

**AGENDA  
CITY OF MORRISTOWN, TENNESSEE  
CITY COUNCIL MEETING  
MARCH 17, 2015 – 5:00 P.M.**

1. **CALL TO ORDER**

Mayor Danny Thomas

2. **INVOCATION**

Don Lamb, Master Chaplain Morristown Fire Department

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

1. March 3, 2015

6. **PROCLAMATIONS/PRESENTATIONS**

7. **CITIZEN COMMENTS ABOUT AGENDA ITEMS ONLY**  
**(Other than items scheduled for public hearing.)**

8. **OLD BUSINESS**

8-a. **Public Hearings & Adoption of Ordinances/Resolutions**

1. Ordinance No. 3515  
An Ordinance of the City Council of Morristown, Tennessee Amending Title 11 Municipal Offenses, Chapter 2 (Offenses Against the Peace and Quiet), of the Morristown Municipal Code.
2. Ordinance No. 3516  
An Ordinance of the City Council of Morristown, Tennessee Amending Title 15 Motor Vehicles, Traffic and Parking, Chapter 1 (Miscellaneous) and Chapter 14 (Registration and Licensing of Vehicles), of the Morristown Municipal Code.
3. Ordinance No. 3517  
An Ordinance of the City Council of Morristown, Tennessee Amending Title 20 Miscellaneous, Chapter 6 (City Park Rules and Regulations) Section 20-602, Subsections (23), (26), (32), (36) and (37), of the Morristown Municipal Code.

4. Ordinance No. 3504.05  
An Ordinance to Amend Ordinance Number 3504, The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2014-2015 and Appropriate the Sum of \$371,900 to Budget Grant Revenues and Fund Balance Revenues for the Farmers Market Project. *{In Addition to this amount, \$70,000 of CDBG Funds will be used for Funding of a Bathroom for the Farmers Market.}*

9. **NEW BUSINESS**

9-a. **Resolutions**

9-b. **Introduction and First Reading of Ordinances**

1. Ordinance No. \_\_\_\_\_  
An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. [The Official Zoning Map of Morristown, TN of approximately 26 acres being part of Hamblen County Tax Parcels 025 03500, located along the eastern rights-of-way of Brights Pike from A-1 (Agriculture-Forestry) to R-2 (Medium Density Residential).]  
**{Public Hearing April 7, 2015}**
2. Ordinance No. \_\_\_\_\_  
An Ordinance to Amend Ordinance Number 3504, The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2014-2015 and Appropriate the Sum of \$10,000 for Playground Equipment. (The Rotary Club is donating \$26,000 toward the purchase of the equipment.)  
**{Public Hearing April 7, 2015}**

9-c. **Awarding of Bids/Contracts**

1. Approve contract in lieu of performance bonds for the Hamblen County Morristown, TN Sanitary Landfills, Permits # SNL 32-0152 Extension and SNL 32-0152 Original.
2. Approve design, bid and construction phase services for Apron Paving Rehabilitation at the Morristown Airport to Michael Baker Jr. Inc.: Basic Services – Lump Sum \$76,375, Special Services – Not to Exceed \$30,625 for total not to exceed amount of \$107,000, (funding 95% state, 5% local match).
3. Approve design and bid phase services for the rehabilitation of two six-unit T-hangars, one 10-unit T-hangar, and one double box hangar to Michael Baker Jr. Inc.: Basic Services – Lump Sum \$35,341, Special Services – Not to Exceed \$3,485 for total not to exceed amount of \$38,826, (funding 90% federal, 5% state, 5% local match).
4. Award of bid, subject to TDOT concurrence, to Summers-Taylor in the amount of \$291,125.25 for the combined projects of Walters Drive Traffic Signal and Right Turn Lane on Walters Drive Southbound.

5. Award of bid to Municipal Emergency Services for 100 feet sections of 5 inch fire hose at \$520 per section for a total of \$14,560. (Federal funds total \$13,104 and require a 10% match of \$1,456.)
6. Award of bid to Municipal Emergency Services for 35 SCBA face pieces at \$230 each for a total of \$8,050. (Federal Funds total \$7,245 and require a 10% match of \$805.)
7. Approval of Sale of approximately 8.2 acres in the East Tennessee Progress Center to MALAR Contract Lighting at the total purchase price of \$78,500.
8. Approval of the Selection of the HOME Grant Administrator.
9. Approval of 6 Panasonic Toughbooks and Car Adapters for the Police Department in the amount of \$16,776.
10. Approve Agreement between City of Morristown and Watson Roach Attorneys at Law.

9-d. **Board/Commission Appointments**

9-e. **New Issues**

10. **CITY ADMINISTRATOR'S REPORT**

11. **COMMUNICATIONS/PETITIONS**

**This is the portion of the meeting where members of the audience may speak subject to the guidelines provided.**

12. **COMMENTS FROM MAYOR/COUNCILMEMBERS/COMMITTEES**

13. **ADJOURN**

**City Council Meeting/Holiday Schedule:**

**Regular City Council Meeting with Work Session**

April 3, 2015	(Friday)
April 7, 2015	(Tues) 5:00 p.m.
April 21, 2015	(Tues) 4:00 p.m.
April 21, 2015	(Tues) 5:00 p.m.
May 5, 2015	(Tues) 5:00 p.m.
May 11, 2015	(Mon) 5:00 p.m.
May 19, 2015	(Tues) 4:00 p.m.
May 19, 2015	(Tues) 5:00 p.m.
May 25, 2015	(Monday)
June 2, 2015	(Tues) 5:00 p.m.
June 16, 2015	(Tues) 4:00 p.m.
June 16, 2015	(Tues) 5:00 p.m.
July 3, 2015	(Friday)
July 7, 2015	(Tues) 5:00 p.m.
July 21, 2015	(Tues) 4:00 p.m.
July 21, 2015	(Tues) 5:00 p.m.

City Employee's Holiday (Good Friday)
Regular City Council Meeting with Work Session
Finance Committee Meeting
Regular City Council Meeting with Work Session
Regular City Council Meeting with Work Session
"Sine Die" Council Meeting
Finance Committee Meeting
Regular City Council Meeting with Work Session
City Employee's Holiday (Memorial Day)
Regular City Council Meeting with Work Session
Finance Committee Meeting
Regular City Council Meeting with Work Session
City Employee's Holiday (Independence Day)
Regular City Council Meeting with Work Session
Finance Committee Meeting
Regular City Council Meeting with Work Session

**WORK SESSION AGENDA  
MARCH 3, 2015  
5:00 p.m.**

**1. No Work Session.**

**STATE OF TENNESSEE  
COUNTY OF HAMBLLEN  
CORPORATION OF MORRISTOWN  
MARCH 3, 2015**

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 3, 2015, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis and Paul LeBel.

Dr. Ruth Carpenter, Master Chaplain Morristown Police Department led in the invocation and Councilmember Alvis led in the "Pledge of Allegiance".

Mayor Thomas reported that the February 17, 2015 meeting was cancelled due to inclement weather.

Councilmember Alvis made a motion to approve the February 3, 2015 minutes as circulated. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Mayor Thomas recognized Chaplain Award recipients Mark Burford, Gary Brewster and Mark Campbell and "Top Cop" award recipients Det. Lt. Vickie Arnold and Det. Ron Sargent.

A Public Hearing was held regarding Ordinance No. 3504.04.

Councilmember Alvis made a motion to approve Ordinance No. 3504.04 on second and final reading. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3504.04**

**An Ordinance to Amend Ordinance Number 3504, The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2014-2015 and Appropriate the Sum of \$189,000 for General Fund Mid-Year Budget Amendment.**

Councilmember Senter made a motion to approve Resolution No. 04-15. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

**RESOLUTION NO. 04-15**

**BEING A RESOLUTION AUTHORIZING THE APPLICATION FOR THE FY2014 FEDERALLY FUNDED HOME GRANT FOR HOUSING REHABILITATION FOR LOW INCOME HOUSEHOLDS**

WHEREAS the City of Morristown recognizes the need for housing rehabilitation for low income residents residing within the city; and

WHEREAS the City desires to provide housing rehabilitation services to these residents; and

WHEREAS the City Council understands that the U.S. Department of Housing and Urban Development allows for assistance through the HOME program, administered by the Tennessee Housing Development Agency (THDA), to provide housing rehabilitation for low-income persons, and

NOW THEREFORE BE IT RESOLVED, that the City Council of Morristown does hereby authorize the Mayor of Morristown to file an application for FY2014 HOME funds with THDA not to exceed \$500,000.

BE IT FURTHER RESOLVED, that this resolution takes effect from and after its passage, the public welfare requiring it.

This Resolution adopted this the 3<sup>rd</sup> day of March, 2015.

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Danny Thomas, Mayor

ATTEST:

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Anthony W. Cox  
Morristown City Clerk/Recorder

Councilmember LeBel made a motion to approve Resolution No. 05-15. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

**RESOLUTION NO. 05-15  
BEING A RESOLUTION DIRECTING PAYMENT OF TAX  
EQUIVALENT, ELECTRIC & WASTEWATER.**

WHEREAS, Chapter 84, Public Acts of 1987, Tennessee Code Annotated, empowers the City Council to be paid revenues in lieu of taxes by the Morristown Utility Commission; and

WHEREAS, necessary data have been supplied by the Morristown Utility Commission and calculations of tax equivalents payable have been made in accordance with the provisions of Chapter 84, Public Acts of 1987 and other relevant contracts between the taxing jurisdictions;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Morristown, Tennessee that the Morristown Utility Commission is hereby

directed to pay the following amounts of tax equivalents to the respective taxing jurisdictions for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

### ELECTRIC

Jurisdiction	Amount
City of Morristown	\$1,156,987.50 (77.5%)
Hamblen County	<u>\$ 335,899.60 (22.5%)</u>

Total In-Lieu Tax Payable \$1,492,887.10

### WASTEWATER

FY2015	\$ 375,553
Underpayment FY2014	<u>\$ 36,077</u>

Total in-Lieu Tax Payable \$ 411,630

Adopted this the 3<sup>rd</sup> day of March, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator/Recorder

Councilmember LeBel made a motion to approve Ordinance No. 3515 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 17, 2015. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

### **Ordinance No. 3515**

**An Ordinance of the City Council of Morristown, Tennessee  
Amending Title 11 Municipal Offenses, Chapter 2 (Offenses Against  
the Peace and Quiet), of the Morristown Municipal Code.**

Councilmember Alvis made a motion to approve Ordinance No. 3516 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 17, 2015. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".



**Ordinance No. 3516**

**An Ordinance of the City Council of Morristown, Tennessee Amending Title 15 Motor Vehicles, Traffic and Parking, Chapter 1 (Miscellaneous) and Chapter 14 (Registration and Licensing of Vehicles), of the Morristown Municipal Code.**

Councilmember Senter made a motion to approve Ordinance No. 3517 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 17, 2015. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3517**

**An Ordinance of the City Council of Morristown, Tennessee Amending Title 20 Miscellaneous, Chapter 6 (City Park Rules and Regulations) Section 20-602, Subsections (23), (26), (32), (36) and (37), of the Morristown Municipal Code.**

Councilmember LeBel made a motion to approve Ordinance No. 3504.05 on first reading and schedule a public hearing relative to final passage of said Ordinance for March 17, 2015. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3504.05**

**An Ordinance to Amend Ordinance Number 3504, The City of Morristown, Tennessee Annual Budget for the Fiscal Year 2014-2015 and Appropriate the Sum of \$371,900 to Budget Grant Revenues and Fund Balance Revenues for the Farmers Market Project. {In Addition to this amount, \$70,000 of CDBG Funds will be used for Funding of a Bathroom for the Farmers Market.}**

Councilmember Alvis made a motion to approve the purchase of a Cortez bathroom for the Farmers Market site in the amount of \$48,802.35 from CXT, Inc. an L.B. Foster Company. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve the bid/contract in the amount of \$568,400 to Hale Construction for the Morristown Farmer's Market. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve the bid/contract in the amount of \$46,625 to MPH Ind., Inc. for the purchase of twenty five (25) KA Dual Antenna Radar Units to be utilized by the Police Dept. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the sole source purchase in the amount of \$24,232.50 to 10-8 Video, for the purchase of fifteen (15) In-Car Camera



Systems to be utilized by the Police Dept. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve the annual support and license agreement for Munis Software in the amount of \$33,150.50. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the lease agreement for a postage meter with Pitney Bowes for \$46.97 a month for 60 months. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the design, permitting, and bidding services for 5-Points at SR-343 for stormwater drainage improvements from LDA in the lump sum fee of \$14,300. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Mayor Thomas appointed Doug Beier and re-appointed Jim Beelaert to the Morristown Planning Commission for four (4) year term(s) to expire on March 1, 2019.

Councilmember Senter nominated Ed Sempkowski to fill the remaining term of Eddie Yount on the Parks & Recreation Advisory Board, term expiring on June 1, 2016. No other nominations were made and Mr. Sempkowski was appointed by acclamation upon roll call; all voted "aye".

Mayor Thomas requested, for the record; "I am asking that the letter received from the Comptroller's office along with all documentation including exhibits be placed into the meeting minutes so the general public may be able to read this letter without having to file an open records request." (See attachments.)

Mayor Thomas adjourned the March 3, 2015 City Council meeting at 5:54 p.m.

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MAYOR

ATTEST:

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CITY ADMINISTRATOR



**STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
OFFICE OF OPEN RECORDS COUNSEL  
James K. Polk State Office Building  
505 Deaderick Street, Suite 1600  
Nashville, Tennessee 37243-1402**

**Justin P. Wilson  
Comptroller**

**August 25, 2014**

**The Honorable Danny Thomas  
Chairman, Morristown City Council  
P.O. Box 1499  
Morristown, Tennessee 37816-1499**

**Dear Mayor Thomas:**

The Office of Open Records Counsel received an open meetings complaint regarding the Morristown City Council (hereinafter referred to as "the Council"). The following information was provided in the complaint:

1. On July 1, 2014, the Council had a regularly scheduled meeting. During the meeting, a motion was made to reject the Mayor's nomination for the soon to be open seat on the Morristown Utility Commission. The motion to reject the nomination passed. (See attached Exhibit A).
2. On July 15, 2014, the Council had a regularly scheduled meeting. During the meeting, the Mayor made a motion to approve the nomination of another individual to the Morristown Utility Commission. The motion failed for lack of a second. (See attached Exhibit B).
3. On July 16, 2014, one of the Council members posted a comment on his Facebook page that reads in part:

Also yesterday, Council and the Morristown Utility Commission continued their ping pong game over filling the soon-to-be vacant Utility Commission seat currently occupied by Gene Jolley. MUS wants Jolley reappointed but there aren't currently enough votes on Council to get it done. . . (See attached Exhibit C).

4. On August 19, 2014, the Council had a regularly scheduled meeting. During the meeting, the Mayor made a motion to approve the nomination

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of a third individual to the Morristown Utility Commission. The motion passed.

5. Prior to the Council meeting, the same member of the Council who posted the comment on July 16, 2014, posted a comment on his Facebook page which reads in part:

What passes as luke warm drama returns to the agenda this afternoon when the Morristown Utility System's third attempt at filling the vacancy on its Board makes its way to Council.

The complicated process, created by a city charter change fought for three years ago, requires MUS to submit three names, one of which is nominated by the Mayor, followed by an up or down vote by Council. If Council rejects the Mayor's nomination three times, then Council does the picking. Two previous attempts drew a "no" vote, today is the third.

The "rub" is whether or not to return Gene Jolley to the open seat. The MUS Board wants him back. Council is divided, The last nose count showed Jolley has only 3 votes, he needs 4. His name has not been previous ballots, but today it is. (See attached Exhibit D).

Whenever this office receives a complaint regarding a possible open meetings violation, my routine practice is to contact the chairman of the entity that is the subject of the complaint to make him/her aware that a complaint has been filed and to let him/her know what the law requires. As such, I am contacting you as chairman of the Morristown City Council.


Tenn. Code Ann. Section 8-44-101 et seq. generally governs how governmental entities are to notice and conduct regularly scheduled and special called meetings. The Tennessee General Assembly declared "it to be the policy of this state that the formation of public policy and decisions is public business and shall not be conducted in secret." T.C.A. §8-44-101. Additionally, Tenn. Code Ann. Section 8-44-102(a) reads, "[a]ll meetings of a governing body are declared to be public meetings open to the public at all times except as provided by the Constitution of Tennessee." Governing body is defined as "[t]he members of any public body which consists of two (2) or more members, with the authority to make decisions for or recommendations to a public body on policy or administration." Tenn. Code Ann. Section 8-44-102(b)(1)(A). Meeting is later defined as "the convening of a governing body of a public body for which a quorum is required in order to make a decision or deliberate toward a decision on any matter." Tenn. Code Ann. Section 8-44-102(b)(2).

Based upon the aforementioned language, whenever multiple members of a governing body convene, whether by agreement or chance, and deliberate towards or make a

decision on public business, a meeting has occurred and as such, the public is required to be notified and has the right to be present, unless the Constitution of Tennessee provides otherwise. Additionally, Tenn. Code Ann. Section 8-44-104(a) requires that minutes from meetings be "promptly and fully recorded" and include "a record of persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of roll call."

Because I have no firsthand knowledge of what occurred, I cannot say for certain that the members of the Council met outside of an adequately noticed public meeting to discuss the appointment to the Morristown Utility Commission. However, based solely upon the information that was presented to this office, it appears likely that an open meetings violation did occur. I encourage the Council to consult with legal counsel regarding the complaint that was made because, pursuant to the Tennessee Open Meetings Act, a citizen has the right to bring a lawsuit against an entity when he/she feels that an open meetings violation has occurred. If a lawsuit were brought, a court would determine whether or not a violation of the Tennessee Open Meetings Act occurred based upon the facts presented to the court.

