

**AGENDA
CITY OF MORRISTOWN, TENNESSEE
CITY COUNCIL MEETING
APRIL 19, 2016 – 5:00 P.M.**

1. CALL TO ORDER

Mayor Gary Chesney

2. INVOCATION

Don Lamb, Fire Department Chaplain, City of Morristown

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. APPROVAL OF MINUTES

1. April 5, 2016

6. PROCLAMATIONS/PRESENTATIONS

**7. CITIZEN COMMENTS ABOUT AGENDA ITEMS ONLY
(Other than items scheduled for public hearing.)**

8. OLD BUSINESS

8-a. Public Hearings & Adoption of Ordinances/Resolutions

9. NEW BUSINESS

9-a. Resolutions

1. Resolution No. _____

A Resolution Authorizing the Allocation and Disbursement to Project Graduation, a Non-Profit Organization, of Funds in the City of Morristown's 2015/2016 Fiscal Year Budget.

2. Resolution No. _____

A Resolution to Authorize the Submission of a Local Parks and Recreation Fund (LPRF) Grant Application for Improvements at Civic, Fred Miller, Hillcrest, Parks and Popkin Field.

3. Resolution No. _____
A Resolution of the City of Morristown, Tennessee, Amending the Contract Between the City of Morristown and Norfolk Southern Corporation.

9-b. Introduction and First Reading of Ordinances

1. Ordinance No. _____
An Ordinance to Annex Certain Territory and to Incorporate same within the Corporate Boundaries of the City of Morristown, Tennessee; {Annexation of property located on North Bellwood Road to include Hamblen County Tax Parcel ID #040 03901000 with the Zoning Designation of Medium Density Residential (R-2).}
{Public Hearing May 3, 2016}
2. Ordinance No. _____
An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property; approximately 1.27 acres being part of Hamblen County Tax Parcel 033D D 00200, located along the southwestern rights-of-way of Cherokee Drive from Medium Density Residential (R-2) to Local Business (LB)}.
{Public Hearing May 3, 2016}
3. Ordinance No. _____
An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property; approximately 2.28 acres being part of Hamblen County Tax Parcels 025 04600, located along the northern rights-of-way of Brights Pike from Planned Residential Development (RP1) to Intermediate Business (IB)}.
{Public Hearing May 3, 2016}

9-c. Awarding of Bids/Contracts

1. Approval of Contract between the City of Morristown, Tennessee and LeBel Commercial Realty, LLC, for Real Estate Agent/Broker Services.
2. Approval of Request for Proposal – for Brokerage/Consulting Services for Group Insurance & Voluntary Insurance Benefits.
3. Purchase Approval of an Explosive Ordnance Device (EOD) Bomb Suit for the Morristown Police Department from MED-ENG LLC, in the amount of \$26,392.00.

9-d. Board/Commission Appointments

1. City Council appointment or re-appointment to the Construction Board of Adjustments, Appeals, and Examiners for a three (3) year term to expire May 1, 2016; terms expiring: Robert Russell, Jim Clark and Joseph Wigington.

2. City Council appointment or re-appointment to the Hamblen County Board of Equalization for a two (2) year term to expire May 1, 2018; term expiring: Robert Russell.
3. City Council appointment, to fill the remaining term of Maxine Craig to the Morristown-Hamblen Humane Society Board of Directors.

9-e. New Issues

10. CITY ADMINISTRATOR'S REPORT

11. COMMUNICATIONS/PETITIONS

This is the portion of the meeting where members of the audience may speak subject to the guidelines provided.

12. COMMENTS FROM MAYOR/COUNCILMEMBERS/COMMITTEES

13. ADJOURN

City Council Meeting/Holiday Schedule:

Regular City Council Meeting with Work Session

May 3, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
May 16, 2016	(Mon) 9:00 a.m.	City Administrator Budget Presentation to Council Foundation Room, Walters State
May 17, 2016	(Tues) 4:00 p.m.	Finance Committee Meeting
May 17, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
May 30, 2016	(Monday)	City Employee's Holiday Memorial Day
June 7, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
June 21, 2016	(Tues) 4:00 p.m.	Finance Committee Meeting
June 21, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
June 23, 2016	(Thurs) 7:00 p.m.	City Council Roundtable, Buffalo Trail Baptist Church
July 4, 2016	(Monday)	City Employee's Holiday Independence Day
July 5, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
July 19, 2016	(Tues) 4:00 p.m.	Finance Committee Meeting
July 19, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session

WORK SESSION AGENDA
APRIL 19, 2016
5:00 p.m.

1. Municipal Code Title 9 Review.

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
APRIL 5, 2016**

The City Council for the City of Morristown, Hamblen County, Tennessee, met in regular session at the regular meeting place of the Council in the Morristown City Center at 5:00 p.m., Tuesday, April 5, 2016, with the Honorable Mayor Gary Chesney, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Ken Smith and Tommy Pedigo.

Dr. Chris Dotson, Morristown Chaplain Coordinator led in the invocation and Councilmember Alvis led in the "Pledge of Allegiance".

Councilmember Alvis made a motion to approve the March 15, 2016, minutes as circulated. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

A Public Hearing was held regarding Ordinance No. 3544.

Councilmember Senter made a motion to approve Ordinance No. 3544 on second and final reading. Councilmember Bivens seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, Smith, Pedigo and Mayor Chesney voted "aye"; Councilmember Alvis voted "no".

**Ordinance No. 3544
An Ordinance of the City Council for the City of Morristown,
Tennessee, Amending Title 8 of the Morristown Municipal Code.
(Alcoholic Beverages)**

A Public Hearing was held regarding Ordinance No. 3545.

Councilmember Alvis made a motion to approve Ordinance No. 3545 on second and final reading. Councilmember Smith seconded the motion and upon roll call; all voted: "aye".

**Ordinance No. 3545
An Ordinance of the City Council for the City of Morristown,
Tennessee, Amending Title 13, Chapter 3 of the Morristown Municipal
Code. (Tree Board)**

Councilmember Bivens made a motion to approve Resolution 02-16. Councilmember Alvis seconded the motion and upon roll call; all voted: "aye".

**RESOLUTION NO.02-16
BEING A RESOLUTION OF THE CITY OF MORRISTOWN,
TENNESSEE APPROVING THE CIVIL SERVICE BOARD'S
AMENDMENTS TO ITS PUBLIC SAFETY QUALIFICATIONS AND
STANDARDS FOR ENTRY LEVEL AND PROMOTION BOOKS**

Be it resolved by the City Council for the City of Morristown, Tennessee that the amendments to the Public Safety Qualifications and Standards for Entry Level (Green Book) and the Public Safety Qualifications and Standards for Promotion (Orange Book) proposed by and approved by the City of Morristown Civil Service Board are hereby approved and ratified by the City Council for the City of Morristown, Tennessee.

