

MINUTES OF THE MARTIN BOARD OF MAYOR AND ALDERMEN

June 09, 2003 7:00 PM City Hall Chambers

BE IT REMEMBERED the Regular Meeting of the Board of Mayor and Aldermen for the City of Martin, Tennessee, was held Monday, June 09, 2003, at 7:00 PM in the City Hall Chambers, when the following was held to wit:

MEMBERS PRESENT: HONORABLE RANDY BRUNDIGE, MAYOR
 HONORABLE DANNY NANNEY, WARD I
 HONORABLE BILL HARRISON, WARD I
 HONORABLE DAVID BELOTE, WARD II
 HONORABLE NATALIE D. BOYD, WARD III
 HONORABLE STAN JOHNSON, WARD II
 HONORABLE PHILLIP MERRYMAN, WARD III

MEMBERS ABSENT: NONE

CALL TO ORDER AND INVOCATION

Mayor Brundige called the June 09, 2003, meeting of the City of Martin Board of Mayor and Aldermen to order. Alderman Harrison gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Brundige led the group in the Pledge of Allegiance to the flag.

APPROVAL OF MINUTES: MAY 12, 2003

Alderman Harrison made the motion to approve the minutes of the May 12th meeting as written, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

COMMITTEE AND DEPARTMENT HEAD REPORTS

No questions or committee reports.

Finance Committee will meet June 24th at 6:30 pm.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

ACCEPT THE RESIGNATION: MR. JAMES FISHER FROM THE HISTORIC ZONING COMMISSION

Mayor Brundige presented a resignation from Mr. James Fisher. Mr. Fisher is resigning from the Historic Zoning Commission.

Alderman Johnson made the motion to accept the resignation of Mr. James Fisher from the Historic Zoning Commission, seconded by Alderman Merryman.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

APPOINTMENT: MR. LARRY KINDRICKS; THE HISTORIC ZONING COMMISSION TO FILL THE UNEXPIRED TERM WITH EXPIRATION DATE OF 12/31/2004

Mayor Brundige made the recommendation to appoint Mr. Larry Kindricks to the Martin Historic Zoning Commission to fill an unexpired term, expiration date 12/31/2004.

Alderman Merryman made the motion to appoint Mr. Larry Kindricks to the Martin Historic Zoning Commission to fill an unexpired term, expiration date 12/31/2004, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

PROPOSAL FROM MR. MIKE ABNEY

Mayor Brundige presented a proposal from Mr. Mike Abney to evaluate a point of sale program and an accounts receivable program for the city administration's computer system.

Alderman Johnson made a motion to allow Mr. Mike Abney to evaluate a point of sale and accounts receivable program for the city administration's computer system, seconded by Alderman Nanney.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE JOHNSON HONORABLE BOYD HONORABLE MERRYMAN
	AGAINST:	NONE

Mayor Brundige declared the motion approved.

APPROVE AUDIT CONTRACT

Mayor Brundige presented the City of Martin's Audit contract. This contract needs to be renewed and there are two audit firms in the city expressing a desire to assume this responsibility. The firm of Mr. Jack Reese is present and I have a letter from the Nanney and Hart Firm. They have asked that this letter be read and recorded in the minutes. I will read the letter and then allow Mr. Reese to respond. The letter follows:

"Mayor and Board Members:

I am writing a response to the request by the Mayor to address the City of Martin audit contract for the year ending June 30, 2003. I feel very strongly that my firm should be awarded the audit contract for the year in question based on merit. I believe we are the most qualified firm in Martin with the most experience and background based on the fact that we do more than twenty governmental type audits per year and have done so for the past several years. I do not want the audit of our great city to be a political football that gets kicked from firm to firm every three years. There is no other audit in West Tennessee, that we are aware of, that is rotated in the way you are proposing, not Union City, Dyersburg, Paris or Jackson. These are all cities with more than one CPA Firm located within them. In addition, the city does not currently rotate any other professional services, legal, insurance, collect, so the audit should not be any different. I want the best for our city and as elected officials, I know you do as well. I have worked with the city for the past three years and for a number of years during our previous run as city auditors and all of the work being performed professionally and timely. I feel we have earned the right to continue the right to continue to audit our city based on previous performance. I appreciate your time and if you have any questions, please contact me I will be happy to discuss this letter with you at anytime.

Respectfully submitted,
David W. Hart, CPA"

Mayor Brundige ask Mr. Reese to respond.

