

Monday, February 11, 2019

**BOARD OF MAYOR AND ALDERMEN – REGULAR MEETING
Immediately following Beer Board**

1. Prayer
2. Pledge Of Allegiance
3. Roll Call
4. Approval Of Agenda
5. Approve Minutes Of January 22, 2019

Documents:

[BMA MINUTES 1-22-19.PDF](#)

6. Public Comments
7. Consideration Of Ordinance 2019-1 Amending The Millington Zoning Map To Change The Zoning At 4140 Pleasant Ridge Road, From B-2 General Commercial To R-1 Residential – Final Reading

Documents:

[ORDINANCE 2019-1 REZONING 4140 PLEASANT RIDGE.PDF](#)

8. Consideration Of Ordinance 2019-2 Amending The Millington Zoning Map To Change The Zoning On Property Located On The North Side Of Shipp Road And South And East Of Crosspointe Baptist Church From R-1 Residential To R-2 Residential – Final Reading

Documents:

[ORDINANCE 2019-2 REZONING.PDF](#)

9. Consideration Of Ordinance 2019-3 Amending The Millington Zoning Map To Change The Zoning On Property Located On The North Side Of Shipp Road And South Of Crosspointe Baptist Church, From B-2 General Commercial To R-2 Residential – Final Reading

Documents:

[ORDINANCE 2019-3 REZONING FROM B2-R2.PDF](#)

10. Consideration Of Ordinance 2019-4 Abandoning A Certain Portion Of The Unused Right-Of-Way For Fern Road, Millington, Tennessee, And Quit Claim The City's Abandoned Right-Of-Way To The Adjoining Property Owner – First Reading

Documents:

[ORDINANCE 2019-4 FERN RD CLOSURE.PDF](#)

11. Consideration Of Resolution 5-2019 Approving The FY20 Emergency Call Processing And Dispatching Services Agreement

Documents:

[RESOLUTION 5-2019 APPROVING AGREEMENT FOR EMERGENCY CALLS.PDF](#)

12. Consideration Of Resolution 6-2019 Appointing Member To The Millington Board Of Zoning Appeals

Documents:

[RESOLUTION 6-2019 BZA APPOINTMENT.PDF](#)

13. Consideration Of Resolution 7-2019 Approving Appointment To The Shelby County Municipal Solid Waste Regional Board

Documents:

[RESOLUTION 7-2019 APPOINTMENT TO SOLID WASTE BOARD.PDF](#)

14. Board Reports

15. Adjourn

ADA NOTICE

The City of Millington is in compliance with the Americans with Disabilities Act. Should you need accommodations for the above meeting, please call City Hall at (901)873-5701, at least 8 hours in advance of the meeting.

CITY OF MILLINGTON BOARD OF MAYOR AND ALDERMEN
MINUTES OF SPECIAL CALLED MEETING
JANUARY 22, 2019

Call to Order, Prayer, and Pledge of Allegiance

The Board of Mayor and Aldermen of the City of Millington, TN met in special session at Millington City Hall Chambers on Tuesday, January 22, 2019. The meeting was called to order at 4:59 pm, and opened with a prayer by Mr. Dagen. Mayor Jones led the Pledge of Allegiance.

Roll Call and Quorum Determination

The following Board members were present:

Mayor Terry Jones
Bethany Huffman
Al Bell
Jon Crisp
Larry Dagen
Thomas McGhee
Don Lowry
Mike Caruthers

A quorum being present, the following proceedings were held:

4. Approval of Agenda

Approve Agenda
Motion: Lowry
Second: Bell
Vote: unanimous consent to approve

5. Approve Minutes of December 10, 2018

Approve Minutes
Motion: Lowry
Second: Caruthers
Vote: unanimous consent to close

6. Approve Minutes of January 14, 2019

Approve Minutes
Motion: Bell
Second Huffman
Vote: unanimous consent to close

7. Consideration of Resolution 4-2019 Requesting the General Assembly to Authorize Sale and Use of Consumer Fireworks in the City of Millington

Approve Resolution 4-2019
Motion: Bell
Second: Lowry
Vote: unanimous vote to approve

Adjourn

There being no further business, the meeting was adjourned at 5:05 pm.