Passed this the 5th day of April, 2016.

Gary Chesney, Mayor

ATTEST:

City Administrator, Anthony Cox

Councilmember Pedigo made a motion to approve the bid/contract with Whaley and Sons, Inc. for construction services for the Safe Routes to School Project, in the total amount of \$93,715. Councilmember Smith seconded the motion and upon roll call; all voted: "aye".

Councilmember Senter made a motion to approve the purchase of a used Turf Mower for the Parks & Recreation Department from Ladd's in the amount of \$21,000. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve the Request for Proposal – Real Estate Agent/Broker Services, from LeBel Commercial Real Estate Agency pending the negotiation for a contract to be approved at the next council meeting. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to approve the Police Department hiring of Charles Story, pending meeting qualifications, as an entry-level Patrol Officer. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

April 5, 2016

Councilmember Alvis made a motion to confirm the disciplinary action requested by the Police Department. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

Mayor Chesney adjourned the April 5, 2016, City Council meeting at 5:33 p.m.

MAYOR

ATTEST:

CITY ADMINISTRATOR

DRAFT

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE ALLOCATION AND
DISBURSEMENT TO PROJECT GRADUATION, A NON-PROFIT
ORGANIZATION, OF FUNDS IN THE CITY OF MORRISTOWN'S
2015/2016 FISCAL YEAR BUDGET.**

WHEREAS, as part of its annual budget process the City of Morristown allocates to be disbursed to deserving non-profit charitable and civic organizations; and,

WHEREAS, as a part of the city of Morristown's 2015/2016 fiscal year budget One Thousand Dollars (\$1,000) has been allocated to be disbursed to Project Graduation; and

WHEREAS, the City of Morristown in accordance with Tennessee Code Annotated 6-54-111 does hereby pass this Resolution authorizing this disbursement to this non-profit organization of the funds appropriated for their use and benefit; and,

WHEREAS, it is in the best interest and welfare of the citizens and residents of the City of Morristown that this Resolution shall be passed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morristown, Tennessee, meeting in regular session on this the 19th day of April, 2016, with a lawful quorum of said Council being present and with a majority of said Council voting in the affirmative as follows:

- That One Thousand Dollars (\$1,000) be added and appropriated by the City of Morristown Council in its amended 2015/2016 fiscal year budget be used by the non-profit organization Project Graduation.

This Resolution shall be effective from and after its adoption.

Passed this the 19th day of April, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR



Dear Business Leader:

As the 2015-2016 Hamblen County school year comes to an end, another group of young men and women are in final preparation for their high school graduation on Friday, May 20th. It's a time of celebration, high hopes and lasting memories.

Project graduation was created for the graduates of Morristown East and Morristown West to have a safe place to gather after graduation. For the twenty-seventh consecutive year, Project Graduation Hamblen County will be providing a drug/alcohol free environment for the graduates of our local high schools. Each year the attendance varies but an average of 1,300 students have participated in the past years. Since the inception of Project Graduation there has not been one fatality among our high school students on graduation night. The event boasts a variety of activities and entertainment that will begin immediately after the graduation ceremonies and last until morning. College Square Mall will graciously host the event again this year.

Project Graduation is not a school-funded activity. It is a parent and community sponsored event and depends solely on volunteers and the generosity of our local businesses. With that being said, we are asking for your support. Please consider making Hamblen County's Project Graduation one of the worthy events you will support this year. This night will influence a large number of our young people. We are grateful that the Hamblen County community and area businesses have traditionally supported our efforts to provide a safe environment in which the graduates can celebrate graduation night.

We hope you will join with your associates in the business community and demonstrate your support of this event by making a contribution. If you choose to donate a gift, it will also be greatly appreciated. Thank you for helping us to continue this endeavor. Project Graduation Hamblen County is a non-profit, tax-exempt organization. **All donations are tax deductible.** Donations of \$500 and above that are received by May 6th will have their picture in the paper for special recognition.

For Questions, please e-mail: projectgraduationhamblen@gmail.com or call

- Amanda Buchanan-East Executive Chair (912)550-3375
- Carol Manning-West Executive Chair (423)312-3808

Sincerely,

2016 Project Graduation Volunteers

Non-profit 501 (c) (3) Organization, Tax Exempt #78023827

Please make checks payable to "Project Graduation Hamblen County" and mail to:

**Project Graduation
C/O Tony Wheeler CPA
729 W. First North St.
Morristown, TN 37814**

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A LOCAL PARKS AND RECREATION FUND (LPRF) GRANT APPLICATION FOR IMPROVEMENTS AT CIVIC, FRED MILLER, HILLCREST, PARKS AND POPKIN FIELD

WHEREAS, the well-being of the citizens of the City of Morristown is of the greatest importance; and;

WHEREAS, all efforts shall be made to provide a safe, healthy play area for the citizens of the City of Morristown and surrounding areas;

WHEREAS, improvements to Civic Hillcrest, Fred Miller Parks and Popkin Field are needed in order to enhance the lives of citizens through exceptional parks and recreation facilities;

WHEREAS, the State of Tennessee offers grants to local communities to finance recreational improvements through its LPRF program;

WHEREAS, the City of Morristown must submit a formal application in order to be eligible for funding through the LPRF program, said application to request funding for City Park improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Morristown, the following:

Section 1: That the City of Morristown is hereby authorized to submit application for a 2016 LPRF grant not to exceed \$ 1,000,000.

Section 2: That the City of Morristown is hereby authorized to provide a matching sum to serve as a match for any monies provided by this grant, up to \$ 500,000 to be provided by an appropriation in the general fund budget.

Section 3: That the City of Morristown owns the proposed location and acknowledges the Notice of Limitation of Use to be placed upon the land so that it will only be used for public recreation;

Section 4: that the City of Morristown acknowledges the project must be completed within 2 years if the contract is awarded.

This Resolution shall be effective from and after its adoption.

