



Municipal-Regional Planning Commission

Meeting Agenda

Atoka Town Hall
334 Atoka-Munford Avenue

Thursday September 15, 2022
6:30 p.m.

I. Call to Order & Establishment of a Quorum

II. Approval of the Minutes

Regular Commission Meeting – August 18, 2022

III. Reports

Code Enforcement Monthly Activity Report

IV. Old Business

V. New Business

Amendment to the by-laws of the Atoka Municipal-Regional Planning Commission

VI. Miscellaneous Items from the Planning Commission

VII. Citizen Concerns.

VIII. Adjourn



Municipal-Regional Planning Commission

Atoka Town Hall
334 Atoka-Munford Avenue

Thursday August 18, 2022
6:30pm

Meeting – Minutes

The **Atoka Municipal/Regional Planning Commission** met with the following members present:

Keith Moore
John Harber

Brett Giannini
Stephen Shopher

Michael Smith
Vicki Shipley

Absent:

Also attending:

Amanda Faurbo, Assistant to the Town Administrator

Marc Woerner, Town Administrator

*Attached Sign In sheet

Chair Shopher called the meeting to order at 6:30pm and established a quorum.

Approval of the July 21, 2022, Minutes- Commissioner Moore made a motion to approve the July 21, 2022, minutes as presented. Commissioner Harber seconded. All Approved. Motion carried.

Reports- Code Enforcement Report was available for review and questions. Chair Shopher asked for status on property maintenance violations. Code Official Daugherty advised the Commission of the status. Commissioner Smith advised the official of the Angel Heating and Air lot violation.

Old Business- Commissioner Moore made a motion to amend the agenda, moving the minor plat for 673 Maple Drive Karen Stokes to new business. Commission Smith seconded the motion. All Approved. Motion Carried.

New Business Karen Stokes- 673 Maple Drive Minor Plat- Ms. Stokes was present for questions. Staff provided a report of the minor plat. Commissioner Moore made a motion to approve the minor plat. Commissioner Smith seconded. All Approved. Motion Carried. Commissioner Moore made a motion to amend the motion approve the minor plat with the correction under TDEC certification to replace Fayette County with Tipton County. Commissioner Giannini seconded. All Approved. Motion Carried.

Rezoning request: 673 Maple Drive Rezoning Request R(Residential) to NC (Neighborhood Commercial) Rezoning request A-2 states 1 acre. The applicant advised the commission that the request is for the approved minor plat lot which is 2.3 acres. Commissioner Moore made a motion to recommend a positive recommendation to the Board of Mayor and Alderman for the request for the rezone for the entirety of the lot shown on the minor subdivision plat from the previous agenda item. Commission Shipley seconded the motion. All Approved. Motion Carried.

Miscellaneous Items from the Planning Commission- Commissioner requested to revisit his motion on the minor plat approval to amend the motion to include the correction on the TDEC certification from Fayette County to Tipton County.

Commissioner Harber asked about the accessory structure on Aire Serv's lot. Staff advised the commission that the structure is an accessory structure, and it does have an active permit. The commission advised that the requirements for the materials of the accessory structure needs to be visited and addressed.

Commissioner Harber asked if there was a time limit for political signs in Home Owner Associations. Commissioner Giannini advised that he would check into the law on political signage.

Citizens' Concerns

Commissioner Harber made a motion to adjourn the meeting at 6:52pm.

Stephen Shopher, Chair

Amanda Faurbo, Clerk

Code Enforcement Monthly Report

PERMIT INFORMATION	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Building Permit - Commercial		6											6
Building Permit - Industrial													0
Building Permit - Residential - Addition	2	2											4
Building Permit - Residential - New Build	2	5											7
Building Permit - Residential - Upstairs Finish	1	1											2
Misc Permit - Accessory Structure	3	10											13
Misc Permit - Detached Garage	1												1
Misc Permit - Fence Permit	9	12											21
Misc Permit - Pool Permit	2	6											8
Misc Permit - Sign Permit	1	2											3
TOTAL PERMIT INFORMATION	21	44	0	0	0	0	0	0	0	0	0	0	65

CERTIFICATE OF OCCUPANCY	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Certificate of Occupancy - Commercial													0
Certificate of Occupancy - Industrial													0
Certificate of Occupancy - Residential	11	7											18
TOTAL CERTIFICATE OF OCCUPANCIES	11	7	0	0	0	0	0	0	0	0	0	0	18

BUILDING INSPECTIONS	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Form Board / Set Back Inspection	3	2											5
Footing Inspection													0
Plumbing Inspection	5	5											10
Sheathing Inspection	4	4											8
Brick Ties Inspection	4	6											10
Framing Inspection	11	15											26
Insulation Inspection	9	4											13
TOTAL BUILDING INSPECTIONS	36	36	0	0	0	0	0	0	0	0	0	0	72

