

# **MINUTES OF THE MARTIN BOARD OF MAYOR AND ALDERMEN**

**September 08 2003      7:00 PM      City Hall Chambers**

BE IT REMEMBERED the Regular Meeting of the Board of Mayor and Aldermen for the City of Martin, Tennessee, was held Monday, September 08, 2003, at 7:00 PM in the City Hall Chambers, when the following was held to wit:

MEMBERS PRESENT:      HONORABLE RANDY BRUNDIGE, MAYOR  
                                 HONORABLE DANNY NANNEY, WARD I  
                                 HONORABLE BILL HARRISON, WARD I  
                                 HONORABLE STAN JOHNSON, WARD II  
                                 HONORABLE DAVID BELOTE, WARD II  
                                 HONORABLE PHILLIP MERRYMAN, WARD III  
                                 HONORABLE NATALIE D. BOYD, WARD III

MEMBERS ABSENT:      NONE

## **CALL TO ORDER AND INVOCATION**

Mayor Brundige called the September 08, 2003, meeting of the City of Martin Board of Mayor and Aldermen to order. Alderman Nanney gave the invocation.

## **PLEDGE OF ALLEGIANCE**

Mayor Brundige led the group in the Pledge of Allegiance to the flag.

## **APPROVAL OF MINUTES:    AUGUST 14, 2003**

Alderman Nanney made the motion to approve the minutes of the August 14, 2003, meeting as written, seconded by Alderman Harrison.

VOTE:                      UNANIMOUS VOICE VOTE OF APPROVAL

## **COMMITTEE REPORTS:**

## **CEMETERY COMMITTEE**

Mr. Tidwell explained, the board voted to bid the purchase of fourteen cemetery signs for Eastside and Parham Cemeteries. Several companies expressed interest but did not bid. Only one bid was received. Bid follows:

GNC Supply Company, Inc. total bid for 14 decorative street signs:

14, 30"x11" Ridgeland Style (double sided); \$50.56 each;	\$ 791.00
14, Dogwood Bracket with lemon drop; \$71.50 each;	1,001.00
14, 12' x 3" o.d. round semi-gloss black post; \$58.00 each;	812.00
14, Spear top cap, semi-gloss, black; \$47.25 each;	<u>661.50</u>
TOTAL	\$3,265.50

Alderman Harrison made the motion to accept the bid from GNC Supply Company, Inc. of \$3,265.50 for fourteen (14) decorative cemetery street signs to be used in Parham and Eastside Cemeteries, seconded by Alderman Belote.

VOTE:	FOR:	HONORABLE MERRYMAN HONORABLE BOYD HONORABLE JOHNSON HONORABLE BELOTE HONORABLE HARRISON HONORABLE NANNEY
	AGAINST:	NONE

Mayor Brundige declared the motion passed.

## **PUBLIC WORKS COMMITTEE:**

### **ASPHALT BIDS:**

At the August City Board meeting Mr. Tidwell presented three bids received for resurfacing of selected city streets. At this meeting the city approved the bid from Ford Construction. After careful review and figuring of these bids, we feel the best bid is from Martin Brothers from Medina, Tennessee, their bid figures approximately \$3,400.00 lower than the bid from Ford Construction. I need for you all to rescind the motion approving Ford Construction as the best bid and accept Martin Brothers' bid. (Reference August minutes.)

Alderman Harrison made the motion to rescind the motion made August 14, "to approve the best bid; Ford Construction, asphalt -\$39.30/ton and milling - \$19.15/ton, totaling approximately \$166,000.00", seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Alderman Merryman made the motion to accept the bid for resurfacing selected city streets from Martin Paving: asphalt - \$41.30/ton and milling - \$16.00/ton, seconded by Alderman Johnson.

VOTE:	FOR:	HONORABLE MERRYMAN
		HONORABLE BOYD
		HONORABLE JOHNSON
		HONORABLE BELOTE
		HONORABLE HARRISON
		HONORABLE NANNEY
	AGAINST:	NONE

Mayor Brundige declared the motion approved.

## **MEETING DATES SET:**

City of Martin Finance Committee                      September 09, 2003 and September 18, 2003

University/City Relations Committee      September 15, 2003 at 6:00 pm.

