

**STATE OF TENNESSEE
COUNTY OF HAMBLEN
CORPORATION OF MORRISTOWN
NOVEMBER 1, 2011**

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, November 1, 2011 with Honorable Mayor Danny Thomas, presiding and the following named Councilmembers present: Gene Brooks, Bob Garrett, Chris Bivens, Paul LeBel and Kay Senter; absent Councilmember Claude Jinks.

Councilmember LeBel made a motion to approve the October 18, 2011 minutes as circulated; Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Mayor Thomas presented proclamations to: Hobe & Sue Williams, Daily Bread Community Kitchen; Craig Price, Director of Morristown Parks and Recreation Department; Jennifer Gentry, Programmer for the Morristown Parks and Recreation Department.

Craig Price, Director of Parks and Recreation, distributed the following awards received at the 2011 Tennessee Recreation and Parks Association (TRPA) Conference:

- Landscaping of park signs, and support at various events to Morristown Public Works - Wanda Watkins and Gary Blizzard
- Volunteer Service at Special Events - Vivian Marshall and Cindy Trobaugh.
- Special Event Sponsorship at Starlight Cinema - Dr. Michael Heskett.
- Donation of Ice Cream and Watermelon's for Kids Fun Fair to Food City/Buffalo Trail - Greg Ivey, Manager.
- Monetary gifts (\$2,900) for 10 Pet Stations and Splash Pad Fence installation to Lakeway Senior Circle - Brittany Johns, Director, board members Bob Jones and Cindy Trobaugh.
- TRPA Four Star Benefactor Awards to Barrette Outdoor Living for partnership and development of the Splash Pad Fence at Fred Miller Park - Randy Brown Research & Development and Rick Fior Human Resources.
- Rotary Club Recognition - Doyle Carter, Don and Sue Baldus.
- TRPA President's Cup Award to Morristown Parks and Recreation Department for year round support of TRPA programs, events and functions.

Councilmember Senter made a motion to approve Ordinance No. 3419.02 on second and final reading. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3419.02

Entitled an Ordinance to amend Ordinance Number 3419. The City of

Morristown, Tennessee Annual Budget for the Fiscal Year 2011-2012 and Appropriate the sum of \$11,400 for money donation for Amphitheater.

Councilmember Senter made a motion to approve Ordinance No. 3419.03 on second and final reading. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3419.03

Entitled an Ordinance to amend Ordinance Number 3419. The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2011-2012 and Appropriate the sum of \$20,120 for DOJ Grant 2011-DJ-BX3459.

Councilmember Bivens made a motion to Award the bid for purchase of a ¾ Ton Pickup Truck with Utility Bed to McNelly Whaley Motor Co., Inc. for \$23,509.78. Councilmember LeBel seconded the motion and upon roll call, all voted "aye".

Councilmember Brooks made a motion to approve Ordinance No. 3429 on first reading and schedule a public hearing relative to final passage of said Ordinance for November 15, 2011. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3429

Being an Ordinance Amending Title 13 of the Morristown Municipal Code.

Councilmember LeBel made a motion to approve Ordinance No. 3430 on first reading and schedule a public hearing relative to final passage of said Ordinance for November 15, 2011. Councilmember Bivens seconded the motion and upon roll call, Councilmembers Garrett, Bivens, Senter, and LeBel voted "aye"; Councilmember Brooks "abstained" and Mayor Thomas voted "no".

Ordinance No. 3430

Being an Ordinance to Amend Section 1-304 of the Morristown Municipal Code Regarding Authority to Summon Aid.

Anthony Cox, City Administrator, advised Council of the following budget appropriation line item transfers:

Transfer of \$5,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-433 (Vehicle Maintenance).

Transfer of \$1,500 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-499 (Other Supplies).

Transfer of \$500 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-343 (Propane).

Transfer of \$2,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-359 (Other Professional Services).

Transfer of \$5,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-360 (Repair & Maint. Communication).

Transfer of \$1,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-361 (Repair & Maint. Vehicle).

Transfer of \$250 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-371 (Subscriptions & Magazines).

Transfer of \$1,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-375 (Membership & Dues).

Transfer of \$1,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-375 (Education, seminars, training).

Transfer of \$500 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-383 (Travel Expenses).

Transfer of \$500 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-411 to (Office Supplies).

Transfer of \$500 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-413 to (Office Equipment).

Transfer of \$5,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-429 (General Operating Supplies).

Transfer of \$2,500 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-431 (Vehicle Fuel).

Transfer of \$2,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-433 (Vehicle Parts).

Transfer of \$15,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-438 (Parts – Traffic Signal).

Transfer of \$3,000 from Public Works Traffic Devices 110-43190-365 (Repair & Maint.) to 110-43190-499 (Other Supplies & Materials).

Transfer of \$2,000 from Police Criminal Investigation 110-42130-378 (Education, seminars, training) to 110-42130-383 (Travel Expense).

Mayor Thomas nominated Bruce Sluder to the Morristown Utility Commission for a five year term to expire on July 31, 2016. Councilmember LeBel made a motion to disapprove the Mayors nomination. Councilmember Senter seconded the motion and upon roll call, Councilmembers Garrett, Bivens, Senter and LeBel voted "aye"; Councilmember Brooks and Mayor Thomas voted "no".

Anthony Cox, City Administrator nominated Councilmember Bob Garrett to the Hamblen Co/Morristown Solid Waste Disposal System for a three year term to expire on November 1, 2014. Councilmember Senter made a motion to accept the nomination. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Councilmember Bivens made a motion to confirm the disciplinary action taken against personnel of the Fire Department. Councilmember LeBel seconded the motion and upon roll call, all voted "aye".

Councilmember Bivens made a motion to promote Brandon Williams to Fire Department Driver. Councilmember LeBel seconded the motion and upon roll call, all voted "aye".

Council discussed the Options to Amend the Private Acts of the Tennessee Legislature regarding appointment to the Morristown Utilities Commission. Councilmember Senter made a motion to Call for Question. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Councilmember LeBel made a motion to approve Option I of the Act to Amend Private Acts of the Tennessee Legislature. Councilmember Garrett seconded the motion and upon roll call, Councilmembers Garrett, Bivens, Senter, and LeBel voted "aye"; Councilmember Brooks and Mayor Thomas voted "no".

Mayor Thomas recessed the meeting for an Executive Session to confer with attorneys regarding legal issues.

Mayor Thomas re-convened the meeting.

Councilmember Bivens made a motion that the City accept the recommendation by Attorney Ben Lauderback for the maximum City liability of \$180,000 on Federal Court Case Davidson vs. City of Morristown. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

Councilmember Senter reminded everyone of the 102 year birthday celebration for Ms. Evelyn Bryan Johnson this Friday at the airport in the conference room from 2:00 – 3:00 p.m.

Councilmember Senter gave a review of the October 27, 2011 Finance Committee meeting. Council will need to arrive at 4:00 p.m. on Tuesday, November 15 for a Work Session, prior to the regularly scheduled Council meeting, in order to review the debt policy that needs to be in place by December 31, 2011. The next Finance Committee meeting will be held at 4:00 p.m. on Monday, November 21, 2011.

Mayor Thomas adjourned the November 1, 2011 meeting.

MAYOR

ATTEST

CITY ADMINISTRATOR