

MINUTES OF THE MARTIN BOARD OF MAYOR AND ALDERMEN

January 10, 2005 5:15 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, January 10, 2005, at 5:15 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, ALDERMEN WARD I
HONORABLE DAVID BELOTE, ALDERMAN WARD II
HONORABLE JOHNNY TUCK, ALDERMAN WARD II
HONORABLE NATALIE BOYD, ALDERMAN WARD III
HONORABLE RANDY EDWARDS, ALDERMAN WARD III

MEMBERS ABSENT: NONE

Also present: City Recorder Chris Mathis and several department heads.

CALL TO ORDER AND INVOCATION

Mayor Brundige called the January 10, 2005, City of Martin Board of Mayor and Aldermen meeting to order. Alderman Nanney gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES DECEMBER 7 AND 13, 2004

Alderman Nanney made the motion to approve the minutes of the December 7th and 13th, 2004 meetings as written, seconded by Alderman Belote.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

DEPARTMENT HEAD REPORTS

No Reports were given.

SECOND AND FINAL READING AND PUBLIC HEARING OF ORDINANCE O2004-17: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING ONE TRACT ON COURTRIGHT ROAD FROM R-1 (LOW DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS). This is a recommendation from the Planning Commission. Published in the Weakley County Press on December 23, 2004

Mayor Brundige introduced and presented for consideration on the second and final reading Ordinance O2004-17: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee by rezoning one tract on Courtright Road from R-1 (Low Density Residential) to B-2 (Intermediate Business). This is a recommendation from the Planning Commission. This is the public hearing. Published in the Weakley County Press on December 23, 2004.

City Recorder Mathis read Ordinance O2004-17. A copy follows:

ORDINANCE 02004-17

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING ONE TRACT ON COURTRIGHT ROAD FROM R-1 (LOW DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS).

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 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 B-2 (Intermediate Business):

Weakley County Tax Map 73, Parcel 01903

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:

SIGNED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Public Hearing:

Mayor Brundige asked if there was anyone present wishing to speak for or against Ordinance O2004-17. No one spoke.

Alderman Tuck made the motion to approve on the second and final reading Ordinance O2004-17: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee by rezoning one tract on Courtright Road from R-1 (Low Density Residential) to B-2 (Intermediate Business), seconded by Alderman Nanney.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Resolution O2004-17 approved on the second and final reading.

PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR SEWER IMPROVEMENTS IN THE CITY OF MARTIN

Mayor Brundige opened the Public Hearing on the Community Development Block Grant for sewer improvements in the City of Martin.

Ms. Lynn Manning, representative from Community Development Partners, conducted the public hearings.

Introduction to Public Hearings:

Ms. Manning explained we actually have two public hearings we have to conduct: Public Hearing #1 and Public Hearing #2. Public Hearing #1 is for the submission of the application for 2005 Community Development Block Grant (CDBG) for the State of Tennessee. Public Hearing #2 is for the closure of existing Community Development Block Grant. The provision set out by CDBG states that there will be two public hearings, one prior to submission and one at the closure of a grant.

Public Hearing #1

Ms. Lynn Manning

The City of Martin has shown an interest in applying for the 2005 Community Development Block Grant (CDBG) for the State of Tennessee. This is HUD money and is administered by the State of Tennessee Community Development Department. We will be applying for this grant on behalf of the City of Martin under the low to moderate-income (LMI) section. This public hearing is for input from interested persons for the use of these grant funds. The city wants to use these funds on sewer rehab.

Ms Manning ask for questions.

Alderman Nanney asked how long will it take to get this grant?

Ms. Manning replied submission for the grant application is the 28th of February. The announcement of receipt of the grant will be in August or September. By the time the city gets the contract and fulfills the environmental obligations it will probably be December 2005 or January 2006. So the city should know something by August or September and be able to move forward by January 2006.

Alderman Belote asked, what is the city's obligation or match?

Ms. Manning responded the local fund match requirement is thirteen percent (13%) with a \$500,000 maximum grant available.

Ms. Manning asked that each person in attendance sign a sheet (sheet was passed and signed). She thanked the city for allowing Community Development Partners to serve the city.

Mayor Brundige asked if anyone else wished to speak. No one spoke.

Mayor Brundige closed the Public Hearing.