Mr. Reese spoke, "Thank you, Mr. Mayor and Aldermen. Again, I would like to just say that there are two firms that are qualified to perform the city audit. And, that we are not asking to have an indefinite contract on the audit like Mr. Hart seems to think they should have. We felt like the rotating basis worked pretty well before. It was suppose to work that away and it got taken away before during past administration and they have had it the last four years and we are asking that it be put back on a rotating basis, either four or three years, whatever. We feel we are just as qualified as they are, I don't know where David gets that he is anymore qualified than we are. We have done audit for several years and we maintain all of continuing education. And, as a city manager here, Mr Tidwell can tell you, he is usually setting right behind us at a table at all of the continuing education we have to go to. So, we feel we are just as qualified. Thank you."

Mr. Leslie Tarver asked why our city audits are not done by July 01 of each year?

Mayor Brundige responded, "Now, the end of our budget is in July and they have until December to finish the audit. This last year we did not have it finished.....we do not have the audit back from the state because they are investigating the library. You are right, in years, we have never passed the budget in July or by July. Your point is well taken."

Alderman Johnson made the motion, the audit contract go back to a rotating basis, every three years between the two firms, seconded by Alderman Belote.

Mr. Tidwell stated, the contract will be awarded to the Jack Reese CPA Firm as Nanney and Hart have had the audit for the last four years.

Alderman Merryman asked, with the state still auditing the library, will changing firms have any effect on this?

Mr. Tidwell stated, the only problem I could see is we normally get adjusting entries back and into our system before the next audit is started, we will not receive these until the state completes their investigation. They cannot start their audit until I get the adjusting entries in for July of 2002. Normally they do not start the audit until September because it will take us July and August and into the first part of September to get the year's books closed and get all the payables in. The Mayor has talked to the state and they feel the audit will be here soon, but, as of now, we are waiting. December 31st is the deadline for audits to be into the state. I feel either audit firm will do their best to meet this deadline and we cannot blame the firm if it is late but I assume as the state has delayed the start they will give the city an extension.

Mr. Reese stated there is a lot of preliminary work that can be done prior to these entries being supplied.

Mayor Brundige asked for a roll call vote being as there was no further discussion.

VOTE: FOR: HONORABLE NANNEY
 HONORABLE HARRISON
 HONORABLE BELOTE
 HONORABLE JOHNSON
 HONORABLE BOYD
 HONORABLE MERRYMAN
 AGAINST: NONE

**INTRODUCTION AND READING OF RESOLUTION R2003-13:
RESOLUTION TO ENTER INTO A CONTRACT WITH THE TENNESSEE
DEPARTMENT OF TRANSPORTATION FOR A HIGHWAY SAFETY
IMPROVEMENT PROJECT UNDER THE HAZARD ELIMINATION
PROGRAM**

Mayor Brundige introduced and presented for consideration Resolution R2003-13: Resolution to enter into a contract with the Tennessee Department of Transportation for a Highway Safety Improvement Project under the Hazard Elimination Program.

Mr. Tidwell read Resolution R2003-13. A copy follows:

RESOLUTION NO. R2003-13

**A RESOLUTION TO ENTER INTO A CONTRACT WITH THE TENNESSEE DEPARTMENT OF
TRANSPORTATION FOR A HIGHWAY SAFETY IMPROVEMENT PROJECT UNDER THE
HAZARD ELIMINATION PROGRAM**

WHEREAS, with the rebuilding on the bridge on Mount Pelia there exists an ongoing traffic hazard for all automobile traffic;

WHEREAS, the Tennessee Department of Transportation has offered to pay 90 percent of the actual project cost, up to \$45,000, to reroute Crawford Drive at the intersection with Mount Pelia.

BE IT RESOLVED, that the Board of Mayor and Aldermen of the City of Martin, Tennessee accepts the State of Tennessee, Department of Transportation Contract No. 2003185, LP Project No. 4069, which details the City's obligations for implementation of a highway safety improvement under the Hazard Elimination Program.

NOW IT BE FURTHER RESOLVED, that this resolution take effect upon its passage, the public welfare

ATTEST:

APPROVED:

Richard L. Tidwell, City Administrator

Randy Brundige, Mayor

Motion made by Alderman _____ that the foregoing resolution be approved. Seconded by Alderman _____. Upon being put to a roll call vote the motion _____.

Introduced _____ June 09, 2003

Date Resolution Passed _____

Alderman Harrison made the motion to approve Resolution R2003-13: Resolution to enter into a contract with the Tennessee Department of Transportation for a Highway Safety Improvement Project under the Hazard Elimination Program, seconded by Alderman Merryman.

VOTE:	FOR:	HONORABLE NANNEY
		HONORABLE HARRISON
		HONORABLE BELOTE
		HONORABLE JOHNSON
		HONORABLE BOYD
		HONORABLE MERRYMAN
	AGAINST:	NONE

Mayor Brundige declared the resolution approved.

