

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

**May 12, 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, May 12, 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  
MEMBERS ABSENT: HONORABLE RANDY EDWARDS, ALDERMAN WARD III

Also present: City Recorder Chris Mathis, Fire Chief Russell Schwahn, Police Chief David Moore, Weldon Public Library Director Roberta Peacock, Public Works Director Billy Wagster, Human Resources Director Celeste Taylor, Parks & Recreation Superintendent of Athletics/Maintenance Brian Moore, Mr. Don Jones, Mr. Russell Edwards, Mr. Steve Treadway, Mr. Don Capps, Ms. Pat Capps, Mr. David Sudberry, Mr. Marvin Flatt, Tim, & Leslie Moore, David & Sandy Spencer, Mr. Mike Garner, Dr. Elaine Harriss, Mr. Robert Davis, Mr. Phillip Davis, Weakley County Chamber of Commerce Director Barbara Virgin, other citizens, and members of the Press.

## **CALL TO ORDER AND INVOCATION**

Mayor Brundige called the May 12<sup>th</sup> meeting of the City of Martin Board of Mayor and Aldermen to order and gave the invocation.

## **PLEDGE OF ALLEGIANCE**

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

## **PROCLAMATION**

## **MAYOR RANDY BRUNDIGE**

Mayor Brundige introduced David and Sandy Spencer representing Woodman of the World and presented a proclamation to commemorate the Woodman of the World's 100<sup>th</sup> Anniversary.

A copy of the proclamation follows:

WHEREAS, Woodmen of the World Lodge members share a commitment to family, community and country; and

WHEREAS, Lodge 291 Martin, Tennessee, was chartered on May 22, 1908; and

WHEREAS, an untold number of citizens have benefited from the fraternalism and ideals shown by all members of Martin Lodge 291 through their countless volunteer activities and, in particular, the patriotism shown through their donations of literally hundreds of United States and State flags to the community; and

WHEREAS, the members of Martin Lodge 291 have played a defining role in the betterment of our community as a whole.

NOW, THEREFORE, I, Randy Brundige, Mayor, on behalf of the Board of Mayor and Aldermen and the Citizens of the City of Martin, do hereby present this Proclamation of Appreciation to the members of the

**MARTIN LODGE 291**

on the occasion of its 100<sup>th</sup> birthday and encourage all our citizens to express personal thanks and join them in celebration.

Signed: Randy Brundige, Mayor  
May 12, 2008

Mr. Spencer thanked the board for the proclamation.

**APPROVAL OF MINUTES                      APRIL 07, 2008**

Mayor Brundige introduced and presented for consideration the minutes of the April 07, 2008 meeting.

Alderman Nanney made the motion to approve the minutes of April 07, 2008 meeting as written seconded by Alderman Hankins.

VOTE:                      UNANIMOUS VOICE VOTE OF APPROVAL

**DEPARTMENT HEAD REPORTS:**

**FIRE DEPARTMENT                                      FIRE CHIEF RUSSELL SCHWAHN**

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

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

The Library's monthly reports were included in packets. Director Peacock asked if there were any questions. There were none.

Director Peacock announced the 2008 Summer Reading Program will begin June 2<sup>nd</sup>. This year we have a reading program for all ages from birth to the folks that need large print. We have also started a scholastic book fair scheduled by Friends of the Library to begin on June 4<sup>th</sup>.

**PUBLIC WORKS                                      DIRECTOR BILLY WAGSTER**

Public Works monthly reports were included in the board packets. Director Wagster asked if there were any questions. There were none.

Director Wagster announced the section of S. Lindell that has been closed due to the Downtown Renovation will be opened Wednesday. We will be finishing the renovation in the next few weeks, as we will be working on the south end of S. Lindell Street. During this section of repair the street will remain open to thru traffic.

**WEAKLEY COUNTY CHAMBER OF COMMERCE      BARBARA VIRGIN**

Director Virgin thanked the City of Martin for all the support given on the Chamber of Commerce projects. The Chamber Gold Tournament will start this Thursday and we are expecting a success.

**HUMAN RESOURCES                                      DIRECTOR CELESTE TAYLOR**

Director Taylor was present and asked if anyone had any questions. No questions were asked.

**OLD BUSINESS:**

**FINAL READING AND PUBLIC HEARING OF O2008-01: AN ORDINANCE TO AMEND THE FIRE PROTECTION ORDINANCE OF THE CITY OF MARTIN PER RECOMMENDATION FROM THE PUBLIC SAFETY COMMITTEE**

Mayor Brundige introduced and presented for consideration on the second and final reading Ordinance O2008-01: An ordinance to amend the Fire Protection Ordinance of City of Martin per recommendation from the Public Safety Committee. The final reading of Ordinance O2008-01 was tabled at the last meeting. This is also a public hearing.

Alderman Harrison made the motion to remove from the table and offer for consideration the second and final reading of Ordinance O2008-01: An ordinance to amend the Fire Protection Ordinance of City of Martin, seconded by Alderman Hankins

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige explained the motion to remove from the table has passed. Now we will consider the ordinance in the public hearing

### **PUBLIC HEARING:**

Mayor Brundige opened the public hearing for Ordinance O2008-01: An ordinance to amend the Fire Protection Ordinance of City of Martin per recommendation from the Public Safety Committee and asked if there was anyone present wishing to speak for or against.

Chief Schwahn presented a power-point rural fire presentation, which compared costs from 2001 through 2008, emphasizing rural fire costs.

Chief Schwahn further explained the Martin Fire Department is the only fulltime fire department in Weakley County. We have maintained an ISO of 4 for the city and a rating of 9 in the county. This is very good as these ratings directly reflect your insurance costs. The fire department also answers rural first responder medical calls because we maintain three EMTs and one paramedic. The rural customers do not get anything more or anything less than city residents. The rural fire fee of \$35.00 was increased to \$70.00 in 2001 and we have not had an increase since. The number of structures protected including commercial, industrial, and residential by the department includes City - 3,388 and County – 1,741.

In 2001, diesel fuel was \$1.41 and in 2008 \$3.56 per gallon.

The budget in 2001 was approximately \$710,115.00 with rural fire fee collections being \$71,849.00 and when you subtract the rural fire fees from the budget it cost each City of Martin taxpayer \$190.07 per property to fund the fire department. The 2004 budget was \$765,095.00 with rural fire collections being \$81,593.00 and after you deduct the rural fire fees from the total budget the city taxpayer paid \$203.54 per property. The 2007 budget was \$1,100,000.00 with rural fire fee collections being \$78,981.00 and after you deduct the rural fire fees from the total budget the city taxpayer \$311.37 paid per property.

In 2001 the department received 636 calls and 102 of these were rural calls. In 2004 the department received 861 calls and 96 of these were rural calls. In 2007 the department received 1200 calls and 220 of these were rural calls.

In summary, I am asking the city board to consider increasing the rural fire fees from \$70.00 to \$100.00 and to consider increasing the fees on an annual basis of 3% to 5%. We would like for the wording of the ordinance to allow for the increase annually until such time as a county fire department is funded.

Mr. Don Capps asked why were the rural fire subscription fees less this year than the year before?

Chief Schwahn responded because people found out that even if they did not pay the rural fire subscription the insurance companies would pay for the claim. We have included a clause in the new ordinance stating if we respond to a rural fire call and the fee has not been paid the city will impose a \$2,500.00 charge to the call instead of the usual \$750.00 fee.

Mr. Treadway asked how does grant funding figure into the budget?

Chief Schwahn answered we have purchased over a million dollars of inventory with grants and we received a Fire Safer Grant that will help to pay for the salaries and benefits of six new firemen. When this grant will be expended the city will cover all of costs. These grants are not a part of the budget but are in addition to it. The fire department's budget is fully funded by the City of Martin General Fund.

Mayor Brundige closed the Public Hearing.