Please let me know if you have any questions.

Sincerely,  
  
Elisha D. Hodge  
Open Records Counsel

**STATE OF TENNESSEE  
COUNTY OF HAMBLÉN  
CORPORATION OF MORRISTOWN  
JULY 1, 2014**

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, July 1, 2014, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Paul LeBel and Gary Chesney.

Chris Dotson, Chaplain Coordinator Morristown Police Department Chaplain led in the invocation and Councilmember Alvis led in the "Pledge of Allegiance".

Councilmember Alvis made a motion to approve the June 17, 2014 minutes as circulated. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Mayor Thomas presented a Cigarette Litter Prevention Proclamation to members of Crossroads Downtown Partnership and Keep Hamblen Beautiful.

Mayor Thomas and Chief Overholt recognized Debra Lamb with a proclamation and watch congratulating her on retirement from the Morristown Police Department and thanking her for thirty-six years of dedicated service to the City of Morristown.

Mayor Thomas and Chief Overholt recognized Captain David Beckner with a proclamation and watch congratulating him on his retirement from the Morristown Police Department and thanking him for his thirty-eight years of dedicated service to the City of Morristown.

Councilmember Alvis made a motion to approve the declaration of one service weapon as surplus property; Glock 31-357 sig caliber, Serial #LFL901, and the ownership be transferred to Captain David Beckner. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Chief Overholt presented Captain David Beckner with his service weapon.

Councilmember Chesney made a motion to approve Change Order No. 1 for the 2013-2014 Annual Street Paving Program, to increase the contract amount by \$453,103.26 (from \$341,985.66 to \$795,088.92). This Change Order accesses the additional funds appropriated by Council in the FY15 budget to allow additional streets to be paved under the existing contract with Summers-Taylor. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to defer the Interlocal Cooperation Agreement between Hamblen County Emergency Communications District, Hamblen County and the City of Morristown until the July 15, 2014, City Council Meeting. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to replace Terry Ball on the Industrial Development Board appointment list with Ed Hale and to vote the remaining slots submitted by the Industrial Development Board separately. Councilmember Garrett seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, Alvis, LeBel and Mayor Thomas voted "aye"; Councilmember Chesney voted "no".

Councilmember LeBel made a motion to appoint Ed Hale to the Industrial Development Board of the City of Morristown for a six (6) year term to expire on June 30, 2020. Councilmember Garrett seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, Alvis, LeBel and Chesney voted "aye"; Mayor Thomas voted "no".



Return to Agenda

Councilmember LeBel made a motion to re-appoint Jack Campbell, Tim Coley, Joel Hice and Anderson Smith, to the Industrial Development Board of the City of Morristown for a six (6) year term to expire on June 30, 2020. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to appoint Raul Rangel to the Industrial Development Board of the City of Morristown to fill the unexpired term of Jennifer Schuchart, term expiring June 30, 2018. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to reject Mayor Thomas's nomination of Max Biery to the Morristown Utility Commission, (term expiring A.E. Gene Jelley). Councilmember Garrett seconded the motion and upon roll call; Councilmembers Garrett, Bivens, Senter, Alvis, LeBel and Chesney voted "aye"; Mayor Thomas voted "no".

Councilmember LeBel made a motion to approve the Police Departments appointment of Michael Patrick as a Reserve Police Officer. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the Police Departments promotion of Mike Giles to Patrol Captain. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the Police Departments promotion of Clyde Short to Patrol Lieutenant. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the Police Departments promotion of Eddie Dilbeck to Patrol Sergeant. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to confirm Police Chief Overholt's recommendation of disciplinary action. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

City Administrator Tony Cox reported the following to Council:

- The City of Morristown received the Tennessee Municipal League Municipal Achievement Award Excellence in Governance presented on June 24, 2014 at the State Meeting in Chattanooga.
- Morristown Utility System received approval of the \$1 Million Telecommunications Capital Outlay Note at a fixed rate of two point nine percent.

Mayor Thomas adjourned the July 1, 2014 meeting

  
MAYOR

ATTEST:

  
CITY ADMINISTRATOR

**STATE OF TENNESSEE  
COUNTY OF HAMBLEN  
CORPORATION OF MORRISTOWN  
JULY 15, 2014**

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, July 15, 2014, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Ray Senter, Dennis Alvis, Paul LeBel and Gary Chesney.

Ruth Carpenter, Master Chaplain Morristown Police Department led in the invocation and Councilmember Alvis led in the "Pledge of Allegiance".

Councilmember LeBel made a motion to approve the July 1, 2014 minutes as circulated. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Mayor Thomas presented Proclamations to "Star of Life" recipients: David Peoples, Joe Cate, Jason Fox, Donnie Taylor, Ray Mullins, Josh Pierce, Joe Cummings, Captain Randy Breeding, John Heatherly and Steven Keller.

Craig Price, Parks & Recreation Director, introduced and acknowledged David Dufey, Lakeway Soccer Club, and Ab Walker, Regional Commission of A.Y.S.O. Soccer, for soccer field maintenance donations.

City Administrator Cox gave an update on the East Tennessee Progress Center (ETPC). The Freedom Energy Diesel site was signed back to the city at the July 7, 2014 meeting of the Industrial Development Board.

Councilmember Alvis made a motion to approve Resolution No. 15-14. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

**Resolution No. 15-14**

**A Resolution Authorizing the City of Morristown to Participate in The Pool's "Safety Partners" Loss Control Matching Grant Program.**

WHEREAS, the safety and well being of the employees of the City of Morristown is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Morristown employees; and

WHEREAS, The TML Risk Management Pool seeks to encourage the establishment of a safe workplace by offering a "Safety Partners" Loss Control Matching Grant Program; and

WHEREAS, the City of Morristown now seeks to participate in this important program.

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 submit application for a "Safety Partners" Loss Control Matching Grant through the TML Risk Management Pool.

**SECTION 2.** That the City of Morristown is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.



Return to Agenda



Resolved this the 15<sup>th</sup> day of July, 2014.

  
Mayor

ATTEST:

  
City Administrator

Councilmember Senter made a motion to approve the following Budget Ordinance Amendments on first reading and schedule public hearings relative to final passage of said Ordinance(s) for August 5, 2014. Councilmember LaBel seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3476.19**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$402,800 for year-end Budget Amendment to General Fund.

**Ordinance No. 3476.20**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$1,000 for year-end Budget Amendment to LAMTPO Fund.

**Ordinance No. 3476.21**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$192,150 for year-end Budget Amendment to Sanitation Fund.

**Ordinance No. 3476.22**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$210,100 for year-end Budget Amendment to Insurance Fund.

**Ordinance No. 3476.23**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$500 for year-end Budget Amendment to CDBG Fund.

**Ordinance No. 3476.24**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$6,600 for year-end Budget Amendment to Narcotics Fund.

**Ordinance No. 3476.25**

An Ordinance to Amend Ordinance Number 3476, the City of Morristown, Tennessee Annual Budget for the Fiscal Year 2013-2014 and appropriate the Sum of \$75,200 for year-end Budget Amendment to Stormwater Fund.

Councilmember Alvis made a motion to approve Change Order No. 1 in the amount of \$9,975 to Hale Construction for the renovations to Talley Ward Recreation Center. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to approve the purchase of the following police vehicles from Chrysler, Dodge, Jeep, Ram of Columbia, the quotes and purchase will be made from the Tennessee Statewide Bid Contract: One (1) Dodge Durango SUV; Three (3) 1500 Crew Cab 4X4 Police Special Service Vehicles; Eight (8) Police Package Dodge Chargers. The total cost for all vehicles is \$275,669.84. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve Task Order No. 4 in the amount of \$1,000 to agreement with Mattern & Craig dated November 21, 2012, for preparation of easement documents related to replacement of the bridge over Turkey Creek on South Henry Street. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve the Geographic Information Systems Software in the amount of \$55,000 annually for three years with ESRI. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember LeBel made a motion to approve the use of outside consultant True North Geographic Technology, Inc. for GIS implementation in the amount of \$5,130. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Mayor Thomas made the motion to approve the nomination of Jack Kennerly to the Morristown Utility Commission for a five year term to expire on July 31, 2019. Motion died for lack of second.

Councilmember LeBel made a motion to open the agenda. Councilmember Senter seconded the motion and upon roll call; Councilmember's Garrett, Bivens, Senter, Alvis, LeBel and Chesney voted "aye"; Mayor Thomas voted "no".

Councilmember LeBel made a motion to reject the Mayor's nomination of Jack Kennerly to the Morristown Utility Commission. Councilmember Garrett seconded the motion and upon roll call; Councilmember's Garrett, Bivens, Senter, Alvis, LeBel and Chesney voted "aye"; Mayor Thomas voted "no".

Councilmember LeBel made a motion to approve the on-premise Beer Permit for Daniel Bickley and Ronnie Lester company name Club Inferno, LLC (registered agent Stephanie Kimbrough) DBA 423 Grill, 2747 West Andrew Johnson Highway. Councilmember Bivens seconded the motion and upon roll call; Councilmember's Garrett, Bivens, Senter, LeBel, Chesney and Mayor Thomas voted "aye"; Councilmember Alvis voted "no".

City Administrator Tony Cox advised Council on the following budget appropriate line item transfer(s):

- Transfer of \$28 from 110-42110-383 (Police Supervision-Travel Business Expenses) to 110-42110-351 (Police Supervision-Medical Services).
- Transfer of \$144 from 110-42110-383 (Police Supervision-Travel Business Expenses) to 110-42110-364 (Police Supervision-Repair & Maint. Bldg/Grds).
- Transfer of \$36,600 from 110-42120-111 (Patrol & Traffic Wages & Salaries Perm. Emp.) to 110-42110-111 (Police Supervision Wages & Salaries Perm).
- Transfer of \$1,507 from 110-42110-115 (Police Supervision-Other Salaries & Wages) to 110-42110-210 (Police Supervision-F.I.C.A.)
- Transfer of \$353 from 110-42110-115 (Police Supervision-Other Salaries & Wages) to 110-42110-212 (Police Supervision-Medicare)
- Transfer of \$1,200 from 110-42110-115 (Police Supervision-Other Salaries & Wages) to 110-42110-213 (Police Supervision-TCRS Contribution)
- Transfer of \$2,036 from 110-42110-219 (Police Supervision-Workers Compensation) to 110-42110-213 (Police Supervision-TCRS Contribution)

- Transfer of \$228 from 110-42110-523 (Police Supervision-Equipment Rental/Lease) to 110-42110-805 (Police Supervision-DOJ JAG Grant)
- Transfer of \$1,350 from 110-42120-111 (Patrol & Traffic-Wages & Salaries Perm. Emp.) to 110-42120-112 (Patrol & Traffic-Overtime)
- Transfer of \$7,800 from 110-42120-111 (Patrol & Traffic-Wages & Salaries Perm. Emp.) to 110-42120-114 (Patrol & Traffic-Wages & Salaries Temp. Emp.)
- Transfer of \$650 from 110-42120-111 (Patrol & Traffic-Wages & Salaries Perm. Emp.) to 110-42120-194 (Patrol & Traffic-Christmas Bonus & Longevity)
- Transfer of \$500 from 110-42120-111 (Patrol & Traffic-Wages & Salaries Perm. Emp.) to 110-42120-212 (Patrol & Traffic-Medicare)
- Transfer of \$5,600 from 110-42120-419 (Patrol & Traffic-Small Tools & Equipment and transfer of \$1,461 from 110-42120-971 (Patrol & Traffic-Motor Equipment) to 110-42120-999 (Patrol & Traffic-Other Capital Outlay)
- Transfer of \$193 from 110-42120-429 (Patrol & Traffic-General Operating Supplies) to 110-42120-689 (Patrol & Traffic-Other Misc. Expenses)
- Transfer of \$2,590 from 110-42130-111 (Police Investigations-Wages & Salaries Perm.) to 110-42130-112 (Police Investigations-Overtime)
- Transfer of \$25 from 110-42130-411 (Police Investigations-Office Supplies & Mat.) to 110-42130-399 (Police Investigations-Other contracted Serv.)
- Transfer of \$18 from 110-42130-411 (Police Investigations-Office Supplies & Mat.) to 110-42130-689 (Police Investigations-Other Misc. Expenses)
- Transfer of \$1,900 from 110-42210-115 (Fire Supervision-Other Salaries & Wages) transfer of \$1,857 from 110-42210-219 (Fire Supervision-Workers Compensation Ins.) transfer of \$1,360 from 110-42210-214 (Fire Supervision-employee Health Insurance) transfer of \$1,450 from 110-42210-217 (Fire Supervision-Employee Life Insurance) transfer of \$133 from 110-42210-378 (Fire Supervision-Education Seminars & Trng) to 110-42210-11 (Fire Supervision-Wages & Salaries Perm.)
- Transfer of \$405 from 110-42210-226 (Fire Supervision-Clothing/Uniform/Shoes) to 110-42210-213 (Fire Supervision-TCRS Contribution)
- Transfer of \$28 from 110-42210-429 (Fire Supervision-General Operating Supplies) to 110-42210-351 (Fire Supervision-Medical Services)
- Transfer of \$1,900 from 110-42220-115 (Fire Inspection-Other Salaries & Wages) transfer of \$3,000 from 110-42240-219 (Fire Fighting-Workers Compensation Ins.) to 110-42220-111 (Fire Inspections-Wages & Salaries Perm. Emp.)
- Transfer of \$55 from 110-42220-219 from (Fire Inspections-Workers Compensation Ins.) to 110-42220-210 (Fire Inspections-F.I.C.A.)
- Transfer of \$15 from 110-42220-219 from (Fire Inspections-Workers Compensation Ins.) to 110-42220-212 (Fire Inspections-Medicare)
- Transfer of \$360 from 110-42220-219 from (Fire Inspections-Workers Compensation Ins.) to 110-42220-213 (Fire Inspections-TCRS Contribution)
- Transfer of \$2 from 110-42230-399 (Fire Stations-Other Contracted Services) to 110-42230-310 (Fire Stations-Postal Service)
- Transfer of \$9,291 from 110-42230-343 (Fire Stations-Natural Gas & Propane) to 110-42230-345 (Fire Stations-Telephone Services)
- Transfer of \$1,856 from 110-42240-510 (Fire Fighting-Insurance) to 110-42220-510 (Fire Inspections-Insurance)
- Transfer of \$2,050 from 110-42240-214 (Fire Fighting-Employee Health Insurance) to 110-42240-111 (Fire Fighting-Wages & Salaries Perm. Emp.)
- Transfer of \$19,000 from 110-42240-214 (Fire Fighting-Employee Health Insurance) to 110-42240-112 (Fire Fighting-Medicare)
- Transfer of \$20,000 from 110-42240-214 (Fire Fighting-Employee Health Insurance) transfer of \$51,000 from 110-42240-219 (Fire Fighting-Workers Compensation Ins.) to 110-42240-119 (Fire Fighting-Holiday Pay)
- Transfer of \$2,319 from 110-42240-429 (Fire Fighting-General Operating Supplies) to 110-42240-351 (Fire Fighting-Medical Services)
- Transfer of \$315 from 110-42240-226 (Fire Fighting-Clothing/Uniform/Shoes) to 110-42260-226 (Fire & Medical Response-Clothing/Uniforms)
- Transfer of \$450 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-371 (Fire & Medical Response-Subscription & Books)

- Transfer of \$180 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-419 (Fire & Medical Response-Small Tools & Equip)
- Transfer of \$650 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-429 (Fire & Medical Response-Gen. Op. Supplies)
- Transfer of \$430 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-523 (Fire & Medical Response-Property Insurance)
- Transfer of \$1,100 from 110-42400-214 (Inspections-Employee Health Insurance) to 110-42400-111 (Inspections-Wages & Salaries Permanent)
- Transfer of \$269 from 110-42400-399 (Inspections-Other Contracted Services) to 110-42400-413 (Inspections-Office Equipment)
- Transfer of \$14,800 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-111 (Public Works Supervision-Wages & Salaries)
- Transfer of \$100 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-112 (Public Works Supervision-Overtime)
- Transfer of \$50 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-114 (Public Works Supervision-Wages-Temp)
- Transfer of \$575 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-210 (Public Works Supervision-F.I.C.A.)
- Transfer of \$150 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-212 (Public Works Supervision-Medicare)
- Transfer of \$2,300 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-213 (Public Works Supervision-TCRS Contribution)
- Transfer of \$2,400 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43110-214 (Public Works Supervision-Health Insurance)
- Transfer of \$4,845 from 110-43120-114 (PW Building & Grounds-Wages-Temp)
- Transfer of \$2,955 from 110-43120-219 (PW Building & Grounds-Wages-Permanent) to 110-43120-111 (PW Building & Grounds-Wages-Permanent)
- Transfer of \$1,300 from 110-43120-219 (PW Building & Grounds-Workers Comp) to 110-43120-112 (PW Building & Grounds-Overtime)
- Transfer of \$2,460 from 110-43120-214 (PW Building & Grounds-Health Insurance) to 110-43120-221 (PW Building & Grounds-Unemployment Ins)
- Transfer of \$1,229 from 110-43120-378 (PW Building & Grounds-Education Seminars) to 110-43120-390 (PW Building & Grounds-Legal Notices)
- Transfer of \$7,252 from 110-43120-345 (PW Building & Grounds-Telephone Services) to 110-43120-999 (PW Building & Grounds-Other Capital Outlay)
- Transfer of \$4,300 from 110-43130-218 (PW Equipment Shop-Workers Comp) to 110-43130-111 (PW Equipment Shop-Wages & Salaries Perm.)
- Transfer of \$1,100 from 110-43130-219 (PW Equipment Shop-Workers Comp) to 110-43130-213 (PW Equipment Shop-TCRS Contribution)
- Transfer of \$2,908 from 110-43130-214 (PW Equipment Shop-Employee Health Ins.) to 110-43130-112 (PW Equipment Shop-Overtime)
- Transfer of \$11 from 110-43130-399 (PW Equipment Shop-Other Professional Serv) to 110-43130-310 (PW Equipment Shop-Postal Service)
- Transfer of \$863 from 110-43130-399 (PW Equipment Shop-Other Contracted Serv) to 110-43130-562 (PW Equipment Shop-Landfill Fee)
- Transfer of \$50,000 from 110-43140-465 (PW Street Repairs & Maint.-Asphalt)
- Transfer of \$42,269 from 110-43100-731 (Debt Principal-Debt Interest) to 110-43140-999 (PW Street Repairs & Maint.-Other Capital)
- Transfer of \$230 from 110-43140-399 (PW Street Repairs & Maint.-Other Contracted) to 110-43140-562 (PW Street Repairs & Maint.-Landfill Fee)
- Transfer of \$3,600 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-210 (PW Street Lighting-F.I.C.A.)
- Transfer of \$850 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-212 (PW Street Lighting-Medicare)
- Transfer of \$9,200 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-213 (PW Street Lighting-TCRS Contribution)
- Transfer of \$18,617 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-214 (PW Street Lighting-Employee Health Ins.)
- Transfer of \$10 from 110-43150-361 (PW Street Lighting-Repair & Maint. Vehicles) to 110-43150-310 (PW Street Lighting-Postal Service)