**SECOND AND FINAL READING AND PUBLIC HEARING OF ORDINANCE O2003-18: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING PROPERTY ALONG THE SOUTH SIDE OF MT. PELIA ROAD WEST OF ITS INTERSECTION WITH VANCLEAVE ROAD FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-A1 (HIGH DENSITY SINGLE-FAMILY RESIDENTIAL). Recommendation from the Martin Municipal-Regional Planning Commission.**

Mayor Brundige introduced and presented for consideration on the second and final reading and public hearing, Ordinance O2003-18: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning property along the south side of Mt. Pelia Road west of the intersection with VanCleave Road from R-1 (Low Density Residential) to R-A1 (High Density Single-Family Residential). This is a recommendation from the Martin Municipal-Regional Planning Commission.

Mr. Tidwell read Ordinance O2003-18. A copy follows:

**ORDINANCE O2003-18**

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING PROPERTY ALONG THE SOUTH SIDE OF MT. PELIA ROAD WEST OF ITS INTERSECTION WITH VANCLEAVE ROAD FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-A1 (HIGH DENSITY SINGLE-FAMILY RESIDENTIAL)**

**WHEREAS,** pursuant to Tennessee Code Annotated, Section 13-7-211, the City of Martin has adopted a Municipal Zoning Ordinance; and

**WHEREAS,** in accordance with Tennessee Code Annotated, Sections 13-7-204, the Martin Municipal-Regional Planning Commission has recommended the following amendment to the Municipal Zoning Ordinance and Municipal Zoning Map relative to the rezoning of territory; and

**WHEREAS,** the Martin Board of Mayor and Aldermen has deemed such a rezoning of this territory to be necessary for the welfare of the residents and property owners thereof this City as a whole; and

**WHEREAS,** the Martin Board of Mayor and Aldermen has held a public hearing pursuant to Tennessee Code Annotated, Section 13-7-203 for the purpose of receiving public comment.

**NOW, THEREFORE, BE IT ORDAINED BY THE MARTIN BOARD OF MAYOR AND ALDERMEN:**

Section 1. That the Municipal Zoning Map and Zoning Ordinance for Martin, Tennessee be amended by rezoning the following tract from R-1 (Low Density Residential) to R-1 A (High Density Single-Family Residential):

Weakley County Tax Map 781, Group B, Parcel 02102

Section 2. **BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon its passage after second and final reading, **THE PUBLIC WELFARE REQUIRING IT.**

Date Passed First Reading July 14, 2003

Date Passed Second Reading \_\_\_\_\_

Date of Public Hearing \_\_\_\_\_

ATTESTED:

SIGNED:

\_\_\_\_\_  
Richard L. Tidwell, City Recorder

\_\_\_\_\_  
Randy Brundige, Mayor

**Public Hearing:**

Mayor Brundige opened the public hearing for Ordinance O2003-18, asking if anyone present wished to speak for/against the ordinance.

Mr. Jesse Wade, owner of property in question, stated he would like to hear the concerns of the board, if any, and he would address them. No questions at this time.

Mr. Bud Grimes, 109 Big John Drive, Spoke against the ordinance: "Mayor Brundige, Bud Grimes, a residence of 109 Big John Drive here in Martin. Mayor and Board of Aldermen and Alderwoman Boyd and members of our neighborhood and friends here tonight. I will be very brief as I have a prepared statement just so I can be concise in what I am going to say and so that we can leave time for others to speak. Those of us who have signed the petition, that I bring before you tonight, many of those in attendance at this meeting, as the owners of the property located west of the intersection of Vancleave and Mt. Pelia Roads to withdraw your request to re-zone this property for high density development. We want the zoning to stay as it now exists. Our concerns are many, including adding to the high traffic volume on Mt. Pelia and Baker Roads, the potential and likely infrastructure problems associated with such a development, and the potential decline of property values in this area. Let me add another point, I learned a lot as I walked around taking this petition through out these neighborhoods, and I think this is an even larger issue for those who live in Mt. Pelia and Baker Road areas. In my conversations with many people, I have learned that if this land is rezoned other land in this area will likely be targeted for similar development. If rezoning of this property is pursued, then we ask that the Board of Aldermen and the Mayor vote against this proposal for the good of the residents, the area, and the City of Martin. In 1998, when this issue last surfaced, this rezoning effort was withdrawn. One of the owners stated publicly, and I am paraphrasing, don't claim for this to be an actual quote, but I am paraphrasing - I don't want to do anything that so many of the neighbors are against. Seventy-one households and one hundred names on this petition say clearly that rezoning is still not in the best interest of the majority of citizens in this area. And, I want to think those who welcomed me into their homes and yards. Everybody didn't, I will be honest about that. But I appreciate the reception I received and for the support of what we are trying to do tonight. I have copies of the petition if you would like to see them. Thank you."

