

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

**August 13, 2007 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, August 13, 2007, 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 DAVID BELOTE, ALDERMAN WARD II  
HONORABLE JOHNNY TUCK, ALDERMAN WARD II  
HONORABLE TERRY HANKINS, ALDERMAN WARD III  
HONORABLE RANDY EDWARDS, ALDERMAN WARD III

MEMBERS ABSENT: HONORABLE BILL HARRISON, ALDERMAN WARD I

Also present: City Recorder Chris Mathis, Fire Chief Russell Schwahn, Martin Community Development Director Karami Hagan, Director of C. E. Weldon Public Library Roberta Peacock, Police Chief David Moore, Public Works Director Billy Wagster, Ms. Katie Perry, Mr. Jackie Reese, Auditor, Mr. Eric Spencer, Auditor, Mr. John Bucy, Mr. Finis Jones, Mr. Mike Johnson, Ms. Audrey Roberts, Dr. Timothy Johnston and Family, Mr. Eric Pelren, Ms. Diane Tinkle, and members of the press.

## **CALL TO ORDER AND INVOCATION**

Mayor Brundige called the August 13, 2007 meeting of the City of Martin Board of Mayor and Aldermen to order. Alderman Belote gave the invocation.

## **PLEDGE OF ALLEGIANCE**

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

## **MS. DIANE TINKLE**

Mayor Brundige introduced Ms. Diane Tinkle and explained she wished to speak to the board.

Ms. Tinkle explained I am here tonight as a member of this community to express how thankful I am to live in this community and to say the Martin Police Department is wonderful. They saved our lives. My husband and I took a trip to California the end of July. We rented a car to do the tourist thing on Interstate 5. We stopped at a beautiful overlook to enjoy the scenery. I jumped out of our jeep and took pictures. About forty-five minutes, well, seventy-five miles, later we received a phone call from Ms. Katie Perry with the Martin Police Department. She asked if we were in California and we answered yes. She explained the Yreka Police Department had my wallet. Apparently, when I jumped out to take pictures the wallet fell out. Someone traveling

found the wallet and drove sixteen miles out of their way to take my wallet to the police department. Because we live in a small town when the Yreka Police Department called Martin Police Department they knew us and how to contact us. The wallet contained our boarding passes, airplane tickets, baggage claims, and rental car information. I was horrified and Paul kept saying "Thank God for the Martin Police Department". I want to publicly express our thanks to the Martin Police Department and say I am glad to be a part of this community. Thank you.

**PRESENTATION OF PROCLAMATION      MAYOR RANDY BRUNDIGE**

Mayor Brundige introduced Dr. Timothy Johnston, his wife and children. Mr. Johnston is Chairman of the Martin Economic Development Corporation and the Brian Brown Greenway Advisory Committee. Mr. Johnston and his family are leaving UTM and moving to Murray, Kentucky, where he will be taking a new job at Murray State University. We wish to thank Mr. Johnston for all of his hard work and dedication to the city by presenting the following proclamation:

WHEREAS, the City of Martin is extremely proud of its efforts to provide quality recreational facilities that are both functional and scenic; and

WHEREAS, the City of Martin, along with the Martin Economic Development Corporation, established the Martin Greenway Citizen Advisory Committee on July 19, 2001 for the purposes of seeking funding and ultimately building a greenway trail for public use; and

WHEREAS, Dr. Timothy C. Johnston was one of the first appointees to the Martin Greenway Citizen Advisory Committee and was elected to serve as its Chairman; and

WHEREAS, the Martin Greenway Citizen Advisory Committee was chartered by the State of Tennessee as the Brian Brown Greenway Foundation on June 11, 2002 with Dr. Johnston continuing to serve as the only Chairman of both the Committee and Foundation.

NOW, THEREFORE, the Board of Mayor and Aldermen, on behalf of the Citizens of the City of Martin, do hereby present this PROCLAMATION OF APPRECIATION to

**DR. TIMOTHY C. JOHNSTON**

for his countless hours and personal efforts in fundraising and leading the operation of the Brian Brown Greenway Foundation since its inception that have resulted in a soon-to-be completed greenway project that all of our Citizens may utilize and be proud of.

