

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
APRIL 6, 2010**

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 4:00 p.m., Tuesday, April 6, 2010 with Honorable Mayor Barbara C. "Sami" Barile presiding and the following named Councilmembers present: Gene Brooks, Bob Garrett, Claude Jinks, Frank McGuffin, William Rooney and Kay Senter.

Councilmember Senter made a motion to approve the March 16, 2010 minutes as circulated; Councilmember Rooney seconded the motion and all voted "aye".

Mayor Barile read and presented proclamations recognizing April as Jazz Appreciation Month; April as Fair Housing Month; and April 16th as Arbor Day.

The fencing bids for the police impound lot were rejected and will be rebid.

Councilmember Garrett made a motion to award the proposal for assistance with the Management, Operation and Maintenance (MOM) Program to Lamar Dunn & Associates; Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to award the proposal for a Tax Anticipation Note to Regions Bank at the rate of 2.45% in an amount up to Four Million Dollars (\$4,000,000). Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to approve the following Resolution No. 06-10 subject to review and approval by the City Attorney. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 06-10
TAX ANTICIPATION NOTES
RESOLUTION OF THE GOVERNING BODY OF THE CITY OF
MORRISTOWN, TENNESSEE, AUTHORIZING THE ISSUANCE,
SALE, AND PAYMENT OF INTEREST-BEARING TAX
ANTICIPATION NOTES NOT TO EXCEED \$4,000,000.00.**

WHEREAS, the Governing Body of the City of Morristown, Tennessee, the ('Local Government') has determined that it is necessary and desirable to borrow a limited amount of funds to meet appropriations made for the General

Fund (the "Fund") for the current fiscal year, being July 1, 2009 through June 30, 2010 inclusive, the (the "Fiscal Year"), in anticipation of the collection of taxes and revenues for the Fund during the Fiscal Year; and
WHEREAS, under the provisions of Parts I, IV and VIII of Title 9, Chapter 21, Tennessee Code Annotated (the "Act") local governments in Tennessee are authorized to issue and sell interest-bearing tax anticipation notes in amounts not exceeding sixty percent (60%) of the Fund appropriation for the Fiscal Year upon the approval of the State Director of Local Finance; and
WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance and sale of tax anticipation notes;

Now, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Morristown, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to meet certain appropriations for the Fiscal Year, the Governing Body of the Local Government is hereby authorized in accordance with the terms of this Resolution to issue and sell interest-bearing tax anticipation notes in a principal amount not to exceed Four Million Dollars (\$4,000,000.00) (the "Notes") at either a competitive public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "City of Morristown" General Fund Tax Anticipation Notes, Series 2010; shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon with the purchaser; shall be sold at not less than par value and accrued interest; and shall bear interest at a rate or rates not to exceed 63.456% of 1 month LIBOR plus 1.282% per annum, with a floor of 2.45% and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the sum of the principal amount of the Notes, together with the principal amount or amounts of any prior tax anticipation notes issued during the Fiscal Year, does not exceed sixty percent (60%) of the Fund appropriation for the Fiscal Year.

Section 3. That, the Notes may be renewed from time to time and money may be borrowed from time to time for the payment of any indebtedness evidenced by the Notes; provided, that the Notes and any renewal notes shall mature and be paid in full without renewal on or before the end of the Fiscal Year. If the Local Government overestimates the amount of taxes and revenue collected for the Fiscal Year and it becomes impossible to retire the notes and all renewal notes prior to the close of the Fiscal Year, then the Local Government shall apply to the State Director of Local Finance within ten (10) days prior to the close of the Fiscal Year for permission to issue funding bonds to cover the unpaid Notes in the manner provided by Title 9, Chapter 11 of Tennessee Code Annotated or as otherwise provided for in a manner approved by the State Director of Local Finance.

Section 4. That, the Notes shall be secured solely by the receipt of

taxes and revenues by the Fund during the Fiscal year.

Section 5. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption without a premium.

