

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
April 17, 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, April 17, 2012 with the Honorable Mayor Danny Thomas presiding and the following Councilmembers present: Bob Garrett, Chris Bivens, Kay Senter, Claude Jinks, Paul LeBel and Gene Brooks.

Patrick Trawick, Youth Minister at Manley Baptist Church, lead in the invocation and Councilmember Jinks led in the "Pledge of Allegiance".

Councilmember Senter made a motion to approve the April 3, 2012 minutes as circulated. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Mayor Thomas presented a Proclamation to Debra Williams, member of the Tree Board, recognizing April 20th as Arbor Day.

Councilmember Senter made a motion to approve Resolution No. 11-12. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Resolution No. 11-12

A Resolution adopting City Engineer's Directive #12-02 Stormwater Detention Requirements

WHEREAS, the City Council adopted Ordinance No. 3413 "Chapter 9 Post Construction Water Quality Management" on March 15, 2011; and

WHEREAS, the City Council has the responsibility to regulate and otherwise protect storm waters within its jurisdiction; and

WHEREAS, the City Engineer's office implements and enforces provisions of Ordinance No. 3413; and

WHEREAS, the City Engineer has clarified certain technical provisions required by the Ordinance No. 3413 in a City Engineer's Directive #12-02 dated April 17, 2012.

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 follow the technical provisions included in the City Engineer Directive #12-02 and effectively allow these provisions to be enforced as an extension of the previously approved Ordinance No. 3413 referenced above.

Stormwater Detention Requirements
Approved April 17, 2012 by Morristown City Council

Stormwater detention shall be provided for all new development and redevelopment as detailed below.

When detention is required, it shall meet the requirements of the Subdivision Regulations for Development Within the Morristown, Tennessee Planning Region. Even if an exemption from Stormwater Detention is allowed, a Water Quality Management Plan (WQMP) must be submitted and followed if required by the Post Construction Water Quality Ordinance.

(1) The requirement for stormwater detention shall apply to the following:

- (a) All commercial, industrial, educational, institutional and recreational developments of one (1) acre or more of disturbed area;
- (b) Large single-family or duplex residential developments of five (5) acres or more of disturbed area or five (5) lots or more;
- (c) Any site development which contains one-half (1/2) acre or more of additional impervious area.
- (d) Any redevelopment that meets any of the four criteria above.

(2) For areas of redevelopment, if the downstream system (to the second existing road crossing or blue-line stream) is examined and found to be adequate to carry the 2- and 10-year 24-hour storms, the requirement for detention for areas of redevelopment may be waived. However, if the examination finds inadequate conveyance for the 2 and 10-year 24-hour storms, the City Engineer has authority to condition the approval of a permit upon compliance with additional requirements, including but not limited to detention, conveyance facilities, or other stormwater management solutions required to reduce the adverse impact of the proposed development on other properties or on the subject development.

(3) If in the developer's judgment, stormwater detention is either unwarranted or impractical, the developer may submit a report to the City Engineer. The report must be prepared by a licensed Tennessee professional engineer and must contain hydrologic and hydraulic computations that demonstrate that peak rates of stormwater runoff will not be increased for the design storms specified in the Subdivision Regulations. The City Engineer will review the submittal and indicate in writing his agreement, disagreement, or that additional information is required for a determination.

(4) Where the development's stormwater discharges directly into a Regulated Waterway (local, state, or federal), detention for peak flow attenuation is not required unless deemed necessary by the Engineering Department.

(5) When existing or documented flooding problems are present, the City Engineer has authority to condition the approval of a permit upon the compliance with additional requirements, including but not limited to detention, conveyance facilities, or other stormwater management solutions required to reduce the adverse impact of the proposed development on other properties or on the subject development.

(6) Detention basins located in subdivisions must be located in a common area with a legally established property owners' organization which has responsibility for maintenance and repair of the detention basin.

Resolved this 17th day of April in the year of 2012.

