

**MARTIN BOARD OF MAYOR AND ALDERMEN
DECEMBER 13, 2010 5:15 PM CITY COURTROOM**

BE IT REMEMBERED the regular meeting of the Board of Mayor and Aldermen for the City of Martin, Tennessee, was held Monday, December 13, 2010, at 5:15 pm in the City courtroom, 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 RANDY EDWARDS, ALDERMAN WARD III
HONORABLE TERRY HANKINS, ALDERMAN WARD III

MEMBERS ABSENT: NONE

Also present: Police Chief David Moore, Director of Parks and Recreation Brian Moore, Building Inspector Billy Stout, Fire Chief Russell Schwahn, Public Works Director Billy Wagster, Director of Human Resources Celeste Taylor, Community Development Director Kimberly Craddock, Library Director Roberta Peacock, Ms. Brook Baker, Mr. David Sudberry, Mr. Russell Edwards, Mr. Richard Kelly, and members of the press.

CALL TO ORDER AND INVOCATION

Mayor Brundige called the December 13th regular meeting of the City of Martin Board of Mayor and Aldermen to order. Alderman Harrison gave the invocation.

PLEDGE OF ALLEGIANCE

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

**APPROVAL OF MINUTES NOVEMBER 8, 2010, REGULAR MTG.
NOVEMBER 30, SPECIAL CALLED MTG.**

Mayor Brundige introduced and presented for consideration the minutes of the November 8th regular meeting as written and asked if there were any additions or deletions. There were none.

Alderman Nanney made the motion to approve the minutes of the November 08, 2010 regular meeting of the City of Martin Board of Mayor and Aldermen as written, seconded by Alderman Hankins.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige introduced and presented for consideration the minutes of the November 13th special called meeting as written and asked if there were any additions or deletions. There were none.

Alderman Tuck made the motion to approve the minutes of the November 30, 2010 special called meeting of the City of Martin Board of Mayor and Aldermen as written, seconded by Alderman Harrison.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

DEPARTMENT HEAD REPORTS:

BUILDING DEPARTMENT

INSPECTOR BILLY STOUT

Inspector Stout asked if there were any questions. There were none.

Inspector Stout further explained building permits are being issued for two projects at UTM. One will be in excess of seven million dollars and the second project will be over a million dollars.

PUBLIC WORK

DIRECTOR BILLY WAGSTER

Director Wagster presented the department's monthly reports and asked if there were any questions. There were none. A copy is attached to the minutes.

FIRE DEPARTMENT

FIRE CHIEF RUSSELL SCHWAHN

Chief Schwahn presented the Fire Department's monthly report and asked if there were any questions. There were none. A copy of the report is attached to the minutes.

PARKS AND RECREATION

DIRECTOR BRIAN MOORE

Director Moore presented his monthly reports and asked if anyone had any questions. There were none. Copies of these reports are attached to the minutes.

Director Moore further explained we had another successful year at Santa's Village with 12,746 visitors, food donations of \$41,527.00, and toys are being counted. The weather was bad but did not seem to bother us. I want to express a special thank you to all of the people and organizations that helped put on Santa's Village. We could not do this without help from the many volunteers.

Alderman Nanney stated I think this was the cleanest and best Santa's village we have had. It was very good. Thank you.

POLICE DEPARTMENT

CHIEF DAVID MOORE

Chief Moore presented the department's monthly reports and asked if there were any questions. There were none. A copy is attached to the minutes

HUMAN RESOURCES

DIRECTOR CELESTE TAYLOR

Director Taylor asked if there were any questions. There were none.

COMMUNITY DEVELOPMENT DIRECTOR KIMBERLY CRADDOCK

Director Craddock asked if there were any questions. There were none.

LIBRARY

DIRECTOR ROBERTA PEACOCK

Director Peacock was not present but the Library's monthly reports were in the packets.

