

Town of Walden
Meeting Minutes
March 8, 2022

CALL TO ORDER OF A PUBLIC HEARING ON THE ABANDONMENT OF UNOPENED RIGHT-OF-WAY AT 1100 BLOCK OF LYNESS AVE (FORMERLY 1600 BLOCK OF VERNON TERRACE)

Mayor Lee Davis called the public hearing to order, inviting comments from citizens regarding the request. Mayor Davis noted that the Regional Planning Agency recommended that the abandonment be approved, and asked again for any questions or concerns. There being none, Mayor Davis adjourned the public hearing.

CALL TO ORDER OF THE REGULAR MEETING

Mayor Lee Davis called the regular monthly meeting of the Town of Walden to order.

The following interested citizens were present at the Walden Town Hall: Margha and Joe Davis, Joe Durek, Bill Thornton, Winston Robbins, Betty Julian, Elizabeth Akins, Mickey Robbins, Jon Cook, Steven Bush, John Barry, Dawson Wheeler, and Thomas Bartoo.

Mariah Prescott opened the meeting with a prayer, followed by the Pledge of Allegiance, led by Attorney Sam Elliott.

ROLL CALL

Mariah Prescott called the roll and noted the presence of Mayor Lee Davis, Vice Mayor Lizzy Schmidt, and Alderwoman Sarah McKenzie. Town Attorney Sam Elliott was also present.

APPROVAL / CORRECTION OF MINUTES FROM PREVIOUS MEETING

VICE MAYOR LIZZY SCHMIDT MOVED TO APPROVE THE MINUTES OF FEBRUARY 8, 2022, SECONDED BY ALDERWOMAN SARAH MCKENZIE, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

REPORTS

1. ROADS

No Report.

2. POLICE

Officer Gregg Carson reported continuing his high-visibility radar campaign, noting a decrease in traffic on Sawyer Road with Roberts Mill Road closed for repair. Officer Carson noted an auto theft occurring in Walden. The vehicle was located in Sequatchie County and the perpetrator was apprehended.

3. FINANCIAL

The financial report, given by Mariah Prescott, is attached as an exhibit to these minutes.

4. CODES ENFORCEMENT

Mayor Davis reported on behalf of Codes Officer Dan Maxwell. The report is attached as an exhibit to these minutes. Mayor Davis also made statements regarding concerns at 201 Clegg Street. Specifically, the homeowner has stated that he plans to meet his setback requirements by purchasing property from surrounding neighbors. Mayor Davis is concerned that the neighboring properties do not have enough property to sell and still meet their two-acre minimum. Mayor Davis urged the Board of Mayor and Alderman to continue watching this situation. Attorney Sam Elliott also noted that purchasing and subdividing other properties like this would require the approval of the Planning Agency.

Regarding the faulty septic-system issues on Lyness Avenue, Attorney Elliott noted that this problem would be under the purview of the Hamilton County Attorney's Office. Hamilton County Health Department and Groundwater protection have also been included on communications regarding the issue. There is no additional action needed by the Town, other than to remain aware of any progress towards fixing the problem or the absence thereof. Any enforcement to correct this issue would be under the purview of the Hamilton County Attorney's Office. Attorney Elliott will follow up with that office.

5. WRES

Bill Thornton reported for the Walden's Ridge Emergency Service. For the month of February, there was a total of 20 emergency calls: eleven emergency medical calls, six were fire calls, and three were "assist to citizen" calls. Training continues on a weekly basis on Thursday evenings at the fire hall, and several new volunteers have joined the ranks. At the February board meeting, the WRES budget was passed. This is the largest budget ever approved for the Emergency Services, with \$235,400 in operating expenses.

Mr. Thornton closed with a reminder to everyone to change the batteries in their smoke detectors when they change their clocks for daylight savings time. He stressed that these devices are life-savers.

6. BACHMAN COUNCIL

No Report.

