

**STATE OF TENNESSEE
COUNTY OF HAMBLEN
CORPORATION OF MORRISTOWN
JULY 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, July 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 Jinks made a motion to approve the June 15, 2010 minutes as circulated; Councilmember McGuffin seconded the motion and all voted "aye".

Councilmember Jinks made a motion to approve the June 17, 2010 called meeting minutes as circulated; Councilmember McGuffin seconded the motion and all voted "aye".

Councilmember Jinks made a motion to adopt the following Resolution No. 11-10; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 11-10
RESOLUTION TO APPROVE THE INTENT TO AWARD
REHABILITATION CONTRACT FOR EAST 2ND NORTH STREET.**

Whereas the City of Morristown has signed a contract with the Tennessee Department of Transportation for the funding of resurfacing and rehabilitation of a portion of East 2nd North Street, and

Whereas the value of ARRA obligated funding available for construction totals \$247,132.00, and

Whereas the City of Morristown is administering the funding for these projects in accordance with TDOT guidelines defined in the latest edition of the "Local Government Guidelines for the Management of Federal and State Funded Transportation Projects," and

Whereas the City of Morristown has advertised and received bids for the said project,

THEREFORE be it resolved that

The City of Morristown approves the award of the unit price contract for the said project (Project PIN Number 112681.00) to Summers-Taylor. The total value of the contract with Summers-Taylor shall not exceed the available ARRA obligated for construction for this PIN Number unless specifically approved by TDOT and City Council.

Adopted the 6th day of July 2010.

Mayor

ATTEST:

City Administrator

Councilmember Rooney made a motion to adopt the following Resolution No. 12-10; Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 12-10
RESOLUTION TO APPROVE THE INTENT TO AWARD
REHABILITATION CONTRACT FOR WEST 1ST NORTH STREET.**

Whereas the City of Morristown has signed a contract with the Tennessee Department of Transportation for the funding of resurfacing and rehabilitation of a portion of West 1st North Street, and

Whereas the value of ARRA obligated funding available for construction totals \$323,575.00, and

Whereas the City of Morristown is administering the funding for these projects in accordance with TDOT guidelines defined in the latest edition of the "Local Government Guidelines for the Management of Federal and State Funded Transportation Projects," and

Whereas the City of Morristown has advertised and received bids for the said project,

THEREFORE be it resolved that

The City of Morristown approves the award of the unit price contract for the said project (Project PIN Number 112802.00) to Summers-Taylor. The total value of the contract with Summers-Taylor shall not exceed the available ARRA obligated for construction for this PIN Number unless specifically approved by TDOT and City Council.

Adopted the 6th day of July 2010.

Mayor

ATTEST:

City Administrator

Councilmember Jinks made a motion to adopt the following Resolution No. 13-10; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 13-10
RESOLUTION TO APPROVE THE INTENT TO AWARD
SIGNALIZATION CONTRACT FOR SIGNAL IMPROVEMENT AT SR160
AND AJ HWY.**

Whereas the City of Morristown has signed a contract with the Tennessee Department of Transportation for the funding of a traffic signal improvement project at the intersection of SR160 and AJ Hwy (SR34), and
Whereas the value of ARRA obligated funding available for construction totals \$192,362.00, and

Whereas the City of Morristown is administering the funding for these projects in accordance with TDOT guidelines defined in the latest edition of the "Local Government Guidelines for the Management of Federal and State Funded Transportation Projects," and

Whereas City of Morristown has advertised and received bids for the said project, THEREFORE be it resolved that

The City of Morristown approves the award of the unit price contract for the said project (Project PIN Number 112679.00) to Progression Electric. The total value of the contract with Progression Electric shall not exceed the available ARRA obligated for construction for this PIN Number unless specifically approved by TDOT and City Council.

Adopted the 6th day of July 2010.