Dr. Johnston spoke, Thank you. I want to share this with the committee that has worked tirelessly for six years and state this has not been an individual project but very much a team effort. This team has achieved a great deal. These are some of the finest people I have had the privilege to work with. One hundred percent of the funding is in place and we are eager to bring this project to completion. In fact, I would like to respectfully ask that you all make this project completion a priority during your terms.

**APPROVAL OF MINUTES**

**JULY 09, 2007**

Alderman Nanney made the motion to approve the minutes of the July 09, 2007 meeting as written, seconded by Alderman Tuck.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**DEPARTMENT HEADS REPORTS:**

**PUBLIC WORKS**

**DIRECTOR BILLY GENE WAGSTER**

The Public Works Department's monthly reports were included in packets. A copy is attached to minutes. Director Wagster asked if anyone had any questions. No questions were asked.

**FIRE DEPARTMENT**

**FIRE CHIEF RUSSELL SCHWAHN**

The Fire Department's monthly reports were included in packets. A copy of the reports is attached to minutes. Chief Schwahn asked if anyone had any questions. No questions were asked.

**C. E. WELDON PUBLIC LIBRARY**

**DIRECTOR ROBERTA PEACOCK**

The Library's newsletter was included in the board packets. A copy is attached to minutes. Director Peacock asked if there were any questions. No questions were asked.

**COMMUNITY DEVELOPMENT**

**DIRECTOR KARAMI HAGAN**

Director Hagan asked if anyone had any questions. No questions were asked.

**POLICE DEPARTMENT**

**CHIEF DAVID MOORE**

The Police Department's monthly reports were given to the board. Chief Moore asked if anyone had any questions. No questions were asked.

**OLD BUSINESS:**

**SECOND AND FINAL READING AND PUBLIC HEARING OF ORDINANCE O2007-05: AN ORDINANCE TO ADOPT THE ZONING MAP, MARTIN, TENNESSEE, AS THE OFFICIAL ZONING MAP FOR THE CITY**

Mayor Brundige introduced for consideration the second and final reading of Ordinance O2007-05: An ordinance to adopt the Zoning Map, Martin, Tennessee, as the official map for the city. This is the public hearing.

Recorder Mathis read Ordinance O2007-05 and provided a copy of the ordinance and map for the press. A copy of the map is attached to the minutes. A copy of the ordinance follows:

**ORDINANCE O2007-05**

**AN ORDINANCE TO ADOPT THE ZONING MAP, MARTIN TN AS THE OFFICIAL ZONING MAP FOR THE CITY**

**WHEREAS**, pursuant to Tennessee Code Annotated Sections 13-7-201 through 13-7-211 Municipal Zoning Regulations have been adopted for Martin, Tennessee; and,

**WHEREAS**, the City of Martin has verified the accuracy of all current Zoning Districts; and,

**WHEREAS**, the Martin Municipal Planning Commission has seen fit to readopt the Municipal Zoning Map for Martin, TN in accordance with Tennessee Code Annotated Section 13-7-204; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARTIN, TENNESSEE THAT THE FOLLOWING ZONING MAP BE READOPTED:

Section 1. That the map entitled "Zoning Map, Martin TN" dated April 12, 2007 is adopted as the official zoning map for the City of Martin, Tennessee.

Section 2. **BE IT FURTHER RESOLVED** that this Ordinance shall become effective immediately upon its adoption, **THE PUBLIC HEALTH, SAFETY AND WELFARE REQUIRING IT.**

Date of First Reading: July 09, 2007.

Date of Public Hearing: \_\_\_\_\_.

Date of Second Reading: \_\_\_\_\_.

ATTEST:

SIGNED:

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

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

**PUBLIC HEARING:**

Mayor Brundige introduced Ordinance O2007-05 for the Public Hearing and asks if anyone present wished to speak for or against the ordinance. No one spoke.

Mayor Brundige closed the hearing by asking for a motion.

Alderman Hankins made the motion to approve the second and final reading of Ordinance O2007-05: An ordinance to adopt the Zoning Map, Martin, Tennessee, as the official map for the city, seconded by Alderman Tuck.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE BELOTE HONORABLE TUCK HONORABLE HANKINS HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	HONORABLE HARRISON

Mayor Brundige declared the ordinance approved on the second and final reading.