Recorder Mathis read Ordinance O200801. A copy was provided to the press and any interested persons. A copy follows:

**ORDINANCE 02008-01**

**AN ORDINANCE TO AMEND THE FIRE  
PROTECTION ORDINANCE OF THE CITY OF MARTIN**

**WHEREAS**, on May 14, 2001, the City of Martin amended a Rural Fire Protection Plan whereby for a fee of \$70.00, and other considerations, the Martin Fire Department would respond to properties outside the city limits; and

**WHEREAS**, said Rural Fire Department Plan has been a large factor in causing a decrease in insurance premiums for property in the protected areas; and

**WHEREAS**, the Martin Fire Department has dedicated two pieces of fire apparatus to the protection of properties in the rural areas; and

**WHEREAS**, expenses related to fire fighting have increased significantly in the last seven years; and

**WHEREAS**, in order to keep the Rural Fire Service self-supporting and not a burden on the taxpayers of the City of Martin.

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF MARTIN, TENNESSEE, THAT:**

**SECTION 1.** Section 7-401 is hereby amended as follows:

- a. By deleting 7-401 (3) (b) in its entirety and substituting instead the following:
  - (b) annual fee of one hundred dollars (\$100.00) has not been paid.

b. By deleting 7-401 (4) in its entirety and substituting instead the following

(4) The Fire Department will answer fire calls for a service charge of seven hundred fifty dollars (\$750.00) per call effective July 01, 2008, for the properties insured for rural fire service by an approved insurance agency. All such coverage will become effective when certification of rural fire service is properly executed by the insurance agency, the owner, and the City of Martin.

c. By deleting 7-401 (5) in its entirety and substituting instead the following.

(5) The Fire Department will answer rural fire service calls to vehicles owned by firms doing business within the corporate limits of Martin under a business tax license or permit issued by the City of Martin. A fee of seven hundred fifty dollars (\$750.00) per call effective July 01, 2008, will be billed to the owner.

g. By deleting 7-401 (6) in its entirety and substituting instead the following.

(6) The City of Martin will make every effort to inform rural fire service recipients through radio and newspapers annually when dues become due. A grace period of two weeks will be allowed before dues become delinquent and property will be dropped from the response list. Those properties that have been on the program less than one year will be given until the next annual due date before the fee will become due again. New participants coming on the program after July 01, 2008, will be charged eight dollars and 33/100 (\$8.33) per month for each month before the next due date.

**SECTION 2:** The Fire Protection Ordinance is amended by deleting Section 7-402 in its entirety and substituting instead the following:

7-402 (1) To be eligible for rural fire protection, a property owner must make an annual non-refundable deposit of one hundred dollars (\$100.00) for each piece of property to be covered. Each deposit will cover one residential or commercial structure and those accessory buildings incidental to the use of the primary structure. The deposit remains with the property and cannot be transferred. After making the required deposit, the Fire Department will notify the owner's insuring agency, after ascertaining the proper agency from the property owner that said property is covered for fire protection under these rules and regulations. If for any reason a property is taken off the response list, the owner and their insuring agent will be notified by certified mail. Mobile home parks containing four (4) or less mobile homes on one lot and one ownership will be considered as individual structures; mobile home parks containing five (5) or more units, under one ownership on one lot will be assessed twenty-five dollars (\$25.00) per unit and subject to all the requirements as stated.

(2) The \$100.00 deposit will be collected at the Martin City Hall; a receipt will be given for same, and these funds will be deposited to the City of Martin General Fund.

(3) Within 48 hours of the time that the fire apparatus returns from a rural call, or the next working day at Martin City Hall, the Fire Department shall submit a Reminder to Bill to the City Recorder's Office. City Hall personnel will prepare and mail a statement of \$750.00 to the property owner, and the balance will be treated as any other accounts receivable of the City of Martin.

(4) Properties not covered under Rural Fire Protection Service.

In the event the Martin Fire Department responds to a structure fire call at a property not covered under the Rural Fire Protection Service (including properties where the owner has failed to renew) a fee of twenty-five hundred dollars (\$2,500.00) instead of the \$750.00 will be charged to the owner of said property. Failure to pay the \$2,500.00 fee may result in all legal measures available to the City of Martin (including the placing of liens against the property) for the collection of said fee and all associated fees incurred in the collection process.

**SECTION 3: BE IT FURTHER RESOLVED** that this Ordinance shall become effective immediately upon its adoption, the public welfare requiring it.

Date of First Reading: \_\_\_\_\_

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

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

ATTEST:

SIGNED:

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

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

Alderman Hankins made the motion to approve the second and final reading of Ordinance O2008-01: An ordinance to amend the Fire Protection Ordinance of City of Martin per recommendation from the Public Safety Committee, seconded by Alderman Harrison.

Mayor Brundige declared Ordinance O2008-01 approved on the second and final reading.

Alderman Belote asked why is the word “deposit” used instead of using the word “fee” in Section 2, “Annual non-refundable deposit.” It sounds like you might get it back. I wonder if we might think about changing the wording.

Chief Schwahn replied this wording was taken from the original ordinance that MTAS wrote.

Alderman Hankins called for the question.

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

**ANY OTHER OLD BUSINESS:**

There was none.

**NEW BUSINESS:**

**REQUEST FROM MR. ROBERT DAVIS ON A PROPOSED EAGLE SCOUT PROJECT AT WELDON PARK**

Mayor Brundige presented a request from Mr. Robert Davis on a proposed Eagle Scout Project at Weldon Park to install two to four grills at a cost from \$200.00 to \$400.00 each. Mr. Davis will raise funds to accomplish this but is requesting the city match funds up to \$600.00. The city will also assist Mr. Davis in the placement of the grills.

Alderman Hankins made the motion to support a request from Mr. Robert Davis on a proposed Eagle Scout Project at Weldon Park, which will be to install two to four grills at a cost from \$200.00 to \$400.00 each by providing matching funds up to \$600.00, seconded by Alderman Belote.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**APPOINTMENT TO ALCOHOLIC BEVERAGE CONTROL BOARD: MR. FREDDIE BRASFIELD TO REPLACE MS. SUEZANE SPEIGHT, TERM TO EXPIRE 12/31/2008**

Mayor Brundige recommended the city appoint Mr. Freddie Brasfield to replace Ms. Suezane Speight to the Alcoholic Beverage Control Board with the term to expire 12/31/2008.

Alderman Harrison made the motion to appoint Mr. Freddie Brasfield to replace Ms. Suezane Speight to the Alcoholic Beverage Control Board with the term to expire 12/31/2008, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**APPOINTMENTS TO FINANCE COMMITTEE: MR. TODD HAMPTON AND MR. TOM SERATT**

Mayor Brundige recommended the appointments of Mr. Tom Hampton and Mr. Tom Seratt to the Finance Committee.

Alderman Hankins made the motion to appoint of Mr. Tom Hampton and Mr. Tom Seratt to the Finance Committee, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL



**CALL FOR ELECTION – NOVEMBER 4, 2008**

Mayor Brundige presented the recommendation to call for the November 4, 2008 City Election. The city will need to elect an alderman from Ward I, Ward II, and Ward III.

Alderman Nanney made the motion for the City of Martin to call for a City Election to elect an alderman from Ward I, Ward II, and Ward III on November 4, 2008, seconded by Alderman Belote.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**ACCEPT BID FROM RIVER CITY HYDRAULICS, INC. OF \$4,134.16 PER MONTH FOR TWENTY-FOUR MONTHS FOR OPERATING LEASES OF TWO PUBLIC WORKS BOOM TRUCKS. THIS IS A RECOMMENDATION FROM THE PUBLIC WORKS COMMITTEE.**

Mayor Brundige introduced a bid from River City Hydraulics, Inc. of \$4,134.16 per month for twenty-four months for operating leases of two Public Works boom trucks. This is a recommendation from the Public Works Committee.

Alderman Nanney made the motion to accept a bid from River City Hydraulics, Inc. of \$4,134.16 per month for twenty-four months for operating leases of two Public Works boom trucks, seconded by Alderman Tuck.

