

**MINUTES
MARTIN BOARD OF MAYOR AND ALDERMEN
AUGUST 11, 2008 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 11, 2008, 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
HONORABLE RANDY EDWARDS, ALDERMAN WARD III

MEMBERS ABSENT: NONE

Also present: City Recorder Chris Mathis, Police Chief David Moore, Fire Chief Russell Schwahn, Weldon Public Library Director Roberta Peacock, Public Works Director Billy Wagster, Human Resources Officer Celeste Taylor, Community Development Director Kimberly Craddock, Captain Sammy Liles, Mr. Mike Johnson, Ms. Nadine Gearin, Ms. Audrey Roberts, Ms. Sandy Davis, and members of the Press.

CALL TO ORDER AND INVOCATION

Mayor Brundige called the August 11th Regular Meeting of the City of Martin Board of Mayor and Aldermen to order. Alderman Tuck gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

JULY 14, 2008

Mayor Brundige introduced and presented for consideration the July 14, 2008 regular meeting minutes for approval as written.

Alderman Harrison made the motion to approve the July 14, 2008 regular meeting minutes as written, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

DEPARTMENT HEAD REPORTS

FIRE DEPARTMENT

CHIEF RUSSELL SCHWAHN

Chief Schwahn asked if anyone had any questions concerning his monthly reports. Copies are attached to the minutes. No questions were asked.

Chief Schwahn gave each alderman a handout, which showed that the City of Martin Fire Department ranked 12th in the state regarding training. There are 735 departments in the state.

PUBLIC WORKS

DIRECTOR BILLY WAGSTER

Director Wagster asked if anyone had any questions concerning the Public Works' monthly report. No questions were asked. Copies are attached to the minutes.

Director Wagster explained – I talked to Randy McKinnon, TLM Engineer, this week concerning the resurfacing project on S. Lindell Street. We really wanted to get the downtown area of S. Lindell Street blacktopped before Soybean Festival but I am not sure it will happen. The area has to be milled, then blacktopped, which will be done by the State of Tennessee. I can get the milling done in a timely manner but can't guarantee that the state will be able to get the resurfacing done before the festival. I think it would be better to leave the surface as is because if we grind the street it would be a really rough surface.

POLICE DEPARTMENT

CHIEF DAVID MOORE

Chief Moore asked if anyone had any questions concerning the police department's monthly reports. No questions were asked. Copies are attached to the minutes.

C. E. WELDON PUBLIC LIBRARY

DIRECTOR ROBERTA PEACOCK

Director Peacock asked if anyone had any questions concerning the Library's monthly reports. No questions were asked. A copy of the report is attached to the minutes.

Director Peacock also handed out a comparison sheet comparing and detailing the Library's summer reading program with past years.

Director Peacock thanked Director Wagster and the Public Works Department for constructing a section of sidewalk that connects the front handicapped ramp to the existing sidewalk. This will allow access to the handicapped ramp library entrance without going into the parking lot.

We have implemented a new service at the Library. You may check out books on MP-3 players.

MARTIN ECONOMIC DEVELOPMENT

KIMBERLY CRADDOCK

Director Craddock announced the Martin Business Association will meet at 7:30 am tomorrow (August 12th) in the city hall courtroom. Everyone is invited.

Freshmen Welcome Ceremony will be August 21st at 5:00 pm at the UTM Elam Center. We have had a tremendous response from City of Martin businesses and churches.

My department is also working on the Soybean Festival.

HUMAN RESOURCES

MS. CELESTE TAYLOR

Ms. Taylor reported that all city employees have been successfully transferred over to the new insurance program. The HR Department has helped Chief Moore by doing psychological evaluations of the police officers. My department is trying to secure a computer that will help in training new employees and retaining existing ones.

OLD BUSINESS

There was no old business.

NEW BUSINESS:

FORMAL DETERMINATION OF THE 2008 CERTIFICATED PROPERTY TAX RATE OF \$1.4772 AS CALCULATED BY THE STATE BOARD OF EQUALIZATION

Mayor Brundige introduced for consideration the formal determination of the 2008 Certificated Property Tax Rate of \$1.4772 as calculated by the State Board of Equalization.

Alderman Harrison made the motion to certify the 2008 Certificated Property Tax Rate of \$1.4772 as calculated by the State Board of Equalization, seconded by Alderman Tuck.