OLD BUSINESS:

INTRODUCTION AND PRESENTATION FOR THE SECOND AND FINAL READING AND PUBLIC HEARING OF ORDINANCE O2010-12: AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MARTIN REGARDING TITLE 17, CHAPTER 1, SECTION 17-111 LANDFILL REGULATIONS, THIS IS THE PUBLIC HEARING

Mayor Brundige introduced and presented for consideration the second and final reading of Ordinance O2010-12: An ordinance to amend the Municipal Code of the City Of Martin regarding Title 17, Chapter 1, Section 17-111 Landfill Regulations.

Mayor Brundige read the ordinance. A copy was provided for all interested persons and members of the media. A copy follows:

ORDINANCE O2010-12

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MARTIN REGARDING TITLE 17, CHAPTER 1, SECTION 17-111 LANDFILL REGULATIONS

WHEREAS, it is the opinion of the Board of Mayor and Aldermen of the City of Martin that certain provisions of the Municipal Code need revision and that Title 17, Chapter 1, Section 17-111 Landfill Regulations be amended; and

WHEREAS, the City of Martin Mayor and Board of Aldermen has deemed this amendment 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 for the purpose of receiving public comment.

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

SECTION 1. That Title 17, Chapter 1, Section 17-111 Landfill Regulations be amended by adding after the second paragraph the following:

Construction debris (other than a minute quantity (defined as what would be no more than a wheelbarrow load), roofing materials, and demolition debris will no longer be picked up by the City of Martin and are prohibited from being deposited in the City's landfill by any party. Construction debris, roofing materials, and demolition debris must be deposited in an appropriate on-site container obtainable from commercial entities for that express purpose or placed in suitable trucks for hauling said debris and hauled off-site for proper disposal.

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

PUBLIC HEARING

Mayor Brundige opened the public hearing for Ordinance O2010-12 by asking if there were anyone who wished to speak for or against the ordinance.

Mr. Richard Kelly, owner of the Color Shop, asked to speak. "All I am asking is, before you vote on this give it some thought how it is effecting the construction at the City of Martin. And, some thought as to us having a landfill. I haven't understood yet from what I have heard and what I have read earlier and what I have heard here why we do not want a landfill. Martin needs a landfill, I think. It is putting, as I express myself, my group or ever who I am speaking for, it is really putting a, the construction trade in a pinch. And it is going to put us in a financial situation where that it's going to cost the home owners or whoever we are working for, either where it is residential or commercial. And, as far as I know, I don't know what the options are and I haven't heard it from the City Board what the options are. They are cutting one group out right now; you are going to cut everybody out, when? Two years.

Mayor Brundige answered – six months.

Mr. Kelly replied, "Six months. And I just wish you would think about it, maybe table this thing explore some other options. Surely there are some other options that we can use and for the city and for the citizens of Martin to have a place besides going to Troy or.... I don't know what the home owners are going to do down the road if they tear out something or do something on their own. And, all I am asking is you think about it, come up with some options maybe that you can put before the citizens and before contractors and people that it, is really affected. All I am asking is give it a little time. Give it a little thought here what you are doing, and in two short readings and not a whole lot of advertising as far. It has been in the paper because I read it. I got the message and I am asking you to think about it and I am against the proposal. Thank you."

Mayor Brundige answered - Thank you, Richard. Is there anyone else?

Mr. David Sudberry asked to speak, "I am for the proposal. If we don't do something the landfill is going to close itself within just a few months because of the volume of materials that will go in there because of construction. So, you can either take action or close, or like I say it will close itself due to the amount of material going in to it. I.... in fifteen years I have torn down two houses to be put into the landfill to develop something. So, I have used it and I am even looking at another piece of property right now that has a tear-down on it and in effect for the good of the City of Martin you are operating a landfill for the few of us. We are the biggest users. We put whole houses in the landfill. The only concern I have about the ordinance is describing it as wheelbarrow full. A residential wheelbarrow is 2 cubic-feet and a commercial wheelbarrow is 6 cubic-feet. And I think at a later date you need to modify this ordinance to specify a certain amount of cubic-feet. Maybe part of the ordinance wouldn't be the example, the current Barker Brother Garbage can is 1.5 cubic-yards, basically, just to give the home owner some kind of an idea of just how much they could put out, but I am for the ordinance because either you close it or it will close itself in six months anyhow. I would rather see that you are take an affirmative action on it. Thank you."

