

April 5, 2011

**STATE OF TENNESSEE  
COUNTY OF HAMBLLEN  
CORPORATION OF MORRISTOWN  
APRIL 5, 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 4:00 p.m., Tuesday, April 5, 2011 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 March 15, 2011 minutes as circulated; Councilmember Senter seconded the motion and all voted "aye".

Mayor Barile recognized Nadia Valdez, a 17 year old student from West High on being named 2010 Tennessee State Youth of the Year by the Boys and Girls Club of America.

A public hearing was held on the following captioned Ordinance No. 3411. Councilmember McGuffin 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. 3411  
Entitled an Ordinance to amend the Municipal Code of the City of Morristown by deleting Ordinance No. 3148 in its entirety from Title 14, Chapter 5 and adding the following Land Disturbance Ordinance as Title 18, Chapter 6.**

A public hearing was held on the following captioned Ordinance No. 3412. Councilmember McGuffin made a motion to adopt said Ordinance on second and final reading. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3412  
Entitled an Ordinance to amend the Municipal Code of the City of Morristown by adding the following sections relating to Illicit Discharges and Connections to the Municipal Separate Storm Sewer System as Title 18, Chapter 8.**

A public hearing was held on the following captioned Ordinance No. 3413. Councilmember Senter made a motion to adopt said Ordinance on second and final reading. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3413  
Entitled an Ordinance to amend the Municipal Code of the City of  
Morristown by adding the following sections relating to Post  
Construction Water Quality Management as Title 18, Chapter 9.**

A public hearing was held on the following captioned Ordinance No. 3414. Councilmember Rooney made a motion to adopt said Ordinance on second and final reading. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3414  
Entitled an Ordinance to amend the Municipal Code of the City of  
Morristown, Title 14, Chapter 2 – Zoning Ordinance (Chapter 31,  
Water Quality Buffer Zone) by moving the entire Chapter 31,  
Water Quality Buffer Zone, to Title 18, Chapter 7.**

A Public hearing pertaining to Public Chapter 1101 regarding Plans of Services and Progress Reports was held for the following annexation ordinances. {There were no public comments.}

Ordinance No. 3125 - Wallace properties on the east and west sides of South Davy Crockett Parkway near Exit 8. {2002}

Ordinance No. 3126 - The Parkway Inn property located at 5326 South Davy Crockett Parkway near Exit 8. {2002}.

Ordinance No. 3218 - Annexation of properties along Thompson Creek Road. {May 10, 2005}

Ordinance No. 3241 - Annexation and Zoning Classification of the Drinnon Property at 855 Thompson Creek Road. {February 14, 2006}

Ordinance No. 3375 - Annexation of property located in the East Tennessee Progress Center, along Howard Allen Road, Progress Parkway and Witt Road, owned by Koch Foods and the City of Morristown (HCTM 62, Parcels 3 & 4. {January 12, 2010}

Ordinance No. 3405 - Annexation of property located in the East Tennessee Progress Center, Hamblen County Tax Map 56, Parcels 118.01, 118.02, 118.03, 118.04; Hamblen County Tax Map 61, Parcels 2.00 & 3.00; and portions of Hamblen County Tax Map 56, Parcels 104.00; Hamblen County Tax Map 57, Parcel 60. {November 9, 2010}

Ordinance No. 3125 and 3126 - Wallace properties on the east and west sides of

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South Davy Crockett Parkway near Exit 8: and the Parkway Inn property located at 5326 S. Davy Crockett Pkwy. {annexed in 2002}

Ordinance No. 3218 and 3241 - Annexation of properties along Thompson Creek Road. {May 10, 2005}

Ordinance No. 3375 - Annexation of property located in the East Tennessee Progress Center, along Howard Allen Road, Progress Parkway and Witt Road.

Councilmember Garrett made a motion to award the bid for the Frank Lorino Park prefabricated building installation project to the second lowest bidder, Andrews Construction Company, in the amount of \$184,534.30. Councilmember Senter seconded the motion and upon roll call, all voted "aye". {Southern Constructors, the lowest bidder, misread the specs and requested that their bid be rejected.}