Mayor

ATTEST:

City Administrator

Councilmember Jinks made a motion to adopt the following Resolution No. 14-10; Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 14-10
RESOLUTION TO APPROVE THE INTENT TO AWARD PAVING/
RESURFACING CONTRACT FOR N. CHUCKY PIKE, N. SIZER AVE.
AND RUSSELL AVE.**

Whereas the City of Morristown and the City of Jefferson City have signed a contract with the Tennessee Department of Transportation for the funding of the resurfacing of N. Chucky Pike, N. Sizer Ave., and Russell Ave., and

Whereas a Memorandum of Understanding with the City of Morristown was executed by the City of Jefferson City to administrate the design and construction of said project, and

Whereas the said Memorandum of Understanding commits the City of Jefferson City to pay for the administration of the design and construction of said projects using ARRA funds of said project, and

Whereas the value of ARRA obligated funding available for construction totals \$364,662.00, and

Whereas the City of Morristown is administering the funding for these projects in accordance with TDOT guidelines defined in the latest edition of the "Local Government Guidelines for the Management of Federal and State Funded Transportation Projects," and

Whereas the City of Morristown has advertised and received bids for the said project,

THEREFORE be it resolved that

The City of Morristown approves the intent of award and the award of the unit price resurfacing of N. Chucky Pike, N. Sizer Ave., and Russell Ave. projects (Project PIN Number 112803.00) to APAC. The total value of the contract with APAC shall not exceed the available ARRA obligated for construction for this PIN Number unless specifically approved by TDOT, the City of Morristown, and City

of Jefferson City.

Adopted the 6th day of July 2010.

Mayor

ATTEST:

City Administrator

Councilmember McGuffin made a motion to adopt the following Resolution No. 15-10; Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 15-10
RESOLUTION TO APPROVE THE INTENT TO AWARD
PAVING/RESURFACING CONTRACT FOR AGRICULTURAL
PARK BOULEVARD.**

Whereas the City of Morristown and the Town of White Pine have signed a contract with the Tennessee Department of Transportation for the funding of the resurfacing of Agricultural Park Boulevard, and

Whereas a Memorandum of Understanding with the City of Morristown was executed by the Town of White Pine to administrate the design and construction of said project, and

Whereas the said Memorandum of Understanding commits the Town of White Pine to pay for the administration of the design and construction of said projects using ARRA funds of said project, and

Whereas the value of ARRA obligated funding available for construction totals \$67,121.00, and

Whereas the City of Morristown is administering the funding for these projects in accordance with TDOT guidelines defined in the latest edition of the "Local Government Guidelines for the Management of Federal and State Funded Transportation Projects," and

Whereas the City of Morristown has advertised and received bids for the said project,

THEREFORE be it resolved that

The City of Morristown approves the intent of award and the award of the unit price resurfacing of Agricultural Park Boulevard project (Project PIN Number 112804.00) to APAC. The total value of the contract with APAC shall not exceed the available ARRA obligated for construction for this PIN Number unless specifically approved by TDOT, the City of Morristown, and Town of White Pine.

Adopted the 6th day of July 2010.

Mayor

ATTEST:

City Administrator

Councilmember Senter made a motion to approve the contract with AMEC in the amount of \$19,742 for Solid Waste Billing and Data Support; Councilmember Garrett seconded the motion and upon roll call, Councilmembers Garrett, Jinks, McGuffin, Rooney, Senter and Mayor Barile voted "aye"; Councilmember Brooks voted "no".

Councilmember Jinks made a motion to adopt the following Resolution No. 16-10; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**RESOLUTOIN NO. 16-10
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORRISTOWN, TENNESSEE APPROVING AN ECONOMIC
IMPACT PLAN FOR BARTON SPRINGS ECONOMIC
DEVELOPMENT AREA.**

WHEREAS, The Industrial Development Board of the City of Morristown, Tennessee (the "IDB") has prepared an economic impact plan (the "Economic Impact Plan") regarding the development of an area known as the Barton Springs development (the "Plan Area"); and

WHEREAS, the development of the Plan Area would include retail shopping facilities and outparcel development (the "Project"); and

WHEREAS, the Economic Impact Plan would permit certain tax

increment financing (“Tax Increment Financing”) to be provided through the issuance of the IDB’s bonds, notes and other obligations in the total amount not to exceed \$1,100,000 pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated; and

WHEREAS, the IDB has approved the Economic Impact Plan at a meeting on June 29, 2010; and

WHEREAS, the proceeds of the Tax Increment Financing would be used to pay the costs of utility improvements and road and street improvements (the “TIF Eligible Costs”) relating to the development of the Project; and

WHEREAS, the incremental property tax revenues (the “TIF Revenues”) that result from the development of the Plan Area under the Economic Impact Plan will be allocated to the IDB to be used to pay debt service of the Tax Increment Financing; and

WHEREAS, in accordance with the Economic Impact Plan, the IDB would issue the Tax Increment Financing to a lender or lenders to finance the TIF Eligible Costs and would pledge the TIF Revenues to such lender or lenders to apply to the debt service on the Tax Increment Financing; and