- Transfer of \$98 from 110-43150-361 (PW Street Lighting-Repair & Maint. Vehicles) to 110-43150-330 (PW Street Lighting-Legal Notices)
- Transfer of \$115 from 110-43150-361 (PW Street Lighting-Repair & Maint. Vehicles) to 110-43150-336 (PW Street Lighting-Electrical, Plumbing & Hdw.)
- Transfer of \$1,213 from 110-43160-219 (PW Brush & Snow-Workers Compensation) to 110-43160-221 (PW Brush & Snow-Unemployment Ins.)
- Transfer of \$4,750 from 110-43160-219 (PW Brush & Snow-Workers Compensation) to 110-43160-112 (PW Brush & Snow-Overtime)
- Transfer of \$64,000 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43160-111 (PW Brush & Snow-Wages & Salaries)
- Transfer of \$48,982 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43160-971 (PW Brush & Snow-Motor Equipment)
- Transfer of \$500 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-111 (PW Communication Shop-Wages & Salaries)
- Transfer of \$30 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-210 (PW Communication Shop-F.I.C.A.)
- Transfer of \$10 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-212 (PW Communication Shop-Medicare)
- Transfer of \$70 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-213 (PW Communication Shop-TCRS Contribution)
- Transfer of \$450 from 110-43180-399 (PW Sidewalks-Other Contracted Services) to 110-43180-429 (PW Sidewalks-General Operating Supplies)
- Transfer of \$2,010 from 110-43180-451 (PW Sidewalks-Concrete Products) to 110-43180-455 (PW Sidewalks-Crushed Stone & Sand)
- Transfer of \$2,008 from 110-43190-111 (PW Traffic Devices-Wages & Salaries Perm.) to 110-43190-214 (PW Traffic Devices-Health Insurance)
- Transfer of \$8 from 110-43190-214 (PW Traffic Devices-Health Insurance) to 110-43190-411 (PW Traffic Devices-Office Supplies)
- Transfer of \$100 from 110-43190-214 (PW Traffic Devices-Health Insurance) to 110-43190-345 (PW Traffic Devices-Telephone Services)
- Transfer of \$17 from 110-43200-411 (PW Communications Shop-Office Supplies) to 110-43200-310 (PW Communication Shop-Postal Service)
- Transfer of \$446 from 110-43200-399 (PW Communication Shop-Other Contracted) to 110-43200-523 (PW Communication Shop-Property Ins.)
- Transfer of \$1,005 from 110-43400-112 (PW Health Insp. & Welfare-Overtime) to 110-43400-219 (PW Health Insp. & Welfare-Workers Comp)
- Transfer of \$203 from 110-43400-378 (PW Health Insp. & Welfare-Education Seminars) to 110-43400-523 (PW Health Insp. & Welfare-Property Insurance)
- Transfer of \$18 from 110-43400-378 (PW Health Insp. & Welfare-Education Seminars) to 110-43400-689 (PW Health Insp. & Welfare-Other Misc. Exp.)
- Transfer of \$6,000 from 110-44410-111 (Park & Rec Supervision-Wages & Salaries) to 110-44410-112 (Park & Rec Supervision-Overtime)
- Transfer of \$121 from 110-44410-411 (Park & Rec Supervision-Office Supplies) to 110-44410-345 (Park & Rec Supervision-Telephone Serv.)
- Transfer of \$30 from 110-44410-411 (Park & Rec Supervision-Office Supplies) to 110-44410-597 (Park & Rec Supervision-Cash Variances)
- Transfer of \$700 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-111 (Park & Rec Playground & Prog-Wages & Sal.)
- Transfer of \$1,750 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-112 (Park & Rec Playground & Prog-Overtime)
- Transfer of \$5,000 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-114 (Park & Rec Playground & Prog-Wages-Temp)
- Transfer of \$225 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-210 (Park & Rec Playground & Prog-F.I.C.A.)
- Transfer of \$50 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-212 (Park & Rec Playground & Prog-Medicare)
- Transfer of \$215 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-213 (Park & Rec Playground & Prog-TCRS Contribu.)
- Transfer of \$1 from 110-44420-399 (Park & Rec Playground & Prog-Other Contr.) to 110-44420-310 (Park & Rec Playground & Prog-Postal Serv.)



- Transfer of \$274 from 110-44420-399 (Park & Rec Playground & Prog-Other Contr.) to 110-44420-330 (Park & Rec Playground & Prog-Legal Notices)
- Transfer of \$328 from 110-44420-399 (Park & Rec Playground & Prog-Other Contr.) to 110-44420-424 (Park & Rec Playground & Prog-Janitorial Supp.)
- Transfer of \$19 from 110-44430-429 (Park & Rec Maintenance-General Operating) to 110-44430-316 (Park & Rec Maintenance-Postal Service)
- Transfer of \$681 from 110-44430-429 (Park & Rec Maintenance-General Operating) to 110-44430-330 (Park & Rec Maintenance-Legal Notices)
- Transfer of \$1,032 from 110-44430-429 (Park & Rec Maintenance-General Operating) to 110-44430-351 (Park & Rec Maintenance-Medical Services)
- Transfer of \$1,018 from 110-43300-958 (Pavement Management-St. Infrastructure) to 110-43300-330 (Pavement Management-Legal Notices)
- Transfer of \$1,362 from 110-48100-429 (Fixed Base Operations-Gen. Operating Supplies) to 110-48100-226 (Fixed Base Operations-Clothing/Uniform/Shoes)
- Transfer of \$1,270 from 110-48100-429 (Fixed Base Operations-Gen. Operating Supplies) to 110-48100-345 (Fixed Base Operations-Telephone Services)
- Transfer of \$59,292 from 110-49100-731 (Debt Principal-Debt Interest) to 110-49100-798 (Debt Principal-Paying Agent Fees)
- Transfer of \$34,574 from 110-49100-731 (Debt Principal-Debt Interest) to 110-81000-620 (Special Appropriations-Tiff Payments)

City Administrator Tony Cox reported to Council on the U.S. Department of Housing and Urban Development Contract for annual Community Development Block Grant Program. Council had previously revised the action plan and now we plan on executing the contract.

Mayor Thomas adjourned the July 15, 2014 meeting

  
MAYOR

ATTEST:

  
CITY ADMINISTRATOR



Search

Also yesterday, Council and the Morristown Utility System Commission continued their ping pong game over filling the soon-to-be-vacant Utility Commission seat currently occupied by Gene Jolley. MUS wants Jolley reappointed but there aren't currently enough votes on Council to get it done. MUS sends three names, the Mayor recommends one, Council votes yay or nay. Tuesday, Mayor Thomas nominated Jack Kennerly, but the vote to deny was 6-1 (Thomas voted yes).

This is the second consecutive council meeting MUS has submitted names (besides Jolley) thought likely to be rejected by Council. One more of these scenarios at the next meeting allows Council to do the picking the next session.

After some sparring with the Mayor over procedure, Councilman Paul LeBel called for an informal show of hands asking



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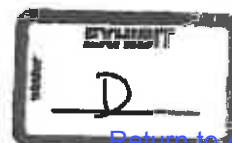
which is nominated by the Mayor, followed by an up or down vote by Council. If Council rejects the Mayor's nomination three times, then Council does the picking. Two previous attempts drew a "no" vote, today is the third.

The "rub" is whether or not to return Gene Jolley to the open seat. The MUS Board wants him back. Council is divided. The last nose count showed Jolley has only 3 votes, he needs 4. His name has not been previous ballots, but today it is.

The MUS board seat became a hot topic this spring when a Knoxville TV station presented an unflattering report of the utility company's travel and employee appreciation spending. The MUS Board later addressed the topic and adopted policy changes. Jolley's term, one of five which comprise the MUS Board, is the first one up for renewal since the spending



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**ORDINANCE NO. 3515  
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AMENDING TITLE 11 MUNICIPAL OFFENSES,  
CHAPTER 2, (OFFENSES AGAINST THE PEACE AND QUIET), OF  
THE MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that Chapter 2 of Title 11 of the Morristown Municipal Code is amended by adding the following text:

“Section 11-203. Disorderly Conduct. (a) A person commits an offense who, in a public place and with intent to cause public annoyance or alarm:

- (1) Engages in fighting or in violent or threatening behavior;
  - (2) Refuses to obey an official order to disperse, issued to maintain public safety in dangerous proximity to a fire, hazard or other emergency; or
  - (3) Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose.
- (b) A person also violates this section who makes unreasonable noise that prevents others from carrying on lawful activities.”

This ordinance shall take effect upon second and final reading, the public welfare requiring same.

PASSED ON FIRST READING THIS THE 3<sup>RD</sup> DAY OF MARCH, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS THE 17<sup>TH</sup> DAY OF MARCH, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR

**ORDINANCE NO. 3516  
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AMENDING TITLE 15 MOTOR VEHICLES, TRAFFIC  
AND PARKING, CHAPTER 1, (MISCELLANEOUS), AND CHAPTER  
14, (REGISTRATION AND LICENSING OF VEHICLES), OF THE  
MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that the text of Section 138 of Chapter 1 of Title 15 of the Morristown Municipal Code is deleted in its entirety and substituted therefore is the following:

**CHAPTER 1  
MISCELLANEOUS**

**SECTION**

**15-138. Miscellaneous**

“15-138. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302, the City of Morristown adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-131, and §§ 55-8-133 through 55-8-180. Additionally, the City of Morristown adopts Tennessee Code Annotated, §§ 55-8-181 through 55-8-193, §55-8-199, §§ 55-9-601 through 55-9-606, § 55-12-139 and § 55-21-108 by reference as if fully set forth in this section.”

Be it ordained by the City Council for the City of Morristown that the text of Chapter 14 of Title 15 of the Morristown Municipal Code is deleted in its entirety and substituted therefore is the following:

**CHAPTER 14  
REGISTRATION AND LICENSING OF VEHICLES**

**SECTION**

**15-1401. Applicability of chapter.**

**15-1402. Registration of vehicles.**

15-1401. Applicability of chapter. The provisions of this chapter shall apply to those persons owning or operating vehicles within the city.

15-1402. Registration of vehicles. All owners or operators of vehicles to which this chapter is applicable shall register such vehicles in compliance with the Registration and Licensing of Motor Vehicles laws codified in Tennessee Code Annotated Title 55, Chapter 4. It shall be a municipal offense and a violation of this city ordinance to own or operate a vehicle without the proper registration.”

This ordinance shall take effect upon second and final reading, the public welfare requiring same.

PASSED ON FIRST READING THIS THE 3<sup>RD</sup> DAY OF MARCH, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS THE 17<sup>TH</sup> DAY OF MARCH, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR

**ORDINANCE NO. 3517**  
**BEING AN ORDINANCE TO AMEND TITLE 20 MISCELLANEOUS,**  
**CHAPTER 6, (CITY PARK RULES AND REGULATIONS) SECTION**  
**20-602, SUBSECTIONS (23), (26), (32), (36) AND (37).**

Be it ordained by the City Council of the City of Morristown that Title 20, Chapter 6, Section 20-602, Subsections (23), (26), (32), (36) and (37) are amended as follows:

1. The current language of Subsection (23) is deleted and substituted therefor is the following:

“(23). Title 11 Chapter 4 Sections 11-403 and 11-404 are incorporated herein by reference.”

2. The current language of Subsection (26) is deleted in its entirety.

“(26). Deleted.”

3. There is added to the current language of Subsection (32) the following:

“(32) ...No one shall be allowed in the parks between the hours of 10:00 p.m. and 6:00 a.m.”

4. The current language of Subsection (36) is restated as follows:

“(36). The Department of Parks and Recreation is granted by the Governing Body the authority to make known additional rules and regulations as it deems necessary to insure the orderly growth and protection of the park, recreation and natural resource areas under its control consistent with and in furtherance of the intent of this ordinance. Such additional rules and regulations shall have the force and effect of law 10 days after their adoption by the Parks and Recreation Advisory Board, after their publication once a week for two weeks in a local newspaper and after a copy thereof has been posted near each gate or principal entrance to the public ground to which they apply. In addition, a copy of this Ordinance and any future additional rules and regulations adopted by the Parks and Recreation Advisory Board, pursuant to this Ordinance shall be posted near each gate or principal entrance to the public ground to which they apply and made available for public inspection or review at the principal office of the Parks and Recreation Advisory Board, and the Municipal Building.”

5. The current language of Subsection (37) is restated as follows:

“(37). The Director shall be the final authority in interpreting the rules and regulations relating to the park, recreation, natural resources, historical, and

cultural areas of the City of Morristown. Director shall also be responsible for the administration of this ordinance. An appeal from the Director's decision or action shall lie with the City Recreation Advisory Board. An appeal of the Director's decision shall be filed in writing with the City Recreation Advisory Board within 10 days of the rendering of a final decision or adverse action by the Director. The Recreation Advisory Board shall render its decision at the next regularly scheduled monthly meeting if the Director's decision is rendered at least 10 days prior thereto. If the Director's decision is rendered within 10 days of the next regular meeting of the Parks and Recreation Advisory Board, then the Board may, but shall not be required to hear the appeal at the second regular Board meeting following the Director's decision."

This ordinance shall become effective on second and final reading.

**PASSED ON FIRST READING THIS THE 3<sup>RD</sup> DAY OF MARCH, 2015.**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY ADMINISTRATOR**

**PASSED ON SECOND AND FINAL READING THIS THE 17<sup>TH</sup> DAY OF MARCH, 2015.**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY ADMINISTRATOR**

# APPROPRIATION ORDINANCE

Ordinance Number: **3504.05**

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3504, THE CITY OF MORRISTOWN, TENNESSEE ANNUAL BUDGET FOR THE FISCAL YEAR 2014-2015 AND APPROPRIATE THE SUM OF \$371,900 TO BUDGET GRANT REVENUES AND FUND BALANCE REVENUES FOR THE FARMERS MARKET PROJECT. IN ADDITION TO THIS AMOUNT, \$70,000 OF CDBG FUNDS WILL BE USED FOR FUNDING OF A BATHROOM FOR THE FARMERS MARKET.

Be it ordained by the Council of the City of Morristown Tennessee that Ordinance Number 3504 identifying the revenue and expenditure accounts of the City of Morristown contained in the annual budget for the fiscal year 2014-2015 is hereby amended and funds are herewith appropriated or adjusted as presented.

FUND	DEPARTMENT	CODE	ACCOUNT DESCRIPTION	REVENUES		EXPENDITURES	
				Increase	Decrease	Increase	Decrease
General	Community Development	110-41700-399	Other Contracted Services			\$ 371,900	
General	Revenue	110-33623	State of TN Farmers Market-TN Dept of Agriculture Grant	\$ 100,000			
General	Revenue	110-33623	State of TN Farmers Market-TN Stormwater Association Grant	\$ 21,900			
General	Fund Balance	110-33840	Non-Revenue Fund Balance Appropriated	\$ 250,000			
			Totals	\$ 371,900	\$ -	\$ 371,900	\$ -

In Balance

PASSED ON FIRST READING THIS \_3rd\_ Day of March 2015

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Administrator

PASSED ON SECOND READING THIS \_17th\_ Day of March 2015

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Administrator





Department of Community Development  
West 1<sup>st</sup> North Street  
Morristown, TN 37814  
(423) 585-4620

TO: City of Morristown City Council  
FROM: Logan Engle, Planner  
DATE: March 17, 2015  
SUBJECT: Rezoning – 2180/2186 Brights Pike  
Hamblen County Tax Map 025 Parcel 035.00  
A1 (Agriculture-Forestry) to R2 (Medium Density Residential)

---

### **BACKGROUND:**

A Rezoning request has been submitted by Carlyle Construction, LLC for property located at 2180/2186 Brights Pike. The property, 25.6 acres in total size, is currently zoned Agriculture-Forestry (A-1). The request is to rezone the entire parcel to Medium Density Residential (R-2) for future development of single-family homes. The site currently contains two single-family residential structures, which front Brights Pike. This tract of land is surrounded by R-2 zoning districts to the north, south, and west, which include Las Brisas and Northridge subdivisions as well as several duplexes. The adjoining parcels to the east are zoned A-1 and are primarily located within a FEMA flood plain.