Mayor Brundige stated - thank you and asked if anyone else wanted to speak.

Mr. Kelly asked to speak again, "I understand what David is saying but it is not just a few of us. I mean, not just for a few of us, it is for the whole town of Martin. It is more people, you know, I... that use the landfill besides contractors. The, what I understand brush and limbs are going to be, you are going to have to take them somewhere else. Is that right?"

Mayor Brundige answered - no.

Mr. Kelly responded, "They are going to be there. If you tear out in your own home, tear a porch off, you are going to have to take it somewhere else. Right?"

Mayor Brundige answered - yes that is right.

Mr. Kelly stated, "So, it is not just contractors. A lot of do-it-yourselfers do things like that. And, just, all I am asking is give it some time and let's look at our options. Somewhere down the road with another landfill, another piece of property. I know it is going to cost tax payers. I don't think they will mind paying. But, that is..."

Mayor Brundige asked - does anyone else wish to speak for or against? If not, I am going to close the public hearing.

Public Hearing Closed

Mayor Brundige explained you all have heard the reading of Ordinance O2010-12. Do I have a motion to approve?

Alderman Nanney made the motion to approve the second and final reading of Ordinance O2010-12: An ordinance to amend the Municipal Code of the City Of Martin regarding Title 17, Chapter 1, Section 17-111 Landfill Regulations, seconded by Alderman Tuck.

Mayor Brundige asked - are there any questions?

Alderman Belote explained, "The projected date on the closing of the landfill would be in eighteen months, correct. Is that what we are anticipating?"

Mayor Brundige stated - no, and asked Director Wagster to explain.

Director Wagster stated, "The state inspector told us about three months ago, three to four months ago that we had no more than a year left on the landfill. That had already been our projection and that is what I have been telling the Mayor. And, that is when we took it to the board. That is really all I can tell you about it. They are projecting a year but if we stop the construct we can probably extend the life of it for brush and small quantities for maybe three years, three to five. Simply because we can burn the brush and reduce it to ash but otherwise, at this point, we may have six to nine months possibly. I don't think it is a matter of anybody being

for or against closing the landfill. I think David said it plainly a few minutes ago; we have had three houses go to the landfill in the past two weeks just on the whim that this thing may possibility close. At the rate we are going we won't have six months left. That is, if we keep taking houses the way we are taking right now. "

Alderman Nanney stated – it cost \$300,000.00 to close the last landfill in 1996.

Mayor Brundige stated – yes, I don't know what it would cost this time. I have not checked.

Alderman Edwards stated, "We all know we have some big permitted jobs that are fixing to have an impact on the dump and that is what before I was asking for permitted retroactive back for six months where we would not go through it this fast. We are going to close the dump one of these days but if we can extend it and not let these jobs fill it up as quickly and leave it more for open for the citizens of Martin. I think we would be better off. And, that is why I am against this ordinance."

Alderman Nanney stated, "It will cost two and one-half millions to three million dollars to purchase the land."

Mayor Brundige stated – I don't know for sure but I do know it would be over a million.

Alderman Nanney stated – we would need new equipment to run the landfill.

Alderman Belote asked, "Richard, if the landfill were to close down, what are your options?"

Mr. Kelly stated, "That is what I am saying, I don't know what the options are for the city. All the option we would have would be at Troy and they know it. And, Randy said something the other night about Mayfield, somebody out of Mayfield but they had not gotten back with him. Have they still not gotten back with you?"

Mayor Brundige answered - no.

Mr. Kelly stated, "That is all I am asking is to hear from all of these people to see exactly what it would cost to open up a landfill, to put a landfill in, and to see what land is available. There is a lot of gulley land around here that somebody would be willing to sell."

Mayor Brundige stated – I can tell you Mayfield's proposal will be on the lines of charging by the ton.

Mr. Sudberry stated – from Barker Brothers a forty cubic yard dumpster will cost you about \$395.00 per month for delivery and pickup, \$5.00 a day for each on-site-day, a fuel charge, an EPA service charge which varies depending on what is in the dumpster, and an additional charge will be applied on weight over three tons. I have estimated one month's cost for a \$125,000.00 project at \$600.00. We will learn to accelerate out construction time.

