

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
MAY 31, 2011**

The City Council for the City of Morristown, Hamblen County, Tennessee, met in a special called session at the regular meeting place of the Council in the Morristown City Center at 3:00 p.m., Tuesday May 31, 2011 with Honorable Mayor Danny Thomas, presiding and the following named Councilmembers present: Gene Brooks, Bob Garrett, Claude Jinks, Chris Bivens, Paul LeBel and Kay Senter.

Councilmember Jinks made a motion to approve the following Resolution No. 07-11. Discussion followed that if the City did not appeal the ruling it would become a benchmark law of the 6th Circuit Court and would have impact on all Municipal Sewer Systems in the future. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

RESOLUTION NUMBER 07-11

BEING A RESOLUTION AUTHORIZING AN APPEAL FROM THE FEDERAL DISTRICT COURT'S JUDGMENT IN A SUIT STYLED PATRICIA STEPHENS ET AL, VS. CITY OF MORRISTOWN, TENNESSEE.

WHEREAS, the City of Morristown has been engaged in litigation in the United States District Court for the Eastern District of Tennessee at Greeneville, being the case styled Patricia Stephens et al, vs. City of Morristown, Tennessee and bearing Case No. 2:08-CV-96; and

WHEREAS, the District Court has issued its final orders on most, if not all, of the litigated issues, and

WHEREAS, council members have been advised by trial counsel for the City of the status of the case, the issues involved, the Court's rulings and the issues to be presented on appeal.

NOW, THEREFORE, be it resolved by the City Council of the City of Morristown, Tennessee that the City Administrator is hereby authorized to instruct counsel for the City, being Jon Roach, Esquire and Dan Pilkington, Esquire to proceed with an appeal to the US Sixth Circuit Court of Appeals, and that the City Administrator be authorized to execute any and all documents reasonably necessary to go forward with the appeal.

PASSED THIS 31ST DAY OF MAY, 2011.

MAYOR

ATTEST:

CITY ADMINISTRATOR

Councilmember LeBel made a motion to approve the following Resolution No. 08-11. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

RESOLUTION NUMBER 08-11

BEING A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN PROPERTY FOR SEWER IMPROVEMENTS.

WHEREAS, the City is engaged in making improvements to the Witt No. 1 Pump Station, and

WHEREAS, it is necessary to the completion of the project that certain interests in property belonging to Wallace Properties, LLC be acquired.

NOW, THEREFORE, be it resolved by the City council of the City of Morristown, Tennessee that the City Attorney is authorized to acquire the interests in property depicted on the plat attached hereto as Exhibit A by purchase at the appraised value of the interests, or if necessary, through the process of eminent domain.

PASSED THIS 31ST DAY OF MAY, 2011.

MAYOR

ATTEST:

CITY ADMINISTRATOR

Councilmember LeBel made a motion to approve the following Resolution No. 09-11. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

RESOLUTION NUMBER 09-11

BEING A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN PROPERTY FOR SEWER IMPROVEMENTS.

WHEREAS, the City is engaged in making improvements to the Witt No. 3 Pump Station, and

WHEREAS, it is necessary to the completion of the project that certain interests in property belonging to Kenneth McClanahan be acquired.

NOW, THEREFORE, be it resolved by the City council of the City of Morristown, Tennessee that the City Attorney is authorized to acquire the temporary and permanent easements depicted on the plat attached hereto as Exhibit A by purchase at the appraised value of the interests, or if necessary, through the process of eminent domain.

PASSED THIS 31st DAY OF MAY, 2011.

MAYOR

ATTEST:

CITY ADMINISTRATOR

Mayor Thomas adjourned the May 31, 2011 Special Called City Council meeting.

Mayor

ATTEST:

City Administrator