The Medium Density Residential (R-2) zoning classification states that R-2 "is a residential district to provide for medium population density" and that "principal uses of land may range from single-family to medium density multi-family apartment uses" (Section 14-601). In addition, the applicant believes that the R-2 zoning designation will better support the proposed lot sizes and the number of houses to be built within the development. Although single family residential is an acceptable use within the A-1 zone, lot sizes must be no smaller than 5 acres.

The R-2 zoning district allows for lots to be no less wide than 65 feet at the building line (Section 14-604) with a lot area of no less than 7,500 square feet (Section 14-609) for a single-family residence. In contrast, the R-1 district, which is designed for a lower population density, requires a minimum lot width of 90 feet and a 15,000 square feet minimum lot area (Section 14-304 & 14-309). As such, the applicant believes the R-2 zoning classification will better suit their use and development.

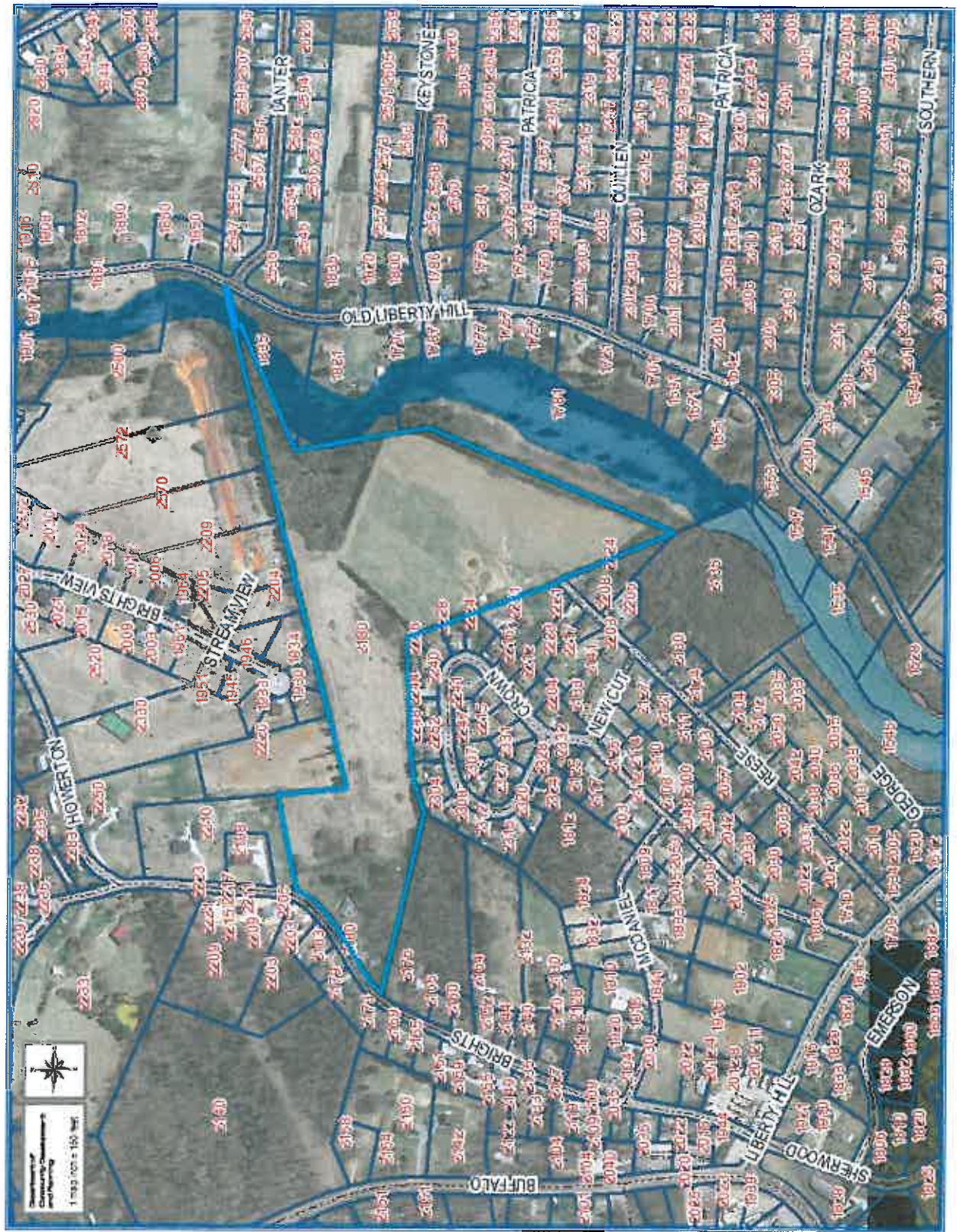
At this time, city staff has received no complaints from adjoining property owners regarding the rezoning of the property.

### **RECOMMENDATION:**

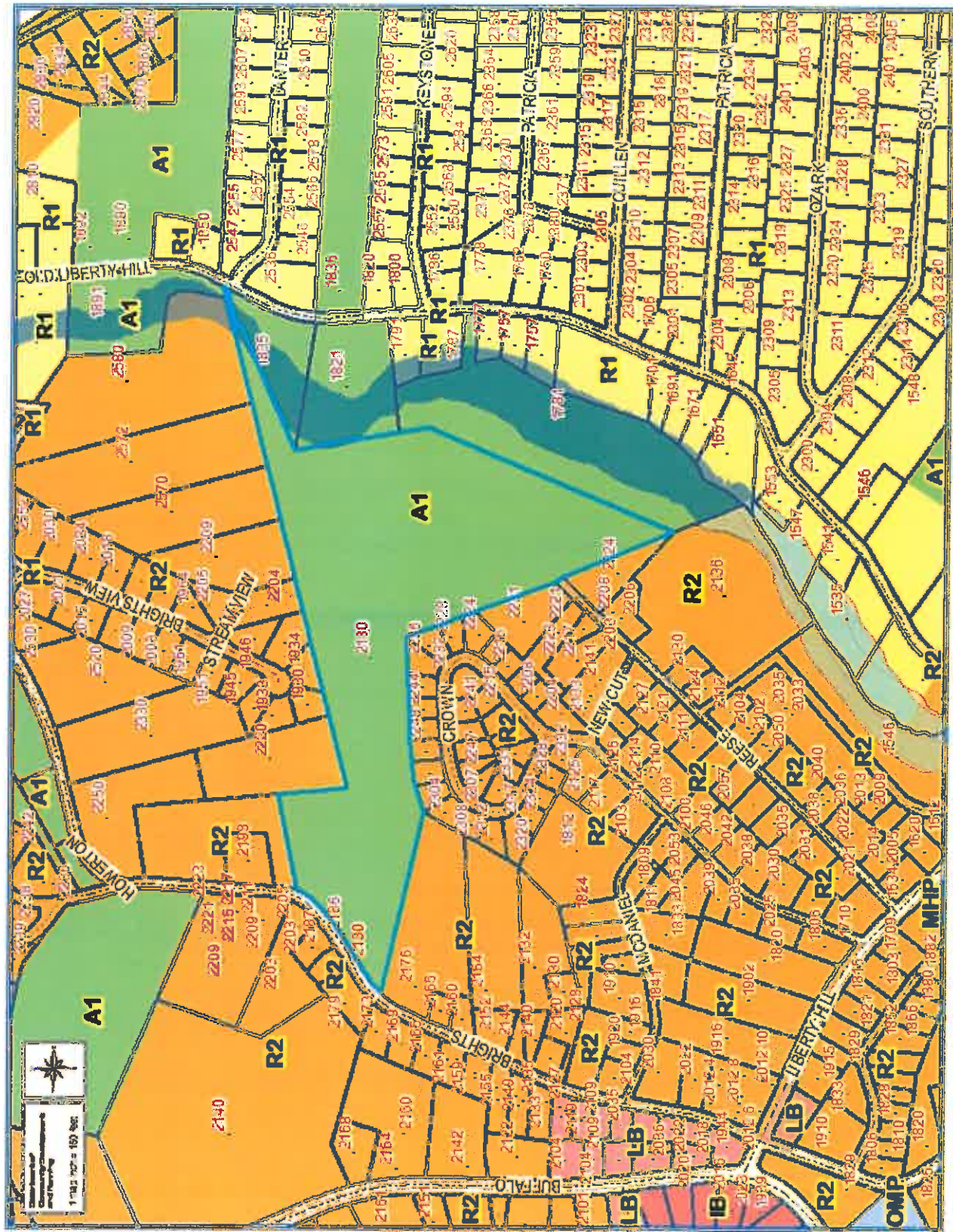
Staff views the applicant's rezoning request as consistent with adjacent zoning designations and land uses. Recommending this request will also eliminate a zoning "hole" along Brights Pike so that it will coordinate with adjoining zoning and uses. Staff proposes that the Morristown Regional Planning Commission recommend this rezoning request to City Council for approval.

### **PLANNING COMMISSION ACTION:**

The City of Morristown Regional Planning Commission, at their regular meeting on March 10, 2015, recommended that the rezoning request be forwarded to City Council for approval as submitted.







**ORDINANCE NO. \_\_\_\_\_**

**ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B.** {The Official Zoning Map of Morristown, TN of approximately 26 acres being part of Hamblen County Tax Parcels 025 03500, located along the eastern rights-of-way of Brights Pike.}

SECTION I. WHEREAS, the Morristown Planning Commission has recommended to the City Council of the City of Morristown that a certain amendment be made to Ordinance No. 2092, known as the Zoning Ordinance for the City of Morristown, Appendix B;

NOW, THEREFORE, in order to carry into effect said amendment;

SECTION II. BE IT RESOLVED by the City Council of the City of Morristown that the Ordinance be and the same hereby is amended so as to provide that the following described real estate be rezoned from A-1 (Agricultural-Forestry) to R-2 (Medium Density Residential).

BEGINNING AT A METAL POST IN THE EASTERN MARGIN OF THE RIGHT OF WAY OF BRIGHTS PIKE CORNER WITH HAMBLEN COUNTY TAX PARCEL #025 03700 APPROXIMATELY 350 FEET IN AN EASTERLY DIRECTION TO A POST IN THE LINE OF TAX PARCELS #025 03700 AND #025 03890; THENCE SOUTH APPROXIMATELY 234 FEET TO AN OLD IRON ROD; THENCE STILL WITH THE LINE OF TAX PARCEL #025 03890 EAST 267.06 FEET TO AN OLD IRON ROD CORNER TO LOT NO. 12 OF LAS BRISAS; THENCE WITH THE LINE OF LOT 12 AND THEN LOT 13 OF LAS BRISAS IN A NORTHEASTERLY DIRECTION 136.90 FEET TO A NEW IRON ROD IN THE LINE OF LOT 13 OF LAS BRISAS; THENCE WITH THE LINE OF LOT 13, LOT 14, AND LOT 16 OF LAS BRISAS AND THEN HAMBLEN COUNTY TAX PARCELS #025 03805, #025 03806, #025 03807, AND #025 03808 APPROXIMATELY 762 FEET TO A NEW IRON ROD; THENCE STILL WITH THE SAID PROPERTY LINE 560.61 FEET IN A NORTHEASTERLY DIRECTION; THENCE STILL WITH THE LINE OF SAID PROPERTY SOUTH 33.00 FEET TO AN OLD IRON ROD CORNER WITH TAX PARCEL #025J H 00100; THENCE WITH THE LINE OF TAX PARCELS #025J H 00100 AND #025J H 00200 IN A SOUTHWESTERLY DIRECTION 495.00 FEET TO A 36" WALNUT; THENCE STILL WITH THE LINE OF TAX PARCEL #025J H 00200 AND THEN TAX PARCEL #025J H 00400 SOUTH 466.90 FEET TO A 36" CEDAR; THENCE WITH TAX PARCEL #025J H 00400 IN A SOUTHWESTERLY DIRECTION 1023.59 FEET TO A NEW IRON ROD IN THE LINE OF HAMBLEN COUNTY TAX PARCEL #025J F 00100; THENCE WITH THE LINE OF PARCEL #025J F 00100 IN A NORTHWESTERLY DIRECTION

782.04 FEET TO AN OLD IRON ROD CORNER WITH THE CORNER OF LOT 6 OF NORTHRIDGE SUBDIVISION; THENCE WITH THE LINE OF LOT NOS. 6, 7, AND 8 OF NORTHRIDGE SUBDIVISION 275.02 FEET IN A NORTHWESTERLY DIRECTION TO A NEW IRON ROD CORNER WITH LOT NOS. 8 AND 9 OF NORTHRIDGE SUBDIVISION; THENCE WITH THE LINE OF LOT NOS. 9, 10, 11, 12, 13, AND 14 OF SAID SUBDIVISION 470.01 FEET TO AN OLD IRON ROD IN THE LINE OF LOT NO. 14 OF SAID SUBDIVISION; THENCE WITH THE LINE OF LOT NO. 14 AND THEN 15 OF SAID SUBDIVISION SOUTH IN A WESTERLY DIRECTION 159.59 FEET TO AN OLD IRON ROD CORNER WITH LOT NO. 15 AND TAX PARCEL #025J B 00100; THENCE WITH THE LINE OF SAID PARCEL 685.90 FEET TO A 24" WALNUT IN THE EASTERN MARGIN OF THE RIGHT OF WAY OF BRIGHTS PIKE; THENCE WITH THE EASTERN MARGIN OF THE RIGHT OF WAY OF BRIGHTS PIKE IN A NORTHEASTERLY DIRECTION 58.61 FEET TO A POINT; THENCE STILL WITH THE EASTERN MARGIN OF THE RIGHT OF WAY OF BRIGHTS PIKE 284.80 TO A POINT; THENCE WITH THE ARC OF A CURVE TO THE LEFT A RADIUS OF 228.00 FEET AND ARC LENGTH OF 150.40 FEET AND CHORD OF NORTH 38 DEG. 11 MIN. 08 SEC. EAST 147.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 26 ACRES, MORE OR LESS, AND BEING TRACTS 1 AND 2 DESCRIBED IN ONE PERIMETER BOUNDARY OF THE PROPERTY.

SECTION III. BE IT FURTHER ORDAINED that all maps records and necessary minutes entries be changed so as to effect the amendment as herein provided, to the extent that the areas herein above described shall be permitted to be used for R-2 (Medium Density Residential) only.

SECTION IV. BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith be, and the same are, repealed to the extent of such conflict but not further or otherwise.

SECTION V. BE IT FURTHER ORDAINED that this ordinance takes effect from and after the date of its final passage, the public welfare requiring it.

PASSED ON FIRST READING THIS THE 17<sup>TH</sup> DAY OF MARCH, 2015.

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MAYOR

ATTEST:

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CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS THE 7<sup>TH</sup> DAY OF APRIL,  
2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR



# APPROPRIATION ORDINANCE

**Ordinance Number: 3504.06**

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3504, THE CITY OF MORRISTOWN, TENNESSEE ANNUAL BUDGET FOR THE FISCAL YEAR 2014-2015 AND APPROPRIATE THE SUM OF \$10,000 FOR PLAYGROUND EQUIPMENT. (THE ROTARY CLUB IS DONATING \$26,000 TOWARD THE PURCHASE OF THE EQUIPMENT.)

Be it ordained by the Council of the City of Morristown Tennessee that Ordinance Number 3504 identifying the revenue and expenditure accounts of the City of Morristown contained in the annual budget for the fiscal year 2014-2015 is hereby amended and funds are herewith appropriated or adjusted as presented.