Mr. Kelly stated, “There are too many unknowns, you know, to our business and to the citizens of Martin, you know, what is going to be involved, we are not educated. We are not educated on what it would cost to put in another dump, another landfill, I just feel like the City of Martin needs a landfill.”

Alderman Belote stated, “One thing that is a given, our current landfill, on short term, is going to exhaust itself so that is one issue in closing the current landfill. And, have we done our due-diligent in investigating what could be involved in purchasing and opening up another landfill and I don’t think that is a difficult thing to do. I am hearing speculation at the moment that we kind of know what it would take and it is going to take a lot of money. We already know that but for the benefit of Richard and his folks, and for contractors like Richard, do we need to do that drill to see what it would be?”

Mayor Brundige stated - we know it takes eighteen months time to get permitted by the state and this does not include the time to acquire the land and equipment. The cost is going to be high.

Mr. Sudberry stated, “If this is a pending ordinance, what are we going to do because it is going to accelerate. Everybody that has something to tear down, they are going to tear it down sooner and we will be filled in two months. So, we have really closed our window of even making a decision because it going to close itself and then contractors are going to have to haul some place anyhow because MTAS is not going to let us put another board in there. So, it looks to me like closing it to all the major construction actually gives us some more time to evaluate the thing because once it closes that is the end of the options. If you can extend it for eighteen months it still leaves us some options. Of course, I have a question, let’s just take just take an even number, we will take a million dollars to open a new landfill and how are we going to pay for it?”

Alderman Belote stated – that is the drill. I would assume we would have to study that.

Mr. Sudberry stated, “I have worked with a public utility and the little old lady in tennis shoes might not ever put a thing in there, are we going to add to her property tax? Are you going to put it on the water bill?”

Mayor Brundige stated – Garbage is business type fund and it will have to support itself. The initial cost of the landfill closure was \$300,000.00. We closed the initial landfill in 1996 and it has taken us until this year to pay that amount back. We borrowed the \$300,000.00 from the city’s gas fund. The only way to pay a loan back would be to increase fees.

Mr. Sudberry stated, “So, the contractor would end up paying these fees anyhow to put it in a new landfill. If I carry a pickup truck out there and you say it is a thirteen, fifteen, or thirty cubic feet then you charge me by the cubic feet as a home handyman and when he brings a forty yard dump truck charge the cubic yards. You are not worried about the tonnage you are worried about the bulk or how fast do you fill up the volume in your landfill.”

Mr. Kelly stated, “It is not any different than selling hamburgers. If you open a place to sell hamburgers, you charge the people to come buy them. I am not saying furnish the landfill free. I

am saying give us an option. I am saying if you buy the land I would whole lot rather spend the money here in Martin, Tennessee paying for that then because when you close the landfill you will lose some jobs out there, right?"

Mayor Brundige answered - right.

Mr. Sudberry stated, "That is another reason to extend it or slow the filling of the landfill to extend it out long enough to look at the options and have a pay for use landfill."

Mr. Kelly stated, "That is right."

Mr. Sudberry stated, "So, extend it out as long as possible."

Alderman Belote state, "Everybody is right here. But it is a moot point whether it is six months or eighteen months. It is closing and right now we don't have a viable option because we have not traveled that path yet. You are still going to build and remodel and do all of those things and in eighteen months time what are we left with other than the Barker Brother's option at the moment? "

Mr. Kelly asked, "Did this just come up, a year or so ago? Did we know this was coming?"

Mayor Brundige answered - no.

Mr. Kelly stated, "Didn't know it was coming?"

Mayor Brundige answered – not until about September.

Mr. Sudberry asked, "Billy Gene didn't you say if we limited this we might be able make it for three years? Now we have eighteen months to three year window to find an option or find a piece of land. Eighteen months to get it approved. You want to be proactive on this or do you want to sit back and let it happen? Because if you don't do something First Baptist is going to go in there and I have a piece of property I am looking at and I am going to tear down right away and get it in there and so is everybody else. So now, we have gone from eighteen months to six."