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

Mayor Brundige declared the motion approved.

**ACCEPT LOW BID OF \$102.00 PER TON FROM FORD CONSTRUCTION FOR DOWNTOWN PAVING**

Mayor Brundige presented the low bid of \$102.00 per ton from Ford Construction for Downtown Paving.

Alderman Hankins made the motion to accept the low bid of \$102.00 per ton from Ford Construction for Downtown Paving, seconded by Alderman Nanney.

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

Mayor Brundige declared the motion approved.

**INTRODUCTION, PRESENTATION, AND CONSIDERATION OF THE FIRST READING OF ORDINANCE O2008-02: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING A TRACT OF LAND LOCATED AT 235 UNIVERSITY STREET FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO R-4 (RESIDENTIAL-PROFESSIONAL)**

Mayor Brundige introduced and presented for consideration Ordinance O2008-02: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning a tract of land located at 235 University Street from R-2 (Medium Density Residential) to R-4 (Residential-Professional). This is a recommendation from the Planning Commission.

Recorder Mathis read Ordinance O2008-02. The news media and any interested citizens were provided copies. A copy follows:

**ORDINANCE O2008-02**

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING A TRACT OF LAND LOCATED AT 235 UNIVERSITY STREET FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO R-4 (RESIDENTIAL-PROFESSIONAL).**

**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-2 (Medium Density Residential) to R-4 (Residential-Professional) 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-2 (Medium Density Residential) to R-4 (Residential-Professional) the following tract of land located at 235 University Street and further described as:

Weakley County Tax Map 73L, Group G, Parcel 02600.

**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.**

\_\_\_\_\_  
Date Passed First Reading

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

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

ATTESTED:

APPROVED:

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

\_\_\_\_\_  
Randy Brundige

Alderman Tuck explained we have had negative responses concerning this ordinance and I think we need to discuss this further.

Alderman Tuck made the motion to table Ordinance O2008-02: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning a tract of land located at 235 University Street from R-2 (Medium Density Residential) to R-4 (Residential-Professional), seconded by Alderman Harrison.

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

Mayor Brundige declared the motion approved.

**INTRODUCTION, PRESENTATION, AND CONSIDERATION ON THE FIRST READING OF ORDINANCE O2008-03: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING A TRACT OF LAND LOCATED AT DUSTIN LAIRD DRIVE FROM B-2 (INTERMEDIATE BUSINESS) TO R-3 (HIGH DENSITY RESIDENTIAL)**

Mayor Brundige introduced and presented for consideration Ordinance O2008-03: An ordinance to amend the Municipal Zoning Ordinance and map for Martin, Tennessee, by rezoning a tract of land located at Dustin Laird Drive from B-2 (Intermediate Business) to R-3 (High Density Residential). This is a recommendation from the Planning Commission.

Recorder Mathis read Ordinance O2008-03. The news media and any interested citizens were provided copies. A copy follows:

**ORDINANCE O2008-03**

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING A TRACT OF LAND LOCATED AT DUSTIN LAIRD DRIVE FROM B-2 (INTERMEDIATE BUSINESS) TO R-3 (HIGH DENSITY RESIDENTIAL).**

**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 B-2 (Intermediate Business) to R-3 (High Density Residential) 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 B-2 (Intermediate Business) to R-3 (High Density Residential) the following tract of land located at Dustin Laird Drive and further described as:

Weakley County Tax Map 73, Parcel 06209.

**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.**

\_\_\_\_\_  
Date Passed First Reading

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

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

ATTESTED:

APPROVED:

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

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

Alderman Hankins made the motion to approve the first reading of Ordinance O2008-03: An ordinance to amend the Municipal Zoning Ordinance and map for Martin, Tennessee, by rezoning a tract of land located at Dustin Laird Drive from B-2 (Intermediate Business) to R-3 (High Density Residential), seconded by Alderman Harrison.

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

Mayor Brundige declared the motion approved on the first reading and set the second and final reading for June 9, 2008 at 5:15 pm in the City Hall Chambers.

**INTRODUCTION, PRESENTATION, AND CONSIDERATION OF THE FIRST READING OF ORDINANCE O2008-04: AN ORDINANCE AMENDING SECTION 2-209 OF THE BEER ORDINANCE OF THE CITY OF MARTIN TO CREATE A CLASS OF BEER PERMITS WHICH CAN BE GRANTED TO CATERERS**

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2008-04: An ordinance amending section 2-209 of the beer ordinance of the City of Martin to create a class of beer permits which can be granted to caterers.

Recorder Mathis read Ordinance O2008-04. The news media and any interested citizens were provided copies. A copy follows:

**ORDINANCE 02008-04**

**AN ORDINANCE AMENDING SECTION 2-209 OF THE BEER ORDINANCE OF THE CITY OF MARTIN TO CREATE A CLASS OF BEER PERMITS WHICH CAN BE GRANTED TO CATERERS**

**WHEREAS**, the City of Martin Board of Mayor and Aldermen is aware that numerous parties and events take place in Martin at which alcoholic beverages, including beer, are sold and served to guests. The City of Martin Board of Mayor and Aldermen does not wish to restrict such activities, but believes there is a need for some regulation concerning the selling and serving of beer at such events; and

**WHEREAS**, the current Beer Ordinance of the City of Martin contains no provision for granting beer permits to caterers providing food and drink service for such events.

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

**Section 1.** The following provision is to be inserted into the City of Martin Beer Ordinance as new Section 2-209(4):

**Section 2-209(4). Class D-On Premises Permit**

To qualify for a Class D-On Premises Permit, the applicant must be a caterer meeting the following definition: "Caterer" means a business engaged in offering food and beverage service for a fee at various locations, and which:

- A. Operates a permanent catering hall on an exclusive basis;
- B. Has a complete and adequate commercial kitchen facility; and
- C. Is licensed as a caterer by the Tennessee Department of Health.

The restriction contained in Section 2-206(C)(2), which limits a beer permit to one location, shall not apply to Class D-On Premise Permits. The applicant shall give notice to the Board of locations at which catering services shall be rendered under the permit. Such locations shall be considered to be within the licensed premises for purposes of this Ordinance.

**Section 2.** This Ordinance shall take effect immediately upon its passage on the second and final reading, **THE PUBLIC WELFARE REQUIRING IT.**

Date of First Reading \_\_\_\_\_

Date of Second Reading \_\_\_\_\_

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

ATTESTED:

APPROVED:

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

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

Alderman Harrison made the motion to approve the first reading of Ordinance O2008-04: An ordinance amending section 2-209 of the beer ordinance of the City of Martin to create a class of beer permits which can be granted to caterers, seconded by Alderman Tuck.

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

Mayor declared the motion approved on the first reading and set the second and final reading for June 9, 2008 at 5:15 pm in the City Hall Chambers.

**ACCEPT LOW BID OF \$12,850.00 FROM RAM JACK OF TENNESSEE FOR BASEMENT REPAIRS AT WELDON LIBRARY WITH THE STIPULATION OF BEING SUPPLIED A WRITTEN FIVE-YEAR WARRANTY**

Mayor Brundige recommended the city accept a bid of \$12,850.00 from Ram Jack of Tennessee for basement repairs at Weldon Library with the stipulation of being supplied a written five-year warranty. After packets and agenda were delivered, Mayor Brundige informed the Board that he had received a written five-year warranty that will be attached to the contract. A copy is attached to minutes.

Alderman Belote made the motion to accept a bid of \$12,850.00 with a five-year written warranty from Ram Jack of Tennessee for basement repairs at Weldon Library, seconded by Alderman Harrison.

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

Mayor Brundige declared the motion approved.