Mr. Andy King, 147 Big John Drive, spoke, "Mayor Brundige, I just want to encourage the Board not to interpret our silence as that of anything but firm agreement with Mr. Grimes. This issue has been around our town, I have only been in Martin since the summer of 1999, but, obviously, have

grown to love it, and this issue has come up once before and I hope you interpret our silence as total agreement. Thank you. My name is Andy King and I work at UT Martin."

Mr. Jesse Wade spoke, "As I said, I would really like to address your questions. I believe you have recently rezoned some property in Martin to this zoning, on Peach Street. (Mayor answered, correct.) I want to be sure of that, okay. I just want to address your, the Board's concerns, if you have questions for me I would like to hear. I have heard what they say and I respect their concerns. But I would like to hear your concerns as I would like to address those."

Alderman Johnson asked, what is the size of this piece of property?

Mr. Wade answered, about eight acres.

Alderman Johnson asked, would the only entrance or exit to the property be on Mt. Pelia?

Mr. Wade answered, yes and handed out a traffic survey of Mt. Pelia Road and Peach Street. In a twenty-four hour period Mt. Pelia's count was 2450 and Peach Street 3620. The traffic on Mt. Pelia Road is not as bad as Peach Street. I have also heard questions concerning drainage. Drainage will be addressed by the developer, Planning Commission and Building Inspector. The City requires the developer to address the drainage.

Alderman Merryman asked, "Are you and Mr. Tuck going to develop this property?"

Mr. Wade answered, "Are we going to, I doubt it, we could, but I doubt if we will. We don't really know how many exits. That would be up to a developer and of course that has to go before the city building inspector, too, he has to approve stuff like that."

Alderman Johnson asked, "So, you couldn't say how many family units would be placed on this."

Mr. Wade said, no.

Alderman Merryman stated, "One thing I noticed Peach Street does have a higher count than what Mt. Pelia Road does. Of course, Mr. Tuck and I live out in that area. Mt. Pelia Road is a little like a race track out in there."

Alderman Wade stated, "You should have the same speed limit there as you've got on Peach Street and that

Alderman Merryman said, "He is working on that, believe me, I know some people that have received a ticket. But, he is working on that hard. I know he is. At the present time, people do drive a lot faster there once you are in that "s" curve and if the population that buys there, as the one in Union City off Edwards Street, it will be senior citizens and they don't pull out as fast. And I do have a concern that there will be a traffic problem. And,."

Mr. Wade stated, "You have to remember, those senior citizens are going to pull out somewhere and if it not there it will somewhere else. And this is one of the things that really brought this to our mind, about rezoning this. Because there has been a desire, I think, by some people, older people as well as some younger people, to have property where they don't have to mow yards, they don't have the upkeep of things and you know when you get retirement age and older you like to get away from these things. We would like to see this....but we can't guarantee that is what will even happen to it. But, we would like to see that happen to it. That this would be a place for older people and it would not be all older people it would be some younger people in it, I am sure. I own a place in Nashville like this right now that's got people anywhere from, well, I had a granddaughter live there till she was twenty-two years old, up to older people who have been retired for many years. It is a good thing for."

Alderman Merryman said, I agree.

Alderman Harrison asked, is this housing for retirement people?

Mr. Wade answered, no, you can't put an age on it. Young people like to live in places like this. This is what we would like to see happen but we can't guarantee it. But our reason for the rezoning is for that purpose. We feel anything that is built there would look better than what is located across from the property.

Alderwoman Boyd asked, in the development of this property, what can you guarantee?

Mr. Wade stated, "What can I? I can't guarantee anything. I would not guarantee anything. I would not make no promises at all on it. I am telling you what we would like to see done and that is our purpose, to make this possible for somebody. There are people who would like to have this and there are people who are interested in something like this. There again, we would not try to guarantee this."

Alderman Merryman stated, I am in favor of an R-1A Zoning in Martin. I serve on the Planning Commission and what I had in mind was a large area such as in Union City. It is more a retirement community as the vast majority of residents are senior citizens and retired.

