

Minutes: City of Martin Board of Mayor & Aldermen, September 10, 2012

Mayor Brundige introduced and presented for consideration the minutes of the August 28th special called meeting as written and asked if there were any additions or deletions. There were none. Therefore, a motion was requested and follows:

Alderman Hankins made the motion to approve the minutes of the August 28, 2012 special called meeting of the City of Martin Board of Mayor and Aldermen as written, seconded by Alderman Tuck.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

DEPARTMENT HEAD REPORTS:

PARKS AND RECREATION

DIRECTOR BRIAN MOORE

Director Moore was present. Parks and Recreation's monthly reports were included in packets. A copy of this report is attached to the minutes.

Director Moore also reported – We had a very good Soybean Festival Disk Golf Tournament with seventy or so participants and the 5-K Run was the largest we have had with one hundred and fifty runners.

POLICE DEPARTMENT

CHIEF DAVID MOORE

Chief Moore was present representing the Police Department. The Police Department's monthly reports were in Board packets. A copy of this report is attached to the minutes.

COMMUNITY DEVELOPMENT

DIRECTOR BRAD THOMPSON

Director Thompson was present. Community Development's monthly reports were in Board packets. A Copy of this report is attached to the minutes.

Director Thompson stated – The 19th Annual Soybean Festival was a great success. Planning is underway for the 20th Annual Soybean Festival. I enjoyed my first experience with the festival.

HUMAN RESOURCES

DIRECTOR CELESTE TAYLOR

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

FIRE DEPARTMENT

CHIEF JAMIE SUMMERS

Chief Summers 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.

Chief Summers stated – Thank you for the plant sent last week when my Grandfather passed away.

Chief Summers further explained – From the Fire Department's view the festival was great. We only had a couple of medical calls, nothing major.

BUILDING DEPARTMENT

INSPECTOR BILLY STOUT

Inspector Stout was present and asked if there were any questions. There were none.

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.

LIBRARY

DIRECTOR ROBERTA PEACOCK

Director Peacock was not present.

SOYBEAN FESTIVAL THANKS

**MAYOR BRUNDIGE
ALDERMAN BELOTE**

Mayor Brundige spoke – I want to thank each person in the city for all the hard work put in during the Soybean Festival. The work and participation of each department makes the festival a success. Even though we had rain, everything went well. Thank you for a job well done. We are looking forward to doing it again next year. I will ask Soybean Festival Chairman Belote for a few comments.

Alderman Belote spoke – I will echo what the Mayor has said. There are so many good people in our community that step up and make this a great event. I think what makes it really work for our community is it is the right amount of city involvement and the right amount of community

involvement. I just wish everyone in the community really knew how the folks sitting in this room that represent our city departments step up. They not only step up with their actions but they step up with their spirit. They engage in the festival. They become a part of it. They invest in it. That is why these last few years we have had very few issues with making the festival happen and that makes it a joyful event for everybody. My hat is off to the people that do all the little things that nobody sees that make it work. We have a good thing going. We need to keep it up.

OLD BUSINESS:

INTRODUCTION AND PRESENTATION FOR THE SECOND AND FINAL READING OF ORDINANCE O2012-05: AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE FOR MARTIN, TENNESSEE, TO AMEND PROVISIONS GOVERNING PLANNING COMMISSION REVIEW OF PROPOSED AMENDMENTS

Mayor Brundige introduced and presented for consideration the second and final reading and public hearing of Ordinance O2012-05: An ordinance to amend the Municipal Zoning Ordinance for Martin, Tennessee, to amend Provisions Governing Planning Commission Review of Proposed Amendments.

Recorder Mathis read Ordinance O2012-05. A copy was provided for any interested citizens and members of the media. A copy follows:

ORDINANCE O2012-05

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE FOR MARTIN, TENNESSEE, TO AMEND PROVISIONS GOVERNING PLANNING COMMISSION REVIEW OF PROPOSED AMENDMENTS

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 relative to proposed amendments; and

WHEREAS, the Martin Mayor and Board of Aldermen has deemed such 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 Ordinance for Martin, Tennessee be amended by deleting the third sentence of Article XIV. AMENDMENT, Section B. Planning Commission Review and replacing it as follows:

If the City Planning Commission neither approves nor disapproves such proposed amendment within sixty (60) days after such submission, the absence of action shall be considered as approval of the proposed amendment.

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.**

August 13, 2012

Date Passed First Reading

Date Passed Second Reading

Date of Public Hearing

ATTESTED:

APPROVED:

Chris Mathis, CPA
City Recorder

Randy Brundige,
Mayor

PUBLIC HEARING

Mayor Brundige opened the public hearing for of Ordinance O2012-05: An ordinance to amend the Municipal Zoning Ordinance for Martin, Tennessee, to amend Provisions Governing Planning Commission Review of Proposed Amendments.

