

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

**JULY 13, 2009 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, July 13, 2009, 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 JOHNNY TUCK, ALDERMAN WARD II  
HONORABLE TERRY HANKINS, ALDERMAN WARD III  
HONORABLE RANDY EDWARDS, ALDERMAN WARD III  
MEMBERS ABSENT: HONORABLE DAVID BELOTE, ALDERMAN WARD II

Also present: City Recorder Chris Mathis, Police Chief David Moore, Fire Battalion Chief Charles Freeman, Weldon Public Library Director Roberta Peacock, Parks & Recreation Program Director Kim Kirby, Community Development Director Kimberly Craddock, Building Inspector Billy Stout, Weakley County Chamber of Commerce Director Barbara Virgin, Mr. Wade Bigham, Ms. Audrey Roberts, and members of the press.

### **CALL TO ORDER AND INVOCATION**

Mayor Brundige called the July 13<sup>th</sup> 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**

**JUNE 08, 2009, REGULAR MEETING  
JUNE 30, 2009, CALLED MEETING**

Mayor Brundige introduced and presented for consideration the minutes of the June 08, 2009 Regular City Board Meeting and June 30, 2009 Special Called Meeting for approval as written and asked if there were any additions or deletions. There were none.

Alderman Edwards made the motion to approve the minutes of the June 08, 2009 Regular City Board Meeting and June 30, 2009 Special Called Meeting as written, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

## **DEPARTMENT HEAD REPORTS**

### **FIRE DEPARTMENT**

### **BATTALION CHIEF CHARLES FREEMAN**

Battalion Chief Freeman asked if anyone had any questions concerning the Fire Department's monthly report. No questions were asked. A copy is attached to the minutes. Chief Schwahn is absent due to training in Nashville.

### **C. E. WELDON PUBLIC LIBRARY**

### **DIRECTOR ROBERTA PEACOCK**

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

Director Peacock further explained the University of Tennessee at Martin is renovating the Fine Arts Building and has loaned the Library a piano for to use for two years. The University has requested to be allowed to conduct several programs during this time frame.

### **COMMUNITY DEVELOPMENT**

### **DIRECTOR KIMBERLY CRADDOCK**

Director Craddock announced the Martin Business Association will meet tomorrow morning here in the courtroom at 7:30 am.

Community Development June/July Activity report was included in the packets.

### **BUILDING INSPECTOR**

### **BILLY STOUT**

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

### **PARKS AND RECREATION**

### **PROGRAM DIRECTOR KIM KIRBY**

Director Kirby asked if anyone had any questions concerning the Parks and Recreation report. No questions were asked. Director Moore was absent because his son is playing in the State Championship Baseball game in Cookeville, Tennessee.

### **POLICE DEPARTMENT**

### **CHIEF DAVID MOORE**

Chief Moore asked if anyone had any questions concerning the police department's monthly report. No questions were asked. A copy is attached to the minutes.

**PUBLIC WORKS**

**DIRECTOR BILLY WAGSTER**

Director Wagster was not present due to the death of one of his employee's mother.

**HUMAN RESOURCES**

**DIRECTOR CELESTE TAYLOR**

Director Taylor was not present due to training in Nashville.

**WEAKLEY COUNTY CHAMBER OF COMMERCE BARBARA VIRGIN**

Director Virgin submitted to the Mayor the Weakley County Tennessee 2009 Strategic Plan explaining we are certified in the Governor's Three Star Community Program. She also submitted information on Powering New Growth, which is the title of the Governor's Conference September 14<sup>th</sup> and 15<sup>th</sup>.

**OLD BUSINESS:**

There was no Old Business.

**NEW BUSINESS:**

**INTRODUCTION AND PRESENTATION FOR THE FIRST READING OF ORDINANCE O2009-05: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING FOUR TRACTS OF LAND LOCATED ON ELM STREET SOUTH OF THE INTERSECTION WITH PEACH STREET FROM R-1 (LOW DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS)**

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2009-05: An ordinance to amend the Municipal Zoning Ordinance and map for Martin, Tennessee, by rezoning four tracts of land located on Elm Street south of the intersection with Peach Street from R-1 (Low Density Residential) to B-2 (Intermediate Business).