Public Hearing #2:

Ms. Lynn Manning

Mayor Brundige opened Public Hearing #2: Closure of the CDBG Grant to construct the water tank in the western part of the city.

Ms. Manning spoke, this public hearing is for closure on the city's existing CDBG Grant used for the construction of the water tank located in the western section of Martin on UTM/City of Martin property. This is one of the prettiest tanks I have ever seen. The glossy white and the UT emblem makes a wonderful western gateway to the City of Martin. I am here to receive comments on this construction.

If there are no comments, we can close this public hearing. I will also need signatures of persons in attendance.

Ms. Manning explained the Martin Economic Development Corporation will be conducting an income survey of approximately 300 people. This is a requirement for application of the grant and we need the citizens of Martin to assist MEDC in this survey. Some of the questions will be, name, address, number of children in household, any over the age of 62, any female head-of-household, race and most important income. We need this information to show the city meets (low to moderate income) LMI requirements. We have to show that 51% of our population falls in the low to moderate-income bracket, the better the LMI the more points scored.

Mayor Brundige closed the Public Hearing.

**INTRODUCTION AND READING OF RESOLUTION R2005-01:
RESOLUTION AUTHORIZING CITY OF MARTIN ADMINISTRATIVE
SERVICES TO ADMINISTER COMMUNITY DEVELOPMENT BLOCK
GRANT FUNDS FOR THE PURPOSE OF SEWER SYSTEM
IMPROVEMENTS.**

Mayor Brundige introduced for consideration Resolution R2005-01: Resolution authorizing City of Martin administrative services to administer Community Development Block Grant funds for the purpose of sewer system improvements. This resolution as well as R2005-02 and R2005-03 apply to the GDBG fund application.

City Recorder Mathis read Resolution R2005-01. A copy follows:

RESOLUTION R2005-01

**RESOLUTION AUTHORIZING CITY OF MARTIN ADMINISTRATIVE SERVICES TO
ADMINISTER COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE
PURPOSE OF SEWER SYSTEM IMPROVEMENTS PROJECT**

WHEREAS, the City of Martin, Tennessee desires to apply for financial grant assistance as provided under State of Tennessee's FY 2005 Small Cities Community Development Block Grant (CDBG) Program; and

WHEREAS, the Board of Mayor and Aldermen of the City of Martin finds it in the City's best interest to secure the assistance of an experienced and qualified administrative management services firm to assist in preparing and administrating the City's 2005 Community Development Block Grant Application; and

WHEREAS, in compliance with pertinent State regulations, the City has solicited and evaluated statements of qualifications of interested professional CDBG administrative assistance firms; and

WHEREAS, the Board of Mayor and Aldermen has determined that Community Development Partners, LLC has the most appropriate experience, background and qualifications to provide said services; and

WHEREAS, Community Development Partners, LLC will conduct the work necessary to complete the CDBG application on a no-cost basis.

NOW, THEREFORE BE IT RESOLVED that the Board of Mayor and Aldermen of the City of Martin hereby select Community Development Partners, LLC to provide assistance in the preparation and administration of the City's 2005 CDBG grant application.

READ AND ADOPTED this the 10th day of January 2005.

ATTESTED:

SIGNED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Nanney made the motion to approve Resolution R2005-01: Resolution authorizing City of Martin administrative services to administer Community Development Block Grant funds for the purpose of sewer system improvements, seconded by Alderwoman Boyd.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Resolution R2005-01 approved.

**INTRODUCTION AND READING OF RESOLUTION R2005-02:
RESOLUTION AUTHORIZING CITY OF MARTIN, TENNESSEE
ENGINEERING SERVICES TO CONDUCT WORK NECESSARY TO
IMPLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
TO COMPLETE SEWER SYSTEM IMPROVEMENTS PROJECT**

Mayor Brundige introduced and presented for consideration Resolution R2005-02: Resolution authorizing City of Martin, Tennessee engineering services to conduct work necessary to implement Community Development Block Grant funds to complete sewer system improvements project.

