



City of Bartlett

A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, SEPTEMBER 27, 2022 - BARTLETT CITY HALL - 6:00 PM

ATTENDANCE

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman Mandy Young: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Kevin Quinn: Present.

INVOCATION

Opening Prayer by Fred Shackelford, Ellendale Baptist Church

FUTURE MEETINGS

Industrial Development Board (Special Called), September 29 at 6:30 p.m.

Family Assistance Commission, October 3 at 6 p.m.

Beer Board, October 4 at 6 p.m.

Planning Commission, October 4 at 7 p.m.

Bartlett Station Commission, October 5 at 7:30 a.m.

City Beautiful Commission, October 6 at 6:30 p.m.

RECOGNITIONS

Bartlett City Schools TRAP Team Proclamation

Mayor McDonald presented the Bartlett Trap Team with a proclamation recognizing their success at the state and national competitions. Those recognized were:

Ginny Sidle, Jordan Pesti, Abbigail Longo, Cole Lindsey, Maddie Boone, Haden Russell, Graden Duckworth, Felton Adams, Ben Pair, Case Hardison, Daniel Zingraf, and Kaven Maufas.

*****Official Business of the Day*****

MINUTES ACCEPTANCE

Minutes of the September 13, 2022 Board of Mayor and Aldermen Regular Meeting

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bobby Simmons, Alderman
SECONDER:	David Parsons, Alderman
AYES:	W.C. Pleasant, Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

PUBLIC HEARING

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

- I. Resolution 28-22, a resolution to approve a special use permit for Joyce's Gardens Planned Unit Residential Development located at 6778 Old Brownsville Road within the "RS-15" single family residential zoning districts.

The Director of Planning and Economic Development, Kim Taylor, stated that phase I of this development conforms to the RS-15 requirements for lot sizes of 15,000 square feet. The second phase would be smaller lot sizes and differentiating setbacks which require a special use permit. The Planning Commission met on August 1, 2022 with a favorable recommendation. Developer Matthew Wissinger stated the Planned Unit Development would be named after his mother and that the development would be single family homes, no apartments.

No one spoke in favor.

The following spoke in opposition:

Stephanie Woodward, 4761 Ardie Road, questioned the reasons for differing sized lots, concerns of the smaller lots becoming rental properties, and would like some investment into the existing properties.

Eileen Wilkes, 6753 Raner Creek Drive, stated that the company owned by Mr. Wissinger in Colorado was a leasing and property management company with lease to own properties. She wanted guarantee that the proposed development would be owner occupied and not rental property. She expressed concern of increased crime rate, increased rental occupancy, and a lack of safety for children in the smaller lot section and would like to see the development as all larger lots if possible. She questioned if the City of Bartlett was aware of the developer's company type.

Sam Lacastro, 6480 Raner Creek Dr., questioned the differing sized lots.

Emily Winter, 4935 Springtree Dr., questioned if water and sewer capacities had been researched for the 42 proposed units. She expressed concerns of social media posts including apartments for this development. She questioned measures that would be taken to ensure her property's protection from construction.

Adjourned at 6:22 p.m.

Developer Wissinger responded to the public hearing questions by stating they were developing the subdivision for resale, not rentals. He restated that the development would be named after his mother. The developer's uncle, Gary Blume, spoke to the size of the lots and equated them to a previous development he built, Old Bartlett Village, where they are nice sized homes on smaller lots. He stated the home would be at least 1800 square feet and they had no intention of leasing the homes built.

Director of Engineering Rick McClanahan responded by stating that the water main being installed on Old Brownsville Road will provide both water and fire protection to the new

development. In addition the developer will be extending the sewers and there is capacity in the transport system as well as capacity to treat at the Loosahatchie plant.

Police Chief Cox stated there was ample manpower and police cars in that district and the low crime rate in this part of the city is maintaining well.

Director of Code Enforcement Jim Brown stated when ground is broken a water supply is required to minimize dust and debris. Silt fences are also required.

2. Resolution 29-22, a resolution approving a special use permit to allow a tattoo and body piercing establishment to be located at 2965 North Germantown Road Suites 129 and 130, within the "C-H" Highway Business zoning district.

SUP Applicant Salina Alvarado, 711 Cedar Brake Dr., Cordova, Tenn., said that she wanted to bring a tattoo establishment to Bartlett so that individuals would not have to leave the community for this type of service.

