

MINUTES OF THE MARTIN BOARD OF MAYOR AND ALDERMEN

July 11, 2005 5:15 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, July 11, 2005, at 5:15 pm in the City Hall Chambers, when the following was held to wit:

MEMBERS PRESENT: HONORABLE RANDY BRUNDIGE, MAYOR
HONORABLE BILL HARRISON, ALDERMAN WARD I
HONORABLE DAVID BELOTE, ALDERMAN WARD II
HONORABLE JOHNNY TUCK, ALDERMAN WARD II
HONORABLE NATALIE BOYD, ALDERWOMAN WARD III
HONORABLE RANDY EDWARDS, ALDERMAN WARD III

MEMBERS ABSENT: HONORABLE DANNY NANNEY, ALDERMAN WARD I

Also present: City Recorder Chris Mathis, Librarian Roberta Peacock, Police Chief David Moore, MEDC Director Hollie Holt, Public Works Director Charles Vowell, Fire Chief Oran True, Building, Safety & Utility Inspector Billy Stout, and numerous citizens.

CALL TO ORDER AND INVOCATION

Mayor Brundige called the July 11, 2005 meeting of the City of Martin Board of Mayor and Aldermen to order and gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES June 20, 2005

Alderman Harrison made the motion to approve the minutes of the June 20, 2005 meeting as written, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

DEPARTMENT HEAD 2004/2005 YEAR END REPORTS:

The following department heads gave 2004/2005 year-end reports (written copies are attached to minutes): Building, Safety, & Utility Inspector Billy Stout, Librarian Roberta Peacock, Martin Economic Development Director Hollie Holt, Public Works Director Charles Vowell, City Recorder Chris Mathis, Police Chief David Moore, and Fire Chief Oran True. Parks and Recreation Director Dennis Suiter was sick and could not present.

OLD BUSINESS:

SECOND AND FINAL READING AND PUBLIC HEARING FOR RESOLUTION R2005-11: A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS FOR THE FISCAL YEAR BEGINNING JULY 01, 2005 AND ENDING JUNE 30, 2006

Mayor Brundige introduced and presented for consideration the second and final reading and public hearing for Resolution R2005-11: A resolution making appropriations to certain non-profit charitable organizations for the Fiscal Year beginning July 01, 2005 and ending June 30, 2006.

Recorder Mathis read Resolution R2005-11. A copy follows:

RESOLUTION R2005-11

A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS, FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006

WHEREAS, the Board of Mayor and Aldermen for the City of Martin, Tennessee have determined that it would benefit the general welfare of the residents of Martin if appropriations were made to certain non-profit charitable organizations: and

WHEREAS, Tennessee Code Annotated 6-54-111 allows the legislative body of a municipality to appropriate funds under certain conditions for non-profit charitable organizations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen for the City of Martin, that

SECTION 1. a. That one thousand dollars (\$1,000.00) be appropriated for the Kiwanis Club for the annual Christmas parade.

b. That two thousand two hundred dollars (\$2,200.00) be appropriated to the Northwest Tennessee Development District to benefit the general welfare of the residents of the City of Martin.

c. That five thousand, three hundred dollars (\$5,300.00) be appropriated for the Weakley County Chamber of Commerce to benefit the general welfare of the residents of the City of Martin.

d. That two hundred fifty (\$250.00) be appropriated to the Northwest Tennessee Tourist Promotion Council for the promotion of tourism in northwest Tennessee.

- e. That twenty-five thousand dollars (\$25,000.00) be appropriated for the community activity – Soybean Festival.
- f. That five hundred dollars (\$500.00) be appropriated to the Young Men’s Business Club (YMBC).
- g. That four thousand, five hundred dollars (\$4,500.00) be appropriated to Community Development Services.

SECTION 2. In accordance with T.C.A. 6-65-111, this appropriation is made on the condition that the non-profit charitable organization for which these funds are appropriated shall file with the City Recorder’s office a copy of an annual report of its business and transactions, which includes, but is not limited to, a copy of an annual audit, its programs which serve the residents of the City of Martin and the proposed use of the municipal assistance. The City Recorder shall consult with appropriate officials of the organization and auditors for the City to determine the extent of the information, which shall satisfy the requirement of this section.