Recorder Mathis read Ordinance O2009-05. A copy of the ordinance has been provided for the members of the press and any interested citizens. A copy follows:

**ORDINANCE O2009-05**

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING FOUR TRACTS OF LAND LOCATED ON ELM STREET SOUTH OF ITS INTERSECTION WITH PEACH STREET FROM R-1 (LOW DENSITY RESIDENTIAL) TO B-2 (INTERMEDIATE BUSINESS).**

**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-1 (Low Density Residential) to B-2 (Intermediate Business) to be necessary for the welfare of the residents and property owners thereof this City as a whole; and

**WHEREAS**, the Martin Board of Mayor and Aldermen has held a public hearing pursuant to *Tennessee Code Annotated* Section 13-7-203 for the purpose of receiving public comment.

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

**Section 1.** That the Municipal Zoning Map and Zoning Ordinance for Martin, Tennessee be amended by rezoning from R-1 (Low Density Residential) to B-2 (Intermediate Business) the following four tracts of land located on Elm Street south of its intersection with Peach Street and further described as:

Weakley County Tax Map 78, Parcel 02800 and Weakley County Tax Map 79, Parcels 03100, 03101, and 03102.

**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

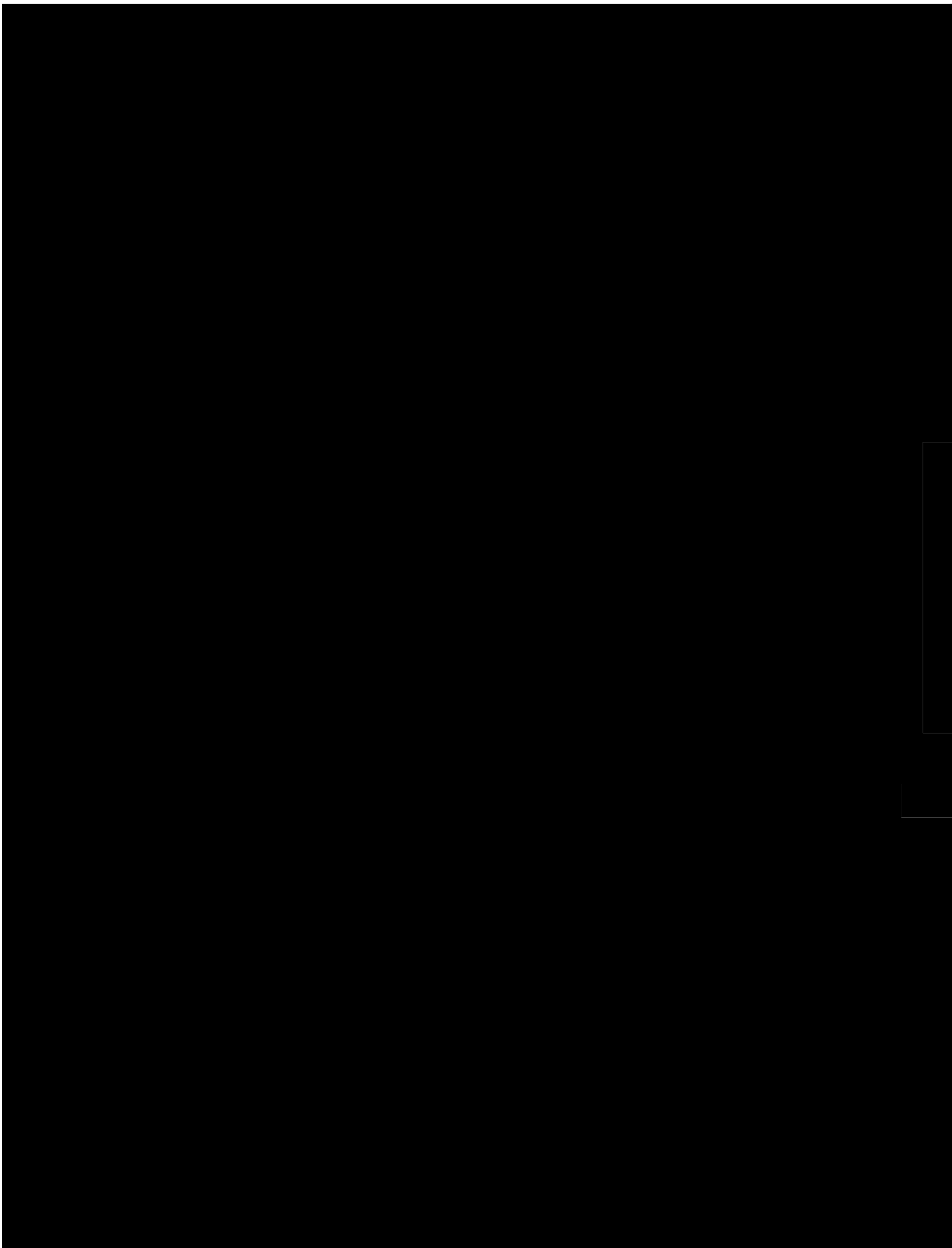
ATTESTED:

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

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

APPROVED:

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



Alderman Harrison made the motion to approve Ordinance O2009-05: An ordinance to amend the Municipal Zoning Ordinance and map for Martin, Tennessee, by rezoning four tracts of land located on Elm Street south of the intersection with Peach Street from R-1 (Low Density Residential) to B-2 (Intermediate Business), seconded by Alderman Hankins.

Inspector Stout explained when this area was annexed into the City of Martin several years ago it was annexed in as an R-1 (Low Density Residential). We want to correct the zoning. The four tracts are all south of the intersection of Elm Street and Peach Street. The tracts include the old Save a lot building lot at the intersection of Elm Street and West Peach Street, the lot housing Dave's Auto Center, the lot located south of the Auto Center owned by Ronald Breeden, and the tract located in back of the Auto Center owned by Nick Desantis.

Mayor Brundige asked are there were any other questions? If not, I will ask for a roll call vote. There were no questions.

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

Mayor Brundige declared Ordinance O2009-05 adopted on the first reading and set the second and final reading and public hearing for August 10, 2009 at 5:15 pm in the City Hall Chambers.

**APPOINTMENT TO PARKS AND RECREATION BOARD: MR. BUD GRIMES, TERM TO EXPIRE DECEMBER 31, 2011. MR. MIKE GARNER RESIGNED**

Mayor Brundige presented for consideration a recommendation from the Parks and Recreation Department to appoint Mr. Bud Grimes to the Martin Parks and Recreation Board, term to expire December 31, 2011. Mr. Mike Garner resigned because he was unable to make all of the meetings due to family obligations.

Alderman Nanney made the motion to appoint Mr. Bud Grimes to the Martin Parks and Recreation Board, term to expire December 31, 2011, seconded by Alderman Tuck.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**APPOINTMENT TO MARTIN HOUSING AUTHORITY: MS. JANET ELLIOTT TO A FIVE (5) YEAR TERM TO EXPIRE MAY 31, 2014**

Mayor Brundige presented for consideration a recommendation from the Martin Housing Authority to appoint Ms. Janet Elliott to a five-year term expiring May 31, 2014.

Alderman Harrison made the motion to appoint Ms. Janet Elliott to the Martin Housing Authority for a five-year term expiring May 31, 2014, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2009-17: A RESOLUTION TO PROHIBIT HANDGUNS IN MUNICIPAL PARKS, HISTORIC PARKS, NATURE TRAILS, CAMPGROUNDS, FOREST, GREENWAYS, WATERWAYS, OR OTHER SIMILAR PUBLIC PLACES**

Mayor Brundige introduced and presented for consideration Resolution R2009-17: A resolution to prohibit handguns in municipal parks, historic parks, nature trails, campgrounds, forest, greenways, waterways, or other similar public places.

