

**STATE OF TENNESSEE  
COUNTY OF HAMBLLEN  
CORPORATION OF MORRISTOWN  
FEBRUARY 5, 2013**

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 5, 2013 with the Honorable Mayor Danny Thomas presiding and the following Councilmembers present: Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Paul LeBel and Gene Brooks.

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

Councilmember LeBel made a motion to approve the January 15, 2013 minutes as circulated. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

During explanation of Ordinance No. 3463 City Administrator Tony Cox advised council that a petition was received from some of the surrounding neighbors. The petition was evaluated it expresses the concern of the neighborhood about the proposed rezoning and Council should take that in consideration. However, the petition fails to meet the test of 20% of the adjacent property owners. The four property owners are separated from the property line of the area being rezoned therefore the petition does not trigger the four fifths requirement as per the 1927 Charter Amendment.

A Public Hearing was held on Ordinance No. 3463. The following people spoke regarding Ordinance No. 3463: Chris Morelock, Jane Wilder, Evan McKinley, Scott Hurley, Rev. Nigel Marlin Reid Sr., Charles Weller, Betsy Stibler, Joe Stibler and Jackie Hudson.

Councilmember Senter stated, for the record, that she does not think the vote by the Planning Commission was appropriate therefore the vote was not valid and we do not have a valid piece of legislation before us to vote on today.

Councilmember Bivens made a motion to approve Ordinance No. 3463 on second and final reading. Councilmember Brooks seconded the motion. Upon roll call Councilmembers Bivens, Alvis, Brooks and Mayor Thomas voted "aye", Councilmembers Garrett and Senter voted "no", Councilmember LeBel "abstained".

**Ordinance No. 3463**

**An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of the Masengill Springs Development from Single Family Residential (R-1), Intermediate Business (IB), Planned Residential (RP-1) to Planned Commercial District (PCD).**

Councilmember Alvis made a motion to approve Resolution No. 03-13. Councilmember Bivens seconded the motion and upon roll; all voted "aye".

**RESOLUTION 03-13**

**CITY OF MORRISTOWN APPLICATION FOR THE TENNESSEE AGRICULTURAL ENHANCEMENT PROGRAM FY 2012-2013 RURAL FARMER'S MARKET CAPITAL DEVELOPMENT GRANT PROGRAM**

WHEREAS, the City of Morristown in cooperation with the Crossroads Downtown Partnership seeks to improve site conditions, functionality and facilities for the Downtown Farmer's Market, and

WHEREAS, the Crossroads Downtown Partnership has contracted with the East Tennessee Community Design Center to prepare a concept plan for site improvements, and

WHEREAS, the governing body of the City of Morristown desires to improve the safety, security, and aesthetics of the Downtown Farmer's Market, and

WHEREAS, the City desires to apply for the FY2012-2013 Rural Farmer's Market Capital Development Grant, where Tennessee Agricultural Enhancement Program (TAEP) funds will pay for 80 percent of the grant and the local match will pay for the remaining 20 percent of the grant;

NOW, THEREFORE BE IT RESOLVED that the elected governing body of the City of Morristown, TN shall apply for the TAEP FY 2012-2013 Rural Farmer's Market Capital Development Grant.

Adopted this 5<sup>th</sup> day of February 2013.

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Mayor

ATTEST:

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City Administrator

Councilmember Senter made a motion to approve Ordinance No. 3443.05 on first reading and schedule a public hearing relative to final passage of said Ordinance for February 19, 2013. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3443.05**

**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 \$42,000 for Land Purchase for Park & Recreation Wayne Hansard Park.**

Councilmember Alvis made a motion to approve Ordinance No. 3464 on first reading and schedule a public hearing relative to final passage of said Ordinance for February 19, 2013. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3464**

**An Ordinance of the City of Morristown, Tennessee Providing for the Use of a Collection Agency to Collect Unpaid Fines Owed to the City.**

Councilmember Brooks made a motion to approve Ordinance No. 3465 on first reading and schedule a public hearing relative to final passage of said Ordinance for February 19, 2013. Councilmember Alvis seconded the motion.

Councilmember Senter made a motion to amend Ordinance No. 3465 to change the requirements on the electronic billboard signs from the height of nine feet to six and the square footage from fifty four square feet to forty eight square feet. Councilmember LeBel seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, Alvis and LeBel voted "aye"; Councilmember Brooks and Mayor Thomas voted "no".

Upon roll call on Ordinance No. 3465, as amended; all voted "aye".

**Ordinance No. 3465**

**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 LeBel made a motion to award a bid to Portland Utilities Construction, Inc. for South High Street Sanitary Project in the amount of \$145,132.09. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Mayor Thomas re-appointed Michael Giles to the Morristown Housing Authority for a five (5) year term to expire February 15, 2018.

Councilmember LeBel made a motion to approve changes to the Public Safety Qualifications and Standards for Promotion (Orange Book) for the Police Department. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to Approve Renewal of Maintenance Service Agreement with InterAct for Software: 81 License MobileCop; InfoServer;

State/NCIC Interface; 71 Mobile AVL from 3/1/2013 – 2/28/2014 in the amount of \$14,930.00. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

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

- Transfer of \$10,000 from Stormwater 440-43293-429 (General Operating Supplies) to 440-43292-330 (Legal Notices).
- Transfer of \$2,200 from Stormwater 440-43293-429 (General Operating Supplies) to 440-43292-399 (Other Contracted Services).
- Transfer of \$6,200 from Sanitation and Recycling 435-43210-562 (Landfill Fees) to 435-43210-219 (Workers Comp).
- Transfer of \$1,200 from Sanitation and Recycling 435-43210-562 (Landfill Fees) to 435-43210-399 (Other Contracted Services)
- Transfer of \$1,200 from Sanitation and Recycling 435-43210-562 (Landfill Fees) to 435-44500-219 (Workers Comp).
- Transfer of \$1,400 from Sanitation and Recycling 435-43210-562 (Landfill Fees) to 435-44500-526 (Property Insurance).
- Transfer of \$4,220 from Sewer Wages & Salaries 432-43270-359 (Other Professional Services) to 420-43270-219 (Workers Comp).
- Transfer of \$200 from Sewer Wages & Salaries 432-43270-359 (Other Professional Services) to 420-43270-310 (Postage).
- Transfer of \$500 from Sewer Wages & Salaries 432-43270-359 (Other Professional Services) to 420-43270-321 (Printing Services).
- Transfer of \$4,500 from Sewer Wages & Salaries 432-43270-359 (Other Professional Services) to 420-43270-413 (Office Equipment).
- Transfer of \$5,000 from Sewer Wages & Salaries 432-43270-359 (Other Professional Services) to 420-43270-429 (General Operating Supplies)
- Transfer of \$75,514 from Sewer Bonus 420-43230-561 (Royalties) to 420-49110-711 (Sewer Debt Principal).
- Transfer of \$106,986 from Sewer Bonus 420-43230-61 (Royalties) to 420-49110-731 (Sewer Debt Interest).

Mayor Thomas adjourned the February 5, 2013 meeting.

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MAYOR

ATTEST:

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CITY ADMINISTRATOR