

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

**January 08, 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, January 08, 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 BILL HARRISON, ALDERMAN WARD I  
HONORABLE DAVID BELOTE, ALDERMAN WARD II  
HONORABLE JOHNNY TUCK, ALDERMAN WARD II  
HONORABLE TERRY HANKINS, ALDERMAN WARD III  
MEMBERS ABSENT: HONORABLE RANDY EDWARDS, ALDERMAN WARD III

Also present: City Recorder Chris Mathis, Police Chief David Moore, Fire Chief Russell Schwahn, Public Works Director Billy Gene Wagster, Martin Community Development Director Karami Hagan, and Parks & Recreation Director Dennis Suiter.

## **CALL TO ORDER AND INVOCATION**

Mayor Brundige called the January 08, 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.

## **APPROVAL OF MINUTES DECEMBER 11, 2006**

Alderman Harrison made the motion to approve the minutes of the December 11, 2006 meeting as written, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

## **DEPARTMENT HEADS REPORTS:**

**POLICE DEPARTMENT CHIEF DAVID MOORE**

The Police Department's monthly reports were in packets. A copy is attached to minutes. Chief Moore asked if there were any questions. There were no questions.

Chief Moore explained our department is investigating the homicide of James Monroe Terry, 622 N. McCombs Street. The homicide was discovered Friday morning. We have not had a homicide in the city since June of 1999. All the information I can give you concerning this matter is we have confirmed it is a homicide, we are actively working twenty-four hours a day, seven days a week, and will do so until we have this wrapped up. Martin Police Department investigators have had a lot of help from the Tennessee Bureau of Investigation.

Thursday night at 6:00 pm the police department will host a thank you celebration for our Volunteers in Police Service and Citizen Police Academy Association alumni. We would like for all the aldermen to attend this celebration.

Public Works checked on a designated truck route for Martin. The gentleman that is over this area with Tennessee Department of Transportation will be in his office on Tuesday and will call Public Works back. We will keep you informed.

## **FIRE DEPARTMENT**

## **FIRE CHIEF RUSSELL SCHWAHN**

The Fire Department's monthly reports were included in packets. A copy is attached to minutes. Chief Schwahn asked if there were any questions. There were no questions.

Chief Schwahn explained the City of Martin Fire Department has been approved for two grants. The first is a Safer Grant, which will help to provide six new firemen. For the six positions 108 hiring packets were picked up and 62 were confirmed for presentation. The written tests for these positions will be Saturday. The second grant is the Fire Act Grant, which will purchase turnout gear, and SCBA air packs. This grant will total \$94,321 with a city match of \$4,964. The bid opening for turnout gear and air packs will be January 24 in the City Hall Courtroom at 10:00 am.

We hope to have a new ISO Fire Rating in February as inspection was done in December.

## **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 there were any questions. There were no questions.

Director Wagster informed the board we will stop picking up leaves on January 19<sup>th</sup> with the leaf truck but will continue to pick up bagged leaves on a call in basis.

## **PARKS AND RECREATION**

## **DIRECTOR DENNIS SUITER**

Director Suiter explained the 2006 Santa Village held in December was a very successful event. We had a tremendous outpouring of support. And I would like to compliment and thank all of the university classes that helped. Each night we had about a 100 students on-site working. We could not have done it without them. This year's Santa Village was the third largest in donations and in the top five in attendance.

We will have a combined January and February meeting of the Parks and Recreation Board on January 29, 2007.

**COMMUNITY DEVELOPMENT                      DIRECTOR KARAMI HAGAN**

Director Hagan stated I am working on the purchase of holiday banners as you all requested. Also the Mayor and I attended the Tennessee Tomorrow luncheon where I made a couple of good contacts with the Tennessee Department of Tourism and Tennessee Department of Retirement.

**OLD BUSINESS:**

**RECOMMENDATION FROM PUBLIC WORKS COMMITTEE TO INCREASE BARKER BROTHERS' GARBAGE RATES BY 3% PER YEAR.**

Mayor Brundige introduced a recommendation from the Public Works Committee to increase Barker Brothers garbage rates by 3%. (An increase is written in the Barker Brothers contract.) Before making the 3% recommendation Public Works studied the price index percentage versus regular percentage.

Alderman Nanney made the motion to increase Barker Brothers garbage rates by 3%, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**NEW BUSINESS:**

**INTRODUCTION AND READING OF RESOLUTION R2007-01: A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO EXCEED \$700,000, PURSUANT TO THE INFORMAL BID PROCESS.**

Mayor Brundige introduced and presented for reading Resolution R2007-01: A Resolution authorizing the issuance, sale, and payment of Capital Outlay Notes not to exceed \$700,000, pursuant to the informal bid process. This will pay for the rehab on the Wastewater Treatment Plant sewer pumps and sewer rehab.