These minutes are approved as of the 11th day of February, 2019

Terry Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2019-1

ORDINANCE AMENDING THE MILLINGTON ZONING MAP TO CHANGE THE ZONING AT 4140 PLEASANT RIDGE ROAD, FROM B2-GENERAL COMMERCIAL TO R-1 RESIDENTIAL

WHEREAS, the Board of Mayor and Aldermen has previously adopted the City of Millington Zoning Ordinance and Zoning Map and has made numerous amendments to it since its initial adoption; and

WHEREAS, the Millington Planning Commission at its meeting on December 17, 2018 reviewed the proposed zoning change for 4140 Pleasant Ridge Road from B-2 Commercial to R-1 Residential and recommended it for approval; and

WHEREAS, Board of Mayor and Aldermen, upon recommendation by the Planning Commission, has determined that it is in the best interest of the City and its inhabitants to amend the zoning district as set out herein;

NOW THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the property at 4140 Pleasant Ridge Road be rezoned from B-2 General Commercial to R-1 Residential.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019
First Reading: January 14, 2019
Final Reading: February 11, 2019

Terry Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2019-2

ORDINANCE AMENDING THE MILLINGTON ZONING MAP TO CHANGE THE ZONING ON PROPERTY LOCATED ON THE NORTH SIDE OF SHIPP ROAD AND SOUTH AND EAST OF CROSSPOINTE BAPTIST CHURCH, FROM R-1 RESIDENTIAL TO R-2 RESIDENTIAL

WHEREAS, the Board of Mayor and Aldermen has previously adopted the City of Millington Zoning Ordinance and Zoning Map and has made numerous amendments to it since its initial adoption; and

WHEREAS, the Millington Planning Commission at its meeting on December 17, 2018 reviewed the proposed zoning change for the 54 acres of property described below from R-1 Residential to R-2 Residential and recommended it for approval; and

WHEREAS, Board of Mayor and Aldermen, upon recommendation by the Planning Commission, has determined that it is in the best interest of the City and its inhabitants to amend the zoning district as set out herein.

NOW THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the 54 acres of property as described in the legal description below be rezoned from R-1 Residential to R-2 Residential.

LEGAL DESCRIPTION

Beginning at an iron pin found at the southeast corner of TRACT 3 of the Second Baptist Church property recorded in Instrument Number KG 7189, of which this partition is a part,
Then along the south line of TRACT 3 and the north line of the Millington Farms LLC tract recorded in Instrument# HT 8347 the following two courses:
North 83° 31' 50" West, 434.37 feet to a point;
North 80° 27' 52" West, 457.48 feet to the east end of Shipp Road;
Then North 80° 14' 27" West, 159.12 feet along the centerline of Shipp Road to a nail & washer set;
Then North 26° 32' 46" East, 1366.58 feet along the west line of this partition to a point;
Then South 80° 41' 34" East, 1044.90 feet along the north line of this partition to a point;
Then South 26° 33' 14" West, 1347.34 feet along the east line of TRACTS 2 and 3 and the west line of the Millington Farms, LLC tract recorded in Instrument #HT 8347 to the Point of Beginning and containing 31.25 acres.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019
First Reading: January 14, 2019
Final Reading: February 11, 2019

Terry Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2019-3

ORDINANCE AMENDING THE MILLINGTON ZONING MAP TO CHANGE THE ZONING ON PROPERTY LOCATED ON THE NORTH SIDE OF SHIPP ROAD AND SOUTH OF CROSSPOINTE BAPTIST CHURCH, FROM B-2 GENERAL COMMERCIAL TO R-2 RESIDENTIAL

WHEREAS, the Board of Mayor and Aldermen has previously adopted the City of Millington Zoning Ordinance and Zoning Map and has made numerous amendments to it since its initial adoption; and

WHEREAS, the Millington Planning Commission at its meeting on December 17, 2018 reviewed the proposed zoning change for the 15.07 acres of property described below from B-2 General Commercial to R-2 Residential and recommended it for approval; and

WHEREAS, Board of Mayor and Aldermen, upon recommendation by the Planning Commission, has determined that it is in the best interest of the City and its inhabitants to amend the zoning district as set out herein;

NOW THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the 15.07 acres of property as described in the legal description below, be rezoned from B-2 General Commercial to R-2 Residential.