City Recorder Mathis read Resolution R2005-02. A copy follows:

RESOLUTION R2005-02

**RESOLUTION AUTHORIZING CITY OF MARTIN, TENNESSEE ENGINEERING
SERVICES TO CONDUCT WORK NECESSARY TO IMPLEMENT
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO COMPLETE
SEWER SYSTEM IMPROVEMENTS PROJECT**

WHEREAS, the City of Martin, Tennessee desires to apply for financial grant assistance as provided under State of Tennessee's FY 2005 Small Cities Community Development Block Grant (CDBG) Program; and

WHEREAS, the Board of Mayor and Aldermen of the City of Martin finds it in the City's best interest to secure the assistance of an experienced and qualified Engineering firm to assist in preparation and implementation the City's 2005 Community Development Block Grant Application; and

WHEREAS, in compliance with pertinent State regulations, the City has solicited and evaluated statements of qualifications of interested professional Engineering firms; and

WHEREAS, the Board of Mayor and Aldermen has determined that TLM Associates, Inc. has the most appropriate experience, background and qualifications to provide said services; and

WHEREAS, TLM Associates, Inc. will conduct the work necessary to complete the CDBG application on a no-cost basis.

NOW, THEREFORE BE IT RESOLVED that the Board of Mayor and Aldermen of the City of Martin hereby select Community Development Partners, LLC to provide assistance in the preparation and administration of the City's 2005 CDBG grant application.

READ AND ADOPTED this the 10th day of January 2005.

ATTESTED:

SIGNED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Harrison made the motion to approve Resolution R2005-02: Resolution authorizing City of Martin, Tennessee engineering services to conduct work necessary to implement Community Development Block Grant funds to complete sewer system improvements project, seconded by Alderman Belote.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Resolution R2005-02 approved.

**INTRODUCTION AND READING OF RESOLUTION R2005-03:
APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT
FUNDS FOR THE PURPOSE OF SEWER SYSTEM IMPROVEMENTS
PROJECT**

Mayor Brundige introduced and presented for consideration Resolution R2005-03: Application for Community Development Block Grant funds for the purpose of sewer system improvements project.

City Recorder Mathis read Resolution R2005-03. A copy follows:

RESOLUTION R2005-03

**APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE
PURPOSE OF SEWER SYSTEM IMPROVEMENTS PROJECT**

WHEREAS, the Tennessee Community Development Block Grant Program has been established to assist local governments in meeting community development and housing needs consistent with the objectives as set forth in Title I of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the City of Martin acting by and through its Board of Mayor and Aldermen proposes to apply for Community Development Block Grant (CDBG) funds for the purpose of performing eligible community development activities that will benefit the majority of the residents in Martin.

WHEREAS, the City of Martin will provide local financial support in conjunction with the CDBG funds to complete the above project(s); and

WHEREAS, under the terms and provisions of Title I of the Housing and Community Development Act of 1974, as amended, Martin as a recipient is required to designate and appoint a Financial Officer to perform certain duties in the administration of said grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Martin as follows:

THAT, Randy Brundige, Mayor, is hereby authorized to execute and submit an application with appropriate assurances to the State of Tennessee, Department of Economic and Community Development, Office of Program Management, requesting Fiscal Year 2005 Community Development Grant funds in the amount not to exceed \$500,000 for a Sewer System Improvement Project; and

THAT, the City of Martin will be responsible for the local cash/match for project completion to be provided in full by the general account; and

THAT, Randy Brundige, Mayor, be and is hereby designated and appointed as Financial Officer under the terms and pursuant to the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and to perform on behalf of Martin, Tennessee, those acts and assume such duties as are consistent with said position.

READ AND ADOPTED this the 10th day of January 2005.

ATTESTED:

SIGNED:

Chris, Mathis, City Recorder

Randy Brundige, Mayor

Alderman Belote made the motion to approve Resolution R2005-03: Application for Community Development Block Grant funds for the purpose of sewer system improvements project, seconded by Alderman Harrison.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Resolution R2005-03 approved.

**INTRODUCTION AND READING OF RESOLUTION R2005-04:
RESOLUTION AUTHORIZING BUDGET AMENDMENT TO THE CITY
OF MARTIN, TENNESSEE GENERAL FUND: FIRE DEPARTMENT AND
THE CEMETERY FUND FOR THE FISCAL YEAR ENDING JUNE 30,
2005.**

Mayor Brundige introduced and presented for consideration Resolution R2005-04: Resolution authorizing budget amendment to the City of Martin, Tennessee General Fund: Fire Department and the Cemetery Fund for the fiscal year ending June 30, 2005. This is a recommendation from the Finance Committee.