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

Mayor Brundige explained the 2007 tax rate was \$1.64 and declared the motion approved.

ACCEPTANCE OF LOW BID OF \$394,480.00 FROM MCKINNEY CONSTRUCTION FOR PHASE I CONSTRUCTION OF THE BRIAN BROWN GREENWAY

Mayor Brundige presented for consideration the acceptance of the low bid of \$394,480.00 under bid price with alternate number 4 from McKinney Construction for Phase I Construction of the Brian Brown Greenway Project. He went on to state that acceptance of the bid would be contingent upon approval by the Tennessee Department of Transportation.

Alderman Belote made the motion to accept the low bid of \$394,480.00 under bid alternate number 4 from McKinney Construction for Phase I Construction of the Brian Brown Greenway Project contingent upon approval by the Tennessee Department of Transportation, seconded by Alderman Hankins.

Mayor Brundige asked if there was any discussion. There was none.

Mayor Brundige asked for a roll call vote.

VOTE:	FOR:	ALDERMEN NANNEY ALDERMAN HARRISON ALDERMAN BELOTE ALDERMAN TUCK ALDERMAN HANKINS ALDERMAN EDWARDS
	AGAINST:	NONE

Mayor Brundige declared the motion approved and explained this has been a five-year undertaking.

A REQUEST FROM MS. KIMBERLY CRADDOCK TO BE FORMALLY HIRED AS THE CITY OF MARTIN'S COMMUNITY DEVELOPMENT DIRECTOR

Mayor Brundige introduced for consideration a request from Ms. Kimberly Craddock to be formally hired as the City of Martin's Community Development Director.

Alderman Nanney made the motion to approve a request from Ms. Kimberly Craddock to be formally hired as the City of Martin's Community Development Director, seconded by Alderman Belote.

VOTE:	FOR:	ALDERMEN NANNEY ALDERMAN HARRISON ALDERMAN BELOTE ALDERMAN TUCK ALDERMAN HANKINS ALDERMAN EDWARDS
	AGAINST:	NONE

Mayor Brundige declared the motion approved.

ACCEPTANCE OF THE CITY OF MARTIN'S AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2007 AS PREPARED BY THE CPA FIRM OF ALEXANDER, THOMPSON, ARNOLD PLLC

Mayor Brundige presented for consideration the acceptance of the City of Martin's audit for the fiscal year ending June 30, 2007 as prepared by the CPA Firm of Alexander, Thompson, Arnold, PLLC. A copy of this audit is attached to the minutes.

Alderman Edwards made the motion to accept the City of Martin's audit for the fiscal year ending June 30, 2007 as prepared by the CPA Firm of Alexander, Thompson, Arnold, PLLC, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

AUTHORIZE MAYOR BRUNDIGE TO ENGAGE THE CPA FIRM OF ALEXANDER, THOMPSON, ARNOLD PLLC TO PERFORM THE CITY OF MARTIN'S AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mayor Brundige introduce for consideration authorizing Mayor Brundige to engage the CPA Firm of Alexander, Thompson, Arnold PLLC for the fiscal year ending June 30, 2008.

Alderman Belote made the motion to authorize Mayor Brundige to engage the CPA Firm of Alexander, Thompson, Arnold PLLC for the fiscal year ending June 30, 2008, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

WEAKLEY COUNTY HOMECOMING PARADE

Mayor Brundige explained the Weakley County Home Coming parade will be held on Saturday, August 16th beginning at 10:00 am. All aldermen wishing to participate in the parade will need to be at the UTM Stadium parking lot prior to the start.

FRESHMAN WELCOME WEEK

Mayor Brundige explained Freshman Week is August 18th through 22nd. The Welcome Week Ceremony will be August 21st at 5:00 pm in the University of Tennessee at Martin Elam Center. There will be approximately 1,300 freshmen coming into the community. Fifty-two merchants plus numerous churches are participating in this event.

UPDATE ON CAL RIPKEN

Recorder Mathis presented the following:

Attendance for the picnic and first four nights – 4,825 persons
Wednesday picnic banquet sales – \$3,060.00
Thursday opening ceremony attendance - 1,141 persons
Thursday night banquet sales - \$3,060.00
Souvenir sales for the first four nights - \$13,412.00
Ticket sales for the first four nights - \$10,465.00

Alderman Belote was in charge of the banquet, which from all accounts was termed a great success.