Mr. Wade stated, "I agree that would probably be what would be mostly in there but you can't rule out young people. There are lots of young people who would like to go home every night and sit down and not have to mow a yard, not have to paint a shutter, paint a door and do this sort of thing where somebody else took care

older people.”

Mayor Brundige closed the Public Hearing as there was no further discussion.

Alderman Johnson made the motion to approve Ordinance O2003-18: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning property along the south side of Mt. Pelia Road west of the intersection with VanCleave Road from R-1 (Low Density Residential) to R-A1 (High Density Single-Family Residential)

Mayor Brundige asked for a second to the motion, none was received.

Mayor Brundige stated, motion failed, lack of a second.

**SECOND AND FINAL READING AND PUBLIC HEARING, ORDINANCE O2003-19: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE FOR MARTIN, TENNESSEE, BY ESTABLISHING A MINIMUM DEVELOPMENT SIZE FOR THE R-1A (HIGH DENSITY SINGLE FAMILY RESIDENTIAL) DISTRICT. Recommendation from the Martin Municipal-Regional Planning Commission. Published in the Weakley County Press, August 21, 2003.**

Mayor Brundige introduced and presented for consideration on the second and final reading and public hearing, Ordinance O2003-19: An Ordinance to amend the Municipal Zoning Ordinance for Martin, Tennessee, by establishing a minimum development size for the R-1A (High Density Single Family Residential) District. This is a recommendation from the Martin Municipal-Regional Planning Commission. Published in the Weakley County Press, August 21, 2003.

Mr Tidwell read Ordinance O2003-19. A copy follows:

**ORDINANCE O2003-19**

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE FOR MARTIN, TENNESSEE, BY ESTABLISHING A MINIMUM DEVELOPMENT SIZE FOR THE R-1A (HIGH DENSITY SINGLE FAMILY RESIDENTIAL) DISTRICT.**

**WHEREAS,** pursuant to *Tennessee Code Annotated*, Section 13-7-201 through 13-7-211, the City of Martin has adopted a Municipal Zoning Ordinance; and

**WHEREAS,** in accordance with *Tennessee Code Annotated* Sections 13-7-203 and 13-7-204, the Martin



*Minutes: City of Martin Board of Mayor and Aldermen, September 08, 2003*

Municipal Zoning Ordinance relative to the minimum development size of R-1A (High Density Single Family Residential) District; and

**WHEREAS,** the Martin Mayor and Board of Aldermen has deemed such to be necessary for the welfare of the residents and property owners thereof this City as a whole; and

**WHEREAS,** the Martin Board of Mayor and Aldermen has held a public hearing pursuant to *Tennessee Code Annotated* Section 13-7-203 for the purpose of receiving public comment.

**NOW, THEREFORE, BE IT ORDAINED BY THE MARTIN MAYOR AND BOARD OF ALDERMEN:**

**SECTION 1.** That the text of the Zoning Ordinance of Martin, Tennessee be amended by inserting the following text as Article V., Section A.1, 1. a.:

a. Minimum Development Size

The minimum development size for the R-1A Zoning District shall be five (5) acres.

**SECTION 2. BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon its passage, after second and final reading, **THE PUBLIC WELFARE REQUIRING IT.**

Date Passed First Reading: \_\_\_\_\_

Date Passed Second Reading: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

ATTESTED:

APPROVED:

\_\_\_\_\_  
Richard L. Tidwell, City Administrator

\_\_\_\_\_  
Randy Brundige, Mayor

**Public Hearing:**

Mayor Brundige opened the meeting for the public hearing of Ordinance O2003-19, asking if there was anyone present wishing to speak for/against the ordinance.

Ms. Candy Goad, 142 Big John Drive, spoke, "Now, if you pass this ordinance, does it make this gentlemen's land go back or is that finished.?"

Mayor Brundige answered, this ordinance establishes the minimum size for an R-1A. Right now there is no minimum size for R-1A in the City of Martin.

Ms. Candy Goad spoke, "If you make five acres R-1A, does that mean this land will go?"

Mayor Brundige answered, no.

Mr. Bud Grimes spoke, "Mayor Brundige and Board Members, I would support personally after what I have learned from this situation that the minimum development size be kept to ten (10) acres. That would prevent this type of situation from occurring and would take this situation off the books, at least for now. And, again, I thank all of you for hearing and those who have come in support."