FUND	DEPARTMENT	CODE	ACCOUNT DESCRIPTION	REVENUES		EXPENDITURES	
				Increase	Decrease	Increase	Decrease
General	Mayor and City Council	110-41100-804	Council Contingency				\$ 10,000
General	Parks and Recreation Playgrounds & Programs	110-44420-960	Machinery and Equipment			\$ 10,000	
			Totals	\$ -	\$ -	\$ 10,000	\$ 10,000

In Balance

PASSED ON FIRST READING THIS 17th Day of March 2015

Mayor

**ATTEST:**

City Administrator

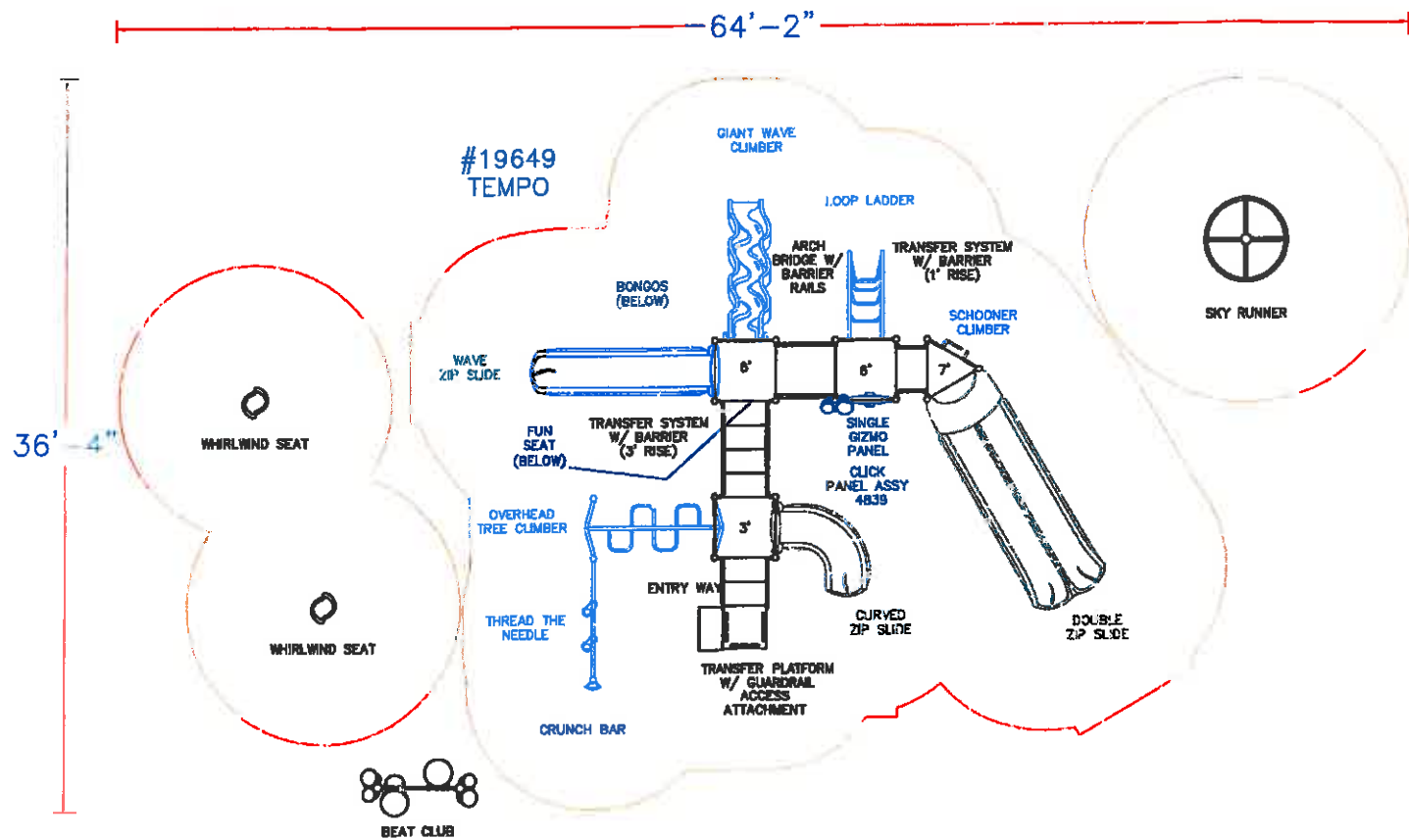
PASSED ON SECOND READING THIS 7th Day of April 2015

**Mayor**

**ATTEST:**

City Administrator





A PLAYCORE Company  
180 PlayCore Drive SE  
Fort Payne, AL 35967  
www.playcore.com



Rotary Club Park  
Option 2  
Morristown, Tennessee  
Representative  
Dominica Recreation Products

This play  
equipment is  
recommended  
for children ages  
5-12

Minimum Area Required:  
See layout  
Scale: NTS  
This drawing can be  
scaled only when in  
an 11" x 17" format

**IMPORTANT:** See manufacturer's instructions for surfacing requirements. Surfacing should be placed in the use zones of all equipment, as specified for each type of equipment, and at depths to meet the critical fall heights as specified by the U.S. Consumer Product Safety Commission, ASTM standard F 1487 and Canadian Standard CANC88-3-014.

Drawn By:  
CMR  
Date:  
2.12.2015  
Drawing Name:  
Rotary Club Park 2



**drp** Dominica  
Recreation Products  
800.432.0162

Rotary Club Park  
Option 2

**GameTime**  
PLAYCORE Group  
800.225.2400 / www.gt.us/usa.com

[Return to Agenda](#)



**drp** Dominica  
Recreation Products  
800.432.0162

## Rotary Club Park Option 2

**GameTime**  
PLAY SYSTEMS  
800.835.5666 / www.gametime.com



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
Division of Financial Responsibility  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Ave., 10<sup>th</sup> Floor  
Nashville, TN 37243  
(615) 532-0851

February 27, 2015

The Honorable Danny Thomas  
City of Morristown Mayor  
100 West First North Street  
P. O. Box 1499  
Morristown, Tennessee 37816

The Honorable Bill Brittain  
Hamblen County Mayor  
511 West Second North Street  
Morristown, TN 37816-1499

Mr. Tony Cox  
City Administrator  
The City of Morristown  
P. O. Box 1499  
Morristown, Tennessee 37816

RE: Annual Inflation Adjustment of the financial assurance for *the Hamblen County-Morristown, TN Sanitary Landfills, Permits # SNL 32-0152 Extension and SNL 32-0152 Original* as required by the Regulations of the Division of Solid Waste Management.

Dear Mayor Thomas, Mayor Britain, and Mr. Cox:

**All county and municipal "Contracts in Lieu of Performance Bonds" must be adjusted annually for inflation by no later than the anniversary date of the issuance of the contract.**

Rule Chapters 0400-12-01-.06(8) and 0400-11-01-.03(3) state that the inflation adjustment may be made by recalculating the closure and/or post-closure cost estimate in current dollars or by using an inflation factor derived from the most recent Implicit Price Deflator for the Gross National Product published by the U.S. Department of Commerce in its Survey of Current Business.

The staff of the Financial Responsibility Group, utilizing data published by the U. S. Department of Commerce, has projected the inflation factor to be used for 2015 inflation adjustments as **1.55%**. The amount of your financial assurance instrument(s) from the Year 2014 must be multiplied by **1.0155**. The permitted facility and/or the Department may reserve the right to adjust this figure later based upon revised data released by the U.S. Department of Commerce during the year.

**Effective immediately, any County or Municipal Contract in Lieu of Performance Bond incurring an annual inflation adjustment shall not be processed by amendment until the cumulative amount of the adjustment(s) equals or exceeds TEN THOUSAND DOLLARS (\$10,000.00). This is a change from the previous threshold of Five Thousand Dollars (\$5,000). For example, if the inflation adjustment is \$4,000 in year one, \$5,000 in year two, and \$6,000 in year three, the amendment will be processed in year three when the total of adjustments exceeds**

Mayor Thomas  
 Mayor Brittain  
 Mr. Cox  
 Hamblen County-Morristown, TN  
 February 27, 2015  
 Page 2

**\$10,000. We will continue to send your inflation adjustment figures annually for your records whether or not a contract amendment is required.**

Please review the amount(s) listed for each permit listed below. If any changes or modifications to your permit(s) have occurred, please contact us as soon as you receive this letter. The due date(s) and projected amount(s) for the inflation adjustment(s) of your financial instrument(s) are as follows:

**Inflation Adjustments REQUIRED for 2015**

Facility Permit #:	Financial Instrument Type & No.:	Financial Instrument Anniversary Due Date:	Present Amount of Financial Assurance "On File"	Inflation Adjustment / Increase Required:	Inflation Adjustment and Allowable Post-Closure Reduction:	Total "Required" Amount of Financial Assurance:
SNL 32-0152 Extension	Contract	10-23-15	\$ 8,677,679.00	\$ 134,504.00	\$	\$ 8,812,183.00
SNL 32-0152 Original	Contract	04-04-15	\$ 417,508.00	\$	\$ 23,813.00	\$ 393,695.00

**Inflation Adjustments NOT REQUIRED for 2015**

Facility Permit #:	Financial Instrument Type & No.:	Financial Instrument Anniversary Due Date:	Present Amount of Financial Assurance "On File"	Inflation Adjustment / Increase Required:	Inflation Adjustment and Allowable Post-Closure Reduction:	Total "Required" Amount of Financial Assurance:
SWP 32-0235	Contract	12-14-15	\$ 9,090.00	\$ 2,579.00	\$	\$ 11,670.00

Mr. Cox, we are forwarding the Contract and Amendment to you. Would you please be so kind as to coordinate the signing of Five (5) originals of each of these documents and the returning of the same to this office.

Please see the attached spreadsheets, which list in detail the amount of financial assurance required due to the 2015 annual inflation adjustment and/or post closure reduction (if applicable) for your permit(s). The spreadsheets also list the current amount of financial assurance on file for each permit.

**PLEASE NOTE**

- (1) Any County and/or Municipal Contract In Lieu of Performance Bonds incurring an annual inflation adjustment shall not be processed by amendment until the amount of the adjustment equals or exceeds TEN THOUSAND DOLLARS (\$10,000.00).

If you have any questions, please call me at (615) 532-0848 or you may email me at [james.marks@tn.gov](mailto:james.marks@tn.gov) if you would like to receive an electronic blank Contract In Lieu of Performance Bond.

Respectfully,

James Marks, ASA IV  
 Municipal & County Contract Administrator  
 Division of Financial Responsibility

CC: James Warren, Manager of Solid Waste Management, Chattanooga Jackson Office, TDEC  
 Enclosure: Customer Information Spreadsheet, Example Contract and blanks

[Return to Agenda](#)



# FINANCIAL RESPONSIBILITY

## CUSTOMER DATABASE

DIVISION	Solid Waste Management			Evaluated by:	JEM
(UST ONLY)	FUND PARTICIPANT ___ ELIGIBILITY ASSUMED		FUND PARTICIPANT ___ NOT FUND ELIGIBLE	___ NOT PARTICIPATING IN THE FUND	
OWNER/ OPERATOR NAME	Hamblen County-Morristown, TN				
ADDRESS	100 West First North Street, P.O. Box 1499				
	Morristown, TN 37816-1499				
CONTACT PERSON	Mr. Danny Thomas	Mr. Dennis Bams	Mr. Tony Cox		
TITLE	Mayor (Morristown, TN)	Landfill Manager	City Administrator		
TELEPHONE #	(423) 581-0100	(423) 353-2807	(423) 581-0100		
FAX NUMBER					
Email	<a href="mailto:dbrittain@co.hamblen.tn.us">dbrittain@co.hamblen.tn.us</a>				
ADDRESS	511 West Second North Street		NOTICE BY REGULAR MAIL		
	Morristown, TN 37816-1499				
CONTACT PERSON	Mr. Bill Brittain				
TITLE	Mayor (Hamblen County, TN)				
TELEPHONE #	(423) 586-1931				
SOLID WASTE PERMIT #	SNL 32-0152 Original, SNL 32-0152 Ext., SWP 32-0235				
UST OWNER ID #					
RADIOLOGICAL HEALTH PERMIT #					
SUPERFUND PERMIT #					
GEOLOGY (OIL & GAS) PERMIT #					
WATER POLLUTION CONTROL (SURFACE MINING) PERMIT #					

## FACILITY ID#(s) OR PERMIT #(s) UNDER THIS OWNER

[illegible]



**Summary Sheet**  
**Amount of Financial Assurance Required**

PERMIT ID # OR FACILITY ID # (s)	AMOUNT OF CLOSURE OPERATING CONTINGENCY REQUIRED (A)	AMOUNT OF POST- CLOSURE REQUIRED (B)	AMOUNT OF 3RD PARTY LIABILITY ON FILE (C)	AMOUNT OF CORRECTIVE ACTION REQUIRED (D)	INSTRUMENT TYPE AND ISSUE DATE (E)	ISSUING INSTITUTION (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE (G)
SNL 32-0152 Ext.	\$2,884,244.05	\$5,927,938.06					\$8,812,182.11
SNL 32-0152 Orig	CLOSED	\$393,694.27					\$393,694.27
SWP 32-0235	\$11,669.29	N/A					\$11,669.29
<b>Total Required</b>	<b>\$2,895,913.34</b>	<b>\$6,321,832.33</b>	<b>\$0.00</b>	<b>\$0.00</b>		<b>Total (A,B,C,D)</b>	<b>\$9,217,545.66</b>

**Amount of Financial Assurance On File**

PERMIT ID # OR FACILITY ID#(s)	AMOUNT OF CLOSURE OPERATING CONTINGENCY ON FILE (AA)	AMOUNT OF POST- CLOSURE ON FILE (BB)	AMOUNT OF 3RD PARTY LIABILITY ON FILE (CC)	AMOUNT OF CORRECTIVE ACTION ON FILE (DD)	INSTRUMENT TYPE AND ISSUE DATE (E)	ISSUING INSTITUTION (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE (G)
SNL 32-0152 Ext.	\$2,840,220.92	\$5,837,458.08			C 10/23/02	Hamblen Co.	\$8,677,679.00
SNL 32-0152 Orig	CLOSED	\$417,508.00			C 4/4/95	Hamblen Co.	\$417,508.00
SWP 32-0235	\$9,090.00	N/A			C 12/14/94	Hamblen Co.	\$9,090.00
<b>Total on File</b>	<b>\$2,849,310.92</b>	<b>\$6,254,966.08</b>	<b>\$0.00</b>	<b>\$0.00</b>		<b>Total (AA,BB,CC,DD)</b>	<b>\$9,104,277.00</b>
<b>Net amount underfunded as of 02/27/2015</b>	<b>-\$46,602.41</b>	<b>-\$66,666.25</b>					<b>-\$113,268.66</b>

ABBR. C - CONTRACT CB - CASHBOND, CHECK OR CASH CD - CERTIFICATE OF DEPOSIT CG-FT - CORPORATE GUARANTEE  
 FINANCIAL TEST CI - CERTIFICATE OF INSURANCE FT - FINANCIAL TEST GG - GOVERNMENT GUARANTEE LC - LETTER OF CREDIT  
 PB - PERFORMANCE BOND S - SECURITIES TF - TRUST FUND

## Attachment 2 : Calculating Financial Assurance From the Beginning To the End of the Post Closure Care Period

Facility :	Hamblen County-Morristown, TN
Permit# :	SNL 32-0152 Original (Includes SNL 32-0205)

X This site closed in **1998** and is required to have **30** years of post closure care.

At closure in **1998** the cumulative inflation adjusted total of post closure was **\$661,572.00**.

or

\_\_\_\_\_ This site has not yet begun post closure. The scheme below is simply an example of how post closure financial assurance will be adjusted annually for inflation.

This example assumes that the facility closed in \_\_\_\_\_ and is required to have \_\_\_\_\_ years post closure.

At closure, the cumulative inflation adjusted post-closure amount was \$\_\_\_\_\_.00. Each successive year after closure, the post-closure amount is reduced by approximately one year's post-closure expense and the outstanding dollar amount of post-closure is adjusted for inflation.

### Calculation of Post Closure With Annual Inflation Adjustments After Closure of the Waste Management Unit

EACH YEAR FOLLOWING CLOSURE (A)	ANNUAL INFLATION FACTOR (B)	SUM OF REMAINING YEARS COST OF POST CLOSURE (C)	NUMBER OF YEARS REMAINING IN POST CLOSURE (D)	APPROXIMATELY ONE YEAR REDUCTION IN POST CLOSURE COST (E)	ESTIMATED AMOUNT OF POST CLOSURE FOR REMAINING YEARS (F)	INFLATION ADJUSTMENT FOR THE REMAINING YEARS (G)	AMOUNT OF POST CLOSURE FINANCIAL ASSURANCE DUE THIS YEAR (H)
Year(row)	row27	Formula=H26	Year(s)	=C27/D27	=C27-E27	=F27*B27	=G27
1999	1.010	\$661,572.00	30	\$22,052.40	\$639,519.60	\$645,914.80	\$645,914.80
2000	1.015	\$645,914.80	29	\$22,272.92	\$623,641.87	\$632,996.50	\$632,996.50
2001	1.021	\$632,996.50	28	\$22,607.02	\$610,389.48	\$623,207.66	\$623,207.66
2002	1.022	\$623,207.66	27	\$23,081.77	\$600,125.90	\$613,328.67	\$613,328.67
2003	1.011	\$613,328.67	26	\$23,589.56	\$589,739.10	\$596,226.23	\$596,226.23
2004	1.016	\$596,226.23	25	\$23,849.05	\$572,377.18	\$581,535.22	\$581,535.22
2005	1.022	\$581,535.22	24	\$24,230.63	\$557,304.58	\$569,565.28	\$569,565.28
2006	1.027	\$569,565.28	23	\$24,763.71	\$544,801.58	\$559,511.22	\$559,511.22
2007	1.030	\$559,511.22	22	\$25,432.33	\$534,078.89	\$550,101.26	\$550,101.26
2008	1.027	\$550,101.26	21	\$26,195.30	\$523,905.96	\$538,051.42	\$538,051.42
2009	1.024	\$538,051.42	20	\$26,902.57	\$511,148.85	\$523,416.42	\$523,416.42
2010	1.012	\$523,416.42	19	\$27,548.23	\$495,868.19	\$501,818.61	\$501,818.61
2011	1.010	\$501,818.61	18	\$27,878.81	\$473,939.80	\$478,679.19	\$478,679.19
2012	1.024	\$478,679.19	17	\$28,157.60	\$450,521.59	\$461,334.11	\$461,334.11
2013	1.019	\$461,334.11	16	\$28,833.38	\$432,500.73	\$440,718.24	\$440,718.24
2014	1.015	\$440,718.24	15	\$29,381.22	\$411,337.03	\$417,507.08	\$417,507.08
2015	1.0155	\$417,507.08	14	\$29,821.93	\$387,685.15	\$393,694.27	\$393,694.27

## Attachment 1 : Calculating Financial Assurance - Inflation Adjustment During the Operating Life of the Facility

**Facility :** Hamblen County-Morristown, TN

**Permit# :** SNL 32-0152 Ext.

**Initial Year  
Calculated :** 1995

YEAR (A) (establish date times next year inflation rate)	ANNUAL INFLATION FACTOR (B)	CLOSURE COST (1) (C)	POST CLOSURE COST (2) (D)	OPERATING COST (3) (E)	CONTIN- GENCY COST (4) (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE DUE (G)
	(18)Formula=	=C17*B18	=D17*B18		=F17*B18	=SUM(C18:F18)
1995	1.015					
1996	1.025	\$1,725,000.00	\$4,149,000.00	N/A	\$293,700.00	\$6,167,700.00
1997	1.020	\$1,759,500.00	\$4,231,980.00	N/A	\$299,574.00	\$6,291,054.00
1998	1.020	\$1,794,690.00	\$4,316,619.60	N/A	\$305,565.48	\$6,416,875.08
1999	1.010	\$1,812,636.90	\$4,359,785.80	N/A	\$308,621.13	\$6,481,043.83
2000	1.015	\$1,839,826.45	\$4,425,182.58	N/A	\$313,250.45	\$6,578,259.49
2001	1.021	\$1,878,462.81	\$4,518,111.42	N/A	\$319,828.71	\$6,716,402.94
2002	1.022	\$1,919,788.99	\$4,617,509.87	N/A	\$326,864.94	\$6,864,163.80
2003	1.011	\$1,940,906.67	\$4,668,302.48	N/A	\$330,460.46	\$6,939,669.60
2004	1.016	\$1,971,961.18	\$4,742,995.32	N/A	\$335,747.82	\$7,050,704.32
2005	1.022	\$2,015,344.32	\$4,847,341.21	N/A	\$343,134.28	\$7,205,819.81
2006	1.027	\$2,069,758.62	\$4,978,219.43	N/A	\$352,398.90	\$7,400,376.95
2007	1.030	\$2,131,851.38	\$5,127,566.01	N/A	\$362,970.87	\$7,622,388.26
2008	1.027	\$2,189,411.36	\$5,266,010.29	N/A	\$372,771.08	\$7,828,192.74
2009	1.024	\$2,241,957.24	\$5,392,394.54	N/A	\$381,717.59	\$8,016,069.36
2010	1.012	\$2,268,860.72	\$5,457,103.27	N/A	\$386,298.20	\$8,112,262.20
2011	1.010	\$2,291,549.33	\$5,511,674.31	N/A	\$390,161.18	\$8,193,384.82
2012	1.024	\$2,346,546.52	\$5,643,954.49	N/A	\$399,525.05	\$8,390,026.05
2013	1.019	\$2,391,130.90	\$5,751,189.62	N/A	\$407,116.03	\$8,549,436.55
2014	1.015	\$2,426,997.86	\$5,837,457.47	N/A	\$413,222.77	\$8,677,678.10
2015	1.0155	\$2,464,616.33	\$5,927,938.06	N/A	\$419,627.72	\$8,812,182.11

(1) The estimated 3rd party cost to close the solid waste unit as submitted by owner/operation and as approved and amended by the Division of Solid Waste Management.

