1	0	0	2	1
Gas/Flam liquid spill	0	1	0	0	0	0
Gas Leak	0	1	0	0	0	0
Person in Distress/Other	4	4	4	5	4	13
Public Service	0	1	0	1	0	0
Alarm						
(malfunction/unintent)	1	5	2	2	3	2
Severe weather	1		0	0	0	0
<b>TOTAL</b>	<b>38</b>	<b>41</b>	<b>49</b>	<b>37</b>	<b>32</b>	<b>41</b>

He further reported that the building was approved. They will be breaking ground in August.

Mr. Tate thanked the Fire Department for coming down and using the ladder truck to lower our flag, as the pulley was not functional.

#### **Citizens Wishing to be heard:**

Chris Frazier, 2209 Lyons Lane spoke to the Commission about a drainage problem he is having. His house is the second house from the entrance on the left. The water coming into his yard and house has been continuously getting worse due to the paving. The water is not being channeled properly. There is no culvert under his driveway but the neighbor has one.

Mr. Tate said the one of the problems is that his neighbor's culvert is partially clogged. Mr. Tate will go look at the problem.

Nicky Kellam said he lives at 2411 Lyons Lane and his edge is washing out. Curbing fixes the problem. Mr. Tate will also look at this problem as well.

#### **Committee [Reports](#)**

**Public Safety:** Mayor Wilkerson stated that on midnight on July 24 a move is underway for Lights on for Chattanooga to show solidarity.

**Budget and Finance:** Mrs. Boddy stated the fiscal year ended June 30. Revenues exceeded expenses by \$7,900 and budgeted revenues were over while budgeted expenses were under.

**Public Works:** Mr. Neighbors said that the excess rain has been a problem in some areas.

#### **Parks and Recreation:**

Mr. Howell announced our next movie is July 31. The Humane Educational Society will be there. The officers will be available to answer questions, to meet the families and help educate the kids on proper pet responsibility. The movie is Cats and Dogs; The Revenge of Kitty Galore. It will be a fun night. There is going to be some furry friends there that night as well.

#### **Old Business**

2<sup>nd</sup> Reading and Public Hearing of [Ordinance 238](#), amending Title 6, Chapter 1 of the Municipal Code, relating to Police and Arrest and Resolution 103 Authorizing the Appointment of Dan Maxwell, Building Official as a special police officer (unarmed) for the City of Lakesite as building Official, to do special duty as prescribed. Attorney Elliott stated that Tennessee Code allows for us to designate a person as a special officer and this Ordinance will allow that. This is for City Code violations and is very limited and he will not be armed.

Mayor Wilkerson reiterated this is for code violations and will cite people to Municipal Court. It will free up the deputies for other issues.

Nicky Kellam stated this sounds like it would help the neighborhoods.

Mr. Howell said this came about due to the parking problems.

There were no other comments.

**Motion made** by seconded by to approve and adopt Ordinance 238, amending Title 6, Chapter 1 of the Municipal Code Relating to Police and Arrest.

**ROLL CALL:** Commissioner Boddy-yes; Commissioner Howell-yes; Vice-Mayor McPherson-yes; Commissioner Neighbors-yes; Mayor Wilkerson-yes. **Motion Carries**

**Resolution No. 103:** This Resolution will authorize the appointment of Dan Maxwell as a special police officer (unarmed) for the City of Lakesite as Building Official, to do special duty as prescribed herein, subject to certain conditions:

#### **RESOLUTION NO. 103**

A RESOLUTION OF THE CITY OF LAKESITE, TENNESSEE AUTHORIZING THE APPOINTMENT OF DAN MAXWELL AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF LAKESITE AS BUILDING OFFICIAL, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

**WHEREAS**, Tennessee Code Annotated, §7- 63-101, et seq., and §7-63-201 et seq. provide for the appointment of special police officers for the enforcement of certain municipal code violations; and

**WHEREAS**, while the City of Lakesite does not maintain a regular police force, but rather contracts for police services with the Hamilton County Sheriff's Department, it is on occasion more efficient to enforce municipal code violations by use of the building codes official; and

**WHEREAS**, on the date of this resolution, the City has adopted revisions to the municipal code to authorize special police officers in certain circumstances as allowed by Tennessee Code Annotated, §7- 63-101, et seq., and §7-63-201 et. seq.

**THEREFORE, BE IT RESOLVED BY THE CITY OF LAKESITE, TENNESSEE** as follows:

1. That DAN MAXWELL be and is hereby appointed as a special police officer for the City of Lakesite, subject to certain conditions and restrictions:
  - a. That said special police officer shall have, possess and exercise every power granted by the statutes of the State of Tennessee or the City of Lakesite to regular police officers of the City of Lakesite necessary in the performance of his duties, **except he shall not be allowed to carry a firearm**. Such powers and performance of duties by said special police officer are expressly limited to the performance of duties in his position as Codes Enforcement Officer for the City of Lakesite.
  - b. That said special police officer shall not be considered a regular police officer and shall not be entitled to any benefits afforded regular police officers.
  - c. That such appointment shall expire upon termination of said special police officer's employment by the City of Lakesite. Notwithstanding any other provision herein, the Lakesite City Commission shall have the right to terminate this appointment at any time, and pending such action by the City Commission, the City Manager shall have the right to suspend the powers granted herein.
2. This Resolution shall take effect from and after the date it shall have been passed by the Lakesite City Commission, properly signed and certified, and has met all other legal requirements of the City of Lakesite, and as otherwise provided by law, the general welfare of the City of Lakesite requiring it.

**Motion made** by Mr. Howell, seconded by Mrs. Boddy and **approved unanimously** to approve Resolution 103 appointing Dan Maxwell as special officer.

**New Business**

Award of bid for [Christmas lighting](#) for the City of Lakesite. Mr. Maxwell stated that bids were solicited for the Christmas Lighting. We posted the bid advertisement on our website, advertised in the Times Free Press and provided for a mandatory pre-bid conference so that all those interested in bidding could see the area and what we were interested in doing and come up with their own design for us. One person showed up for the pre-bid conference and one person bid.

Mayor Wilkerson went over the bid:  
Decorations at the Gateway Sign  
Large LED wreaths on the light poles in the Commercial District  
City Hall  
The ball park, pool fencing, gazebo, pavilion and light poles.  
This is an all-inclusive bid. They provide all materials, installation, removal, maintenance and storage.

**Motion made** by Vice Mayor McPherson, seconded by Mr. Howell to accept the low bid contingent upon contract approval of the City Manager and City Attorney.

Nicky Kellam stated he is pleased and impressed on how the money is managed but it is important for the people to know how much.

Mayor Wilkerson said based on the total, the whole package, the first year would be \$34,680 and years 2 through 5 would be \$15,606. As stated above, this includes everything.

Dr. Edwards stated this is the high end with all areas being done. We can remove a portion to the lower the cost. He also noted that in the historical book that we recently had restored, we found that back in the 1950's Lakesite had quite a bit of Christmas lighting done. Mrs. LaCroix said the book is available for review in the conference room.

As there were no other questions the vote was called. All Commissioners voted yes. **Motion carried.**

**Adjournment from Regular Meeting**

As there was no other business the regular meeting adjourned at 7:45 p.m.

