

MINUTES OF THE MARTIN BOARD OF MAYOR AND ALDERMEN

March 08, 2004 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, March 08, 2004, 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, ALDERMAN WARD I
 HONORABLE BILL HARRISON, ALDERMAN WARD I
 HONORABLE STAN JOHNSON, ALDERMAN WARD II
 HONORABLE DAVID BELOTE, ALDERMAN WARD II
 HONORABLE NATALIE D. BOYD, ALDERWOMAN WARD III
 HONORABLE RANDY EDWARDS, ALDERMAN WARD III

MEMBERS ABSENT: NONE

Department Heads present: Mr. Eric Spencer, City Recorder, Mr. Charles Vowell, Public Works Director, Mr. Dennis Suiter, Parks and Recreation Director, Ms. Roberta Peacock, Library Director Mr. David Moore, Public Safety Director, and Ms. Hollie Vowell, MECD Director.

CALL TO ORDER AND INVOCATION

Mayor Brundige called the March 08, 2004, meeting of the City of Martin Board of Mayor and Alderman to order and Aldermen Nanney gave the invocation.

PLEDGE OF ALLEGIANCE

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

PROCLAMATION: ALDERMAN PHILLIP B. MERRYMAN, WARD III

Mayor Brundige presented the following Proclamation of Appreciation to Ms. Janice Merryman, wife of Mr Phillip B. Merryman, Alderman Ward III. We want to do this proclamation in honor of Phillip because he was a dedicated alderman and because we are so appreciative of his service to the city.

WHEREAS, the Citizens of the City of Martin, Tennessee, are appreciative of its leaders and wish to express their gratitude; and

WHEREAS, Mr. Phillip B. Merryman served with distinction as Alderman representing Ward III

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from September, 2000 to February 2004 and in that capacity provided valuable personal insight and leadership on numerous Boards, Commissions, and Committees; and

WHEREAS, Mr. Merryman has continually proven his personal belief that Martin is a great place to live, work, and play.

NOW, THEREFORE, the Board of Mayor and Aldermen of the City of Martin, Tennessee, on behalf of the entire community, hereby proudly present this Proclamation of Appreciation to

PHILLIP B. MERRYMAN

for his exceptional service to the Citizens of Martin, Tennessee, and wish to convey our heartfelt thanks for making Martin an even better place.

Ms. Merryman spoke, "I am sure this will mean a lot to Phillip, does mean a lot to Phillip. I am sorry he was not able to be here to tell you how much. I am the native of Martin, Phillip was raised a few miles north of here. But when, we came back to raise our children, Martin was where we chose. And from T-Ball coach to city council, Phillip has been totally committed to Martin, to it's programs, to it citizens, and making things better. I know, that he regretted not being able to complete his term but everything about the three and one-half years that he has served has been great, from working with the staff here to representing the people in his district. Thank you."

APPOINTMENT OF ALDERMAN WARD III

Mayor Brundige explained we need to appoint an alderman to serve from Ward III to finish the term of Mr. Merryman. This term will expire November 2004.

Alderwoman Boyd nominated Mr. Randy Edwards as Alderman Ward III.

Alderman Harrison made a motion the nomination cease, seconded by Alderman Johnson.

VOTE: UNANIMOUS VOICE VOTER OF APPROVAL

Mayor Brundige asked for a roll call vote on the nomination of Mr. Randy Edwards as Alderman for Ward III.

FOR: HONORABLE NANNEY
HONORABLE HARRISON
HONORABLE BELOTE
HONORABLE JOHNSON
HONORABLE BOYD

AGAINST: NONE

Mayor Brundige declared Mr. Edwards appointed and asked Judge Lang Unger to swear Mr. Edwards in as the new alderman for Ward III.

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Judge Unger performed the swearing in ceremony by asking Mr. Edwards to raise his right hand and repeat as follows: "I do solemnly swear (repeated by Mr. Edwards) that I will perform (repeated by Mr. Edwards) with fidelity (repeated by Mr. Edwards) the duties of the office (repeated by Mr. Edwards) to which I have been appointed (repeated by Mr. Edwards) and which I am about to assume (repeated by Mr. Edwards) I do solemnly swear (repeated by Mr. Edwards) to support the constitutions (repeated by Mr. Edwards) of Tennessee and the United States (repeated by Mr. Edwards) and to faithfully perform (repeated by Mr. Edwards) the duties of alderman (repeated by Mr. Edwards) for the City of Martin (repeated by Mr. Edwards) so help me God (repeated by Mr. Edwards)."

