

**MARTIN BOARD OF MAYOR AND ALDERMEN
JUNE 11, 2012 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, June 11, 2012, 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 RANDY EDWARDS, ALDERMAN WARD III
 HONORABLE TERRY HANKINS, ALDERMAN WARD III
MEMBERS ABSENT: HONORABLE JOHNNY TUCK, ALDERMAN WARD II

Also present: City Recorder Chris Mathis, Director of Parks and Recreation Brian Moore, Fire Chief Russell Schwahn, Public Works Director Billy Wagster, Police Captain Don Teal, Human Resources Director Celeste Taylor, Building Inspector Billy Stout, Mr. David Sudberry, Mr. Walter Harris, Mr. Chad Snider, Mr. Russell Edwards, Mr. Larry Gurley, Dr. Heidi Huse, Dr. Angie Mackewn, Representatives from Barkers Brothers Waste Mr. Brian Barker and Mr. Mark Drysdale, Representative from Freedom Waste Mr. Joe Buchanan, and members of the media Mr. Chris Stockdale, Ms. Mary Jean Hall, and Mr. Ryan Richardson

CALL TO ORDER AND INVOCATION

Mayor Brundige called the June 11th regular meeting of the City of Martin Board of Mayor and Aldermen to order. Aldermen Nanney gave the invocation.

PLEDGE OF ALLEGIANCE

Alderman Edwards led the group in the Pledge of Allegiance to our flag.

APPROVAL OF MINUTES

MAY 14, 2012

Mayor Brundige introduced and presented for consideration the minutes of the May 14th regular meeting as written and asked if there were any additions or deletions. There were none. Therefore a motion was requested and follows:

Alderman Nanney made the motion to approve the minutes of the May 14, 2012 regular 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 was not present.

LIBRARY

DIRECTOR ROBERTA PEACOCK

Director Peacock was not present. The Library's monthly reports were included in Board packets. A Copy of this report is attached to the minutes.

COMMUNITY DEVELOPMENT

DIRECTOR BRAD THOMPSON

Director Thompson was not present. Community Development's monthly reports were in Board packets. A Copy of this report is attached to the minutes.

POLICE DEPARTMENT

CHIEF DAVID MOORE

Captain Don Teal represented the Police Department. The Police Department's monthly reports were in Board packets. A copy of this report is attached to the minutes.

HUMAN RESOURCES

DIRECTOR CELESTE TAYLOR

Director Taylor was present and asked if there were any questions. There were none.

PARKS AND RECREATION

DIRECTOR BRIAN MOORE

Director Moore presented Parks and Recreation's monthly report and asked if anyone had any questions. There were none. A copy of this report 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.

PUBLIC WORKS

DIRECTOR BILLY WAGSTER

Director Wagster was present and presented the Public Works monthly report and asked if there were any questions. There were none. A copy of the public works' monthly report is attached to the minutes.

ADMINISTRATION

CITY RECORDER CHRIS MATHIS

Recorder Mathis was present and asked if there were any questions, there were none.

OLD BUSINESS

There was none

NEW BUSINESS

INTRODUCTION, PRESENTATION, AND FIRST READING OF ORDINANCE O2012-03: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING A TRACT OF LAND LOCATED AT 747 N. LINDELL STREET FROM M-1 (LIGHT INDUSTRIAL) TO B-2 (INTERMEDIATE BUSINESS)

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2012-03: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning a tract of land located at 747 N. Lindell Street from M-1 (Light Industrial) to B-2 (Intermediate Business).

Recorder Mathis read the ordinance. Copies were made available for any interested citizens and members of the media. A copy follows:

ORDINANCE O2012-03

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MAP FOR MARTIN, TENNESSEE, BY REZONING A TRACT OF LAND LOCATED AT 747 N. LINDELL STREET FROM M-1 (LIGHT INDUSTRIAL) 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 M-1 (Light Industrial) 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 M-1 (Light Industrial) to B-2 (Intermediate Business) the following tract of land located at 747 N. Lindell Street and further described as:

Weakley County Tax Map 58, Parcel 04202.

