

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
NOVEMBER 20, 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, November 20, 2012 with the Honorable Mayor Danny Thomas presiding and the following Councilmembers present: Gene Brooks, Bob Garrett, Dennis Alvis, Chris Bivens, Paul LeBel and Kay Senter.

John Freitag, Morristown Police Department Chaplain lead in the invocation and Councilmember Brooks led in the "Pledge of Allegiance".

Councilmember Bivens made a motion to approve the November 6, 2012 minutes as circulated. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Mayor Thomas recognized the "Young Women of Distinction" group from the Morristown Boy's & Girl's Club.

A Public Hearing was held on Ordinance No. 3443.03.

Councilmember Senter made a motion to approve Ordinance No. 3443.03 on second and final reading. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3443.03

An Ordinance to Amend Ordinance Number 3443, The City of Morristown, Tennessee, Annual Budget for the Fiscal Year 2012-2013 and Appropriate the Sum of \$4,400 for Payment of Lawn Service, Insurance Recovery and Donation.

Councilmember LeBel made a motion to approve Resolution No. 26-12. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

RESOLUTION NO. 26-12

BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE AUTHORIZING THE CITY ADMINISTRATOR TO ACQUIRE CERTAIN REAL PROPERTY ADJOINING WAYNE HANSARD PARK

WHEREAS, Mary Jacqueline Carson and James Dewey Rickard, Jr. are the owners of property situate in the Fifth Civil District of Hamblen County, Tennessee adjoining the Wayne Hansard Park and

WHEREAS, Parks and Recreation has a need for a strip of land adjoining Wayne Hansard Park at its rear for parking and other purposes, and

WHEREAS, Mary Jacqueline Carson and James Dewey Rickard, Jr. are willing to sell up to 8 acres of their property at a price of \$5,250.00 per acre, and

WHEREAS, the location and size of the unimproved tract of 8 acres or less would be determined by survey at the expense of the City, and

WHEREAS, it appears to the governing body of the City of Morristown that the Project would be highly beneficial to the City, Hamblen County and the surrounding area.

NOW, THEREFORE, be it resolved by the City Council of the City of Morristown, that the City Administrator be and he hereby is authorized to purchase on behalf of the City, up to 8 acres of the property of Mary Jacqueline Carson and James Dewey Rickard, Jr. at a price of \$5,250.00 per acre; and

FURTHER resolved, that the Mayor is authorized to enter into a Contract for the Sale and Purchase of said tract on the aforesaid terms and, further, to execute all documents necessary to close and complete the transfer.

Passed in regular session this 20th day of November, 2012.

Mayor

ATTEST:

City Administrator

Councilmember Alvis made a motion to approve Ordinance No. 3443.04 on first reading and schedule a public hearing relative to final passage of said Ordinance for December 4, 2012. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3443.04

An Ordinance to Amend Ordinance Number 3443, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2012-2013 and Appropriate the Sum of \$2,642 for Reimbursement of Overtime from Hamblen County Schools to Fire Dept.

Councilmember Senter made a motion to Table Ordinance No. 3458. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3458

An Ordinance to amend the Morristown Municipal Code Title 14, Chapter 2 – Zoning Ordinance (Chapter 29, Signs) by deleting said chapter in its entirety and substituting therefore a new Chapter 29, Signs.

Councilmember Senter made a motion to approve Ordinance No. 3459 on first reading and schedule a public hearing relative to final passage of said Ordinance for December 4, 2012. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3459

An Ordinance to amend the Morristown Municipal Code of the City of Morristown, Tennessee, Appendix B, (Regional Gateway Commercial District).

Councilmember LeBel made a motion to approve engineering agreement(s) between the City of Morristown, Tennessee and Lamar Dunn & Associates, Inc. for the following projects: a) Task Order Number 001 Engineer will serve as the Lead Consultant for the stormwater capital improvements program for a total fee of \$536,100.00: b) Task Order Number 002 Engineer will serve as the Design Consultant. Engineer will perform the indicated services for the North Fairmont Avenue Early Action Project for an estimated total fee of \$7,500.00. Councilmember Garrett seconded the motion and upon roll call: Councilmembers Garrett, Bivens, Senter, Alvis, LeBel and Mayor Thomas voted "aye": Councilmember Brooks "abstained".

Councilmember LeBel made a motion to approve engineering agreement(s) between the City of Morristown, Tennessee and Mattern & Craig for the following Projects: a) Rehabilitation of Walters Drive, from Cherokee Dr. to N. Economy Rd. Project Design Phase Services for a total fee of \$74,910.00: b) Rehabilitation, replacement of three (3) bridges for a total fee of \$37,630.00. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve a contract with Veolia to manage and operate the Turkey Creek Wastewater Treatment Plant, the Lowland Wastewater Treatment Plant and the Industrial Pretreatment Program. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve a contract with Veolia to operate and maintain twenty-eight (28) Pumping Stations. Councilmember Garrett seconded the motion and upon roll call; all voted "aye".

Councilmember Garrett made a motion to approve a contract with Morristown Utilities Commission (MUC) to transition into routine operation and maintenance of the Pumping System. Councilmember Alvis seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, Alvis and LeBel voted "aye"; Councilmember Brooks and Mayor Thomas voted "no".

Councilmember Alvis made a motion to re-appoint Edward Sempkowski as Alternate City Judge for a four year (4) term to expire 12/2/2016. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve the hiring of the following four entry level Police Department Personnel: Michael Matthews, Joshua Akard, Jordan Wilson and Weston Holt. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Brooks made a motion to approve giving employees Christmas Eve December 24, 2012 as a holiday in memory of Councilmember Claude Jinks. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

City Council Convened as the Beer Board

Beer Board sanctions were considered against the following two establishments for on-premise compliance violations:

(1) Applebees, 2328 West A. J. Hwy. – Sale of Beer to a person under twenty-one years of age (8-213-4).

Councilmember LeBel made a motion for a thirty (30) suspension of the beer license or in-lieu thereof a civil penalty in the amount of \$500. Councilmember Bivens seconded the motion and upon roll call; Councilmembers Bivens, Senter, Alvis, LeBel and Mayor Thomas voted "aye"; Councilmember Garrett voted "no"; Councilmember Brooks "abstained".

(2) Little Dutch, 115 S. Cumberland St. – Sale of Beer to a person under twenty-one years of age (8-213-4).

Councilmember LeBel made a motion for a thirty (30) suspension of the beer license or in-lieu thereof a civil penalty in the amount of \$500. Councilmember Alvis seconded the motion and upon roll call; Councilmembers Bivens, Senter, Alvis, LeBel and Mayor Thomas voted "aye"; Councilmember Garrett voted "no"; Councilmember Brooks "abstained".

City Administrator Tony Cox advised Council that the deferred ordinance for the Traffic Impact study is still being drafted.

Mayor Thomas adjourned the November 20, 2012 meeting.

MAYOR

ATTEST:

CITY ADMINISTRATOR