Mayor Brundige asked – Is there anyone present wishing to speak for or against Ordinance O2012-05.

No one spoke

Mayor Brundige closed the public hearing

PUBLIC HEARING CLOSED

REGULAR MEETING RECONVENED

Mayor Brundige reconvened the regular meeting and explained – You have heard the second and final reading and witnessed the public hearing of Ordinance O2012-05, do I have a motion?

Alderman Tuck made the motion to approve the second and final reading Ordinance O2012-05: An ordinance to amend the Municipal Zoning Ordinance for Martin, Tennessee, to amend Provisions Governing Planning Commission Review Of Proposed Amendments, seconded by Alderman Hankins.

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

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

Mayor Brundige declared Ordinance O2012-05 approved on the second and final reading.

INTRODUCTION AND PRESENTATION FOR CONSIDERATION THE SECOND AND FINAL READING OF ORDINANCE O2012-06: AN ORDINANCE OF THE CITY OF MARTIN, TENNESSEE, ADOPTING THE ANNUAL BUDGET AND ESTABLISHING A PROPERTY TAX RATE FOR THE FISCAL YEAR ENDING JUNE 30, 2013 (PUBLIC HEARING WAS HELD AUGUST 28, 2012)

Mayor Brundige introduced and presented for consideration the second and final reading Ordinance O2012-06: An ordinance of the City of Martin, Tennessee, adopting the annual budget and establishing a property tax rate for the fiscal year ending June 30, 2013 and explained the public hearing was held August 28, 2012.

Recorder Mathis read Ordinance O2012-06. A copy was made available for any interested citizens and the members of the media. A copy follows:

ORDINANCE O2012-06

AN ORDINANCE OF THE CITY OF MARTIN, TENNESSEE ADOPTING THE ANNUAL BUDGET AND ESTABLISHING A PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governmental body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriations in excess of estimated available funds; and

WHEREAS, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

SECTION 1. NOW THEREFORE BE IT ORDAINED by the Board of Mayor and Aldermen of Martin, Tennessee, assembled in special session on the 28th day of August, 2012 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, 2012, and ending June 30, 2013, according to the following schedule:

General Fund Expenditures (Including debt payments)	\$ 7,909,144
State Street Aid Fund Expenditures	233,500
Library Gift Fund Expenditures	41,000
Cemetery Fund Expenditures	31,850
Drug Enforcement Fund Expenditures	27,700
Solid Waste Fund	1,327,968
Water and Sewer Fund	2,878,223
Natural Gas Fund	3,671,184

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

SECTION 3. BE IT FURTHER ORDAINED, there is hereby levied a property tax of \$1.4772 per \$100.00 of assessed value on all real and personal property.

SECTION 4. BE IT FURTHER ORDAINED, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 5. BE IT FURTHER ORDAINED, that a detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances will be attached.

SECTION 6. 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, CPA

Date of Public Hearing

APPROVED:

Randy Brundige, Mayor

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Mayor Brundige stated – You have heard the second and final reading of Ordinance O2012-06. Is there any discussion? There was none. A motion was requested.

Alderman Harrison made the motion to approve the second and final reading Ordinance O2012-06: An ordinance of the City of Martin, Tennessee, adopting the annual budget and establishing a property tax rate for the fiscal year ending June 30, 2013, seconded by Alderman Nanney.

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

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

Mayor Brundige declared Ordinance O2012-06 approved on the second and final reading.

A detailed spreadsheet of the Fiscal Year Budget prepared by Recorder Mathis is attached to the minutes.

INTRODUCTION AND PRESENTATION FOR CONSIDERATION THE SECOND AND FINAL READING OF RESOLUTION R2012-09: A RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS FOR THE FISCAL YEAR BEGINNING JULY 2012 AND ENDING JUNE 30, 2013

Mayor Brundige introduced and presented for consideration the second and final reading of Resolution R2012-09: A resolution making appropriations to certain non-profit charitable organizations for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

Recorder Mathis read Resolution R2012-09. A copy was made available for any interested citizens and the members of the media. A copy follows:

RESOLUTION R2012-09

RESOLUTION MAKING APPROPRIATIONS TO CERTAIN NON-PROFIT CHARITABLE ORGANIZATIONS, FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013

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. Two thousand five hundred dollars (\$2,500.00) be appropriated to Community Developmental Services, Inc.
 - c. Twenty-five thousand dollars (\$25,000.00) be appropriated for the community activity – Tennessee Soybean Festival
 - d. One thousand five hundred dollars (\$1,500.00) appropriated to the Exchange Club Carl Perkins Center for Prevention of Child Abuse
 - e. Two thousand seven hundred fifty dollars (\$2,750.00) be appropriated to the Miss Tennessee Soybean Scholarship.
 - f. Five thousand dollars (\$5,000.00) be appropriated to the Weakley County Reading Railroad.
 - g. Two hundred fifty dollars (\$250.00) be appropriated to the American Cancer Society relay for Life.