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

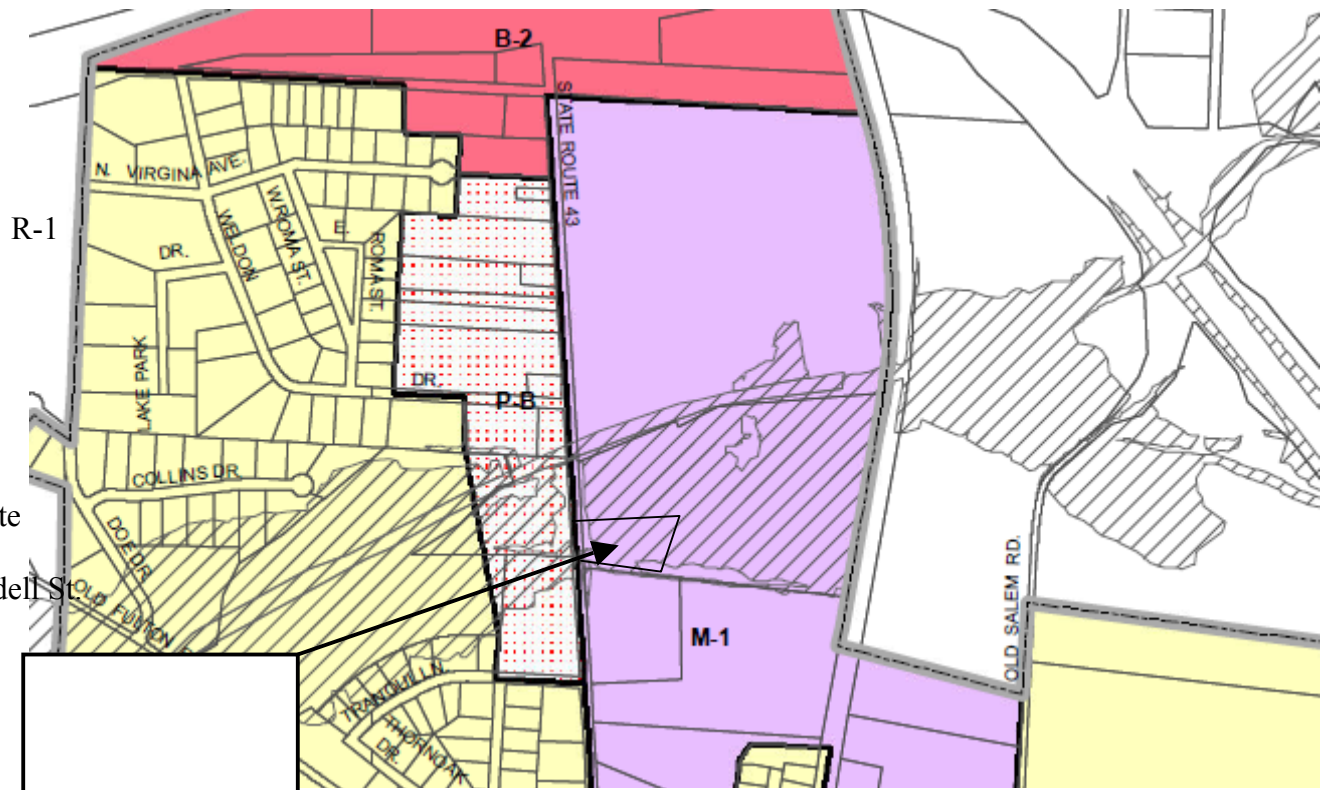
Date of Public Hearing

ATTESTED:

APPROVED:

Chris Mathis, City Recorder

Randy Brundige, Mayor



Mayor Brundige explained – You have heard the reading of Ordinance O2012-03. Do I have a motion to approve?