LEGAL DESCRIPTION

Beginning at the Southwest corner on this 15.07 Acre parcel being the remaining Anna Lou Williams property as recorded at Cause No. B-25244 in Shelby County Probate Court (also see Deed Book 1740 page 297) and the Anna Lou Williams property as recorded at Instrument No. 11073524, also being in the North Right of Way of Shipp Road (R.O.W. varies) as recorded at Instrument No. V6 8494 (Shelby County R.O.W. acquisition), also being the Southeast corner of the Denmark Hospitality, Inc property as recorded at Instrument No. 09111422, which was originally a part of the Williams property; thence in a Northeastwardly direction, along a West line of this parcel, also being the East line of the Denmark Hospitality, Inc property, also being the East line of the Danny Fly & Russell McIntosh property as recorded at Instrument No. 07046072, North 20 degrees 13 minutes 33 seconds East, a distance of 374.70 feet to an exterior corner of this parcel, also being an exterior corner of Lot 2 of Bakshi Subdivision Revised as recorded at Plat Book 256 Page 9, which was originally a part of the Williams property; thence in a Southeastwardly direction, along a North line of this parcel, also being a South line of Lot 2, South 63 degrees 14 minutes 46 seconds East, a distance of 393.03 feet to an interior corner of this parcel, also being the Southeast corner of Lot 2; thence in a Northeastwardly direction, along a West line of this parcel, also being an East line of Lot 2 and the East line of Lot 1 of Bakshi Subdivision Revised, North 26 degrees 43 minutes 38 seconds East, a distance of 416.71 feet to the Northwest corner of this parcel, also being the Northeast corner of Lot 1, also being in a South line of the Second Baptist Church of Millington property as recorded at Instrument No. KG 7189, which was originally a part of the Williams property; thence in a Southeastwardly direction, along a North line of this parcel, also being a South line of the Second Baptist Church of Millington property, South 63 degrees 14 minutes 46 seconds East, a distance of 683.61 feet to the Northeast corner of this parcel, also being an interior corner of the Second Baptist Church of Millington property; thence in a Southwestwardly direction, along the East line of this parcel, also being a West line of the Second Baptist Church of Millington property, South 9 degrees 26 minutes 04 seconds West, a distance of 557.33 feet to the Southeast corner of this parcel, being in Shipp Road, also being an exterior corner of the Second Baptist Church of Millington property; thence in a Southwestwardly direction, along the centerline of Shipp Road, being the South line of this parcel, North 80 degrees 33 minutes 56 seconds West, a distance of 800.25 feet to the Southeast corner of the Shipp Road R.O.W. acquisition (V6 8494) and an exterior corner of this parcel; thence in a Northeastwardly direction, along the East line of the Shipp Road R.O.W. acquisition (V6 8494) and a West line of this parcel, North 12 degrees 01 minutes 08 seconds East, a distance of 30.00 feet to the Northeast corner of the Shipp Road R.O.W. acquisition (V6 8494) and an interior corner of this parcel; thence in a Northwestwardly direction, along the North Right of Way line of the Shipp Road (R.O.W. acquisition - V6 8494) and a South line of this parcel, the following two (2) courses;

North 77 degrees 58 minutes 52 seconds West, a distance of 250.05 feet to an angle point; thence North 58 degrees 22 minutes 20 seconds West, a distance of 187.02 feet to the point of beginning and containing 15.07 Acres, more or less.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019
First Reading: January 14, 2019
Final Reading: February 11, 2019

Terry Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2019-4

ORDINANCE ABANDONING A CERTAIN PORTION OF THE UNUSED RIGHT-OF-WAY FOR FERN ROAD, MILLINGTON, TENNESSEE, AND QUIT CLAIM THE CITY'S ABANDONED RIGHT-OF-WAY TO THE ADJOINING PROPERTY OWNER

WHEREAS, Article II, Section 2.02 of the City Charter empowers the City of Millington to acquire or receive and hold, maintain, improve, sell, lease, mortgage pledge or otherwise dispose of real property; and,

WHEREAS, the Millington Municipal Planning Commission of the City of Millington, Tennessee, after reviewing the attached Exhibit "A" has recommended to the City of Millington Board of Mayor and Aldermen to approve the abandonment of said right-of-way and transfer to the adjoining property owner, pursuant to Sections 13-4-104 of the Tennessee Code Annotated; and,

WHEREAS, the Board of Mayor and Aldermen after consideration of recommendations of the City staff are of the opinion that it is proper, necessary and in the best interests of the health, safety, morals and general welfare of the City to abandon a certain portion of the unused right-of-way described on Exhibit "A" and quit claim the said abandoned right-of-way to the adjoining property owner.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that a certain portion of the unused right-of-way for Fern Road described in the attached Exhibit "A" be abandoned and the City does henceforth close, abandon, relinquish and quitclaim any and all title it may have, either legal or equitable, in the underlying right-of-way to the adjoining property owner. Furthermore, Terry Jones in his capacity as Mayor is hereby authorized to execute any and all deeds, documents or agreements to transfer the said underlying right of way, subject to the review and approval of the City Attorney.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its final passage, the public welfare requiring it.

