

MARTIN BOARD OF MAYOR AND ALDERMEN
November 14, 2016 5:15 PM CITY COURTROOM

BE IT REMEMBERED the regular meeting of the Board of Mayor and Aldermen for the City of Martin, Tennessee, was held Monday, November 14, 2016 at 5:15 pm in the City Courtroom, when the following was held to wit:

MEMBERS PRESENT: HONORABLE RANDY BRUNDIGE, MAYOR
 HONORABLE DANNY NANNEY, ALDERMAN WARD I
 HONORABLE REX PATE, ALDERMAN WARD I
 HONORABLE DAVID SUDBERRY, ALDERMAN, WARD II
 HONORABLE TERRY HANKINS, ALDERMAN, WARD III
 HONORABLE RANDY EDWARDS, ALDERMAN, WARD III

MEMBERS ABSENT: HONORABLE DAVID BELOTE, ALDERMAN, WARD II

Also present: Police Chief Don Teal, City Recorder Kelly Wilson, Building Inspector Mike Brundige, Community Development Director Brad Thompson, Fire Chief Jamie Summers, Public Works Director Mary Ables, David Polite, Linda Davis, Chris Mathis, Jamison Peevyhouse, Jennifer McGehee, Kim Healy, Phillip Fuqua, Carmen Pendergrass, Todd and Dana Prince, Mike Wenz, Kerry Workman, Michelle Fischer, Charlie Deal, Bob Smith, Shelia McGuire, Chris Vincent, John Salmon and members of the media, David Fischer, Derek Kelley, Linda Thurston, and Gill Hollingsworth.

CALL TO ORDER

Mayor Brundige called the Monday, November 14, 2016 regular meeting of the City of Martin Board of Mayor and Aldermen to order.

INVOCATION

Alderman Hankins gave the invocation.

PLEDGE OF ALLEGIANCE

Alderman Edwards led the Pledge of Allegiance to our flag.

ARBOR DAY PROCLAMATION

Mayor Brundige called on Carmen Pendergrass, Martin Tree Board President, to participate in the annual Arbor Day Proclamation.

Mayor Brundige said that every year Martin carries out an Arbor Day Proclamation in order to qualify as a “Tree City USA”.

The mayor informed everyone that this year there would be new trees planted near the Elementary School.

Mayor Brundige then proceeded to read the proclamation and designated that November 5, 2016 as Arbor Day.

LIFE SAVING AWARD

Mayor Brundige announced the special presentation for the life-saving awards and gave the floor to Chief Summers to make the presentation.

Chief Summers wanted to recognize some of their people in public safety for their service and dedication.

Chief Summers said that on October 17th in the early morning hours the Weakley County dispatcher received a 911 call where there was a house fire and the resident could not get out.

According to Chief Summers, during the course of the call, the fire department along with the police department sent their guys out and through their quick response was able to get the resident, Shelia McGuire out safely.

Chief Summers said that he listened to the tape and felt that there were only seconds left to get Ms. McGuire out unharmed.

Chief Summers said that he wanted to publicly honor those people who were responsible for saving Ms. McGuire from her house that caught on fire.

Chief Summers asked Chief Teal, Jamison Peevyhouse, Director of Weakly County 911 to come forward for presentation.

Chief Summers then explained that Ms. Healy first received the 911 call from Ms. McGuire and was able to get enough information from Ms. McGuire to ascertain the location of her home.

Ms. Healy then relayed the 911 information to Martin’s 911 dispatcher, Michelle Fischer, and through their coordination was able to send two of Martin’s police officers and the fire department.

The police officers, Mike Wenz and Kerry Workman, along with Todd Prince, assistant fire chief were able to get to the house and pull Ms. McGuire out to safety.

Chief Summers said that the medals would be presented once he received them since they had to be ordered and would not be delivered until tomorrow but wanted to publicly recognize the efforts of Kim Healy, Michelle Fischer, Mike Wenz, Kerry Workman, and Todd Prince.

Chief Teal presented letters of accommodation for his officers, Mike Wenz and Kerry Workman and for Michelle Fischer, 911 dispatcher.

Ms. McGuire came forward and read letter of appreciation for the rescue efforts of Martin's police and fire department.