Passed this the 19th day of April, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR



NEWS RELEASE
RECREATION GRANT PUBLIC INPUT INVOLVEMENT MEETINGS

The City of Morristown Parks and Recreation Board and staff invite the citizens of Morristown and Hamblen County to a recreation grant input involvement meeting for a Local Parks and Recreation Fund Program Grant application for walking trail development at Fred Miller Park, Civic Park Pavilion replacement, Popkin Field playground replacement along with ADA improvements at Civic, Fred Miller, Popkin and Hillcrest Parks. The grant meetings are on the following dates:

Date	Time	Meeting & Location
February 16-March 18, 2016		MyMorristown.com Website – Input forms, etc.
March 1, 2016	3:00-5:00pm	Morristown City Council @ City Center, Training Room
March 10, 2016	12:30-2:00pm	Fred Miller Park @ Bishop Goodman Shelter
March 14, 2016	5:30-7:00pm	Parks and Recreation Board @ 415 West Louise Ave.

The meetings will be centered toward gathering input on an outer trail loop development, construction, monitor and control issues. The information gathered will be for staff purposes to evaluate public responses to alternatives and formulate a final action plan. The ADA improvements will include accessibility issues along with signage and restroom upgrades.

This process provides ways for citizens to bring their skills, backgrounds and resources toward meeting these needs and assures citizens that their ideas and viewpoints are heard by those who act upon their request.

The involvement of citizens often contributes new ideas to a program and helps foster a better understanding of a relationship between sustaining and increasing services, efficient financing and management of the local recreation delivery system.

All citizens are invited and urged to attend the public input meetings, but if you can't attend please mail your suggestions to the Parks and Recreation Office at 415 West Louise Avenue, Morristown, TN 37813, by March 18, 2016. You are also invited to go to our website, [@mymorristown.com](http://mymorristown.com), Parks and Recreation Department. If you have questions or comments about the recreation input involvement meetings, please call the Parks and Recreation office at 586-0260 or email Recreation Director cprice@mymorristown.com.

RESOLUTION NO. _____
BEING A RESOLUTION OF THE CITY OF MORRISTOWN,
TENNESSEE AMENDING THE CONTRACT BETWEEN THE CITY
OF MORRISTOWN AND NORFOLK SOUTHERN CORPORATION

Be it resolved by the City Council for the City of Morristown, Tennessee that the contract between the City of Morristown and Norfolk Southern Corporation is hereby amended as follows:

Whereas, as previously listed for closure, the Bellwood Road crossing, DOT #731374Y, shall hereby remain open and will be removed from the closure list.

Whereas, the Howell Road crossing, DOT #731376M, shall be closed by Norfolk Southern Corporation.

Whereas, the Jim Senter Way crossing will be added to the list for signal improvements, said improvements to be funded by Tennessee Department of Transportation.

Whereas, the Stockyard Supply crossing, DOT #731363L, shall be closed by Norfolk Southern Corporation. As said crossing is located on private property, no participation is required by the City, however the City will provide the property owner's contact information to Norfolk Southern Corporation.

Whereas, no monetary amount shall be exchanged between the City or Norfolk Southern Corporation.

Whereas, the remainder of the contract between the City of Morristown and Norfolk Southern Corporation shall remain in full force and effect, with the exception of the modifications as stated above.

The above amendments to the contract between the City of Morristown and Norfolk Southern Corporation are hereby approved and ratified by the City Council for the City of Morristown, Tennessee.

Passed this the 19th day of April, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR



Norfolk Southern Corporation
1200 Peachtree Street, NE – Box 38
Atlanta, GA 30309-0038
Phone 404-582-6937
william.miller@nscorp.com

William R. Miller
Manager Grade Crossing Safety

April 15, 2016

Mayor Gary Chesney
111 West Main Street
Marshallville, GA 31057

SUBJECT – NS/Morristown

Dear Mayor Chesney:

I am diligently working to put at rest terms of a resolution that was passed by the City on November 21, 2006. While some of components of the resolution and agreement between the Railroad and the City were followed through with, others were not. I offer the following notes as a summary of that agreement:

- The original agreement was for 5 closures and a grand total payment of \$195,000 (\$160K from NS + \$35K from TDOT using matching Federal funds). A payment of \$156K and some change (check copy also enclosed in copy) was made to the City. 2 of the crossings were closed with the understanding that Howell and Bellwood would close after the connector was constructed and opened.
- There were aspirations of the City regarding future utility easement considerations and some sort of donation of an "abandoned" rail bed. I am unsure if either, or both, of these issues prevented both sides from completing the deal.
- There have been a lot of different folks working on this through the years, on both ends, many have come and gone.
- We want to finish this out, understanding that development has, and is continuing to occur in this area, I understand that the terms of the previous agreement may need to be amended to satisfy both of us.

It is my hope that the Council will take a look at this Summary and the following two proposed action items that will allow for NS and the City to bring this open topic to closure.

Primary Action Item:

Working off of the City Resolution adopted 11.21.06, we would feel most comfortable if the City passed a new resolution, referencing the revisions that we are in agreement to, which are:

- Re-iterating the closure of Howell Rd, DOT #731 376M.
- No longer pursuing previously agreed upon closure of Bellwood Rd, DOT #731 374Y at the request of the City.

Mayor Gary Chesney
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April 15, 2016

- Working with TDOT to modify existing flashing light and bell warning devices at Jim Senter Way, DOT #731 352Y (also known as Park Ave. per Railroad documents) to include new lights, gates and bell equipped warning devices.
- Providing an incentive payment to the City in the amount of \$15,000 for use in the City's construction of cul-de-sac, or suitable turn around configuration on the Southside of the tracks. TDOT will work to pursue a \$7,500 match on our incentive using Federal funds. The crossing at Howell Road will be permanently closed by NS when the total incentive is authorized.
- City will handle design and construction of cul-de-sac, or suitable end-of road design at the City's discretion, to be located off of RR property.
- Reference the previous payment from NS in the amount of \$156,516.00 for the 4 public closures.
- Maintain the existing clause that states the City will erect and maintain the proper road closed signage.

Secondary Action Item:

- Provide NS with a brief memo stating that the City does not maintain the Stockyard Supply crossing, DOT # 731 363L, on both sides, therefore it should be considered a private crossing. This allows us to change it with your acknowledgement from public to private. We will then post it for closure based on lack of agreement and lack of need due to other means of access.

Again, we are grateful to be able to work with the City, and TDOT to bring this to a conclusion while enhancing safety of the travelling public in Morristown. I feel that the action items listed above will do that once they are accomplished. Please let me know if and when there is need for discussion.

If you have any questions regarding this proposal, please give me a call at 404-582-6937.

