

# **MINUTES OF THE MARTIN BOARD OF MAYOR AND ALDERMEN**

**June 12, 2006 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, June 12, 2006, at 5:15 pm in the City Hall Chambers, when the following was held to wit:

MEMBERS PRESENT: HONORABLE RANDY BRUNDIGE, MAYOR  
HONORABLE DANNY NANNEY, ALDERMAN WARD I  
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: NONE

Also present: City Recorder Chris Mathis, Police Chief David Moore, Interim Fire Chief Russell Schwahn, Public Works Director Billy Gene Wagster, Library Director Roberta Peacock, Martin Development Director Karami Hagan, Chamber of Commerce Director Barbara Virgin, Martin Housing Authority Director Brian Harris, Martin Housing Authority Youth Group, Youth Director Tiffany Latta and citizens.

## **CALL TO ORDER AND INVOCATION**

Mayor Brundige called the June 12, 2006 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 our flag.

## **APPROVAL OF MINUTES MAY 08, 2006**

Alderman Nanney made the motion to approve the minutes of the May 8<sup>th</sup> meeting as written, seconded by Alderwoman Boyd.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

## **MARTIN HOUSING AUTHORITY YOUTH GROUP SWEARING-IN CEREMONY**

Mayor Brundige introduced Mr. Brian Harris Martin Housing Authority Director who explained each summer the Martin Housing Authority and the Martin Police Department work together forming a Youth Police Academy. We target youth from age seven and up that have good grades, good school attendance, and good behavior. Summer youth program coordinator is Tiffany Latta.

Chief Moore conducted the swearing-in ceremony. Mayor Brundige presented each youth a certificate.

### **CHAMBER OF COMMERCE**

### **DIRECTOR BARBARA VIRGIN**

Director Virgin gave a bi-annual report on the Weakley County's Strategic Plan for the Governor's Three Star Program. Handouts were presented to the Board outlining the Weakley County's Strategic Plan as adopted by the Weakley County Commissioners.

## **DEPARTMENT HEADS REPORTS:**

### **PUBLIC WORKS**

### **DIRECTOR BILLY GENE WAGSTER**

Director Wagster announced he had no announcements but asked if anyone had any questions.

### **POLICE DEPARTMENT**

### **CHIEF DAVID MOORE**

Chief Moore announced the department had a very successful Police Academy Graduation. Also, two of our School Resource Officers are presently attending a two-week DARE instructor's course in East Tennessee. The DARE Program will be back in the Elementary and Middle Schools this fall.

### **FIRE DEPARTMENT**

### **INTERIM FIRE CHIEF RUSSELL SCHWAHN**

Chief Schwahn asked if anyone had any questions.

Alderman Nanney asked if the Fire Department helped with the chemical spill in Latham.

Chief Schwahn stated yes, and we will be reimbursed for our labor, materials, and any incidental expenses.

**C. E. WELDON PUBLIC LIBRARY      DIRECTOR ROBERTA PEACOCK**

Director Peacock reported the State Library has awarded the Weldon Library a \$16,000.00 no match grant for the disadvantaged. This will give Weldon Library the opportunity to have a mobile laptop computer lab to conduct computer classes for senior citizens at off-site locations such as the Senior Citizen's Center or small libraries throughout the county.

**MARTIN DEVELOPMENT DIRECTOR      DIRECTOR KARAMI HAGAN**

Director Hagan explained the Martin Development Office is organizing a Community Calendar at [www.martintennessee.org](http://www.martintennessee.org). When you view the calendar you will find an email address that will allow you to send events to me and they will be posted on the calendar free of charge. This is open to the entire community.

I have finished copies of the City of Martin Community Profile, which has been updated to present date. These will be available through my office.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**INTRODUCTION AND READING OF RESOLUTION R2006-10: A RESOLUTION TO ACCEPT PROPOSAL TO INSTALL A TRAFFIC LIGHT IN THE CITY OF MARTIN; STATE PROJECT 92001-2229-54, FEDERAL PROJECT STP-H-431(8) STATE ROUTE 431 (UNIVERSITY STREET) AT S.R. 372 (ELM STREET) INTERSECTION IN MARTIN, WEAKLEY COUNTY**

Mayor Brundige introduced and presented for consideration Resolution R2006-10: A resolution to accept proposal to install a traffic light in the City of Martin; State Project 92001-2229-54, Federal Project STP-H-431 (8) State Route 431 (University Street) at S.R. 372 (Elm Street) intersection in Martin, Weakley County.

Recorder Mathis read Resolution R2006-10. A copy follows:

RESOLUTION NO. R2006-10

A RESOLUTION TO ACCEPT PROPOSAL TO INSTALL A TRAFFIC LIGHT IN THE CITY OF MARTIN; STATE PROJECT 92001-2229-54, FEDERAL PROJECT STP-H-431(8) STATE ROUTE 431 (UNIVERSITY STREET) AT S.R. 372 (ELM STREET) INTERSECTION IN MARTIN, WEAKLEY COUNTY

WHEREAS, the Board of Mayor and Aldermen of the City of Martin, Tennessee has determined that it is necessary and desirable to install a traffic light at the intersection of State Route 431 (University Street) at S. R. 372 (Elm Street) in Martin, Tennessee. Weakley County.

WHEREAS, the City has determined that the Project will improve the safety of our streets; and

WHEREAS, the State of Tennessee, Department of Transportation, submitted the proposal to the City of Martin, Tennessee, Weakley County; State Project 92001-2229-54, Federal Project STP-H-431 (8) State Route 431 (University Street) at S.R. 372 (Elm Street) intersection in Martin to install a traffic light for approval and adoption; and

WHEREAS, a motion was made by Alderman \_\_\_\_\_, seconded by Alderman \_\_\_\_\_ to accept this proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARTIN, WEAKLEY COUNTY, TENNESSEE, in regular session on this 12<sup>th</sup> day of June, 2006 that the above proposal is hereby accepted.

ATTEST:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_

Chris Mathis, CPA  
City Recorder

Randy Brundige,  
Mayor

Alderman Harrison made the motion to approve Resolution R2006-10: A resolution to accept proposal to install a traffic light in the City of Martin; State Project 92001-2229-54, Federal Project STP-H-431 (8) State Route 431 (University Street) at S.R. 372 (Elm Street) intersection in Martin, Weakley County, seconded by Alderman Belote.