CODE ENFORCEMENT ACTIONS	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Municipal Court Citations													0
Property Maintenance Complaints - Closed	39	48											87
Property Maintenance Complaints - Received	7	19											26
TOTAL CODE ENFORCEMENT ACTIONS	46	67	0	0	0	0	0	0	0	0	0	0	113

PERMIT FEES	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Collected Fees	\$3,366	\$6,139											\$9,505
TOTAL PERMIT FEES	\$3,366	\$6,139	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,505

COMMENTS
Temporary Permits: (Fireworks, Temporary signs, etc..) Fiscal Year: Backwash Pit-2

B Y - L A W S OF THE ATOKA REGIONAL PLANNING COMMISSION

PRESENTED TO

CHARLES WALKER, MAYOR

BILL VAN WAES, CHAIRMAN

EARL BILLINGS

JOHNNY RHODES

CAROLYN MAX

JAMES FRANKS

TOMMY ROGERS

BOBBY McDILL

PREPARED WITH THE ASSISTANCE OF THE

**DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT
LOCAL PLANNING ASSISTANCE OFFICE - WEST TENNESSEE REGION
LOWELL THOMAS STATE OFFICE BUILDING
225 MARTIN LUTHER KING DRIVE – SUITE 302A
JACKSON, TENNESSEE 38301**

B Y - L A W S OF THE ATOKA REGIONAL PLANNING COMMISSION

ARTICLE I AUTHORITY

These by-laws are adopted under the authority of Tennessee Code Annotated and amendments thereto as set forth in Section 13-3-103 - "Each regional planning commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record."

OBJECTIVES

The objectives and purposes of the Atoka Regional Planning Commission shall be as set forth in Sections 13-3-104 through 13-3-105 of the Tennessee Code Annotated and amendments and supplements thereto. All powers and duties are delegated to the Planning Commission by the chief legislative body in accordance with the above mentioned enabling legislation.

ARTICLE II MEMBERSHIP

- Section 1. The number of Atoka's Municipal-Regional planning commissioners will be in accordance with TCA 13-4-101 and the Town of Atoka's Municipal Code.
- Section 2. The Atoka Regional Planning Commission shall consist of the following: The Mayor and one member of the Board of Aldermen and five (5) members appointed by the Town of Atoka.
- Section 3. All members of the Planning Commission shall either reside within the Town of Atoka, or the Atoka Planning Region.
- Section 4. The term of any member designated from the Atoka City Board shall be coterminous with his or her term of office on the City Board. The term of all appointed members shall be four (4) years.
- Section 5. The Mayor may remove any member from the Commission for cause specified in writing served on the member and after a hearing as provided in Section 13-3-101 of the Tennessee Code Annotated. In addition, any Planning Commission member with unexcused absences from three (3) consecutive regular meetings of the Commission will be deemed to have resigned his or her position on the Commission upon the effective date of the third meeting.

ARTICLE III

OFFICERS AND THEIR DUTIES

- Section 1. The officers of the Planning Commission shall consist of a Chairman, Vice-chairman, and Secretary.
- Section 2. The chairman shall preside at all meetings and hearings of the Planning Commission and have duties normally conferred by parliamentary usage on such officer.
- Section 3. The Chairman shall be one of the appointive members of the Planning Commission. He shall have the privilege of discussing all matters before the Planning Commission and to vote thereon.
- Section 4. The Vice-Chairman shall be one of the appointive members of the Planning Commission and shall act for the Chairman in his absence.
- Section 5. The Secretary shall keep the minutes and certify planning commission approval of subdivision plats and other documents acted upon by the Planning Commission. The Secretary shall also have such other duties as are normally carried out by a secretary or requested by the Chairman.

ARTICLE IV

ELECTION OF OFFICERS

- Section 1. Nomination of officers shall be made from the floor and officers shall be elected at an annual organizational meeting in the month of August. During this election process, a member of the staff personnel shall act as Chairman pro tem. The Commission shall elect its Chairman from among the appointive members.
- Section 2. The nominee for each office receiving a majority vote of the membership present shall be declared elected and shall take office immediately following the election.
- Section 3. All officers shall be elected for a term of one (1) year and shall be eligible to succeed themselves. Vacancies shall be filled immediately for the unexpired term by the regular election procedure.

ARTICLE V

STAFF PERSONNEL

- Section 1. The Planning Commission may appoint or employ such staff as the Commission deems necessary in accordance with Section 13-3-103 of the Tennessee Code Annotated and may contract with the Local Planning Assistance Office, other planners, engineers or other consultants for such services as it may require.
- Section 2. The appointed professional staff shall take action and make recommendations in the name of this Planning Commission in accordance with such plans, policies, and procedures as are approved or established by this Commission from time to time.
- Section 3. The appointed professional City staff shall keep records of this Commission, attend to correspondence of this Commission, provide for the notice of public meetings to the Commission members, and arrange for proper legal notice of all hearings and meetings of this Commission.

ARTICLE VI

COMMITTEES

- Section 1. The Chairman for those purposes and terms as designated by the Planning Commission may appoint special committees.
- Section 2. The chairman shall be ex-officio member of any committee and shall have the right to cast a vote as a member of such committee.