Judge Unger congratulated Alderman Edwards.

Mayor Brundige asked Alderman Edwards to take his seat on the board.

APPROVAL OF MINUTES: FEBRUARY 09, 2004

Alderman Harrison made the motion to approve the minutes of the February 09, 2004, meeting as written, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

COMMITTEE REPORTS:

There were no committee reports.

CITIZENS POLICE ACADEMY

Director Moore announced, the Citizen's Police Academy will start February 11, 2004 for an eight week session.

REPORT ON THE BENEFIT FOR FIREMAN JAMIE SUMMERS

Director Moore spoke, the benefit for Jamie Summers, you can hardly say enough about our community. I want to thank the community again. We raised \$10,000.00 and that was about ten times what we expected. I can't say enough thanks to, you, as a board and particularly, you, Mayor for making that possible for us to do that. Your support meant everything to us. Jamie and his family certainly appreciate you all and the community support as well.

OLD BUSINESS:

SECOND AND FINAL READING OF ORDINANCE 02004-02: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM B-3 (HIGH DENSITY RESIDENTIAL) TO B-3 (INTERMEDIATE BUSINESS), PROPERTY LOCATED AT THE SOUTHEAST INTERSECTION OF SMITH STREET AND RAILROAD AVENUE. RECOMMENDATION FROM THE PLANNING COMMISSION. Published in the Weakley County Press on February 19, 2004

Mayor Brundige presented for the second and final reading and public hearing, Ordinance O2004-02: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning from B-3 (High Density Residential) B-3 (Intermediate Business), property located at the Southeast Intersection of Smith Street and Railroad Avenue. Recommendation from the Planning Commission. Published in the Weakley County Press on February 19, 2004.

Public Hearing:

Mayor Brundige opened the Public Hearing and asked if there was anyone wishing to speak for/against the ordinance.

Mr. Kent Lee spoke against the ordinance stating, "Good evening, my name is Kent Lee. And, my family and I own property on Railroad Street. And, I just have , I am kinda unorganized because I just found out about this being discussed today. Last year approximately at about this time of year we fought a similar measure or effort to have rezoning on Railroad Street and that effort failed because of the same, there were issues that were raised that effort failed and those same issues still exist on Railroad Street. There is no improvement that has been done that can accommodate that to change it from residential to a business district. None whatsoever. For the residents who live on that street, the street is divided up, I am sure you have noticed on the map, there are three different section of Railroad Street. And, this particular intersection, I am not on that particular block, but I am on that street and there is concern for the neighbors and individuals that are along that pathway that this effect will eventually effect us as the rezoning is taking place. So, once the a toe hold is taken we feel it is a domino effect before a matter of time it will effect our property as far as rebuilding and things of that nature. We understand that current structures as they are in tack but in case of fire and things of that nature dealing with insurance for rebuilding and things like that. That is not able to be done during a residential area. And, last year, we still believe, I was unable to get my neighbors to join me on this but I told them I was going to be here to make the request that this be denied. And, just like last year, up an down Lindell on both sides of the boulevard is plenty of residential space that is vacant and available and to invade on Railroad Street in a residential street at this particular time we feel would be, we disagree with it. The issue was brought up last year as well. And, I am sure maybe some of you guys, may or may not remember but as far as the width of Railroad being able to handle fire trucks and emergency vehicles, it has not happened on that street

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as far as Davis on the other side of the street. But, yet, we feel like, that is where our homes are and that is where we own property and things of that nature. We would, to consider and like to keep it as a residential area. And, I thank you for your time. One more thing, I just wanted to say. Last year we were notified by letter in writing that this was coming up on the agenda because it was effecting the neighbors on that street. And, it wasn't done this year and like I said I finally heard in the eleventh hour that this was coming so I came poorly prepared. But, if that effort has been dropped we would appreciate it would be picked back up because sometimes neighbors can loose out on something because everybody does not get the paper or subscribe to it and things of that nature and a lot of the family members are older and the kids are away in different locations and come in once a year for homecoming and things of that nature. And, we would like to be abreast of where the neighborhood could rally around, not only on my street but various streets around the community so that people can informed so that they can keep their family properties and things of that nature."