Sincerely,



Cc. Chris Bivens – Morristown City Council
Dennis Alvis - Morristown City Council
Bob Garrett - Morristown City Council
Kay Senter - Morristown City Council
Ken Smith - Morristown City Council
Tommy Pedigo - Morristown City Council
Tony Cox – City Administrator
Paul Brown – Public Works Director
Larry Clark – Administrative Services Director
Erik Andersen – TDOT Multimodal (sent via e-mail)



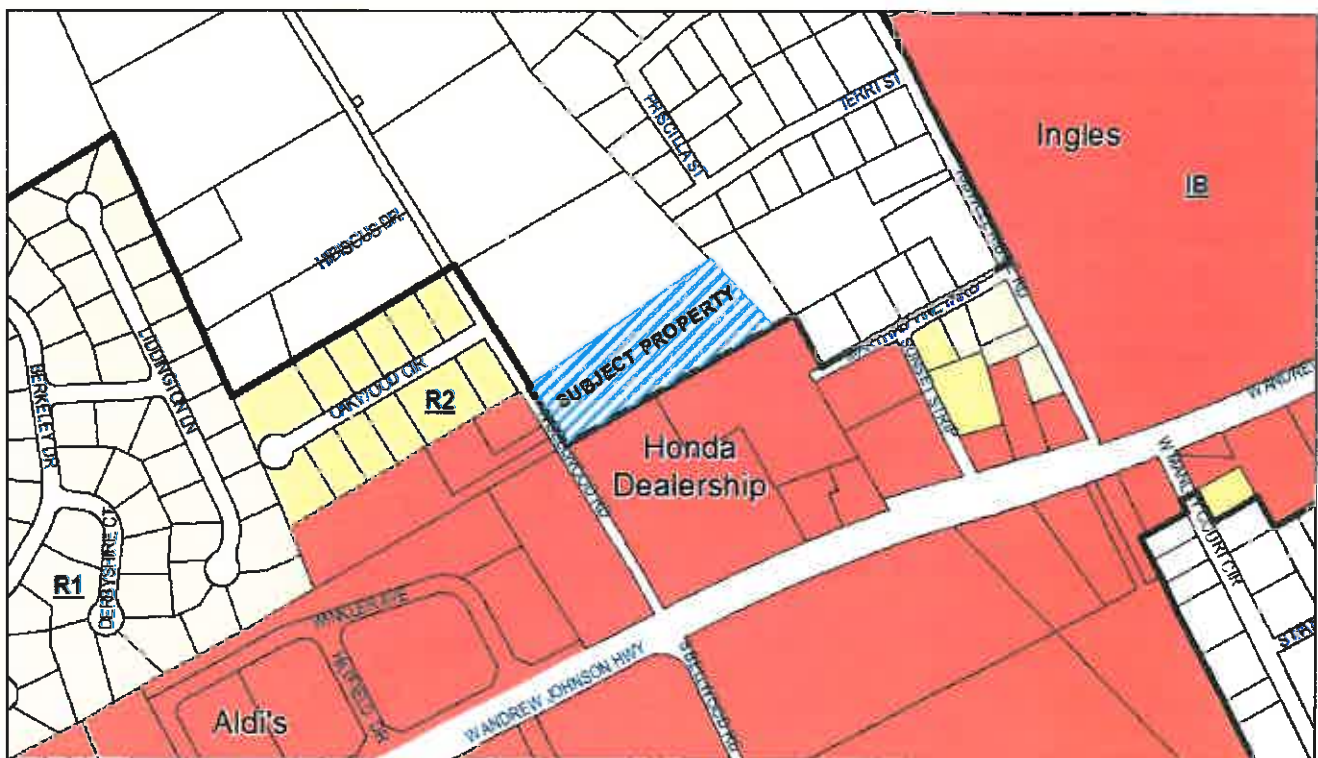
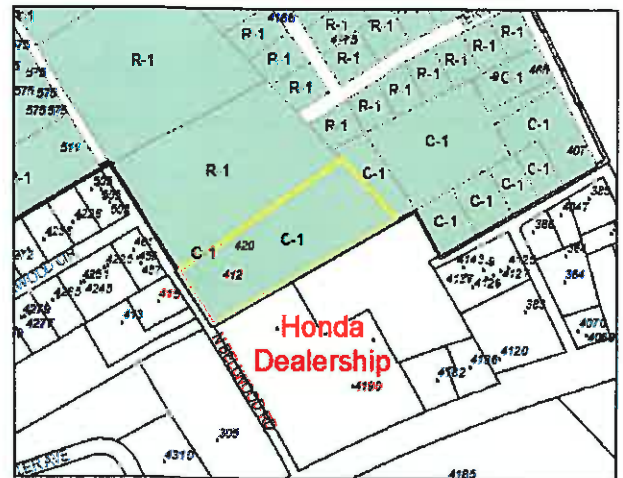
Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: City Council
FROM: Lori Matthews, Senior Planner
DATE: April 19th, 2016
SUBJECT: Annexation Request

A request for annexation into the corporate limits of Morristown has been received from Mr. Phillip Carlyle for his property located adjacent to North Bellwood Road in the Urban Growth Boundary.

The property, 3.5 acres in size, is now vacant with multi-family residential units being proposed for the site. Hamblen County has the site zoned for commercial development with properties adjacent to the east zoned likewise. (C-1) North of the site is currently vacant and zoned for residential development.

Due to the intended use of the property, the zoning designation, if approved, will be Medium Family Residential (R-2) which will provide a good transitional buffer between those commercial businesses along the south which include a Honda dealership and medical offices. Residential and vacant properties border the site to the north. Across N. Bellwood Road to the west is an automotive detailing shop and Oakwood Gardens subdivision which is a mixture of residential apartments and duplex units.



ORDINANCE NO. _____

AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MORRISTOWN TENNESSEE. Annexation of property located on North Bellwood Road to include Hamblen County Tax Parcel ID #040 03901000 with the Zoning Designation of Medium Density Residential (R-2).

Section I. WHEREAS, it now appears that the prosperity of the City and of the territory herein described shall be materially retarded and the safety and welfare of inhabitants and property owners thereof endangered if such territory is not annexed; and

Section II. WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and the City as a whole;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORRISTOWN;

(1) PURSUANT to the authority conferred by Section 6-15:102 of the Tennessee Code Annotated, there is hereby annexed to the City of Morristown, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries:

That property having Hamblen County Tax Parcel ID # 040 03901000, containing 3.5 acres of land more or less, which is located on the eastern right-of-way line of North Bellwood Road approximately 340 feet north of the West Andrew Johnson Highway right-of-way;

And the above described being as a crosshatched parcel on the attached exhibit A:

(2) Medium Density Residential (R-2) zoning shall be applied to this property upon adoption of the annexation area.