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

Mayor Brundige declared Resolution R2006-10 approved.

**INTRODUCTION AND READING OF RESOLUTION R2006-11:  
RESOLUTION AUTHORIZING BUDGET AMENDMENT TO THE CITY  
OF MARTIN, TENNESSEE GENERAL FUND, VARIOUS SPECIAL  
REVENUE FUNDS, WATER & SEWER FUND, AND THE NATURAL GAS  
FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2006**

Mayor Brundige introduced and presented for consideration Resolution R2006-11: Resolution authorizing budget amendment to the City of Martin, Tennessee General Fund, various Special Revenue Funds, Water & Sewer Fund, and the Natural Gas Fund for the fiscal year ending June 30, 2006.

Recorder Mathis read Resolution R2006-11. A copy follows:

RESOLUTION 2006-11

RESOLUTION AUTHORIZING BUDGET AMENDMENT TO THE CITY OF MARTIN,  
TENNESSEE GENERAL FUND, VARIOUS SPECIAL REVENUE FUNDS, WATER &  
SEWER FUND, AND THE NATURAL GAS FUND FOR THE FISCAL YEAR ENDING  
JUNE 30, 2006

WHEREAS, monies are needed to fund miscellaneous expenses for various governmental and proprietary funds of the City of Martin; and

WHEREAS, it is the wishes of the Board of Mayor and Aldermen of the City of Martin that funds be transferred to cover these requirements.

NOW THEREFORE BE IT RESOLVED, the Board of Mayor and Aldermen of Martin, Tennessee, assembled in regular session on the 12<sup>th</sup> day of June 2006 this resolution is hereby approved.

SECTION 1. The City of Martin General Fund, various Special Revenue Funds, Water & Sewer Fund and the Natural Gas Fund are hereby amended as follows:

		<u>Approved Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Revenues</u>				
<u>General Fund</u>				
110-31100	Tax Revenue 2005-06	\$1,978,500.00	\$(63,000.00)	\$1,915,500.00
110-31200	Tax Revenue - Prior	80,000.00	63,000.00	143,000.00
110-33465	Fire FEMA Grant	-	13,691.00	13,691.00
110-33466	Soccer Pavilion Grant	-	56,000.00	56,000.00
110-33467	Brian Brown Greenway Grant	-	50,000.00	50,000.00
110-34280	Fire Calls	10,000.00	6,000.00	16,000.00
110-34325	Cemetery Lots	30,000.00	9,000.00	39,000.00
110-34326	Public Works Charges	10,000.00	(8,000.00)	2,000.00

110-36225	SBA Tower Lease	-	5,000.00	5,000.00
110-36520	Sale of Vehicles	-	2,000.00	2,000.00
110-36521	Sale of Equipment	-	20,000.00	20,000.00
110-36990	Miscellaneous Revenues	33,000.00	(20,000.00)	13,000.00

Expenditures

MEDC

110-41200-111	MEDC Executive Director	36,700.00	(27,600.00)	9,100.00
110-41200-237	MEDC Advertisements	400.00	1,100.00	1,500.00
110-41200-799	MEDC Miscellaneous	3,100.00	5,000.00	8,100.00
110-41200-902	Equipment Reserve	5,000.00	(5,000.00)	-

	<u>Approved Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
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Administration

110-41300-191	Industrial Board	1,500.00	3,600.00	5,100.00
110-41300-211	Postage	4,000.00	800.00	4,800.00
110-41300-233	Newspapers & Periodicals	2,300.00	(2,000.00)	300.00
110-41300-235	Dues-Donations Subscriptions	16,500.00	(11,000.00)	5,500.00
110-41300-235-01	School Sales Tax	24,500.00	4,000.00	28,500.00
110-41300-235-10	Liquor Tax to County	-	5,000.00	5,000.00
110-41300-237	Advertisements	7,300.00	1,700.00	9,000.00
110-41300-331	Gasoline, Oil, Etc.	2,784.00	800.00	3,584.00
110-41300-535	Buckley Lot Purchase	-	43,700.00	43,700.00
110-41300-540	Methodist Hosp Tax Rebate	-	30,000.00	30,000.00

Police Department

110-42100-237	Advertisements	1,000.00	1,000.00	2,000.00
110-42100-255	Fines Remitted to State	2,150.00	3,300.00	5,450.00
110-42100-904	In-Car Video Cameras	-	98,725.00	98,725.00
110-42100-906	GHSO Small Comm. Grant	-	10,000.00	10,000.00

Fire Department

110-42200-111-44	Lieutenants	132,369.00	9,000.00	141,369.00
110-42200-261	Equipment Maintenance	6,800.00	11,000.00	17,800.00
110-42200-313	EMS Supplies	1,900.00	1,000.00	2,900.00
110-42200-329	Other Operating Supplies	1,400.00	500.00	1,900.00
110-42200-331	Gasoline Oil Etc	7,713.00	4,700.00	12,413.00
110-42200-799	Miscellaneous	3,000.00	3,191.00	6,191.00

Streets

110-43100-112-18	Hamilton-Ryker Labor	10,556.00	35,200.00	45,756.00
110-43100-331	Gasoline Oil Etc	14,024.00	7,500.00	21,524.00

<u>Senior Adult Center</u>				
110-44320-325	Recreational Supplies	1,500.00	1,800.00	3,300.00
<u>Parks &amp; Recreation</u>				
110-44400-925	Soccer Pavilion Expense	60,000.00	90,000.00	150,000.00
<u>Library</u>				
110-44800-902	Equipment Reserve	57,500.00	(50,000.00)	7,500.00
		<u>Approved Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Other</u>				
110-45000-797	Brian Brown Greenway	-	50,000.00	50,000.00
<u>State Street Aid Revenues</u>				
121-33554	TDOT Grant K St Bridge	-	297,000.00	297,000.00
<u>Expenditures</u>				
121-43120-942	K Street Bridge	-	332,500.00	332,500.00
<u>Library Gift Fund Expenditures</u>				
122-44880-799	Miscellaneous	152.00	4,000.00	4,152.00
122-44880-902	Technology Expenditures	1,000.00	3,000.00	4,000.00
<u>Housing Rehab Expenditures</u>				
125-46000-235	Donations	1,000.00	7,000.00	8,000.00
<u>Friends of the Park Revenues</u>				
128-36190	Soccer Complex (Rotary Club)	-	10,000.00	10,000.00
<u>Water &amp; Sewer Revenues</u>				
413-36110	MTD Detention Pond	-	681,000.00	681,000.00
413-37198	Water Tank Tower Rental	-	12,900.00	12,900.00