Director Wagster stated, "There are no eighteen months there."

Mr. Sudberry stated, "So, passing the ordinance will give us some time but not passing is going to close it almost immediately."

Alderman Belote stated, "You make it sound like there is not an option and there is. I mean for a fee Barker Brothers will pick up anything. That is the other side of it. I don't think anybody up here wants to rush the fact that we are going to close the landfill. This is short term and we are dealing with long term."

Mayor Brundige asked - is there any further discussion?

Alderman Belote stated, "I would like to see a study or hard look at this. I mean it is even feasible to buy another month. If you buy another month, I understand what David is saying. It might expedite the process. This is a tough one. I want us to hear what Richard is saying, also. We all know what is involved with creating another landfill but are we going to look at that in a critical way, is that an option? Are we in our bounds to ask Public Works to have a plan drafted to investigate the cost and location of another landfill?"

Mayor Brundige stated - it falls within that committee's boundaries.

Mr. Sudberry stated - I think you are opening up that window of hope for Richard by asking Public Works to evaluate opening up a landfill.

Alderman Belote stated, "I think we should go one or two steps deeper into the analysis if this for Richard's sake and for contractors sake. Does anyone else have an opinion?"

Alderman Edwards stated, "I don't have a problem with the ordinance on just how restrictive it is. You are going to be putting construction debris on the side of the road and they are going to expect Public Works to come by once a week and pick up a wheel barrel load. What is a wheel barrel load? And, it will set there week in a week out till it is eventually gone."

Alderman Hankins stated, "You don't miss a service till it is gone."

Mayor Brundige stated - we need to act on this ordinance.

Alderman Harrison stated, "Do you think it might be wise to table this for thirty days and meet with you and all the board members and departments heads, do you think..."

Mayor Brundige stated - you can't meet that way. You can attend the Public Works Meeting in January and listen to the discussion. If you all want to pass this ordinance it can be amended down the road. We could clarify the amount of construction materials from a wheel barrow load to an accurate measure.

Alderman Belote stated, "We could charge the Public Works Committee with two things, one define what a wheel barrow load is. Be more specific and then also, doing the due-diligence on the landfill. Do you think that is feasible?"

Mayor Brundige stated - it is feasible but I can tell you if we change and do not approve the ordinance we will be two months down the road and the landfill will be rapidly filling up.

Alderman Belote stated, "I understand that. I mean you are weighing what is most important, the everyday citizen or the contractors in regards to how that landfill fills up. If we delay much longer then that landfill is going to fill up. But, I still think we need to be sensitive to the contractors as we move through this thing."

Mr. Sudberry stated, "If you delay the contractors will win."

Alderman Belote stated, "I don't know if it is a win-loss thing but they will have a short-term advantage. Short-term is the appropriate term. Are we extending the life for the everyday citizen or are we going to fill up the landfill for the contractors short-term? But certainly we don't want to vote on this thing and sit on it because there is some work done on it. And, we need a definition of a wheel barrow load, I need that definition. We need to see what other communities are doing."

Mayor Brundige stated - no other communities have landfills. You can't ask anyone because no cities have a landfill.

Alderman Belote asked, "What is West Tennessee going to do when Barker Brothers decides to close shop?"

Mayor Brundige stated - it maybe like they have done in the Nashville area they haul it all to Camden.

Alderman Belote stated, "I think Richard has a legitimate concern because a lot of their work profits the city. And, I think we owe it to our local contractors to take a look at this. I am also hearing David too. I think David is right on target with it. We are not going to be able to satisfy folks tonight, but we can sure work to satisfying as best we can for everybody involved. But it is not going to happen tonight."

Mayor Brundige stated - it is not going to happen in one meeting. It will take several.