(3) This Ordinance shall become operative thirty days after its passage or as otherwise provided for in Chapter 113, Public Acts of Tennessee, 1955.

(4) This Ordinance shall become effective from and after its final passage, the public welfare requiring it.

Passed on first reading this the 19th day of April, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR

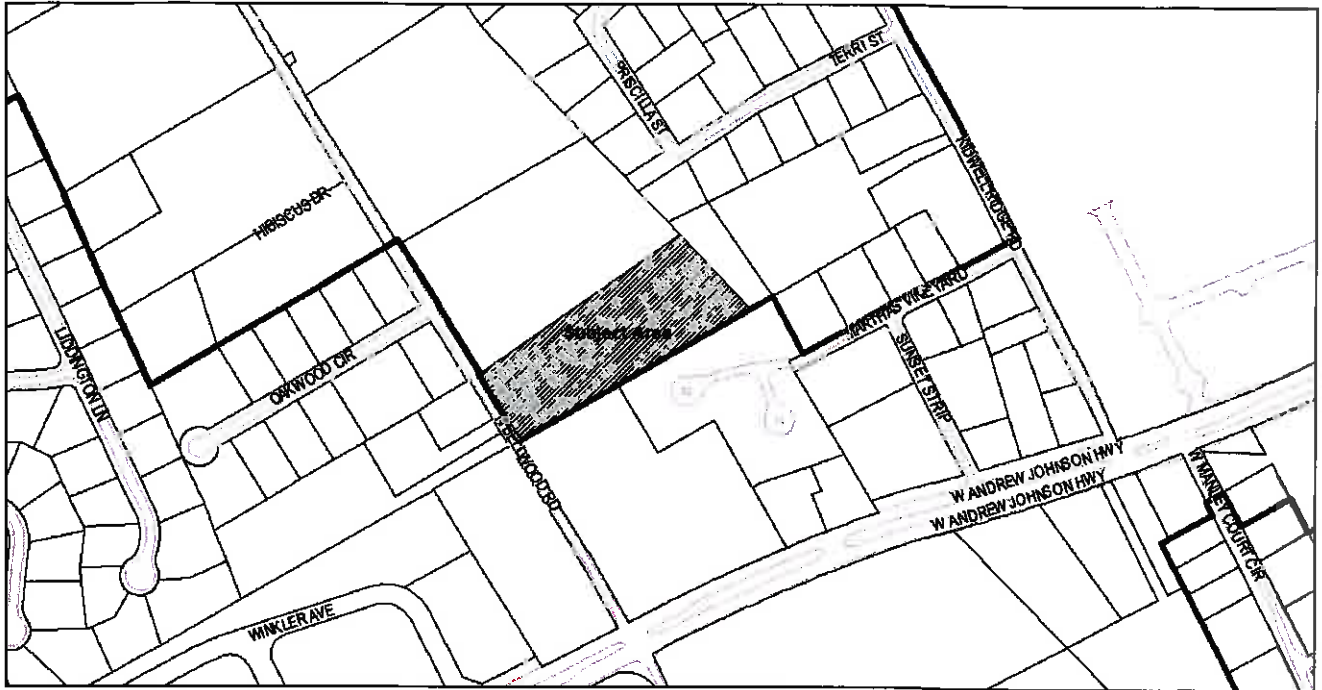
Passed on second and final reading this the 3rd day of May, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR

EXHIBIT A -



The Morristown City Council will conduct the first reading to annex and amend the Zoning Ordinance and consider a resolution to adopt the plan of services for property which fronts North Bellwood Road having been assigned Hamblen County Tax ID #040 03901000 on Tuesday April 19th, 2016 at 5:00 p.m. in Council Chambers at the City Centre located at 100 West First North Street.

The Morristown City Council will hold a public hearing and conduct the second reading to annex and amend the Zoning Ordinance and adopt a resolution for the plan of services for that property requesting annexation located along North Bellwood Road having been assigned Hamblen County Tax ID #040 03901000 on Tuesday May 3rd, 2016 at 5:00 p.m. in Council Chambers at City Centre located at 100 West First North Street.



To be advertised in the Citizen Tribune on Sunday April 17th 2016, Monday April 18th 2016 and Wednesday April 20th 2016.



Department of Community Development
West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown City Council
FROM: Logan Engle, Planner
DATE: April 19, 2016
SUBJECT: Rezoning – 1411 Cherokee Drive
Hamblen County Tax Map 033D Group D Parcel 002.00
R2 (Medium Density Residential) to LB (Local Business)

BACKGROUND:

A Rezoning request has been submitted by Norman Patterson for property located at 1411 Cherokee Drive. The property, roughly 1.27 acres in size, is currently zoned Medium Density Residential (R-2). The request is to rezone the entire parcel to Local Business (LB). The site has a commercial structure sitting on it, which was constructed in 1960. This tract of land is surrounded by R2 zoning districts on three sides of the tract and is bounded by Cherokee Drive to the north. The property located across from the subject property is zoned Local Business (LB).

The Local Business (LB) zoning classification states that the LB district "is a commercial infill and traditional neighborhood district" (Section 14-901). The applicant believes that the LB zoning designation will allow him greater opportunity to develop the parcel and utilize the existing structure for a commercial purpose.

At this time, city staff has received no complaints from adjoining property owners regarding the rezoning of the property.

RECOMMENDATION:

Staff views the applicant's rezoning request as consistent with adjacent zoning designations and land uses. Staff proposes that the Morristown Regional Planning Commission recommend this rezoning request to City Council for approval.

PLANNING COMMISSION ACTION:

The City of Morristown Regional Planning Commission, at their regular meeting on April 12, 2016, recommended that the rezoning request be forwarded to City Council for approval as submitted.

ORDINANCE NO. _____

ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B. {Rezoning of property approximately 1.27 acres being part of Hamblen County Tax Parcel 033D D 00200, located along the southwestern rights-of-way of Cherokee Drive from Medium Density Residential (R-2) to Local Business (LB).}

SECTION I. WHEREAS, the Morristown Planning Commission has recommended to the City Council of the City of Morristown that a certain amendment be made to Ordinance No. 2092, known as the Zoning Ordinance for the City of Morristown, Appendix B;

NOW, THEREFORE, in order to carry into effect said amendment;

SECTION II. BE IT RESOLVED by the City Council of the City of Morristown that the Ordinance be and the same hereby is amended so as to provide that the following described real estate be rezoned from R-2 (Medium-Density Residential) to LB (Local Business).