City Recorder Mathis read Resolution R2005-04. A copy follows:

RESOLUTION R2005-04

RESOLUTION AUTHORIZING BUDGET AMENDMENT TO THE
CITY OF MARTIN, TENNESSEE GENERAL FUND: FIRE DEPARTMENT
AND THE CEMETERY FUND
FOR THE FISCAL YEAR ENDING JUNE 30, 2005

WHEREAS, monies are needed to fund miscellaneous expenses for the General Fund: Police Department and the Cemetery Fund

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 10th Day of January 2005, this resolution is hereby approved.

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

Fund # 110				
<u>Acct-Object</u>		<u>Approved</u>	<u>Budget</u>	<u>Amended</u>
<u>Number</u>	<u>Account Name</u>	<u>Budget</u>	<u>Amendment</u>	<u>Budget</u>
110-42200-111-13	Firemen	\$ 372,783	\$ (12,767)	\$ 360,016
110-42200-221	Printing Stationery	\$ 100	\$ 150	\$ 250
110-42200-259	Training	\$ 3,250	\$ 3,000	\$ 6,250
110-42200-261	Equipment Maint.	\$ 5,000	\$ 1,500	\$ 6,500
110-42200-266	Phys. Plant Maint.	\$ 4,000	\$ 1,500	\$ 5,500
110-42200-310	Office Supplies	\$ 400	\$ 750	\$ 1,150
110-42200-311	Data Processing	\$ 350	\$ 1,531	\$ 1,881
110-42200-324	Janitorial Supplies	\$ 1,000	\$ 500	\$ 1,500
110-42200-799	Miscellaneous	\$ 2,400	\$ 1,000	\$ 3,400
110-42200-322	Personal. Prot. Eqpt.	\$ 5,000	\$ 2,836	\$ 7,836

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

612-34325	Sale of Cemet. Lots	\$ -0-	\$ 10,000	\$ 10,000
612-43410-799	Miscellaneous Exp.	\$ -0-	\$ 10,000	\$ 10,000

SECTION 2. 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 3. BE IT FURTHER RESOLVED, that this resolution takes 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 _____ on the 10th day of January 2005.

ATTESTED:

APPROVED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Harrison made the motion to approve Resolution R2005-04: Resolution authorizing budget amendment to the City of Martin, Tennessee General Fund: Fire Department and the Cemetery Fund for the fiscal year ending June 30,2005, seconded by Alderman Belote.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Resolution R2005-04 approved.

INTRODUCTION AND READING OF RESOLUTION R2005-05: A RESOLUTION DIRECTING THE CITY RECORDER TO SELL SHARES OF PRINCIPLE LIFE INSURANCE COMPANY STOCK

Mayor Brundige introduced and presented for consideration Resolution R2005-05: A resolution directing the City Recorder to sell shares of Principle Life Insurance Company stock.

City Recorder Mathis read Resolution R2005-05. A copy follows:

RESOLUTION R2005-05

A RESOLUTION DIRECTING THE CITY RECORDER TO SELL
SHARES OF PRINCIPAL LIFE INSURANCE COMPANY STOCK.

WHEREAS, due to the demutualization of the Principal Mutual Life Insurance Company on July 1, 1998 the City of Martin acquired 2,670 shares of stock in Principal Life Insurance Company; and

WHEREAS, since there was no cost basis in the aforesaid stock the value was not entered into the City's financial books nor was it reflected in any of the required annual audits of the City of Martin; and

WHEREAS, Melon Investor Services, the prior Stock Transfer Agent, and Principal Life Insurance Company have verified the ownership of the stock by the City of Martin; and

WHEREAS, on December 28, 2004 Computershare Investor Services was appointed to take the place of Melon Investor Services as the new Stock Transfer Agent; and

WHEREAS, the Board of Mayor and Aldermen of the City of Martin have determined it to be in the best interest of the City of Martin to sell the 2,670 shares of stock in Principal Life Insurance Company with all realized proceeds deposited to the General Fund of the City.

