

**Town of Walden
Meeting Minutes
February 8, 2022**

CALL TO ORDER OF A PUBLIC HEARING ON THE TOWN OF WALDEN LAND USE PLAN

Mayor Lee Davis called the public hearing on the Town of Walden Land Use Plan (LUP) to order. Steven Bush began the presentation by announcing that the LUP has been approved by the Regional Planning Commission on January 10, 2022. It was recommended by the commission that the language involving economic inclusiveness and available housing choices be enhanced, and this was completed by Common Ground. The LUP Committee recommends adoption of the plan, and also requests to retain Common Ground as a consultant to assist with identifying recommended improvements in zoning guidelines. Mayor Davis invites comments or questions for the citizens.

Anthony Wheeler thanked the mayor for inviting community feedback. Mr. Wheeler stated that he has concerns about water quality and coal issues, and noted that the LUP has been provided to TDEC. Mayor Davis stated that he will pass Mr. Wheeler's concerns and contact issue on to County Commissioner Chip Baker.

Attorney Sam Elliott notes the conclusion of the public hearing, and Mayor Davis adjourns the 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, Ellen Young, John Barry, Kristin and Scott Allen, Jon Cook, Karen Stone, Tony Wheeler, Melissa Nimon, Katy Murphy, Steven Bush, Elizabeth Akins, Winston Robbins, Betty Julian, Linda Collins, Johannes Dewet, Werner Slabber, and Wilbourne Markham.

Mariah Prescott opened the meeting with a prayer, followed by the Pledge of Allegiance.

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

ALDERWOMAN SARAH MCKENZIE MOVED TO APPROVE THE MINUTES OF JANUARY 11, 2022, SECONDED BY VICE MAYOR LIZZY SCHMIDT, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

ROADS

Kristin Allen reported for the Roads and Safety Committee. She noted the following updates: (1) The YIELD sign at Anderson and Fairmount has been changed to a STOP sign; (2) Engineer Mack McCarley attended the last committee meeting, and made recommendations for Anderson Road above the W, specifically that a curb be placed in the curve; (3) At the Chesnutt traffic triangle on the hill, it is recommended that a STOP sign be placed at the third angle so that all three have stop signs.

PUMPKIN PATCH

Mayor Lee Davis reported for Dan Barlew. Five new picnic tables have been donated and will be installed in the park next week. Also, new fence construction and mulching will begin in March, and the long slide will be repaired. There will be some intermittent closures of the Pumpkin Patch in March for these upgrades and repairs.

POLICE

No report.

FINANCIAL

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

CODES ENFORCEMENT

Mayor Davis reported on behalf of Codes Officer Dan Maxwell. The report is attached as an exhibit to these minutes.

WRES

No report.

BACHMAN COUNCIL

Katy Murphy reported for the Bachman Community Center (BCC), noting that the BCC was just recertified this week as an emergency shelter by the Red Cross. Financially, the BCC did well in the year 2021, finishing \$17,000 over their budgeted goal. She thanked volunteers for all of their help.

Evening yoga classes are beginning soon – Monday nights at 6:00 PM. BCC is also prepping for several summer camps and strings projects for children. Lastly, BCC has been designated as the Fairmount polling place once again.

MCCOY FARM & GARDENS

The McCoy Farm and Gardens (MFG) reported was presented by Melissa Nimon. She highlighted two upcoming events for MFG:

1. "Weed Wrangle" on March 5, 2022, from 1:00 PM to 3:00 PM. Please bring gloves and clippers or loppers.
2. Memorial Day Picnic – returning after a two-year hiatus – on March 30, 2022, from 11:00 AM to 4:00 PM. The Walden's Ridge Guild is organizing the picnic, and food will be provided by the Lyons Club. There will be games, entertainment, craft booths, and plant sales.

Town Recorder, Mariah Prescott, reported that Walden Town Hall skilled employees will complete the ceiling repair project in the shed at the Puppy Patch. The previously-approved \$2,000 donation will not be necessary.

DOG PARK

Aldерwoman Sarah McKenzie reported that mulch will cost approximately \$2,500. She has researched synthetic turf as well, and believes it will cost upwards of \$40,000. There is the possibility of applying

for a Randy Boyd Grant (\$25,000) to assist with these expenses. Mayor Lee Davis suggested that she reach out to the city of Collegedale to inquire as to how they maintain their dog park.