Recorder Mathis read Resolution R2009-17. A copy of the resolution has been provided for the members of the press and any interested citizens. A copy follows:

**RESOLUTION R2009-17**

**A RESOLUTION TO PROHIBIT HANDGUNS IN PUBLIC MUNICIPAL PARKS, NATURAL AREAS, HISTORIC PARKS, NATURE TRAILS, CAMPGROUNDS, FORESTS, GREENWAYS, WATERWAYS, OR OTHER SIMILAR PUBLIC PLACES**

**WHEREAS**, prior to September 1, 2009, *Tennessee Code Annotated* § 39-17-1311, essentially made carrying weapons in municipally owned parks, playgrounds, civic centers, or other building facilities a Class A misdemeanor; and

**WHEREAS**, Public Chapter No. 428 (House Bill 716 and Senate Bill 976) of the 106th General Assembly, as adopted, removed the above mentioned prohibitions in public parks for persons authorized to carry handguns pursuant to *Tennessee Code Annotated* § 39-17-1351; and

**WHEREAS**, Public Chapter No. 428 of the 106th General Assembly permits municipal and county governments to prohibit, by resolution, the carrying of handguns while within a public park that is owned or operated by a county, a municipality, or their instrumentalities; and

**WHEREAS**, the Board of Mayor and Aldermen of the City of Martin, Tennessee desires to continue prohibiting the carrying of handguns in municipal parks; now, therefore:

**BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MARTIN THAT:**

**SECTION 1.** Any person authorized<sup>1</sup> to carry a handgun under *Tennessee Code Annotated* § 39-17-1351, is prohibited from possessing any handgun while within a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway, or other similar public place that is owned or operated by the City of Martin or any of its instrumentalities. This prohibition of handguns within any municipal park applies to the entire park, notwithstanding the provisions of T.C.A. § 39-17-1311(b)(1)(I).<sup>2</sup> However, this resolution does not prohibit lawful possession of any handgun in accordance with T.C.A. § 39-17-1311(b)(1)(A)-(H).<sup>3</sup>

**SECTION 2.** The City of Martin shall display signs in prominent locations about the public recreational property, at least six inches (6”) high and fourteen inches (14”) wide, stating:

MISDEMEANOR – STATE LAW PRESCRIBES A MAXIMUM PENALTY OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND A FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

**SECTION 3.** If a part of this Resolution is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this Resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

**SECTION 4.** This resolution takes effect from and after its passage, the welfare of the City of Martin requiring it.

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<sup>1</sup> Any person who is not authorized to carry a handgun under state law and who possesses a handgun in a park or other public area with the intent to go armed would be in possible violation of T.C.A. § 39-17-1307, which is a Class E felony.

<sup>2</sup> The state statute requires the prohibition of handguns to apply to the entire park. The statute does not mention the other recreational areas in this proviso.

<sup>3</sup> The state statute allows for the lawful possession of handguns in numerous circumstances, including but not limited to military personnel, civil officers, reserve officer training corps pupils and law enforcement officers in discharge of their official duties; private police employed by the municipality; persons who are either hunting on municipal land designated as open to hunting, traversing municipal property to gain access to hunting lands, conducting or attending a gun show, picking up or delivering passengers who do not use the weapon in any way, or a person permitted to sport or target shoot; or a security guard who meets the requirements of T.C.A. Title 62, Chapter 35.



Adopted: \_\_\_\_\_

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

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

Mayor Brundige explained before I ask for a motion I would like to read an email from Ms. Maggie McLean Duncan, Executive Director Tennessee Association of Chiefs of Police that was sent to Martin Police Chief Moore. A copy of the email follows:

### **GUNS IN PARKS**

By Kleinheider, posted on July 13, 2009 at 12:48 pm  
From the Williamson Herald:

Williamson County's Board of Commissioners unanimously approved a resolution to prohibit handguns in county parks, or other similar public places after an amendment by Commissioner Jason Para to sunset the law on May 31, 2010.

Para's amendment did not pass unanimously, with six commissioners voting against it. While the provision to prohibit guns in parks would "sunset" or expire on May 31, 2010, Para's amendment also carried a clause to allow the prohibition to be lifted when and if the Williamson County Board of Education received clarification to the law recently passed by Tennessee General Assembly which allowed the school board to agree that it could use county parks if guns were present.

School officials have said existing federal laws would prohibit them from using county parks for athletic and other school-related events and to replace those facilities was reported by County parks Director Doug Hood to carry a price tag of approximately \$35 million.