BEGINNING at a point on the northeastern corner of Parcel 033-D “D” 002.00 as shown on 2016 Hamblen County Tax Map and the southwestern boundary of Cherokee Drive right-of-way; thence in a southwesterly direction along the eastern boundary of said Parcel 033-D “D” 002.00 for a distance approximately three hundred sixty-eight (368) feet to a point on the southeastern corner of said Parcel 033-D “D” 002.00; thence northwestward for a distance of approximately one hundred and eighteen (118) feet to a point on the southwestern corner of said Parcel 033-D “D” 002.00; thence northeastward along a line from said point for a distance of approximately one hundred and fifty-four (154) feet to a northwest corner of said Parcel 033-D “D” 002.00; thence northwestward for a distance of approximately ninety-two (92) feet to a point on a northeastern corner of said Parcel 033-D “D” 002.00; thence in a northeasterly direction along the western boundary of said Parcel 033-D “D” 002.00 for a distance approximately two hundred and two (202) feet to a point on the northeastern corner of said Parcel 033-D “D” 002.00; thence in a southeasterly direction for a distance approximately one hundred and sixty-seven (167) feet to the point of BEGINNING.

SECTION III. BE IT FURTHER ORDAINED that all maps records and necessary minutes entries be changed so as to effect the amendment as herein provided,

to the extent that the areas herein above described shall be permitted to be used for LB (Local Business) only.

SECTION IV. BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith be, and the same are, repealed to the extent of such conflict but not further or otherwise.

SECTION V. BE IT FURTHER ORDAINED that this ordinance takes effect from and after the date of its final passage, the public welfare requiring it.

PASSED ON FIRST READING THIS THE 19TH DAY OF APRIL, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS THE 3rd DAY OF MAY, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR





Department of Community Development
West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown City Council
FROM: Logan Engle, Planner
DATE: April 19, 2016
SUBJECT: Rezoning – Brights Pike
Hamblen County Tax Map 025 Parcel 046.00
RP-1 (Planned Residential) to IB (Intermediate Business)

BACKGROUND:

A Rezoning request has been submitted by Phillip Carlyle for property located on Brights Pike. The property, approximately 2.28 acres, is currently zoned Planned Residential (RP-1). The request is to rezone the entire parcel to Intermediate Business (IB). The site is currently vacant. This tract of land is surrounded by R-1 zoning districts to the west and commercially zoned property to the east and northeast (both Local Business and Intermediate Business zoning districts).

The Intermediate Business (IB) zoning classification states that the IB district "is for more intensive commercial activities" (Section 14-1001). The applicant intends to construct mini-storage rental warehouse units, which are permitted in the IB zone (Section 14-1002).

At this time, city staff has received no complaints from adjoining property owners regarding the rezoning of the property.

RECOMMENDATION:

Staff views the applicant's rezoning request as consistent with adjacent zoning designations and land uses. Staff proposes that the Morristown Regional Planning Commission recommend this rezoning request to City Council for approval.

PLANNING COMMISSION ACTION:

The City of Morristown Regional Planning Commission, at their regular meeting on April 12, 2016, recommended that the rezoning request be forwarded to City Council for approval as submitted.

ORDINANCE NO. _____
ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF
THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B. {Rezoning of
property; approximately 2.28 acres being part of Hamblen County Tax Parcels
025 04600, located along the northern rights-of-way of Brights Pike from
Planned Residential (RP-1) to Intermediate Business (IB).}

SECTION I. WHEREAS, the Morristown Planning Commission has recommended to the City Council of the City of Morristown that a certain amendment be made to Ordinance No. 2092, known as the Zoning Ordinance for the City of Morristown, Appendix B;

NOW, THEREFORE, in order to carry into effect said amendment;

SECTION II. BE IT RESOLVED by the City Council of the City of Morristown that the Ordinance be and the same hereby is amended so as to provide that the following described real estate be rezoned from RP-1 (Planned Residential) to IB (Intermediate Business).

BEGINNING at a point on the southeastern corner of Parcel 025 046.00 as shown on 2016 Hamblen County Tax Map and the northern boundary of Brights Pike right-of-way; thence in a southwesterly direction along the southeastern boundary of said Parcel 025 046.00 for a distance approximately one hundred eighty-one (181) feet to a point on the southwestern corner of said Parcel 025 046.00; thence northwestward for a distance of approximately one hundred and thirty-four (134) feet to a point on the corner of said Parcel 025 046.00; thence southwestward along a line from said point for a distance of approximately seventy-eight (78) feet to a point on the corner of said Parcel 025 046.00; thence northwestward for a distance of approximately three hundred and seventy-one (371) feet to a point on a corner of said Parcel 025 046.00; thence in a northeasterly direction along the northern boundary of said Parcel 025 046.00 for a distance approximately eighty-eight (88) feet to a point on the northeastern corner of said Parcel 025 046.00; thence in a southeasterly direction for a distance approximately three hundred and fifty-five (355) feet to a point on the corner of said parcel; thence southwestward for a distance of approximately eighty-nine (89) feet to a point on the corner of said Parcel 025 04600; thence southeastward for a distance of approximately one hundred and fifty-eight (158) to the point of BEGINNING.

SECTION III. BE IT FURTHER ORDAINED that all maps records and necessary minutes entries be changed so as to effect the amendment as herein provided, to the extent that the areas herein above described shall be permitted to be used for IB (Intermediate Business) only.

SECTION IV. BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith be, and the same are, repealed to the extent of such conflict but not further or otherwise.

SECTION V. BE IT FURTHER ORDAINED that this ordinance takes effect from and after the date of its final passage, the public welfare requiring it.

PASSED ON FIRST READING THIS THE 19TH DAY OF APRIL, 2016.

