

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
February 21, 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, February 21, 2012 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 Senter made a motion to approve the February 7, 2012 minutes as circulated. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

Councilmember LeBel made a motion to approve the February 13, 2012 "special called" minutes as circulated. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Mayor Thomas recognized Ricky Greene with a proclamation and watch congratulating him on his retirement and thanking him for his twenty nine years of service with the Morristown Fire Department.

A public hearing was conducted on the following captioned Ordinance No. 3436.

The following person spoke in regards to Ordinance No. 3436: Linda Noe, Joe Stephens Rd.

Councilmember LeBel made a motion to approve Ordinance No. 3436 on second and final reading. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3436
Entitled an Ordinance of the City of Morristown, Tennessee Amending the City's Ethics Ordinance No. 3248 by Adopting the MTAS Model.**

A public hearing was conducted on the following captioned Ordinance No. 3437. Councilmember Senter made a motion to approve Ordinance No. 3437 on second and final reading. Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3437
Entitled an Ordinance of the City of Morristown, Tennessee, to Establish Travel Reimbursement Regulations for City Officials and City Employees Conducting Official Business.**

Councilmember Senter presented to Council the amended version of Ordinance No. 3438; Council discussed the amended version. Councilmember Senter made a motion to adopt as read the Amended Ordinance No. 3438. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

A public hearing was conducted on the following captioned Ordinance No. 3438.

The following people spoke in regards to Ordinance No. 3438: Steve Collins; Taylor Ward East 2nd North St.; Richard Craine, Jarnigan Ave.; Ina Winkle; Tom Lowe, Spruce St.; Rob Huntsman, Anderson St.; Evan McKinley, East 3rd North St.; Ricky Lowe, Scenic Lake Circle; Chris Black, Evaline Circle; Dr. Long Wall, Spruce St.; Linda Noe, Joe Stephens Road; Carl Murphy, West Rose St.; Carol Lakowski, Lacefield Dr.; William Martin; Brenda Goodson, Spencer Dr.; Scott Cutshaw, South Cumberland St.; Name Unknown, Camilla St. and Brian Southerland, Beulah St.

Councilmember LeBel made a motion to approve Amended Ordinance No. 3438 on second and final reading. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3438 Amended
Entitled an Ordinance of the City of Morristown, Tennessee Amending
Section 1-206 of the Morristown Municipal Code.**

A Public Hearing was held on the following captioned Ordinance No. 3439.

The following people spoke in regards to Ordinance No. 3439: D.O. Ratcliff; Rick Trent, Morningside Dr.; Sandra Watson, Walters Dr.; Joe Huntsman, Darby Dr. and Doug Murp, Shady Woods Rd.

Councilmember Senter made a motion to approve Ordinance No. 3439 on second and final reading. Councilmember Garrett seconded the motion and upon roll call, Councilmembers Garrett, Bivens, Senter, Jinks, LeBel and Mayor Thomas voted "aye"; Councilmember Brooks voted "no".

**Ordinance No. 3439
Entitled an Ordinance of the City of Morristown, Tennessee Amending Title
18, Chapter 4 (Water Pollution Control Ordinance No. 3394) of the
Morristown Municipal Code regarding sewer use fees.**

Councilmember LeBel made a motion to Award a Bid to Andrews Construction, Inc. in the amount of \$300,170 for Base and Roof. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to Award a Contract to Audit Accounts with Craine Thompson and Jones in the amount of \$45,000. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to Award a Contract for Operating System & Database Administration Support and Annual Support and License Agreement for MUNIS Software system in the amount of \$38,551.69. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to Award a Contract to Eddie Spooone of S&J Concessions in the amount of \$2,000. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to Award a Contract to Lamar Dunn & Associates for U.S. 25E Extension (Mark Sawyer Sewer) and Highway 160 Bore in the amount of \$110,120. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

Councilmember Bivens made a motion to Award a Contract to Lamar Dunn & Associates Stormwater Erosion Study Project to Stabilize the Creek Bank before Sewer Rehabilitation Project in the Fall Creek Basin in the amount of \$120,000. Councilmember LeBel seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to approve the Contract for Electrical Inspection Services. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to approve Resolution No. 05-12. Councilmember Bivens seconded the motion and upon roll call, Councilmembers Garrett, Bivens, Senter, Jinks, LeBel and Mayor Thomas voted "aye"; Councilmember Brooks voted "no".