Chief Summers presented a letter of accommodation for Todd Prince, assistant fire chief.

Jamison Peevyhouse praised Kim Healy, Weakley County 911 dispatcher for the fine job she did on October 17th and went on to say she displays all the qualifications of what you want in a 911 dispatcher.

APPROVAL OF MINUTES

October 10, 2016

Mayor Brundige introduced and presented for consideration the minutes of the October 10, 2016 regular meeting as written and asked if there were any additions or deletions. There were none. Therefore, a motion was requested and follows:

Alderman Pate made the motion to approve the minutes of the October 10, 2016 regular meeting of the City of Martin Board of Mayor and Aldermen as written, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige declared the motion approved.

DEPARTMENT HEAD REPORTS:

POLICE DEPARTMENT

CHIEF DON TEAL

Chief Teal was present. The Police Department's monthly reports were included in the packets. A copy of the report is attached to the minutes.

Chief Teal said that they met with the accreditation assessors last Thursday and passed with "flying colors".

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Chief Teal added that they should receive their second accreditation award December 1st.

The mayor responded that was great and thanks for doing a good job.

Mayor Brundige asked if anyone had any questions for Chief Teal; there were none.

LIBRARY

DIRECTOR ROBERTA PEACOCK

Director Peacock was not present.

COMMUNITY DEVELOPMENT

DIRECTOR BRAD THOMPSON

Director Thompson was present. The Community Development's monthly report was included in the packets. A copy of the report is attached to the minutes.

Director Thompson reminded everyone to look for upcoming December events.

Mayor Brundige asked if anyone had any questions for Director Thompson; there were none.

FIRE DEPARTMENT

CHIEF JAMIE SUMMERS

Chief Summers was present. The Fire Department's monthly report was included in the packets. A copy of the report is attached to the minutes.

Mayor Brundige asked if anyone had any questions for Chief Summers; there were none.

PUBLIC WORKS

DIRECTOR MARTY ABLES

Director Ables was present. The Public Works monthly reports were included in the packets. A copy of the report is attached to the minutes.

Mayor Brundige asked if anyone had any questions for Director Ables; there were none.

PARKS AND RECREATION

DIRECTOR BRIAN MOORE

Director Moore was present. The Parks and Recreation's monthly report was included in the packets. A copy of this report is attached to the minutes.

Mayor Brundige asked if anyone had any questions for Director Moore; there were none.

HUMAN RESOURCES

DIRECTOR DEBBIE YEAGER

Director Yeager was present.

Mayor Brundige asked if anyone had any question for Director Yeager; there were none.

ADMINISTRATION

CITY RECORDER KELLY WILSON

Recorder Wilson was present.

Mayor Brundige asked if anyone had any questions for Recorder Wilson; there were none.

BUILDING DEPARTMENT

INSPECTOR MIKE BRUNDIGE

Official Brundige was present.

Mayor Brundige asked if anyone had any questions for Official Brundige; there were none.

OLD BUSINESS:

There was none.

Before new business was conducted Mayor Brundige announced that this would be Alderman Sudberry's last city board meeting.

The mayor thanked Alderman Sudberry for his service and wished him the best in his future endeavors.

Alderman Sudberry said that it has been a pleasure to serve Ward 2 and that serving as alderman was just one facet of his community service and plans on staying active in the community.

NEW BUSINESS:

INTRODUCTION AND FIRST READING OF O2016-06: AN ORDINANCE TO PROVIDE A MUNICIPAL ZONING DESIGNATION OF U (UNIVERSITY) FOR THE FOLLOWING AREA BEING ANNEXED: PROPERTY LOCATED ON COURTRIGHT ROAD AND HIGHWAY 43, WHICH IS ADJACENT TO THE CORPORATE LIMITS AND WHICH CAN BE FURTHERD DESCRIBED AS THE ENTIRETY OF PARCEL

**52.00, WEAKLEY COUNTY TAX MAP 57 AND A PORTION OF PARCEL
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55.00, WEAKLEY COUNTY TAX MAP 57.**

Recorder Wilson read the ordinance as follows:

WHEREAS, Tennessee Code Annotated requires a municipality to prepare a municipal zoning plan for all areas to be annexed into the municipality; and,