Mayor

ATTEST:

City Administrator

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

Resolution No. 12-12

A Resolution to establish a shared management policy between the City of Morristown and the Crossroads Downtown Partnership for the Downtown Market as follows:

WHEREAS, the Morristown City Council has adopted an Ordinance to enable a Downtown Market to operate within the historic, central business district of the City of Morristown; and

WHEREAS, the purpose and intent of the establishment of the market is to provide an open-air setting in the historical, central business district of the city; and

WHEREAS, the Downtown Market provides farmers, crafters, artisans and vendors the opportunity to sell fresh garden produce, agricultural products, plants, perennials and annuals, herbs, food and hand-made crafts to the public; and

WHEREAS, the Downtown Market, in addition to offering a place for the sale of fresh produce and handmade goods, also provides a gathering place for pedestrians to intermingle and enjoy live entertainment; and

WHEREAS, the Resolution may be amended from time to time by a separate resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the Morristown City Council adopt and approve this Resolution establishing a shared management policy with the Crossroads Downtown Partnership for the Downtown Market:

1. The City of Morristown will allow the market to operate at its traditional location described in the following general terms:

BEGINNING at a point on the northwest corner of Parcel 032033M L 00600, as shown on Hamblen County, TN Tax Map 33-M, in the Hamblen County Register's Office, said point being located approximately fifty (50) feet south of the centerline of Norfolk and Southern Railroad right-of-way property; thence in a southeasterly direction along the boundary line of said parcel 032033M L 00600, said line being shared with the eastern right-of-way boundary of South Henry Street for a distance of approximately three hundred thirty (330) feet to a point; thence in a easterly direction along the northern right-of-way boundary of West Morris Blvd. for a distance of approximately two hundred seventy (270) feet to a point; thence in a northwesterly direction for a distance of approximately three hundred forty (340) feet to a point, said point being located on the southern boundary of Norfolk and Southern Railroad right-of-way property; thence in a westerly direction along the southern boundary of Norfolk and Southern Railroad right-of-way property for a distance of approximately three hundred twenty (320) feet to the point of BEGINNING.

2. The City of Morristown will continue to provide basic grounds maintenance as needed through the Public Works Department.
3. The City of Morristown will provide assistance from the Police Department if serious confrontations or public safety issues arise on the market site.
4. The Crossroads Downtown Partnership (CDP) will form a Downtown Market Committee consisting of the CDP Program Director and volunteers that will report to its Board of Director's monthly. The committee will serve as the primary point of contact for market users and will accept and approve applications to be a vendor on the market site.

5. The Crossroads Downtown Partnership will follow the standards and procedures set forth in the City of Morristown Municipal Code Chapter 2 "Downtown Market" as approved on June 17, 2010.
6. The Crossroads Downtown Partnership will collect all fees associated with the market. Those fees will be used exclusively for market management, marketing and improvement.
7. The Crossroads Downtown Partnership Downtown Market Committee will establish operating times and permit fees for market vendors.

ADOPTED this 17th day of April, 2012.

Mayor

ATTEST:

City Administrator

Councilmember Jinks made a motion to approve Ordinance No. 3419.13 on first reading and schedule a public hearing relative to final passage of said Ordinance for May 1, 2012. Councilmember Brooks seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3419.13

Entitled 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 \$17,300 for the Assistance to Firefighters Grant.

Councilmember Senter made a motion to approve Ordinance No. 3440 on first reading and schedule a public hearing relative to final passage of said Ordinance for May 1, 2012. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3440

An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property located at 2600 Davy Crockett Parkway (Hamblen County Tax Map 17, Parcel 22.05) from Medium Density Residential (R-2) to Intermediate Business (IB).}

Councilmember Lebel made a motion to approve the amendment to the airport lease. Councilmember Garrett seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter and LeBel voted "aye"; Councilmembers Brooks, Jinks and Mayor Thomas voted "no".

Councilmember Senter made a motion to approve the contract withUSIC Locating Services, Inc. and the City of Morristown for Underground Utility Location and Coordination. Councilmember Garrett seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to reject the Mayors nomination of C.L. "Buddy" Jones, III to the Morristown Utility Commission. 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".

Councilmember Jinks made a motion to re-appoint Michael Price, J. Eddie Fuller and Max Cook to the Construction Board of Adjustments, Appeals, and Examiners for a three year term to expire on May 1, 2015. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Mayor Thomas adjourned the April 17, 2012 meeting.

MAYOR

ATTEST:

CITY ADMINISTRATOR