Mayor Brundige responded, the reason they did not inform you is, they informed the residents that have adjoining property to the rezoning.

Alderman Nanney asked, how many houses are on Railroad Street?

Mr. Lee answered, I would have to count them.

Alderman Nanney asked, is this a one lane street?

Mr. Kent answered, yes. It is hard for an emergency vehicle to get down our street, as well as, Davis Street. Railroad Street is divided up because of the way the drainage system comes through along the railroad track and goes behind the K & N and up to Lindell Street. This street is one lane and it is still narrow with poor drainage. There are very few houses but this is the way we have to travel to and from work and onto Lindell Street. To make this a business district you are talking about two lane traffic and people having to pull over into yards to allow a car to pass. And, if there is an emergency, it would be a big problem. It is just not designed for business traffic.

Alderman Belote asked, the property in question, is it accessible on Railroad Avenue or is it , the only way you can access from Smith and Lindell, from Lindell to Smith and then it dead ends, is that correct?

Mr. Lee answered, Smith Street turns into Railroad.

Mayor Brundige stated, it turns into Railroad, then runs into Hyndsver Road. You can't turn right there, you have to make a left turn.

Alderman Belote asked, where is your residence located?

Mr. Lee answered, the south end of the street. The only reason I am here is I do not want this to be approved and domino effect to my end of the street.

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Mayor Brundige asked if anyone else wished to speak. No one else spoke. The Public Hearing was closed.

Mr. Spencer read Ordinance O2004-02. A copy follows:

ORDINANCE 02004-02

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM R-3 (HIGH DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS), PROPERTY LOCATED AT THE SOUTHEAST INTERSECTION OF SMITH STREET AND RAILROAD AVENUE.

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 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 Mayor and Board of Aldermen has deemed such a rezoning of this territory from R-3 (High Density Residential) to B-2 (Intermediate Business) 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 Municipal Zoning Map and Zoning Ordinance for Martin Tennessee be amended by rezoning from R-3 (High Density Residential) to B-2 (Intermediate Business), property located at the southeast intersection of Smith Street and Railroad Avenue, and further described as:

Being all of Weakley County Tax Map 72A, Group D, Parcels 01200, 01300, 01301 and the remaining eastern portion of 01901 as shown of Weakley County Tax Map 72H.

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: February 09, 2004
Date Passed Second Reading: _____

Date of Public Hearing: _____

Attested:

Eric Spencer, City Recorder

Approved:

Randy Brundige, Mayor

Alderman Belote made the motion to table Ordinance O2004-02: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning from R-3 (High Density Residential) to B-2 (intermediate Business) property located at the southeast intersection of Smith Street and Railroad Avenue, seconded by Alderman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige declared Ordinance O2004-02 tabled until the next meeting.

SECOND AND FINAL READING AND PUBLIC HEARING OF ORDINANCE O2004-03: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM B-1 (GENERAL BUSINESS) TO R-2 (MEDIUM DENSITY RESIDENTIAL), THE FOLLOWING PROPERTY LOCATED ON THE NORTH SIDE OF ST. CHARLES STREET. Recommendation from the Planning Commission. Published in the Weakley County Press on February 19, 2004.

Mayor Brundige presented for consideration on the second and final reading and public hearing of Ordinance O2004-03: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning, from B-1 (General Business) to R-2 (Medium Density Residential), the following property located on the north side of St. Charles Street. This is a recommendation from the Planning Commission. Published in the Weakley County Press on February 19, 2004.

Mr. Spencer read the ordinance. A copy follows:

ORDINANCE 02004-03

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM B-1 (GENERAL COMMERCIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL), THE FOLLOWING PROPERTY LOCATED ON THE NORTH SIDE OF ST. CHARLES STREET.