Mr. Joe Taylor spoke, "Mayor, Joe Taylor, let me just say one thing about the five acres. It concerns me and thinking about the property on Mt. Pelia, one of the problems, and I have heard several references to the property in Union City, the difference is the availability to get onto the main road. When you only got five acres or there about, small acreage, it limits the I am trying to think of the correct word, egress, you limit your, you are taking a small piece of property and packing a lot of people and let people to leave the property in a safe manner. That is obviously one of our major concerns and so, when you start looking at five acres, you are saying you are taking a road and running into a five acre piece of property and letting people go in and out on a one basically, what I see in my mind, obviously, every piece of property speaks for itself, when you take small and five acres seems like a lot of land because I have cut hay on that five acres but when you start putting houses on it and putting roads in it, it shrinks real quickly. So, consequently, what I am supporting Bud's said here. I think you need to look at a larger piece of property, ten acres or more before you start squeezing houses into a five acre lot because then I think you are going a lot more people having that opportunity in seeing an opportunity to plant houses and I am concerned about the safety issue. Thank you."

Alderman Johnson asked, "Is it not true, if regardless of the size of the property you still have to have the same size streets, the same plan approved by the Planning Commission, the building inspector, and there are some safeguards there that will limit the number dwellings that can be placed on a five acre piece of property, or eight acre or ten acre. You know, I am not seeing the logic, necessarily, in we have just got five acres here so we are going to see how much we can cram on it. That is not going to be the case. It is going to be limited by all of those other factors."

Mr. Joe Taylor said, "I see your point but the only point I was trying to make is if you have high density though you have more than just a few houses. And as I recall in the last, in 1998, we were looking at forty houses. So, now you are looking at a high density in a small area. So, you take five acres and you cut it up into one-third acre lots then you are looking at high density situation. I understand what you are saying. If there is a limitation but you take it from a single family dwelling to a high density, then you are talking about a different animal. So, that is what I am really talking about. Let's don't put ourselves in a box we can't get out of. And that is what I am saying is you could create a box you wish you had not created."

Mr. Tom Erwin, Chairman of Martin Municipal-Regional Planning Commission spoke, "Mr. Mayor, Tom Erwin. When this came before the Planning Commission, we were looking at areas of Martin, not any particular areas, but infield areas in Martin to put more houses and make it more open to the public. R-1A seemed to be a viable option for this. I would like to say the first piece of property was fifty-four acres. When we got the request for the second piece of property which was out on Stella Ruth Road and it was a lot that

When we came back to the Planning Commission we simply took the five acres that we do have on the books as a Planned Residential Subdivision, which is five acres. It is true that our vision was largely for older population on smaller lots but there is a downsize to that. An unscrupulous builder could come in and build a slum of a small size. In the R-1A we have 6,000 square feet per lot, 35% of which can be covered by the total building site which would be in the neighborhood of 21,000 square feet would be the maximum building size. And it is true the roads size and everything will be same as everything else. There is no minimization on that. I don't think you would be going wrong because we have the Planned Residential at five thousand square foot, or at five acres to place the R-1A at a higher acreage size. However, I would like to assure the people here that when a request like this is given to rezoned, it is simply rezoned until somebody comes with a plan. They come in with a plan sometime ago with a site plan as this property was petitioned sometime ago under the planned residential which is on five acres. Under the plan for the Planning Commission they had eleven additional driveways that were some 25 feet long coming into the road on that "s" curve and it was properly turned down. And, I think if it comes back to the Planning Commission on that particular site regardless of what zone it is we are going to be highly sensitive to the neighbors, the drainage problems that we have in that area and the traffic problems. It is true the traffic on Peach Street might be a little larger than on Mt. Pelia Road but it is not near as dangerous, I can assure you. I, too, live in the neighborhood with all these folks. That is just for background purposes only. I don't think the Planning Commission will have a bit of trouble with what you are trying to do."

Mayor Brundige closed the Public Hearing, as there was no further discussion.

Aldermen Merryman made the motion to amend Ordinance O2003-19 by changing the language from "a. Minimum Development Size: The minimum development size for the R-1A Zoning District shall be five (5) acres to "a. Minimum Development Size: The minimum development size for the R-1A Zoning District shall be ten (10) acres", seconded by Alderwoman Boyd.