PARKS AND RECREATION

Mayor Lee Davis reported on an afternoon meeting on February 4, 2022, to discuss concerns regarding the Mabbitt Springs Trail. Specifically, the trail crosses over three parcels of private property. These property owners are concerned about injuries on the trail or just off the trail on their own land. Mayor Davis suggested the possibility of the town indemnifying or insuring these property owners against liability. Attorney Sam Elliott stated that the town cannot legally do this (based on a recent attorney general's opinion), but suggested that Mariah consult with Public Entity Partners regarding this issue.

Mr. Anthony Wheeler mentioned Tennessee House Bill 1542, which prohibits the use of eminent domain to acquire privately owned property for trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use. Mrs. Elizabeth Akins noted that Walden's insurer had previously placed signs at the Mabbitt Springs trailhead relative to personal liability, but someone has removed them.

NEW BUSINESS

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

Mayor Davis invited questions or comments from the board; there were none.

ALDERWOMAN SARAH MCKENZIE MOVED TO APPROVE THE LAND USE PLAN FOR THE TOWN OF WALDEN, SECONDED BY VICE MAYOR LIZZY SCHMIDT, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

2. FIRST READING OF PROPOSED ORDINANCE #2022-343, AN ORDINANCE OF 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.

Attorney Sam Elliott noted that the moratorium will expire on 06/01/2022, but initially recommends that the board go ahead and move to expire it upon final approval of the Land Use Plan. After further discussion, Attorney Elliott suggest that the board table the first reading of this ordinance until March.

MAYOR LEE DAVIS MOVED TO TABLE THE FIRST READING OF ORDINANCE #2022-343 UNTIL THE REGULAR MARCH MEETING, SECONDED BY ALDERWOMAN SARAH MCKENZIE, AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

3. CONSIDERATION OF THE APPLICATION FOR A CURB CUT PERMIT AT 3511 EAST BROW RD.

Mayor Lee Davis noted that Engineer Mack McCarley has reviewed the location of this curb cut, and he sees no safety issues. He recommends approval.

MAYOR LEE DAVIS MOVED TO APPROVE THE CURB CUT APPLICATION AT 3511 EAST BROW, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

4. CONSIDERATION OF THE APPLICATION FOR A CURB CUT PERMIT AT 704 KEY HULSE RD.

Mayor Lee Davis noted that Engineer Mack McCarley has reviewed the location of this curb cut, and he sees no safety issues. He recommends approval.

ALDERWOMAN SARAH MCKENZIE MOVED TO APPROVE THE CURB CUT APPLICATION AT 704 KEY HULSE, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

5. CONSIDERATION OF QUOTES TO CONTRACT FOR TECHNOLOGY SERVICES, UPGRADES TO THE PHONE SYSTEM AND EQUIPMENT.

Town Recorder Mariah Prescott presented her recommendation to secure the tech services of Keystone Solutions. She noted that they were the low quote and also most responsive to the needs in Walden Town Hall. They also work successfully with several other municipalities. Vice Mayor Lizzy Schmidt inquires as to why their bid was so much lower than the others. Mariah Prescott responded that they are a larger company than the other two from whom we received quotes, and this helps them keep their costs down. Mayor Lee Davis confirms the reliability of this company.

MAYOR LEE DAVIS MOVED TO ACCEPT THE RECOMMENDATION OF KEYSTONE SOLUTIONS, SUBJECT TO THEIR ACCEPTANCE OF THE ADDITIONAL LANGUAGE IN THE INDEMNITY CLAUSE, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

6. CONSIDERATION OF QUOTES FOR TREE REMOVAL AT MABBITT SPRINGS AND THE PUPPY PATCH.

Town Recorder Mariah Prescott presented her recommendation for tree services based on the lowest quotes received: Kevin Griffith for Mabbitt Springs, and Alpine Roots for the Puppy Patch.

Mrs. Elizabeth Akins inquired as to whether or not either of these removals would impact anything deemed as a "natural area." Recorder Prescott and Attorney Elliott both confirmed that these were considered city parks, not natural areas. Mayor Lee Davis also noted that he will check with Mr. Griffith as to the possibility of him providing mulch to the town from the downed trees.