Section 6. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the City Recorder with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the City Recorder of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the Bank of the Local Government and shall be paid out for the purpose of meeting Fund appropriations made for the Fiscal Year in anticipation of the collection of revenues and taxed pursuant to this Resolution and as required by law.

Section 7. That, the Notes shall be in substantially the form attached hereto and shall recite that the notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That, the Notes shall be sold only after the receipt of the approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 6th day of April, 2010.

MAYOR

ATTEST:

CITY ADMINISTRATOR/RECORDER

Councilmember Senter made a motion to adopt the following Resolution No. 07-10; Councilmember Garrett seconded the motion ad upon roll call, all voted "aye".

**RESOLUTION NO. 07-10
A RESOLUTION OF THE CITY OF MORRISTOWN,
TENNESSEE AUTHORIZING THE RESERVE OF \$293,285
FOR THE RENOVATION OF A PUBLIC WORKS FACILITY.**

WHEREAS, the governing body of the City of Morristown has approved the sale of land previously purchased by the City for the purpose of a public works facility; and

WHEREAS, the governing body of the City of Morristown has approved the purchase of land and building for the purpose of a public works facility; and

WHEREAS, the City of Morristown desires to reserve the proceeds from the sale of the original land purchase for the purpose of renovations to the land and building purchased for a public works facility:

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MORRISTOWN, TENNESSEE THAT:

Authorization is hereby granted to establish a reserve in the General Fund in the amount of \$293,285 for land and building renovations for a public works facility.

Adopted this 6th day of April 2010.

Mayor

ATTEST:

City Administrator

Councilmember Jinks made a motion to approve the following captioned Ordinance No. 3384 on first reading and schedule a public hearing relative to final passage of said Ordinance for April 20, 2010. Councilmember McGuffin seconded the motion and upon roll call, all voted “aye”.

**ORDINANCE NO. 3384
ENTITLED AN ORDINANCE TO CLOSE AND VACATE
CERTAIN RIGHTS-OF-WAY WITHIN THE CITY OF
MORRISTOWN. {Right of Way Closure: Morristown Firing
Range located at 5571 Jeffrey Lane.}**

Councilmember Senter made a motion to adopt Ordinance No. 3385 – Option A, with the an addition to Section 9-203 D that “all produce and processed food be removed from the site at night and stored as permitted”, on first reading and schedule a public hearing relative to final passage of said Ordinance for April 20, 2010. Councilmember Garrett seconded the motion and upon roll call,

Councilmembers Garrett, Jinks, McGuffin, Rooney, Senter and Mayor Barile voted “aye”; Councilmember Brooks voted “no”.

Ordinance No. 3385

An ordinance to repeal Title 9, Chapter 2, Farmers Market of the City of Morristown Municipal Code in its entirety and replace with a new Title 9, Chapter, 2, Downtown Market.

Councilmember Rooney made a motion to award the proposal for twelve portable canopies (six 18x20 & six 18x40) for the Farmers Market to FarmTek in the amount of \$8,459.39. Councilmember Garrett seconded the motion and upon roll call, Councilmembers Garrett, Jinks, McGuffin, Rooney, Senter and Mayor Barile voted “aye”; Councilmember Brooks voted “no”.

City Administrator Report:

- The Charter amendment relative to the hotel/motel tax has passed both houses and is waiting on the Governor’s signature.
- Sewer odor – the repairs have been made; there is a backlog of sludge and we are working to get it cleared out.
- Fire hydrant flow tests are being conducted during April.
- Staff is making an effort to check on businesses to make sure they have obtained business licenses.

Mr. Keith Ely, Hamblen County Assessor of Property updated Council on the upcoming county-wide property reappraisal. {4% drop in market value in last two years; started review process on August 12, 2009; informal hearings April 12 – 23; begin Board of Equalization Hearings on June 1st; after changes are made, the State will re-certify the tax rate; the new rate should be verified by July 9, 2010.}

Mayor Barile adjourned the April 6, 2010 City Council meeting.

Mayor

ATTEST:

City Administrator