Mayor Brundige explained the Parks and Recreation Department placed a box at the gate asking all visitors to put their signed city purchase receipts in a box. From this, box receipts were drawn and the person whose receipt was drawn received merchandise from the souvenir stand. The big box was half full every day and was emptied each night after the drawing. There has been quite a bit of money spent in Martin. We have really enjoyed having the ball teams, parents, and visitors in Martin and I think they have enjoyed being here.

RECESS MEETING

Mayor Brundige recessed the August 11th meeting to be reconvened August 19, 2008 at 12:15 pm in the City Hall Chambers to accept the bids for the construction of the Salute to America Plaza Project. TLM Engineering Firm will open the bids at 11:00 am that morning and then compare the bids and prepare a recommendation for the board.

ATTEST:

SIGNED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

RB: CM/bh
Saved "August 11 & 19, 2008"

Mayor Brundige explained the base bid came in at \$89,517.00 and alternate bid for lighting came in at \$28,598.00. We are hoping we don't have to have the lighting as we have lights all around the area but the final decision will be up the Tennessee Department of Environmental and Conservation. Funds for this project include \$27,500.00 in grant money and \$27,500.00 in Friends of the Parks Fund, totaling \$55,000.00. The proposed bid is approximately \$34,571.00 over the funds the city has. As you all know, if we do not expend the grant funds by October 14, 2008, we will be out of compliance and we will not be able to apply for another Parks and Recreation grant until the Salute to America Plaza is completed with city funds. If we can do without the lighting we will save the amount of the alternate bid.

Mr. McKinnon explained Mr. Gerald Parrish from State Parks & Recreation reviews and approves the grant applications and projects. He felt there would not be a problem with awarding the project without the lighting but he was going back to double check this. He recommended we process the request without the lighting even though there is a small chance the state would require the lighting be installed. I will add that the way these things are set up the overall concept is pretty much outlined in the application so there was not a lot of flexibility in what we had to build. We did not build anything more than was in the original proposal application but things have changed and prices have accelerated since 2004 when this budget was done and it was pretty slim even at that time. We placed the lighting as an alternate on the proposal to the state because we knew we were going to be over budget and were trying to control this as much as possible. We felt like we could pull this out and not impact the overall project. I have a set of plans for you all to view.

Recorder Mathis explained Kevin Seaton who has the Parks and Recreation mowing contract asked me to explain the project and I could not. Would you please give me a synopsis?

Mr. McKinnon explained this is called the Salute to America Parks and it was conceived as a memorial to the 9-11 attacks that happened in New York City. It is centered and designed around the big flagpole at the main entrance behind the pavilion. The plaza will be a circular area around the flagpole with seating on the inside and a raised concrete seating around the outside. Landscaping will be placed in the area. The plaza will be ADA compliant. We are using bricks to create the tribute to 9-11 as they will form a circle around the outside edge and in the inside from the radius. From this radius four areas will depict different times, one for each plane that crashed on 9-11 and will be created by using different color bricks. This is fantastic feature but inconspicuous, as most people will not see it at first. You all may want to create a sign to point this out.

Alderman Belote asked Parks and Recreation had several brick sales with the understanding they would be used in the creation of the project. Where will these bricks go?

Mr. McKinnon stated we have not specified where these will go but there is plenty of room and the Parks and Recreation Department can make that decision. This is a really nice plaza and meets the original idea and concept, which was a requirement.

Mayor Brundige explained we need to consider accepting the base bid and the alternate bid just in case the state makes us add the lighting. Do I have a motion we accept the base bid of \$89,517.00 from Allen Searcy Builders - Contractors, Inc. contingent upon approval by the state and if the state requires the alternate bid we accept \$28,598.00 alternate for lighting from Allen Searcy Builders - Contractors, Inc.

Alderman Belote made the motion to accept the low bid from Allen Searcy Builders – Contractors, Inc. contingent upon state approval, base bid \$89,517.00 and if the State of Tennessee requires the city install the lighting accept the alternate bid of \$28,598.00, seconded by Alderman Harrison.

Alderman Belote stated just as a note of clarification if the State of Tennessee requires we install the lighting the price tag on that above and beyond the grant will be some \$66,000.00.

Mayor Brundige stated that is correct and there were no engineering fees in the budget and those costs will be above and beyond the costs presented today. Is there any further discussion on the motion? If not I will entertain a roll call vote.