INTRODUCTION AND FIRST READING OF ORDINANCE 02003-15: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING PROPERTY ALONG THE SOUTH SIDE OF HIGHWAY 431 ON THE WESTERN EDGE OF THE CITY FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL).

Mayor Brundige introduced and presented for the first reading Ordinance 02003-15: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning property along the south side of Highway 431 on the western edge of the City from R-1 (Low Density Residential) to R-3 (High Density Residential). This a recommendation from the Planning Commission.

ORDINANCE 02003-15

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE BY REZONING PROPERTY ALONG THE SOUTH SIDE OF HIGHWAY 431 ON THE WESTERN EDGE OF THE CITY FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL).

WHEREAS, pursuant to Tennessee Code Annotated, Section 13-7-201 through 13-7-211, the City of Martin has adopted a Municipal Zoning Ordinance; and

WHEREAS, in accordance with Tennessee Code Annotated, Sections 13-7-203 and 13-7-204, the Martin Municipal-Regional Planning Commission has recommended the following amendment to the Municipal Zoning Ordinance and Municipal Zoning Map relative to the rezoning of territory; and

WHEREAS, the Martin Board of Mayor and Aldermen has deemed such a rezoning of this territory to be necessary for the welfare of the residents and property owners thereof this City as a whole; and

WHEREAS, the Martin Board of Mayor and Aldermen has held a public hearing pursuant to Tennessee Code Annotated, Section 13-7-203 for the purpose of receiving public comment.

NOW, THEREFORE, BE IT ORDAINED BY THE MARTIN BOARD OF MAYOR AND ALDERMEN:

Section 1. That the Municipal Zoning Map and Zoning Ordinance for Martin, Tennessee be amended by rezoning the following tract from R-1 (Low Density Residential) to R-3 (High Density Residential):

Weakley County Tax Map 73, Parcel 01501

Section 2. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after second and final reading, THE PUBLIC WELFARE REQUIRING IT.

Date Passed First Reading

Date Passed Second Reading

Date of Public Hearing

Richard L. Tidwell, City Administrator

Randy Brundige, Mayor

Alderman Johnson made the motion to approve on the first reading Ordinance 02003-15: An Ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning property along the south side of Highway 431 on the western edge of the City from R-1 (Low Density Residential) to R-3 (High Density Residential), seconded by Alderwoman Boyd.

VOTE: FOR: HONORABLE NANNEY
 HONORABLE HARRISON
 HONORABLE BELOTE
 HONORABLE JOHNSON
 HONORABLE BOYD
 HONORABLE MERRYMAN
 AGAINST: NONE

Mayor Brundige declared the ordinance approved on the first reading and set the second and final reading and the public hearing for June 26, 2003 at 7:00 pm.

INTRODUCTION AND FIRST READING OF ORDINANCE O2003-16: AN ORDINANCE TO INCREASE THE AMOUNT OF COURT COSTS AND PARKING FEES FOR THE MARTIN CITY COURT

Mayor Brundige introduced and presented for the first reading Ordinance O2003-16: An Ordinance to increase the amount of court costs and parking fees for the Martin City Court.

Mr. Tidwell read the ordinance. A copy follows:

ORDINANCE O2003-16

AN ORDINANCE TO INCREASE THE AMOUNT OF COURT COSTS AND PARKING FEES FOR THE MARTIN CITY COURT

WHEREAS, the court costs associated with the Martin City Court is established to offset the costs of conducting court and the maintenance of all court documents; and

WHEREAS, the court costs have not been adjusted in six years; and

WHEREAS, the Board of Mayor and Aldermen of the City of Martin have determined that the current costs

WHEREAS, the court costs will be adjusted from \$38.75 to \$60.00 in all violations of city ordinances and certain minor traffic infractions as set by the Judge of the City of Martin Court; and

WHEREAS, the parking fees will be adjusted from \$10.00 to \$15.00.

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

Section 1. That the court costs and parking fees be adjusted to \$60.00
and \$15.00 respectively.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon its passage after second and final reading, THE PUBLIC WELFARE REQUIRING IT.

PASSED FIRST READING _____

PASSED SECOND READING _____

DATE OF PUBLIC HEARING _____

ATTEST:

APPROVED:

Richard L. Tidwell, City Administrator

Randy Brundige, Mayor

Alderman Harrison made the motion to approved on the first reading Ordinance O2003-16: An Ordinance to increase the amount of court costs and parking fees for the Martin City Court, seconded by Alderman Merryman.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE JOHNSON HONORABLE BOYD HONORABLE MERRYMAN
	AGAINST:	NONE

Mayor Brundige declared the ordinance approved on the first reading and set the second and final reading and the public hearing for June 26, 2003 at 7:00 pm.