Mayor Brundige stated I am sure these folks have researched this. I have not. But, I do know there is a federal law that prohibits school events from being held where guns are permitted. You have heard the reading of Resolution R2009-17. Do I have a motion to approve?

Alderman Tuck made the motion to approve Resolution R2009-17: A resolution to prohibit handguns in municipal parks, historic parks, nature trails, campgrounds, forest, greenways, waterways, or other similar public places, seconded by Alderman Harrison.

Mayor Brundige asked for discussion on the resolution.

Alderman Hankins spoke – I have talked to several people that have gone through the hoops to get a permit to carry guns and it is a big deal. There are approximately 460 guns permitted to individuals in Weakley County. I don't think we are trying to say guns are bad but I don't think we need to have guns in our parks, baseball fields, or whatever. I am one of the biggest hunters in this county. I hunt all the time. That is what I wanted to say.

Mayor Brundige stated thank you and ask if there was any other discussion.

Alderman Harrison called for question.

Mayor Brundige asked for a roll call vote:

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

Mayor Brundige declared Resolution R2009-17 adopted with a 4/1 vote.

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2009-18: A RESOLUTION BY THE CITY OF MARTIN RATIFYING THE AMENDED WEAKLEY COUNTY GROWTH PLAN**

Mayor Brundige introduced and presented for consideration Resolution R2009-18: A resolution by the City of Martin ratifying the amended Weakley County Growth Plan.

Recorder Mathis read Resolution R2009-18. A copy of the resolution has been provided to the members of the press and any interested citizens. A copy follows:

**RESOLUTION R2009-18**

**RESOLUTION BY THE CITY OF MARTIN RATIFYING THE AMENDED WEAKLEY COUNTY GROWTH PLAN**

**WHEREAS**, the Weakley County Coordinating Committee has approved the amended Weakley County Growth Plan dated June 30, 2009, and

**WHEREAS**, the City of Martin is not affected by the amendment to the Weakley County Growth Plan.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Mayor and Aldermen that this body ratifies the amended Weakley County Growth Plan as shown on the attached map entitled Amended Weakley County Growth Plan dated June 30, 2009.

ATTEST:

SIGNED:

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

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

*Map attached to minutes*

Mayor Brundige stated you all have heard the reading of Resolution R2009-18. Do I have a motion to approve?

Alderman Tuck asked if the board could table this resolution until the August meeting. I think we need to think about this.

Mayor Brundige stated we need a motion.

Alderman Tuck made the motion to table Resolution R2009-18: A resolution by the City of Martin Ratifying the Amended Weakley County Growth Plan, seconded by Alderman Harrison.

Mayor Brundige asked for a roll call vote:

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

Mayor Brundige declared the motion approved by a 3/2 vote.

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2009-19: A RESOLUTION OF THE CITY OF MARTIN, TENNESSEE, APPROPRIATING FUNDS AND ESTABLISHING A PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 01, 2009 AND ENDING JUNE 30, 2010**

Mayor Brundige introduced and presented for consideration Resolution R2009-19: A resolution of the City of Martin, Tennessee, appropriating funds and establishing a property tax rate for the fiscal year beginning July 01, 2009 and ending June 30, 2010.

Recorder Mathis read Resolution R2009-19. A copy of the resolution has been provided for members of the press and any interested citizens. A copy follows:

**RESOLUTION R2009-19**

**A RESOLUTION OF THE CITY OF MARTIN, TENNESSEE, APPROPRIATING FUNDS AND ESTABLISHING A PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010**

**SECTION 1. BE IT RESOLVED** by the Board of Mayor and Aldermen of Martin, Tennessee, assembled in regular session on the 13<sup>th</sup> day of July, 2009 that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds of MARTIN, TENNESSEE, for capital projects and for meeting the payment of principal and interest on the City's debts maturing during the fiscal year beginning July 1, 2009, and ending June 30, 2010, according to the following schedule:

General Fund Expenditures (Including debt payments)	\$ 8,598,385
State Street Aid Fund Expenditures	188,000
Library Gift Fund Expenditures	29,600
Housing Rehab Fund Expenditures	3,000
Friends of the Park Fund Expenditures	1,500
Cemetery Fund Expenditures	4,400
Drug Enforcement Fund Expenditures	20,300
Solid Waste Fund	1,408,031
Water and Sewer Fund	2,788,195
Natural Gas Fund	5,239,764

**SECTION 2. BE IT FURTHER RESOLVED**, that expenditures in excess of the above may be made only with an appropriate resolution amending this resolution. Such action shall include a statement as to the source of revenue to finance the proposed expenditures.