Councilmember Senter made a motion to approve the TDOT Contract for Signal Improvements on West First North and High Streets. {Contract # 110070 for SR-66 (W 1<sup>st</sup> North St) and High St Signalization Improvements Project, PIN: 115609.00, State Project #: 32LPLM-F3-021, Federal Project #: STP-M 66(46).} Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to approve the TDOT Contract for ITS/Signal improvements on Morris Blvd. and West Andrew Johnson Highway. {Contract # 110074 for SR-34 ITS Traffic Signal Coordination Project on Morris Blvd. and West A.J. Highway. PIN: 115610.00, State Project #: 32LPLM-F3-024, Federal Project #: STP-M 34(78).} Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Councilmember Garrett made a motion to approve the TDOT Contract for road rehabilitation in the Morristown Medical District. {Contract #110105; PIN: 115661.00; State Project # 32LPLM-F3-317; Federal Project # HHP-9113(16).} Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to approve the TDOT Contract for installation of a traffic signal system at the intersection of SR-34 (US11E/Andrew Johnson Hwy) and Walters Drive. {Contract #110102; PIN: 115658.00; State Project # 32LPLM-F3-027; Federal Project # STP-M-34(79).} Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to approve the contract with Lamar Dunn & Associates for relocation of the sewer line for Exit 4 Connector. (TDOT Project at SR-66/SR-341 and SR-160.) Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Councilmember McGuffin made a motion to adopt the following captioned Ordinance No. 3415 on first reading and schedule a public hearing relative to

final passage of said Ordinance for April 19, 2011. Councilmember Jinks seconded the motion and upon roll call, all voted “aye”.

**Ordinance No. 3415  
An Ordinance to amend the Morristown Municipal Code,  
Title 14, Chapter 2 (Zoning Ordinance) by adding Chapter  
34 – Historic Zoning.**

Councilmember Jinks made a motion to adopt the following captioned Ordinance No. 3393.13 on first reading and schedule a public hearing relative to final passage of said Ordinance for April 19, 2011. Councilmember Garrett seconded the motion and upon roll call, all voted “aye”.

**Ordinance No. 3393.13  
An Ordinance to amend Ordinance No. 3393 – FY 2011  
Budget by appropriating increased revenue in the Police  
Department in the amount of \$22,129 (Barnhart Crane,  
CALEA and FBI travel reimbursement).**

Councilmember Rooney made a motion to adopt the following captioned Ordinance No. 3393.14 on first reading and schedule a public hearing relative to final passage of said Ordinance for April 19, 2011. Councilmember Senter seconded the motion and upon roll call, Councilmembers Garrett, McGuffin, Rooney, Senter and Mayor Barile voted “aye”; Councilmembers Brooks and Jinks “passed”.

**Ordinance No. 3393.14  
An Ordinance to amend Ordinance No. 3393 – FY 2011  
Budget by appropriating funds from City Council  
Contingency to Inspections and Public Works for  
demolition of two dilapidated homes and brush  
removal/mowing at the Morristown College site.**

Administrator Cox informed City Council of budget appropriation line item transfers in the following accounts:

Human Resources – Transfer of \$1,000 from 110-41650-280 (travel) to -311 (office supplies) and transfer of \$300 from -390 (other supplies) to -237 (advertising & publicity); and \$400 from -390 (other supplies) to -233 (publications).

Finance – Transfer of \$1,000 from 110-41530-148 (education & training) to -280 (travel);

A discussion was held regarding the alley closing/proposed fence on South James Street between the Mildred Donaldson property and East High

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School. In order to take the City out of the picture and let Ms. Donaldson and the Hamblen County Board of Education work out the details, Dick Jessee, City Attorney, will draft the appropriate documents for Council's consideration at the April 19, 2011 Council meeting. The public will be permitted to comment on the issue prior to City Council action on the item.

Councilmember Jinks made a motion to cancel the May 3, 2011 Council meeting due to Election Day; Councilmember Senter seconded the motion and upon roll, call all voted "aye". *{Any necessary business can be conducted at the May 9<sup>th</sup> Sine Die meeting if proper notification is given.}*

Councilmember Jinks made a motion to open the Council agenda; Councilmember Brooks seconded the motion and all voted "aye".

Councilmember Jinks made a motion to defer enforcement of the sign ordinance with regard to flags, balloons and banners until July 31, 2011. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Brooks questioned Attorney Jessee about perceived conflict of interest issues.

#### CITY COUNCIL CONVENED AS THE BEER BOARD

Councilmember Rooney made a motion to grant an Off-Premise Beer Permit to Birad Bapa, Inc. (Babesh Patel for BP Gas Station, 1736 Buffalo Trail. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to grant an Off-Premise Beer Permit to Tennessee CVS Pharmacy, LLC, (Linda M. Cimbron), 2008 West Andrew Johnson Highway. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the April 5, 2011 City Council meeting.

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Mayor

ATTEST:

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City Administrator