Expenditures

413-52110-930	Hwy 431 Water Project	-	250,000.00	250,000.00
413-52110-931	Water Plant Renovation	-	63,414.00	63,414.00
413-52210-920	MTD Detention Pond	-	681,000.00	681,000.00
413-52210-925	CDBG Sewer Rehab New Construction	-	15,000.00	15,000.00
413-52210-930	Hwy 431 Sewer Project	-	450,000.00	450,000.00

Natural Gas Fund

Revenues

415-37497	Tennergy 99 Bond Closeout	-	373,544.00	373,544.00
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<u>Solid Waste Fund</u>		<u>Approved Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Expenditures</u>				
428-43200-331	Gas Oil Etc	17,000.00	1,000.00	18,000.00
428-43200-332	Motor Vehicle Parts	2,000.00	2,500.00	4,500.00
428-43200-333	Machinery & Equipment	2,000.00	22,000.00	24,000.00
 <u>Cemetery Fund</u>				
<u>Expenditures</u>				
612-43410-799	Miscellaneous	5,000.00	3,000.00	8,000.00

SECTION 2. BE IT FURTHER RESOLVED, that all resolutions of the Board of Mayor and Aldermen of the City of Martin, which conflict with this resolution, are hereby repealed.

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

ATTESTED:

SIGNED:

\_\_\_\_\_  
Chris Mathis, City Recorder, CPA

\_\_\_\_\_  
Randy Brundige, Mayor

Alderman Tuck made the motion to approve Resolution R2006-11: Resolution authorizing budget amendment to the City of Martin, Tennessee General Fund, various Special Revenue Funds, Water & Sewer Fund, and the Natural Gas Fund for the fiscal year ending June 30, 2006, seconded by Alderman Harrison.



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

Mayor Brundige declared Resolution R2006-11 approved.

**INTRODUCTION AND READING OF RESOLUTION R2006-12:  
RESOLUTION OF THE CITY OF MARTIN, TENNESSEE,  
AUTHORIZING THE ISSUANCE OF INTEREST BEARING WATER AND  
SEWER SYSTEM REVENUE AND TAX CAPITAL OUTLAY NOTES,  
SERIES 2006, IN AN AMOUNT NOT TO EXCEED \$600,000, AND  
PROVIDING FOR THE PAYMENT OF SAID NOTES**

Mayor Brundige introduced for consideration Resolution R2006-12: Resolution of the City of Martin, Tennessee, authorizing the issuance of Interest Bearing Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006, in an amount not to exceed \$600,000, and providing for the payment of said Notes.

Recorder Mathis read Resolution R2006-12. A copy follows:

**RESOLUTION R2006-12**

**RESOLUTION OF THE CITY OF MARTIN, TENNESSEE, AUTHORIZING THE  
ISSUANCE OF INTEREST BEARING WATER AND SEWER SYSTEM REVENUE  
AND TAX CAPITAL OUTLAY NOTES, SERIES 2006, IN AN AMOUNT NOT TO  
EXCEED \$600,000, AND PROVIDING FOR THE PAYMENT OF SAID NOTES**

WHEREAS, the Board of Mayor and Aldermen (the "Board") of the City of Martin, Tennessee (the "Municipality"), has determined that it is necessary and desirable to authorize, issue, sell, and provide for the payment of its interest bearing capital outlay notes to finance certain public works projects, consisting of the improvement, renovation, and expansion of the water and sewer systems of the Municipality, the acquisition of all property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs, incident thereto (collectively, the "Project"), and costs incident to the issuance and sale of the notes;

WHEREAS, the Municipality finds and determines that the Project is essential to the health, welfare, and safety of the public;

WHEREAS, in order to proceed as expeditiously as possible with such an essential Project, it is necessary that interest bearing capital outlay notes be issued for the purpose of providing funds to finance the Project; and,

WHEREAS, the Municipality is authorized by the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended, to issue such notes for said purposes upon the approval of the State of Tennessee Director of Local Finance (the "Director of Local Finance"):

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

Section 1. Authority. The Notes herein authorized shall be issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated, as amended, and other applicable provisions of law.

Section 2. Definitions. Without limiting any other definitions of terms and words in other sections of this Resolution, the following words and terms shall have the meanings indicated unless otherwise plainly apparent from the context:

"Act" means Title 9, Chapter 21, Tennessee Code Annotated, as amended.

"Board" means the Board of Mayor and Aldermen of the City of Martin, Tennessee.

"Code" means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the United States Department of the Treasury promulgated thereunder, as in effect on the date of issuance of the Notes and as hereafter amended, supplemented, or revised insofar as such amendments, supplements, or revisions shall pertain to or effect the Notes.

"Current Expenses" means all expenses incurred by, or on behalf of the Municipality in connection with the operation, maintenance, repair, insuring, and administration of the System, including, but not necessarily limited to, salaries, wages, the cost of supplies, materials, utilities, and rental payments and the cost of audits, but shall specifically exclude depreciation, amortization, interest on bonds, and expenditures for any capital improvements of the System, the useful life of which is reasonably expected to exceed one year, determined in accordance with generally accepted accounting principles.

"Net Revenues" means for any period, the excess of Revenues of the System over its Current Expenses during such period determined in accordance with generally accepted accounting principles.

"Note" or "Notes" means the Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006, of the Municipality, authorized by this Resolution of the Board.

"Prior Outstanding Obligations" means those certain outstanding obligations, if any, of the Municipality with a prior lien on the Revenues of the System.

"Revenues" means all receipts, revenues, income, and other monies received by, or on behalf of, the Municipality from, or for, the operation of the System and all rights to receive such receipts, revenues, income, and other monies, whether in the form of accounts receivable, contract rights, or otherwise, and proceeds from insurance against loss of, or damage to, the System, or from any sale or conveyance, in accordance with the terms hereof, of all or part of the System.