**SECTION 3. BE IT FURTHER RESOLVED**, there is hereby a property tax of \$1.4772 per \$100.00 of assessed value for the purpose of funding municipal services.

**SECTION 4. BE IT FURTHER RESOLVED**, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect at the end of the fiscal year, June 30, 2009, except for capital projects.

**SECTION 5. BE IT FURTHER RESOLVED**, that any motion, resolution part of a motion, or part of a resolution which has been heretofore passed by the Board of Mayor and Aldermen which is in conflict with any provision of this resolution be and the same is hereby repealed.

**SECTION 6. BE IT FURTHER RESOLVED**, that the unexpended and appropriation balance of utility capital projects for the year June 30, 2009, shall not lapse,

**SECTION 7. BE IT FURTHER RESOLVED**. That this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2009. This resolution shall be spread upon the minutes of the Board of Mayor and Aldermen of the City of Martin, Tennessee.

ATTEST:

SIGNED:

Chris Mathis, City Recorder, CPA

Randy Brundige, Mayor

Motion made by Alderman \_\_\_\_\_ that the foregoing resolution be approved; seconded by Alderman \_\_\_\_\_. Upon being put to a roll call vote, the motion passed.

Date approved July 13, 2009. Published in the Weakley County Press on the 2<sup>nd</sup> day of July 2009.

**PUBLIC HEARING:**

Mayor Brundige opened the public hearing at 5:30 pm on July 13, 2009 for Resolution R2009-19: A resolution of the City of Martin, Tennessee, appropriating funds and establishing a property tax rate for the fiscal year beginning July 01, 2009 and ending June 30, 2010 and asked if anyone present wished to speak for or against the resolution. No one spoke.

Mayor Brundige closed the public hearing and reopened the regular meeting.

**REGULAR MEETING REOPENED:**

Mayor Brundige asked for a motion to approve Resolution R2009-19.

Alderman Nanney made the motion to adopt Resolution R2009-19: A resolution of the City of Martin, Tennessee, appropriating funds and establishing a property tax rate for the fiscal year beginning July 01, 2009 and ending June 30, 2010, seconded by Alderman Harrison.

Mayor Brundige asked for a roll call vote:

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

Mayor Brundige declared the motion approved and the resolution adopted and explained this budget has been adopted with no increase in our property tax rate.

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2009-20: A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-**

**PROFIT CHARITABLE ORGANIZATIONS, FOR THE FISCAL YEAR BEGINNING JULY 01, 2009 AND ENDING JUNE 30, 2009**

Mayor Brundige introduced and presented for consideration Resolution R2009-20: A resolution making appropriations to certain non-profit charitable organizations, for the fiscal year beginning July 01, 2009 And Ending June 30, 2009.

Recorder Mathis read Resolution R2009-20. A copy of the resolution has been provided for members of the press and any interested citizens. A copy follows:

**RESOLUTION R2009-20**

**A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS, FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010**

**WHEREAS**, the Board of Mayor and Aldermen for the City of Martin, Tennessee, has determined that it would benefit the general welfare of the residents of Martin if appropriations were made to certain non-profit charitable organizations: and

**WHEREAS**, Tennessee Code Annotated 6-54-111 allows the legislative body of a municipality to appropriate funds under certain conditions for non-profit charitable organizations.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Mayor and Aldermen for the City of Martin, that

- SECTION 1.**
- a. One thousand dollars (\$1,000.00) be appropriated to the Kiwanis Club for the annual Christmas Parade.
  - b. Five thousand dollars (\$5,000.00) be appropriated to Community Developmental Services, Inc.
  - c. Twenty-one thousand dollars seven hundred dollars (\$21,700.00) be appropriated for the community activity – Soybean Festival.
  - d. Two thousand seven hundred fifty dollars (\$2,750.00) be appropriated to the Miss Tennessee Soybean Scholarship.