**REQUEST FROM MR. DENNIS SUITER, DIRECTOR OF PARKS AND RECREATION, TO ACCEPT NOTICE OF RETIREMENT**

Mayor Brundige presented the following request to accept notice of retirement from Mr. Dennis Suiter, Director of Parks and Recreation. A copy follows:

To: Mayor Brundige  
From: Dennis L. Suiter  
Re: Retirement  
Date: April 30, 2008

I hereby submit my notice for retirement effective June 30, 2008. However, this will leave the Cal Ripken World Series open ended as well as the Salute to America Plaza grant project. This project must be completed by October 14, 2008 to avoid losing state funds.

Therefore, I request to enter into a contract to continue for a limited time as a consultant. This would be in line with a conversation we had regarding the limitations placed by the Tennessee Consolidated Retirement System. This contract would need to be in place until at least the end of October or 2 weeks after completion of the grant project, whichever comes first.

I would like to discuss the terms as soon as possible so I can plan accordingly.

Respectfully,  
Dennis L. Suiter

Alderman Hankins made the motion to accept notice for retirement effective June 30, 2008 from Mr. Dennis Suiter, Director of Parks and Recreation, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**PROPOSAL FOR EMPLOYMENT BEYOND RETIREMENT DATE OF JUNE 30, 2008, FROM DIRECTOR OF PARKS AND RECREATION DENNIS SUITER**

Mayor Brundige presented the following proposal for Employment beyond Retirement Date: June 30, 2008 from Director of Parks and Recreation Dennis L. Suiter:

In order to allow for completion of such projects as the Cal Ripken World Series, the Salute to America Plaza, and some landscaping issues, I propose the following:

1. July- August - Paid for 20 hrs./week at hourly rate based on current salary divided by 2,080 hours. It is understood I will definitely average more than 20 hrs./week but those above average will not be paid by the city.



2. September - October- Paid for 40 hrs./week at same hourly rate as above.
3. All administration resources will remain status quo in order to fulfill the requirements of these projects. This is to include but not limited to: Assignment of employees, office supplies and equipment, vehicle, cell phone, etc.
4. An intern, Sarah Wilson, who begins June 1<sup>st</sup> will be assigned to the operations and needs for the World Series. However, she will also be involved with any/all other Parks and Recreation programming as needed.

I believe the extension of my role, as the department head, even on a more limited hourly rate, will allow for the uninterrupted completion of these extremely important projects for the City of Martin

The Board read the above proposal and Mayor Brundige explained he had only received the proposal this afternoon.

Alderman Harrison stated I would rather not vote on this proposal tonight, as we have had no time to consider it. I don't like something given to me and then expect me to vote on it without more information or clarity.

Mayor Brundige stated, "I know that, but I told him I would present it to the Board."

Alderman Harrison stated, "Present it."

Alderman Tuck asked, "Are you asking for this or are you asking for the retirement?"

Mayor Brundige stated, "The first was to accept his retirement and this is the proposal."

Alderman Harrison asked, "This is something different, right on. Okay."

Mayor Brundige stated that is correct.

Alderman Hankins stated, "You have an intern, Sara Wilson. How much does that cost?"

Mayor Brundige stated, "It will cost. Some of the work will be free and some of it will be at minimum wage. They have to do this type of service to get their degree. Most of the time they are seniors."

Alderman Hankins asked, "Is she a very qualified person?"

Alderman Tuck stated, "She is just learning."

Mayor Brundige stated, "Most of them are not qualified they are just seniors trying to get some experience in their field. You have had interns before."

Alderman Hankins, "Yes, but we call them trainees."

Alderman Harrison stated, "I am not going to go with this one."

Alderman Tuck asked, "Do we have another meeting before June 30?"

Mayor Brundige stated, "We can."

Alderman Belote stated, "The retirement is in place, is that correct?"

Mayor Brundige stated, "Yes."

Alderman Belote stated, "Our issue is the immediate. What needs to be done immediately is to get this World Series off the ground and moving. I would propose that we consider the needs of the World Series and the efforts that have been put forth currently and we work toward allowing Dennis to finish that project, since it has been started. We would honor the retirement needs with the twenty hours a week and get this World Series done and underway and reconsider or talk about the Plaza at another time. There is an immediate need to get this World Series going. We have been stalled and it has got to progress. And we have the people in place to get that done and I believe if that were the case, Dennis will work as Director until June 30<sup>th</sup>, correct?"

Mayor Brundige answered, "Correct."

Alderman Belote stated, "And then, would become a coordinator to some degree to finish the term."

Mayor Brundige answered, "Correct."

Alderman Belote made the motion Mr. Suiter will be Director of Parks and Recreation until June 30, 2008. At the time of retirement, he be allowed to serve as a coordinator within the rules of TCRS that allow 20 hours a week, which will be devoted toward the World Series until its completion. The Mayor and Chris would mediate interaction of staff and monies. A cell phone, computer, office space, and vehicle use will be provided under the proper guidelines of the city, seconded by Alderman Nanney

Alderman Nanney stated then we would come back and address the Salute to America.

Alderman Harrison stated, "I am against this as it has been given to us in its entirety and I will vote for it likewise. So I will call for question if there has been a motion and a second."

Mayor Brundige stated, "Bill, wait a minute, we don't want the question, there are some more questions."

Alderman Hankins asked, "What we are doing right now, we are proposing to let Dennis to do the World Series. Is that what we are voting on? Are we voting on the entirety of this thing right here?"

Mayor Brundige stated, "What David proposed."

Alderman Tuck asked, "What are the stipulations of his working the World Series because that will be after June 30<sup>th</sup>. Now, what are we talking about, twenty hours per week."

Mayor Brundige stated, "Twenty hours a week."

Alderman Tuck asked, "Is he still going to be in charge of everything?"

Mayor Brundige stated, "Employees will be coordinated."

Alderman Tuck stated, "What I am saying is, you know we have some discrepancy in some things in this, what I am saying is, are we going to have somebody that is in charge of Dennis as far as him coming in here and saying I want to do this or I want to spend this or I want to do. Is somebody going to be in charge of this or is he still have..."

Alderman Belote stated, "I would recommend that the Mayor be the liaison between the Parks and Rec staff and Dennis in regard to the needs of the World Series."

Alderman Tuck asked, "With everything coming thru Chris and approval by Chris."

Mayor Brundige explained, "By June or July we may have an interim. You know, you may want somebody, maybe them to direct."

Alderman Harrison stated, "That is alright. Someone is going to have to, really and truly some of the aldermen need to be over seeing some of this stuff themselves. When your report shows and will substantiate this very strongly and he, we have already accepted his resignation and now you are to go with something similar and try to present this. I don't see how you can do it. I really don't. But if, there is no sense in discussing this as far as I am concerned. I still will stand on the call for question and let each one vote his own conviction."

Mayor Brundige spoke, "Don't call for question."

Alderman Tuck stated, "Let's call for discussion. I have no problem with it if somebody else is going to be in charge of Dennis having to come to them before he can do a lot of things. I mean I just don't think he should be turned loose again."

Alderman Harrison stated, "What I am saying is, if you like this, then be for it, but I just don't think it has been discussed enough and it should, we should have some stops here and there and what we can do and can't do and when we are going to do it and so on and so forth. We have got some, these are big things that will be confronting us. Also, there is going to be a lot of time and effort and money that goes through something, somebody's hand, and Chris evidently, you just can't just take on something else. It is putting too much on."

Mayor Brundige stated, "All the money, whoever is running it, will have to go through Chris."

Alderman Tuck stated, "That is what, if it all goes through Chris and he approves it, I have no problem. But I do have a problem with spending money and not going through Chris."

Mayor Brundige stated, "It will have to go through me and Chris."

Alderman Tuck stated, "Yes, I will agree with that."

Alderman Hankins stated, "That is fair enough."

Alderman Tuck asked, "But we are not voting on the fact of the July and August?"

Mayor Brundige stated, "In David's motion, no."

Alderman Tuck stated, "Okay."

Alderman Nanney stated, "We are just voting to the end of the World Series."

Alderman Belote stated, "That would be the proposal."

Alderman Tuck spoke, "And in that proposal, it should definitely state that Chris and the Mayor would have to be aware of all the spending."