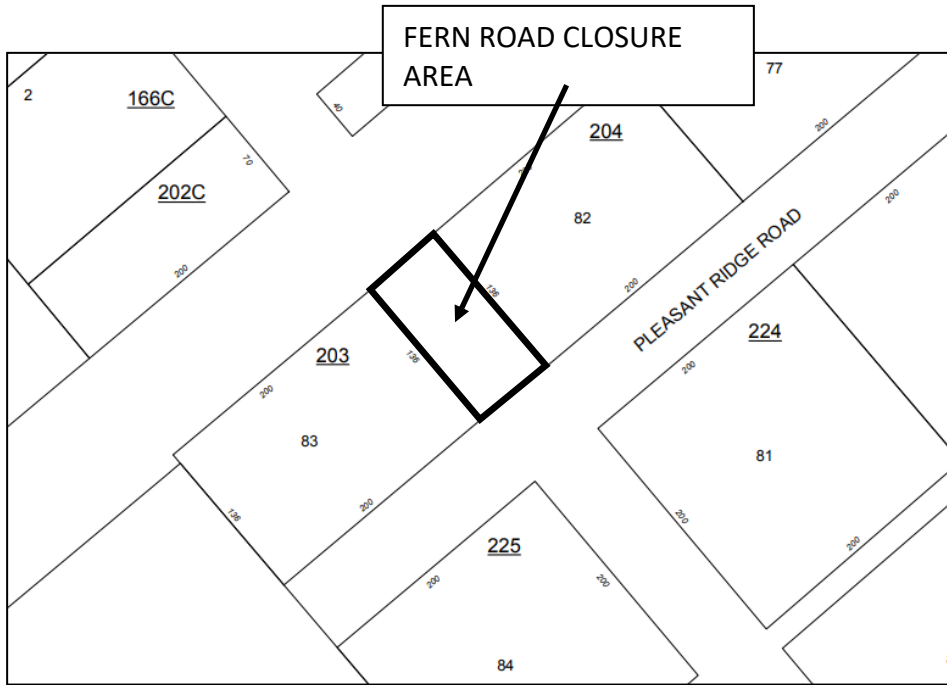
Public Hearing:
First Reading: February 11, 2109
Final Reading:

Terry G. Jones, Mayor

Karen Findley, City Clerk

Exhibit A

BEGINNING at a point in the east line of the Canadian National Railroad (previously Illinois Central), said line being the northwest corner of Shelby County parcel M012500204, thence southwest along the east line of the Canadian National Railroad and across Fern Road, approximately 60 feet to a point in the northeast corner of Shelby County parcel M012500203, thence southeast along the east line of parcel M012500203 approximately 136 feet to a point in the west line of Pleasant Ridge Road, thence northeast along the east line of Pleasant Ridge Road and across Fern Road, approximately 60 feet to a point in the southwest corner of parcel M012500204, thence northwest along the west line of parcel M012500204 approximately 136 feet to the point of BEGINNING. These dimensions are approximate and based only on county records.



RESOLUTION 5-2019

RESOLUTION APPROVING THE FY20 AGREEMENT FOR EMERGENCY CALL
PROCESSING AND DISPATCHING SERVICES

WHEREAS, the Board of Mayor and Aldermen approved an agreement with Shelby County effective July 1, 2013 for Fire Department emergency call processing and dispatching services; and

WHEREAS, the agreement has been renewed by the parties by written instrument for the period of July 1, 2018 thru June 30, 2019; and

WHEREAS, the City desires to amend this agreement for an additional one year period for the twelve month period beginning July 1, 2109 through June 30, 2020 in the amount not to exceed \$211,659.80.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the FY20 Agreement with Shelby County for Fire Department emergency call processing and dispatching services in an amount not to exceed \$211,659.80 is hereby approved.

This Resolution is adopted as of the 11th day of February, 2019.

Terry Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 6-2019

RESOLUTION APPOINTING MEMBER TO THE MILLINGTON BOARD OF ZONING
APPEALS

WHEREAS, the Board of Mayor and Aldermen of the City of Millington has established the Millington Board of Zoning Appeals; and

WHEREAS, a member is unable to serve and the Mayor wishes to appoint someone to carry out his term.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen, that the Mayor's appointment to the Millington Board of Zoning Appeals is approved, and that they shall serve until the later of the end of their term or their successor is appointed:

Eugene Leach, term ending August 31, 2020 (replacing Jimmy Gardner)

This Resolution is adopted this 11th day of February, 2019

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 7-2019

RESOLUTION APPROVING APPOINTMENT TO THE SHELBY COUNTY
MUNICIPAL SOLID WASTE REGIONAL BOARD

WHEREAS, the Shelby County Municipal Solid Waste Regional Board was established by TCA 68-211-813, and all the local municipalities are eligible to appoint a member to this board; and

WHEREAS, the term of Millington's board member is expiring, and the Mayor wishes to reappoint him.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen, that the Mayor's appointment to the Shelby County Municipal Solid Waste Regional Board is approved, and that they shall serve until the later of the end of their term or their successor is appointed:

Rodney Stanback, term ending April 30, 2025(renewing)

This Resolution is adopted this 11th day of February, 2019

Terry G. Jones, Mayor

Karen Findley, City Clerk