

OFFICIAL MINUTES
McKENZIE MUNICIPAL-REGIONAL PLANNING COMMISSION
9 MARCH 2016 Called Meeting MINUTES
MCKENZIE MUNICIPAL COMPLEX @ 5:00 P.M.

I. Call to Order:

- a. The Meeting was called to order by Chairman Dean Robb at 5:00 P.M.

II. Roll Call/Establish of Quorum:

a. Quorum Present

- i. **MMRPC:** Dean Robb, Chair; Jill Holland, Mayor; Bobby Young, Vice-Chair; Charles Pruneau, City Council Liaison; Garlon Prewitt, Secretary; Ken Mitchum; Peggy Kee
- ii. **Absent:** None
- iii. **Planning Staff:** Shelton Merrill, SWTDD Regional Planner
- iv. **City Inspectors:** David Kelly, City Building Inspector/ Codes Officer; Sue Kelly, Spouse; Philip Morrisett, McKenzie Codes Enforcement;
- v. **Other:** Randy Webb & Dennis Coleman, McKenzie Industrial Board; Rick Davis, Sean McCall & Deborah Walters, D & M Enterprises; Joseph W. Morris, Property Owner; Roger Reed, Roger Reed Real Estate; Rudy Collins, TN Dept. of Environment & Conservation; Keith Priestley, McKenzie Banking Company;
- vi. **Media:** None

III. Old Business: Called Meeting for the Purpose of Dialog/Discussion with Joseph W. Morris, D & M Enterprises, and the City of McKenzie regarding plans and concerns related to the 83 Euclid Street property (former Southern Biological Supply Building).

Chairman, Dean Robb, opened the meeting by defining the single purpose of this meeting as being confined solely to the property in question and assigning four-minute time limits for all presenters, including the Commission with follow-up questions after the statements. See below:

- a. Joseph W. Morris, current owner of the property at 83 Euclid Street, had already communicated his evidence and concerns to the City via previous letters, documents and phone calls. He felt that the building was ready for occupancy by business or residential use and he stated this building would be the beginning of a much larger investment he referred to as Industrial Row. His assertions and the responses to his assertions are discussed below.
 - i. Mr. Morris asserted the building had undergone extensive testing before he bought it; however, records show that only a walk-through level of testing took place and only one chemical (formaldehyde) was included in the testing matrix. Considering this facility housed a chemical supply company for many years, testing only one chemical is unacceptable. Additionally, the paperwork for the walk-through did not qualify as a test in at least nineteen other categories, including the interviewing of immediate neighbors. There was no experimental design showing all of the procedures and preparations involved in setting up the test, and the questions on the vital ASTM were not answered. There was no intrusion testing or core samples taken, both of which become more important if the underground water table and/or a possible aquifer under the floor connects with the city's drinking water

- ii. He asserted the test was evidence of State approval and the results letter stated the building was ready; however, testimony by the agency doing the walk-through successfully proved that neither assertion was correct. (See Rudy Collins comments below)
- b. D & M began by amending the original zoning request from business and residential to residential only. Chair Dean Robb informed them to simply modify their original request at no additional charge. D & M further stated that they do not intend to have handicapped residents on the second floor. Security would be by camera in the main hall and that Sean McCall plans to establish his residence in the building. Deborah Walters explained that they were not allowed to have any physically handicapped residents who could not independently care for themselves since she is not certified for such responsibilities.
- c. D & M responded to questions by the Commission and the answers do are summarized below:
 - i. Their experience is limited to smaller projects and have never been involved with a project of this magnitude.
 - ii. They have no intention to spend millions of dollars for renovation and never intended to do so as the Commission was led to believe by correspondence from another party with no affiliation to D & M.
 - iii. They are waiting on the pending purchase of this property, therefore they have not completed a detailed plan/site plan for the project nor have they not applied for grants or VA loans.
 - iv. They would do basic screening of possible residents as permitted by law.
 - v. They have no commitments from prospective residents and/or disabled veterans.
 - vi. They selected McKenzie and this property because they like the McKenzie community as a small town with solid values and plan to retire here.
- d. Other concerns expressed at the meeting included:
 - i. The Time Weighted Average decibel level exceeds the OSHA limit by 8.5 decibels. This is almost 10-times louder than OSHA limit.
 - ii. There was no inventory list and abatement log. (Not required but useful).
 - iii. No written interviews with neighbors.
- e. Mr. Rudy Collins, TN Dept. of Environment & Conservation, reviewed the test documents and found no statement that approved and/or certified the building as “ready”.
- f. Mr. Morris left the meeting at 5:41 PM, before adjournment, and stated he would not sell the property.***

IV. Adjournment:

- a. Motion By: Bobby Young Second By: Peggy Kee Passed: 7-0 Time: 5:55 P.M.**