MAYOR

ATTEST:

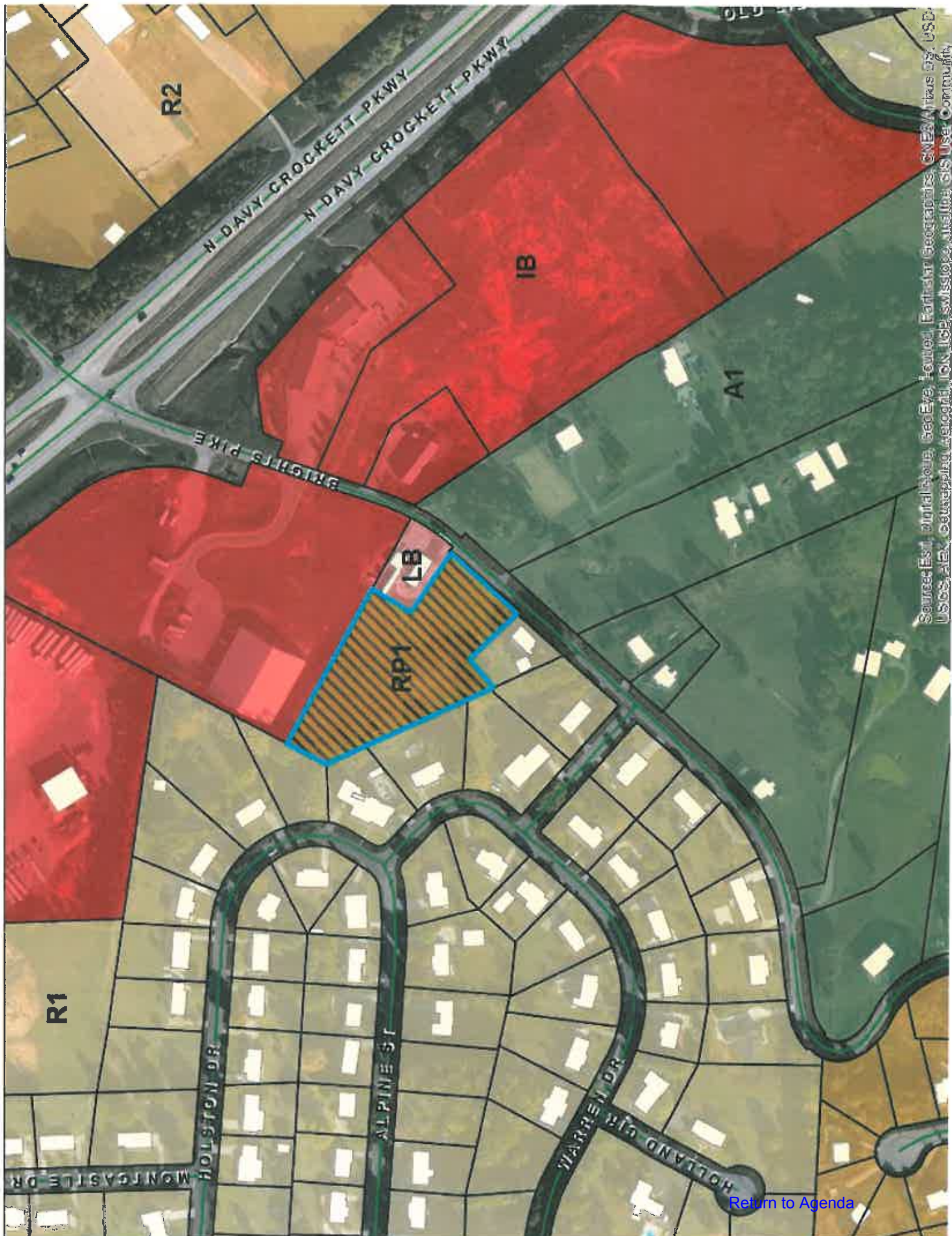
CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS THE 3RD DAY OF MAY, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR





CONTRACT AND AGREEMENT (Independent Contractor)

This Contract and Agreement is entered into this ____ day of _____ 2016 by and between **THE CITY OF MORRISTOWN, TENNESSEE** ("City") and **LEBEL COMMERCIAL REALTY, LLC**, 1501 East Morris Boulevard, Suite 12, Morristown, Tennessee 37813 ("LeBel").

WITNESSETH

Whereas City on or about February 24, 2016 issued its Request for Proposals for Real Estate Agent/Broker Services, and

Whereas LeBel on or about March 18, 2016 submitted its Proposal which said proposal was approved by City Council on April 5, 2016, and

Whereas an initial contract for a period commencing upon City Council approval of this Contract and Agreement and ending on June 30, 2019 is required.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. **Scope of Services, Terms and Conditions.** The Proposal of LeBel, including, without limitation, the Scope of Services and Terms and Conditions therein set out, is incorporated by reference as if fully set out here. The need for such services shall be as determined from time to time by the City Administrator.
2. **Insurance.** LeBel shall maintain throughout the term of this Contract and Agreement Errors and Omissions coverage with limits of liability of \$100,000.00 each claim and \$300,000.
3. **Good Standing.** LeBel shall maintain all licensing, certifications and standing now in place throughout the term of this Contract and Agreement.
4. **Reservation of Rights.** While the term of this Contract and Agreement is three years, the City reserves the right to terminate/modify same as annual budget constraints may require. LeBel reserves the right to terminate this Contract upon providing a thirty (30) day written notice to the City.

5. **Compensation.** The compensation of LeBel shall be determined by the City Administrator and LeBel on a case by case basis either as a percentage of the contract price in the event of the sale of real property or an hourly rate for other services such as consulting, lease negotiation and like services, said hourly rate to be One Hundred Thirty-five dollars (\$135.00). The hourly fee shall also be used in the situation where work is done by LeBel, but the sale/purchase of the real property does not occur. The percentage fee for transactions below Three Hundred Thousand Dollars (\$300,000.00) shall be Seven percent (7%). The percentage fee for transactions above Three Hundred Thousand Dollars (\$300,000.00) shall be Five percent (5%).
6. **City Council Approval.** Only transactions exceeding the amount established by City ordinance shall require City Council approval.
7. **Binding Effect.** This Contract and Agreement shall be binding upon the undersigned, their successors and assigns unless modified by an agreement in writing executed by the parties hereto.

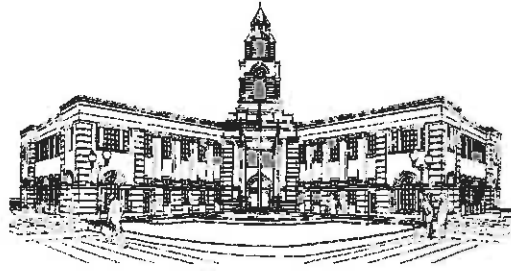
Witness the day and year first above written.