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 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 Mayor and Board of Aldermen has deemed such a rezoning of this territory from B-1 (General Commercial) to R-2 (Medium Density Residential) to be necessary for the welfare of the residents and property owners thereof this City as a whole; and

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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 Municipal Zoning Map and Zoning Ordinance for Martin Tennessee be amended by rezoning from B-1 (General Commercial) to R-2 (Medium Density Residential), the following property located on the north side of St. Charles Street, and further described as:

Being all of Weakley County Tax Map 73L, Group F, Parcel 01000.

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: February 09, 2004

Date Passed Second Reading:

Date of Public Hearing:

ATTESTED:

APPROVED:

Eric Spencer, City Recorder

Randy Brundige, Mayor

Public Hearing:

Mayor Brundige asked if there was anyone wishing to speak for or against Ordinance O2004-03. No one spoke.

Alderman Harrison made the motion to approve on the second and final reading, Ordinance O2004-03: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning, from B-1 (General Business) to R-2 (Medium Density Residential), the following property located on the north side of St. Charles Street, seconded on by Alderman Nanney.

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

Mayor Brundige declared Ordinance O2004-03 approved on the second and final reading.

SECOND AND FINAL READING AND PUBLIC HEARING OF ORDINANCE O2004-04: AN ORDINANCE TO AMEND SECTION 18-502 OF ORDINANCE O2003-04, AN ORDINANCE TO AMEND TO OFFICIAL CODE OF THE CITY OF MARTIN, TENNESSEE, WHICH PASSED ON MARCH 10, 2003. Published in the Weakley County Press on February 19, 2004.

Mayor Brundige presented for consideration on the second and final reading and public hearing, Ordinance O2004-04: An Ordinance to amend Section 18-502 of Ordinance O2003-04, and Ordinance to amend to Official Code of the City of Martin, Tennessee, which passed on March 10, 2003. This was published in the Weakley County Press on February 19, 2004.

Mr. Spencer read Ordinance O2004-04. A copy follows:

ORDINANCE O2004-04

AN ORDINANCE TO AMEND SECTION 18-502 OF ORDINANCE O2003-04, AN ORDINANCE TO AMEND THE OFFICIAL CODE OF THE CITY OF MARTIN, TENNESSEE, WHICH WAS PASSED ON MARCH 10, 2003

WHEREAS, the Environment Protection Act has mandated that certain communities address stormwater runoff; and

WHEREAS, the City of Martin has to adopt rules and regulations implementing programs and practices to control polluted runoff; and

WHEREAS, the Board of Mayor and Aldermen of the City of Martin deem it necessary to change the Municipal Code to implement this mandated change.

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

SECTION 1. The following shall be added to the City of Martin Municipal Code, Title 18, Stormwater Runoff Control

CHAPTER 5

EROSION AND STORMWATER CONTROL

Section 18-502

Permit Required: Except as exempted in Chapter 3, Sewer Disposal, Sections 18-503 of this chapter, whenever development will involve only cleaning, grading, any form of land disturbance caused by movement of earth or increase in stormwater runoff due to the decrease in soil permeability, no land shall be disturbed within the City of Martin unless a grading permit has been issued by the Director of Public Works or his designee. The Director of Public Works or his designee shall collect a fee of \$25.00 per acre or fraction of an acre for each permit issued which amount shall go into the General Fund of the City of Martin.

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

PASSED FIRST READING _____ February 09, 2004
PASSED SECOND READING _____
DATE OF PUBLIC HEARING _____

ATTEST:

APPROVED:

Eric Spencer, City Recorder

Randy Brundige, Mayor

Alderman Johnson made the motion to approve on the second and final reading Ordinance O2004-04: An Ordinance to amend Section 18-502 of Ordinance O2003-04, and Ordinance to amend to Official Code of the City of Martin, Tennessee, which passed on March 10, 2003, seconded by Alderman Nanney.

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

Mayor Brundige declared Ordinance O2004-04 approved on the second and final reading.