"System" means the complete water and sewer systems of the Municipality, together with, and including, the Project and all water and sewer system properties of every nature hereafter owned by the Municipality, including all improvements and extensions made by the Municipality while the Notes remain outstanding, and including all real and personal property of every nature comprising part of or used or useful in connection with the water and sewer systems and including all appurtenances, contracts, leases, franchises, and other intangibles.

Section 3. Authorization. For the purpose of providing funds to finance the costs of the Project and costs incident to the financing thereof, there shall be issued pursuant to, and in accordance with, the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended, and other applicable provisions of law, the interest bearing capital outlay notes of the Municipality, in the aggregate principal amount of not to exceed \$600,000, or such lesser amount as may be determined by the Mayor of the Municipality (the "Mayor") at the time of sale (collectively, the "Notes", individually, the "Note"). The term of the Notes shall not exceed the reasonably expected economic life of the Project which is hereby certified to be at least the term of the Notes.

Section 4. Terms of the Notes. The Notes shall be designated "Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006". The Notes shall be issued in registered form, without coupons, in minimum denominations of \$5,000. The Notes shall be numbered from 1 upwards, shall be dated the date of issuance and delivery, shall be sold at not less than the par amount thereof, shall bear interest at a rate or rates not to exceed 7% per annum, such interest being payable at such times as agreed upon with the purchaser of such Notes, but in no event less than semiannually each year commencing six months from the dated date or such date as shall be designated by the Mayor (the "Interest Payment Date"), and shall mature not later than June 30th of the ten fiscal year from the date of issuance. Each year the Notes are outstanding the Municipality shall retire principal on the Notes in an amount that is estimated to be at least equal to an amortization, which reflects level debt service on the Notes. The Notes shall contain such terms, conditions, and provisions other than as expressly provided or limited herein as may be agreed upon by the Mayor of the Municipality and the purchaser of the Notes.

Interest on the Notes shall be payable by check or other form of draft of the "Note Registrar," as such term is hereinafter defined, deposited by the Note Registrar in the United States mail, first class postage prepaid, in sealed envelopes, addressed to the owners of such Notes, as of the applicable Interest Payment Date, at their respective addresses as shown on the registration books of the Municipality maintained by the Note Registrar as of the close of business fifteen (15) calendar days preceding the next Interest Payment Date. The principal of all Notes shall be payable upon presentation and surrender of such Notes at the principal office of the Note Registrar. All payments of the principal of and interest on the Notes shall be made in any coin or currency of the United States of America, which, on the date of payment thereof, shall be legal tender for the payment of public and private debts.

Section 5. Redemption. The Notes shall be subject to redemption, in whole or in part, at the option of the Municipality, at any time, at a price of par plus accrued interest to the date of redemption, upon not less than ten (10) calendar days written notice to the registered owner.

Section 6. Execution. The Notes shall be executed in the name of the Municipality; shall bear the manual signature of the Mayor; shall be countersigned by the Recorder of the Municipality (the "Recorder") with his or her manual signature; and, shall have printed or impressed thereon the official seal of the Municipality. In the event any officer whose signature appears on the Notes shall cease to be such officer, such signature shall nevertheless be valid and sufficient for all purposes. The Notes shall be issued in typed, mimeographed, printed, or photocopied form, or any combination thereof, substantially in the form attached hereto as Exhibit "A", with such minor changes therein or such variations thereof as the Mayor may deem necessary or desirable, the blanks to be appropriately completed by the Mayor prior to the issuance of the Notes.

Section 7. Registration, Negotiability, and Payment. (a) The Recorder of the Municipality is hereby appointed the note registrar and paying agent (the "Note Registrar"), and as such shall establish and maintain suitable books (the "Registration Books") for recording the registration, conversion, and payment of the Notes, and shall also perform such other duties as may be required in connection with any of the foregoing. The Note Registrar is hereby authorized to authenticate and deliver the Notes to the original purchaser thereof, or as he or she may designate, upon receipt by the Municipality of the proceeds of the sale thereof and to authenticate and deliver Notes in exchange for Notes of the same principal amount delivered for transfer upon receipt of the Notes to be transferred in proper form with proper documentation as herein described. The Notes shall not be valid for any purpose unless authenticated by the Note Registrar by the manual signature of the Note Registrar on the certificate set forth in Exhibit "A" hereto. The Notes shall be fully registered as to both principal and interest and shall be fully negotiable upon proper endorsement by the registered owner thereof. No transfer of any Notes shall be valid unless such transfer is noted upon the Registration Books and until such Note is surrendered, cancelled, and exchanged for a new Note which shall be issued to the transferee, subject to all the conditions contained herein. Principal on the Notes shall be paid at maturity upon presentation or surrender of the Notes at the principal office of the Note Registrar, and payment in such manner shall forever discharge and release the obligation of the Municipality to the extent of the principal so paid.

(b) The Municipality may from time to time at its discretion remove the Note Registrar and appoint a successor Note Registrar to whom all records, documents, and instruments relating to its duties as Note Registrar shall be delivered. Any successor Note Registrar shall be appointed by resolution of the Municipality, and shall be a trust company or bank having the powers of a trust company, having, at the time of such appointment, a combined capital, surplus, and undivided profits aggregating at least Ten Million Dollars (\$10,000,000), and be willing and able to accept the office of Note Registrar on reasonable and customary terms, and authorized by law to perform all duties imposed upon it by this Resolution.

(c) In the event that any amount payable on any Note as interest shall at any time exceed the rate of interest lawfully chargeable thereon under applicable law, then any such excess shall, to the extent of such excess, be applied against the principal of such Note as a prepayment thereof without penalty, and such excess shall not be considered to be interest. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each.