**ANY OTHER OLD BUSINESS:**

There was no other business.

**NEW BUSINESS:**

**PRESENTATION OF THE 2006 AUDIT BY JOHN R. REESE, CPA FIRM**

Mayor Brundige introduced Mr. Jackie Reese and Mr. Eric Spencer from the John R. Reese CPA Firm. Mr. Spencer will present the 2006 Audit.

Mr. Spencer thanked the city for allowing their firm to do the audit for the City of Martin. He also expressed the firm's appreciation for the help and support received from Recorder Mathis and his staff. The Board was given copies of the 2006 audit.

Mr. Spencer explained in the independent audit report we issued an unqualified opinion. This is a good thing as there were no major departures from GAAP or generally accepted accounting principles.

A new section, "A Management Discussion and Analysis Report", pages 3 through 9, is included in this year's report. The State of Tennessee is requiring cities to implement this report in their audits. This is the city's perception of how they performed financially. Chris did a really good job on this report as he added numerous details. Toward the end of the report you will find an economic outlook for the city. I think you will find this report interesting reading.

On page 10 of the audit you will find the statement of net assets, which is basically the statement of the financial position of the city. The statement shows the city has total positive net assets of a little over thirteen million dollars. This is a very favorable position for the city to be in.

We would like to point out the schedule of finding and recommendations on page 73. In an exit interview we conducted with Mayor Brundige and Recorder Mathis we went over all these findings in detail. Their responses are attached.

On page 75 you will find a disposition schedule of prior year's audit findings. Findings that were found in a previous audit show that corrective actions have been exercised and those findings no longer merit reporting.

If you all have any questions please feel free to call our office. The city's audit is rotated among Martin audit firms and this year ends our cycle. Again, thank you for allowing our firm to do the audit.

Alderman Nanney made the motion to accept the 2006 Audit Report presented by the John R. Reese CPA Firm, seconded by Alderman Edwards.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**AWARDING OF 2007 AUDIT CONTRACT TO ALEXANDER, THOMPSON, ARNOLD, PLLC FOR A FEE OF \$17,500.00 (\$20,000.00 IF A SINGLE AUDIT IS REQUIRED)**

Mayor Brundige introduced for consideration awarding the 2007 audit contract to Alexander, Thompson, Arnold, PLLC for a fee of \$17,000.00 (\$20,000.00 if a single audit is required). This contract is awarded for four years on a rotating basis with Martin firms.

Alderman Hankins made the motion to award the 2007 audit contract to Alexander, Thompson, Arnold, PLLC for a fee of \$17,000.00 (\$20,000.00 if a single audit is required), seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**ACCEPTING THE LOW BID OF \$583,700.00 FROM ALLEN SEARCY BUILDERS & CONTRACTORS OF UNION CITY, TENNESSEE, FOR THE CONSTRUCTION OR REPLACEMENT OF APPROXIMATELY 2,200 FEET OF CURBING AND SIDEWALK, ALONG WITH OTHER IMPROVEMENTS TO THE MARTIN DOWNTOWN AREA.**

Mayor Brundige introduced for consideration accepting the low bid of \$583,700.00 from Allen Searcy Builders & Contractors of Union City, Tennessee for the construction or replacement of approximately 2,200 feet of curbing and sidewalk, along with other improvements to the Martin Downtown area. This is a phase of the Downtown Improvement Project funded by a T21 Grant.

Alderman Belote made the motion to award the low bid of \$583,700.00 from Allen Searcy Builders & Contractors of Union City, Tennessee for the construction or replacement of approximately 2,200 feet of curbing and sidewalk, along with other improvements to the Martin Downtown area, seconded by Alderman Hankins.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE BELOTE HONORABLE TUCK HONORABLE HANKINS HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	HONORABLE HARRISON

Mayor Brundige declared the motion approved.