SECTION 3. It is the expressed intent of the Board of Mayor and Aldermen of the City of Martin in making this appropriation to be fully in compliance with T.C.A. 6-54-111 and Chapter 0380-3-7 of the Rules of the Comptroller of the Treasury, State of Tennessee.

SECTION 4. This resolution shall take effect upon its passage, THE PUBLIC WELFARE REQUIRING IT.

ATTEST:

SIGNED:

Chris Mathis, City Recorder, CPA

Randy Brundige, Mayor

INTRODUCED AND PASSED FIRST READING _____
PASSED SECOND READING _____

Mayor Brundige asked if there were any questions concerning the resolution. No one spoke.

Alderman Belote made the motion to approve the second and final reading of Resolution R2005-11: A resolution making appropriations to certain non-profit charitable organizations for the Fiscal Year beginning July 01, 2005 and ending June 30, 2006, seconded by Alderwoman Boyd.

VOTE:

FOR:

HONORABLE HARRISON
HONORABLE BELOTE
HONORABLE TUCK
HONORABLE BOYD
HONORABLE EDWARDS

AGAINST:

NONE

ABSENT:

HONORABLE NANNEY

Mayor Brundige declared Resolution R2005-11 approved.

NEW BUSINESS:

BOYS EIGHT AND UNDER CAL RIPKEN LEAGUE STATE CHAMPS

Mayor Brundige introduced team coaches Marty Young, Brian Moore, Wade Bigham, and George Daniels from the Boys Eight and Under Cal Ripken League State Champions.

Mr. Young spoke about four weeks ago we started a trek with twelve young men. We got better each week and here we are State of Tennessee Champs. Last night less than twenty-four hours ago we scored a run in the bottom of the last inning to beat a previously unbeaten team for the State Championship. We will represent the City of Martin and the State of Tennessee in the Southeastern Regional Tournament in Lake City, Florida, July 22nd through 25th. Team members are: Barrett Belote, Emmitt Daniel, Devon Jernigan, Harrison Capps, Blake Moore, Conner Simpson, Chandler Young, Tony Patrick, Shawn Hogan, Brandon Hauhe, Seth Criswell and Tucker Bigham. We are estimating our expenses at \$10,000. We are requesting and would greatly appreciate any financial assistance you could give the boys.

Alderman Tuck made the motion to give the Boys Eight and Under Cal Ripken League State Champs \$1,000 to help with expenses incurred while representing Martin and the State of Tennessee in the Southeastern Regional Tournament, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

ACCEPT RESIGNATION FROM MARTIN ECONOMIC DEVELOPMENT CORPORATION DIRECTOR HOLLIE HOLT

Mayor Brundige presented the resignation of Ms. Hollie Holt, Director of Martin Economic Development Corporation. The letter of resignation is as follows:

Randy Brundige, Mayor
City of Martin
101 University Street
Martin, TN 38237

Dear Mayor Brundige and Board of Aldermen:

After considerable thought and soul-searching, I have decided to resign from my position as the Executive Director of the Martin Economic Development Corporation. I assure you it was not an easy decision.

My resignation will be effective Wednesday, July 20.

I feel very fortunate to have been associated with the City of Martin for the last three years, and I am still very proud to call Martin my home. My experiences and training have been invaluable, and I leave with many pleasant memories. It has been a joy to work with all of you and I am sure we will have the chance to work together in the future on many projects.

Sincerely,

Hollie Holt,
Executive Director

Alderman Harrison made the motion to accept the resignation of Ms. Hollie Holt, Director of Martin Economic Development Corporation, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige declared the motion approved.