NOW BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Martin that the City Recorder is directed to sell the 2,670 shares of stock in Principal Life Insurance Company at the current market value and deposit all realized proceeds (minus the required service fees in the transfer of said stock) in the General Fund account of the City of Martin.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon its passage, **THE PUBLIC WELFARE REQUIRING IT.**

Date of Passage: _____

ATTEST:

APPROVED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Tuck made the motion to approve Resolution R2005-05: A resolution directing the City Recorder to sell shares of Principal Life Insurance Company stock, seconded by Alderwoman Boyd.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Resolution R2005-05 approved.

INTRODUCTION, PRESENTATION AND FIRST READING OF ORDINANCE O2005-02: AN ORDINANCE OF THE CITY OF MARTIN, TENNESSEE, ESTABLISHING A MAXIMUM AMOUNT FOR MUNICIPAL PURCHASES WITHOUT PUBLIC ADVERTISEMENT AND COMPETITIVE BIDDING

Mayor Brundige introduced and presented for consideration on the first reading Ordinance O2005-02: An ordinance of the City of Martin, Tennessee, establishing a maximum amount for municipal purchases without public advertisement and competitive bidding.

City Recorder Mathis read Ordinance O2005-02. A copy follows:

ORDINANCE O2005-02

AN ORDINANCE OF THE CITY OF MARTIN, TENNESSEE, ESTABLISHING A MAXIMUM AMOUNT FOR MUNICIPAL PURCHASES WITHOUT PUBLIC ADVERTISEMENT AND COMPETITIVE BIDDING

WHEREAS, the City of Martin, Tennessee, is subject to the provisions of the “Municipal Purchasing Law of 1983”; and

WHEREAS, this law has been amended by Chapter Number 270, Public Acts of 1991, permitting municipalities to increase the dollar amount of purchases requiring public advertisement and competitive bidding; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the City of Martin to increase said amount.

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

Section 1. Public advertisement and competitive bidding shall be required for the purchase of all goods and services exceeding an amount of ten thousand dollars (\$10,000) except for those purchases specifically exempted from advertisement and bidding by the Municipal Purchasing Act of 1983.

Section 2. Should any section, paragraph, sentence, clause, or phase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. BE IT THEREFORE ORDAINED that this ordinance shall become effective immediately upon passage after second and final reading, THE PUBLIC WELFARE REQUIRING IT.

Dated passed first reading _____

Date passed second reading _____

Date of public hearing _____

ATTESTED:

SIGNED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Nanney made the motion to approve on the first reading Ordinance O2005-02: An ordinance of the City of Martin, Tennessee, establishing a maximum amount for municipal purchases without public advertisement and competitive bidding, seconded by Alderman Tuck.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Ordinance O2005-02 approved and set the second and final reading and the public hearing for February 14, 2005, at 5:15 pm in the City Hall Chambers.

INTRODUCTION, PRESENTATION AND FIRST READING OF ORDINANCE O2005-03: AN ORDINANCE TO AMEND THE CITY OF MARTIN STORMWATER ORDINANCE (O2004-15) REGARDING WAIVERS

Mayor Brundige introduced and presented for the first reading Ordinance O2005-03: An ordinance to amend the City of Martin Stormwater Ordinance (O2004-15) regarding waivers.

City Recorder read Ordinance O2005-03. A copy follows:

ORDINANCE O2005-03

AN ORDINANCE TO AMEND THE CITY OF MARTIN STORMWATER ORDINANCE (O2004-15) REGARDING WAIVERS.

WHEREAS, pursuant to *Tennessee Code Annotated*, Section 68-221-1105, the City of Martin has adopted a Stormwater Ordinance; and

WHEREAS, the City of Martin Mayor and Board of Aldermen has deemed this amendment 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 for the purpose of receiving public comment.

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

SECTION 1. That Section 4., entitled **Waivers** is amended by deleting therefrom in its entirety the two sentences of subsection (1) General, which reads “Every applicant shall provide for stormwater management as required by this ordinance, unless a written request is filed to waive this requirement. Requests to waive the Stormwater management plan requirements shall be submitted to Public Works Director for approval,” and by replacing it with the following new sentence: “Every applicant shall provide for post-construction stormwater management as required by this ordinance.”

SECTION 2. Section 4. **Waivers**, subsection (2) Conditions for waiver be amended by adding the following as sub-part (d): “Requests to waive the stormwater management plan requirements shall be submitted to the Public Works Director for approval.”

