



COMMUNITY SERVICES MINUTES

August 13th, 2024

In Attendance:

Committee Members:

Council Chair – Evelyn Reed

Council Members present:

Council Member Bill Donner

Council Member Jeff Morrow

Council member Jeff Hamm

Council Member Judd Hart

Council Member Steve Brown

Council Member Frank Baptist

Council Member Ann Spencer Cole

Tom Farmer - Mayor

John Parton – Community Development Director

Bruce Thomas – Code Enforcement

Council Chair Evelyn Reed declares a quorum and calls the meeting to order. Introductions are made around the room. Council Chair Reed made a motion to entertain approval of the June 11th minutes, *Alderman Jeff Morrow made a motion to approve, Alderman Jeff Hamm seconded the motion. Motion carried.*

Community Services Agenda:

NEW BUSINESS – 7 LIENS

Mr. Thomas approached the podium and advised that the liens were all clean-up liens stating that some are very extensive while the others are fairly simple.

1. **1719 Deerfield Road** – This is a duplex where one side has been empty for several months and the other side was a continuous eye sore. Mr. Thomas stated they couldn't get the owner to help out in any way so they just went in and cleaned out the property. Total cleanup cost was \$1850.00 so hopefully when the lien is filed, this will get the owners attention. There was also an abandoned 5th wheel camper on the property that was removed.
2. **2737 Ranchwood Drive** – Mr. Thomas stated that this was probably one of the most overgrown properties he's ever been on. He said you couldn't mow it and that you had to

go in with heavy equipment and scrape it up. He said a large portion of the fence in the back that was collapsing was removed. Cleanup cost was \$1650.00.

3. **1206 Misty** – Mr. Thomas stated he's been working on this property for the last 5 years. This property has been foreclosed on and goes to auction October 1st. The only cleanup done on this property was cutting the grass. \$250.00
4. **708 Burton Street** – This house was condemned 18 months ago and the owners are deceased and the heirs want nothing to do with the property. So, until the property is sold for back taxes, the city is still responsible for it. Cleanup total \$500.00
5. **1203 Venturi** – This is one that was mowed all of last year and the owner has paid them to do so, \$175.00. Owner lives in Texas. The house is empty but maintained and doesn't need to be condemned at this time.
6. **313 East North** – This house burned a few years back, no heirs that want anything to do with it. Mr. Thomas thinks cleaning it up twice a year is good, cleanup total, \$500.00
7. **603 West South Street** – This is the carwash on the corner of Richards and South. Mr. Thomas stated that they've been unable to get the owner who lives out of state to pick up the trash. When the trash overflows, it blows everywhere and code enforcement has received many complaints regarding this. An individual who lives next door was hired to come in and clean it up twice a week at \$50.00 a visit. Council member Shane Knight stated that this is the property that he made a comment on regarding the \$600.00 expenditure to explore the legality of the council and pulling the business permit, shutting the business down due to both a public health and nuisance issue. Councilman Knight would like to ask the mayor, and code enforcement if they see it legitimate to get with city attorney, Baxter Drennon and see what can be done to pull the business license and get the owners attention. Mr. Thomas said after he received notice of the first \$600.00 it did get the owners attention and he has hired someone in the last few weeks and that code enforcement has been monitoring it, driving by there every day. If this property is back before the committee in 30 days, then a motion will be made to shut the business down if council has that authority. ***Council member Shane Knight made a motion to move items 1-7 to council for the liens with one correction, item #5 is listed as Burton Dr. but it is actually 1203 Venturi. Council member Judd Hart seconded the motion.***

Mr. Thomas said he'd like to discuss with the council the issues they're having with trash and the lack of a responsible method to ensure that our citizens have/utilize trash service. Primarily where the issue is seen most is in the area of rental properties. One of the suggestions Mr. Thomas had was to see trash service combined with the rent. In doing some research, Mr. Thomas identified about 14 different municipalities with similar populations and at the next meeting, he's going to present a spreadsheet with data collected regarding how they deal with sanitation disposal. A discussion on trash service is something that needs to be had.

CONDITIONAL USE REVIEW – Community Development Director, John Parton stated that conditional use review with respect to where it's permitted to have the marijuana dispensary and cultivating centers. A slide show was presented to the committee. Our current zoning ordinance is 14 of 2017 and amendments, with one of the amendments being 52 of 2017. This governed where you could place pharmacies and or medical marijuana facilities including cultivating centers, and dispensaries. Ordinance 52 of 2017 is permitted in C2 and C3 zones, medium size and large commercial with a conditional use permit. May also be placed as a permitted use in an LI or light industry zones. The first area is off of Boone Road, 25 acres, 3 or 4 parcels. Benton Parkway NE of Cyanamide Rd and Sleepy Village Rd, 450 acres, this is the largest LI zone we have within the city. Benton Parkway SW Kelso Circle, 18 acres only one parcel there. Multiple parcels off of Willow and Hazel St. These are in the floodplain/floodway. Airline Industrial Park, multiple parcels with a total of about 75 acres. LI zones cannot be within 1500 feet of a school, daycare, church or a facility that provides care for the disabled. They can't be within 3000 feet of a marijuana cultivation facility. With those distances, they will be digging into some of our LI zones so they'll be prohibited from going into some of those zones anyway. When the facility applies for their state permit, they'll have to demonstrate that they don't have any of those types of facilities or structures within the vicinity and then the city's planning staff will verify this. Advertising will not be allowed within 1000 ft of the above listed structures/facilities.

PROPOSED REZONE OF 1568 I-30 & 1606 & 1614 WEST SEVIER – John Parton presented a slide show and discussed how the zones were established, citing City Ordinance 14 of 2017 and the factors that went into determining these zones, including existing use, planned future use, including land use plans, existing infrastructure, and buffers that might be needed for noise, traffic, public safety and other concerns.

Mr. Parton addressed the concerns with the parcels as a potential commercial development with the revised and reduced access to the parcels from the Frontage Rd due to the South St Overpass Project that resulted in the new roundabout. The diminished access from the frontage road would result in an increase in commercial traffic flow on W Sevier in front of, and adjacent to, Caldwell Elementary and residential neighborhoods adjacent to the parcels. Also mentioned was that during school drop off/pickup hours there is heavy passenger traffic and car rider lines. This would increase service commercial activity adjacent to/through the elementary school and neighborhood.

The proposed solution discussed and proposed is to rezone the parcels to C1 (Neighborhood Commercial). This would permit commercial development that is scaled to infrastructure; including passenger car and pedestrian traffic as well as commercial deliveries. For example, this would also permit commercial development that would have less impact on residential and school zones.

Mr. Parton also noted that for the rezone process, notices were published in the paper; letters were mailed to landowners in the area; signs were posted indicating that the area was subject to rezoning; and a public hearing was held prior to the August 6th Planning Commission meeting.

After a discussion with the Planning Commissioners and City attorney, per feedback from all parties present at the **Public Hearing/Planning Commission**, scheduled a **Special Meeting of the Planning Commission for August 26th at 5pm** (prior to the August Council Meeting).

OLD BUSINESS - None

MEETING ADJOURNED