**ACCEPT BID FOR 2005-2006 ASPHALT CONCRETE SURFACING PROGRAM: Low Bid - Ford Construction Company \$40.50 per ton / Striping \$12,889
Second Bid – Martin Paving Company \$40.60 per ton / Striping \$ 8,340**

Mayor Brundige presented for consideration the 2005-2006 Paving list:

| Wards | Location | Width/Length | Tons | Estimated Costs |
|--------------|-------------------------------|--------------|---------|---------------------|
| I | Manley | 25' x 525' | 160.42 | \$ 6,737.64 |
| I | E. Heights Drive | 25' x 1819' | 555.81 | \$ 23,344.02 |
| I | Old Fulton Road | 21' x 1487' | 381.66 | \$ 16,029.72 |
| I | Hyndsver Road | 25' x 2800' | 855.55 | \$ 35,933.31 |
| | (From Lindell to Bypass | | | |
| I | Hyndsver Road | 24' x 4548' | 1334.08 | \$ 56,031.36 |
| I & II | Todd Street | 32' x 3443' | 1346.00 | \$ 56,557.20 |
| II | Bunny Lane | 18' x 2017 | 433.74 | \$ 18,217.08 |
| II | Opry House | | 374.44 | \$ 15,726.48 |
| III | Stephenson Road | 18' x 1185' | 206.70 | \$ 8,681.40 |
| III | Lily Pond | 25' x 1477' | 451.31 | \$ 18,955.02 |
| III | Mt. Pelia Road | | 1144.63 | \$ 48,074.46 |
| | (From University to Hospital) | | | |
| ALL | Patch Places | | 394.74 | \$ 16,579.08 |
| | | | | |
| TOTAL | | | | \$320,866.77 |

Mayor Brundige explained the Public Works Committee recommends the board accept the low bid from Ford Construction Company; \$40.50 per ton/Striping \$12,889 to pave the above list of streets.

Alderman Belote made the motion to accept the low bid for the 2005–2006 asphalt concrete surfacing program from Ford Construction Company; \$40.50 per ton/Striping \$12,889, seconded by Alderwoman Boyd.

| | | |
|-------|----------|---|
| VOTE: | FOR: | HONORABLE HARRISON HONORABLE BELOTE HONORABLE TUCK HONORABLE BOYD HONORABLE EDWARDS |
| | AGAINST: | NONE |
| | ABSENT: | HONORABLE NANNEY |

Mayor Brundige declared the motion approved.

REJECT ALL BIDS FOR CONSTRUCTION OF MARTIN SOCCER PAVILION AT THE MARTIN RECREATION COMPLEX:

| | |
|---------------------------------|------------------|
| Bruce Green Contractors | \$147,863 |
| Allen Searcy Contractors | \$214,800 |

Mayor Brundige presented the next item of business; reject all bids for the construction of Martin Soccer Pavilion at the Martin Recreational Complex: Bruce Green Contractors; \$147,863 and Allen Searcy Contractors; \$214,800. The low bid is approximately \$55,000 over our budget. I will now entertain a motion to reject these bids.

Alderman Edwards made the motion to reject the bids submitted by Bruce Green Contractors; \$147,863 and Allen Searcy Contractors; \$214,800 to construct the Soccer Pavilion at the Martin Recreation Complex, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige explained it is our intention that the Fire Department, Public Works Department, and volunteers through Civic Clubs, etc. construct this facility. We have personnel in all departments that are capable of doing first class construction and concrete work. We had planned to do all the concrete work, all in-house rough plumbing, plus other things on this project. We feel we can build this facility in a first class manner. The City will bid the lumber and other items. Is there any other discussion? There was none.

INTRODUCTION AND PRESENTATION OF RESOLUTION R2005-15: FIRST AMENDMENT TO RESOLUTION R2005-13, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$2,295,000 WATER AND SEWER REVENUE AND TAX REFUNDING BONDS, SERIES 2005, OF THE CITY OF MARTIN, TENNESSEE, AND PROVIDING THE DETAILS THEREOF.