City of Morristown, Tennessee

LeBel Commercial Realty, LLC

By: _____

By: _____



Morristown City Council Agenda Item Summary

Date: April 13, 2016

Agenda Item: Approval of Request for Proposal – Brokerage/Consulting Services
for Group Insurance & Voluntary Insurance Benefits

Prepared by: Joey Barnard

Subject: Brokerage/Consulting Services for Group Insurance & Voluntary
Insurance Benefits

Background/History: The City of Morristown continues to evaluate its contracted services. Due to the fact that insurance brokerage services had not been sought in several years, it was determined that seeking requests for proposals was in the City's best interest. The City of Morristown sought proposals for brokerage/consulting firms that would provide consulting services and administer the City of Morristown's group insurance programs, voluntary employee benefits and the administration of its Section 125 plans including premium only plans. The selection criteria was established to ensure that all interested parties would be able to submit and be objectively evaluated based on their submittal. The proposals were evaluated by a six-member committee. Each member evaluated each proposal independently. The scores of each committee member were averaged to determine the top two responses. The committee then interviewed the top two respondents.

Findings/Current Activity: The Request for Proposal was advertised in the *Citizen Tribune* on February 24, 2016 and on March 2, 2016. Additionally, the Request for Proposal was posted to the City of Morristown's website and through Vendor Registry, an on-line facilitation website. The Request for Proposal was remitted directly to current brokers and to brokers that had previously contacted the City of Morristown and expressed interest conducting business with the City. The Request for Proposal was amended with one addenda. This addenda was published in the *Citizen Tribune* on March 17, 2018. The addenda was posted to the City of Morristown's website. Additionally, the addenda was remitted directly to current brokers and to brokers that had previously contacted the City of Morristown and expressed interest conducting business with the City. The submission deadline was 11:00 AM on Monday, March 28, 2016. We received nine (9) responses.

Financial Impact: The overall financial impact of the approval of the Request for Proposal cannot be determined at this time. The selection of the right respondent will have a positive impact on the City of Morristown's financial position, specifically in the administration of the City's self-insurance fund that will result in saving significant dollars. Additionally, the selection of the right respondent will have a positive financial impact for City employees on the products that can be offered and the services received. The direct financial impact to the City will result in a savings of approximately \$8,000. Mark III Employee Benefits Inc.'s response to the Request for Proposal for fees was as follows: a flat fee of \$30,000 per year to be paid out monthly for the medical, dental, and vision plan consulting (no commission will be taken on these products); standard rate of commission (10%) that is in the premiums for the basic life, AD&D, long-term disability and dependent life group plans; and standard rate of commission on voluntary benefits (short-term disability, life, cancer, etc.).

Action options/Recommendations: It is staffs' recommendation to approve Mark III Employee Benefits Inc. as the broker/consultant.

Attachments: None.

**CITY OF MORRISTOWN****PURCHASING DIRECTOR**

P.O. Box 1499

Morristown, TN 37816-0847

Phone: (423) 585-4622 Fax: (423) 585-4687

Purchase Order

Fiscal Year 2016

Page 1

**THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND SHIPPING PAPERS.**Purchase
Order #**16002638-00***Retain this purchase order for proof of tax exemption.***Tax Exempt #62-6000369****V
e
n
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o
r****MED-ENG LLC
103 TULLOCH DRIVE****OGDENSBURG, NY 13669****S
h
i
p
t
o**

City of Morristown

400 Dice Street

ccummings@mymorristown.com

Morristown, TN

37813

Vendor Phone Number 613-482-8835		Vendor Fax Number 613-482-4991		Requisition Number 16002865		Delivery Reference/Contact KENNETH HINKLE			
Date Ordered 04/13/16		Vendor Number 007401		Date Required		Interoffice Delivery		Department/Location 42120	
Item#	Description/Part No.				Qty/Unit	Cost Each		Extended Price	
001	***NEW VENDOR-MED-ENG,LLC-103 TULLOCH DRIVE-OGDENSBURG,NY 13669-PH:1-855-633-3649-FAX:1-613-48 2-4991 - QTY - 1 - ITEM: 1003021 - SUIT - EOD9 OD GREEN SIZE LARGE - PER QUOTE QUO-05135-M1V7Y1 42120-999				1.00 EACH	16849.00000		16,849.00	
002	* EOD * - QTY - 1 - ITEM: 1004797 - HELMET EOD9 OD GREEN - PER QUOTE - QUO-05135-M1V7Y1 - ****BOTH LINE ITEMS ARE SOLE SOURCE *** 42120-999				1.00 EACH	9543.00000		9,543.00	
						PO Total		26,392.00	

The City of Morristown is an equal
employment / affirmative action
employer EOE / AA

VENDOR COPY

Authorized Signature

Date

[Return to Agenda](#)

Authorized Signature

Date



From the Desk of

Debbie Stamey
Deputy Clerk/Executive Assistant
(423) 585-4603
e-mail dstamey@mymorristown.com

TO: Mayor and City Council

RE: CITY COUNCIL APPOINTMENT OR RE-APPOINTMENT OF
BOARD/COMMISSION MEMBER(s)

DATE: April 15, 2016

The following Board/Commission Members terms will expire on May 1, 2016.
This is a City council appointment, or re-appointment, scheduled for the April 19,
2016, City Council meeting.

Construction Board of Adjustments, Appeals, and Examiners

Terms Expiring: Robert Russell, Jim Clark and Joseph Wigington

These appointments are for a three (3) year term that will expire on May 1, 2019.

The above listed members have been contacted by City Staff and are willing to
serve another term.



From the Desk of

Debbie Stamey
Deputy Clerk/Executive Assistant
(423) 585-4603
e-mail dstamey@mymorristown.com

TO: Mayor and City Council

RE: CITY COUNCIL APPOINTMENT OR RE-APPOINTMENT OF
BOARD/COMMISSION MEMBER(s)

DATE: April 15, 2016

The following Board/Commission Members term will expire on May 1, 2016. This is a City council appointment, or re-appointment, scheduled for the April 19, 2016, City Council meeting.

Hamblen County Board of Equalization

Term Expiring: Robert Russell

This appointment is for a two (2) year term that will expire on May 1, 2018.

The above listed member has been contacted and is willing to serve another term.



From the Desk of

Debbie Stamey
Deputy Clerk/Executive Assistant
(423) 585-4603
e-mail dstamey@mymorristown.com

TO: Mayor and City Council

RE: CITY COUNCIL APPOINTMENT TO FILL THE REMAINING TERM TO
MORRISTOWN-HAMBLLEN HUMANE SOCIETY.

DATE: April 15, 2016

Ms. Maxine Craig has resigned her position on the Morristown-Hamblen Humane Society.

Staff has spoken with Dr. Ian O'Connor, DVM, Morristown Animal Hospital and he has agreed to serve as the City Council appointment.

This is a City Council appointment for the remainder of the term held by Ms. Craig, scheduled for the April 19, 2016, City Council meeting.