(2) The summation of the required years of post closure cost as submitted by the owner/operator and approved or amended by the Division

(3) Calculated at N/A tons per day for individual year x 30 days at N/A per ton.

(4) Calculated at 5% of items (1+2+3) above.

**Note:** The total amount of financial assurance can be reduced after certification of closure by the sum of closure cost, operations cost, and contingency cost as established by the cumulative annual inflation adjustments at the point of closure.



## Attachment 1: Calculating Financial Assurance - Inflation Adjustment During the Operating Life of the Facility

<b>Facility :</b>	Hamblen County-Morristown, TN
<b>Permit# :</b>	SWP 32-0235(Including SWP 32-1021)
<b>Initial Year Calculated :</b>	1995

YEAR (A) (establish date times next year inflation rate)	ANNUAL INFLATION FACTOR (B)	CLOSURE COST (1) (C)	POST CLOSURE COST (2) (D)	OPERATING COST (3) (E)	CONTIN- GENCY COST (4) (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE DUE (G)
	(18)Formula=	=C17*B18	=D17*B18		=F17*B18	=SUM(C18:F18)
1995	1.015	\$7,589.00	N/A	N/A	\$379.20	\$7,968.20
1996	1.025	\$7,778.73	N/A	N/A	\$388.68	\$8,167.41
1997	1.020	\$7,934.30	N/A	N/A	\$396.45	\$8,330.75
1998	1.020	\$8,092.99	N/A	N/A	\$404.38	\$8,497.37
1999	1.010	\$8,173.92	N/A	N/A	\$408.43	\$8,582.34
2000	1.015	\$8,296.52	N/A	N/A	\$414.55	\$8,711.08
2001	1.021	\$8,470.75	N/A	N/A	\$423.26	\$8,894.01
2002	1.022	\$8,657.11	N/A	N/A	\$432.57	\$9,089.68
2003	1.011	\$8,752.34	N/A	N/A	\$437.33	\$9,189.66
2004	1.016	\$8,892.37	N/A	N/A	\$444.33	\$9,336.70
2005	1.022	\$9,088.01	N/A	N/A	\$454.10	\$9,542.11
2006	1.027	\$9,333.38	N/A	N/A	\$466.36	\$9,799.74
2007	1.030	\$9,613.38	N/A	N/A	\$480.35	\$10,093.74
2008	1.027	\$9,872.94	N/A	N/A	\$493.32	\$10,366.27
2009	1.024	\$10,109.89	N/A	N/A	\$505.16	\$10,615.06
2010	1.012	\$10,231.21	N/A	N/A	\$511.22	\$10,742.44
2011	1.010	\$10,333.53	N/A	N/A	\$516.34	\$10,849.86
2012	1.024	\$10,581.53	N/A	N/A	\$528.73	\$11,110.26
2013	1.019	\$10,782.58	N/A	N/A	\$538.77	\$11,321.35
2014	1.015	\$10,944.32	N/A	N/A	\$546.86	\$11,491.17
2015	1.0155	\$11,113.96	N/A	N/A	\$555.33	\$11,669.29

(1) The estimated 3rd party cost to close the solid waste unit as submitted by owner/operation and as approved and amended by the Division of Solid Waste Management.

(2) The summation of the required years of post closure cost as submitted by the owner/operator and approved or amended by the Division

(3) Calculated at N/A tons per day for individual year x 30 days at N/A per ton.

(4) Calculated at 5% of items (1+2+3) above.

**Note:** The total amount of financial assurance can be reduced after certification of closure by the sum of closure cost, operations cost, and contingency cost as established by the cumulative annual inflation adjustments at the point of closure.

## **Amendment of Contract in Lieu of Performance Bond**

Whereas, Hamblen County/Morristown, Tennessee and the State of Tennessee Department of Environment and Conservation, entered into Contract in Lieu of Performance Bond (Copy attached) for proper operation and closure and/or post-closure of the Hamblen County / Morristown Sanitary Landfill, Register Number SNL 32-103-0152 Extension; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to \$ 8,677,679.00 from any funds being disbursed or to be disbursed from the State of the County of Hamblen /Morristown, Tennessee as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and Hamblen County /Morristown, Tennessee desire to change the amount of said financial assurance from \$ 8,677,679.00 to \$ 8,812,183.00.

Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The figure "\$ 8,677,679.00 " is deleted and the figure  
"\$ 8,812,183.00" is substituted in lieu thereof.

Date of Amendment to Contract February 27, 2015.

(Must have date of Official's signature)

\_\_\_\_\_  
Commissioner  
Department of Environment  
and Conservation.

\_\_\_\_\_  
Title: Mayor  
For the City of: Morristown, Tennessee

\_\_\_\_\_  
Commissioner  
Department of Finance.  
and Administration

\_\_\_\_\_  
Title: County Mayor  
For the County of: Hamblen

\_\_\_\_\_  
Title: City Administrator  
For: Hamblen County

(Please Type or Complete Form in Ink and submit Five (5) Signed Originals of this Document)

**CONTRACT IN LIEU OF PERFORMANCE BOND**

PURSUANT TO T.C.A. 68-211-116 and THE RULES AND REGULATIONS OF THE STATE OF TENNESSEE, the City of Morristown, TN (hereinafter referred to as "The City") the County of Hamblen, TN (hereinafter referred to as "The County") and the Tennessee Department of Environment and Conservation do hereby contract and agree as follows:

1. This agreement applies to the following solid waste processing and/or disposal facility(s):

**Hamblen County - Morristown Sanitary Landfill Original**

**SNL 32-103-0152 Original**

2. The City and the County shall properly operate the described solid waste processing and/or disposal facility(s) and perform closure of each facility listed above, in accordance with all requirements of the permit and any applicable closure/post-closure plan, as such plan and permit may be amended, and pursuant to all applicable laws, statutes, rules, and regulations, as such laws, statutes, rules, and regulations may be amended.

3. The Total penal sum of this agreement is (per facility):

**\$ 393,695.00**

4. In the event that the City and the County fails to perform as specified in paragraph 2, above, after giving the City and the County notice and opportunity to cure the violation, the Commissioner of the Department of Environment and Conservation may collect any amount up to the total penal sum from any funds that otherwise would be disbursed from the State of Tennessee to the City and the County and this agreement shall act as an assignment of any such forfeited funds from the City and the County to the Tennessee Department of Environment and Conservation.

5. This contract shall be filed with the Commissioner of Finance and Administration who shall distribute any funds forfeited pursuant to this contract upon written notice from the Commissioner of Environment and Conservation.

This 27th day of February, 2015.

\_\_\_\_\_  
Title: \_\_\_\_\_

For the City of: \_\_\_\_\_

\_\_\_\_\_  
Title: \_\_\_\_\_

For the City of: \_\_\_\_\_

\_\_\_\_\_  
Commissioner,  
Department of Environment and Conservation

\_\_\_\_\_  
Commissioner,  
Department of Finance and Administration

Please Type or Complete Form in Ink and Submit Five (5) Signed Originals of this document

## **EXHIBIT "A"**

### **Work Authorization Number 7- 2014 APRON REHABILITATION PROJECT**

Date: 03MAR15

32-555-0750-04  
(Project Identification No.)

It is agreed to undertake the following work in accordance with the provisions of the Agreement between the **City of Morristown (OWNER)** and **Michael Baker Jr. Inc. (ENGINEER)** dated **July 20, 2012**.

---

#### **Scope of Services APRON REHABILITATION:**

Services to be provided include the design, bid and construction phase services for the rehabilitation of multiple aircraft apron areas. Rehabilitation shall include crack seal, seal coating, reconstruction, and remarking of pavements where needed. Final design recommendations will be based on survey and geotechnical information obtained. The services will include stakeholder coordination, site design and progress meetings.

Design submittal milestones will be at 35%, 95%, and final.

The ENGINEER will provide the overall management of the project. The ENGINEER will be responsible for the primary coordination between the Owner, State, and consulting team. The ENGINEER will be responsible for the design of the site improvements; and oversee the overall project design development (contract documents).

The ENGINEER will develop the design documents for a project which will rehabilitate the aircraft apron areas, provide grading and elevation requirements for the new surfaces, and establish a pavement marking and aircraft tie-down plan consistent with standards for the current fleet of aircraft operating on the facility.

The ENGINEER will participate in two on-site meetings for the 35%, 95% submittals.

The ENGINEER will provide the primary bid phase services including document distribution to prospective bidders and plan rooms, conducting and documenting a pre-bid conference, attending the bid opening, conducting bid review, and providing recommendation to the City for the award of a construction contract.

The ENGINEER will provide the primary construction phase services, including the conducting and documenting of a pre-construction conference with the Contractor and City, review submittals for products and materials to be incorporated into the project, review and provide recommendations for



payments to the Contractor, conduct periodic site visits during construction as well as provide continuous onsite inspection when necessary, participate in final inspection, and provide coordination and assistance for project closeout. Inspection personnel will be provided for this project from the Knoxville office with actual charges being based on the hourly rate.

**Time of Performance:**

<u>Task</u>	<u>Task Ending</u>
• Notice to Proceed	To Be Determined
• Survey	10-days following Notice to Proceed
• 35% Design Submittal and Review	30-days following Notice to Proceed
• 90% Design Submittal and Review	45-days following Notice to Proceed
• Advertise for Bids	60-days following Notice to Proceed
• Pre-Bid Meeting	7-days following Advertisement
• Receive Bids	30-days following Advertisement

**Compensation:**

• Basic Services – Lump Sum	\$ 76,375.00
• Special Services – Not to Exceed	\$ 30,625.00
<b>TOTAL NOT TO EXCEED</b>	<b>\$ 107,000.00</b>

Agreed as to Scope of Services, Time of Performance and Compensation:

OWNER:  
CITY OF MORRISTOWN

ENGINEER:  
MICHAEL BAKER JR. INC.

Title: \_\_\_\_\_

  
Title: Vice President

Date: \_\_\_\_\_

Date: 3/5/15

**ATTACHMENT B-1**

**ENGINEER'S ESTIMATE OF COMPENSATION  
BASIC SERVICES  
WORK AUTHORIZATION NO. 7  
MORRISTOWN REGIONAL AIRPORT  
MORRISTOWN, TN  
APRON REHABILITATION PROJECT**

**3-Mar-15**

**Phase / Activity**

	<b><u>Hours</u></b>	<b><u>Labor Rate</u></b>	<b><u>Total</u></b>
<b>1. DESIGN DEVELOPMENT</b>			
<b><u>Labor</u></b>			
Project Manager	8	\$168.00	\$1,344.00
Senior Engineer	8	\$135.00	\$1,080.00
Engineer	24	\$114.00	\$2,736.00
Designer	24	\$90.00	\$2,160.00
Sr. CADD Technician	32	\$75.00	\$2,400.00
Secretary/Technical Assistant	16	\$65.00	\$1,040.00
			<b>\$10,760.00</b>

**Expenses**

Travel to/ from Airport (Site Visit; Initial Meeting):	\$80.00
Printing, Copying, Postage & Shipping	\$25.00
	<b>\$105.00</b>

**Sub-Total Design Development Phase**

**\$10,865.00**

**Phase / Activity**

	<b><u>Hours</u></b>	<b><u>Labor Rate</u></b>	<b><u>Total</u></b>
<b>2. DESIGN, PLANS AND SPECIFICATIONS</b>			
<b><u>Labor</u></b>			
Project Manager	32	\$168.00	\$5,376.00
Senior Engineer	16	\$135.00	\$2,160.00
Engineer	64	\$114.00	\$7,296.00
Designer	88	\$90.00	\$7,920.00
Sr. CADD Technician	184	\$75.00	\$13,800.00
Secretary/Technical Assistant	56	\$65.00	\$3,640.00
			<b>\$40,192.00</b>

**Expenses**

Travel to/ from Airport (2 plan-in-hand meetings-35%,95% ):	\$160.00
Printing, Copying, Postage & Shipping	\$600.00
	<b>\$760.00</b>

**Sub-Total Design, Plans and Specs Phase**

**\$40,952.00**

**ATTACHMENT B-1**

**ENGINEER'S ESTIMATE OF COMPENSATION  
BASIC SERVICES  
WORK AUTHORIZATION NO. 7  
MORRISTOWN REGIONAL AIRPORT  
APRON REHABILITATION PROJECT**

*3-Mar-15*

**Phase / Activity**

	<b><u>Hours</u></b>	<b><u>Labor Rate</u></b>	<b><u>Total</u></b>
<b>3. CONSTRUCTION BID AND GRANT AWARD PHASE</b>			
<b><u>Labor</u></b>			
Project Manager	16	\$168.00	\$2,688.00
Senior Engineer	0	\$135.00	\$0.00
Engineer	8	\$114.00	\$912.00
Designer	0	\$90.00	\$0.00
Sr. CADD Technician	4	\$75.00	\$300.00
Secretary/Technical Assistant	24	\$65.00	\$1,560.00
			<u>\$5,460.00</u>

**Expenses**

Travel to/ from Airport (pre-bid meeting/bid - opening):	\$80.00
Printing, Copying, Postage & Shipping	\$22.00
	<u>\$102.00</u>

**Sub-Total Bidding and Grant Award Phase**

**\$5,562.00**

**Phase / Activity**

	<b><u>Hours</u></b>	<b><u>Labor Rate</u></b>	<b><u>Total</u></b>
<b>4. CONSTRUCTION ADMINISTRATION &amp; CLOSE-OUT</b>			
<b><u>Labor</u></b>			
Project Manager	40	\$168.00	\$6,720.00
Senior Engineer	16	\$135.00	\$2,160.00
Engineer	64	\$114.00	\$7,296.00
Designer	4	\$90.00	\$360.00
Sr. CADD Technician	4	\$75.00	\$300.00
Secretary	32	\$65.00	\$2,080.00
			<u>\$18,916.00</u>

**Expenses**

Travel to/from Airport (final walkthrough inspection)	\$80.00
	<u>\$80.00</u>

**Sub-Total Construction Admin & Closeout**

**\$18,996.00**

**BASIC SERVICES - TOTAL LUMP SUM COMPENSATION**

**\$76,375.00**

ATTACHMENT B-2

ENGINEER'S ESTIMATE OF COMPENSATION  
SPECIAL SERVICES  
WORK AUTHORIZATION NO. 7  
MORRISTOWN REGIONAL AIRPORT  
MORRISTOWN, TN  
APRON REHABILITATION PROJECT

3-Mar-15

**Total**

**1. SURVEY FOR DESIGN**

**Subcontracted Services**

Ground Surveys - Lump Sum

\$3,000.00

Consultant's Administrative Fee (10%)\*

\$300.00

**Sub-Total Survey for Design**

**\$3,300.00**

**2. GEOTECHNICAL TESTING FOR DESIGN**

**Subcontracted Services- Allowance**

Geotechnical Investigation - Lump Sum

\$6,700.00

Consultant's Administrative Fee (10%)\*

\$670.00

**Sub-Total Geotechnical for Design**

**\$7,370.00**

\* Administrative Fee of 10% of subcontracted services in accordance with Section II, Paragraph B of the Master Agreement.