Alderman Belote stated, "I think they need to be aware of coordination of spending and staff, all staff and spending should go through Chris and the Mayor."

Mayor Brundige stated, "And all events lined up."

Alderman Harrison spoke, "I am interested and concerned about the monetary standpoint. You know that is going to be a lot of cokes and hamburgers eaten and drank out there and so I just want to make sure we get a fair shake out of this."

Mayor Brundige stated, "We have somebody over that end, the cokes and hamburgers. We have our own supervisor out over that area. Who is that?"

Alderman Harrison stated, "I don't know but consequently I can't, I can't support it."

Recorder Mathis stated, "Brad Borneman."

Mayor Brundige stated, "Brad Borneman oversees all of the concessions."

Alderman Harrison stated, "That's okay, go ahead, do it,"

Alderman Tuck stated, "Word that so that it definitely just takes the World Series and that is all."

Alderman Harrison stated, "That is the problem, no one is checking stuff."

Alderman Hankins stated, "Let's hear the motion put together and lets see what it says then we will see if we need to add or take away from."

Alderman Belote stated, "The motion will allow Dennis to finish out till June 30<sup>th</sup>, is that correct?"

Alderman Hankins stated, "Yes."

Alderman Belote stated, "As Director, with his primary emphasis being on the World Series and at that time of retirement, and I am assuming a waiver has to be approved."

Mayor Brundige answered, "Yes."

Alderman Belote further stated, "If the waiver is approved for TCRS to allow him the half-time status, and that twenty hours a week be devoted to the World Series and he be given the title of coordinator or some such title and at that time all transactions for the World Series would first need to be approved by the Mayor and Chris whatever they maybe, staffing, expenses, or whatever they may be. And I do think we need to be able to, he is going to need office equipment as he has requested here, the laptop, supplies, use of the four-plex as an office, I think that is reasonable. There is a vehicle available at this time anyway for the director."

Mayor Brundige stated, "It won't be true after then."

Alderman Belote stated, "We will need to reevaluate that at the conclusion. Maybe that one should not be in there at this particular time. And what is the, does the city have an arrangement with the directors on cell phones?"

Mayor Brundige stated, "Yes."

Alderman Belote stated, "That is a moot point there that probably does not need to be in there. I am assuming that Dennis could keep that cell phone until the World Series is over with and that is not an issue. I don't know if you got all of that."

Alderman Hankins asked, "Brenda, have you got all of that?"

Recorder Mathis asked, "May I speak? Dennis was in our office late this afternoon, and he indicated to me as far as vehicle usage, he would pick it up at Parks and Rec and then drive his own vehicle back and forth and just use the city vehicle once the work day started for any Cal Ripken functions."

Alderman Belote stated, "That would be fine."

Alderman Hankins stated, "That is reasonable enough. That is very reasonable."

Alderman Harrison stated, "I don't see how you could do this. I really don't. I don't see how you can sit here and do something like this after what."

Alderman Hankins stated, "He started this Cal Ripken thing and has been involved in it since day one and you know, and would you read this motion that has been presented to me and see what we have left out of it or add to it? I didn't mean to put you on the spot. I really didn't."

Secretary Harvey responded the proposal to be considered will allow Dennis to work as Director until June 30<sup>th</sup> and upon his retirement, if TCRS allows him to work as coordinator, the city will allow him to work twenty hours per week with all of his time being allotted to the World Series Project, all transaction between staff and money will be approved by Chris and the Mayor, he will be allowed to keep the city cell phone, and if a vehicle usage is provided he will pick it up at the Parks and Recreation office using only for World Series' functions.

Alderman Belote stated, "In Dennis' letter that we received, was it yesterday?"

Mayor Brundige stated, "Yes."

Alderman Belote stated, "He says I am willing to make my retirement effective May 31 in order that to expedite the process of getting an interim, expedite the process of finding a new director. Now, we can do those things anyway but this gets that sixty days earlier and then it might allow for more staff to focus on those things and get this done a month earlier. We just voted to accept his retirement June 30 and now he has made a request to be able to retire May 31<sup>st</sup> if it is in the best interest of the city."

Mayor Brundige stated, "Yes. It is really hard to do any of this without him being present tonight."

Alderman Belote stated, "And the other side of the coin is if we were not to accept this proposal as it is tonight or it has been amended, we can't sit another month with this. We have got to have movement on this World Series and it has got to have a director and somebody to get it going whoever that might be."

Mayor Brundige stated, "Right."

Alderman Harrison stated, "You know the city is not going to stop, you know spending whether we resign or whether he resigns or whatever. I think we have got or should have someone qualified well enough to consider carrying on this work for a month or two. I just can't see your thinking on it. Okay?"

Alderman Belote stated, "We do not have to adjourn this meeting either."

Mayor Brundige stated, "No, we can come back this week and have a special meeting, I can recess this meeting and come back one day this week and discuss this matter, this retirement matter and have him present. And that would be the only thing to be discussed at the meeting. Would you all be willing to do that?"

Alderman Harrison stated, "I will be willing to go along with anything just about, but I am totally against this right here, Mayor. I don't like this in any way or fashion."

Mayor Brundige stated, "He may not want to accept this proposal."

Alderman Hankins stated, "I think that would be better to postpone it and have it sometime this week. We will have Dennis in here and see if this proposal can be together and get it resolved. The man has retired and I think that is great, okay. I think that is great, okay. Then if we can work this thing out with him, let's see if we can do it."

Alderman Harrison stated, "There is no doubt that we need to have a meeting cause..."

Alderman Hankins stated, "We have changed this proposal and he is not here to say, well, he may not want to do that. I don't know, but I want somebody on the ground as quick as we can get them to take care of this World Series."

Alderman Harrison stated, "There are a lot of things facing us that we have not addressed and we need to. It is not me, it is what you know, the information that has been furnished to you."

Alderman Hankins stated, "I am like the rest of you, there is an urgency to this thing and what day are you thinking, Thursday?"

Alderman Belote stated, "We are trying to figure it out."

Alderman Tuck asked, "What would be wrong with that? Can she put that in there, and us appoint another Parks and Recreation Director and just put Dennis in charge of the World Series."

Alderman Belote stated, "That is what we are trying to do."

Alderman Tuck stated, "No, we haven't mentioned another Director. In other words, his job will not be as of now, if we do this his job will not be Public Works, I mean Parks and Recreation Director."

Mayor Brundige stated, "As of June 30<sup>th</sup>."

Alderman Tuck stated, "As of June 30<sup>th</sup>. And he will have someone else over him during the or that is working with him, well it would be Parks and Recreation Director as an interim."

Alderman Belote stated, "Yes, as an interim."

Alderman Tuck stated, "Here the next thing is. Do we want to go ahead and accept his resignation as of the 30<sup>th</sup> of June or do we want to as of the 30<sup>th</sup> of May?"

Alderman Belote stated, "We have already accepted it."

Alderman Hankins stated, "We have already accepted it."

Mayor Brundige stated, "We could amend it."

Alderman Belote stated, "That could be amended."

Mayor Brundige stated, "Johnny, you are out of town Friday. And, David, you are shot all week."

Alderman Belote stated, "It will have to be after five tomorrow."

Alderman Hankins stated, "I would prefer after five, if you could make it."

Alderman Tuck stated, "Tomorrow is good."

After discussion Mayor Brundige suggested we recess the meeting and resume it on May 13<sup>th</sup> at 4:30 pm.

The Board agreed.

Alderman Belote made motion to table the motion for the proposal to allow Director Suiter to be employed as coordinator of the Cal Ripken World Series, seconded by Alderman Tuck.

VOICE VOTE:           YES: ALDERMEN, NANNEY, BELOTE, TUCK, AND HANKINS.  
                          NO: ALDERMAN HARRISON

Mayor Brundige declared the motion approved and announced when tonight's business is completed I will recess the meeting until tomorrow, May 13<sup>th</sup> at 4:30 PM.