Alderman Nanney stated, "You can look at Clarksville, they have to most modern landfill around and they are in trouble. They are stacking a hundred feet high. They are piling and putting dirt on top of it. They have got a set of scales and weigh everything that comes in and goes out. And, contractors from Martin are buddies with contractors from Greenfield and they come in and say I am over here on so and so street in Martin and carry it out to our landfill and that is one of the problems they are having at Clarksville. But, you are talking about major bucks because you are going to have trucks, bulldozer, track hoe, set of scales, people to run the scales, and you will have the EPA out there all the time checking you. You all need to go out there and look at all of those little pipes, they are mercury wells and we check on that periodically."

Director Wagster stated - we pay \$5,000.00 every ninety days to have the wells checked.

Alderman Nanney stated - when we closed the old landfill in 1996 it cost \$300,000.00 and we are just getting that paid off. When you go out here and start looking for land you are going to have to find some that nobody wants and residents in that area may not want a landfill in their back or front yard. It is going to be a tough task but I am willing pursue it. My father-in-law was a contractor for fifty years so, I know all about contracting.

Mayor Brundige stated - we still have Ordinance 02010-12 to consider. Is there anything else?

Alderman Belote stated, "Before we vote, I can't speak for the Board but I can speak for myself. I will do my best to see that we look into this and see if we can't create some viable options here

and at least know what we are dealing with and I am also sensitive to our need to extend the life of that landfill a little bit longer.”

Mayor Brundige asked - is there anything else from the board? No comments were made. A roll call vote was requested and follows:

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

Mayor Brundige declared Resolution O2010-12 approved.

INTRODUCTION AND PRESENTATION FOR THE SECOND AND FINAL READING OF RESOLUTION R2010-20: A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS FOR THE FISCAL YEAR BEGINNING JULY 01, 2010 AND ENDING JUNE 30, 2011

Mayor Brundige introduced and presented for consideration the second and final reading of Resolution R2010-20: A resolution making appropriations to certain non-profit charitable organizations for the fiscal year beginning July 01, 2010 and ending June 30, 2011.

Mayor Brundige read the resolution. A copy was made available for any interested persons and members of the media. A copy follows:

RESOLUTION R2010-20

A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS, FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011

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

Minutes: City of Martin Board of Mayor & Aldermen, December 13, 2010

- 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-five thousand dollars (\$25,000.00) 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.
 - e. Five thousand dollars (\$5,000.00) be appropriated to the Weakley County Reading Railroad.
 - f. One thousand five hundred dollars (\$1,500.00) be appropriated to the Carl Perkins Center.

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 _____ November 30, 2010 _____.

PASSED SECOND READING _____.

PUBLIC HEARING

Mayor Brundige opened the public hearing for Resolution R2010-20 and asked if there were anyone wishing to speak for or against the resolution. No one spoke

Mayor Brundige closed the public hearing.

Public Hearing Closed; Regular Meeting Reopened

Mayor Brundige reopened the regular meeting and stated - you have heard the reading of Resolution R2010-20, do I have a motion to approve.

Alderman Hankins made the motion to approve Resolution R2010-20: A resolution making appropriations to certain non-profit charitable organizations for the fiscal year beginning July 01, 2010 and ending June 30, 2011, seconded by Alderman Harrison.

Mayor Brundige asked - is there any discussion from the board? There was no discussion. A roll call vote was requested and follows:

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

Mayor Brundige declared Resolution R2010-20 approved.

OLD BUSINESS

There was no other old business.

SWEARING-IN-CEREMONY

Judge Langdon Unger conducted the ceremony to swear in the newly elected aldermen and mayor for four year terms expiring December 31, 2014.

Judge Unger asked Alderman Bill Harrison, Alderman David Belote, Alderman Terry Hankins and Mayor Randy Brundige to repeat the oath of office:

“I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Tennessee and that I will faithfully execute the duties to the office of which I have been elected and which bound to assume according to law and to the best of my ability, so help me God.”

Judge Unger congratulated Alderson Harrison, Alderman Belote, Alderman Hankins, and Mayor Brundige.

Ceremony Completed

NEW BUSINESS

APPOINTMENT OF CITY JUDGE: HONORABLE LANGDON UNGER, 3 YEAR TERM TO EXPIRE 12/30/2013

Mayor Brundige presented for consideration and approval the appointment of Honorable Langdon Unger as City Judge for a three (3) year term, to expire December 31, 2013.