**INTRODUCTION AND READING OF RESOLUTION R2007-12: AUTHORIZING THE MAYOR OF MARTIN TO ENTER INTO A CONTRACT WITH THE BUXTON COMPANY OF FORT WORTH, TEXAS TO PREPARE A RETAIL MARKETING SURVEY AT A COST OF APPROXIMATELY \$55,000.00.**

Mayor Brundige introduced for consideration Resolution R2007-12: Authorizing the Mayor of Martin to enter into a contract with the Buxton Company of Fort Worth, Texas to prepare a retail marketing survey at a cost of approximately \$55,000.00.

Recorder Mathis read Resolution R2007-12. A copy was provided for the members of the press. Resolution R2007-12 follows:

RESOLUTION R2007-12

A RESOLUTION AUTHORIZING THE MAYOR OF MARTIN TO ENTER INTO A CONTRACT WITH THE BUXTON COMPANY TO PERFORM A RETAIL MARKETING SURVEY FOR THE CITY OF MARTIN

WHEREAS, the City of Martin realizes the need to develop and implement a total retail marketing strategy in acquiring and retaining successful retail businesses; and

WHEREAS, the Board of Mayor and Aldermen has determined that it would be economically beneficial for the City to contract for a retail marketing survey in developing such a comprehensive marketing strategy; and

WHEREAS, the Buxton Company has a proven track record in performing retail marketing surveys; and

WHEREAS, it is in the interest of expediency and welfare of the City of Martin that the Mayor be allowed to negotiate for a retail marketing survey.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MARTIN that the Mayor is authorized to enter into an agreement with the Buxton Company to perform a comprehensive retail marketing survey at a cost of approximately \$55,000.00 (fifty-five thousand dollars).

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon passage, THE PUBLIC WELFARE REQUIRING IT.

DULY PASSED AND ADOPTED THE 13<sup>TH</sup> DAY OF AUGUST, 2007.

ATTEST:

APPROVED:

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

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

Alderman Belote made the motion to approve Resolution R2007-12: Authorizing the Mayor of Martin to enter into a contract with the Buxton Company of Fort Worth, Texas, to prepare a retail marketing survey at a cost of approximately \$55,000.00, seconded by Alderman Nanney.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE BELOTE HONORABLE TUCK HONORABLE HANKINS HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	HONORABLE HARRISON

Mayor Brundige declared Resolution R2007-12 approved.



**MOTION TO PROCEED WITH THE PROCESS OF AUTHORIZING THE MAYOR TO DEED OVER TO THE NORTHWEST TENNESSEE DEVELOPMENT DISTRICT THE PROPERTY AT 124 WELDON DRIVE THAT NOW HOUSES THE MARTIN OFFICES OF THE DISTRICT WITH THE STIPULATION THAT THE PROPERTY WILL REVERT BACK TO THE CITY OF MARTIN IF THE NORTHWEST TENNESSEE DEVELOPMENT DISTRICT EVER VACATES THE PROPERTY.**

Mayor Brundige presented for consideration a motion to proceed with the process of authorizing the Mayor to deed over the Northwest Tennessee Development District the property at 124 Weldon Drive that now houses the Martin offices of the District with the stipulation that the property will revert back to the City of Martin if the Northwest Tennessee Development District ever vacates the property. We need this motion in order to present it to our lawyer for the development of a resolution, which we will bring back for your approval.

Alderman Hankins made the motion to proceed with the process of authorizing the Mayor to deed over the Northwest Tennessee Development District the property at 124 Weldon Drive that now houses the Martin offices of the District with the stipulation that the property will revert back to the City of Martin if the Northwest Tennessee Development District ever vacates the property, seconded by Alderman Belote.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

**INTRODUCTION AND PRESENTATION FOR THE FIRST READING OF ORDINANCE O2007-06: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING CERTAIN PROPERTIES WITHIN AN AREA BORDERED BY UNIVERSITY, SUMMER, PARK, AND ELM STREETS**

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2007-06: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning certain properties within an area bordered by University, Summer, Park, and Elm Streets.

Recorder Mathis read the resolution. A copy was presented to the members of the press. A copy follows:

ORDINANCE O2007-06

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING CERTAIN PROPERTIES WITHIN AN AREA BORDERED BY UNIVERSITY, SUMMER, PARK, AND ELM STREETS.