Section 8. Transfer of Notes. Each Note shall be transferable only on the registration books maintained by the Note Registrar at the principal office of the Note Registrar, upon the surrender for cancellation thereof at the principal office of the Note Registrar, together with an assignment of such Note duly executed by the owner thereof or his, her or its attorney or legal representative, and upon payment of the charges hereinafter provided, and subject to such other limitations and conditions as may be provided therein or herein. Upon the cancellation of any such Note, the Note Registrar shall, in exchange for the surrendered Note or Notes, deliver in the name of the transferee or transferees a new Note or Notes of authorized denominations, of the same aggregate principal amount, maturity, and rate of interest as such surrendered Note or Notes, and the transferee or transferees shall take such new Note or Notes subject to all of the conditions herein contained.

Section 9. Regulations with Respect to Transfers. In all cases in which the privilege of transferring Notes is exercised, the Municipality shall execute, and the Note Registrar shall deliver, Notes in accordance with the provisions of this Resolution. For every transfer of Notes, whether temporary or definitive, the Municipality and the Note Registrar may make a charge, unless otherwise herein to the contrary expressly provided, sufficient to pay for any tax, fee, or other governmental charge required to be paid with respect to such transfer, all of which taxes, fees, and other governmental charges shall be paid to the Municipality by the person or entity requesting such transfer as a condition precedent to the exercise of the privilege of making such transfer. Neither the Municipality nor the Note Registrar shall be obligated to transfer any Note during the fifteen (15) calendar days next preceding the maturity date of the Notes or any call for redemption.

Section 10. Mutilated, Lost, Stolen, or Destroyed Notes. In the event any Note issued hereunder shall become mutilated, or be lost, stolen, or destroyed, such note shall, at the written request of the registered owner, be cancelled on the Registration Books and a new Note shall be authenticated and delivered, corresponding in all aspects but number to the mutilated, lost, stolen, or destroyed Note. Thereafter, should such mutilated, lost, stolen, or destroyed Note or Notes come into possession of the registered owner, such Notes shall be returned to the Note Registrar for destruction by the Note Registrar. If the principal on said mutilated, lost, stolen, or destroyed Note shall be due within fifteen (15) calendar days of receipt of the written request of the registered owner for authentication and delivery of a new Note, payment therefor shall be made as scheduled in lieu of issuing a new Note. In every case the registered owner shall certify in writing as to the destruction, theft, or loss of such Note, and shall provide indemnification satisfactory to the Municipality and to the Note Registrar, if required by the Municipality and the Note Registrar.

Any notice to the contrary notwithstanding, the Municipality and all of the officials, employees, and agents thereof, including the Note Registrar, may deem and treat the registered owners of the Notes as the absolute owners thereof for all purposes, including, but not limited to, payment of the principal thereof, and the interest thereon, regardless of whether such payment shall then be overdue.

Section 11. Authentication. Only such of the Notes as shall have endorsed thereon a certificate of authentication, substantially in the form set forth in Exhibit "A" hereto duly executed by the Note Registrar shall be entitled to the rights, benefits, and security of this Resolution. No Note shall be valid or obligatory for any purpose unless, and until, such

certificate of authentication shall have been duly executed by the Note Registrar. Such executed certificate of authentication by the Note Registrar upon any such Note shall be conclusive evidence that such Note has been duly authenticated and delivered under the Resolution as of the date of authentication.

Section 12. Source of Payment and Security. The Notes, including the principal thereof and the interest thereon, are payable primarily from and secured by a pledge of the Net Revenues to be derived from the operation of the System, and are hereby declared to be equally and ratably secured, subject to a prior pledge of such Net Revenues to Prior Outstanding Obligations, by a pledge of such Net Revenues. In the event a deficiency in such Net Revenues, the Notes shall be payable from ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the Municipality without limitation as to time, rate, or amount. Said Notes shall be a direct general obligation of the Municipality, for which the punctual payment of the principal of and interest on the Notes the full faith and credit of the Municipality is hereby irrevocably pledged.

Section 13. Levy of Taxes. For the purpose of providing for the payment of the principal of and interest on the Notes, there is hereby pledged for such payment the Net Revenues derived from the operation of the System subject to the liens of the Prior Outstanding Obligations, in amounts not exceeding the amounts required to make such payments as they come due. In the event of a deficiency in the Net Revenues there shall be levied in each year in which such Notes shall be outstanding a direct tax on all taxable property in the Municipality, fully sufficient to pay all such principal and interest falling due prior to the time of collection of the next succeeding tax levy. Said tax shall be assessed, collected, and paid at the time, and in the same manner, as the other taxes of said Municipality, shall be in addition to all other taxes, and shall be without limitation as to time, rate, or amount. The Board of the Municipality is required by law and shall and does hereby pledge to levy such tax. Principal and interest, or any of the foregoing, falling due at any time when there shall be insufficient funds on hand from such tax levy for the payment thereof shall be paid from the general fund or other available funds of the Municipality, but reimbursement therefor may be made from the taxes herein provided when the same shall have been collected. All such taxes levied and collected shall be deposited in a special fund to be designated "Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006, Note Fund" (the "Water and Sewer System Note Fund") and used solely for the payment of principal and interest on the Notes as the same shall become due.

Section 14. Charges for Services Supplied by the System. While the Notes remain outstanding and unpaid, the Municipality covenants and agrees that the charges for all services supplied through the medium of the System to the Municipality and its residents and to all consumers shall be reasonable, just, and sufficient taking into account and consideration the cost and value of the System and the cost of maintaining, operating, and insuring the System, and the proper and necessary allowances for the depreciation thereof, and the amounts necessary for the payment of principal of, premium, if any, and interest on, the Notes and other Prior Outstanding Obligations payable from such Revenues.

Section 15. Approval of Director of Local Finance. Anything herein contained to the contrary notwithstanding, no Notes authorized under this Resolution shall be issued, sold, or delivered, unless and until such Notes shall first have been duly approved by the Director of Local Finance of the State of Tennessee as provided by Section 9-21-601 et. seq., Tennessee

Code Annotated, as amended. The Mayor, Recorder, and City Attorney, are hereby authorized to take or cause to be taken such steps as are necessary to obtain such approval. After the issuance and sale of the Notes, and for each year that any of the Notes are outstanding, the Municipality shall submit its annual budget to the State Director of Local Finance for approval immediately upon the Municipality's adoption of the budget.

Section 16. Sale of Notes. The Notes herein authorized are authorized to be sold by the Mayor by the informal bid process at a price of not less than par, upon such terms and conditions as shall be agreed to by the Mayor and the purchaser of such Notes.