Alderman Edwards made the motion to approve Ordinance O2012-03: An ordinance to amend the Municipal Zoning Ordinance and Map for Martin, Tennessee, by rezoning a tract of land located at 747 N. Lindell Street from M-1 (Light Industrial) to B-2 (Intermediate Business), seconded by Alderman Harrison.

Mayor Brundige stated – I have a motion and second to approve the ordinance. Is there any discussion? There was none, therefore a roll call vote was requested and follows:

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

Mayor Brundige declared Ordinance O2012-03 approved on the first reading and set the second and final reading and public hearing for July 09, 2012 at 5:15 pm in the city courtroom.

INTRODUCTION, PRESENTATION, AND FIRST READING OF ORDINANCE O2012-04: AN ORDINANCE TO CONTINUE THE FISCAL YEAR 2012 ANNUAL OPERATING BUDGET OF THE CITY OF MARTIN, TENNESSEE, FOR THE FISCAL YEAR 2013

Mayor Brundige introduced and presented for consideration the first reading of Ordinance O2012-04: An ordinance to continue the fiscal year 2012 annual operating budget of the City of Martin, Tennessee, for the fiscal year 2013.

Recorder Mathis read the ordinance. Copies were made available for any interested citizens and members of the media. A copy follows:

ORDINANCE O2012-04

AN ORDINANCE TO TEMPORARILY CONTINUE THE FISCAL YEAR 2012 ANNUAL OPERATING BUDGET OF THE CITY OF MARTIN, TENNESSEE, FOR FISCAL YEAR 2013

WHEREAS, The Municipal Budget Law of 1982 as codified in *Tennessee Code Annotated* Section 6-56-210 permits the appropriations for the last fiscal year to become the appropriations for the next budget year, until the adoption of the new budget ordinance; and

WHEREAS, the financial plan and appropriations budget for the City of Martin for the fiscal year beginning July 1, 2012 will not be completed and adopted by June 30, 2012.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Martin, Tennessee, that:

Section 1. The City of Martin hereby extends, formally adopts, and otherwise ratifies a temporary continuation budget to provide authority for appropriations until the annual budget can be adopted.

Section 2. This continuation budget shall be based on the operating appropriations of the fiscal year 2012 annual operating budget and that it will serve as the legal authority for expenditures for fiscal year 2013 until the adoption of the actual fiscal year 2013 budget.

Section 3. Expenditures made under this budget for operating expenses will not exceed those authorized by the municipal governing body for the same period in fiscal year 2012 and shall not exceed revenues received during the period the continuation budget is in force plus cash available at June 30, 2012. Capital expenditures may not be made through the authority of this continuation budget.

Section 4. Debt service obligations coming under the continuation budget period are authorized for payment under the continuation budget and such obligations shall be met before any other expenditure, but total operating expenditures plus debt service payments shall not

exceed revenues received during the period the continuation budget is in force plus cash available at June 30, 2012.

Date Passed First Reading

Date Passed Second Reading

Date of Public Hearing

ATTESTED:

APPROVED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

Mayor Brundige explained – You have heard the reading of Ordinance O2012-04. Do I have a motion to approve?

Alderman Belote made the motion to approve Ordinance O2012-04: An ordinance to continue the fiscal year 2012 annual operating budget of the City of Martin, Tennessee, for the fiscal year 2013, seconded by Alderman Harrison.

Mayor Brundige stated – I have a motion and second to approve the ordinance. Is there any discussion? There was none, therefore a roll call vote was requested and follows:

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

Mayor Brundige declared Ordinance O2012-04 approved on the first reading and set the second and final reading and public hearing for June 28, 2012 at Noon in the city courtroom.