7. MCCOY FARM & GARDENS

The McCoy Farm and Gardens (MFG) reported was presented by Mickey Robbins. He noted that MFG has begun a program to prune and reclaim the 20 original apple trees at the gardens. There were 60 trees originally, and there is a plan in place to re-plant several "new and interesting" varieties in the orchard to replace those that have been lost. Other events included:

The "Weed Wrangle," which was held last Saturday, focused on eliminating English Ivy, Privet, and Bittersweet weeds. The barn cleanup is underway in preparation for barn renovation. Many volunteers and the Tree Worx company donated time for much-needed tree work on the property. There is work underway to fundraise for replacement roofing for the carriage house and the pavilion, placing utilities underground, and paving the driveway apron. The MFG event schedule is filling up, with 17 wedding planned thus far in 2022. MFG is partnering with UTC on an oral history project, working with several friends and acquaintances of the McCoy's and the Bachmans. A transcript of this oral history is being compiled and should be completed by early summer. There will be a volunteer evening on Thursday, March 10th, from 7:00 until 8:00 PM in the main house, in an effort to attract more volunteers. Mr. Robbins closed by thanking the Board and Walden citizens for their support of MFG.

8. DOG PARK

Alderwoman Sarah McKenzie reported that they are currently working on getting mulch for the Puppy Patch. City Administrator Mariah Prescott reported the following quotes:

- Signal Mountain Nursery - \$1,250 for 25 cubic yards, delivered
- Home Depot - \$1,136 for 25 cubic yards, delivered
- Alpine Roots - \$625 for 25 cubic yards, delivered

Administrator Prescott also reported that the Town of Signal Mountain has offered free wood chips from their mulch pile. They will deliver it to the Puppy Patch and the Pumpkin Patch upon the completion of a waiver. A volunteer workday would need to be scheduled to transfer the mulch inside the dog park fencing and to spread it.

Alderwoman Sarah McKenzie recommends going ahead and contacting Signal Mountain for the mulch delivery and scheduling a workday. She also suggests pursuing the rental of a tractor or requesting a volunteer to offer use of a tractor. Mayor Lee Davis suggests contacting Kevin Griffith, who may agree to donate time with his Bobcat for this effort. It is also suggested to contact Paul Lang, who assists with McCoy yard work. Administrator Prescott will go ahead and arrange delivery of the mulch from the Town of Signal Mountain during the week of March 14th. Mayor Davis will contact the gentlemen he suggested for use of their Bobcat equipment. It is noted that Bobcat rental is typically \$325 per day. Later in the meeting, Officer Carson also volunteered the use of his small tractor for the dog park.

9. PUMPKIN PATCH

No report.

10. BUDGET COMMITTEE

Alderwoman Sarah McKenzie reported for the Budget Committee, noting that they have been working on recommendations for how to best utilize the monies received from the Federal Government's American Rescue Plan. While the committee preferred to make some immediate recommendations for allocation of funds, it was realized that a budget amendment would be necessary. Since a budget amendment would require two readings, this would not be completed until nearly the next fiscal year. There is enough money in the current budget's necessary line-item for mulch and topsoil at the playground, and the other items recommended by the committee will be moved to FY:23.

John Barry noted that there was a recommendation from the committee to take \$12,000 from the American Rescue Plan funds for playground maintenance. There was also a recommendation to purchase a front-end loader (approximately \$17,000) to assist with such maintenance. Mayor Davis asked Mickey Robbins to determine if this equipment could be stored at the McCoy barn or storage shed.

John Barry also stated that a report must be filed with the Federal Government by 04/01/2022 relative to these proposed expenditures, and he is not certain who is going to complete this. City Administrator Mariah Prescott stated that there is money in the budget for CPA Jennifer Waycaster to complete this submission for the town. Dawson Wheeler asked if the Town of Walden qualifies for the tax retention or employee retention credits. Administrator Prescott will review this with Ms. Waycaster.

Elizabeth Akins requested that the Town and Budget Committee consider increased maintenance and repair on the drainage ditches and culverts throughout Walden. She noted that such maintenance is critical to also maintain the best conditions for roadways. Mayor Davis requested that this item be placed on the agenda for discussion at the regular April meeting.

NEW BUSINESS

1. FIRST READING OF PROPOSED ORDINANCE #2022-343, AN ORDINANCE FOR THE TOWN OF WALDEN, TENNESSEE REPEALING THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN A DESIGNATED AREA OF THE TOWN OF WALDEN ESTABLISHED BY ORDINANCE #2021-341.