Alderman Hankins made the motion to appoint Honorable Langdon Unger as City Judge for a three (3) year term, to expire December 31, 2013, seconded by Alderman Tuck.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

APPOINTMENT OF CITY COMMITTEES:

Mayor Brundige introduced and presented a recommendation for appointments to City of Martin Committees (list is attached to minutes).

Alderman Edwards made the motion to approve the recommended appointments to the City of Martin Committees, seconded by Alderman Tuck.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

INTRODUCTION AND PRESENTATION OF RESOLUTION R2010-21: A RESOLUTION ACCEPTING A GRANT FROM USDA, RURAL DEVELOPMENT

Mayor Brundige introduced and presented for consideration Resolution R2010-21: A resolution accepting a grant from USDA, Rural Development. The \$2,042.00 grant will allow the Library to purchase computer equipment, furniture, and electrical connections.

Mayor Brundige read Resolution R2010-21. A copy was made available for any interested persons and members of the press. A copy follows:

RESOLUTION R2010-21

A RESOLUTION ACCEPTING A GRANT FROM USDA, RURAL DEVELOPMENT

RESOLVED, that the City of Martin has applied for and, if approved, will accept a grant from USDA, Rural Development, in the amount of \$2,042.00. This money will be used for computer equipment, furniture and electrical connections. The City Board further authorizes Mayor Randy Brundige to execute all documents in regard to the application for the grant and to administer the grant and execute documents in regard to the C. E. Weldon Library.

This Resolution shall take effect and be in force from and after the 13th day of December, 2010, being the date of its enactment

This Resolution was: Yeas _____. Nays _____. Absent _____.

CITY OF MARTIN

By: _____
RANDY BRUNDIGE
Title: Mayor

Attest:

CHRIS MATHIS
Title: City Recorder

Certification

I, the undersigned, as City Recorder, hereby certify that the City Board of Aldermen, composed of 6 members of whom 6 constituting a quorum, were present at a meeting thereof duly called and held on the 13th day of December, 2010; that the foregoing resolution was adopted at such meeting by the vote shown above, and that said resolution has not been rescinded or amended in any way.

Mayor Brundige asked – is there a motion to approve?

Alderman Belote made the motion to approve Resolution R2010-21: A resolution accepting a grant from USDA, Rural Development, seconded by Alderman Harrison.

Mayor Brundige asked if there was any discussion. There was none. A roll call vote was requested and follows:

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

Mayor Brundige declared Resolution R2010-21 approved.

INTRODUCTION AND PRESENTATION FOR THE FIRST READING OF ORDINANCE O2010-13: AN ORDINANCE OF THE MARTIN, TENNESSEE BOARD OF MAYOR AND ALDERMEN ADOPTING CERTAIN OF SECTIONS OF THE MARTIN POLICE DEPARTMENT'S GENERAL ORDERS

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2010-13: An ordinance of the Martin, Tennessee Board of Mayor and Aldermen adopting certain sections of the Martin Police Department's General Orders.

Mayor Brundige read Ordinance O2010-13. (A copy of the detailed orders is attached to the minutes.) A copy has been made available for any interested persons and members of the press. A copy follows:

ORDINANCE O2010-13

AN ORDINANCE OF THE MARTIN, TENNESSEE BOARD OF MAYOR AND ALDERMEN ADOPTING CERTAIN GENERAL ORDERS OF THE MARTIN POLICE DEPARTMENT

WHEREAS, Section 20 of the Martin City Charter provides that the Board of Mayor and Aldermen may adopt supplemental rules and regulations governing employment by the City; and

WHEREAS, in conformance with the principles of sound personnel management, the City of Martin and the management of the Martin Police Department periodically updates and revises its municipal employees personnel procedures; and

WHEREAS, the Martin Mayor and Board of Aldermen and the management of the Martin Police Department have determined there is a need to update and revise certain areas of the police department's General Orders which they feel will have a positive effect on future accreditation needs and efficiency of the department.