**APPOINT WESTAN INSURANCE AGENCY REPRESENTING
BLUECROSS/BLUESHIELD AS THE CITY'S HEALTH INSURANCE
CARRIER FOR THE COMING FISCAL YEAR, PER
RECOMMENDATION FROM THE INSURANCE COMMITTEE**

Mayor Brundige introduced for consideration the appointment of Westan Insurance Agency representing BlueCross/BlueShield as the City's health insurance carrier for the coming fiscal year per recommendation from the Insurance Committee.

Minutes: City of Martin Board of Mayor & Aldermen, June 11, 2012

Mayor Brundige asked – Do I have a motion we appoint Westan?

Alderman Nanney made the motion to appoint Westan Insurance Agency representing BlueCross/BlueShield as the City's health insurance carrier for the coming fiscal year, seconded by Alderman Hankins.

Mayor Brundige asked – Is there any discussion? There was none. Therefore a voice vote was requested and follows:

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige declared the motion approved.

APPOINT CARY INSURANCE AGENCY REPRESENTING BLUECROSS/BLUESHIELD AS THE CITY'S VISION AND DENTAL INSURANCE CARRIER FOR THE COMING FISCAL YEAR, PER RECOMMENDATION FROM THE INSURANCE COMMITTEE

Mayor Brundige introduced for consideration the appointment of Cary Insurance Agency representing BlueCross/BlueShield as the City's vision and dental insurance carrier for the coming fiscal year per recommendation from the Insurance Committee.

Mayor Brundige asked – Do I have a motion to appoint Cary Insurance?

Alderman Hankins made the motion to appoint Cary Insurance Agency representing BlueCross/BlueShield as the City's vision and dental insurance carrier for the coming fiscal year, seconded by Alderman Harrison.

Mayor Brundige asked – Is there was any discussion? There was none. Therefore a voice vote was requested and follows:

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

Mayor Brundige declared the motion approved.

AWARD BID FOR SOLID WASTE COLLECTION AND DISPOSAL CONTRACT TO BARKER BROTHERS, INC. FOR THE COMING YEAR

Mayor Brundige introduced and presented for consideration a recommendation from the Public Works Committee to award the Solid Waste contract to Barker Brothers, Waste, Inc. for the coming fiscal year. Do I have a motion?

Alderman Nanney made the motion to award the Solid Waste contract to Barker Brothers, Waste, Inc. for the coming fiscal year, seconded by Alderman Harrison.

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Mayor Brundige asked – Is there any discussion?

Alderman Hankins spoke – I have two garbage containers and both containers are full. If I carry both of these containers to the curb, will there be an extra charge or fee?

Mayor Brundige stated – No.

Alderman Hankins asked – The recycling will be picked up every two weeks, is that correct? What if I don't put anything out?

Mr. Barker answered – Recycling will be twice a month. There will be no problems if you don't put the can out.

Alderman Hankins asked – Will there be any hidden charges to come up later in this contract and does this contract say that?

Mr. Barker answered – There are no hidden charges.

Recorder Mathis stated – The contract will say that.

Alderman Hankins asked – Is it going to cost the tax payer any more money to incorporate a recycle program into the regular garbage pickup?

Recorder Mathis stated – We have discussed this and at this point garbage rates will not increase, if that is what you are asking.

Alderman Hankins stated – That is what I am asking. In other words, their bill is not going to go up.

Recorder Mathis stated – No, the bill will not increase.

Mr. Gurley asked – In the bid packets, was there a proposal for solid waste and a proposal for recycle or was it together?

Mayor Brundige stated – The recycle process was addressed in an addendum to the solid waste contract. In the contract the solid waste and brush pickup contract were separate from recycling.

Mr. Gurley stated – So without the recycle solid waste will be cheaper.

Mayor Brundige stated – That is correct.

Mr. Gurley asked – The paper said no one would be exempt from the recycle process. Is that correct?

Mayor Brundige stated – You do not have to recycle.

Mr. Gurley stated – Right, but you are going to be charged for it.