Section 17. Disposition of Note Proceeds. The proceeds from the sale of the Notes shall be paid to the official of the Municipality designated by law as the custodian of the funds thereof to be deposited in a special fund known as the "Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006 Project Fund" (the "Project Fund"), which is hereby authorized to be created, to be kept separate and apart from all other funds of the Municipality. The monies in the Project Fund shall be disbursed solely to finance the Project and to pay the costs of issuance of the Notes. Monies in the Project Fund may be invested and shall be secured in the manner prescribed by applicable statutes relative to the investment and securing of public or trust funds. Any monies remaining in the Project Fund after completion of the Project shall be transferred to the Note Fund.

Section 18. Designation of Notes as Qualified Tax-Exempt Obligations. The Municipality hereby designates the Notes as "qualified tax-exempt obligations" within the meaning and for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

Section 19. Non-Arbitrage Certification. The Municipality certifies and covenants with the owners of the Notes that so long as the principal of any Note remains unpaid, monies on deposit in any fund or account in connection with the Notes, whether or not such monies were derived from the proceeds of the sale of the Notes or from any other source, will not be used in a manner which will cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code, and any lawful regulations promulgated thereunder, as the same presently exist, or may from time to time hereafter be amended, supplemented or revised. The Municipality reserves the right, however, to make any investment of such monies permitted by Tennessee law and this Resolution if, when and to the extent that said Section 148 or regulations promulgated thereunder shall be repealed or relaxed or shall be held void by final decision of a court of competent jurisdiction, but only if any investment made by virtue of such repeal, relaxation, or decision would not, in the opinion of counsel of recognized competence in such matters, result in making the interest on the Notes subject to inclusion in gross income of the owners thereof for federal income tax purposes.

The Municipality covenants that it shall comply with Section 148(f) of the Code, unless legally exempted therefrom and it represents that in the event it shall be required by Section 148(f) of the Code to pay "Rebatable Arbitrage," as defined in the regulations promulgated under the Code, to the United States Government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Notes from becoming subject to inclusion in federal gross income of the owners of the Notes for purposes of federal income taxation.

Section 19. Reimbursement Provisions. The Municipality is in the process of causing certain capital expenditures to be made with respect to the Project, including, but not necessarily limited to, planning, design, and architectural expenses, and the Municipality desires to establish its official intent that certain of the expenditures related to the Project and certain other related expenditures be reimbursed from the proceeds of the Notes. Therefore, the Board of the Municipality finds and determines, as follows:

- (a) that it is in the best interest of the Municipality to proceed immediately with the Project, thereby incurring certain capital expenditures;
- (b) that the Municipality has certain funds available which may be used temporarily for this purpose, pending the issuance of the Notes;
- (c) that pursuant to the provisions of this Resolution, the Board anticipates that the Municipality will issue the Notes for the purpose of financing the Project;
- (d) that the Board reasonably expects to reimburse such amounts to such fund or source from which such expenditures may be made on a temporary basis as soon as proceeds from the issuance of such Notes are available; and,
- (e) that this declaration of official intent is consistent with the budgetary and financial circumstances of the Municipality.

The Board of the Municipality by this Resolution hereby establishes its official intent to issue the Notes to finance the costs of the Project and other related expenditures in an amount not to exceed \$600,000. Pending the issuance of such Notes, funds necessary to finance such costs shall be advanced from such source of funds on hand and available for such purpose, and any amounts so advanced shall be reimbursed from the proceeds of the Notes.

Section 20. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owners of the Notes, and after the issuance of the Notes, no change, variation, or alteration of any kind in the provisions of this Resolution shall be made in any manner, until such time as all installments of the principal of and interest on the Notes shall have been paid in full or the consent of the registered owners of the Notes has been obtained; provided, however, that the Municipality is hereby authorized to make such amendments to this Resolution as will not impair the rights or security of the owners of the Notes.

Section 21. No Action to be Taken Affecting Validity of the Notes. The Municipality hereby covenants and agrees that it will not take any action, that would in any manner affect the validity of the Notes or limit the rights and remedies of the owners from time to time of such Notes. The Municipality further covenants that it will not take any action that will cause the interest on the Notes to be subject to inclusion in gross income of the owners thereof for purposes of federal income taxation.

Section 22. Miscellaneous Acts. The Mayor, the Recorder, and all other appropriate officials of the Municipality are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, and deliver all such documents, instruments, and certifications, specifically including but not limited to, making arbitrage certifications and



executing a note purchase agreement in connection with the purchase of the Notes, in addition to those acts, things, documents, instruments, and certifications hereinbefore authorized and approved, as may in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution; or any of the documents herein authorized and approved; or for the authorization, issuance, and delivery of the Notes.

Section 23. Failure to Present Notes. Subject to the provisions of Section 3 hereof, in the event any Note shall not be presented for payment when the principal becomes due at maturity and in the event monies sufficient to pay such Note shall be held by the Note Registrar for the benefit of the owner thereof, all liability of the Municipality to such owner for the payment of such Note shall forthwith cease, terminate, and be completely discharged. Thereupon, the Note Registrar shall hold such monies, without liability for interest thereon, for the benefit of the owner of such Note who shall thereafter be restricted exclusively to such monies for any claim under this Resolution or on, or with respect to, said Note, subject to escheat or other similar law, and any applicable statute of limitation.

Section 24. Payments Due on Saturdays, Sundays, and Holidays. Whenever the interest on or principal of any Note is due on a Saturday or Sunday or, at the place designated for payment, a legal holiday or a day on which banking institutions are authorized by law to close, then the payment of the interest on or the principal of such Note need not be made on such date but must be made on the next succeeding day not a Saturday, Sunday, or a legal holiday or a day upon which banking institutions are authorized by law to close, with the same force and effect as if made on the date of maturity; and no interest shall accrue for the period after such date.

Section 25. No Recourse Under Resolution or on Notes. All stipulations, promises, agreements, and obligations of the Municipality contained in this Resolution shall be deemed to be the stipulations, promises, agreements, and obligations of the Municipality and not of any officer, director, or employee of the Municipality in his or her individual capacity, and no recourse shall be had for the payment of the principal of or interest on the Notes or for any claim based thereon or under this Resolution against any officer, director, or employee of the Municipality or against any official or individual executing the Notes.