Alderwoman Sarah McKenzie noted that the first reading of this ordinance was tabled until the Land Use Committee could work on zoning updates. Steven Bush reported that the committee continues to support the final approval of the Land Use Plan. Anticipating this approval, Keith Covington, consultant with Common Ground, is working on the next steps. He will be reaching out to the Regional Planning Agency and Town Attorney Sam Elliott with some of his recommendations for re-zoning as they relate to the Land Use Plan. Following that, there will be a presentation of his draft to the Town Board of Mayor and Aldermen. A final draft will be submitted to the RPA, and then to the Board for approval. Because of this, Mr. Bush recommends tabling this repeal for at least two months. Attorney Elliott recommends putting this decision on the agenda for the regular August meeting, but Alderwoman McKenzie reminds the Board that the moratorium expires on its own June 1st. Mayor Davis suggests putting this item on the regular May agenda, where it will either be repealed or possibly extended.

Mr. Joe Davis asked for an update on the efforts of making a combined land-use plan with the Town of Signal Mountain. That group is headed by County Commissioner Chip Baker in conjunction with Common Ground. There will be an open meeting on March 21st regarding this effort.

MAYOR LEE DAVIS MOVED TO APPROVE POSTPONING UNTIL MAY THE DECISION ON ORDINANCE #2022-343, WHICH WOULD REPEAL THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN A DESIGNATED ARE OF THE TOWN OF WALDEN ESTABLISHED BY ORDINANCE #2021-341, SECONDED BY ALDERWOMAN SARAH MCKENZIE, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

2. FIRST READING OF PROPOSED ORDINANCE #2022-344, AN ORDINANCE OF THE TOWN OF WALDEN, TENNESSEE TO GRANT APPROVAL OF THE ABANDONMENT OF THE UNOPENED 1100 BLOCK OF LYNESS AVENUE (FORMERLY 1600 BLOCK OF VERNON TERRACE).

Mayor Lee Davis introduced this ordinance, reminding those in attendance that this was the subject of the Public Hearing held prior to the regular meeting. Alderwoman Sarah McKenzie questions the actual ownership of the property adjacent to the right-of-way, and City Administrator Mariah Prescott confirms that it is owned by Catherine Colby. There are still some questions as to ownership, so Mr. Thomas Bartoo offers to “shed some light” on the situation. Residing on Devlan Forest Lane, Mr. Bartoo owns the property that is adjacent to the other side of the right-of-way from Ms. Colby, and he also supports this closing. He also stated that he has spoken to all nearby neighbors, and they agree as well.

MAYOR LEE DAVIS MOVED TO APPROVE PROPOSED ORDINANCE #2022-344, AN ORDINANCE OF THE TOWN OF WALDEN, TENNESSEE TO GRANT APPROVAL OF THE ABANDONMENT OF THE UNOPENED 1100 BLOCK OF LYNESS AVENUE (FORMERLY 1600 BLOCK OF VERNON TERRACE), SECONDED BY ALDERWOMAN SARAH MCKENZIE, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

3. CONSIDERATION OF DATE CHANGE FOR APRIL, 2022 REGULAR TOWN HALL MEETING.

Mayor Lee Davis noted a conflict with Spring Break for the date of the April meeting. Administrator Prescott suggested either April 5 or April 19, 2022. Attorney Elliott reminded the Board that this now is a “special called meeting,” so the agenda must be advertised in advance with the meeting date.

MAYOR LEE DAVIS MOVED TO CHANGE THE DATE OF THE REGULAR APRIL MEETING FROM APRIL 12, 2022 TO APRIL 19, 2022, IN ORDER TO ACCOMMODATE THE HAMILTON COUNTY SCHOOLS' SPRING BREAK WEEK, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

4. CONSIDERATION OF DATE OF APRIL 19, 3:00 PM FOR THE FIRST 2022/2023 FISCAL YEAR BUDGET WORKSHOP MEETING.

Mayor Lee Davis recommends approval of this date and time for the budget workshop meeting.