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

Section 1. The Martin Board of Mayor and Aldermen does hereby adopt and implement the attached documents, marked as:

- G.O. 20.03 Arrests and Warrants
- G.O. 20.04 Use of Force/Deadly Force
- G.O. 20.07 Searches/Seizures Without Warrants
- G.O. 20.10 Domestic Violence
- G.O. 20.11 Off-Duty Authority
- G.O. 20.12 Electronic Control Devices
- G.O. 40.07 Mutual Aid and Emergency Assistance

- G.O. 60.11 Alcohol and Drug Abuse Policy
- G.O. 70.01 Code of Conduct
- G.O. 90.02 Field Training and Evaluation Program
- G.O. 100.11 Emergency Vehicle Operations
- G.O. 100.13 Protective Vests or Jackets 2

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, CPA
City Recorder

Randy Brundige,
Mayor

Mayor Brundige asked for a motion to approve O2010-13 on the first reading.

Alderman Harrison made the motion to approve the first reading of Ordinance O2010-13: An ordinance of the Martin, Tennessee Board of Mayor and Aldermen adopting certain sections of the Martin Police Department's General Orders, seconded by Alderman Tuck.

Mayor Brundige asked if there was any discussion. There was none. A roll call vote was requested and follows:

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

Mayor Brundige declared Ordinance O2010-13 approved on the first reading and set the second and final reading and public hearing for January 10, 2010 at 5:15 pm in the City Courtroom.

INTRODUCTION AND PRESENTATION FOR THE FIRST READING OF ORDINANCE O2010-14: AN ORDINANCE OF THE MARTIN, TENNESSEE BOARD OF MAYOR AND ALDERMEN AMENDING CERTAIN PORTIONS OF THE CITY OF MARTIN'S PERSONNEL POLICIES AND PROCEDURES MANUAL

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2010-14: An ordinance of the Martin, Tennessee Board of Mayor and Aldermen amending certain portions of the City of Martin's personnel policies and procedures manual.

Mayor Brundige read Ordinance O2010-14. (A copy of the detailed amendments is attached to the minutes.) A copy has been made available for any interested persons and members of the press. A copy follows:

ORDINANCE O2010-14

AN ORDINANCE OF THE MARTIN, TENNESSEE BOARD OF MAYOR AND ALDERMEN AMENDING CERTAIN PORTIONS OF THE CITY OF MARTIN'S PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the City of Martin Board of Mayor and Aldermen on February 09, 2004 adopted a personnel rules and regulations policy for the City of Martin which included policies regarding drug and alcohol testing; and

WHEREAS, the Board of Mayor and Aldermen now desire to amend said personnel policy to relating to Drug and Alcohol issues

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

Section 1. The Martin Board of Mayor and Aldermen does hereby adopt and implement the attached documents, marked as:

Section VII Drug and Alcohol Testing
Section E Family and Medical Leave

Section 2. **BE IT FURTHER ORDAINED** that this ordinance shall become effective immediately upon its passage, **THE PUBLIC WELFARE REQUIRING IT.**

Date passed first reading _____.

Date passed second reading _____.

Date of public hearing _____.

ATTESTED:

APPROVED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

Mayor Brundige asked for a motion to approve O2010-14 on the first reading.

Alderman Edwards made the motion to approve the first reading of Ordinance O2010-14: An ordinance of the Martin, Tennessee Board of Mayor and Aldermen amending certain portions of the City of Martin's personnel policies and procedures manual, seconded by Alderman Harrison.

Mayor Brundige asked if there was any discussion. There was none. A roll call vote was requested and follows:

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

Mayor Brundige declared Ordinance O2010-14 approved on the first reading and set the second and final reading and public hearing for January 10, 2010 at 5:15 pm in the City Courtroom.

ANY OTHER BUSINESS

There was none

COMING EVENTS:

December 16, 2010 City of Martin Christmas
December 17, 2010 Finance Committee
January 03, 2011 Public Works Committee
January 04, 2011 Informal City Board
January 10, 2011 Regular City Board

ADJOURN

Mayor Brundige asked for a motion to adjourn.

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ATTEST:

SIGNED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

RB: CM/bh