SECTION 3. Section 4 entitled **Waivers**, is moved in its entirety to the present position of Section 6, entitled **Post Construction**, and is renumbered Section 6. Present Section 5 and 6 are respectively renumbered Section 4 and 5.

SECTION 4. 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:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Belote made the motion to approve on the first reading Ordinance O2005-03: An ordinance to amend the City of Martin Stormwater Ordinance (O2004-15) regarding waivers, seconded by Alderman Tuck.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Ordinance O2005-03 approved and set the second and final reading and the public hearing for February 14, 2005, at 5:15 pm in the City Hall Chambers.

COMMITTEE APPOINTMENTS

Mayor Brundige made the following recommendations for committee appointments:

<u>Cemetery Committee:</u>	<u>Martin Municipal Regional Planning Commission:</u>
Mr. James Hadden	Mr. Stanley Evans
Rev. Larry Kendricks	Mr. Richard Shadden

Alderman Harrison made the motion to approve the above stated committee appointments, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE OF APPROVAL

A REQUEST FROM MR. MIKE BARNETT TO REZONE PROPERTY LOCATED ON WALTERS STREET AND ELLIS STREET FROM R-1 TO R-3

Mayor Brundige explained last month Ordinance O2004-28 concerning the rezoning of property located on Walters Street and Ellis Street was tabled. Mr. Mike Barnett owns the property in question and wishes to make a request.

Mr. Barnett spoke there has been some question about rezoning a piece of property bounded by Fulton Street, Walters Street and Ellis Street to R-3. I want to explain what I would like to do with this piece of property and why I want it rezoned. There are two areas of land that have been zoned R-3, one being a two hundred feet strip that has been zoned R-3 since 1980 and two, the area where the apartments have been built. If you have not been out there, they are very nice apartments and this gives us a very nice buffer zone for developing the rest of the property. I would like to build houses that would target people that are empty nesters; people that may want to retire and come back but don't want a large piece of property to take care of. That is the reason we want a R-3 zone. At present I have no intention of putting in any more apartments although I want to leave all options open that apply to an R-3 zone. The existing apartments already there have amply room to expand on their own property. I would like to see this rezoned and I would like to see it brought before the board so in the springtime we can go ahead with our plans. There are many cities in our area that have built this type of housing and it has been successful. These homes will have two bedrooms, dining area, kitchen, living area and closed in garage. We want to accommodate folks that want to downsize from larger homes to smaller homes with less maintenance with the home as well as the yard and gardens. I think this would be an advantage to our city as well as produce income. We have a lot of road frontage and will develop that area before developing the planned interior streets. We plan to build and sell one house at a time. I have thirteen pieces of property within site of this property including my own home, my mom's home and our business therefore I plan to build something we can live with. My family has owned this property since 1937.

Alderman Harrison asked, what size homes are planned?

Mr. Barnett stated, approximately 1,000/1,700 square ft. homes. Most of these homes will be brick or brick with some vinyl siding and will be well insulated with enclosed garages for security reasons. We will try to keep the maintenance down. These homes will be something that a person who is used to a large home but wants to downsize will be comfortable in.

Alderman Harrison asked, have you had anyone interested in purchasing one of these homes?

Mr. Barnett stated, yes, more than one, three ladies that live here in town especially.

Alderman Harrison asked, how many units can be put on the available property?

Mr. Barnett stated, it depends on how they sell. At present we have road frontage on Ellis, Walters and Fulton Streets and plan to take advantage of the road frontage already available. We will develop interior streets as needed. We have done our homework by visiting several different cities and studying this type development. Until you try one you do not know if it will succeed.

So we are planning on building one at time and selling it. There are many people that have left this town and gone to a larger city to retire because small houses were available. I would like to market Martin as a good retirement area. We are planning approximately 6,000 square foot per lot.

Alderman Harrison stated, I would dearly love to see a development of this sort. This would be a great asset to the city. The only problem I have or the only challenge is that some people thought it was going to be apartments and they did not want them. There are already 92 apartments in the area and any additional apartments might create a traffic problem.