Section 26. Severability. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions hereof.

Section 27. 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 effect as of the date of its adoption the welfare of the Municipality requiring it.

Approved and adopted this 12<sup>th</sup> day of June, 2006.

SIGNED:

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Randy Brundige,  
Mayor

ATTEST:

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Chris Mathis, CPA,  
Recorder

STATE OF TENNESSEE)  
COUNTY OF WEAKLEY)

I, Chris Mathis, hereby certify that I am the duly qualified and acting Recorder of the City of Martin, Tennessee (the "Municipality"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of a resolution excerpted from the minutes of the meeting of the Board of Mayor and Aldermen (the "Board") of said Municipality held on June 12, 2006; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct, and complete transcript from said original record insofar as said original record relates to, among other matters, the authorization of the issuance of not to exceed \$600,000 Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006, by said Municipality; (4) that the actions by said Board including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and, (5) that a quorum of the members of said Board was present and acting throughout said meeting.

WITNESS my official signature and the seal of said Municipality this 12<sup>th</sup> day of June, 2006.

---

Chris Mathis, CPA  
Recorder

(SEAL)

FORM OF NOTE -EXHIBIT "A"

Registered  
No. \_\_\_\_\_

Registered  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF TENNESSEE  
CITY OF MARTIN  
WATER AND SEWER SYSTEM REVENUE AND TAX CAPITAL OUTLAY NOTE,  
SERIES 2006

Interest Rate:

Maturity Date:

Dated Date:

Registered Owner:

Principal Amount:

THE CITY OF MARTIN, TENNESSEE (the "Municipality"), a lawfully organized and existing municipal corporation, for value received, hereby acknowledges itself indebted and promises to pay, as hereinafter set forth, in the manner hereinafter provided, to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, upon the presentation and surrender hereof at the office of the Recorder, City Hall, Martin, Tennessee, or its successor as registrar and paying agent (the "Note Registrar"), the Principal Amount identified above, and to pay interest on said Principal Amount from the date hereof, or such later date as to which interest has been paid, to the Maturity Date, semi-annually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 2007, at the Interest Rate per annum set forth above, by check, draft, or warrant to the Registered Owner hereof at the address shown on the registration books of the Note Registrar on the fifteenth (15th) calendar day next preceding an interest payment date, in any coin or currency of the United States of America which on the date of payment thereof is legal tender for the payment of public and private debts.

In the event that any amount payable hereunder as interest shall at any time exceed the rate of interest lawfully chargeable on this note under applicable law, any such excess shall, to the extent of such excess, be applied against the principal hereof as a prepayment thereof without penalty, and such excess shall not be considered to be interest. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each.

The principal hereof and interest hereon shall bear interest from and after their respective due dates (whether by acceleration, demand, or otherwise) at the same rate of interest payable on the principal hereof.

Section 9-21-117, Tennessee Code Annotated, as amended, provides that this note and the income therefrom is exempt from all state, county, and municipal taxation in the State of Tennessee, except inheritance, estate, and transfer taxes and except as otherwise provided in said Code.

This note is one of a series of notes known as "Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006" (the "Notes"), issued by the Municipality in the

aggregate principal amount of \$600,000. The Notes which are issued for the purpose of financing certain public works projects, consisting of the improvement, renovation, and expansion of the water and sewer systems of the Municipality (the "System"), the acquisition of all property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs, incident thereto, are authorized by an appropriate resolution of the Board of Mayor and Aldermen and particularly that certain Resolution of the Board of Mayor and Aldermen adopted on June \_\_\_\_, 2006, entitled "Resolution of the City of Martin, Tennessee, Authorizing the Issuance of Interest Bearing Water System Revenue and Tax Capital Outlay Notes, Series 2006, in an Amount Not to Exceed \$600,000, and Providing for the Payment of Said Notes," as such resolution may be from time to time amended or supplemented in accordance with its terms (such resolution, as so amended or supplemented, being herein called, the "Resolution"), and are issued pursuant to, and in full compliance with, the Constitution and the statutes of the State of Tennessee, including, but not limited to, Title 9, Chapter 21, Tennessee Code Annotated, as amended (the "Act"). Copies of the Resolution are on file at the office of the Recorder of the Municipality, and reference is hereby made to the Resolution and the Act, for a more complete statement of the terms and conditions upon which the Notes are issued thereunder, the rights, duties, immunities, and obligations of the Municipality, and the rights of the Registered Owner hereof.

This Note and interest thereon are secured by a pledge of the income and revenues to be derived from the operation of the System subject to the payment of reasonable and necessary costs of operating, maintaining, repairing, and insuring said System (the "Net Revenues"), the pledge of such Net Revenues being expressly subject, however, to certain pledges securing the payment of other outstanding obligations of the Municipality heretofore issued by the Municipality. In the event of a deficiency in such Net Revenues, this Note is payable from ad valorem taxes to be levied on all taxable property in the Municipality without limitation as to time, rate, or amount. For the prompt payment of this note, both principal and interest, as the same shall become due, the full faith and credit of the Municipality are hereby irrevocably pledged.

The Municipality has designated the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This note is transferable by the Registered Owner hereof in person or by his, her, or its attorney or legal representative at the office of the Note Registrar, but only in the manner and subject to the limitations and conditions provided in the Resolution and upon surrender and cancellation of this note. Upon any such transfer, the Municipality shall execute, and the Note Registrar shall authenticate and deliver in exchange for this note, a new fully registered note or notes, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the principal amount of this note, of the same maturity and bearing interest at the same rate. For every transfer of notes, whether temporary or definitive, the Municipality and the Note Registrar may make a charge, unless otherwise herein to the contrary expressly provided, sufficient to pay for any tax, fee, or other governmental charge required to be paid with respect to such transfer, all of which taxes, fees, or other governmental charges shall be paid to the Municipality by the person or entity requesting such transfer as a condition precedent to the exercise of the privilege of making such transfer.