**INTRODUCTION AND APPROVAL OF RESOLUTION R2008-09: A RESOLUTION AUTHORIZING THE MAYOR OF MARTIN, TENNESSEE, TO NEGOTIATE AND ENTER INTO A PURCHASE AGREEMENT ON BEHALF OF THE CITY OF MARTIN WITH FIRST STATE PROPERTIES, INC. FOR THE CITY'S PURCHASE OF FIRST STATE PROPERTIES, INC.'S PROPERTY LOCATED AT 109 UNIVERSITY STREET FOR A SUM NOT TO EXCEED \$1,500,000.**

Mayor Brundige introduced for consideration Resolution R2008-09: A resolution authorizing the Mayor of Martin, Tennessee, to negotiate and enter into a purchase agreement on behalf of the City of Martin with First State Properties, Inc. for the City's purchase of First State Properties, Inc.'s property located at 109 University Street for a sum not to exceed \$1,500,000.

Mayor Brundige read Resolution R2008-09. A copy was provided for any interested persons and all members of the press. A copy follows:

**RESOLUTION R2008-09**

**A RESOLUTION AUTHORIZING THE MAYOR OF MARTIN, TENNESSEE, TO NEGOTIATE AND ENTER INTO A PURCHASE AGREEMENT ON BEHALF OF THE CITY OF MARTIN WITH FIRST STATE PROPERTIES, INC. FOR THE CITY'S PURCHASE OF FIRST STATE PROPERTIES, INC.'S PROPERTY LOCATED AT 109 UNIVERSITY STREET FOR A SUM NOT TO EXCEED \$1,500,000.**

**WHEREAS,** the Board of Mayor and Aldermen of the City of Martin fully supports the promotion of economic development and growth within the City of Martin; and

**WHEREAS,** the Board of Mayor and Aldermen of the City of Martin sees the need for larger and improved facilities to house administrative operations for the City; and





Mayor Brundige introduced for approval Resolution R2008-10: A resolution authorizing the Mayor of Martin, Tennessee, to negotiate and enter into a 22-month lease agreement on behalf of the City with First State Properties, Inc. to lease the property located at 109 University Street to First State Properties, Inc. following purchase of the property by the City of Martin.

Recorder Mathis read Resolution R2008-10. . A copy was provided for any interested persons and all members of the press. A copy follows:

**RESOLUTION R2008-10**

**A RESOLUTION AUTHORIZING THE MAYOR OF MARTIN, TENNESSEE, TO NEGOTIATE AND ENTER INTO A 22-MONTH LEASE AGREEMENT ON BEHALF OF THE CITY WITH FIRST STATE PROPERTIES, INC. TO LEASE THE PROPERTY LOCATED AT 109 UNIVERSITY STREET TO FIRST STATE PROPERTIES, INC. FOLLOWING PURCHASE OF THE PROPERTY BY THE CITY OF MARTIN**

**WHEREAS,** the Board of Mayor and Aldermen (the “Board”) of the City of Martin has recently resolved to purchase the property owned by First State Properties, Inc. and currently housing First State Bank at 109 University Street; and

**WHEREAS,** First State Properties, Inc. does not plan to vacate that property until such time as its new facility is completed, which is estimated to be 22 months; and

**WHEREAS,** the Board feels it would in the best interest of the City of Martin to lease said property back to First State Properties, Inc. until such time First State Bank has moved to its new location; and

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

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

The Mayor of Martin, Tennessee, is authorized to negotiate and enter into a 22-month lease agreement on behalf of the City with First State Properties, Inc. to lease the property located at 109 University Street to First State Properties, Inc.

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

Motion made by Alderman \_\_\_\_\_ that the forgoing Resolution be approved, seconded by Alderman \_\_\_\_\_. Upon being put to a roll call vote May 12, 2008, the motion passed.

ATTEST

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

APPROVED:

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

Alderman Belote made the motion to approve Resolution R2008-10: A resolution authorizing the Mayor of Martin, Tennessee, to negotiate and enter into a 22-month lease agreement on behalf of the City with First State Properties, Inc. to lease the property located at 109 University Street to First State Properties, Inc. following purchase of the property by the City of Martin, seconded by Alderman Harrison.

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

Mayor Brundige declared the Resolution R2008-10 approved.

### **CITY OF MARTIN INVESTIGATIVE AUDIT FROM THE STATE OF TENNESSEE COMPTROLLER OF THE TREASURY DEPARTMENT OF AUDIT DIVISION OF MUNICIPAL REPORT**

Mayor Brundige introduced and presented in detail an investigative audit letter of selected records of the City of Martin-Parks and Recreation Department from the State of Tennessee Comptroller of the Treasury Department of Audit Division of Municipal Reports. This letter focused on the period July 01, 2006 through December 31, 2007. A copy of the letter is attached to the minutes.

Recorder Mathis stated I would like to respond to an item mentioned as lack of a central purchasing policy. I went back all the way to City Recorder Elizabeth Weatherford and on through all the City Recorders and all the boards and I have yet to find a written purchasing policy. I am in the process of researching and working on writing a purchasing policy. This problem goes back further than this administration or this Recorder. I concur that we do need one we need something in writing and we need to strengthen our internal controls, particularly credit cards. One of the controls I want to start is to have one First State Credit Card per department. The audit states we had 42 cards, but less than half of these left the office and the balance stayed in my desk, so that is somewhat misleading. The companies sent the cards to the city and I kept them, so that is somewhat misleading. We depend on our department heads to oversee their department and if we strengthen the controls it will help the department heads do their job more effectively.

Mayor Brundige added the city would address all items mentioned and correct them. This is a letter not a report. Therefore we do not have to answer to the State. These are just recommendations and we will address all of these.

## **COMPLAINT ON OXFORD STREET PROPERTY**

Mr. Bob Peeler asked to speak to the board and explained there is a property at 209 Oxford Street that needs to be cleaned up and repaired. I am asking for help from the city to resolve this matter. The front porch is a disaster, the yard is grown up, gutters are propped up with a ladder and boards, we see animals running out of the garage and there are preschool children that live on either side. If you have an ordinance please enforce it.

Mayor Brundige stated we will try to do something.

## **JUNE BOARD MEETING**

Mayor Brundige announced the following May meeting dates:

Informal Board Meeting June 3<sup>rd</sup>

Formal Board Meeting June 9<sup>th</sup>

## **RECESSED MEETING**

Alderman Nanney made the motion to recess the meeting until 4:30 pm May 13, 2008, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL.

## **RECESSED MEETING**

**MAY 13, 2008      4:30 PM      CITY HALL CHAMBERS**

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

Others Present: Recorder Chris Mathis, Director of Parks and Recreation Dennis Suiter, Director of Human Resources Celeste Taylor, Mr. David Hawks, and Mr. Mike Garner.

## **DISCUSSION OF HIRING DIRECTOR OF PARKS AND RECREATION DENNIS SUITER AS A COORDINATOR FOR THE CAL RIPKEN WORLD SERIES**

Mayor Brundige reconvened the May 12<sup>th</sup> meeting on Tuesday, May 13, 2008, at 4:30 pm in the City Hall Chambers. This meeting will be for the discussion and resolution of a proposal from Dennis Suiter, Director of Parks and Recreation to be allowed to continue as a coordinator for the Cal Ripken World Series. The Board has accepted his retirement effective June 30, 2008.

Alderman Belote explained the motion on the floor is Mr. Suiter will be Director of Parks and Recreation until June 30, 2008 and at the time of retirement he be allowed to serve as a coordinator within the rules of TCRS that allow 20 hours a week which will be devoted toward the World Series until its completion. The Mayor and Chris would mediate interaction of staff and funding. A cell phone, computer, office space, and vehicle use will be provided under the proper guidelines of the city. This is basically the motion that was tabled.

Alderman Belote made the motion to bring the tabled motion off the table and before the board for consideration and discussion, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige stated we have the motion on the floor. The motion was made by Alderman Belote and seconded by Alderman Nanney. At this time I will open the floor for discussion.

