

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
OCTOBER 2, 2012**

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, October 2, 2012 with the Honorable Mayor Danny Thomas presiding and the following Councilmembers present: Gene Brooks, Bob Garrett, Chris Bivens, Paul LeBel and Kay Senter.

Tom Miles, Senior Morristown Police Department Chaplain and Deacon Gateway Church lead in the invocation and Councilmember Gene Brooks led the "Pledge of Allegiance".

Councilmember Senter made a motion to approve the September 18, 2012 minutes as circulated. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

A Public Hearing was held on Resolution No. 24-12. The following people spoke regarding Resolution No. 24-12: Linda Noe, Gwen Holden and Rev. Nigel Marlin Reid.

Councilmember Bivens made a motion to approve Resolution No. 24-12. Councilmember LeBel seconded the motion and upon roll call: all voted "aye".

Resolution No. 24-12

A Resolution Adopting a Plan of Services for the Annexation of Property located at 3951 Maple Valley Road (Arrowhead Church).

WHEREAS, Tennessee Code Annotated, Title 6, Chapter 51, as Amended Requires that a Plan of Services be Adopted by the Governing Body.

NOW THEREFORE, be it Resolved by the Board of Mayor and Council of the City of Morristown, Tennessee:

Portions Property Identified on the Hamblen County Tax Map 048 Parcels 73.00 and 76.00

To be Zoned as Agriculture (A1)

Section 1. Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services.

a. Police

1. Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment, will be provided upon the effective date of annexation.

2. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

b. Fire

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from the fire stations, will be provided upon the effective date of the annexation.

c. Water

1. Water for potable use will be provided in accordance with current policies of the Morristown Utility Commission unless located in an area in which another utility district has made service available and asserts Title 7 USC 1926b protection in the annexed area.

2. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utility Commission unless authorized by franchise agreement with another utility district which has made service available with capability to meet City of Morristown Fire Protection standards. Any extension of water system infrastructure beyond that of the Morristown Utility Commission policies shall be at the expense of the property owner or developer.

3. In those parts of the annexed area that are currently served by another utility district, the above conditions and terms will begin upon acquisition of service area by Morristown Utility System or approval of franchise agreement with another utility district which may be delayed by negotiation and/or litigation.

d. Sewers

Any extension of said shall be at the expense of the property owner or property developer.

e. Electrical

1. Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission.

2. In those parts of the annexed area presently served by another utility cooperative, the above conditions or terms will begin with the acquisition by the city of

such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

f. Refuse Collection

The same regular refuse collection service now provided within the city will be extended to the annexed area sixty days following the effective date of annexation.

g. Streets

1. Routine maintenance, on the same basis as in the present city, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received (usually July 1 following the effective date of annexation).

2. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city.

h. Inspection Services

Any inspection services now provided by the city (building, electrical, plumbing, gas, housing, weights and measures, sanitation, etc.) will begin upon the effective date of annexation.

i. Planning and Zoning

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The Morristown Regional Planning Commission recommended the zoning designation of Agriculture (A1).

j. Street Lighting

Street lights will be installed under the standards currently prevailing in the existing city.

k. Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

l. Miscellaneous

Street name signs where needed will be installed as new street construction requires. Fiber optic will be installed per the current Morristown Utility System policy.

Section II. This Resolution shall become effective from and after its adoption.

Passed on this 2nd day of October, 2012.

Mayor

ATTEST:

City Administrator

A Public Hearing was held on Ordinance No. 3454. The following people spoke regarding Ordinance No. 3454: Rev. Nigel Marlin Reid.

Councilmember Senter made a motion to approve Ordinance No. 3454 on second and final reading. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3454

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 3951 Maple Valley Road (Hamblen County Tax Map 48, portions of Parcel 73.00 and 76.00) with the Zoning Designation of agriculture (A-1). {Arrowhead Baptist Church}

A Public Hearing was held on Ordinance No. 3455.

Councilmember LeBel made a motion to approve Ordinance No. 3455 on second and final reading. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3455

An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of property located at 408 Walters Drive (Hamblen County Tax Map 330, Group E, Parcel 17.00) from Medium Density Residential (R-2) to Intermediate Business (IB).