WHEREAS, the Tax Increment Financing shall not represent or constitute a debt or pledge of the faith and credit or the taxing power of the IDB, the City of Morristown, or Hamblen County, Tennessee; and

WHEREAS, the Board of Directors of the IDB has approved and submitted the Economic Impact Plan to the City Council of the City of Morristown, Tennessee for approval in accordance with *Tennessee Code Annotated §7-53-312*.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Morristown, Tennessee (the “City Council”), that the Economic Impact Plan, in the form attached hereto as Exhibit A, being in the interests of the citizens of the City of Morristown, Tennessee, is hereby approved by the City Council and the officers of the City are authorized to take all appropriate action to carry out the terms of the Economic Impact Plan.

Adopted the 6th day of July 2010.

Mayor

ATTEST:

City Administrator

Councilmember Senter made a motion to adopt the following captioned Ordinance No. 3393.01 on first reading and schedule a public hearing relative to final passage of said Ordinance for July 8, 2010. Councilmember Garrett seconded the motion and upon roll call, all voted “aye”.

Ordinance No. 3393.01
An Ordinance to amend Ordinance No. 3393 – FY 2011
Budget by levying a property tax rate of \$1.05 per \$100
of assessed valuation on all real and personal property.

Councilmember McGuffin made a motion to adopt the following captioned Ordinance No. 3393.02 on first reading and schedule a public hearing relative to final passage of said Ordinance for July 20, 2010. Councilmember Jinks seconded the motion and upon roll call, all voted “aye”.

Ordinance No. 3393.02
An Ordinance to amend Ordinance No. 3393 – FY
2011 Budget by appropriating the sum of \$4,172 for
Firefighting Equipment (wireless smoke detectors).

Councilmember Jinks made a motion to adopt the following captioned Ordinance No. 3393.03 on first reading and schedule a public hearing relative to final passage of said Ordinance for July 20, 2010. Councilmember Garrett seconded the motion and upon roll call, all voted “aye”.

Ordinance No. 3393.03
An Ordinance to amend Ordinance No. 3393 – FY
2011 Budget by appropriating the sum of \$8,100 for
Firefighting Equipment (firefighting boots).

City Administrator's Report

- The Tax Anticipation Note has been paid in full and on time.
- We have begun the process for FY10 Audit – field work, internal controls, etc.
- The FY11 budget will be sent to the state for review and approval.
- We are working on preparations for the garbage services billing.
- Have directed the Finance Director to set up a separate account for sewer; this will require manual transactions with more chance for errors.
- Asked MTAS to review Charter for potential changes for the next legislative session.

Stacey Hayes, Codes Enforcement Officer, gave a report on the W.I.C. Nutrition Program. 1,400 citizens are eligible to participate in the program; 600 citizens have signed up in two days; these 600 vouchers = \$24,000. Morristown is #1 in the state in this program with a 97% redemption rate; four farmers are participating in the program; Morristown is the only market east of Nashville that has this program. \$2,350 in rental fees & licenses has been collected for the Downtown Market this season.

Tarren Barrett, City Transit Planner, spoke to Council regarding the ETHRA buses purchased with ARRA funds. The Federal Transit Administration has informed her that the City cannot give sole ownership of the buses to ETHRA; they recommended leasing the buses to ETHRA with ownership and vehicle titles remaining LAMTPO property; maintenance & liability insurance would be the responsibility of ETHRA. She will check with TML Risk Management Pool to get their input on the lease arrangement.

Councilmember Rooney nominated Nancy Burnett for appointment to the Morristown-Hamblen Library Board for a three-year term to expire July 1, 2013; Councilmember McGuffin seconded the nomination. Councilmember Senter made a motion that nominations cease and Ms. Burnett be elected by acclamation; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to re-appoint Maudie Briggs, Dale Lynch, Thom Robinson, Mervin Testerman and Sam Grigsby, Jr. to the Industrial Development Board for six-year terms to expire June 30, 2016, and to appoint Steve Amos to fill the remainder of Justin Cook's term which will expire on June 30, 2012. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Mayor Barile re-appointed Harold Nichols to the Morristown Utilities Commission for a five year term to expire August 1, 2015. Councilmember Jinks made a motion to confirm Mr. Nichols' appointment; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to defer the Police Department personnel disciplinary action until the July 20, 2010 Council Meeting; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

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

Mayor

ATTEST:

City Administrator