**SECTION 2.** In accordance with T.C.A. 6-65-111, this appropriation is made on the condition that the non-profit charitable organization for which these funds are appropriated shall file with the City Recorder's office a copy of an annual report of its business and transactions, which includes, but is not limited to, a copy of an annual audit, its programs which serve the residents of the City of Martin and the proposed use of the municipal assistance. The City Recorder shall consult with appropriate officials of the organization and auditors for the City to determine the extent of the information, which shall satisfy the requirement of this section.

**SECTION 3.** It is the expressed intent of the Board of Mayor and Aldermen of the City of Martin in making this appropriation to be fully in compliance with T.C.A. 6-54-111 and Chapter 0380-3-7 of the Rules of the Comptroller of the Treasury, State of Tennessee.

**SECTION 4.** This resolution shall take effect upon its passage, **THE PUBLIC WELFARE REQUIRING IT.**

ATTEST:

SIGNED:

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

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

INTRODUCED AND PASSED FIRST READING \_\_\_\_\_

PASSED SECOND READING \_\_\_\_\_

**PUBLIC HEARING:**

Mayor Brundige opened the public hearing for Resolution R2009-20: A resolution making appropriations to certain non-profit charitable organizations, for the fiscal year beginning July 01, 2009 And Ending June 30, 2010 and asked if there anyone present wishing to speak for or against the resolution. No one spoke.

Mayor Brundige closed the public hearing and reopened the regular meeting.

**REGULAR MEETING REOPENED:**

Mayor Brundige asked for a motion to adopt Resolution R2009-20.

Alderman Harrison made the motion to adopt Resolution R2009-20: A resolution making appropriations to certain non-profit charitable organizations, for the fiscal year beginning July 01, 2009 And Ending June 30, 2010, seconded by Alderman Tuck.

Mayor Brundige asked for a roll call vote:

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

Mayor Brundige declared the motion approved and Resolution R2009-20 adopted on the first reading and set the second and final reading and the second public hearing for August 10, 2009 at 5:15 pm in the City Hall Chambers.

**INTRODUCTION AND PRESENTATION OF RESOLUTION R2009-21: A RESOLUTION TO ESTABLISH WATER AND SEWER RATES FOR CUSTOMERS OF THE MARTIN MUNICIPAL WATER AND SEWER SYSTEMS**

Mayor Brundige introduced and presented for consideration Resolution R2009-21: A resolution to establish water and sewer rates for customers of the Martin Municipal Water And Sewer Systems.

Recorder Mathis read Resolution R2009-21. A copy of the resolution has been provided for members of the press and any interested citizens. A copy follows

**RESOLUTION R2009-21**

**A RESOLUTION TO ESTABLISH WATER AND SEWER RATES FOR CUSTOMERS OF THE MARTIN MUNICIPAL WATER AND SEWER SYSTEMS**

**WHEREAS**, Section 18-128 of the Martin City Code provides that the rate schedule for water and sewer services are to be determined and set by the City from time to time; and

**WHEREAS**, the City of Martin, following a study of its financial needs and the existing user fee structure, has determined the need for an adjustment to the City’s water and sewer rates.

**NOW, THEREFORE**, in consideration of these facts be it resolved by the Board of Mayor and Aldermen of the City of Martin, Tennessee, as follows:

Section 1. Water Rate Schedule. All customers of the Martin Municipal Water System shall pay for such water service according to the following schedule:

**RESIDENTIAL AND COMMERCIAL WATER RATES**

**For Customers Inside the City Limits**

Monthly minimum bill (includes first 1,000 gallons usage).....	\$5.84
1,000 – 2,000 gallons.....	\$3.14
2,000 – 7,000 gallons.....	\$2.61
7,000 – 11,000 gallons.....	\$2.31
11,000 – 30,000 gallons.....	\$2.12
Over 30,000 gallons.....	\$2.02

**For Customers Outside the City Limits**



Monthly minimum bill (includes first 1,000 gallons usage).....	\$11.68
1,000 – 2,000 gallons.....	\$ 6.28
2,000 – 7,000 gallons.....	\$ 5.22
7,000 – 11,000 gallons.....	\$ 4.62
11,000 – 30,000 gallons.....	\$ 4.24
Over 30,000 gallons.....	\$ 4.04