The Municipality and the Note Registrar may deem and treat the person or entity in whose name this note is registered as the absolute owner hereof, whether such note shall be overdue or not, for the purpose of making payment of the principal of and interest on this note and for all other purposes. All such payments so made shall be valid and effectual to satisfy and discharge the liability upon this note to the extent of the sum or sums so paid, and neither the Municipality nor the Note Registrar shall be affected by any notice to the contrary.

The Notes are issuable only as fully registered Notes, without coupons, in minimum denominations of \$5,000. At the office of the Note Registrar, in the manner and subject to the limitations, conditions, and charges provided in the Resolution, fully registered Notes may be exchanged for an equal aggregate principal amount of fully registered Notes of the same maturity, of authorized denominations, and bearing interest at the same rate.

The Notes shall be subject to redemption, in whole, at the option of the Municipality, at any time, at the price of par plus accrued interest to the date of redemption, upon not less than ten (10) calendar days written notice to the Registered Owner.

This note shall have all the qualities and incidents of, and shall be, a negotiable instrument under, the Uniform Commercial Code of the State of Tennessee, subject only to provisions respecting registration of such note. This note is issued with the intent that the laws of the State of Tennessee shall govern its construction.

It is hereby certified, recited, and declared that all acts and conditions required to be done and to exist precedent to the issuance of, this note in order to make this note a legal, valid, and binding obligation of the Municipality, have been done, and did exist in due time and form as required by the Constitution and statutes of the State of Tennessee; and that this note and the issue of which it is a part, together with all other indebtedness of such Municipality, does not exceed any limitation prescribed by the Constitution or statutes of the State of Tennessee.

IN WITNESS WHEREOF, THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MARTIN, TENNESSEE has caused this note to be signed by the manual signatures of the Mayor and the Recorder and its official seal to be impressed or imprinted hereon, all as of June 12, 2006.

Alderwoman Boyd made the motion to approve Resolution R2006-12: Resolution of the City of Martin, Tennessee, authorizing the issuance of Interest Bearing Water and Sewer System Revenue and Tax Capital Outlay Notes, Series 2006, in an amount not to exceed \$600,000, and providing for the payment of said Notes, seconded by Alderman Tuck.

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

Mayor Brundige declared Resolution R2006-12 approved.

**INTRODUCTION AND FIRST READING OF ORDINANCE O2006-04: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP OF MARTIN, TENNESSEE, BY REZONING PROPERTY AT HIGHWAY 431 AND GARDNER ROAD**

Mayor Brundige introduced for consideration the first reading of Ordinance O2006-04: An ordinance to amend the Municipal Zoning Ordinance and Map of Martin, Tennessee, by rezoning property at Highway 431 and Gardner Road.

Recorder Mathis read Ordinance O2006-04. A copy follows:

ORDINANCE O2006-04

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING PROPERTY AT HIGHWAY 431 AND GARDNER ROAD.

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 Mayor and Board of Aldermen has deemed such a rezoning of this territory from R-4 (Professional-Residential) to B-2 (Intermediate Business) 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 MAYOR AND BOARD OF ALDERMEN:

Section 1. That the Municipal Zoning Map and Zoning Ordinance for Martin Tennessee be amended by rezoning from R-4 (Professional-Residential) to B-2 (Intermediate Business) property located at the northeast intersection of Highway 431 and Gardner Road, and further described as:

Weakley County Tax Map 73, Parcel 01603.

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.

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Date Passed First Reading

\_\_\_\_\_  
Date Passed Second Reading

\_\_\_\_\_  
Date of Public Hearing

ATTESTED:

APPROVED:

\_\_\_\_\_  
Chris Mathis, CPA  
City Recorder

\_\_\_\_\_  
Randy Brundige,  
Mayor

Alderman Edwards made the motion to approve the first reading of Ordinance O2006-04: An ordinance to amend the Municipal Zoning Ordinance and Map of Martin, Tennessee, by rezoning property at Highway 431 and Gardner Road, seconded by Alderwoman Boyd.

VOTE:

FOR:

HONORABLE NANNEY  
HONORABLE HARRISON  
HONORABLE BELOTE  
HONORABLE TUCK  
HONORABLE BOYD  
HONORABLE EDWARDS

AGAINST:

NONE

Mayor Brundige declared Ordinance O2006-04 approved on the first reading and set the second and final reading and public hearing for July 10, 2006 at 5:15 pm in the City Hall Chambers.

## **DATE SET FOR JULY INFORMAL CITY BOARD MEETING**

The July Informal City Board Meeting will be July 5<sup>th</sup> at Noon.

## **CITY PICNIC**

Mayor Brundige announced the annual City Picnic is scheduled for June 13<sup>th</sup> at the Martin Recreation Complex. All employees and families are invited.

## **TENNESSEE MUNICIPAL LEAGUE CONFERENCE**

Mayor Brundige announced the Tennessee Municipal League Conference would be June 25-27 in Nashville.

## **RAILROAD CABOOSE LOCATED IN WELDON PARK**

Mayor Brundige explained the caboose located in Weldon Park is in need of refurbishing. I would like to pressure wash the caboose then paint it red, as this will make it presentable during the Soybean Festival. I think we can do this for under a \$1,000.00. I would also like to see us investigate grant possibilities to properly refurbish it.

Alderman Nanney made the motion to pressure wash and paint the caboose located in the Weldon Park, cost not to exceed \$1,000.00, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

## **PARTNERSHIP WITH UNION CITY ECONOMIC DEVELOPMENT**

Mayor Brundige explained I have been contacted by Mr. Jim Cooper Director Economic Development, asking the city to form a partnership with Union City. The first step is for each city to join the other's Chamber of Commerce, cost \$500.00. Of course, this would have to be approved by both cities. This would show a regional partnership with Union City, Obion County, Martin and Weakley County. Martin and Union City are presently in a joint venture concerning the airport project. Also, we would support each other on the I69 road system project.

Alderman Tuck made the motion to join the Obion County Chamber of Commerce in order to promote a partnership with Union City, Obion County, Martin, and Weakley County, contingent upon Union City joining the Weakley County Chamber of Commerce, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

## **ADJOURN**

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

ATTEST:

SIGNED:

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Chris Mathis, CPA  
City Recorder

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Randy Brundige,  
Mayor

RB: CM/bh  
Saved "May 2006", May 08, 2006