VOTE:	FOR:	HONORABLE MERRYMAN
		HONORABLE BOYD
		HONORABLE BELOTE
		HONORABLE HARRISON
		HONORABLE NANNY
AGAINST:		HONORABLE JOHNSON

Mayor Brundige declared the amendment to Ordinance O2003-19 approved.

Alderman Merryman made the motion to approve Ordinance O2003-19: An Ordinance to amend the Municipal Zoning Ordinance for Martin, Tennessee, by establishing a minimum development size for the R-1A (High Density Single Family Residential) District, as amended, seconded by Alderman Belote.

VOTE:	FOR:	HONORABLE MERRYMAN HONORABLE BOYD HONORABLE BELOTE HONORABLE HARRISON HONORABLE NANNEY
	AGAINST:	HONORABLE JOHNSON

Mayor Brundige declared Ordinance O2003-19, as amended, approved.

**SECOND AND FINAL READING AND PUBLIC HEARING, ORDINANCE O2003-20: AN ORDINANCE AMENDING CITY OF MARTIN MUNICIPAL CODE, MUNICIPAL OFFENSES; TITLE 11; CHAPTER 1, ALCOHOL Published in the Weakley County Press, August 21, 2003.**

Mayor Brundige introduced and presented for consideration on the second and final reading and public hearing, Ordinance O2003-20: An Ordinance amending City of Martin Municipal Code, Municipal Offenses; Title 11; Chapter 1, Alcohol. This was published in the Weakley County Press on August 21, 2003.

Mr. Tidwell read Ordinance O2003-20. A copy follows:

**ORDINANCE O2003-20**

**AN ORDINANCE AMENDING CITY OF MARTIN MUNICIPAL CODE, MUNICIPAL OFFENSES; TITLE 11; CHAPTER 1, ALCOHOL**

**WHEREAS**, the Board of Mayor and Aldermen deem it necessary for the welfare of the citizens of the City of Martin as a whole; and

**WHEREAS**, the Board of Mayor and Aldermen has held a public hearing pursuant to *Tennessee Code Annotated*, Section 13-7-203, for the purpose of receiving public comment; and

**WHEREAS**, pursuant to *Tennessee Code Annotated*, Section 13-7-203, a public hearing was held before this body, the time and place of which was published within fifteen (15) days advance notice in a newspaper of general circulation.

**BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MARTIN, TENNESSEE, THAT:**

Section 1: The Martin Municipal Code; Title 11, Municipal Offenses; Chapter 1, Alcohol is amended by adding the following:

Section:

11-103

CONSUMPTION AND/OR UNLAWFUL POSSESSION  
OF ALCOHOLIC BEVERAGES BY A PERSON UNDER  
THE AGE OF TWENTY-ONE (21)

It is unlawful for any person under the age of twenty-one (21) years of age to purchase, possess, transport, or consume alcoholic beverages, wine, or beer with the following exceptions:

- 2) Any person eighteen (18) years of age and older may transport, possess, or dispense alcoholic beverages, wine, or beer in the course of such person's employment.

Section 2: **BE IT FURTHER ORDAINED** that this ordinance that effect immediately upon passage after second and final reading, **THE PUBLIC WELFARE REQUIRING IT.**

ATTEST:

APPROVED:

\_\_\_\_\_  
Richard L. Tidwell, City Recorder

\_\_\_\_\_  
Randy Brundige, Mayor

Passed First Reading

\_\_\_\_\_

Passed Second Reading \_\_\_\_\_  
Date of Public Hearing \_\_\_\_\_

**Public Hearing:**

Mayor Brundige opened the meeting for public input for Ordinance O2003-19. No one spoke

Alderman Nanney made the motion to approve on the first reading Ordinance O2003-20: An Ordinance amending City of Martin Municipal Offences: Title 11; Chapter 1; Alcohol, seconded by Alderman Harrison.

VOTE:	FOR:	HONORABLE MERRYMAN HONORABLE BOYD HONORABLE JOHNSON HONORABLE BELOTE HONORABLE HARRISON HONORABLE NANNEY
	AGAINST:	NONE

Mayor Brundige declared Ordinance O2003-20 approved on the second and reading.