Mayor Brundige stated – No.

Alderman Hankins asked – Do you think at some point and time that recycling will be a mandate from the State of Tennessee?

Mayor Brundige answered – Yes. I think it will be. It may be five or ten maybe twenty years. I just don't know. I think it will be a mandate from the Federal Government, not necessarily the State of Tennessee.

Alderman Harrison stated – The cost of recycling may not affect this year's bill but it will in the next year.

Mayor Brundige answered – Yes, it will because there will be a slight increase each year in the five year contract.

Alderman Hankins stated – I talked to eighteen people in Ward III asking them what they thought about recycling and I had two out of the eighteen that did not want any part of it. The other sixteen did and a portion of them were already recycling at UTM. My family generates enough garbage for more than one can. I don't know if we would recycle, but I hope we would. I do not want to force an increase on the fixed income citizens, but I feel that recycling is the right thing to do.

Mr. Gurley stated – The City of Miami, right now, fines their citizens for not recycling. I also have other questions. Sometimes with my back and legs it is a hassle to get one garbage can to the curb, how will this affect the older population? How will sorting affect them? I really believe we need to think about this.

Alderman Belote stated – The city has been the benefactor of a competition bid process. There is a signification difference from what we have been engaged in and what is happening now. If you go with Barker Brother's Waste which includes recycling it is a saving to the city over last year of \$221,000.00. If you go with Freedom Waste the savings is \$128,000.00 and some change.

Mayor Brundige stated – That is the reason I said the bills will not go up. They may come down.

Alderman Belote spoke – Here is a signification piece of information if my facts and figures are correct. Barker Brother with no recycling is a savings to the city in one year's time \$354,000.00 and if you go with Freedom with no recycling it is \$393,000.00. These are significant numbers. The difference between Barker and Freedom with no recycle on the current bid is \$39,200.00 with Freedom having the lower bid. I believe in recycling and I believe it is time or close to time to recycle, but I don't believe that we can mandate recycling. I don't care how much money the city is saving on the bid with or without recycling. The way the language reads right now is that there is a recycling fee and that translates into mandating recycling. If I choose not to participate in recycling then I still have to pay for it the way we have it on paper. The other side of the coin is through the bid process the City has saved significantly in regard to our garbage pickup. This does lead to a discussion to go ahead and recycle. I know that finance and the board have not been over this to calculate the individual costs but this looks like a significant amount of money.

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Dr. Huse asked – What will Barker and Freedom recycle?

Mayor Brundige answered – Both companies will recycle normal recyclable items except rubber, glass, facial tissue, or toilet paper. There is a state mandate that companies cannot pick up Freon.

Dr. Mackewn asked – At UTM we sell our recyclables. Will the city get any money back?

Mayor Brundige stated – No, not money, but these revenues are incorporated in the lower cost to pick up.

Mr. Harris asked – Will this take away from the UTM recycling program?

Mayor Brundige stated – I have talked to the Chancellor and he fully supports a city-wide recycling program.

Mr. Harris asked – Will Freedom Waste take their recyclables to UTM?

Mr. Buchanan answered – No. We have markets for all of the recyclables our company picks up. We even have a market for glass, but it is in Georgia and is not feasible.

Mr. Harris stated – The paper said they were.

Mayor Brundige stated – The paper was wrong if that is what they said.

Alderman Hankins spoke – I want to thank Freedom Waste for bidding. I hope they come back.

Alderman Belote spoke – As a matter of clarification, we asked that both carriers take the wood products to the energy regeneration plant at the armory building.

Alderman Belote further spoke – Maybe we could see if our carrier could let the consumer choose if they want to recycle and add the cost to their bill. I would like to see the citizens be able to choose. The way the bid specs read right now, we are mandating recycling to the citizens. You will pay for recycle whether you recycle or not. I wish the specs were not written this way, but it is and that is the way it is going to be perceived. We are already saving a boat load of money versus what has happened in the last years under the current plan. That makes me feel like we have saved enough so, let's try this recycling for everybody, but I feel strongly that the citizens should be able to choose.