The next meeting will be held on August 18, 2015. Minutes Approved by the City Commission on August 18, 2015

ATTEST: \_\_\_\_\_  
Jodi P. LaCroix, CMC  
City Recorder  
\_\_\_\_\_  
Mayor Kenneth Wilkerson

**Beer Licensing Board July 21, 2015**

A meeting of the Lakesite City Commission sitting as the **Beer Licensing Board** of the City of Lakesite was held on **July 21, 2015** at 7:46 p.m. at the Lakesite City Hall, 9201 Rocky Point Road, Lakesite.

Meeting was CALLED TO ORDER by Chairman Kenneth Wilkerson at 7:48 p.m. Members present were Chairman Kenneth Wilkerson, Vice Chairman John McPherson, Board Members Valerie Boddy, David Howell and William Neighbors. Also present were City Manager David Edwards, City Attorney Sam Elliott, and City Recorder Jodi LaCroix.  
Members of the public present: Robert Alleman, representing Circle K. Stores.

**Approval of Minutes**

Motion made by Mr. Neighbors, seconded by Mr. Howell and approved unanimously the Minutes of November 19, 2013.

**Business**

Application for a [Beer Permit](#) received from Circle K Stores Inc. d/b/a Circle K. for premises located at 8540 Hixson Pike, Lakesite, beginning September 14, 2015. Mrs. LaCroix stated all paperwork appeared to be in order.



**Decision:**  
Motion made by Mr. Howell, seconded by Mr. Neighbors and approved unanimously to approve the application for a Beer Permit from Circle K Stores Inc. d/b/a Circle K, for premises located at 8540 Hixson Pike, Lakesite.

**Adjournment**  
As there was no other business, ADJOURNMENT of the Beer Licensing Board took place at 7:55 p.m.

ATTEST: \_\_\_\_\_  
Jodi P. LaCroix, CMC  
City Recorder

Minutes Approved by the  
Beer Licensing Board 8-18-15  
  
\_\_\_\_\_  
Chairman

The Beer Licensing Board Minutes are also filed with the City Commission Minutes as the City Commission sits as the Beer Licensing Board. They are cross referenced.

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City Hall

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Workshop

June 16, 2015

The workshop meeting of the City Commission of the City of Lakesite was held on June 16, 2015 at 5:00 p.m. at the Lakesite City Hall, 9201 Rocky Point Road, Lakesite.

Meeting was CALLED TO ORDER by Mayor Ken Wilkerson at 5:00 p.m. City Commission members present were Vice Mayor John McPherson, Commissioners Valerie Boddy, David Howell, William Neighbors and Mayor Kenneth Wilkerson. Also present were City Manager Dr. David Edwards, City Recorder Jodi LaCroix, Utilities and Maintenance Official David Tate, and City Attorney Sam Elliott.

Members of the public present: Curtis Jones and Roy DosSantos from HBL Holiday Lighting.

Dan Maxwell started the workshop by showing the Commission a DVD of the fishing derby that took place June 6<sup>th</sup>. It was obvious from watching the DVD the fishing derby was a huge success for the community. He then turned the meeting over to Mr. DosSantos from HBL Holiday Lighting who gave a presentation on a Christmas lighting proposal for the city.

Highlights of the PowerPoint were:

1. The Gateway Sign would have: Option 1: LED trees and starbursts at a cost of \$4,640. Option 2: Christmas Trees with LED starbursts at a cost of \$6,890
2. Business District would have 24 poles with wreaths and bows at \$700/pole = \$16,800
3. City Hall would have the roof outlined with LED lights and a 5' wreath with 4 tear drops and bows for a cost of \$1,950. Add another \$300 if we wanted the side peaks done.
4. Park Area and buildings: 17 poles wrapped with garland and bows = \$4,975. The park gazebo, pavilion and fencing would cost \$3,215.00

Installation could be started November 1. Lighting at any chosen time. Lights turned off and removed at our request.

5 year decorating package pricing:	Year 1	Year 2-5 per year
a. Gateway Sign Option 1	\$4,640	\$2,088.00
b. Gateway Sign Option 2	\$6,890	\$3,100.50
c. City Hall & Poles	\$7,225	\$3,251.25
d. Park	\$3,215	\$1,446.75
e. Business District	\$16,800	\$8,820.00 wrong figure
Totals a, c, d, e	\$31,880	\$15,606.00 This figure will go to about \$14,000.00

Mr. Howell asked if this was a 5 year lease and was told yes. Mr. Howell asked if there was an "opt out" clause and was told that could be worked out, yes.

Mr. Howell stated we had talked about doing every other pole. Mr. DosSantos said it is an option. He and Mr. Maxwell had looked at each pole and it may not look as good. If you are going to do the business district, each of the 24 poles should be done.

Mr. Maxwell commented that when he first brought this to the Commission that he understood the Commission was interested in doing everything as a whole and that is why it is being presented this way.

Mr. Neighbors asked if we could pick our options, the ones we want without the price of another being effected and was told yes.

Mayor Wilkerson asked if Mr. DosSantos was local and had references and was told yes.

Mr. Elliott asked if we had to bid this. Dr. Edwards said we would have to. Mr. Maxwell said he had reached out to other companies and they were not interested.

Mr. DosSantos stated ordering needs to be done the sooner the better, no later than mid-August. He also stated if the City does go forward with this project, we would be their primary focus. He also stated that the brackets would be left up year round so that we could put banners or flags up for other occasions if we wanted too.

Mr. Maxwell spoke to the Commission on the electric portion of the project. He has talked with Aaron Willey, our Key Customer Engineer at EPB. Ordinarily EPB does not do the drops; they send out to a contractor and the customer has to pay the bill, usually about \$7,000-\$10,000. Instead of going this route, EPB is proposing they put the drops in with an all-weather plug. The final cost to us would be approximately \$100 per month for installation and use and whatever the usage is for the electricity. They figure the electric bill would run no more than \$10 for the electric. We won't have to maintain the electrical portion, they will.

Discussion took place on getting bids out. Mr. Maxwell with work with Mrs. LaCroix on this.

**David Edwards, City Manager**

Dr. Edwards stated it is anticipated that the revenues are over for the year and the expenditures are under in every line except the Records Management. This is due to the historical restoration of Lakesite's History book that was found. It is upstairs in the conference room for anyone to look at.

Paving work is completed. The parking lot was also done as we came in under budget.

Nothing has changed in the proposed budget from the last meeting. He distributed raises as discussed.

The Humane Educational Society has made an increase in their costs. It is covered in the budget. We had already been budgeting that as a contingency in case something happened.

We continue to have a problem with the upper pond not holding water. Mr. Tate and Marty Beach put the bentonite in and it is now worse. Perhaps a liner would work. Mr. Tate estimates a liner would cost approximately \$7,000. We have a general improvement line that we can use.

Mr. McPherson said Mrs. Boddy owns part of the pond. Mr. Howell commented we can't work on private property. Mrs. Boddy said not this part.

Mr. McPherson said we have spent so much to fix this issue, he hates to spend more but hates not to fix it.