Section 2. Sewer Rate Schedule. All customers of the Martin Municipal Sewer System shall pay for such sewer services according to the following schedule:

**RESIDENTIAL AND COMMERCIAL SEWER RATES**

For Customers Inside the City Limits

Monthly minimum bill (includes first 1,000 gallons Usage).....	\$9.96
1,000 – 2,000 gallons.....	\$5.30
2,000 – 7,000 gallons.....	\$4.41
7,000 – 11,000 gallons.....	\$3.99
11,000 – 30,000 gallons.....	\$3.77
Over 30,000 gallons.....	\$3.55

For Customers Outside the City Limits

Monthly minimum bill (includes first 1,000 gallons usage).....	\$19.92
1,000 – 2,000 gallons.....	\$ 10.60
2,000 – 7,000 gallons.....	\$ 8.82
7,000 – 11,000 gallons.....	\$ 7.98
11,000 – 30,000 gallons.....	\$ 7.54
Over 30,000 gallons.....	\$ 7.10

Section 3. Sales Taxes on Municipal Utilities. The water rate schedule specified in Section 1 of this resolution and the sewer rate schedule specified in Section 2 of this resolution are exclusive of all state and local sales taxes.

Section 4. Effective Date. This resolution shall take effect upon its passage, **THE PUBLIC WELFARE REQUIRING IT.**

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this resolution or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this resolution be pre-empted by State or Federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this resolution or its application to other persons or circumstances.

Section 6. Repealer. All resolutions and parts of resolutions, which are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.  
PASSED AND APPROVED THIS 13TH DAY OF JULY, 2009 BY A ROLL CALL VOTE OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MARTIN, TENNESSEE.

ATTEST:

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

SIGNED:

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

**PUBLIC HEARING:**

Mayor Brundige opened the public hearing for Resolution R2009-21: A resolution to establish water and sewer rates for customers of the Martin Municipal Water And Sewer Systems and asked if there anyone present wishing to speak for or against the resolution. No one spoke.

Mayor Brundige closed the public hearing and reopened the regular meeting.

**REGULAR MEETING REOPENED:**

Mayor Brundige asked for a motion to adopt Resolution R2009-21.

Alderman Nanney made the motion to adopt Resolution R2009-21: A resolution to establish water and sewer rates for customers of the Martin Municipal Water And Sewer Systems, seconded by Alderman Harrison.

Mayor Brundige explained this ordinance will increase the water and sewer rates 3% which will actually figure out at 2.7% because it will not become effective until the August billing. Also, when we were discussing the budget and passed it I failed to tell you all there is a 3% increase in solid waste fees because of the increase in the Barker Brothers contract.

Mayor Brundige asked for a roll call vote:

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

Mayor Brundige declared Resolution R2009-21 adopted.

**ANY OTHER BUSINESS:**

**UPDATE ON THE BRIAN BROWN GREENWAY**

Alderman Nanney asked for an update on the Brian Brown Greenway.

Mayor Brundige answered the Brian Brown Greenway is at a standstill because the contractor is waiting on bridge that will be assembled off site and shipped to Martin.

## **UPDATE ON PAVING UNIVERSITY STREET**

Alderman Nanney asked when will the state pave University Street?

Mayor Brundige stated we need to get a few easements in place and want to install the curbs and cutters before the street is milled and the paving process started.

## **BASEBALL TOURNAMENT**

## **MR. WADE BIGHEM**

Mr. Bigham explained last week we had seventeen teams from West Tennessee in Martin for five days participating in a regional Tournament. The tournament finished up July 7, 2009 bringing close 3,000 people to our park. The Martin twelve year olds won their division and the Martin eleven year olds came in second. Both teams will proceed to the state tournaments in Cookeville, Tennessee.

## **ADJOURN**

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ATTEST:

SIGNED:

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Chris Mathis, CPA  
City Recorder

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Randy Brundige,  
Mayor

RB: CM/bh  
Saved "July 13, 2009"