Recorder Mathis read Resolution R2007-01. A copy follows:

RESOLUTION R2007-01

RESOLUTION OF THE GOVERNING BODY OF MARTIN, TENNESSEE,  
AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF  
CAPITAL OUTLAY NOTES NOT TO EXCEED \$700,000.00  
PURSUANT TO THE INFORMAL BID PROCESS

WHEREAS, the Governing Body of Martin, Tennessee, the “Local Government” has determined that it is necessary and desirable to issue capital outlay notes in order to provide funds for the following public works project (the “Project”): Wastewater Pumps Replacement and Sewer System Rehab.

WHEREAS, the Governing Body has determined that the Project will promote or provide, a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV and VI of Title 9, Chapter 21, Tennessee Code Annotated the “Act”), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest-bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body as follows:

SECTION 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the State Director of Local Finance, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed Seven Hundred Thousand Dollars (\$700,000) (the “Notes”) by an informal bid process pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated “Wastewater Pumps Project Capital Outlay Notes, Series 2007”; shall bear interest at a rate not to exceed five per cent (5.00%) per annum, and in no event shall the rate exceed the legal limit provided by law.

SECTION 2. That, the Notes shall mature not later than twelve (12) years after the date of issuance and, unless otherwise approved by the State Director of Local Finance, the Notes shall be amortized in an amount reflecting at least level debt service on the Notes approximately according to the following schedule:

<u>FISCAL</u> <u>YEAR</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>	<u>FISCAL</u> <u>YEAR</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>
6/30/08	\$58,333	6/30/14	\$58,333
6/30/09	\$58,333	6/30/15	\$58,333
6/30/10	\$58,333	6/30/16	\$58,334
6/30/11	\$58,333	6/30/17	\$58,334
6/30/12	\$58,333	6/30/18	\$58,334
6/30/13	\$58,333	6/30/19	\$58,334

The Notes shall not exceed the reasonably expected economic life of the Project, which is hereby estimated to be at least fifteen years.

SECTION 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium.

SECTION 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local Government over and above all other taxes authorized by the Local Government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

SECTION 5. That, the Notes shall be executed in the name of the Local Government; shall bear the manual signatures of the Mayor and City Recorder of the Local Government. Proceeds of the Notes shall be deposited with the City Recorder as custodian of the funds. All proceeds shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

SECTION 6. That, the Notes will be issued in fully registered form and that at all times during which any Note remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register for the registration, exchange or transfer of the Notes.

SECTION 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

SECTION 8. That, prior to the sale of the Notes, the Local Government shall submit a copy of this resolution authorizing the Notes to the State Director of Local Finance for approval and a copy of the proposed disclosure statement, if any, and a statement showing the estimated annual principal and interest requirements for the Notes and a detailed statement showing the estimated cost of issuance which shall include at least the following, if applicable: (1) fiscal agent and/or financial advisor fees; (2) bond counsel fees; (2) other legal charges, if any; (4) credit enhancement fees; (5) trustee fees; (6) registration fees; (7) paying agent fees; (8) rating agency fees; (9) underwriters' discount or charges; (10) remarketing agent fees; (11) printing, advertising and other expenses; (12) the number of financial institutions contacted by telephone or by letter (which should be at least three if possible) for the purpose of obtaining interest rates, and if only one institution was contacted a statement as to why only one institution was contacted.

SECTION 9. The Notes shall not be sold until receipt of the State Director of Local Finance's written approval for the sale of the notes.

SECTION 10. That, the notes are hereby designated as qualified tax-exempt obligations for purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

SECTION 11. That, after the sale of the Notes, and for each year that any of the Notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director"). The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes"). If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

SECTION 12. That, if any of the Notes shall remain unpaid at the end of twelve (12) years from the issue date, then the unpaid Notes shall be retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approval by the State Director of Local Finance.

SECTION 13. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists; and this Resolution shall become effective immediately upon its passage.

Approved and adopted this 8<sup>th</sup> day of January 2007.

SIGNED:

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Mayor

ATTEST:

\_\_\_\_\_  
Recorder

Alderman Belote made the motion to approve Resolution R2007-01: A Resolution authorizing the issuance, sale, and payment of Capital Outlay Notes not to exceed \$700,000, pursuant to the informal bid process, seconded by Alderman Tuck.

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

Mayor Brundige declared Resolution R2007-01 approved.

**RECOMMENDATION OF A 6% INCREASE IN WATER AND SEWER RATES FROM THE FINANCE AND PUBLIC WORKS COMMITTEES**

Mayor Brundige introduced for consideration a recommendation from the Finance and Public Works Committees to increase water and sewer rates by 6%.

Alderman Belote made the motion to increase water and sewer rates by 6%, seconded by Alderman Nanney.

VOTE:	FOR:	HONORABLE NANNEY HONORABLE BELOTE HONORABLE TUCK HONORABLE HANKINS
	AGAINST:	HONORABLE HARRISON
	ABSENT:	HONORABLE EDWARDS

Mayor Brundige declared the motion approved.

**LEAF PICK-UP WILL STOP JANUARY 19, 2007**

Mayor Brundige reminded the group that leaf pick-up with the leaf truck would stop January 19, 2007. Bagged leaves will be picked up on a call basis.

**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 "January 08, 2007"