NEW BUSINESS:

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2004-07:
RESOLUTION ENDORSING AND SUPPORTING WORKERS
COMPENSATION REFORM IN TENNESSEE IN 2004. THIS ITEM IS VITAL
TO THE CONTINUED ECONOMIC DEVELOPMENT OF OUR REGION**

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AND OUR STATE AND THE QUALITIES OF FAIRNESS, EQUITY, AND CLARITY ARE SOUGHT FOR THIS SYSTEM.

Mayor Brundige introduced and presented for consideration Resolution R2004-07: Resolution endorsing and supporting Workers Compensation Reform in Tennessee in 2004. This item is vital to the continued Economic Development of our Region and our State and the qualities of fairness, equity, and clarity are sought for this system.

Mr. Spencer read Resolution R2004-07. A copy follows:

RESOLUTION R2004-07

**RESOLUTION ENDORSING AND SUPPORTING WORKERS
COMPENSATION REFORM IN TENNESSEE IN 2004. THIS ISSUE IS
VITAL TO THE CONTINUED ECONOMIC DEVELOPMENT OF OUR
REGION AND OUR STATE; AND THE QUALITIES OF FAIRNESS,
EQUITY, AND CLARITY ARE SOUGHT FOR THIS SYSTEM**

WHEREAS, Tennessee's workers compensation system was created to ensure income replacement and medical treatment to an employee injured on the job; and,

WHEREAS, employers with more that five employees are required to provide workers compensation insurance; and,

WHEREAS, it is a system that should serve both employee and employer by being fair, predictable, and non-adversarial; and,

WHEREAS, the high cost and unpredictability of the system serves as a disincentive for businesses to expand here or to relocate to the state, which has negative impact on business-growth and job-growth opportunities; and,

WHEREAS, the high cost of the state's workers compensation system can also impact the decisions to retain current jobs in Tennessee; and,

WHEREAS, the current system is in crisis, serving neither the employee nor the employer; and,

WHEREAS, retaining jobs and creating new ones is vitally important to local economies and local governmental operating budgets; and,

WHEREAS, it is in the future interest of all Tennesseans to invest in a climate that supports job growth; and,

WHEREAS, maintaining competitive workers compensation costs among Tennessee and its contiguous states contribute to a business climate that encourages growth and stability;

NOW THEREFORE BE IT RESOLVED BY THE MARTIN BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION 1. The Martin Board of Mayor and Aldermen supports Governor Bredesen’s effort to enact meaningful and comprehensive workers compensation reform.

SECTION 2. BE IT FURTHER RESOLVED that the Board of Mayor and Aldermen of the City of Martin, Tennessee calls on its local representative and senator, in addition to other members of the General Assembly, to support meaningful and comprehensive workers compensation reform and adopt legislation during the 2004 session that will improve the state’s business climate for the ultimate benefit of everyone.

SECTION 3. BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it.

Motion made by Alderman _____ that the foregoing resolution be approved. Seconded by Alderman _____. Upon being put to a roll call vote the motion passed on the ___ day of _____, 2004.

ATTESTED:

APPROVED:

Eric Spencer, City Recorder

Randy Brundige, Mayor

Alderman Harrison made the motion to approve Resolution R2004-07: Resolution endorsing and supporting Workers Compensation Reform in Tennessee in 2004. This item is vital to the continued Economic Development of our Region and our State and the qualities of fairness, equity, and clarity are sought for this system, seconded by Alderman Johnson.

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

Mayor Brundige declared Resolution R2004-07 approved.

INTRODUCTION AND PRESENTATION OF RESOLUTION R2004-08: RESOLUTION AUTHORIZING BUDGET AMENDMENT TO THE CITY OF MARTIN GENERAL FUND AND NATURAL GAS FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2004. Recommendation from the Finance Committee.

Mayor Brundige introduced and presented for consideration, Resolution R2004-08: RESOLUTION R2004-08: Resolution authorizing amendments to the City of Martin General Fund and Natural Gas

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Fund for the fiscal year ending June 30, 2004. This is a recommendation from the Finance Committee.

