

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
March 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, March 20, 2012 with the Honorable Mayor Danny Thomas presiding and the following Councilmembers present: Bob Garrett, Claude Jinks and Chris Bivens; absent Gene Brooks, Paul LeBel and Kay Senter.

Tom Miles, Senior Police Department Chaplain, lead in the invocation and Councilmember Jinks led in the "Pledge of Allegiance".

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

Mayor Thomas presented the "Distinguished Budget Presentation Award" from the Government Finance Officers Association (GFOA) to City Administrator, Tony Cox.

Councilmember Jinks made a motion to approve Resolution No. 08-12. Councilmember Garrett seconded the motion and upon roll call, all present voted "aye".

Resolution No. 08-12

A Resolution to Support the 2011-2012 Lincoln Safe Routes to School Program Grant Application

WHEREAS, the State of Tennessee Department of Transportation has a competitive grant opportunity for Safe Route to School Projects for communities within the State of Tennessee; and

WHEREAS, the City of Morristown and the Hamblen County Board of Education have identified Lincoln Middle and Elementary as a walkable school in need of safer routes; and

WHEREAS, the State of Tennessee Department of Transportation allows infrastructure and education programming to be funded by this grant; and

WHEREAS, the City of Morristown would like to join with Hamblen County Board of Education to complete a Safe Routes to Schools project incorporating the Five E's (Education, Enforcement, Engineering, Encouragement and Evaluation); and

WHEREAS, the City of Morristown will place the improved infrastructure into the existing maintenance plans of the city public works department; and

WHEREAS, the City of Morristown would request the State of Tennessee to award the Lincoln Safe Routes to School Project.

NOW, THEREFORE, BE IT RESOLVED, that The City of Morristown hereby requests the awarding of the 2011-2012 Safe Routes to School Grant Program.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon its passage and approval.

Adopted during regular session of City Council this 20th day of March 2012.

Mayor

ATTEST:

City Administrator

Councilmember Jinks made a motion to Award a Lease Agreement between Morristown-Hamblen Emergency Medical Service and the City of Morristown to provide EMS with access to the Stater Gap Tower, located at 1366 Pine Brook Road. Councilmember Bivens seconded the motion and upon roll call, all present voted "aye".

Councilmember Bivens made a motion to Award a Contract to Webster Environmental Associates, Inc. for Odor Control Services to the City of Morristown at the Morristown Wastewater Treatment Plant in the amount of \$31,000. Councilmember Garrett seconded the motion and upon roll call, all present voted "aye".

Councilmember Garrett made a motion to Award Design Contract Upgrades to Lamar Dunn and Associates in the amount of \$55,000 for the Willow Springs Pumping Station and the MAID 1 Pumping Station. If environmental permitting applications are required they will be provided on an hourly arrangement with a budget of \$15,000. Councilmember Bivens seconded the motion and upon roll call, all present voted "aye".

Councilmember Garrett made a motion to Award Design Contract to Lamar Dunn and Associates for Spring Creek Rehabilitation Projects: (1) Spring Creek Rehabilitation Project 1 - \$110,000; (2) Spring Creek Rehabilitation Project 2 – \$95,000; (3) Spring Creek Rehabilitation Project 3 - \$110,000; total amount of all projects \$315,000 with permitting for these projects not to exceed \$35,000. Councilmember Bivens seconded the motion and upon roll call, all present voted "aye".

Mayor Thomas nominated Joe Ervin to the Morristown Utility Commission for a five year term to expire on July 31, 2016. Councilmember Garrett made a motion to reject the Mayor's nomination. Councilmember Bivens seconded the motion and upon roll call, Councilmembers Garrett, Jinks and Bivens voted "aye"; Mayor Thomas voted "no".

Councilmember Jinks made a motion to accept Chief Overholt's recommendation and promote Ricky Sanders to Detective. Councilmember Garrett seconded the motion and upon roll call, all present voted "aye".

CITY COUNCIL CONVENED AS THE BEER BOARD.

Beer Board Sanctions against the following establishments:

- 1) By-Lo Market #3, 1154 East A.J. Hwy. – Violation of Beer Ordinance 8-213(4) **Sale of Beer to a person under twenty-one years of age.**

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Five Hundred Dollars (\$1,500.00) Councilmember Bivens seconded the motion and upon roll call, all present voted “aye”.

- 2) By-Lo Market #6, 710 Morelock Rd. – Violation of Beer Ordinance 8-213(4) **Sale of Beer to a person under twenty-one years of age.**

Councilmember Bivens made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000.00). Councilmember Jinks seconded the motion and upon roll call, all present voted “aye”.

- 3) Buffalo Trail B.P., 1736 Buffalo Trail – Violation of Beer Ordinance 8-213(4) **Sale of Beer to a person under twenty-one years of age.**

Councilmember Bivens made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000.00). Councilmember Jinks seconded the motion and upon roll call, all present voted “aye”.

- 4) Fastop Foodmart #5, 2431 East A.J. Hwy. - Violation of Beer Ordinance 8-213(4) **Sale of Beer to a person under twenty-one years of age.**

Councilmember Bivens made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000.00). Councilmember Jinks seconded the motion and upon roll call, all present voted “aye”.

- 5) Little Dandy Market, 1635 South Cumberland St. - Violation of Beer Ordinance 8-213(4) **Sale of Beer to a person under twenty-one years of age.**

Councilmember Bivens made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000.00). Councilmember Jinks seconded the motion and upon roll call, all present voted “aye”.

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

- Transfer of \$2,000 from Police Department 110-42120-351 (Other Contracted Services) to 110-42120-351 (Medical Services).

City Administrator Tony Cox reminded everyone of the special called Work Session on March 26, 2012 at 4:00, regarding the airport.

Mayor Thomas recessed the meeting for an Executive Session to confer with attorneys regarding legal issues.

Mayor Thomas re-convened the meeting.

Councilmember Bivens made a motion to amend the agenda. Councilmember Jinks seconded the motion and upon roll call, all present voted "aye".

Councilmember Bivens made a motion to accept the tentative settlement, subject to court approval, between the City and Stephen's Plaintiffs as outlined by Attorney Mr. Roach. Councilmember Jinks seconded the motion and upon roll call, all present voted "aye".

Mayor Thomas adjourned the March 20, 2012 meeting.

MAYOR

ATTEST:

CITY ADMINISTRATOR