Mayor Brundige stated – I am going to close out the discussion now. We have a motion and a second on the table, I will ask for a roll call vote. Roll call vote follows:

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

Mayor Brundige stated – The motion failed by a three/two vote. What is your next motion?

Alderman Belote asked – What are our options? I know we are under a time restraint. I need advice. We need to know what we can do legally or policywise from this point on. One option is to pull out the fee for recycling and add up the numbers and go with that. Rebidding is an option.

Alderman Edwards asked – What is the difference between the solid waste pickup only bid between the two companies?

Alderman Belote answered – I have approximately \$39,000.00.

Alderman Edwards stated – We are not required to take the low bid.

Mayor Brundige asked – What do you all want to do? We have two options. We can accept one of these two bids or rebid the process.

Alderman Hankins made the motion to hire Barker Brothers Waste, Inc. as the city's solid waste pickup and curbside pickup carrier, no recycling, seconded by Alderman Edwards.

Mr. Russell Edwards asked – How much will our monthly bill go down if we do not recycle?

Mayor Brundige answered – We don't know. It will not be any higher. I think either way we go it will go down some. There are a lot of mechanics in figuring the costs. In the 3300 customers we service we have residential and commercial customers which have different rates.

Recorder Mathis explained – The fund balance in the Solid Waste Fund has operated in a deficit for some time. This is due to the landfill closing several years ago. The city absorbed the deficit at that time and the garbage bills did not go up. Garbage bills have increased to reduce the deficit. The State of Tennessee requires each entity to operate separately and in the black. With this contract bills may not go up, but they may not go down.

Alderman Edwards stated – As long as we do not have an increase in garbage rates that is a bonus.

Mayor Brundige stated – I have a motion and second. Is there any discussion?

Alderman Hankins asked for the motion to be read.

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Motion was read to the group, “to hire Barker Brothers Waste, Inc. as the city’s solid waste pickup and curbside pickup carrier, no recycling”.

Alderman Belote asked – I would like to request that we have a discussion about recycling at a later date because as a citizen I would choose to recycle and have container.

Mayor Brundige stated – Yes, we will plan to do that. If there is no further discussion, I will ask for a roll call vote. There was no further discussion. Roll call vote follows:

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

Mayor Brundige declared the motion approved.

AWARD BID FOR THE CHARGER LANE WATERLINE PROJECT TO NATURAL GAS PIPING CO., INC

Mayor Brundige introduced a recommendation to award the bid for the Charger Lane Waterline Project to Natural Gas Pipeline Company, Inc. for \$17,442.85 and asked for a motion to award the contract.

Alderman Nanney made the motion to award the Charger Lane Waterline Project contract to Natural Gas Pipeline Company, Inc. for \$17,442.85, seconded by Alderman Harrison.

Mayor Brundige stated – Is there any discussion? If not, I will ask for a roll call vote. There was no further discussion. Roll call vote follows:

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

Mayor Brundige declared the motion approved.

ANNOUNCE SPECIAL CALLED MEETING

Mayor Brundige announced – There will be a Special Called City Board meeting on June 28th at Noon in the City Courtroom. The agenda will be Ordinance O2012-04 and Resolution R2012-06 for budget amendments.

ANY OTHER OLD BUSINESS:

There was none.

NEW BUSINESS:

DATE FOR CITY BOARD MEETING

Mayor Brundige announced – The Informal City Board will meet Tuesday, July 03, 2012 and the regular City Board will meet Monday, July 09, 2012 at 5:15 pm in the City’s courtroom.

ANY OTHER BUSINESS

There was none

ADJOURN

Mayor Brundige asked – is there a motion to adjourn?

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

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

ATTEST:

SIGNED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

RB: CM/bh