Mr. Spencer read Resolution R2004-08. A copy follows:

RESOLUTION R2004-08

**RESOLUTION AUTHORIZING BUDGET AMENDMENT TO THE
CITY OF MARTIN, TENNESSEE GENERAL FUND AND NATURAL GAS FUND
FOR THE FISCAL YEAR ENDING JUNE 30, 2004**

WHEREAS, monies are needed to fund miscellaneous expenses for the general fund and gas department of the City of Martin; and

WHEREAS, it is the wishes of the Board of Mayor and Aldermen of the City of Martin that funds be transferred to cover these requirements.

NOW THEREFORE BE IT RESOLVED, the Board of Mayor and Aldermen of Martin, Tennessee assembled in regular session on this 8th day of March 2004, this resolution is hereby approved.

SECTION 1. The City of Martin General Fund is hereby amended as follows:

Fund # 110		Approved	Budget	Amended
<u>Acct-Object Number</u>	<u>Account Name</u>	<u>Budget</u>	<u>Amendment</u>	<u>Budget</u>
110-36510	Sale of Land	\$8,400	\$8,050	\$16,450
110-41300-254	Eng-Arch-Cons	\$-0-	\$1,665	\$ 1,665
110-41300-256	Consultant Svcs	\$-0-	\$3,335	\$ 3,335
110-41300-261	Equip Maint	\$4,000	\$3,050	\$ 7,050
110-42200-799	Misc Exp	\$2,000	\$ 400	\$ 2,400
110-42200-283	Out of Town Travel	\$1,000	(\$400)	\$ 600

SECTION 2. The City of Martin Natural Gas Fund is hereby amended as follows:

Fund # 415		Approved	Budget	Amended
<u>Acct-Object Number</u>	<u>Account Name</u>	<u>Budget</u>	<u>Amendment</u>	<u>Budget</u>
415-52400-112	Overtime	\$10,000	\$10,000	\$20,000
415-52400-930	New Construction	\$50,000	(\$10,000)	\$40,000

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of Mayor and Aldermen of the City of Martin, which are in conflict with this resolution, are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that the resolution take effect from and after its passage, the public welfare requiring it.

Motion made by Alderman _____ that the foregoing resolution be approved. Seconded by Alderman _____. Upon being put to a roll call vote the motion passed on the ____ day of _____, 2004.

ATTESTED:

APPROVED:

Eric Spencer, City Recorder

Randy Brundige, Mayor

Alderman Nanney made the motion to approve Resolution R2004-08: Resolution R2004-08: Resolution authorizing amendments to the City of Martin General Fund and Natural Gas Fund for the fiscal year ending June 30, 2004, seconded by Alderman Harrison.

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

Mayor Brundige declared Resolution R2004-08 approved.

INTRODUCTION AND PRESENTATION FOR THE FIRST READING OF ORDINANCE O2004-05: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP OF MARTIN, TENNESSEE, BY REZONING, FROM B-3 (CENTRAL BUSINESS) TO R-2 (MEDIUM DENSITY RESIDENTIAL), THE FOLLOWING PROPERTY LOCATED ON THE NORTH SIDE OXFORD STREET. Recommendation from the Planning Commission.

Mayor Brundige introduced and presented for the first reading, Ordinance O2004-05: An Ordinance to amend the Municipal Zoning Ordinance and Map of Martin, Tennessee, by rezoning, from B-3 (Central Business) to R-2 (Medium Density Residential), the following property located on the north side of Oxford Street. This is a recommendation from the Planning Commission.

Mr. Spencer read Ordinance O2004-05. A copy follows:

ORDINANCE 02004-05

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM B-3 (CENTRAL BUSINESS) TO R-2 (MEDIUM DENSITY RESIDENTIAL), THE FOLLOWING PROPERTY LOCATED ON THE NORTH SIDE OF OXFORD STREET.

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 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 Mayor and Board of Aldermen has deemed such a rezoning of this territory from B-3 (Central Business) to R-2 (Medium Density Residential) 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 Municipal Zoning Map and Zoning Ordinance for Martin Tennessee be amended by rezoning from B-3 (Central Business) to R-2 (Medium Density Residential), the following property located on the north side of Oxford Street, and further described as:

Being all of Weakley County Tax Map 73L, Group C, Parcel 01300.