**3. PART TIME INSPECTION**

<u>Labor</u>	<u>Hours</u>	<u>Labor Rate</u>	<u>Total</u>
Inspector	160	\$75.00	\$12,000.00

**Expenses**

Lodging

\$0.00

Vehicle Mileage (Assume 2 trips @ 110 miles/trip)

\$125.00

Meals - per diem (Assume 2 days @ \$15/Day)

\$30.00

Miscellaneous Expenses (Cell phone, Shipping, Copies)

\$100.00

\$255.00

**Sub-Total Part-Time Inspection**

**\$12,255.00**

**ATTACHMENT B-2**

**ENGINEER'S ESTIMATE OF COMPENSATION  
SPECIAL SERVICES  
WORK AUTHORIZATION NO. 7  
MORRISTOWN REGIONAL AIRPORT  
MORRISTOWN, TN  
APRON REHABILITATION PROJECT**

**3-Mar-15**

**4. QUALITY ASSURANCE TESTING DURING CONSTRUCTION**

**Subcontracted Services - Allowance**

QA Testing - Subgrade/Stone/Asphalt \$7,000.00

Consultant's Administrative Fee (10%)\* \$700.00

**Sub-Total Quality Assurance Testing** **\$7,700.00**

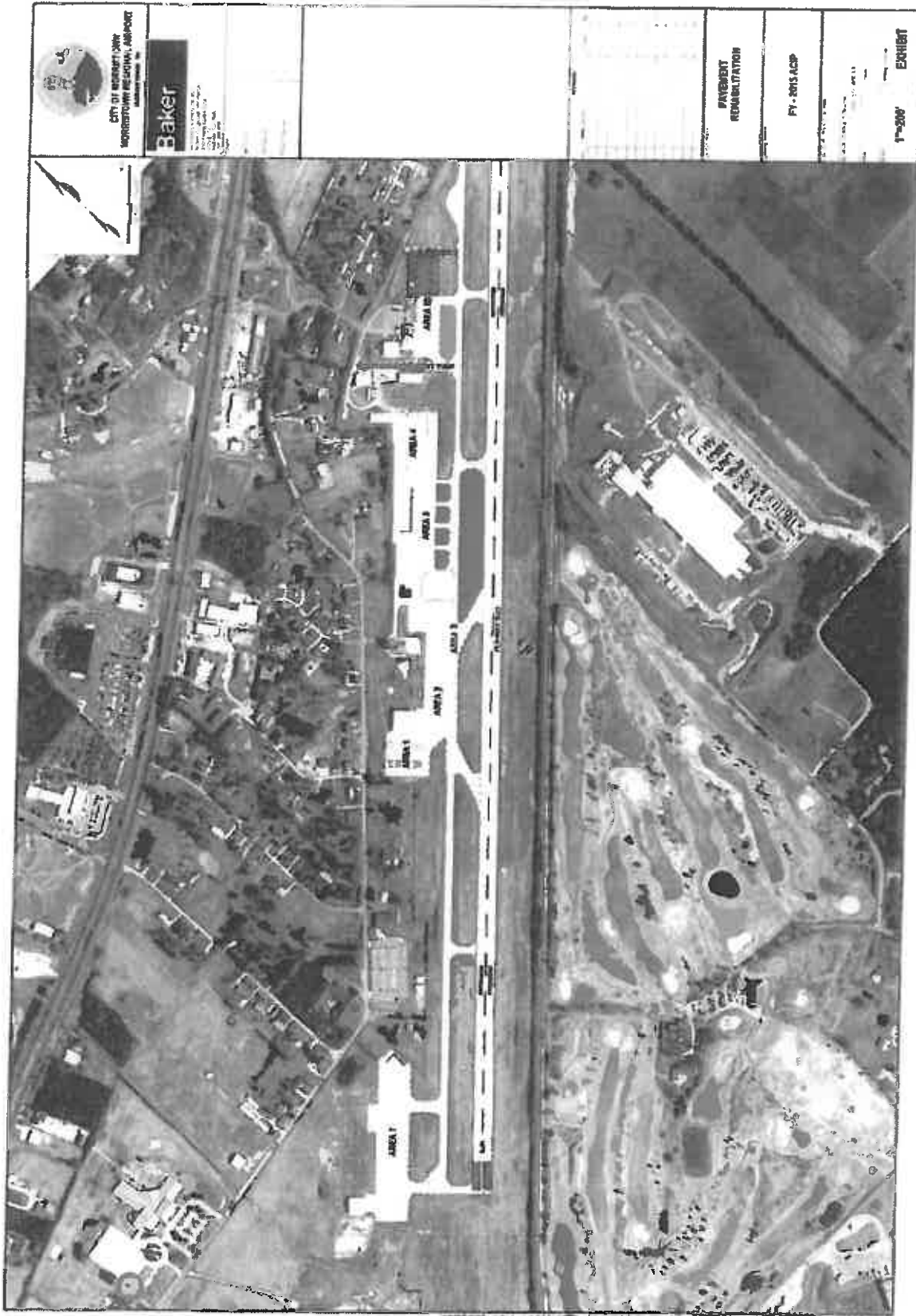
*\* Administrative Fee of 10% of subcontracted services in accordance with Section 11, Paragraph B of the Master Agreement.*

**SPECIAL SERVICES - TOTAL NOT-TO-EXCEED COMPENSATION** **\$30,625.00**

**FEE SUMMAARY**

BASIC SERVICES - LUMP SUM \$76,375.00  
SPECIAL SERVICES - NOT TO EXCEED \$30,625.00

**GRAND TOTAL** **\$107,000.00**



CITY OF MIDWAY, ILL.  
MIDWAY MUNICIPAL AIRPORT

**Baker**

City of Midway, Illinois  
Midway Municipal Airport  
1000 S. Midway Road  
Midway, Illinois 60056

PROJECT  
REPLICATION

FY - 2015 ACP

1-200 EXHIBIT

## EXHIBIT "A"

### Work Authorization Number 8 HANGAR REHABILITATION PROJECT

Date: \_\_\_\_\_

\_\_\_\_\_  
(Project Identification No.)

It is agreed to undertake the following work in accordance with the provisions of the Agreement between the **City of Morristown (OWNER)** and **Michael Baker Jr. Inc. (ENGINEER)** dated **October 16, 2014**.

---

#### Scope of Services HANGAR REHABILITATION:

Services to be provided include the design and bid phase services for the rehabilitation of two six-unit T-hangars, one ten-unit T-hangar, and one double box hangar. Rehabilitation shall include roof replacement, siding replacement, sliding door replacement, electrical improvements, painting, and other miscellaneous work items as needed. The services will include stakeholder coordination, site design and progress meetings.

Design submittals will include one progress submittal and a final submittal.

The ENGINEER will provide the overall management of the project. The ENGINEER will be responsible for the primary coordination between the Owner, State, and consulting team. The ENGINEER will be responsible for the design of the rehabilitation; and oversee the overall project design development (contract documents).

The ENGINEER will develop the design documents for a project which will rehabilitate the aircraft hangar structures as described above.

The ENGINEER will participate in one on-site meeting for the intermediate progress submittal.

The ENGINEER will provide the primary bid phase services including document distribution to prospective bidders and plan rooms, conducting and documenting a pre-bid conference, attending the bid opening, conducting bid review, and providing recommendation to the Owner for the award of a construction contract.



The ENGINEER will provide part-time inspection and construction administration services, which will include site visits, pay application review and recommendation, shop drawing review and acceptance, construction progress meetings when needed, reviewing and responding to Requests for Information (RFI), as well as project closeout procedures and document preparation. The ENGINEER will be the primary point of contact for the OWNER, contractors, and regulatory agencies.

**Time of Performance:**

<u>Task</u>	<u>Task Ending</u>
• Notice to Proceed	To Be Determined
• Design Submittal and Review	14-days following Notice to Proceed
• Advertise for Bids	30-days following Notice to Proceed
• Pre-Bid Meeting	7-days following Advertisement
• Receive Bids	21-days following Advertisement

**Compensation:**

• Basic Services – Lump Sum	\$ 35,341.00
• Special Services – Not to Exceed	\$ 3,485.00

<b>TOTAL NOT TO EXCEED</b>	<b>\$ 38,826.00</b>
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Agreed as to Scope of Services, Time of Performance and Compensation:

OWNER:  
CITY OF MORRISTOWN

ENGINEER:  
MICHAEL BAKER JR. INC.

\_\_\_\_\_  
Title:

\_\_\_\_\_  
Title: Vice President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT B-1**

**ENGINEER'S ESTIMATE OF COMPENSATION  
BASIC SERVICES  
WORK AUTHORIZATION NO. 8  
MORRISTOWN REGIONAL AIRPORT  
MORRISTOWN, TN  
HANGAR REHABILITATION PROJECT**

*1-Mar-15*

Phase / Activity

	<u>Hours</u>	<u>Labor Rate</u>	<u>Total</u>
<b>1. DESIGN DEVELOPMENT</b>			
<u>Labor</u>			
Project Manager	8	\$168.00	\$1,344.00
Senior Engineer	0	\$135.00	\$0.00
Engineer	8	\$114.00	\$912.00
Designer	0	\$90.00	\$0.00
Sr. CADD Technician	8	\$75.00	\$600.00
Secretary/Technical Assistant	8	\$65.00	\$520.00
			<hr/> \$3,376.00
<u>Expenses</u>			
Travel to/ from Airport (Site Visit; Initial Meeting):			\$0.00
Printing, Copying, Postage & Shipping			\$25.00
			<hr/> \$25.00
<b>Sub-Total Design Development Phase</b>	<b>\$3,401.00</b>		

Phase / Activity

	<u>Hours</u>	<u>Labor Rate</u>	<u>Total</u>
<b>2. DESIGN, PLANS AND SPECIFICATIONS</b>			
<u>Labor</u>			
Project Manager	8	\$168.00	\$1,344.00
Senior Engineer	4	\$135.00	\$540.00
Engineer	56	\$114.00	\$6,384.00
Designer	8	\$90.00	\$720.00
Sr. CADD Technician	40	\$75.00	\$3,000.00
Secretary/Technical Assistant	24	\$65.00	\$1,560.00
			<hr/> \$13,548.00
<u>Expenses</u>			
Travel to/ from Airport (One Progress Meeting ):			\$80.00
Printing, Copying, Postage & Shipping			\$100.00
			<hr/> \$180.00
<b>Sub-Total Design, Plans and Specs Phase</b>	<b>\$13,728.00</b>		

**ATTACHMENT B-1**

**ENGINEER'S ESTIMATE OF COMPENSATION  
BASIC SERVICES  
WORK AUTHORIZATION NO. 8  
MORRISTOWN REGIONAL AIRPORT  
HANGAR REHABILITATION PROJECT**

*1-Mar-15*

Phase / Activity

	<u>Hours</u>	<u>Labor Rate</u>	<u>Total</u>
<b>3. CONSTRUCTION BID AND GRANT AWARD PHASE</b>			
<u>Labor</u>			
Project Manager	4	\$168.00	\$672.00
Senior Engineer	0	\$135.00	\$0.00
Engineer	24	\$114.00	\$2,736.00
Designer	0	\$90.00	\$0.00
Sr. CADD Technician	0	\$75.00	\$0.00
Secretary/Technical Assistant	8	\$65.00	\$520.00
			<u>\$3,928.00</u>

Expenses

Travel to/ from Airport (pre-bid meeting/bid –opening):	\$160.00
Printing, Copying, Postage & Shipping	\$300.00
	<u>\$460.00</u>

**Sub-Total Bidding and Grant Award Phase** **\$4,388.00**

Phase / Activity

	<u>Hours</u>	<u>Labor Rate</u>	<u>Total</u>
<b>4. CONSTRUCTION ADMINISTRATION &amp; CLOSE-OUT</b>			
<u>Labor</u>			
Project Manager	8	\$168.00	\$1,344.00
Senior Engineer	0	\$135.00	\$0.00
Engineer	80	\$114.00	\$9,120.00
Designer	0	\$90.00	\$0.00
Sr. CADD Technician	24	\$75.00	\$1,800.00
Secretary/Technical Assistant	24	\$65.00	\$1,560.00
			<u>\$13,824.00</u>

Expenses

Travel to/from Airport (final walkthrough inspection)	\$0.00
	<u>\$0.00</u>

**Sub-Total Construction Admin & Closeout** **\$13,824.00**

**TOTAL LUMP SUM COMPENSATION – BASIC SERVICES** **\$35,341.00**  
*(Phases 1 through 4)*

**ATTACHMENT B-2**

**ENGINEER'S ESTIMATE OF COMPENSATION  
SPECIAL SERVICES  
WORK AUTHORIZATION NO. 8  
MORRISTOWN REGIONAL AIRPORT  
MORRISTOWN, TN  
HANGAR REHABILITATION PROJECT**

*1-Mar-15*

**Total**

**1.SURVEY FOR DESIGN**

**Subcontracted Services**

Ground Survey

\$0.00

Consultant's Administrative Fee (10%)\*

\$0.00

**Sub-Total Survey for Design**

**\$0.00**

**2.GEOTECHNICAL TESTING FOR DESIGN**

**Subcontracted Services- Allowance**

Geotechnical Investigation

\$0.00

Consultant's Administrative Fee (10%)\*

\$0.00

**Sub-Total Geotechnical for Design**

**\$0.00**

*\* Administrative Fee of 10% of subcontracted services in accordance with Section II, Paragraph B of the Master Agreement.*

**3. PART TIME INSPECTION**

<u>Labor</u>	<u>Hours</u>	<u>Labor Rate</u>	<u>Total</u>
Inspector	40	\$75.00	\$3,000.00

**Expenses**

Lodging

\$0.00

Vehicle Mileage (Assume 5 trips @ 110 miles/trip)

\$310.00

Meals – per diem (\$15/day for 5 days)

\$75.00

Miscellaneous Expenses (Cell phone, Shipping, Copies)

\$100.00

**\$485.00**

**Sub-Total Part -Time Inspection**

**\$3,485.00**

**ATTACHMENT B-2**

**ENGINEER'S ESTIMATE OF COMPENSATION  
SPECIAL SERVICES  
WORK AUTHORIZATION NO. 8  
MORRISTOWN REGIONAL AIRPORT  
MORRISTOWN, TN  
HANGAR REHABILITATION PROJECT**

*1-Mar-15*

**Total**

**4. QUALITY ASSURANCE TESTING DURING CONSTRUCTION**

**Subcontracted Services**

QA Testing \$0.00

Consultant's Administrative Fee (10%)\* \$0.00

**Sub-Total Quality Assurance Testing \$0.00**

*\* Administrative Fee of 10% of subcontracted services in accordance with Section II, Paragraph B of the Master Agreement.*

**SPECIAL SERVICES - TOTAL NOT-TO-EXCEED COMPENSATION \$3,485.00**

**FEE SUMMAARY**

BASIC SERVICES - LUMP SUM \$35,341.00  
SPECIAL SERVICES - NOT TO EXCEED \$3,485.00

**GRAND TOTAL**

**\$38,826.00**





Michael S. Ague  
Steven A. Campbell  
Randy W. Beckner  
Bradley C. Craig  
Wm. Thomas Austin  
David P. Wilson  
James B. Voso

Edwin K. Mattern, Jr. (1949-1982)  
Gene E. Cress (1935-2014)  
Sam H. McGhee, III (Retired)  
Stewart W. Hubbell (Retired)  
J. Wayne Craig (Retired)

March 9, 2015

Mr. Paul Brown, RLS  
Public Works Director  
City of Morristown  
P.O. Box 1499  
Morristown, TN 37816-1499

Re: "S.R. 34 & Walters Drive Traffic Signal and  
Right Turn Lane"  
City of Morristown  
Comm. No. 3238

Dear Paul:

Enclosed please find the Bid Tabulation for the above referenced project. Please note that the apparent low bidder is Summers-Taylor, Inc. from Greeneville, TN in the amount of \$291,125.25.

Following the City Council's approval of this contract to the low bidder, we will forward the necessary documents to the Tennessee Department of Transportation for review and concurrence.

If you have any questions, please feel free to contact me.

Sincerely,  
MATTERN & CRAIG

Randy L. Dodson  
Principal

RLD/lah  
Enclosures (1)

cc: Mr. Jim Whitbeck, P.E. – City of Morristown



429 Clay Street • Kingsport, TN 37660  
(423) 245-4970 • Fax (423) 245-5932  
[www.matternandcraig.com](http://www.matternandcraig.com)

Return to Agenda

**City of Morristown, TN**  
**S.R. 34 & Walters Drive Traffic Signal and Right Turn Lane**  
**BID TABULATION**  
**Bids Accepted March 6, 2015 at 2:00 pm (local time)**

** Apparent Low Bidder	TOTAL BID PRICE
ENGINEER's ESTIMATE	\$ 270,000.00
Summers Taylor, Inc. **	\$ 291,125.25
Davis H. Elliot Co., Inc	NO BID RECEIVED
Stansell Electric Company	NO BID RECEIVED

*Randy W. Beckner*

I certify that this tabulation is a correct and true representation of the bids received at the above date and time.