Dr. Edwards stated that the attorney for the Poe Property contacted Mr. Elliott essentially saying we can buy the property as is, with the defect in the title. Dr. Edwards will leave the money in the line item if they ever get the title cleared.

Dr. Edwards spoke on an IT System. Bids were received. One is more complex than the other. Dr. Edwards is inclined to go with the less expensive proposal as it goes more with his vision. Do we need to

consider a secure more robust wireless system for the park and security cameras for the park? Mayor Wilkerson feels we can always upgrade at a later date.

Dr. Edwards mentioned that the sanitation part of the budget is no longer required to be separate.

Mr. Tate showed the Commissioners a drawing of the proposal he received for the City Hall landscaping from Home & Lawn Care Services Inc. The front island will be graded, completely redone and re-sodded with new bushes. The total cost would be \$6,596.75. Mr. Tate stated he is expecting another quote.

Dr. Edwards mentioned there is money in the budget for a new tractor.

Dr. Edwards also mentioned that Commissioner Boddy had asked for a breakdown on the recreation expenditures and income. Commissioner Boddy stated she wants to get a good picture of all this and keep track of what comes in and goes out.

Discussion took place on the draft parking ordinance. This item will need more review. Place back on the workshop agenda for next month. Dr. Edwards suggested getting TTAP for guidance.

**Jodi LaCroix, City Recorder**

Mrs. LaCroix stated she ordered the fireworks for the 4<sup>th</sup> of July. The BBQ will be ordered from Ron's Pig Out with rolls and sauce. 35 pounds of pork and 10 pounds of chicken. The Mayor will get the beverages. Mr. Tate, Mr. Maxwell and she will take care of the paper plates, cups, napkins, utensils. The community will bring the side dishes.

Mr. Howell asked that she contact Heather Blair to see if she will assist him with the fireworks.

Mrs. LaCroix stated that out of the ten parking tickets issued, 5 have already paid. Mr. Elliott suggested getting the officer that wrote the tickets to attend the July 9<sup>th</sup> Municipal Court.

**David Tate, Utilities and Maintenance**

Mr. Tate stated the paving was done and only two complaints received.

**Dan Maxwell, Building, Zoning, Code Enforcement, Parks and Recreation**

Mr. Maxwell thanked the Commission for all their support with the recreational activities.

**Mayor Ken Wilkerson – Public Safety**

Mayor Wilkerson introduced Matt Lea, our new Sheriff's Department Liaison. He has taken Janice Atkinson's place.

**Commissioner David Howell – Parks and Recreation**

Mr. Howell complimented Mr. Maxwell on the fishing derby.

As there were no other comments, the meeting adjourned at 6:45 pm.

ATTEST: \_\_\_\_\_

Jodi P. LaCroix, CMC  
City Recorder

Minutes Approved by the City  
Commission on July 21, 2015

\_\_\_\_\_  
Mayor Kenneth Wilkerson

**City Hall**

**Regular Meeting**

**June 16, 2015**

The **regular meeting** of the City Commission of the City of Lakesite was held on **June 16, 2015** at 7:00 p.m. at the Lakesite City Hall, 9201 Rocky Point Road, Lakesite.

Meeting was CALLED TO ORDER by Mayor Kenneth Wilkerson at 7:00 p.m. Commissioner Howell gave the Invocation followed by the Pledge of Allegiance. City Commission members present were Mayor Kenneth Wilkerson, Vice Mayor John McPherson, Commissioners Valerie Boddy, David Howell and William Neighbors. Also present were City Manager Dr. David Edwards, City Attorney Sam Elliott, City Recorder Jodi P. LaCroix, Utilities and Maintenance Official David Tate and Building and Code Official Dan Maxwell.

Also Present: Jack Brellenthin, Matt Lea, Curtis Jones, Johnny, Carolyn and Laura Horne.

**Approval of Minutes**

Motion made by Mr. McPherson, seconded by Mr. Neighbors and approved unanimously the minutes of May 19, 2015.

**Communications**

**Report of the City Manager:** Dr. Edwards stated that tonight would be the 2<sup>nd</sup> Reading and Public Hearing of the budget. He reported that we are under in expenses and over in revenue for the year.

**Sheriff's Report:** Mayor Wilkerson introduced Matt Lea our new Public Information Officer for the Sheriff's Department. Mr. Lea gave a report for May:

	<b>2015</b>		
<b>POLICE</b>	<b>Jan</b>	<b>Feb</b>	<b>May</b>
Traffic Citations	17	10	15
Traffic Warnings	4	39	38
Traffic Crash	0	6	12
Rape/Assault/Arrest	0	0	0
Burglary	1	1	3
Burglar Alarms	1	7	9
Park and Walk	0	2	3
Theft	3	0	4
Watch	6	1	4
<b>TOTAL</b>	<b>32</b>	<b>66</b>	<b>88</b>
<b>Calls for Service</b>	<b>207</b>	<b>180</b>	<b>217</b>

**Dallas Bay Volunteer Fire Department Report:** Deputy Chief Brellenthin started by giving an answer to a question asked last month. The calls and response time to Sequoya, January 1 through May is 44 calls with the average response time of 5 minutes, 9 seconds.

	2015				
<b>FIRE</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>
Outside trash or waste fire	0	0	3	2	1
Building Fire	0	1	0	0	0
Vehicle Fire	1	0	1	0	0
Vehicle Extrication	0	0	2	0	0
Rescue/EMS	26	27	37	27	22
Vehicle Accident/Injuries	5	1	0	0	2
Gas/Flam liquid spill	0	1	0	0	0
Gas Leak	0	1	0	0	0
Person in Distress/Other	4	4	4	5	4
Public Service	0	1	0	1	0
Alarm (malfunction/unintent)	1	5	2	2	3
Severe weather	1		0	0	0
<b>TOTAL</b>	<b>38</b>	<b>41</b>	<b>49</b>	<b>37</b>	<b>32</b>

**Citizens wishing to be heard** - none

### **Committee Reports**

**Budget and Finance:** Mrs. Boddy stated we are coming upon the end of our Fiscal Year. We are ahead in revenues and under in expenses

**Parks and Recreation:** Mr. Howell spoke about the recent fishing derby held at Little Chickey. He said there were about 200 people in attendance with about 54 kids. There were a lot of smiles during the day. That evening there was a Movie on the Diamond and that went well. Both were fantastic events. Our next event is July 4 – our picnic and fireworks. The City will provide the BBQ and drinks. We ask the community to bring the sides. At dusk we will have fireworks.

Mayor Wilkerson said Parks and Recreation has had a lot of events occurring and will be occurring. He also complimented the crews on the paving that was done.

### **Old Business**

**2<sup>nd</sup> Reading and Public Hearing of Ordinance 234, Proposed Fiscal Year 2015-2016 Annual Budget.** Mayor Wilkerson asked if anyone had any questions or comments. There were none therefore the Public Hearing was closed.