WHEREAS, the Martin Municipal/Regional Planning Commission has prepared a zoning plan for an area being annexed into the City, and more specifically described below: and,

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-203 a public hearing was held before this body on _____, the _____ day of _____, 2016 at _____ PM, the time and place of which was published with fifteen (15) days advance notice;

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

Section 1. That the following described property be zoned U (University):

The entirety of Parcel 52.00, Weakley County Tax Map 57 and a portion of Parcel 55.00, Weakley County Tax Map 57, further described as follows:

Beginning at a point, said point being the southwest corner of Parcel 52, Tax Map 57 as viewed on Tennessee Property Viewer at <http://tnmap.state.tn.us/assessment/map.aspx>; thence moving east, then north, and then northeast while bearing with the northern right-of-way line of Courtright Road to its intersection with the western right-of-way line of Highway 43; thence moving north and east, bearing with the western right-of-way line of Highway 43 to the southeast corner of Parcel 53; thence moving west to the southwest corner of Parcel 53; thence moving north and bearing with the eastern property line of parcel 52 to the northeast corner of Parcel 52; thence moving southwest bearing with the northern property line of Parcel 52 to the northwest corner of Parcel 52; and thence moving south bearing with the western property line of Parcel 52 to the point of beginning.

Section 2. BE IT FURTHER ORDAINED this Ordinance shall be effective upon annexation, the public welfare requiring it.

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Mayor Brundige asked for a motion to be made to approve the introduction and first reading of O2016-06.

Alderman Nanney made the motion to approve the introduction and first reading of O2016-06; seconded by Alderman Sudberry.

Mayor Brundige asked if there was discussion or questions about the annexation.

Alderman Hankins wanted to know if this property consisted of 72 acres.

The mayor replied that the property is approximately 74 acres.

Alderman Hankins asked if the annexation will encompass anybody else's property besides the University property.

Mayor Brundige said that the only property affected would belong to the University.

Alderman Hankins also asked if services were already in place.

The mayor responded that there are services in place across the street.

Mayor Brundige asked if there was any more discussion from the Board. There was none, therefore a roll call vote was requested:

FOR: HONORABLE NANNEY
HONORABLE PATE
HONORABLE SUDBERRY
HONORABLE HANKINS
HONORABLE EDWARDS

AGAINST: NONE

ABSENT: HONORABLE BELOTE

Mayor Brundige declared the motion approved and announced that there would be a public hearing on O2016-06 on December 12th at 5:15 in this courtroom.

In addition, Mayor Brundige said that a plan of services in a form of a resolution would need to be adopted at the public hearing.

DISCUSSION OF PLAZA BANK BUILDING

Mayor Brundige said that they had discussed the bank building at the informal board meeting and also they had contact with Simmons Bank.

The mayor said that Simmons wanted \$550,000 for the building but would accept \$500,000 to make it a fire station.

Mayor Brundige said this building would give the city a third fire station and make it possible to have a fire station in each of the three wards.

The mayor went on to say that the renovation of the building would cost approximately \$500-600,000 and this would come at a later time.

Mayor Brundige opened up the floor for discussion.

Alderman Pate wanted to know if the square footage of the building was a little over 5,000 feet.

Mayor Brundige said that is correct.

Alderman Pate said that there was about 4,200 usable square feet and recommended that the city purchase the building since it is located in a good spot and places a fire station in Ward 3.

Alderman Nanney commented that the new fire station would be in an area in Martin that will probably grow in the future.

Alderman Hankins added that he was in favor of placing a fire station in Ward 3 that would help cut the response time in this area considerably and could possibly make the difference in saving someone's life in the future.

Alderman Hankins asked if having 3 fire stations would open up the opportunity for more grants for Martin.

Mayor Brundige said that it would not mean more grants per say but having an additional fire station would probably improve our ISO rating.

Alderman Nanney remarked that he thought a better ISO rating would help the businesses more than the residents and asked Chief Summers for confirmation.

Chief Summers said that since most businesses had multi-million dollar policies that a more favorable ISO rating would help lower their premiums.

Alderman Hankins asked Chief Summers to explain his reasons why Martin needs a third fire station.

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Chief Summers said that because of increased growth on the west side of Martin, a third fire station would be advantageous.