Mayor Brundige introduced and presented for consideration Resolution R2005-15: First amendment to Resolution R2005-13, resolution authorizing the execution, terms, issuance, sale,

and payment of not to exceed \$2,295,000 Water and Sewer Revenue and Tax Refunding Bonds, 2005, of the City of Martin, Tennessee, and providing the details thereof.

Recorder Mathis read Resolution R2005-15 and explained the refunding issue is somewhat like a homeowner refinancing his home by lowering the interest rate. The refunding will save the city approximately \$160,000/170,000 over the next ten years. Tennessee Municipal League will handle this for the city. Resolution R2005-15 is an amendment changing the escrow agent from Sun Trust to US Bank because of lower fees. A copy follows:

RESOLUTION R2005-15

FIRST AMENDMENT TO RESOLUTION NO. 2005-13, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$2,295,000 WATER AND SEWER REVENUE AND TAX REFUNDING BONDS, SERIES 2005, OF THE CITY OF MARTIN, TENNESSEE, AND PROVIDING THE DETAILS THEREOF.

WHEREAS, the Board of Mayor and Aldermen (the "Board") of the City of Martin, Tennessee (the "Municipality"), has heretofore adopted on June 20, 2005, that certain "Resolution Authorizing the Execution, Terms, Issuance, Sale, and Payment of Not to Exceed \$2,295,000 Water and Sewer Revenue and Tax Refunding Bonds, Series 2005, of the City of Martin, Tennessee, and Providing the Details Thereof" (the "Original Resolution");

WHEREAS, the Board finds it necessary and desirable to amend said Resolution in certain particulars all as more fully described herein;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MARTIN, TENNESSEE, AS FOLLOWS:

Section 1. Amendment to Resolution. The Original Resolution is hereby amended in accordance with the terms thereof, effective as of the date hereof, by this First Amendment to Resolution (the Original Resolution, as amended by this First Amendment to Resolution, being herein called the "Resolution"), in the following manner:

(a) The Original Resolution, including all exhibits thereto, is amended by deleting all references therein to the phrase "not to exceed \$2,295,000" and by substituting therefore the phrase "not to exceed \$3,005,000".

(b) The Original Resolution, including all exhibits thereof, is amended by deleting all references to "SunTrust Bank" and by substituting therefore "US Bank".

(c) The Original Resolution is amended by substituting the following definition of "Registration Agent" for the current definition:

"Registration Agent" means the City Recorder of the Municipality, or his or her successor, or successors hereafter appointed in the manner provided in this Resolution.

(d) The Original Resolution is amended by substituting the following amortization schedule for the amortization schedule set forth in Section 5 of the Original Resolution:

| <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|
| 2006 | \$ 40,000 |
| 2007 | 25,000 |
| 2008 | 245,000 |
| 2009 | 260,000 |
| 2010 | 265,000 |
| 2011 | 280,000 |
| 2012 | 285,000 |
| 2013 | 295,000 |
| 2014 | 310,000 |
| 2015 | 325,000 |
| 2016 | 330,000 |
| 2017 | 345,000 |

Section 2. Miscellaneous Provisions.

(a) The Original Resolution is hereby, and shall henceforth be deemed to be, modified, supplemented, and amended in accordance with the provisions hereof, and the respective rights, duties, and obligations under the Original Resolution of the Municipality and the Registration Agent shall hereafter be determined, exercised, and enforced under the Resolution, subject in all respects to such modifications, supplements, and amendments.

(b) All provisions, stipulations, promises, covenants, undertakings, and agreements of the Original Resolution as heretofore existing, not inconsistent with the terms and provisions of this First Amendment to Resolution, are hereby ratified, approved, and confirmed.

(c) Unless otherwise herein to the contrary expressly provided, all terms herein used shall be deemed to have those meanings assigned thereto in the Original Resolution.

(d) The captions or headings of the several Sections and provisions of this First Amendment to Resolution are for convenience only, and in no way define, limit, describe, or affect the scope of intent of any such Section or provision.

(e) If any one or more of the provisions contained in this First Amendment to Resolution shall be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, but this First Amendment to Resolution shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein.