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. APPROVE LINE ITEM TRANSFERS FOR UPGRADES TO PHONE SYSTEM, EQUIPMENT, MONTHLY TECH SERVICE FEES:

- **TRANSFER FROM: 46000-440 (\$4,000.00) STATE OF TN GRANT**
- **TRANSFER FROM: 43100-271 (\$1,882.00) POTHOLE REPAIRS**
- **TRANSFER TO: 41000-233 - \$1,650.00 – DUES AND SUBSCRIPTIONS (#330MONTHLY FEE FOR TECH SERVICES)**
- **TRANSFER TO: 41000-931 - \$3,292.00 – CAPITAL OUTLAY EQUIPMENT**
- **TRANSFER TO: 41000-240 - \$940.00 – MAINTENANCE AND UTILITIES**

Town Recorder Mariah Prescott noted that these five line-item transfers are from previously-budgeted items to already-approved items.

MAYOR LEE DAVIS MOVED TO APPROVE THE FIVE LINE-ITEM TRANSFERS, SECONDED BY VICE MAYOR LIZZY SCHMIDT AND UNANIMOUSLY APPROVED BY THE BOARD OF MAYOR AND ALDERMEN.

Alderwoman McKenzie noted that perhaps some of the COVID funds could be used for the technology upgrades, and asked that the Budget Committee explore this further. Mr. John Barry, Budget Committee Chairman, shared that the next Budget Committee Meeting will be on February 10, 2022. Mr. Barry stated his belief that the town may be able to fund several of these recommendations from COVID relief monies, and noted that a resolution must be passed within the next 18-24 months to appropriate the funds for these purposes.

8. ANY OTHER NEW BUSINESS.

There is no other new business.

UNFINISHED BUSINESS

1. ANY OTHER UNFINISHED BUSINESS.

There is no unfinished business.

COMMUNICATIONS FROM THE CITIZENS

Mr. Anthony Wheeler introduced himself and stated that the Sierra Club has elected him Chairman of the Executive Committee as of December, 2021. He had five points to make:

1. The Sierra Club is working on legislation to resolve coal ash issues. Further, it appears that \$900,000 will be placed in the state budget next year to counter coal leases from bankrupt companies for which the state is now "on the hook."
2. There are a number of new TN bill proposals that the board may want to look at. Mr. Wheeler will send electronic links for each of these to the board.
3. A "Water Report Card" from the University of Tennessee-Knoxville will be made available for Memphis, Nashville, Knoxville, and Chattanooga. Water quality will be graded from A to F. This project is funded by TDEC. Mr. Wheeler noted that the results cannot be used in a regulatory fashion.
4. He is concerned about an approved rezoning proposal for 4017 W Road, which has been changed from R-1 to A-1 in order for a barn to be constructed. This is not in the Town of Walden, so Mayor Davis recommended that Mr. Wheeler contact County Commissioner Chip Baker.
5. Mr. Wheeler is also concerned with the new development on Sawyer Road, with specific worries about the number of homes proposed. He would like for a joint commission on Walden's Ridge be formed to create an emergency evacuation plan from the top of the ridge in the event of a natural disaster such as a wildfire.

Mrs. Elizabeth Akins asked if there had been a change to Walden's zoning rules as they pertain to flag lots. Attorney Sam Elliott will research this.

Mr. Joe Davis asked for clarification on the new construction at 201 Clegg Street, wanting verification that work had been halted. Mayor Davis confirmed that this is correct.

Mr. Wilbourne Markham stated his concerns about the "parking lot" at 201 Clegg. While Mr. Markham agreed that the homeowner should be able to do anything he wants to do within the law, he also feels that this is the "biggest eyesore" in Walden. He asked for confirmation that this additional structure could not be utilized as living space. Attorney Elliott stated that, if it did become a living quarter, the Town of Walden could ask the owner to tear the structure down. He further noted, however, that there is likely not a judge in town who would enforce this order. Attorney Elliott closed with a reminder that zoning

rules only pertain to how a property can be used. Zoning rules do not pertain to aesthetics. Mayor Lee Davis asked Recorder Prescott to place this issue on the agenda for next month's meeting.

Margha Davis stated her concerns about whether or not there is adequate septic space at 201 Clegg.

Ellen Young asked all of the "Women of Walden" to remain after the meeting for a group photograph.

The meeting was adjourned by Mayor Davis.

SES



Respectfully submitted:
Mariah Prescott, Recorder



Approved:
Lee Davis, Mayor