Director Suiter stated, "At the department head meeting this morning, after that meeting we were discussing several different items and this came up. Chief Moore mentioned that when I talked about that I had made a concession to work, to get paid twenty hours a week, but go ahead and put in as many hours as was needed. He said, I am not sure that is legal. So that did set off a little light and I called TCRS and asked really and truly two or three different questions and trying to see if there were any other options. I went to the contract issue again and in order to do a contract, you would have to have a formal contract, you would have to submit it to them and it would have to be reviewed by their attorneys to meet certain criteria, and he said you really don't want to try to go in that direction. Now, I went back to being paid twenty hours a week and I brought up the same scenario that I would work whatever it took and he said nope, don't do that. He said that will come under the slave labor law. You can't work, if you are hired for twenty you will work twenty. So I think that will pretty much bring us back to square one. And, while I am up here talking and discussing, I have talked to TCRS about a half dozen times and I have talked to Charles Vowell and I have talked to several other people and unless you all have something you can come up with the only, the only outlet that I see is this, of course this all goes back to the dilemma that put me in this of the June 30<sup>th</sup> date and unless you can see some way to extend that June 30<sup>th</sup> to August 31<sup>st</sup> I don't see it happening. That is the only thing that I can see or resolve that will put us back on board, put me back on board to be able to conclude this World Series for you."

Mayor Brundige asked, "Is there anything else?"

Director Suiter stated, "Not from me right now."

Mayor Brundige asked, "Is there any discussion from the board?"

Alderman Harrison stated, "Yes, ah, ah, I was thinking it should be in the journal, by now, that we voted to accept his resignation as of, was it May 30<sup>th</sup>?"

Mayor Brundige stated, "His retirement."

Alderman Harrison stated, "I mean his retirement on May 30<sup>th</sup>?"

Mayor Brundige stated, "June 30<sup>th</sup>?"

Alderman Harrison stated, "Okay, I don't have my notes and I don't bring, okay, so that motion was made and seconded and duly voted on and is that not true?"

Mayor Brundige replied, "Correct."

Alderman Harrison stated, "And then we are going to, this was presented to us sometimes late before we could get a chance to look at, is this not true?"

Mayor Brundige replied, "Yes."

Alderman Harrison stated, "Is this what we are voting on now?"

Mayor Brundige replied, "Yes."

Alderman Harrison stated, "Okay. Are we on the same page?"

Mayor Brundige replied, "Yes, that is what the motion is on the floor."

Alderman Harrison asked, "Right now?"

Mayor Brundige replied, "Right now. So we are calling for discussion on that motion."

Alderman Harrison stated, "Okay."

Alderman Belote stated, "My thoughts on this, you know, Dennis, we are trying real hard to resolve this. And, the either or part of this I don't necessarily agree with and it is all dependent on what you want to do. But, right now we are bound to the twenty hours after June 30<sup>th</sup> and to close the door and you can close that door. But there are other ways to skin this cat and whether you have somebody that works side by side with you that can pick up and you groom them, you mentor them and when those twenty hours is up that day let somebody else that is in your hip pocket to get the other things done. I mean there are ways that I don't think we are looking at to get this done, if you want to get them done. The way the conditions are right now after June 30<sup>th</sup> we got twenty hours a week and part of rationale for pulling out the Plaza piece of this was that as we move closer to that Plaza that too is going to take up a lot of your time. So, we have removed the burden of the Plaza. Can you still get it done with twenty hours a week? To get the World Series done, which is the pressing, issue or can we have somebody that works with you that can pick up the pieces to be able to get this done? I don't see any other options other than the twenty hours a week after June 30<sup>th</sup>. If there is please somebody please help me here? If we are at an either or it becomes your decision."

Director Suiter stated, "You don't think there is any way of extending that to August 31<sup>st</sup>?"

Alderman Belote stated, "I don't know that we, I think we would have to research the legalities of that because we have already passed that. We would have to reissue or..."

Director Suiter asked, "Did this not cross anybody mind, the adverse effect this would have on me? Apparently not."

Alderman Tuck stated, "I don't think anybody even thought about you at the time we voted this for June 30<sup>th</sup>. We were trying to get it off the records and that was what we were trying to do. You just happen to shoot into June 30<sup>th</sup>. But, no, we were trying to get it off the books and change that policy back where it should have been to start with."

Director Suiter asked, "So, you are putting the burden on my shoulders to say whether or not I want to do the twenty hours?"

Alderman Belote stated, "Unless somebody can say something about another option then I don't know what else we can do. Cause if we, we are bound by the rules of the TCRS, is that correct?"

Director Suiter stated, "Well, if it is going."

Alderman Belote stated, "Now, wait a minute now. You have presented something that the Board can deal with. Does the Board want to go back and rescind this and make it effective August 31<sup>st</sup>? That would be a Board decision."

Mayor Brundige stated yes, and allowed David Hawks to speak.

Mr. Hawks spoke, "Dennis did not ask me to come up here. This is all on my own. I have been working with Dennis on this World Series and he called me yesterday morning at 4:00 o'clock. We were supposed to go to Memphis and pick up Mr. Faraday and he said I am sick, can you go on your own. I have been sick all night long. I said fine I will go. Then at 5:00 o'clock he called me back. He said I have got to go it isn't right for you to go. It is my job. We went down there. We spent fourteen hours with them folks yesterday, one day. We went to UTM, and we spoke to the Mayor, we spoke to the lady that is going to be in charge of the host families, talked to the caterers, went to the ballpark and showed them all our plans out there, showed the web site, the whole nine yards. This is a bigger event than you all can ever imagine. You are talking about an economic impact of a million to a million and a half. We are going to fill hotel rooms up here, the Hampton Inn and the Days Inn, not for one day, not for two days but for a whole week. We got a hundred and thirty-kids that are not from Martin that will come in here and will bring grandparents, parents, mothers, dads. They are going to be eating at the restaurants. They are going to be going to the shoe stores. They are going to be walking downtown Martin. They are going to spend money. And, you are looking at turning this over to somebody five weeks before they are all going to get here if Dennis doesn't do the job. I feel like this Board should go every way they can and if that means putting this off and investigating or getting an opinion on it, on if they can extend his contract through July and August to get this done, it ought to be done. Because if you don't you are going to put a bad reflection on this city. We have got teams coming from all over the United States, come in here, and we are not prepared. You got potential here for those families that might

have sixteen or seventeen year olds that see this campus and they come back to this town two years and go to school here and graduate. This is a big thing for the town. And we don't need to turn it over, I don't care who it is, all of you all as qualified individuals as they can be but I would not want to turn this over to you five weeks before we are ready to run this thing because you would have your hands full and it would not be done right. So, if the Board could I think they ought to cover ever avenue and if that means they can get a legal opinion and if it is where you can't, then like you said it may have to come back to where Dennis makes a decision whether he can or can't. But I want to bring those things out to you. This is a big event and we don't need to just turn it over to any and everybody."

Mayor Brundige thanked Mr. Hawks and asked if there was anything further. Are there any thoughts from the Board?

Alderman Nanney asked, "What would be the procedure for extending it to August 31<sup>st</sup>?"

Mayor Brundige stated, "I don't know. Celeste?"

Recorder Mathis asked, "Would that be an Alan Cary (Blue Cross/Blue Shield agent) question?"

Human Resource Director Taylor stated, "No, it will up to you all. They do what we ask them to do."

Recorder Mathis asked, "So, you are saying it can be extended without any legal repercussions."

Human Resource Director Taylor stated, "I don't know how legal on our end but as far as they are concerned the revisions we make they take...."

Alderman Harrison asked, "How much problem would it be if we let everything go and go ahead and act on what we are supposed to and then after the retirement is done then we can negotiate with the separate one."

Alderman Belote stated, "That is exactly where we are Bill."