Chief Summers went on to say that having a fire station in that part of town with a pumper and rescue truck would significantly cut response time and provide medical as well as fire services.

According to Chief Summers, since the University and hospital are located in Ward 3, the response time to reach these locations would be diminished in the event of a fire in this ward.

Alderman Sudberry stated that even though the new fire station would be in Ward 3, the response time to businesses in Ward 2 would be reduced too.

Chief Summers related that an ISO study revealed that the way Martin is laid out geographically shows a need for a third fire station.

Chief Summers also noted that the third station would provide an office area for the police department to do their paperwork and not have to travel across town and leave the west side unprotected.

Alderman Sudberry asked Chief Summers if we were going to add the third station without adding any additional employees.

Chief Summers responded that they will run the three fire stations with the same number of employees.

Alderman Edwards asked Chief Summers if he was confident that the proposed building and location would serve Martin the best for the long term.

Chief Summers said that looking at the projected growth of Martin, that he did feel this was the best choice for a third fire station.

Alderman Hankins wanted to know if this proposal had been through the Finance committee.

The mayor said that this proposal has been discussed at the finance meeting.

Mayor Brundige asked if there were any more questions concerning this piece of property; there were none.

Mayor Brundige asked the board members if they want to make an offer to Simmons Bank for the proposed building.

Alderman Edwards made the motion to offer Simmons Bank \$500,000 to purchase the building at University Plaza; seconded by Alderman Hankins.

Mayor Brundige asked if there was any more discussion from the Board. There was none, therefore a roll call vote was requested:

FOR: HONORABLE NANNEY
HONORABLE PATE
HONORABLE SUDBERRY
HONORABLE HANKINS
HONORABLE EDWARDS

AGAINST: NONE

ABSENT: HONORABLE BELOTE

Mayor Brundige declared the motion approved.

INTRODUCTION AND FIRST READING OF 02016-07: CROSS CONNECTION ORDINANCE FOR THE CITY OF MARTIN.

Mayor Brundige reported that this ordinance was just updating the ordinance that is already in place.

Mayor Brundige asked for a motion to me made to adopt Ordinance O2016-07.

Alderman Pate made the motion to adopt Ordinance O2016-07; seconded by Alderman Nanney.

Mayor Brundige asked if there was any more discussion from the Board. There was none, therefore a roll call vote was requested:

FOR: HONORABLE NANNEY
HONORABLE PATE
HONORABLE SUDBERY
HONORABLE HANKINS
HONORABLE EDWARDS

AGAINST: NONE

ABSENT: HONORABLE BELOTE

Mayor Brundige declared the motion approved.

ANY OTHER BUSINESS

Mayor Brundige gave Chris Vincent the opportunity to address the board.

Mr. Vincent expressed his concerns about garbage cans being left on the street 24/7 and said that this violates a city ordinance which states that garbage cans shall not be left on streets for more than 24 hours.

Mr. Vincent said that he has been observing the garbage can issue for about one year and noticed the problem is growing.

Mr. Vincent went on to say that the problem is mainly around the campus but has noticed garbage can staying out on many other streets as well.

Mr. Vincent had pictures of this issue and distributed them the board members.

Mr. Vincent said that his office is located on Church Street and right now you can drive on Church Street and see 27 garbage cans on the side of the street.

Mr. Vincent added that many of the cans have the tops off and animals get into the garbage and scatter trash on the streets and sidewalks.

According to Mr. Vincent this situation is getting worse and makes the city look bad.

Mr. Vincent wanted to know if the city can start enforcing the city ordinance concerning duration of garbage cans being left on the street.

Mr. Vincent stated that he took the pictures on last Wednesday—6 days after the garbage was last picked up.

Alderman Hankins wanted clarification that the residents just take the cans to the street and leave them.

Mr. Vincent said that is correct.

Mayor Brundige asked Mr. Vincent if he had called anyone earlier to complain about the problem.

Mr. Vincent said that he has discussed this issue with Alderman Nanney and Alderman Nanney suggested that he attend this meeting to air his concerns.

Mayor Brundige asked Chief Teal if Codes Enforcer Edwards was aware of this problem.

Chief Teal replied that Kenny noticed this problem on Oakland Street and talked to all the residents and the problem seems to be taken care of on this street.