ARTICLE VII

MEETINGS

- Section 1. All meetings of the Atoka Municipal-Regional Planning Commission shall be held on the 3rd Monday at the Atoka TownHall or such other place and time as shall be designated in advance by the chairman: AMENDED
09/15/2022
- Section 2. A majority of the entire membership of the Planning Commission shall constitute a quorum. A quorum shall be present before any business is transacted. In the event of any vacancy on the Commission, a majority of the members still acting shall constitute a quorum.
- Section 3. All plans, reports and recommendations of the Planning Commission must be approved by a majority of the members of the Commission present at the meeting.

- Section 4. A record of the vote of each member on each major question shall be kept as a part of the minutes.
- Section 5. Special meetings of the Planning Commission may be called: (1) by the Chairman upon written notice, (2) by the Vice-Chairman if the Chairman is not acting or (3) by any four (4) members of the Commission by giving at least five (5) days notice thereof.
- Section 6. Notice of the Special Call meetings of the Planning Commission shall be put in the newspaper five (5) days prior to meeting setting forth time and place of meeting. Chairman will notify newspaper of the special call meeting.
- Section 7. Except as set forth herein, Robert's Rules of Order shall prevail as to any matters of procedure.
- Section 8. All meetings at which official action is taken shall be open to the general public.
- Section 9. At all meetings, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member shall have personal interests in the business before the Commission, this Commissioner shall disclose the interest and be disqualified from voting upon the business.
- Section 10. Affirmative vote of a majority of the members attending the meeting is necessary for approval of any proposed subdivision or zoning matter and in the event that a majority of those present at the meeting shall not vote affirmatively on a matter, the matter shall be recommended as not approved.

ARTICLE VIII

PROCEDURE

- Section 1. All matters to be presented to the Commission shall be filed in final form no later than fifteen (15) days preceding the regular meeting at which a recommendation is sought.
- Section 2. An agenda of matters to be presented at the meeting shall be prepared by the planning assistance staff prior to the general meeting by the Commission and no additions to the agenda shall be allowed.
- Section 3. If the petitioner or applicant or his representative is not present when the Planning Commission is to consider his case, consideration will be put off until the next regular or advertised Planning Commission meeting.

Deferral or consideration shall continue until the petitioner or applicant or his representative is present to explain his petition or application to the Commission to answer any questions the Commission may have concerning his proposal.

Section 4. The proponents of any matter to be presented to the Commission shall be granted not more than 20 minutes to present any matter to the Commission upon the first presentation. Opponents of same matter shall be allowed not in excess of 10 minutes to explain all opposition to the proposal.

Section 5. All votes shall be voice vote and shall be recorded by the secretary and kept in the official minutes of the meeting.

Section 6. The minutes of the meeting shall be the official acts of the Commission and any change there from in any correspondence shall not be valid.

Section 7. The Secretary shall be the person responsible for the correctness of all minutes, although the actual taking of the minutes may be delegated to other persons.

ARTICLE IX

PUBLIC HEARINGS

Section 1. In addition to those required by law, the Commission may, at its discretion, hold public hearings when the Commission deems hearings will be in the public interest.

Section 2. Notice of such hearings shall be published in a newspaper of general circulation within Atoka's Planning Region at least ten (10) days prior to the date of such public hearings.

Section 3. During a public hearing, the case before the Commission shall be presented in summary by a member of the staff or by a Commission member designated by the Chairman. Interested parties shall then have the privilege of the floor or by submitting in writing.

ARTICLE X

FILING

Section 1. All matters to be presented to the Commission shall be filed at Atoka City Hall with the number of copies provided as required by the appropriate ordinance or regulations. All matters shall be submitted to the planning assistance staff as required.

ARTICLE XI
CONFLICT OF INTEREST

- Section 1. Any member shall disqualify himself from any: participation in the discussion of or voting on any matter on the meeting agenda in which he has a direct or indirect personal interest.
- Section 2. The member shall vacate seat during deliberation on any matter from which he has disqualified himself. The member shall not be replaced for the vote.
- Section 3. A member who is disqualified shall not be counted as present for a quorum for that particular vote, thereby reducing the necessary number of affirmative votes required to approve a motion.
- Section 4. The burden of revealing any such conflict rests with individual members of the Planning Commission.

ARTICLE XII
ADOPTION AND AMENDMENT

- Section 1. These by-laws herein shall be in full force and effective at the first meeting and all subsequent meetings following the adoption of this document by a majority vote of the entire membership of this Planning Commission.
- Section 2. These rules may be amended by a two-third majority vote of the entire membership of the Planning Commission at any time by placing on the agenda of any regular meeting an item for their amendment or by a Special Meeting called for that purpose as set forth herein.

Adopted this 17th day July 2003
Amended this 15th day of September 2022

Chairman of the Atoka Municipal-Regional Planning
Commission

Secretary of the Atoka Municipal-Regional Planning
Commission