Councilmember LeBel made a motion to approve Resolution #25-12. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

**Resolution No. 25-12
A Resolution Authorizing the City of Morristown to Participate in The
Pool's "Driver Safety" Matching Grant Program.**

WHEREAS, the safety and well being of the employees and citizens of the City of Morristown are of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Morristown employees; and

WHEREAS, The Pool seeks to encourage the safe operation of motor vehicles by offering the "*Driver Safety*" Matching Grant Program; and

WHEREAS, the City of Morristown now seeks to participate in this important program.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE the following:

SECTION 1. That the City of Morristown is hereby authorized to submit application for the "*Driver Safety*" Matching Grant Program, through the Loss Control Department of The Pool.

SECTION 2. That the City of Morristown is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

Resolved this 2nd day of October in the year of 2012.

Mayor

ATTEST:

City Administrator

Councilmember LeBel made a motion to defer Ordinance No. 3456 to the next council meeting on October 16, 2012. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3456 - DEFERRED

An Ordinance to Amend the Morristown Municipal Code, Title 14, Chapter 2 – Zoning Ordinance (Chapter 2. General Zoning Provisions) by deleting Section 14-218 in its entirety and substituting a new Section 14-218. Control of Access. {Traffic Impact Studies}

Councilmember Senter made a motion to approve Ordinance No. 3443.01 on first reading and schedule a public hearing relative to final passage of said Ordinance for October 16, 2012. Councilmember LeBel seconded the motion and upon roll call; all voted “aye”.

Ordinance No. 3443.01

An Ordinance to Amend Ordinance No. 3443, The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2012-2013 and Appropriate the Sum of \$20,000 Highway Safety Grant for Police Salaries.

Councilmember LeBel made a motion to approve the proposal(s) from Lamar Dunn & Associates Inc. for Phase II CAP/ER engineering report in the lump sum amount of \$44,250 and the engineering study planning document in accordance with the State Revolving Loan Fund (SRF) requirements, (for Waste Water Treatment Plant improvements), for a lump sum fee of \$24,200. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

Councilmember Senter made a motion to re-appoint Doug McDonald to the Civil Service Board for a three (3) year term to expire on October 1, 2015. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

Councilmember Bivens made a motion to approve the list of Pre-Qualifications/Evaluations from Lamar Dunn & Associates for sewer construction contracts of the following categories:

- 1) Pipe Bursting, Dig-N-Lay and Manhole Rehabilitation the following contractors were recommended: Merkel Brothers Construction, Inc., Portland Utilities Construction Co., Hurst Excavating, Morgan Contracting, Inc. and Adams & Sons, Inc.
- 2) Trenchless Technology, Cured-In-Place Pipe the following contractors were recommended: Layne Inliner, LLC, Insituform Technologies, LLC, Portland Utilities Construction Co., SAK Construction, LLC and American Infrastructure Technologies.
- 3) Sewer Pump Stations the following contractors were recommended: Haren Construction Company, Inc., Portland Utilities Construction Co., Hurst Excavating, Morgan Contracting, Inc., and Southern Constructors.
- 4) Wastewater Treatment Plant the following contractors were recommended: Haren Construction Co., Southern Constructors and Morgan Contracting. Inc.

Councilmember LeBel seconded the motion and upon roll call; all voted “aye”.

Councilmember LeBel made a motion to approve an off-premise permit for Lee Enterprises, Inc., DBA Lee's Food Mart #115 (Patricia Bates, registered agent), 3616 West A.J. Highway. Councilmember Senter seconded the motion and upon roll call; all voted "aye"

City Administrator Tony Cox advised Council of the following budget appropriate line item transfers:

- Transfer of \$1,000 from Community & Economic Affairs 110-41710-399 (Other Contracted Services) to 110-41710-429 (General Operating Supplies).
- Transfer of \$200 from Collection System Maintenance 420-43240-383 (Travel) to 420-43240-378 (Education, Seminars & Training).
- Transfer of \$9,000 from Public Works Brush Pick-Up & Snow Removal 110-43160-458 (Salt/Sodium Chloride) to 110-43160-960 (Machinery & Equipment).

City Administrator Tony Cox stated he had included a copy of the Annual Stormwater Report in Council packets for their review.

Mayor Thomas adjourned the October 2, 2012 meeting.

MAYOR

ATTEST:

CITY ADMINISTRATOR