General Government	\$280,265
Public Works	\$197,852
Sanitation	\$125,000
Public Safety	\$244,675
State Street Aid Fund	\$196,000
<b>TOTAL OPERATING BUDGET</b>	<b>\$1,043,792</b>
Capital Improvements	\$326,000

Motion made by Mrs. Boddy, seconded by Mr. Howell to **approve and adopt Ordinance 234, Fiscal Year 2015-2016 Annual Budget.**

ROLL CALL: Commissioner Boddy-yes; Commissioner Howell-yes; Vice-Mayor McPherson-yes; Commissioner Neighbors-yes; Mayor Wilkerson-yes. **Motion Carries.**

**2<sup>nd</sup> Reading and Public Hearing of Ordinance 235, Proposed Fiscal Year 2015-2016 General Revenue.** Mayor Wilkerson asked if there were any questions or comments. Mayor Wilkerson asked Dr. Edwards how long the tax rate has remained the same. Dr. Edwards stated he believed it was 1990. There were no questions or further comments therefore the Public Hearing was closed.

General Fund Tax	\$0.235
<b>Total</b>	<b>\$0.235</b>

Motion made by Mrs. Boddy, seconded by Mr. Neighbors to **approve and adopt Ordinance 234, Fiscal Year 2015-2016 General Revenue.**

ROLL CALL: Commissioner Boddy-yes; Commissioner Howell-yes; Vice-Mayor McPherson-yes; Commissioner Neighbors-yes; Mayor Wilkerson-yes. **Motion Carries.**

**2<sup>nd</sup> Reading and Public Hearing of Ordinance 237, amending Title 4 of the Municipal Code relating to Travel Regulations.** Dr. Edwards stated the ordinance currently states that all vehicles are the property of the City of Lakesite. All city-owned vehicles are to be stored at Lakesite City Hall. This ordinance added Exceptions for a period of no more than five (5) business days may be authorized by the Mayor or City Manager. That way if there is a business trip the city vehicle can be used. There were no questions or comments therefore the Public Hearing was closed.

Motion made by, seconded by to **approve and adopt 237, amending Title 4 of the Municipal Code relating to Travel Regulations.**



ROLL CALL: Commissioner Boddy-yes; Commissioner Howell-yes; Vice-Mayor McPherson-yes; Commissioner Neighbors-yes; Mayor Wilkerson-yes. **Motion Carries.**

**New Business**

**Introduction and 1<sup>st</sup> Reading of Ordinance 238, amending Title 6, Chapter 1 of the Municipal Code relating to Police and Arrest.** The 2<sup>nd</sup> Reading, Public Hearing and Resolution will be held on July 21, 2015. Mr. Elliott stated that the city has no police department but contracts out with the Sheriff's Department. This ordinance will make the provision for the Code Office to write tickets for certain things like parking or zoning violations instead of calling the Sheriff's Department to do so. Mr. McPherson asked if this would cause us any extra liability. Mr. Elliott said no. We are only citing people to court. Though State Law gives the authority of arrest, it is not advised and is discouraged. There were no other questions or comments.

Motion made by Mr. Howell, seconded by Mr. Neighbors to **approve Ordinance 238, amending Title 6, Chapter 1 of the Municipal Code relating to Police and Arrest with the 2<sup>nd</sup> Reading and Public Hearing to be held on July 21, 2015.**

ROLL CALL: Commissioner Boddy-yes; Commissioner Howell-yes; Vice-Mayor McPherson-yes; Commissioner Neighbors-yes; Mayor Wilkerson-yes. **Motion Carries.**

**Adjournment.**

As there was no other business, ADJOURNMENT took place at 7:25 P.M.

The next meeting will be held on July 21, 2015

ATTEST:

\_\_\_\_\_  
Jodi P. LaCroix, CMC  
City Recorder

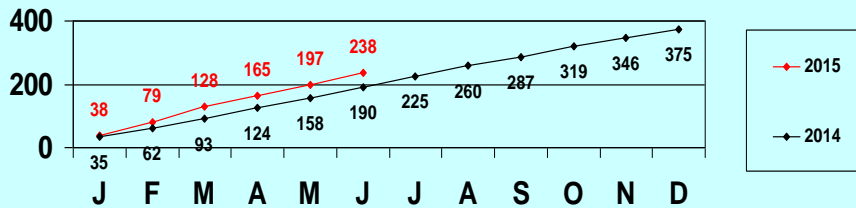
Minutes Approved by the City  
Commission on July 21, 2015

\_\_\_\_\_  
Mayor Kenneth Wilkerson

# DALLAS BAY VFD CALL SUMMARY - 2015



## CALLS YEAR-TO-DATE - CITY OF LAKESITE



Av. Response Time (All Calls) - **4 Min 17 Sec** First Engine Response Time (2 Calls) - **4 Min 14 Sec**

< 5 Minute Response - **61%**

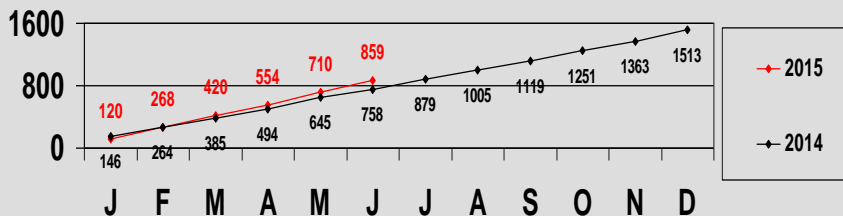
< 8 Minute Response (NFPA Standard) - **99%**

Property Saved YTD - **\$6,341,550** Property Lost YTD - **\$256,600** % of Property Saved (YTD) - **96%**

Man-Hours (Month) Responses Only - **526.1** Man-Hours (YTD) Responses Only - **3500.3 (146 Days)**

**62** Members Made at Least One Call 2013 Man-Hours (Responses Only) - **7475.8 (311.5 Days)**

## CALLS YEAR-TO-DATE - ENTIRE DISTRICT



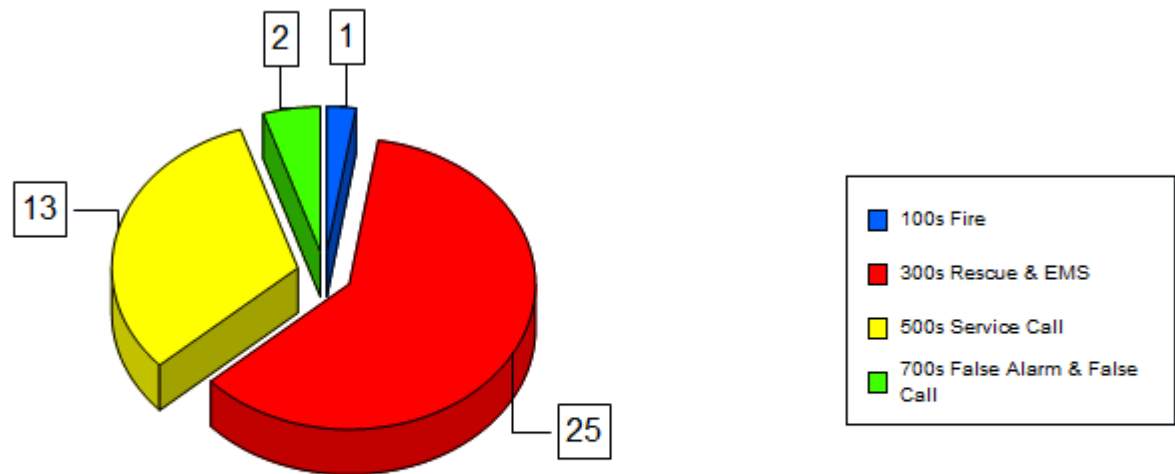
Dallas Bay Fire Rescue		
<i>P.O. Box 577 ... Hixson TN 37343-0577</i>		<i>Office.: 423/842-9370 .. Fax: 423/842-9371 .. EMERGENCY 911</i>
<i>Email: dallasbayvfd@comcast.net .. Internet: www.dbyfd.com</i>		