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

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Mayor Brundige explained – You have heard the second and final reading of Resolution R2012-09, is there any discussion? There was none, therefore a motion was requested.

Alderman Nanney made the motion to approve the second and final reading of Resolution R2012-09: A resolution making appropriations to certain non-profit charitable organizations for the fiscal year beginning July 2012 and ending June 30, 2013, seconded by Alderman Harrison.

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

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

Mayor Brundige declared Resolution R2012-09 approved on the second and final reading.

NEW BUSINESS:

INTRODUCTION AND PRESENTATION FOR CONSIDERATION RESOLUTION R2012-10: 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 R2012-10: A resolution to establish water and sewer rates for customers of the Martin municipal water and sewer systems.

Recorder Mathis read Resolution R2012-10. A copy was made available for any interested citizens and the members of the media. A copy follows:

RESOLUTION R2012-10

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).....	\$6.13
1,000 – 2,000 gallons.....	\$3.30
2,000 – 7,000 gallons.....	\$2.74
7,000 – 11,000 gallons.....	\$2.43
11,000 – 30,000 gallons.....	\$2.23
Over 30,000 gallons.....	\$2.12

For Customers Outside the City Limits

Monthly minimum bill (includes first 1,000 gallons usage).....	\$12.26
1,000 – 2,000 gallons.....	\$ 6.59
2,000 – 7,000 gallons.....	\$ 5.48
7,000 – 11,000 gallons.....	\$ 4.85
11,000 – 30,000 gallons.....	\$ 4.45
Over 30,000 gallons.....	\$ 4.24

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).....	\$10.46
1,000 – 2,000 gallons.....	\$5.57
2,000 – 7,000 gallons.....	\$4.63
7,000 – 11,000 gallons.....	\$4.19
11,000 – 30,000 gallons.....	\$3.96
Over 30,000 gallons.....	\$3.73

For Customers Outside the City Limits

Monthly minimum bill (includes first 1,000 gallons usage).....	\$20.92
1,000 – 2,000 gallons.....	\$ 11.13
2,000 – 7,000 gallons.....	\$ 9.26
7,000 – 11,000 gallons.....	\$ 8.38
11,000 – 30,000 gallons.....	\$ 7.92
Over 30,000 gallons.....	\$ 7.46

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 10TH DAY OF SEPTEMBER, 2012 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

Mayor Brundige explained – You have heard the reading of Resolution R2012-10, is there any discussion? There was none, therefore a motion was requested.

Alderman Tuck made the motion to approve Resolution R2012-09: A resolution to establish water and sewer rates for customers of the Martin municipal water and sewer systems, seconded by Alderman Harrison.

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

Alderman Harrison called for question

Mayor Brundige asked for a roll call vote was requested. Vote follows:

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

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ABSENT: ALDERMAN EDWARDS

Mayor Brundige declared Resolution R2012-10 approved on the second and final reading.

ANY OTHER BUSINESS

DONATION OF SICK LEAVE

Fire Chief Summers made the request to allow fellow firemen to donate 240 hours of sick leave to an employee. The employee has not been with the city long enough to accumulate enough sick leave to allow him to recuperate from an injury. During the Battle of Blood this employee donated blood and shortly after returning to the station passed out and broke two ribs. He will need to be off work for a month which is ten shifts. Workers Comp will not cover this because this was voluntary act.

Alderman Hankins made the motion to approve a request from the Fire Department to allow firemen to donate 240 hours of sick leave to an injured fireman, seconded by Alderman Nanney.

VOTE: UNANIMOUS VOICE VOTE OF APPROVAL

SABRINA BATES, WEAKLEY COUNTY PRESS RETIRING

Mayor Brundige spoke – Sabrina, I would like to thank you for your coverage of city affairs. You have been fair and correct. We wish you well in your new undertaking. We will miss you.

Ms. Bates spoke – Thank you. It has been a pleasure. I would like to express my thanks for the cooperation that the Board of Mayor and Aldermen and departments heads have extended to the news media and me in particular. We have worked well together.

DATE FOR CITY BOARD MEETING

Mayor Brundige announced – The Informal City Board will meet Tuesday, October 02, 2012. The regular City Board will meet Monday, October 08, 2012 at 5:15 pm in the City's courtroom at 101 University Street.

ADJOURN

Mayor Brundige asked – Is there any other business. There was none, therefore a motion to adjourn was requested and follows:

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