RESOLUTION NO. 05-12

Statement of Support for FiberNet Telecommunication Services. Provided By Morristown Utilities Commission (MUC)

WHEREAS, in a May 2001 referendum citizens in the City of Morristown (The City) voted with 72% approval for the Morristown Utilities Commission (The Commission) to enter the telecommunications business; and

WHEREAS, on June 3, 2003 The City requested The Commission to enter into telecommunications in order to provide competitive pricing, reliable service and local support; and

WHEREAS, The City desired to provide high speed broadband services to improve quality of life and create an infrastructure to enhance economic development opportunities; and

WHEREAS, The Commission through substantial investment formed FiberNet to provide said services through state-of-the-art fiber optic connections to our community; and

WHEREAS, FiberNet has increased local economic development, health care and educational opportunities while insuring that a majority of the revenue it generates remains in the community; and

WHEREAS, the FiberNet network has improved electric system operations thereby allowing The Commission to qualify for TVA grant money to be used in the development of demand response technologies in our community; and

WHEREAS, FiberNet positions Morristown as one of the few cities in America capable of Gigabit network speeds; and

WHEREAS, FiberNet differentiates our area by providing 21st century communication infrastructure which facilitates the recruitment of business and industry; and

WHEREAS, the FiberNet business model has proven highly successful and has exceeded the anticipated financial return; now

THEREFORE, BE IT RESOLVED that the Morristown City Council hereby provides its full support to The Commission and recognizes FiberNet for providing the City of Morristown with state-of-the-art telecommunications services and customer support which improves the quality of life and enhances economic development.

PASSED this 21st day of February, 2012 in regular session.

MAYOR

ATTEST:

CITY ADMINISTRATOR

Councilmember Senter made a motion to approve Ordinance No. 3419.09 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 6, 2012. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3419.09

Being an Ordinance to Amend Ordinance Number 3419, The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2011-2012 and Appropriate State Grant and Move Funds to Appropriate Account Number.

Councilmember LeBel made a motion to approve Ordinance No. 3419.10 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 6, 2012. Councilmember Bivens seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3419.10
Being 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 \$4,150,000 for the Creation of the City Insurance Fund to record costs associated with Insurance and the Clinic.**

Councilmember Jinks made a motion to approve Ordinance No. 3419.11 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 6, 2012. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3419.11
Being 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 \$164,585 for one time Bonuses.**

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

- Transfer of \$1,500 from Inspections 110-42400-371 (Subscriptions & Books) to 110-42400-399 (Other Contracted Services).
- Transfer of \$860 from Police Criminal Investigation 110-42130-413 (Office Equipment) to 110-42130-421 (Computers/Software).
- Transfer of \$10,000 from Computer Operations 110-41640-417 (ADP Parts) to Finance 110-41530-964 (Office Equipment).

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

Mayor Thomas re-appointed William Thompson and Kelley Hinsley to the Morristown Regional Planning Commission for a four year term to expire on March 1, 2016.

Councilmember LeBel made a motion to Approve the General Guidelines for Behavior at Council Meetings and Speaking during the Communications/Petitions portion of the agenda and amend the time for Public Comments from two to three minutes. Councilmember Senter seconded the motion and upon roll call, all voted “aye”.

City Council Convened as Beer Board

Councilmember LeBel made a motion to approve an on-premise beer permit for Winfield and Raymond Yip for Hosabi Kitchen located at 2321 East Andrew Johnson Highway. Councilmember Bivens seconded the motion and upon roll call, all voted “aye”.

Mayor Thomas adjourned the February 21, 2012 meeting.

MAYOR

ATTEST:

CITY ADMINISTRATOR