## Incident Reports By Incident Type, Summary

Page 1 of 1

Incident Type		Total Incidents:
151	Outside rubbish, trash or waste fire	1
300	Rescue, emergency medical call (EMS) call, other	24
322	Vehicle accident with injuries	1
510	Person in distress, other	13
735	Alarm system sounded due to malfunction	2
Total Number of Incidents:		41
Total Number of Incident Types:		5

Print Date: 7/1/2015



*Graphed Items are sorted by Incident Type*

**Type Of Incident:**

**Total Of Incidents:**

**Percentage Value:**

100 Series-Fire	1	2.44%
300 Series-Rescue & EMS	25	60.98%
500 Series-Service Call	13	31.71%
700 Series-False Alarm & False Call	2	4.88%

**Grand Total:** 41

**Type Of Incident Most Frequent:** 300 Series-Rescue & EMS

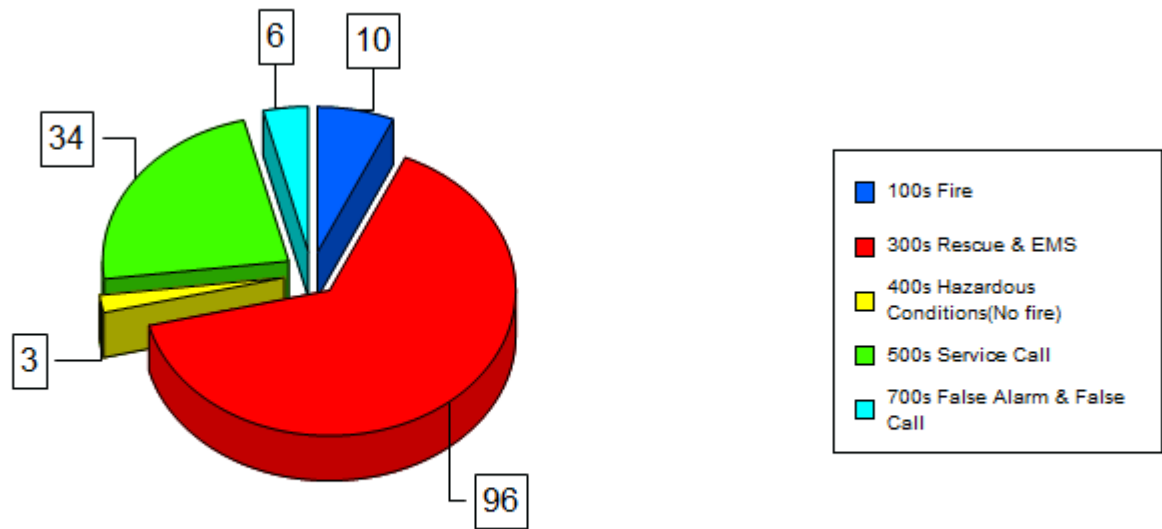
Dallas Bay Fire Rescue		
<i>P.O. Box 577 ... Hixson TN 37343-0577</i>		<i>Office.: 423/842-9370 .. Fax: 423/842-9371 .. EMERGENCY 911</i>
<i>Email: dallasbayvfd@comcast.net .. Internet: www.dbyfd.com</i>		

## Incident Reports By Incident Type, Summary

Page 1 of 1

Incident Type	Total Incidents:
111 Building fire	3
151 Outside rubbish, trash or waste fire	7
300 Rescue, emergency medical call (EMS) call, other	84
322 Vehicle accident with injuries	6
341 Search for person on land	1
352 Extrication of victim(s) from vehicle	2
356 High angle rescue	1
361 Swimming/recreational water areas rescue	1
365 Watercraft rescue	1
444 Power line down	3
510 Person in distress, other	30
531 Smoke or odor removal	1
553 Public service	3
735 Alarm system sounded due to malfunction	4
736 CO detector activation due to malfunction	1
745 Alarm system sounded, no fire - unintentional	1
<b>Total Number of Incidents:</b>	<b>149</b>
<b>Total Number of Incident Types:</b>	<b>16</b>

Print Date: 7/1/2015



*Graphed Items are sorted by Incident Type*

**Type Of Incident:**

100 Series-Fire  
 300 Series-Rescue & EMS  
 400 Series-Hazardous Conditions(No fire)  
 500 Series-Service Call  
 700 Series-False Alarm & False Call

**Total Of Incidents:**

10  
 96  
 3  
 34  
 6

**Percentage Value:**

6.71%  
 64.43%  
 2.01%  
 22.82%  
 4.03%

**Grand Total:** 149

**Type Of Incident Most Frequent:** 300 Series-Rescue & EMS

Print Date: 7/1/2015



# HUMANE EDUCATIONAL SOCIETY

## CITY OF LAKESITE-MOVIE ON THE DIAMOND

6



The Humane Educational Society will be bringing some fur friends for a visit. Drinks and popcorn will be available. Our ACO Officers will be available to answer questions and will give a talk about being responsible pet owners and good neighbors. Come on out and show our community support for our Animal Control Officers! Thanks to our sponsors: Sweet Peas, Subway, Bassett Family Dentistry, Edward Jones-Marty Cabe

**Location:** Lakesite City Park, 9201 Rocky Point Rd

**Date:** July 31, 2015

**Admission:** FREE!

**Time:** Dusk



**UNIVERSITY OF TENNESSEE-INSTITUTE FOR PUBLIC SERVICE**  
**M-TAS: MUNICIPAL TECHNICAL ADVISORY SERVICE**  
**120 Conference Center Building**  
**Knoxville, TN 37996-4105**  
**Telephone: 865-974-0411**

**MUNICIPAL CODE COVER SHEET**  
**LEGISLATION INFORMATION AND HISTORY**

**CITY OF LAKESITE**

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Type of enactment (ordinance, resolution, bylaw, local law):

**Ordinance No. 238**

Short Title: **Special Officer**

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Adds Title No.

Amends Title No.

**TITLE 6**

Chapter 1

Adds Chapter No.

Repeals Chapter No.

Adds Sec 6-108 and 109

---

**Action**

**Date**

---

Introduction, 1<sup>st</sup> Reading

June 16, 2015

Date of 2<sup>nd</sup> Reading

July 21, 2015

Publication Date

July 10, 2015, Chattanooga Times Free Press

Public Hearing Date(s)

July 21, 2015

Adoption by Commission

Publish Notice of Adoption

N/A

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Date copy sent to MTAS for codification

Office Use Only: This form is being retained as a record in the City Recorder's/City Clerk's files of the legislation information and history of enactment.