Mr. Barnett stated, when you have more taxable income in an area you are bound to have more traffic. That is just a fact but our traffic will be *bedroom traffic*. Many people want to be away from the hustle and bustle of town. ERC Apartments are what you are referring to and they have adequate space on the west side to expand but they have no plans to expand until all of the existing apartments are rented and have been that way for a while. There are 92 units there and they are nice. The complex has a weight room, community room, exercise room, and pool. There was some question that this would be low income but I would consider these in the moderate-income bracket.

Alderman Belote asked, Mike, if you develop all of the property in this manner what would be the maximum number of homes developed?

Mr. Barnett answered, depends on your street layout but approximately 100 homes.

Mr. Tuck asked, will you have any condominiums or will all of these be single-family dwellings?

Mr. Barnett answered, at the beginning they will be single. That way you can sell each one off and each person does not have to worry about the next door neighbor being that close. We have looked at both types. If the demand is there we will build them.

Mr. Tuck stated, I have been in some of the ones in Union City and they are really nice.

Alderman Edwards asked, are you building single-family dwellings for sale, it is not rental or anything of that nature?

Mr. Barnett answered, yes and not at this time.

Mayor Brundige asked Mr. Barnett what exactly he wanted.

Mr. Barnett stated, I understand this request to rezone was tabled at the last city board meeting and I am requesting that the board remove this from the table and consider the rezoning. I know this will take a couple of months to process. If we start this month when spring gets here I can get started on my project. I think this will bring jobs to Martin and hopefully more people.

Mayor Brundige stated, we had this on our agenda back in December and tabled it. Is there a motion to bring this ordinance off the table?

Alderman Harrison asked, how long do you think it will take to fill this project with the 1000/1700 square footage housing?

Mr. Barnett answered, my crystal ball is fuzzy today but as the City of Martin grows, hopefully this project will grow. I do not know a time span but I see this as a long slow process.

Alderman Harrison asked, we can have little scenarios; lets say in five years we don't sell but two or three what are we going to do the balance? Are we going to sell it for whatever that R-3 allows?

Mr. Barnett stated, I will not guarantee that I will not sell to someone wanting to put apartments in but at present I have no intentions in doing that and have no one asking to do that. I think the City of Martin is full of apartments. My plan is to build small well built but nice homes.

Alderman Harrison stated, I feel sure you think this project will go over or you would not want to start.

Mr. Barnett stated, I think the project will go because there is a need.

Alderman Harrison stated, I don't see any problem with this.

Mayor Brundige asked for a motion to bring this off the table (tabled as O2004-18, renamed O2005-01).

Alderman Belote made the motion to remove the ordinance from the table, seconded by Alderwoman Boyd.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

INTRODUCTION, PRESENTATION AND FIRST READING OF ORDINANCE O2005-01: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING THE REMAINDER LARGE TRACT ON WALTERS STREET AND ELLIS STREET FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL). This is a recommendation from the Planning Commission.

Mayor Brundige introduced and presented for consideration on the first reading Ordinance O2005-01: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee by rezoning the remainder large tract on Walter Street and Ellis Street from R-1 (Low Density Residential) to R-3 (High Density Residential). This is a recommendation from the Planning Commission.

City Recorder Mathis read the ordinance. A copy follows:

ORDINANCE 02005-01

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING THE REMAINDER LARGE TRACT ON WALTERS STREET AND ELLIS STREET FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL).

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 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 remainder of the following tract from R-1 (Low Density Residential) to R-3 (High Density Residential):

Weakley County Tax Map 72H, Group D, Parcel 01100

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 of Public Hearing

ATTESTED:

SIGNED:

Chris Mathis, City Recorder

Randy Brundige, Mayor

Alderman Tuck made the motion to approve Ordinance O2005-01: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee by rezoning the remainder large tract on Walters Street and Ellis Street from R-1 (Low Density Residential) to R-3 (High Density Residential), seconded by Alderman Belote.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	NONE

Mayor Brundige declared Ordinance O2005-01 approved on the first reading and set the second and final reading and public hearing for February 14, 2005, at 5:15 pm in the City Hall Chambers.

MEETING DATES

Mayor Brundige announced the February Informal City Board Meeting will be February 08, 2005 and the Regular City Board Meeting will be February 14, 2005.

ADJOURN

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

Chris Mathis, City Recorder

Randy Brundige, Mayor

RB: CM/bh

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