**SECOND AND FINAL READING AND PUBLIC HEARING,  
ORDINANCE O2003-21: AN ORDINANCE TO INCREASE THE  
AMOUNT OF COURT COSTS FOR THE MARTIN CITY COURT.  
Published in the Weakley County Press, August 21, 2003.**

Mayor Brundige introduced and presented for consideration on the second and final reading and the public hearing, Ordinance O2003-21: An Ordinance to increase the amount of court costs for the Martin City Court. Published in the Weakley County Press, August 21, 2003.

Mr. Tidwell read Ordinance O2003-21. A Copy follows:

**ORDINANCE NO. O2003-21**

**AN ORDINANCE TO INCREASE THE AMOUNT OF COURT COSTS FOR  
THE MARTIN CITY COURT**

**WHEREAS**, the court cost associated with the Martin City Court is established to offset the costs of conducting court and the maintenance of all court documents; and

**WHEREAS**, the Board of Mayor and Aldermen of the City of Martin have determined that the current costs are insufficient to offset the costs of the court operations; and

**WHEREAS**, the court costs will be adjusted from Sixty (\$60) Dollars to One Hundred Thirty (\$130) Dollars in all violations of Title 11, of the City of Martin Municipal Code as set by the City of Martin.

**NOW THEREFORE BE IT ORDAINED**, by the City of Martin, Tennessee Board of Mayor and Aldermen;

Section 1: That the court costs for Title 11 violations of the Martin Municipal Code are adjusted to One Hundred Thirty (\$130) Dollars.

Section 2: **BE IT FURTHER ORDAINED** that this ordinance shall become effect immediately upon its passage after second and final reading, **THE PUBLIC WELFARE REQUIRING IT.**

ATTEST:

\_\_\_\_\_

Richard L. Tidwell, CGFM  
City Recorder

APPROVED:

\_\_\_\_\_

Randy Brundige  
Mayor

Passed First Reading \_\_\_\_\_

Passed Second Reading \_\_\_\_\_

Date of Public Hearing \_\_\_\_\_

**Public Hearing:**

Mayor Brundige opened the meeting for a public hearing to receive public input on Ordinance

O2003-20. No one spoke.

Alderman Harrison made the motion to approve on the first reading Ordinance O2003-21: An Ordinance to increase the amount of court costs for the Martin City Court, seconded by Alderwoman Boyd.

VOTE:	FOR:	HONORABLE MERRYMAN HONORABLE BOYD HONORABLE JOHNSON HONORABLE BELOTE HONORABLE HARRISON HONORABLE NANNEY
	AGAINST:	NONE

Mayor Brundige declared Ordinance O2003-21 approved on the second and final reading.

## **LEASE AGREEMENT FOR MINIATURE GOLF FACILITY AT MARTIN RECREATION COMPLEX**

Mayor Brundige presented a lease agreement for Miniature Golf Facility at Martin Recreation Complex for consideration and review. Copy of lease agreement is attached.

Mr. Suiter explained, the facilities will follow the same designs and character as applied to the MRC. Mr. LeMaster is here to answer any questions. We used the lease model from the City of Chattanooga as well as from the state. Upon your approval tonight, the city's attorney will review and critique the lease agreement, then forward the lease agreement to the Tennessee Department of Environment and Conservation for review. There are some concerns to be dealt with because grant monies were used in the construction and we want to be in compliance.

Mayor Brundige stated, there are several housekeeping items in the amendments that need to be reviewed. We can do that tonight or let the city's attorney rework these.

Mr. Suiter explained, we will use a graduated scale for payment, listed in Exhibit D of the lease agreement. Annual payment will be made on January 1 of each year. Anticipated revenues are \$100,000 to 150,000 per year. Signs will have to be approved. April 2004 is projected



for completion and grand opening.

Alderman Johnson made the motion to accept the lease agreement for a miniature golf facility at MRC as proposed and allow the city's attorney to modify as needed, seconded by Alderman Belote.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

### **NEW BUSINESS:**

There was no New Business.

### **SOYBEAN FESTIVAL THANK YOU**

Mayor Brundige expressed a hearty thank you to the Soybean Committee, city department heads, city workers, and everyone who participated in any manner by donation of time or money. This year was a great success.

### **ADJOURN**

Alderman Nanney made the motion to adjourn, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

*Minutes: City of Martin Board of Mayor and Aldermen, September 08, 2003*

---

Richard L. Tidwell, City Recorder

---

Randy Brundige, Mayor

RB: RLT/bh

Saved; "September 2003" Tape #232 (1 of 1)