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



Mayor Brundige declared Ordinance O2007-06 approved on the first reading and set the second and final reading and public hearing for September 10, 2007 at 5:15 pm in the City Hall Chambers.

**MOTION TO PROVIDE FREE WIRELESS INTERNET SERVICE TO MARTIN RECREATION COMPLEX (MCR) WITH ACCESS DONATED BY KEN-TENN WIRELESS (WOODS COMMUNICATIONS) IN RETURN FOR 2-3 SIGNS IN THE PARK TO READ “INTERNET ACCESS PROVIDED BY THE CITY OF MARTIN AND KEN-TENN WIRELESS”. INSTALLATION COSTS TO THE CITY OF MARTIN WILL BE \$3,215.00 TO BE PAID FROM BOARD APPROVED PROJECTS.**

Mayor Brundige explained the city has a chance to get free wireless Internet service to the Martin Recreational Complex (MCR) with access donated by Ken-Tenn Wireless (Woods Communications) in return for placement of 2-3 signs in the park to read “Internet access provided by the City of Martin and Ken-Tenn Wireless”. The cost to the city will be \$3,215.00 for installation and this can be paid from Board Approved Projects.

Alderman Edwards made the motion to approve the provision of get free wireless internet service to the Martin Recreational Complex (MCR) with access donated by Ken-Tenn Wireless (Woods Communications) in return for placement of 2-3 signs in the park to read “Internet access provided by the City of Martin and Ken-Tenn Wireless”. Cost to the city will be \$3,215.00 for installation and this can be paid from Board Approved Projects, seconded by Alderman Hankins.

Alderman Belote asked if we needed to be specific on the size of the signs?

Mayor Brundige stated they would be small signs.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE BELOTE HONORABLE TUCK HONORABLE HANKINS HONORABLE EDWARDS
	AGAINST:	NONE
	ABSENT:	HONORABLE HARRISON

Mayor Brundige declared the motion approved.

**AUTHORIZATION TO ALLOW JOE WAGGENER TO SIGN FOR CITY OF MARTIN FOR ACTIONS RELATED TO WEAKLEY COUNTY FARM SERVICE AGENCY (FSA) PROGRAMS FOR THE CITY**

Mayor Brundige presented a letter from the United States Department of Agriculture Farm Service Agency located in Dresden, Tennessee, asking the City of Martin to authorize Mr. Joe

Waggener or his designee to sign and take any necessary actions related to Farm Service Agency (FSA) programs in the City. Mr. Waggener rents the acreage at Martin Recreation Complex that is not used for recreational purposes and participates in the Department of Agriculture programs. They have notified Mr. Waggener that written authorization is needed for him to continue participation in Federal programs. A copy of the letter follows:

United States Department of Agriculture  
Weakley County Farm Service Agency  
P. O. Box 230  
Dresden, TN 38225

August 09, 2007

City of Martin  
Martin, Tennessee 38237

Attention: Board of Aldermen

According to our records Joe Waggener has been conducting business in our office related to program signup. We have been advised that written authorization from board members is required in order for us to continue allowing Joe Waggener to sign on behalf of the city.

If you wish for Joe Waggener to be able to continue to sign program documents on behalf of the city please send a letter to our office stating that the board wishes to authorize Joe Waggener to sign and take necessary actions related to FSA programs for the city.

Please also include a statement whether or not Joe Waggener may further delegate this authority to the applicable farm operator.

If you need further information please feel free to contact us.

Sincerely,

Kim Humphrey, CED  
Weakley County FSA

Alderman Hankins made the motion to grant authorization to Mr. Joe Waggener or his designee to sign and take any necessary actions related to the United States Department of Agriculture Farm Service Agency (FSA) programs at the Martin Recreation Complex, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

**REGULAR SCHEDULED SEPTEMBER INFORMAL BOARD MEETING  
FALLS DURING THE SOYBEAN FESTIVAL (SEPTEMBER 4<sup>TH</sup>)**

The Aldermen agreed to meet if the proposed agenda needed advance discussion or cancel if all business could be taken care of at the Regular City Board Meeting. Mayor Brundige will make the decision.

**ADJOURN**

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

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 "August 13, 2007"