City of Morristown, TN  
S.R. 34 Walters Drive Traffic Signal and Right Turn Lane  
BID TABULATION - DETAIL  
Bids Accepted March 8, 2015

LINE	TDOT ITEM NUMBERS	DESCRIPTION	Unit	Qty	Engineer's Estimate		Summers-Taylor, Inc.		Davis H. Elliot Co., Inc.	Stansell Electric Co.
					Unit Cost	Total	Unit Cost	Total		
TRAFFIC SIGNAL, TDOT PIN 115658.00										
1	105-01	Construction Stakes, Lines, and Grades	LS	1	5,000.00	5,000.00	1,500.00	1,500.00		
2	712-01	Traffic Control	LS	1	15,000.00	15,000.00	8,320.00	8,320.00		
3	712-04.01	Flexible Drums (Channelizing)	EACH	30	35.00	1,100.00	35.00	1,050.00		
4	712-06	Signs (Construction)	S.F.	248	10.00	2,500.00	8.75	2,170.00		
5	712-08.03	Arrow Board (Type C)	EACH	1	1,000.00	1,000.00	450.00	450.00		
6	716-02.23	Plastic Pavement Marking (12" Barrier Line)	L.F.	200	10.00	2,000.00	14.50	2,900.00		
7	717-01	Mobilization	LS	1	10,000.00	10,000.00	12,500.00	12,500.00		
8	730-01.02	Removal of Signal Equipment	EACH	1	5,000.00	5,000.00	5,600.00	5,600.00		
9	730-02.09	Signal Head Assembly (130 With Backplate)	EACH	7	800.00	5,600.00	895.00	6,265.00		
10	730-02.17	Signal Head Assembly (150 A2H With Backplate)	EACH	3	1,400.00	4,200.00	1,385.00	4,155.00		
11	730-02.30	Signal Head Assembly (130A3 With Backplate)	EACH	3	1,000.00	3,000.00	920.00	2,760.00		
12	730-03.21	Install Pull Box (Type B)	EACH	6	500.00	3,000.00	550.00	3,300.00		
13	730-05.01	Electrical Service Connection	EACH	1	2,000.00	2,000.00	2,750.00	2,750.00		
14	730-05.02	Service Cable (2 Conductor, #8 AWG)	L.F.	100	2.00	200.00	1.05	105.00		
15	730-08.04	Signal Cable - 9 Conductor	L.F.	900	2.00	1,800.00	2.10	1,890.00		
16	730-12.03	Conduit 3" Diameter (PVC)	L.F.	200	6.00	1,200.00	6.60	1,320.00		
17	730-12.07	Conduit 1" Diameter (RGS)	L.F.	50	10.00	500.00	8.75	437.50		
18	730-12.14	Conduit 3" Diameter (Jack and Bore)	L.F.	250	25.00	6,300.00	15.90	3,975.00		
19	730-13.06	Vehicle Detector (Optically Activated Priority Control)	EACH	1	20,000.00	20,000.00	11,500.00	11,500.00		
20	730-13.08	Vehicle Detector (Radar - Stopline)	EACH	4	7,500.00	30,000.00	8,950.00	35,800.00		
21	730-13.09	Vehicle Detector (Radar - Advance)	EACH	2	7,500.00	15,000.00	9,100.00	18,200.00		
22	730-15.32	Cabinet (Eight Phase Base Mounted)	EACH	1	12,000.00	12,000.00	14,500.00	14,500.00		
23	730-16.02	Eight Phase Actuated Controller	EACH	1	5,000.00	5,000.00	5,400.00	5,400.00		
24	730-23.72	Cantilever Signal Support (1 arm @ 35')	EACH	1	10,000.00	10,000.00	12,300.00	12,300.00		
25	730-23.96	Cantilever Signal Support (1 arm @ 50')	EACH	3	15,000.00	45,000.00	14,500.00	43,500.00		
26	740-11.01	Temporary Sediment Tube 8 in. (EPSC)	L.F.	200	3.00	600.00	4.40	880.00		
TOTAL SUB-BID FOR ALL UNIT PRICES - Traffic Signal, TDOT PIN 115658.00						\$ 210,000.00		\$ 203,527.50		

NO BID RECEIVED

NO BID RECEIVED

NO BID RECEIVED

NO BID RECEIVED

NO BID RECEIVED

NO BID RECEIVED

City of Morristown, TN  
S.R. 34 Walters Drive Traffic Signal and Right Turn Lane  
BID TABULATION - DETAIL

Bids Accepted March 6, 2015

ITEM #	TDOT ITEM NUMBERS	DESCRIPTION	Unit	Qty	Engineer's Estimate		Summers-Taylor, Inc.		Davis H. Elliot Co., Inc.	Stansell Electric Co.
					Unit Cost	Total	Unit Cost	Total		
RIGHT TURN LANE, TDOT PIN 105697.00										
27	105-01	Construction Stakes, Lines and Grades	LS	1	5,000.00	5,000.00	1,210.00	1,210.00		
28	203-01	Road & Drainage Excavation (Unclassified)	CY	168	25.00	4,200.00	67.50	11,340.00		
29	303-01	Mineral Aggregate, Type A Base, Grading D	TON	102	25.00	2,600.00	49.00	4,998.00		
30	307-01.01	Asphalt Concrete Mix (PG64-22)(BPM-B-HM) Grading A	TON	32	100.00	3,200.00	205.00	6,560.00		
31	307-01.08	Asphalt Concrete Mix (PG64-22)(BPM-B-HM) Grading B-M2	TON	21	85.00	1,800.00	268.00	5,628.00		
32	402-01	Bituminous Material for Prime Coat (PC)	TON	1	500.00	500.00	100.00	100.00		
33	402-02	Aggregate for Cover Material (PC)	TON	1	25.00	100.00	35.00	35.00		
34	403-01	Bituminous Material for Tack Coat (TC)	TON	1	750.00	800.00	750.00	750.00		
35	411-01.10	ACX Mix (PG64-22) Grading D	TON	76	125.00	9,500.00	215.00	16,340.00		
36	415-01.02	Cold Planning Bituminous Pavement	S.Y.	917	3.00	2,800.00	8.75	8,023.75		
37	701-02.03	Concrete Curb Ramp	S.F.	50	20.00	1,000.00	61.00	3,050.00		
38	702-03	Concrete Combined Curb & Gutter	C.Y.	13	300.00	3,900.00	435.00	5,655.00		
39	712-01	Traffic Control	LS	1	10,000.00	10,000.00	7,500.00	7,500.00		
40	712-04.01	Flexible Drums (Channelizing)	EACH	20	35.00	700.00	38.00	760.00		
41	712-06	Signs (Construction)	S.F.	176	10.00	1,800.00	8.00	1,408.00		
42	712-08.03	Arrow Board (Type C)	EACH	1	1,000.00	1,000.00	450.00	450.00		
43	716-02.05	Plastic Pavement Marking (Stop Line)	L.F.	35	10.00	400.00	11.00	385.00		
44	716-02.06	Plastic Pavement Marking (Turn Lane Arrow)	EACH	3	150.00	500.00	165.00	495.00		
45	716-04.05	Plastic Pavement Marking (Straight Arrow)	EACH	2	150.00	300.00	150.00	300.00		
46	716-13.06	Spray Thermo Pymt Mking (40 mil) (4 in line)	L.M.	0.2	1,500.00	300.00	15,500.00	3,100.00		
47	717-01	Mobilization	LS	1	5,000.00	5,000.00	7,945.00	7,945.00		
48	740-11.01	Temporary Sediment Tube 8 inch (EPSC)	L.F.	230	3.00	700.00	4.25	977.50		
49	801-03	Water (Seeding & Sodding)	M.G.	1	25.00	100.00	50.00	50.00		
50	803-01	Sodding (New Sod)	S.Y.	50	3.00	200.00	10.75	537.50		
TOTAL SUB-BID FOR ALL UNIT PRICES - Right Turn Lane, TDOT PIN 105697.00						\$ 60,000.00		\$ 87,597.75		
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NO BID RECEIVED

City of Morristown, TN  
S.R. 34 Walkers Drive Traffic Signal and Right Turn Lane  
BID TABULATION - DETAIL  
Bids Accepted March 6, 2015

ITEM	TDOT ITEM NUMBERS	DESCRIPTION	Unit	Qty	Engineer's Estimate		Summers-Taylor, Inc.		Davis H. Elliott Co., Inc.		Stansell Electric Co.	
					Unit Cost	Total	Unit Cost	Total	Total	Total	Total	Total
TOTAL SUB-BID FOR ALL UNIT PRICES - Traffic Signal, TDOT PIN 116658.00						\$ 210,000.00		\$ 203,527.50	NO BID		NO BID	
TOTAL SUB-BID FOR ALL UNIT PRICES - Right Turn Lane, TDOT PIN 106697.00						\$ 60,000.00		\$ 87,597.75	NO BID		NO BID	
GRAND TOTAL BID FOR ALL UNIT PRICES - Traffic Signal TDOT PIN 116658.00 and Right Turn Lane TDOT PIN 106697.00						\$ 270,000.00		\$ 291,125.25	NO BID		NO BID	



# City of Morristown

*Incorporated 1855*

---

DANNY THOMAS  
Mayor



March 18, 2015

Ms. Kimery Grant  
Tennessee Department of Transportation  
James K. Polk Building  
505 Deadrick Street, Suite 600  
Nashville, Tennessee 37243

Re: Bid Concurrence Request

**Right Turn Lane on Walters Drive Southbound onto SR-34 (US-11E/AJ Hwy) Westbound; TDOT PIN: 105697.00; Federal Project # STP-M-9113(8); State Project #: 32950-2682-54; COM#: 2010-45**

**Installation of traffic signal system at the intersection of SR-34 (UJS-11E/AJ Hwy) and Walters Dr; TDOT PIN: 115658.00; Federal Project # STP-M-34(79); State Project #: 32LPLM-F3-027; COM#: 2010-46**

Dear Ms. Grant:

After review of all bids, the apparent lowest responsive bidder for the above referenced project is Summers-Taylor, Inc. Note that the projects were bid together but all values are separated on the bids.

City Council approved the award of the contract subject to TDOT's concurrence at their meeting of March 17, 2015. At this time, the City of Morristown wishes to request concurrence for award to this lowest responsive bidder from the Local Programs Development Office.

Attached with this letter you will find an electronic copy of the Construction Advertising and Award Checklist, bid information, and copies of all three bid advertisements.

If you have any further questions please feel free to contact Jim Whitbeck, P.E., at (423) 353-1055.

Sincerely,

Danny Thomas  
Mayor

## MEMORANDUM

To: Tony Cox, City Administrator

From: Bill Honeycutt, Fire Chief

Date: March 12, 2015

RE: Grant Purchases Approval

---

The following information pertains to two (2) Department of Homeland Security Grants which were awarded to the Morristown Fire Department under the Assistance to Firefighters program. **Each grant is a 90/10 matching agreement, with 90% being federally funded, while 10% is locally funded.** The Fire Department has planned for the matching funds in the FY 15 budget under line item 110-42240-429.

- **Grant EMW-2013-FO-05782** was awarded to assist in the purchase of three different dimensions of fire hose. The total amount awarded was **\$38,275.**
- **Grant EMW-2012-FO-04993** was to assist in the purchase of Self Contained Breathing Apparatus (SCBA) parts, particularly air bottles and face pieces. The total amount awarded was **\$35,790.**

The two grants total **\$74,065** in Federal funds with a 10% required match of \$7,406.50. In December 2014, the Mayor and City Council, in compliance with the grants guidelines, awarded two bids for the purchase of 2 different sizes of fire hose and 40 air bottles. The successful bidder was **Municipal Emergency Services (MES).** The total bid funds awarded under the grants was **\$48,802.70;** with a 10% match of **\$4,880.27.**

At that time, we requested approval to wait until 2015 before executing the remaining grant funds to purchase 5 inch fire hose and SCBA face pieces. We are now prepared to finalize our purchases. Therefore, we request Mayor and City Council to approve the following purchases under the existing bids awarded to **Municipal Emergency Services** in December 2014.

Under **Grant EMW-2013-FO-05782:** we seek to purchase (28) 100 ft. sections of 5 inch fire hose @\$520 per section for a total of **\$14,560.** (Federal funds total \$13,104 and required 10% match of \$1,456 is budgeted.)

Under **Grant EMW-2012-FO-04993:** we seek approval to purchase **35 SCBA face pieces** at \$230 each for a **total of \$8,050.** (Federal funds total \$7,245 and required 10% match of \$805 is budgeted.)

Any residual funds left in either grant will stay with FEMA unless we are successful in seeking an amendment to purchase additional approved products at quoted pricing in awarded **MES** bids.

Industrial Development Board of The City of

# Morristown

P.O. Box 9 \* 825 West First North St. \* Morristown, TN 37815 \* Ph. 423-586-6382

March 13, 2015

Mr. Tony Cox  
City of Morristown  
P. O. Box 1499  
Morristown, TN 37816

Dear Tony:

At a called meeting of the Industrial Development Board of the City of Morristown on March 13, 2015, the Board reviewed a request from Malar Contract Lighting to purchase a parcel of land identified as Lot 11, consisting of 8.28 acres in the *East Tennessee Progress Center*.

The Industrial Development Board recommends the sale of this land at an agreed upon total purchase price of \$78,500 (\$12,500 for 5 acres of buildable land and \$5,000 for remaining 3.28 acres considered unusable.) I am including a survey of the property.

If you have any questions, please don't hesitate to call.

Sincerely,



Marshall Ramsey  
Secretary

MR/JB







[Return to Agenda](#)

# City of Morristown

*Incorporated 1855*

Department of Community Development and Planning



## Memo

Date: March 27, 2015

To: Mr. Tony Cox, City Administrator

From: Alan Hartman, Development Director

CC: Debra Stamey

**Subject: Request for City Council Action – HOME Grant Administrator**

---

The City of Morristown is applying for a HOME Grant in the amount of \$500,000 through the Tennessee Housing Development Agency to assist low and moderate income families with home repairs.

The application process requires that a grant administrator be selected in advance of the grants being awarded.

The City is seeking Requests for Qualifications from agencies that have a history of performing such work.

The deadline for RFQs to be submitted to the City of Morristown is Monday, March 16<sup>th</sup> 2015 one day before the next scheduled City Council meeting.

I will be prepared to make a recommendation to you in advance of the March 17<sup>th</sup> meeting for you to present to City Council.

This information must be submitted to THDA before March 20<sup>th</sup> which is the deadline for completed application for the HOME grant.





**CITY OF MORRISTOWN**  
**PURCHASING DIRECTOR**

400 Dice Street

P.O. Box 1499

Morristown, TN 37815-0647

Phone: (423) 585-4622 Fax: (423) 585-4687

*Retain this purchase order for proof of tax exemption.*

**Tax Exempt #62-6000369**

# Purchase Order

Fiscal Year 2015

Page 1

THIS NUMBER MUST APPEAR ON ALL INVOICES,  
PACKAGES AND SHIPPING PAPERS

Purchase Order # **15001893-00**

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COMPUTER DISCOUNT WAREHOUSE  
75 REMITTANCE DRIVE  
SUITE 1515  
CHICAGO, IL 60675-1515

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City of Morristown  
400 Dice Street  
ccummings@mymorristown.com  
Morristown, TN 37813

Vendor Phone Number 847-465-6000		Vendor Fax Number 312-705-4710		Requisition Number 15002034		Delivery Reference/Contact PAVEL			
Date Ordered 03/11/15		Vendor Number 003291		Date Required		Interoffice Delivery		Department/Location 41640	
Item#	Description/Part No.				Qty/Unit	Cost Each	Extended Price		
001	ORIGINAL  PANASONIC TOUGHBOOKS QTY 6 AND CAR ADAP TERS WITH 1 YEAR EXTRA WARRANT QUOTE: FXXS027 41640-964				1.00	16776.00000	16,776.00		
						PO Total	16,776.00		

The City of Morristown is an equal  
employment / affirmative action  
employer EOE / AA

Authorized Signature

Return to Agenda 3/12/15

Date

Jon G. Roach\*\*  
John T. Batson, Jr.  
Nathan D. Rowell\*  
Benjamin K. Lauderback  
Hanson R. Tipton  
Reid A. Spaulding\*\*  
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General Civil Mediator

March 4, 2015

Tony Cox, City Administrator  
City of Morristown  
100 West First North Street  
P.O. Box 1499  
Morristown, TN 37816-1499

Re: Chuck's Package Store; The Cellar, Inc.; T&T Package Store, LLC; Morristown Beverage Associates, Inc. d/b/a Cork & Keg Package Store; the Package Store; and C&C Package Store, Inc. v. City of Morristown; Hamblen County Chancery Court No. 2014-cv-458

Dear Tony:

This letter will confirm our agreement whereby I have agreed to continue the representation of the City of Morristown in connection with the above styled litigation.

At this time, I want to thank you for selecting my law firm to represent you in this matter. I also wish to set forth our agreement as to payment of my fees. My fees for legal services are \$198 per hour, plus any expenses that may be incurred, such as copying costs, postage, and related expenses.

For any services provided, you will be billed on a quarterly basis. Payment must be made within 30 days. We reserve the right to withdraw should these bills not be paid. Further, if it becomes necessary we may ask that additional sums be deposited in our trust account to cover anticipated fees and expenses.

I may send you pleadings, documents, correspondence, and other information throughout the case. These copies will be your file copies. Please retain them. I will also keep the information in a file in my office, which will be my file. Please bring your copy of the file to all of our meetings so that we both have all the necessary information in front of us. If and when I cease representation of the City of Morristown, I will close my file and return original documents to you. I will then store the file for approximately five (5) years. I will destroy the file after that period of time unless you instruct me in writing now to keep your file longer.

I have included a copy of this letter for your review, signature, and return to me in the postage-paid envelope. If any of the information in this letter is not consistent with your understanding of

our agreement, please contact me before signing the letter. Otherwise, please sign the enclosed copy of this letter and return it to me.

If this letter represents our understanding of our mutual responsibilities with respect to my services as counsel for you in the above referenced matter, please indicate your approval of the same in the space provided and return a copy to me. Should you have any questions, please do not hesitate to contact me.

On behalf of the firm, we are happy to represent you in this matter.

Very truly yours,



Dan R. Pilkington

DRP: mlh

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Tony Cox, City Administrator

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Date

Cc: Richard C. Jessee