

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
AUGUST 17, 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, August 17, 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 August 3, 2010 minutes as circulated; Councilmember McGuffin seconded the motion and all voted "aye".

Councilmember Jinks made a motion to approve the August 10, 2010 called meeting minutes as circulated; Councilmember Rooney seconded the motion and all voted "aye".

A public hearing was held on the following captioned Ordinance No. 3393.04. Councilmember Jinks made a motion to adopt said Ordinance on second and final reading. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3393.04
An Ordinance to amend Ordinance No. 3393 – FY
2011 Budget by appropriating the sum of \$31,586.28
from the FY09 Recovery Act Justice Assistance
Grant funds for Police Equipment (digital video
systems & forensics camera kits).**

A public hearing was held on the following captioned Ordinance No. 3399. Councilmember Rooney made a motion to adopt said Ordinance on second and final reading. Councilmember Garrett seconded the motion and upon roll call, Councilmembers Garrett, Jinks, Rooney and Mayor Barile voted "aye"; Councilmembers Brooks and Senter voted "no"; Councilmember McGuffin "abstained".

**Ordinance No. 3399
Entitled an Ordinance to amend the Municipal
Code of the City of Morristown Tennessee, Title
18, Chapter 4 (Water Pollution Control Ordinance
No. 3140), Article IX – Fees and Charges.**

Councilmember McGuffin made a motion to approve a Utility Easement Contract with TDOT for the I-81 Interchange Project. *{PIN Number 101203.00, modification of the Interchange at I-81 & SR-32 (US-25E).}* Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to approve a Utility Relocation Contract with TDOT for the I-81 Interchange Project. *{PIN Number 101203.00, modification of the Interchange at I-81 & SR-32 (US-25E).}* Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to award the bid for manhole castings for the S. Cumberland Sanitary Sewer System Improvements to US Foundry & Mfg. in the amount of \$21,462.30. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to adopt the following Resolution No. 19-10; Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

RESOLUTION NO. 19-10
A RESOLUTION TO APPROVE A CHANGE ORDER TO
THE 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 available ARRA obligated funding for construction was increased by \$34,547.00; 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 awarded the unit price contract for the said project to Summers-Taylor,

THEREFORE be it resolved that

The City of Morristown approves the change order of the unit price contract for the said project (Project PIN Number 112681.00) to Summers-Taylor. The total value of the change order to the contract with Summers-Taylor shall not exceed \$34,547.00 or the available ARRA obligated funding for construction for this PIN Number unless specifically approved by TDOT and Morristown City Council.

Adopted the 17th day of August 2010.

Mayor

ATTEST:

City Administrator

Councilmember Rooney made a motion to adopt the following Resolution No. 20-10; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 20-10
A RESOLUTION AUTHORIZING THE CITY OF
MORRISTOWN TO MATCH THE 2010
APPALACHIAN REGIONAL COMMISSION GRANT.**

WHEREAS, the Appalachian Regional Commission (ARC) Program as administered by the State of Tennessee offers grants to local jurisdictions to fund infrastructure that promotes economic development; and

WHEREAS, City of Morristown has been asked to submit and commit to the 50/50 match that is called for under the grant program; and

WHEREAS, the match for the 2010 (ARC) for City of Morristown is 50%, which translates to \$500,000 for a total project cost of \$1,000,000; and

NOW, THEREFORE, BE IT RESOLVED that the City of Morristown City Council hereby commits to providing the funding commitment of \$500,000 towards the Appalachian Regional Commission grant application; and

BE IT FURTHER RESOLVED, the City of Morristown commitment is based on the premises that Lowland Environmental Services will provide the committed workforce and clients at the wastewater plant that is needed to make the project feasible. If at any time during the application process for approval, Lowland Environmental Services is no longer a viable option to operate and attract businesses to the wastewater treatment plant, the City of Morristown reserves the right to retract the match funding of \$500,000.

Duly passed and approved this 17th day of August 2010

APPROVED: _____
Barbara C. "Sami" Barile, Mayor

ATTEST: _____
Anthony W. Cox, City Administrator

Councilmember Senter made a motion to **deny** the following captioned Ordinance No. 3400 and send it back to Planning Commission. Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3400

Entitled an Ordinance to annex certain territory and to incorporate same within the Corporate Boundaries of the City of Morristown, Tennessee. {Annexation of property located at 453 Snyder Road and portions of the Snyder Road Right-of-Way (Hamblen County Tax Map 34D Group D Parcel 2.01) with the Zoning Classification of Mobile Home Park (MHP).}

Councilmember Senter made a motion to adopt the following captioned Ordinance No. 3401 on first reading and schedule a public hearing relative to final adoption of said Ordinance for September 7, 2010. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3401

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property located at 1303 South Easley Court (Hamblen County Tax Map 25P, Group B, Parcel 23.00) from Medium Density Residential (R-2) to Intermediate Business (IB)}.

Councilmember McGuffin made a motion to adopt the following captioned Ordinance No. 3402 on first reading and schedule a public hearing relative to final adoption of said Ordinance for September 7, 2010. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3402

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property located at 1821 Eastern Avenue (Hamblen County Tax Map 34F, Group C, Parcel 7.00) from Single Family Residential (R-1) to Office, Medical, Professional (OMP).}

Councilmember McGuffin made a motion to adopt the following captioned Ordinance No. 3403 on first reading and schedule a public hearing relative to final adoption of said Ordinance for September 7, 2010. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3403
Entitled an Ordinance to Close and Vacate certain Rights-of-Way within the City of Morristown. {Right-of-Way Closure – off Jackson between Louise and Rosedale (Gateway Church).}

Councilmember McGuffin made a motion to reappoint Ken Smith, Jackie Jinks and Foster Chason to the Crossroads Development Partnership Board for three year terms to expire August 19, 2013. Councilmember Rooney seconded the motion and upon roll call, Councilmembers Brooks, Garrett, McGuffin, Rooney, Senter and Mayor Barile voted "aye"; Councilmember Jinks "abstained".

Councilmember Jinks made a motion to reappoint Dr. Fred Yarid as the City Physician for a two year term to expire September 1, 2012. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the August 17, 2010 City Council meeting.

Mayor

ATTEST:

City Administrator