**ORDINANCE NO. 238**

**AN ORDINANCE TO AMEND TITLE 6, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAKESITE, TENNESSEE, RELATING TO LAW ENFORCEMENT**

Note: Words in **bold** are to be added to the ordinance. Words with a ~~strike through~~ are to be deleted.

**BE IT ORDAINED BY THE CITY OF LAKESITE, TENNESSEE:**

**TITLE 6  
Chapter 1  
POLICE AND ARREST**

**SECTION 1.** That the Lakesite Municipal Code be amended to add the following provisions to Title 6, Chapter 1.

**6-108. Citations in lieu of arrest in non-traffic cases.** Pursuant to Tennessee Code Annotated, § 7-63-101, et seq., special police officers having the authority to issue citations in lieu of arrest may be appointed by resolution of the City Commission. Such citations may be issued for violations of the building, utility and housing codes adopted in title 12 of this municipal code of ordinances, and violation of municipal parking offenses as provided in title 11 of this code. The citation in lieu of arrest shall contain the name and address of the person being cited and such other information necessary to identify and give the person cited notice of the charges against him, and state a specific date and place for the offender to appear and answer the charges against him. The citation shall also contain an agreement to appear, which shall be signed by the offender. If the offender refuses to sign the agreement to appear, the special officer in whose presence the offense was committed shall immediately arrest the offender and dispose of him in accordance with Tennessee Code Annotated, § 7-63-104. It shall be unlawful for any person to violate his agreement to appear in court, regardless of the disposition of the charge for which the citation in lieu of arrest was issued.

**6-109. Summonses in lieu of arrest.** Pursuant to Tennessee Code Annotated, § 7-63--201, et seq., special police officers having the authority to issue ordinance summonses in the areas of sanitation, litter control and animal control may be appointed by resolution of the City Commission to issue ordinance summonses in those areas. These enforcement officers may not arrest violators or issue citations in lieu of arrest, but upon witnessing a violation of any ordinance, law or regulation in the areas of sanitation, litter control or animal control, may issue an ordinance summons and give the summons to the offender.

The ordinance summons shall contain the name and address of the person being summoned and such other information necessary to identify and give the person summons notice of the charge against him, and state a specific date and place for the offender to appear and answer the charges against him. The ordinance summons shall also contain an agreement to appear, which shall be signed by the offender. If the offender refuses to sign the agreement to appear, the enforcement officer in whose presence the offense occurred may (1) have a summons issued by the clerk of the city court, or (2) may seek the assistance of a police officer to witness the violation. The police officer who witnesses the violation

**may issue a citation in lieu of arrest for the violation, or arrest the offender for failure to sign the citation in lieu of arrest. If the police officer makes an arrest, he shall dispose of the person arrested as provided in 6-108 above.**

**It shall be unlawful for any person to violate his agreement to appear in court, regardless of the disposition of the charge for which the ordinance summons was issued.**

**SECTION 2.** This Ordinance shall take effect 15 days from and after the date of its final passage, the public welfare of the City of Lakesite, Tennessee requiring it.

June 16, 2015

Passed First Reading

Passed Second Reading

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
City Attorney

## RESOLUTION NO. 103

A RESOLUTION OF THE CITY OF LAKESITE, TENNESSEE AUTHORIZING THE APPOINTMENT OF DAN MAXWELL AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF LAKESITE AS BUILDING OFFICIAL, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

**WHEREAS**, Tennessee Code Annotated, §7- 63-101, et seq., and §7-63-201 et seq. provide for the appointment of special police officers for the enforcement of certain municipal code violations; and

**WHEREAS**, while the City of Lakesite does not maintain a regular police force, but rather contracts for police services with the Hamilton County Sheriff's Department, it is on occasion more efficient to enforce municipal code violations by use of the building codes official; and

**WHEREAS**, on the date of this resolution, the City has adopted revisions to the municipal code to authorize special police officers in certain circumstances as allowed by Tennessee Code Annotated, §7- 63-101, et seq., and §7-63-201 et. seq.

**THEREFORE, BE IT RESOLVED BY THE CITY OF LAKESITE, TENNESSEE** as follows:

1. That DAN MAXWELL be and is hereby appointed as a special police officer for the City of Lakesite, subject to certain conditions and restrictions:

a. That said special police officer shall have, possess and exercise every power granted by the statutes of the State of Tennessee or the City of Lakesite to regular police officers of the City of Lakesite necessary in the performance of his duties, **except he shall not be allowed to carry a firearm**. Such powers and performance of duties by said special police officer are expressly limited to the performance of duties in his position as Codes Enforcement Officer for the City of Lakesite.

b. That said special police officer shall not be considered a regular police officer and shall not be entitled to any benefits afforded regular police officers.

c. That such appointment shall expire upon termination of said special police officer's employment by the City of Lakesite. Notwithstanding any other provision herein, the Lakesite City Commission shall have the right to terminate this appointment at any time, and pending such action by the City Commission, the City Manager shall have the right to suspend the powers granted herein.

2. This Resolution shall take effect from and after the date it shall have been passed by the Lakesite City Commission, properly signed and certified, and has met all other legal requirements of the City of Lakesite, and as otherwise provided by law, the general welfare of the City of Lakesite requiring it.

Taken under our hands and seal of the City of Lakesite this 21<sup>st</sup> day of July, 2015

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Kenneth Wilkerson  
Mayor

---

Sam Elliott  
City Attorney

ATTEST: \_\_\_\_\_

Jodi P. LaCroix, CMC  
City Recorder

8A

# Memo

To: Dr. David Edwards, City Manager

From: Dan Maxwell, Building Official

*Dan Maxwell*

Date: July 16, 2015

Re: Christmas Lighting Bid

---

Pursuant to our Ordinance and policies, bids were solicited for Christmas lighting. In order to be fair to all bidders, we posted the bid advertisement on our website on June 19, 2015, advertised in the Chattanooga Times Free Press on June 20, 2015 and provided for a mandatory pre-bid conference so that all those interested in bidding could see the area and what we were interested in doing and come up with their own design for us.

The mandatory pre-bid conference was held as scheduled on June 20<sup>th</sup>. One person was in attendance.

Bids were due July 15, 2015 no later than 1:00 p.m. One bid was received and is as follows:

Roy dos Santos, Elite Property Maintenance. I have attached his proposal for your review and ask that this be placed on the next agenda for Commission consideration.

DM:jpl  
Enclosure

Elite Property Maintenance

5645 Tucker Rd.

Ooltewah, TN 37363

To: City of Lakesite

Attention: Dan Maxwell

RE: Christmas Lighting Bid for 2015

Below are the specs and proposal for the Christmas Lighting proposal requested earlier last week.