Alderman Harrison stated, "Well, then if that is exactly where we are, then we can call for question but I don't think everyone has discussed this as much as they would like. The only thing, it looks like we are backtracking some here to a certain degree. Here is, if I am not mistaken, something like four or five items and also four or five other things attached to it that they are wanting to change and that is the reason I was thinking we had this continuation of the meeting until 4:30 this date is to vote on this letter that I have in my hand."

Human Resource Director Taylor stated, "We will have to look at it to see if anyone else would be eligible to retire if we move it..."

Alderman Belote stated, "Well, there is much to consider here and that is one of them and then I mean are we setting a precedent that every time that someone doesn't want to retire we can change the date. I am willing to look at that according to the conditions but that is what we are saying. Do we need to act on this and go to plan B, if there is a plan B?"



Mayor Brundige stated, "You can act on this and then if there is a plan B we can bring it up at the next Board meeting. We can check with the attorneys and of course this would be null and void if anything changes, this proposal would be null and void if anything changes. You can go ahead and vote on this and then look into it and June when we come back render the final decision."

Director Suiter asked, "Are you talking about voting on the twenty hours?"

Mayor Brundige stated, "Yes. We go ahead and set that in place and then if we."

Director Suiter stated, "I will withdraw that. When I am told by the State that it can't be done...."

Alderman Belote stated, "No. It can be done if you don't extend the twenty hours."

Director Suiter stated, "I can't do that."

Alderman Belote stated, "But that might be your choice,"

Director Suiter stated, "Well, then I..."

Alderman Belote stated, "Well, you know, whether that is slave labor that is in the eyes of the beholder. Cause there is a way to get it done. It will take other people to do it and it gets some of what you need satisfied."

Director Suiter stated, "With the level of restrictions and regulations and the way different people seem to want things I am going to go strictly by TCRS guidelines. And I am not going to commit myself that I am going to go out there twenty days and then whoa, I got somebody here and you do the rest of this the rest of the day. I am either doing it all the way or I am not interested in doing it at all. I am sorry."

Alderman Belote stated, "We need to act on this so he can pull it because what he has proposed is not on that piece of paper and in its entirety. This document is not the same as, what, the motion on the floor. So, you are saying you have pulled your, your, proposal."

Director Suiter stated, "Based on what I am supposed to do, yes."

Alderman Harrison asked, "I have got the one I think you prepared yesterday. Is that no right?"

Mayor Brundige stated, "Yes."

Alderman Harrison stated, "Okay."

Alderman Belote stated, "Since we are brainstorming this, what legalities do we have to go through to get or who do we have to contact to talk about this extension till August 31<sup>st</sup>?"

Human Resource Director Taylor stated the Board would pass it.

Alderman Belote stated, "And, to be able to pass it we would have to do that in the June meeting."

Mayor Brundige stated, "Yes. We could not do it here."

Alderman Belote stated, "So, we don't have to call anybody that is not an issue this getting approval from anybody. "

Alderman Harrison stated, "Don't get into something we can't get out of."

Alderman Belote stated, "That is an option and if everybody wants to follow through with that I am all for it but I am not hearing anybody."

Mayor Brundige asked, "Would anybody from the Board like to speak up?"

Alderman Nanney asked, "How big of a can of worms are you going to open up?"

Mayor Brundige stated, "I don't know if you will open any worms or not. Just have to look at policy and see if we are on firm ground. I think our insurance will go along with us, with it from what Celeste says."

Alderman Tuck asked, "What if somebody else comes up and decides they want to resign as of December 30<sup>th</sup> and says you all have done this once what about changing it to December 30<sup>th</sup>. Now, that is what I think he is talking about is setting a precedence. You are definitely setting a precedence. I don't know what you want to do. Now I, it should happen to anybody else who wants or would want to retire in the next five or six months not five or six months from here on out."

Mayor Brundige introduced Mike Garner after his request to speak.

Mr. Garner spoke, "Gentlemen I want you all to understand you all are in an unusual situation. You all have to make decisions and it don't always please the city. I feel for you all. You all have a tough job. I think you all are leaning to go to the right decision here today. We are, I don't mean the word we but I will say the word we, we are asking right now to extend that retirement and you do have a problem with people continuing to coming up. And I understand that. You do not want to keep going over this over and over. We understand that but sometimes there are changes that need to be made and if you do realize last year and at the last moment, I don't mean to say the last moment, you all made the changes on this. It was not directed at nobody it just so happens they collided. I would suggest you please look seriously at changing this until an August 31<sup>st</sup> retirement day. This maybe a particular circumstance where it does benefit someone and you will have other people. But, like I said this was set in motion well over a year ago and I do think if you all will seriously consider this then I think both parties can be complete, both parties can be satisfied, the World Series will be done and you all will have this on the books for future reference. Like I said whatever decision you all make I do respect you all and you are never going to please everybody. That being said I am sure you are going to make the right decision. But as far as the World Series I would really ask that you all make the right decision and make the retirement at a little later date. It would satisfy everybody. Thank you."

Mayor Brundige stated, "Thanks Mike."

Alderman Belote stated, "Thanks Mike."

Mayor Brundige asked if anyone from the board wished to speak.

Mr. Hawks asked if he could say a quick word.

Mayor Brundige stated, "Very briefly. I am fixing to close it out to the public."

Mr. Hawks stated, "What he said is just fine but the thought hit my mind you got a gentlemen coming along in December. Say, Chris, you have got ten years in and his wife's got cancer and he needs to retire. This board is going to do something for him because it is for the betterment of him and his family. This is going to be for the betterment of Martin. There are situations occur that to where Board policy has to be changed not necessarily setting a precedent you put that in your change why you did this so that covers you later date, so you are not setting a precedent but doing it for a particular reason because the World Series needs Dennis' attention and this town needs Dennis' attention on that going on."

Mayor Brundige thanked Mr. Hawks.

Alderman Harrison stated, "I don't want to be against any of your suggestions or anything. I want to be open. The only thing I can say and I will say is that we are aware; at least I am, of the magnitude of this series we are talking about. However, let me also; let me hasten to add this statement you know we change mayors, we change governors, we change even university presidents, we also change the president of United States of America and everything keeps going on doesn't it and the city we are going to come up with the right thing. We are not going to let this thing get past us. But we have got to act on something before we can ever do it. And if you will recall, in fact, you are the one that was kindly involved in this weren't you. This is the way."

Alderman Belote stated, "Whoa, whoa, you need to clarify that. I am not real sure where you are going with that."

Alderman Harrison stated, "Well, we've got something before us from last night and this is the piece of paper that I have and I am not going to read it because everybody has it to begin with. And, I thought that this is what we were to come back to vote on."

Alderman Belote stated, "That was the piece that set up the basis for that motion. They are a little bit different that is a moot point but that is what is on the table."

Alderman Harrison stated, "Well, you see, I was not aware of that. We have got to quit switching and changing the rules and regulations as we go. Having said that I won't say anymore. But I will call for question if everybody is through talking."

Mayor Brundige asked, "Has anybody else got anything to say? Anything at all?"

Alderman Tuck asked, "Would you clarify exactly what we are voting on? This thing has been read off and done this and you have got me confused. I don't know what we are really voting on."

Mayor Brundige explained, "We have off the table that motion down there, David..."

Recorder Mathis stated, "The motion that Alderman Belote just read off."

Alderman Tuck stated, "I still don't understand what he is wanting. What David is asking?"

Mayor Brundige explained, "He is asking for twenty, stated twenty hours per week."

Alderman Tuck stated, "But Dennis does not want that."

Mayor Brundige explained, "I am going to ask for that motion be tabled again or done away with."

Alderman Belote stated, "I think we need to do away with the motion."

Mayor Brundige asked for a motion to rescind the motion.

Alderman Tuck made the motion to rescind the motion before the Board, seconded by Alderman Hankins.

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

Mayor Brundige stated, "Our business is concluded here tonight. Do I have a motion to adjourn?"

## **ADJOURN**

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

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 12, 2008 Regular meeting & May 13, 2008 Recessed meeting"