Connie Waters, 4890 Rivercrest Lane, spoke in favor the applicant. She felt the establishment would benefit the community and enable individuals that need tattoos to reconstruct surgery wound and to memorialize loved ones. She said Ms. Alvarado will do things right.

The following spoke in opposition:

Olena Petrova, 5034 Trent Cove, asked if studies had been conducted in correlation to tattoo parlors and increased criminal activity. She expressed concerns of the Wolfchase area in close proximity to the proposed establishment and a possible increase in crime.

Stephanie Woodard, 5461 Ardie Road, asked if artists would be licensed and certified and if there would be an increase in loitering.

Adjourned at 6:30 p.m.

Chief Cox stated he did not believe the establishment would increase crime in that area, but the police department could increase the business watch and patrol for loitering.

Ms. Alvarado confirmed that the artists were required to be licensed and certified, even apprentices. She stated she would post a no loitering sign. She said as a licensed private contractor she is permitted to deny any individual from services citing examples of denying drug addicts, or gang related individuals.

UNFINISHED BUSINESS

Amendment to Res 28-22

Alderman Quinn asked the developer who would write the Homeowner Association's by-laws and if a condition could be placed regarding rentals.

Mr. Blume stated that they had engaged attorney Mike Murphy to write the covenant. Mr. Blume said he could include in the covenant that no rental properties would be permitted.

Alderman Quinn asked if there could be exceptions.

Vice Mayor Jack Young asked if they would include in the covenant that homes be owner occupied.

Mr. Blume responded yes.

Alderman Quinn asked for exceptions to rent be allowed to go before the Homeowner Association's board for approval.

Alderman Parson asked what percentage of the Homeowner Association's board would require passage.

City Attorney Ed McKenney said the vote pass basis would be clarified in the Homeowner Association's by-laws and can vary between HOAs.

Vice Mayor Young said that if the covenant states homes must be owner occupied, Alderman Quinn's request to allow exceptions for renting doesn't apply. He said the controversy and comments from citizens is that the City of Bartlett has too many leased homes now.

RESULT:	APPROVED [4 TO 2]
MOVER:	Kevin Quinn, Alderman
SECONDER:	Bobby Simmons, Alderman
AYES:	Mandy Young, David Parsons, Bobby Simmons, Kevin Quinn
NAYS:	W.C. Pleasant, Jack Young

- 2 Resolution 28-22, a resolution to approve a special use permit for Joyce's Gardens Planned Unit Residential Development located at 6778 Old Brownsville Road within the "RS-15" single family residential zoning districts. (Kim Taylor, Director of Planning and Economic Development)**

Amended to include:

Board of Mayor and Aldermen Conditions:

Homes must be owner occupied with any exception to be approved by the Homeowner Association's Board.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	Mandy Young, Alderman
AYES:	W.C. Pleasant, Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- 3 Resolution 29-22, a resolution approving a special use permit to allow a tattoo and body piercing establishment to be located at 2965 North Germantown Road Suites 129 and 130, within the "C-H" Highway Business zoning district. (Kim Taylor, Director of Planning and Economic Development)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	Mandy Young, Alderman
AYES:	W.C. Pleasant, Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	W.C. Pleasant, Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- 1 Reschedule the Tuesday, November 8 Board of Mayor and Aldermen meeting to Monday, November 14, 2022 at 6 p.m. (Mark Brown, Chief Administrative Officer)**
- 2 Dispense with second Board of Mayor and Aldermen meetings in November and December. (Mark Brown, Chief Administrative Officer)**
- 3 Treasurer's Report for June 2022. (Dick Phebus, Director of Finance)**

Budgeted Expenditures		\$87,957,409
Year-to-date Expenditures	\$96,051,996	
Budgeted Revenues		\$87,957,409
Year-to-date Revenues		\$99,417,146

NEW BUSINESS

- 1 Set a public hearing for October 25, 2022 for Resolution 34-22, a resolution approving a special use permit to allow a general automobile repair establishment to be located at 5798 Ferguson Road, within the “I-O” Wholesale and Warehouse zoning district. (Kim Taylor, Director of Planning and Economic Development)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	W.C. Pleasant, Alderman
AYES:	W.C. Pleasant, Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- 2 BPACC Season Slideshow Presentation. (Michael Bollinger, Director of BPACC)**

RESULT:	NO VOTE REQUIRED
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OPEN DISCUSSION

Paul Kaiser, 3323 Marcus Cove, announced his candidacy for Alderman Position 3.

ADJOURNMENT

Meeting adjourned at 7:11 PM