Description:

Four areas to be decorated

1. City Sign at the front entrance to the city – Option 1
  - a. Two 13 ft LED cherry trees
  - b. Two 7 ft LED Cherry trees
  - c. Five 24" LED Starbursts
  - d. Material, Installation, removal, and storage for 1<sup>st</sup> year: \$4640.00
  - e. Installation, removal, and storage for years 2-5: see table at the end of the proposal
2. City Sign at the front entrance to the city – Option 2
  - a. Two 12 ft LED Outdoor Christmas trees
  - b. Two 7 ft LED Outdoor Christmas Trees
  - c. Five 24" LED Starbursts
  - d. Material, Installation, removal, and storage for 1<sup>st</sup> year: \$6890.00
  - e. Installation, removal, and storage for years 2-5: see table at the end of the proposal
3. Light Poles in the Commercial District
  - a. 24 poles to be decorated
  - b. Two 48" LED wreaths with mounting brackets
  - c. Two UV resistant 18" red bows
  - d. Material, Installation, removal, and storage for 1<sup>st</sup> year: \$700.00 / pole: \$19600.00
  - e. Installation, removal, and storage for years 2-5: see table at the end of the proposal
4. City Hall
  - a. 250' C9 LED lights on the two side peaks and the front of the building
  - b. 5-ft LED Mixed Noble wreath with 24" red bow
  - c. 4 36" LED Tear Drops with red bows
  - d. 17 light poles decorated with Garland and bows
  - e. Material, Installation, removal, and storage for 1<sup>st</sup> year: \$7225.00
  - f. Installation, removal, and storage for years 2-5: see table at the end of the proposal
5. Ball Park and Pool Fencing , Gazebo, pavilion, and light poles



- a. "Happy Holidays" and "Merry Christmas" LED signs for the fence
- b. C9 LED bulbs for the Gazebo and Pavilion
- c. Mixed Noble LED garland and bows for the 17 light poles
- d. Material, Installation, removal, and storage for 1<sup>st</sup> year: \$3215.00
- e. Installation, removal, and storage for years 2-5: see table at the end of the proposal

All Material to be provided by Elite Property Maintenance. In addition, Elite Property Maintenance will provide installation, removal and storage for all material during the five year lease agreement. Elite Property Maintenance will also provide all repair and maintenance during the season with a 48hr maximum response time in the event of any item failing to work as described.

Financial Table

Area	Year 1	Year 2-5 / yr
A: Front Entrance (1)	\$4,640.00	\$2,088.00
B: Front Entrance (2)	\$6,890.00	\$3,100.50
C: City Hall (2) + Poles	\$7,225.00	\$3,251.25
D: Park	\$3,215.00	\$1,446.75
F: Financial District Lights	<u>\$19,600.00</u>	<u>\$8,820.00</u>
<b><u>Totals: (A,C,D,F)</u></b>	\$34,680.00	\$15,606.00

Upon acceptance of this proposal, the following payment schedule is requested:

1) Year 1

- a) 50% down payment upon acceptance of proposal. \$17,340.00
- b) 25% payment due August 30. \$8,670.00
- c) 25% payment due December 1. \$8,670.00

2) Years 2-5

- a) Initial payment of 25% due on September 1 \$3901.00
- b) Balance due on December 1 \$11,705.00

Thank you for the opportunity to present this proposal to the City of Lakesite. If you have any questions or need any clarification, please let us know immediately as the sooner we can satisfactorily answer your concerns, the sooner we can establish a great working relationship.

Upon acceptance we will provide a lease agreement for your review and acceptance.

Sincerely,

Roy dos Santos

Owner

Elite Property Maintenance

423-396-4479

A meeting of the Lakesite City Commission sitting as the **Beer Licensing Board** of the City of Lakesite was held on **November 19, 2013** at 7.22 p.m. at the Lakesite City Hall, 9201 Rocky Point Road, Lakesite.

Meeting was CALLED TO ORDER by Chairman Kenneth Wilkerson at 7:22 p.m. Members present were Chairman Kenneth Wilkerson, Vice Chairman John McPherson, Board Members Valerie Boddy, David Howell and William Neighbors. Also present were City Manager David Edwards, City Attorney Sam Elliott, City Recorder Jodi LaCroix and Building and Zoning Official Curt Blair.

Members of the public present: Vern Thomas, Keith Boddy, Paulette Lewis, Val Hargis, Jeff Eblen.

### **Approval of Minutes**

Chairman Wilkerson stated it has been some time since we have held a beer board meeting. The last meeting was held on August 17, 2010.

Motion made by Mr. Howell, seconded by Mr. McPherson and approved unanimously the following Minutes of the Beer Licensing Board: August 17, 2010.

### **Business**

Application for a Beer Permit received from **Paulette Lewis, DBA Kyoto Japanese Restaurant**, for premises located at 8717 Hixson Pike, Lakesite. This application was posted on the city website and at City Hall and advertised in the Chattanooga Times Free Press. For the record, Mr. Blair ascertained the following information, which was in the Board's packet of information:

Map-Parcel Number: 075P A 001.04

Distance from nearest school in Lakesite: McConnell Elementary School – 2,310 feet

Distance from nearest church in Lakesite: Grace Calvary – 757 feet

Distance from nearest residence in Lakesite: 8,204 Daisy Dallas Road – 1,367 feet

Distances were measured using the straight line method from building to building.

Mrs. LaCroix stated all paperwork appeared to be in order. There was question about the correct street number. GIS and Hamilton County Assessor's Records show 8717 Hixson Pike.

Chairman Wilkerson asked Ms. Lewis about the sign at the restaurant, it states El Kyoto Mexican-Japanese Restaurant. The application is for Kyoto Japanese Restaurant. Ms. Lewis stated that a possible change in name and cuisine is a projection for the future. That sign went up when she was out of town.

She has told the staff to take it down. Mr. Elliott stated that the license will be in Ms. Lewis' name DBA Kyoto Japanese Restaurant as the application states.

The Board had no other questions or comments.

**Decision:**

Motion made by Mr. McPherson, seconded by Mr. Howell and approved unanimously to approve the application for a Beer Permit from Paulette Lewis, DBA Kyoto Japanese Restaurant, for premises located at 8717 Hixson Pike, Lakesite.

**Adjournment**

As there was no other business, ADJOURNMENT of the Beer Licensing Board took place at 7:35 p.m.

ATTEST: \_\_\_\_\_  
Jodi P. LaCroix, CMC  
City Recorder

Minutes Approved by the  
Beer Licensing Board 7-21-2015

\_\_\_\_\_  
Chairman

The Beer Licensing Board Minutes are also filed with the City Commission Minutes as the City Commission sits as the Beer Licensing Board. They are cross referenced.

**PUBLIC NOTICE  
CITY OF LAKESITE  
BEER LICENSING BOARD**

**July 21, 2015, 7:00 p.m.**

**Lakesite City Hall, 9201 Rocky Point Rd, Lakesite**

The Lakesite City Commission will be sitting as the Beer Licensing Board on July 21, 2015 at 7:00 p.m. or as soon thereafter as the matter may come on to be heard at the Lakesite City Hall, 9201 Rocky Point Rd, Lakesite in order to hear the application for a Beer Permit received from Circle K Stores Inc. d/b/a Circle K, for premises located at 8540 Hixson Pike, Lakesite, beginning September 14, 2015.