MAYOR LEE DAVIS MOVED TO SCHEDULE THE FIRST BUDGET WORKSHOP MEETING FOR THE 2022/2023 FISCAL YEAR FOR APRIL 19, 2022, AT 3:00 PM, SECONDED BY ALDERWOMAN SARAH MCKENZIE, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

5. CONSIDERATION OF 2 CULVERT OPTIONS AT FAIRMOUNT AVE AND MCAMIS RD.

Mayor Lee Davis noted that this culvert has been a problem for a number of years. There has been some discussion about whether to repair or replace the culvert. Administrator Prescott has spoken with Town Engineer Mack McCarley, and he noted that replacement of the culvert would cost approximately \$130,000. Repairing the culvert would cost approximately \$65,000 – and this repair would generally last six-to-ten years. Mayor Davis opened these options up to the Board for discussion.

Vice Mayor Lizzy Schmidt asked how long replacement of the culvert should last, but the town does not have this information. Mayor Davis recommends that we first do the repair. Alderwoman Sarah McKenzie recommends considering the use of ARP monies in order to replace the culvert. Mayor Davis suggests delaying a decision on how to bid this project until the April meeting, giving time for more discussion with the town engineer. Later in the meeting, Elizabeth Akins recommended that the town consider working with Walden's Ridge Utility District on the culvert issues.

6. CONSIDERATION OF PAVING PRIORITY LIST.

Mayor Davis asked Alderwoman Sarah McKenzie to discuss the paving priority list. Alderwoman McKenzie noted that it has been three years, so it is time to pave again. Engineer McCarley has submitted a priority list for paving needs. City Administrator Mariah Prescott read the recommended priorities: To pave Forest Trail would cost \$327,475 and Patching Forest Trail would cost \$263,845. It is further noted that these are estimates. The actual work would have to be put out for a bid. Mayor Davis recommended that the Budget Committee discuss the paving priorities and bring a recommendation back to the board.

Vice Mayor Lizzy Schmidt stated that the Roads and Safety Committee has recommended that the Town counter-sink the reflectors so they won't be stripped up when the roads are plowed. Vice Mayor Schmidt recommends that this request be added to the paving priority list for discussion by the Budget Committee.

MAYOR LEE DAVIS MOVED TO ACCEPT THE RECOMMENDATIONS FOR TREE SERVICES FROM RECORDER PRESCOTT, AS NOTED ABOVE, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

7. ANY OTHER NEW BUSINESS.

There is no other new business.

UNFINISHED BUSINESS

1. SECOND READING OF PROPOSED ORDINANCE #2022-342, APPROVING A LAND USE PLAN FOR THE TOWN OF WALDEN

Alderwoman Sarah McKenzie reads the caption of this agenda item.

ALDERWOMAN SARAH MCKENZIE MOVED TO APPROVE ORDINANCE #2022-342, AN ORDINANCE FOR THE TOWN OF WALDEN APPROVING A LAND USE PLAN, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

Alderwoman Mckenzie commented that one of the recommendations in the plan is to improve parking at Mabbitt Springs and Falling Water, but first there are some issues with adjacent private property-owners that must be addressed. Steven Bush mentioned some individuals that he knows who might be able to make some recommended regarding this issue. Mr. Bush will get their contact information to Administrator Prescott.

2. ANY OTHER UNFINISHED BUSINESS.

There is no other unfinished business.

COMMUNICATIONS FROM THE CITIZENS

Mr. Mickey Robbins stated that the woolly adelgid problem at Mabbitt Springs is quite serious. Mayor Lee Davis noted that “now is the ideal time to treat” the trees. It is suggested that another volunteer work day be calendared in order to address this issue.

Mr. Robbins further noted that GPS devices are still bringing big trucks up the W Road.

Joe Davis questioned if the treatment for the woolly adelgid is the same one that is banned in Europe and kills honeybees. City Administrator Mariah Prescott, an ISA certified arborist, confirmed that this was the case. There are other treatments that can work – such as the release of beetles – and the town will look into those.

A concerned citizen noted the growth of kudzu over the power lines near the McCoy property. Officer Gregg Carson suggested contacting the Electric Power Board since power lines are impacted.

In closing, City Administrator Mariah Prescott read a statement from town employee, Ellen Young. On April 3rd from 3:00 to 5:00 PM, there will be a “Community Clean-Up Day.” Please pick up and discard any trash you find near your home. As an added incentive, if you will take a picture of the trash you collected and email it to us, come by Town Hall the following week to collect a Starbucks’ gift card.

The meeting was adjourned by Mayor Davis.

SES



Respectfully submitted:
Mariah Prescott, City Administrator



Approved:
Lee Davis, Mayor