Mayor Brundige stated, bids were opened for the University Waterline Extension. The base bid will be to construct a 12-inch ductile iron pipe waterline, the alternate bid will provide substitution of a 16-inch waterline. Two construction companies bid on this project: Revell Construction came in with the lowest base bid of \$239,380.00, alternate bid \$321,775.00 and Barsto Construction base bid \$283,320.00, alternate bid \$349,220.00. TLM Associates, Architects and Engineers recommend the Revell Construction's bid.

Alderman Johnson made the motion to accept the lowest bid for the installation of the University Waterline Extension from Revell Construction, \$239,380.00, seconded by Alderman Nanney.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE JOHNSON HONORABLE BOYD HONORABLE MERRYMAN
	AGAINST:	NONE

Mayor Brundige declared the motion approved.

AUTHORIZING MOVING FORWARD WITH LEASING OF PROPERTY AT MARTIN RECREATIONAL COMPLEX FOR MINIATURE GOLF.

Mayor Brundige asked the board for authorization to move forward with the proposed leasing of property at the Martin Recreational Complex for miniature golf. This will be a negotiation process and will have to come back to the city board for approval.

Alderman Harrison made the motion to approve the authorization of moving forward with leasing of property at the Martin Recreational Complex for miniature golf, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

AUTHORIZE BIDDING OF PAVILION/CONCESSION STAND AT SOCCER COMPLEX

Mayor Brundige presented a request from Parks and Recreation to authorize the bidding of a pavilion/concessionstand at the Soccer Complex. There is \$30,000.00 in the bank for this project and another \$20,000.00 promised by the Rotary Club over the next two years. There is a possibility of other outside

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Alderman Johnson made the motion to authorize the bidding of a pavilion/concession stand at the Soccer Complex, seconded by Alderman Belote.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

AUTHORIZE BIDDING THE PARKING LOT AT THE NORTHWEST CORNER OF SOUTH LINELL STREET AND CHURCH STREET

Mayor Brundige explained the board has agreed to sell the parking lot located at the northwest corner of South Lindell Street and Church Street. A request was presented to the board to authorize the bidding of this parking lot. The city owns this parking lot right up to the door at Cadillac's. At the Informal Board Meeting, agreement was made to place a minimum bid of \$10,000.00.

Director of Public Works Charles Vowell pointed out there is a waterline that goes through this lot and would prevent anyone building on it.

Alderman Merryman made the motion to authorize the bidding of the parking lot at the northwest corner of South Lindell Street and Church Street, with a minium bid of \$10,000.00, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

INTRODUCTION AND READING OF RESOLUTION R2003-17: A RESOLUTION AUTHORIZING THE PURCHASE OF NEW VEHICLES FOR THE GAS DEPARTMENT

Mayor Brundige introduced and presented Resolution R2003-17: A Resolution authorizing the purchase of new vehicles for the gas department.

Mr. Tidwell read the resolution, a copy follows:

RESOLUTION R2003-17

A RESOLUTION AUTHORIZING THE PURCHASE OF NEW VEHICLES FOR THE GAS DEPARTMENT

WHEREAS, the City of Martin has had several vehicles to break down and it was determined that the cost of repairs would exceed the value of the vehicle; and

WHEREAS, the City of Martin is authorized to purchase vehicles through the State purchasing at the State bid price; and

WHEREAS, it was determined that the vehicles could be purchased and receive delivery within three (3) days.

NOW THEREFORE, BE IT RESOLVED, the Board of Mayor and Aldermen at its regular meeting on June 9, 2003 that the purchase of the vehicles be approved.

BE IT FURTHER RESOLVED, that the expenditure be appropriated from the unrestricted fund balance of the Gas Fund.

BE IT FURTHER RESOLVED, that this Resolution will take effect upon its passage, THE PUBLIC WELFARE REQUIRING IT.

ATTEST:

APPROVED:

Richard L. Tidwell, City Administrator

Randy Brundige, Mayor

Alderman Johnson made the motion to approve Resolution R2003-17: A Resolution authorizing the purchase of new vehicles for the gas department, seconded by Alderman Merryman.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE HARRISON HONORABLE BELOTE HONORABLE JOHNSON HONORABLE BOYD HONORABLE MERRYMAN
	AGAINST:	NONE

Mayor Brundige declared the Resolution approved.

ANY OTHER BUSINESS

There was no other business.

ADJOURN

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Alderman Nanney made the motion to adjourn, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Richard L. Tidwell, City Administrator

Randy Brundige, Mayor

RB: RLT/bh

Saved "June 9, 2003; Tape #228, (1 of 1)