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:

Eric Spencer, City Recorder

Randy Brundige, Mayor

Alderman Johnson made the motion to approve Ordinance O2004-05: An Ordinance to amend the Municipal Zoning Ordinance and Map of Martin, Tennessee, by rezoning, from B-3 (Central Business) to R-2 (Medium Density Residential), the following property located on the north side of Oxford Street, seconded by Alderwoman Boyd.

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

Mayor Brundige declared Ordinance O2004-05 approved.

INTRODUCTION AND PRESENTATION OF ORDINANCE O2004-06: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM R-3 (HIGH DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS), THE FOLLOWING PROPERTY LOCATED ON THE EAST SIDE OF N. LINDELL STREET BETWEEN SMITH STREET TO THE NORTH AND PALACE STREET TO THE SOUTH. This is a recommendation from the Planning Commission.

Mayor Brundige introduced and presented for consideration Ordinance O2004-06: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning, from R-3 (High Density Residential) to B-2 (Intermediate Business), the following property located on the east side of N. Lindell Street between Smith Street to the north and Palace Street to the south. This a recommendation from the Planning Commission.

Mr. Spencer read Ordinance O2004-06. A copy follows:

ORDINANCE 02004-06

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING, FROM R-3 (HIGH DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS), THE FOLLOWING PROPERTY LOCATED ON THE EAST SIDE OF N. LINDELL STREET BETWEEN SMITH STREET TO THE NORTH AND PALACE STREET TO THE SOUTH.

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 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 Mayor and Board of Aldermen has deemed such a rezoning of this territory from R-3 (High Density Residential) to B-2 (Intermediate Business) 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 Municipal Zoning Map and Zoning Ordinance for Martin Tennessee be amended by rezoning from R-3 (High Density Residential) to B-2 (Intermediate Business), the following property located on the east side of N. Lindell Street between Smith Street to the north and Palace Street to the south, and further described as:

Being all of Weakley County Tax Map 72A, Group D, Parcels 01400, 01500, 01600, 01700, and the remaining portion of Parcel 01801 not already designated B-2 (Intermediate Business).

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:

ATTEST:

APPROVE:

Eric Spencer, City Recorder

Randy Brundige, Mayor

Alderman Harrison made the motion to approve Ordinance O2004-06: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning, from R-3 (High Density Residential) to B-2 (Intermediate Business), the following property located on the east side of N. Lindell Street between Smith Street to the north and Palace Street to the south.

No second was received.

Alderman Nanney made the motion to table, until next month, Ordinance O2004-06: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning, from R-3 (High Density Residential) to B-2 (Intermediate Business), the following property located on the east side of N. Lindell Street between Smith Street to the north and Palace Street to the south, seconded by Alderman Belote.

VOTE UNANIMOUS VOICE VOTE OF APPROVAL

APPOINTMENT OF ALDERMAN EDWARDS TO COMMITTEES

Mayor Brundige recommended Alderman Edwards be appointed to fill Alderman Merryman's committee assignments.

Alderman Nanney made the motion to appoint Alderman Edwards to fill Alderman Merryman's committee assignments, seconded by Alderwoman Boyd.

VOTE UNANIMOUS VOICE VOTE OF APPROVAL

APPOINTMENT OF GRIEVANCE COMMITTEE

Mayor Brundige recommended the following persons be appointed to the City of Martin Grievance Committee: Alderwoman Natalie Boyd, Chairman, Alderman Stan Johnson, Alderman Bill Harrison and Mr. Rubin Ransom with Alderman Danny Nanney, Alderman David Belote and Alderman Randy Edwards as alternate members.

Alderman Nanney made the motion to appoint the following persons to the City of Martin Grievance Committee: Alderwoman Natalie Boyd, Chairman, Alderman Stan Johnson, Alderman Bill Harrison and Mr. Rubin Ransom with Alderman Danny Nanney, Alderman David Belote and Alderman Randy Edwards as alternate members, seconded by Alderman Harrison.

VOTE UNANIMOUS VOICE VOTE OF APPROVAL

ADJOURN

Alderman Nanney made the motion to adjourn, seconded by Alderwoman Boyd.

VOTE UNANIMOUS VOICE VOTE OF APPROVAL

Eric Spencer, City Recorder

Randy Brundige, Mayor