

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
SEPTEMBER 4, 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, September 4, 2012 with the Honorable Mayor Danny Thomas presiding and the following Councilmembers present: Gene Brooks, Bob Garrett, Chris Bivens, Paul LeBel and Kay Senter.

Mark Campbell, Morristown Police Department Chaplain and Pastor of Faith Baptist Church lead in the invocation and the "Pledge of Allegiance".

Councilmember LeBel made a motion to approve the August 21, 2012 minutes as circulated. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Mayor Thomas presented a plaque in memory of Councilmember Claude Jinks to Dorothy and Michael Jinks, Councilmember Jinks wife and son, in appreciation for his dedicated and loyal service to the City of Morristown from 1995 – 2012.

A Public Hearing was held on Ordinance No. 3448. The following people spoke regarding Ordinance No. 3448: Betsy Stibler.

Councilmember LeBel made a motion to approve Ordinance No. 3448 on second and final reading. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3448

An Ordinance to Amend the Morristown Municipal Code, Title 14, Chapter 2. Zoning Ordinance by deleting Chapter 25, Mixed Use District (MUD), in its entirety and creating a new Chapter 25, Mixed Use District (MUD).

A Public Hearing was held on Ordinance No. 3449.

Councilmember LeBel made a motion to approve Ordinance No. 3449 on second and final reading. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3449

An Ordinance to Amend the Morristown Municipal Code, Title 14, Chapter 2. Zoning Ordinance by deleting Chapter 2. General Zoning Provisions, Section 14-203. Definitions, Number 144; Chapter 4, RP-1 Planned Residential Development District, Section 14-404. Requirement for Each Development within a RP-1 District, Numbers 6 and 8 and Chapter 26 PC

Planned Commercial Development District, Section 14-2604. Requirement for Each Development within a PCD District, Number 6. (Open Space).

A Public Hearing was held on Ordinance No. 3450.

Councilmember Senter made a motion to approve Ordinance No.3450 on second and final reading. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3450

An Ordinance to Amend the Morristown Municipal Code, Title 14, Chapter 2. Zoning Ordinance by creating a new Chapter 35, Regional Gateway Commercial District.

A Public Hearing was held on Ordinance No. 3451.

Councilmember Bivens made a motion to approve Ordinance No. 3451 on second and final reading. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3451

An Ordinance to Amend the Morristown Municipal Code, Title 14, Chapter 2. Zoning Ordinance by deleting Chapter 16, (TA) Tourist Accommodation District, Section 14-1602. Uses Permitted and Section 14-1603. Uses Permitted on Review, in their entirety and substituting a new Section 14-1602. Uses Permitted on Review and Section 14-1603. Uses Permitted on Review.

A Public Hearing was held on Ordinance No. 3452.

Councilmember Brooks made a motion to approve Ordinance No. 3452 on second and final reading. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3452

An Ordinance to Close and Vacate Certain Rights-Of-Way Within the City of Morristown (Headrick Street).

Councilmember Brooks made a motion to approve Ordinance No. 3453 on first reading and schedule a public hearing relative to final passage of said Ordinance for September 18, 2012. Councilmember Garrett seconded the motion and upon roll call; Councilmembers Bivens, Brooks and Mayor Thomas voted "aye"; Councilmembers Garrett and Senter voted "no"; Councilmember LeBel "abstained".

Ordinance No. 3453

An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of property located on Hamblen County Tax Map 41B, Group A, Parcels, 8, 16 and 2 from Single Family Residential (R-1), Planned Residential District (RP-1) and Intermediate Business (IB) to Planned Commercial District (PCD). (Masengill Springs)

Councilmember LeBel made a motion to approve the Whitesburg Sewer Project Agreement between the Hamblen County Government and the City of Morristown. Councilmember Senter seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, LeBel and Mayor Thomas voted "aye"; Councilmember Brooks voted "no".

Councilmember LeBel made a motion to approve the agreement contract between the City of Morristown and Russellville-Whitesburg Utility District regarding billing, collection and disconnection for existing and/or future sanitary sewer customers of the City in the Utility District's service area. Councilmember Bivens seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, LeBel and Mayor Thomas voted "aye"; Councilmember Brooks voted "no".

Councilmember Senter made a motion to approve the Tennessee Department of Transportation Aeronatics Division Grant Contract for Installation of Fueling System in the amount of \$166,666. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Brooks made a motion to award a bid to Morton Salt in the amount of \$71.84 per ton for a total price of \$43,104.00 for 200 to 600 Tons of Bulk Rock Salt. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to award a bid to Southeast Apparatus, LLC, DBA Wynn Apparatus, for a Ford F-550 Crew Cab to be utilized as the Unit 1 Fire Rescue Vehicle in the amount of \$91,000. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve Engineering Services for design drawings and technical specifications for the Wastewater Treatment Plant Digester's Conversion Project to Lamar Dunn & Associates (LD&A) in the amount of \$95,340. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the following services to Lamar Dunn & Associates: Wastewater Treatment Plant – 1) Engineering services during construction for lump sum of \$30,000; 2) Resident Project Representative at the hourly rate of \$65.00 per hour, hourly budget of \$95,000. 3) Prepare as-built drawings of the project at completion of construction in the lump sum of \$5,500. Howell Road Pump Station – 1) Engineering services during construction for lump sum of \$35,000; 2) Resident Project Representative at the hourly rate of \$65 per hour, hourly budget of

\$140,000; 3) Prepare as-built drawings of the project at completion of construction in the lump sum of \$6,500. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to approve the following five nominees to serve on the airport commission; Clifford Jinks, Louis "Doe" Jarvis, Charles Hurt, Steve Henrickson and Denise Stapleton. Councilmember LeBel seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter and LeBel voted "aye"; Councilmember Brooks and Mayor Thomas voted "no".

Councilmember LeBel made a motion to accept Mayor Thomas's nomination of Erin Tharp and Wanda Neal to the Tree Board for a three year term to expire on September 18, 2015. Councilmember Garrett seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to defer the on-premise beer permit for Club Inferno, LLC (Daniel Bickley), 709 S. Cumberland Street, until the September 18, 2012, City Council Meeting. Councilmember Garrett seconded the motion and upon roll call; Councilmembers Garrett, Senter, LeBel and Mayor Thomas voted "aye". Councilmembers Bivens and Brooks voted "no".

Mayor Thomas adjourned the September 4, 2012 meeting.

MAYOR

ATTEST:

CITY ADMINISTRATOR