Chief Teal said that Kenny is supposed to be checking all over Martin and talk to the resident if he sees there is a problem with the garbage cans.

Alderman Nanney wanted to know if residents were subject to a \$50 fine if the garbage can stayed on the street more than 24 hours.

Chief Teal said that is correct that they could be subject to a fine, but was not certain of the fine amount.

Mr. Vincent did say that he had talked to Kenny several months ago about this problem but said that he has not seen much of a difference.

Alderman Nanney asked if Mr. Vincent could leave his pictures so that Kenny could see the pictures for himself.

Mr. Vincent said that would not be a problem.

Mr. Vincent suggested that maybe the city could work with UTM getting notices out to the students to make them aware of the ordinance and fines for non-compliance.

Alderman Edwards asked if the city can put this information on the water bills.

Mayor Brundige responded that is possible but most of the students do not get a water bill and generally the messages are not read anyway.

Alderman Nanney asked Chief Teal if Kenny could handle monitoring the problem with the garbage cans.

Chief Teal said that Kenny can drive around and see where the problem areas are and if the resident is home, can stop and explain the ordinance.

Alderman Pate commented that there are probably more people in Martin that do not know about the ordinance than people who are aware of the ordinance.

Mr. Vincent said that at some point the city needs to enforce the ordinance so people would get the message that there is a fine for violation of the ordinance.

On another note, Mr. Vincent raised a zoning issue that he had previously discussed with Alderman Nanney and Building Inspector Brundige.

Mr. Vincent said that he had noticed that parents are buying houses for their kids who are students in neighborhoods that families are normally residing.

Mr. Vincent also said several students are living in houses across the street from him and that he lives in a neighborhood on the other side of town away from the college.

Mr. Vincent went on to say that several people live in these neighborhoods to get away from the college students.

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Mr. Vincent passed around a picture of a house in his neighborhood that had 6 cars parked in front of it but mentioned that there were 9 cars there this morning.

According to Mr. Vincent, there are parties at these houses 2 or 3 times per week and there is always debris in the yards.

Mr. Vincent wanted to know if the city could do anything to prevent the students moving in these family neighborhoods.

Mayor Brundige said that the Supreme Court says there are no “single family” dwellings and therefore the city cannot prevent students from living in homes intended for families.

The mayor told Mr. Vincent that this issue has been raised before and knows that it is a problem.

Mayor Brundige said that you can enforce the rule of having 2 people per bedroom in the house.

Alderman Sudberry clarified that you can have 1 unrelated person to each bedroom.

The mayor also told Mr. Vincent that the owner has to provide on-site parking for his tenants if there is no parking allowed on the street.

Mayor Brundige said that at one time Martin had an ordinance that addressed this issue but that the state Supreme Court struck this down.

Mr. Vincent then questioned if these neighborhoods were still considered R-1.

Mayor Brundige replied that it is still R-1 but said that R-1 used to be considered a one family unit but that is no longer the case.

Mr. Vincent wanted to know what his options are handling the problem with students living in his neighborhood.

The mayor said that this is a hard issue to enforce and that you would have to know how many bedrooms are declared for each house.

Alderman Edwards asked Mr. Vincent if there were any covenants in his subdivision.

Mr. Vincent said that he did not live in a subdivision.

Alderman Nanney asked Chief Teal what they could do about the parties at the students’ houses.

Chief Teal said that they could issue a warning if they were too noisy.

Alderman Edwards told Mr. Vincent that he has run into the same problem and since the Supreme Court ruling that they cannot enforce the city’s prior ordinance.

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Mr. Vincent commented that the student housing is adversely affecting the value of the properties in that neighborhood and it makes it harder to rent to folks who do not want to live around college students.

Mayor Brundige thanked Mr. Vincent for his input and informed him that the city is aware of this problem.

Mayor Brundige asked if there was any other business to come before the board; there were none.

DATE FOR NEXT CITY BOARD MEETING

Mayor Brundige announced - Informal City Board will meet December 6, 2016 and regular City Board meeting is scheduled for December 12, 2016 at 5:15 pm in the city courtroom.

ADJOURN

Mayor Brundige asked – Is there any other business?

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ATTEST:

SIGNED:

Kelly Wilson,
City Recorder

Randy Brundige,
Mayor

RB: KW