VOTE:	FOR:	ALDERMEN NANNEY ALDERMAN HARRISON ALDERMAN BELOTE ALDERMAN TUCK ALDERMAN HANKINS ALDERMAN EDWARDS
	AGAINST:	NONE

Mayor Brundige declared the motion approved.

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2008-14:
RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN
EQUIPMENT LEASE-PURCHASE AGREEMENT WITH BANCORPSOUTH
EQUIPMENT FINANCE, A DIVISION OF BANCORPSOUTH BANK FOR
THE PURPOSE OF LEASE-PURCHASING CERTAIN EQUIPMENT**

Mayor Brundige introduced and presented for consideration Resolution R2008-14: Resolution authorizing and approving execution of an Equipment Lease-Purchase Agreement with BankcorpSouth Equipment Finance, a Division of BankcorpSouth Bank for the purpose of lease-purchasing certain equipment. These funds will purchase two brush trucks.

Recorder Mathis read Resolution R2008-14. A copy was presented to all aldermen and press. A copy follows:

RESOLUTION R2008-14

**RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN EQUIPMENT
LEASE-PURCHASE AGREEMENT WITH BANCORPSOUTH EQUIPMENT
FINANCE, A DIVISION OF BANCORPSOUTH BANK FOR THE PURPOSE OF LEASE-
PURCHASING CERTAIN EQUIPMENT**

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of the City of Martin, Tennessee (the "Lessee"), acting for and on behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with BancorpSouth Equipment Finance, a division of BancorpSouth Bank (the "Lessor") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval;
2. The Lessee is authorized pursuant to Section 7-51-902 of the Tennessee Code Annotated, as amended, to acquire capitol improvement property by Lease-purchase Agreement and pay interest thereon by contract for a term not to exceed 40 years, or the useful life of the capitol improvement property, whichever is less.
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and
4. It is necessary for the Lessee to approve and authorize the Agreement.
5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Lessee as follows:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and the Mayor (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being executed in calendar year 2008.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 2008, Lessee has designated \$ 604,000 of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement herein so designated, Lessee will not designate more than \$10,000,000 of obligations issued during calendar year 2008 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 2008 will not exceed \$10,000,000.

Section 9. For purposes of this resolution, the amount of Tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, as provided in Section 265(b)(3)(E) of the Code.

Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

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

Following the reading of the foregoing resolution, Alderman Tuck moved that the foregoing resolution be adopted; Alderman Nanney seconded the motion for its adoption. Mayor Randy Brundige put the question to a roll call vote and the result was as follows:

The motion having received the affirmative vote of all members present, the Mayor declared the motion carried and the resolution adopted this the 19th day of August 2008.

ATTEST:

Chris Mathis, CPA City Recorder

SIGNED:

Randy Brundige, Mayor

(S E A L)

Alderman Tuck made the motion to adopt Resolution R2008-14: Resolution authorizing and approving execution of an Equipment Lease-Purchase Agreement with BankcorpSouth Equipment Finance, a Division of BankcorpSouth Bank for the purpose of lease-purchasing certain equipment, seconded by Alderman Nanney.

VOTE:	FOR:	ALDERMEN NANNEY ALDERMAN HARRISON ALDERMAN BELOTE ALDERMAN TUCK ALDERMAN HANKINS ALDERMAN EDWARDS
	AGAINST:	NONE

Mayor Brundige declared Resolution R2008-14 approved.

VANDALIZING DUSTIN LAIRD STATUE

Mayor Brundige explained a statue honoring Dustin Laird and fellow soldiers that have lost their lives in Iraq has been vandalized. The police have apprehended the persons responsible. If Crime Stopper can't come up with the \$500.00 reward offered, I am requesting the city pay this amount. Because if Crime Stoppers can't find the money then the Laird Family will have to.

Alderman Hankins made the motion to pay the reward of \$500.00 that has been offered for information in the apprehension of the persons responsible for the vandalism of the Dustin Laird Statue if Crime Stoppers cannot pay it, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Chief Moore explained when the tips came into the police department Lt. Jason Arant took the information and placed pressure in the right places that resulted in the apprehension of the persons responsible. This appears to be just a couple of young people that have a mixed up way of making a political statement.

ADJOURN

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ATTEST:

SIGNED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

RB: CM/bh
Saved "August 11 & 19, 2008"