Advertised in the Chattanooga Times Free Press on July 10, 2015  
Posted at City Hall July 8, 2015  
Sent to ClerkBase July 8, 2015



STATE OF TENNESSEE

RECEIVED 7-2-15 JAL

CITY OF LAKESITE

**LAKESITE CITY COMMISSION SITTING AS BEER LICENSING BOARD**  
**BEER PERMIT APPLICATION**

Non-Refundable Application Fee: \$250.00

**Application for (choose one)**

On Premise	Off Premise x	On/Off Premise	Manufacturer Only
------------	---------------	----------------	-------------------

**Type of business (choose one)**

Wholesale/Distributor	Restaurant
Beer Manufacturer	Tavern
Hotel	Package Store
Grocery/Food Store	Convenience Store/Market x

Application is hereby made for a permit to sell, store, manufacture, or distribute beer or other beverages authorized to be sold, stored, manufactured or distributed under the provisions of Tennessee Code Annotated (TCA), Section 57-5-101 Et Seq. and under Title 8 of the Lakesite Municipal Code of Ordinances (LMC), Chapters 1 and 2, Sections 8-101 through 8-214 and base this application upon the answers to the following questions.

**Name of Applicant** Circle K Stores Inc.

Is the applicant the owner of the business? Yes if not, please state the name of the owner

**DBA** Circle K

**Business Street Address** 8540 Hixson Pike, Hixson, TN 37343

**Business Mailing Address** Headquarters: 25 W. Cedar St., Ste M, Pensacola, FL 32502

Is the owner of the property the same as the owner of the business? No if not, please state the name and address of the property owner. Realty Income, LP, 11995 El Camino Real, San Diego, CA 92130

Please identify which category the owner of the business falls into:

Individual	Partnership	Corporation x	Joint-Stock	Association
------------	-------------	---------------	-------------	-------------

If this is an **Individual Ownership**, please provide the following:

Present Home Address	
Previous Address within last 10 years	
DOB	SSN
Home Phone	Business Phone
Cell Phone	E-Mail Address
State Driver's License No. (include a copy with application)	
Has the owner of the business had a permit revoked, suspended or denied in the State of TN?	
If so, where, when, and why?	

For all owners having at least **5% Ownership** in this business:

1 <sup>st</sup> Owner-Name and Title	N/A
% of Ownership	
Present Home Address	
Home Phone	Business Phone
Cell Phone	E-Mail Address
State Driver's License No. (include a copy with application)	
Have you been convicted of any violation of the Laws of any city or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor; possession, sale, manufacture or transportation of drugs; vice crimes or any crime involving moral turpitude within the last ten (10) years? _____ If yes, please specify nature of conviction.	
Have you ever been issued a beer permit in any other state?	
If yes, specify the state, name of business and year(s.)	
Have you ever had a permit revoked, suspended, or denied?	
If yes, specify as to the reason why.	

2nd Owner-Name and Title	
% of Ownership	
Present Home Address	
Home Phone	Business Phone
Cell Phone	E-Mail Address
State Driver's License No. (include a copy with application)	



Have you been convicted of any violation of the Laws of any city or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor; possession, sale, manufacture or transportation of drugs; vice crimes or any crime involving moral turpitude within the last ten (10) years? _____ If yes, please specify nature of conviction.
Have you ever been issued a beer permit in any other state? If yes, specify the state, name of business and year(s.)
Have you ever had a permit revoked, suspended, or denied? If yes, specify as to the reason why.

Will the permit be used to operate two or more restaurants or other businesses under the same permit as allowed by TCA 57-5-103(a)(4) within the same building? No If so, specify number of businesses \_\_\_\_  
List names of businesses/restaurants and describe their locations.

Dairy Queen is in same location but will not have any beer sales.

Please provide the following information regarding the **resident manager**:

Name	Tabitha Kalmbach
Home Address	5949 Winding Lane, Hixson, TN 37343
State Driver's License No. (include a copy with application)	TN 116491524

Please list the name and address of the church (or place of worship) nearest to the business.  
Grace Calvary Chapel, 8615 Hixson Pike, Hixson, TN

Please list the name and address of the school or daycare nearest to the business. McConnel Elementary,  
8629 Camp Columbus Rd, Hixson, TN and Tiny Scholars, 7637 Middle Valley Road #133, Hixson, TN

Please provide the Tennessee sales tax number for the business at this location. 106729686

The City of Lakesite has adopted a rule forbidding the sale, storage, or manufacture of beer and like beverages at places located within 1500 feet for on-premises consumption and 500 feet for off-premises consumption of any school, church, or other such place of public gathering, measured between buildings.


Do you agree to have your location surveyed for distance from public places at the discretion of the Beer Board? yes

Do you agree not to permit slot machines, punch boards, tip boards, or other gaming devices in your place of business? Yes

Do you agree not to sell, or permit to be sold, beer or other beverages with alcoholic content to a person in an intoxicated, or partly intoxicated condition? Yes

Do you agree to observe and comply with the rules and regulations governing the sale of beer which have been or may hereafter be adopted and ratified by the Lakesite City Commission? Yes

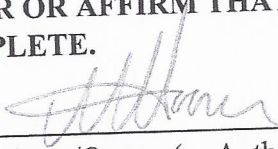
List five (5) character references below: name, address, telephone number

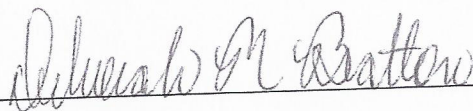
I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

Applicant hereby agrees that the City of Lakesite and/or any Police Officer may come upon the premises covered by this license or any part thereof, at any time for the purpose of inspecting the premises for violation of any of the provisions or regulations, ordinances, or statutes pertaining to the sale of beer, without the necessity of a search warrant.

**I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION IN THIS APPLICATION IS TRUE AND COMPLETE.**

  
\_\_\_\_\_  
Signature of Applicant/Owner (or Authorized Corporate Officer)

NOTARY: \_\_\_\_\_



Date \_\_\_\_\_

6/25/2015

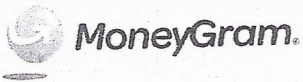


DEBORAH M. BRATTON  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF114752  
Expires 4/21/2018

Valid Money Order includes: 1. Heat sensitive, red stop sign AND 2. Contains a True Watermark hold up to light to view.

INTERNATIONAL MONEY ORDER

86-186  
1031



06/25/2015

To Validate: Touch the stop sign,  
then watch it fade and reappear



20486361704  
VENDOR PAYMENT

PAY TO THE  
ORDER OF:  
PAGAR A LA  
ORDEN DE:

*Circle K of Lakeside*  
Circle K Stores Inc. - GCBU 1900

IMPORTANT: SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCIÓN: 25 W Cedar Street Suite 100 Pensacola FL 32502

Payable Through  
BOKF, NA  
Enid, OK

ISSUER/DRAWER:  
MONEYGRAM PAYMENT SYSTEMS, INC.

PAY EXACTLY

\*\*\*2/5/030/98  
TWO HUNDRED \*\*\*\*  
FIFTY DOLLARS \*\*  
00 CENTS \*\*\*\*\*

54588496404964  
1639245176156704

MONEY ORDER NUMBER

R204863617046

CALL 1-800-542-3590 TO VERIFY

⑆103101864⑆2048 63617046⑈ 90