Section 3. Repeal of Conflicting Resolutions and Effective Date. All resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and this Resolution shall be in immediate effect from and after its adoption, the welfare of the Municipality requiring it.

Approved and adopted this 11th day of July 2005.

ATTEST:

SIGNED:

City Recorder Chris Mathis, CPA

Mayor Randy Brundige

Alderman Harrison made the motion to approve Resolution R2005-15: First amendment to Resolution R2005-13, resolution authorizing the execution, terms, issuance, sale, and payment of not to exceed \$2,295,000 Water and Sewer Revenue and Tax Refunding Bonds, 2005, of the City of Martin, Tennessee, and providing the details thereof, seconded by Alderman Tuck.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

INTRODUCTION AND PRESENTATION OF RESOLUTION R2005-16: A RESOLUTION AUTHORIZING THE CITY OF MARTIN, TENNESSEE, TO PARTICIPATE IN THE TML RISK MANAGEMENT GRANT PROGRAM

Mayor Brundige introduced and presented Resolution R2005-16: A resolution authorizing the City of Martin, Tennessee, to participate in the TML Risk Management Grant program.

Recorder Mathis read Resolution R2005-16 and explained the resolution is a bit deceiving because the city has already matched the grant.

Mayor Brundige further explained, this is a \$2,000 matching grant. Tennessee Municipal League called last week and asked us if we could match this grant and if we could, there would be no additional cost to the city. Numerous police and fire department purchases will apply as a match to this grant.

A copy follows:

RESOLUTION R2005-16

A RESOLUTION AUTHORIZING THE CITY OF MARTIN, TENNESSEE, TO PARTICIPATE IN THE TML RISK MANAGEMENT GRANT PROGRAM

WHEREAS, the safety and well being of the employees of the City of Martin is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Martin employees; and

WHEREAS, the TML Risk Management Pool seeks to encourage the establishment of a safe workplace by offering a "Safety Partners" Loss Control Matching Grant Program; and

WHEREAS, the City of Martin now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE CITY OF MARTIN, TENNESSEE the following:

SECTION 1. That the City of Martin is hereby authorized to submit application for a "Safety Partners" Loss Control Matching Grant through the TML Risk Management Pool.

SECTION 2. That the City of Martin is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

SECTION 3. BE IT FURTHER RESOLVED, that this resolution takes effect from and after its passage, THE PUBLIC WELFARE REQUIRING IT.

Approved this 11th day of July in the year of 2005.

ATTEST:

SIGNED:

City Recorder Chris Mathis, CPA

Mayor Randy Brundige

Motion made by Alderman _____ that the foregoing resolution be approved. Seconded by Alderman _____. Upon being put to a roll call vote the motion _____ on the 11th day of July 2005.

Alderman Tuck made the motion to approve Resolution R2005-16: A resolution authorizing the City of Martin, Tennessee, to participate in the TML Risk Management Grant program, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige declared Resolution R2005-16 approved.

ADVERTISE FOR BIDS ON CONSTRUCTION OF NEW K STREET BRIDGE. FUNDS TO BE PROVIDED BY 70% GRANT WITH THE REMAINING 30% COMING FROM CITY OF MARTIN STATE STREET AID FUNDS

Mayor Brundige introduced the next item of business; advertise for bids on construction of new K Street Bridge. Funds to be provided by 70% grant with the remaining 30% coming from City of Martin State Street Aid Funds. The City has received the state's rating on our bridges and the K Street Bridge was rated poor to critical. It is estimated that this bridge will cost \$250,000; the city's match will be approximately \$75,000. It is our recommendation we put this bridge construction out for bids.

Alderman Belote made the motion to seek bids for the construction of a new K Street Bridge, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ADJOURN

Alderman Tuck made the motion to adjourn, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ATTEST: SIGNED:

City Recorder Chris Mathis, CPA

Randy Brundige, Mayor

RB: CM/bh
Saved "July 2005" Tape #261; Tape (1 of 2)