

Pre-Meeting WORK SESSION

January 3, 2023

4:00 p.m.

AGENDA

CITY OF MORRISTOWN, TENNESSEE

CITY COUNCIL MEETING

January 3, 2023

5:00 p.m.

1. CALL TO ORDER

Mayor Gary Chesney

2. INVOCATION

Rev. Dr. Cynthia Thompson, Morristown Police Dept. Senior Chaplain

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. APPROVAL OF MINUTES

1. December 20, 2022

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. 4729

Being an Ordinance of the City Council of Morristown, Tennessee
Amending Title 1, Chapter 2, Section 206 of the Morristown Municipal
Code (Order of Business).

2. Ordinance No. 4730

Entitled an Ordinance to amend the Municipal Code of the City of
Morristown, Tennessee, Appendix B. Rezoning of Hamblen County
Tennessee Tax Parcel ID # 032050 10701 from R2 (Medium Density
Residential District) to IB (Intermediate Business District) (Hwy
25E/Hwy 160).

3. Ordinance No. 4731
Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of Hamblen County Tennessee Tax Parcel ID # 032025P K 00400 from R2 (Medium Density Residential District) and OMP (Office, Medical, and Professional District) to IB (Intermediate Business District) (Buffalo Trail and N. Liberty Hill Road).
4. Ordinance No. 4732
Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning 1510 Old Liberty Hill Road from LI (Light Industrial) to IB (Intermediate Business).

9. NEW BUSINESS

9-a. Resolutions

9-b. Introduction and First Reading of Ordinances

1. Ordinance No. _____
To amend Ordinance Number 4713, the City of Morristown, Tennessee annual budget for fiscal year 2022-2023 necessary to appropriate funds in the amount \$114,925 to allow for the purchase of a sanitation truck and to increase appropriations for gasoline and vehicle repairs (Sanitation Fund).
{Public Hearing January 17, 2023}
2. Ordinance No. _____
To amend Ordinance Number 4713, the City of Morristown, Tennessee annual budget for fiscal year 2022-2023 necessary to appropriate funds in the amount of \$20,500 for gasoline (Stormwater fund).
{Public Hearing January 17, 2023}

9-c. Awarding of Bids/Contracts

1. Approval of Trust Agreement for Windswept Development.
2. Approval to declare one (1) 2013 Coats tire balancer (Serial Number #1303302355) as surplus and sell via Gov Deals.
3. Authorize the procurement of Engineering Services from LDA
Engineering for Stormwater projects that need to be performed in FY23, not to exceed \$50,000.00.
4. Approve Task Order No. 2 in an amount of \$12,500.00 with LDA
Engineering Services for the Talley Ward Recreational Facility Sewer Connection Project.

5. Acknowledge receipt of bids for upfitting/equipping of police vehicles, accept the bid from Dana Safety Supply as the best and most qualified bid and authorize City Administrator to enter into an agreement with Dana Safety Supply to upfit all fifteen (15) police vehicles totaling \$48,175.00.
6. Acknowledge and approve the sole source purchase of two (2) hydraulic pumps from Municipal Equipment totaling \$13,776.90 - Sanitation Dept.
7. Approval of Change Order No. 7 with Leon Williams Contractors for the City Hall Interior Renovations in the amount of \$1,700.00.

9-d. Board/Commission Appointments

1. Finance Committee

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

**WORK SESSION
January 3, 2023**

1. Audio/Visual Production RFP

City Council Meeting/Holiday Schedule.

January 3, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
January 3, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
January 16, 2023	Monday		City Center Closed – Observance of Martin Luther King Day
January 17, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
January 17, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
February 7, 2023	Tuesday	3:30 p.m.	Finance Committee Meeting
February 7, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
February 7, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
February 21, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
February 21, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
March 7, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
March 7, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
March 21, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
March 21, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
April 4, 2023	Tuesday	3:30 p.m.	Finance Committee Meeting
April 4, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
April 4, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
April 7, 2023	Friday		City Center Closed – Observance of Good Friday
April 18, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
April 18, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
May 2, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
May 2, 2022	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
May 8, 2023	Monday	4:00 p.m.	Work Session – Council Agenda Review
May 8, 2023	Monday	5:00 p.m.	Regular City Council Meeting with Work Session
May 16, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
May 16, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
May 29, 2023	Monday		City Center Closed – Observance of Memorial Day
June 6, 2023	Tuesday	3:30 p.m.	Finance Committee Meeting
June 6, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
June 6, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
June 20, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
June 20, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
July 4, 2023	Tuesday		City Center Closed – Observance of Independence Day
July 6, 2023	Thursday	4:00 p.m.	Work Session – Council Agenda Review
July 6, 2023	Thursday	5:00 p.m.	Regular City Council Meeting with Work Session
July 20, 2023	Thursday	4:00 p.m.	Work Session – Council Agenda Review
July 20, 2023	Thursday	5:00 p.m.	Regular City Council Meeting with Work Session
August 1, 2023	Tuesday	3:30 p.m.	Finance Committee Meeting
August 1, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
August 1, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
August 15, 2023	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
August 15, 2023	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
December 20, 2022
5:00 p.m.**

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. with the Honorable Mayor Gary Chesney presiding and the following Councilmembers present: Chris Bivens, Bob Garrett, Tommy Pedigo, Kay Senter and Ken Smith. Absent: Al A'Hearn.

Captain Charles Letterman, Master Chaplain Morristown Police Department, led in the invocation.

Mayor Gary Chesney led in the "Pledge of Allegiance".

Councilmember Smith made a motion to approve the December 6, 2022 minutes as circulated. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to defer the action on Ordinance No. 4729 to the January 3, 2023 City Council meeting. Councilmember Smith seconded the motion and upon roll call; all voted "aye."

Ordinance No. 4729

Being an Ordinance of the City Council of Morristown, Tennessee Amending Title 1, Chapter 2, Section 206 of the Morristown Municipal Code (Order of Business).

Councilmember Smith made a motion to approve Resolution No. 2022-30. Councilmember Garrett seconded the motion and upon roll call; all voted "aye."

Resolution No. 2022-30

A Resolution of the Council of the City of Morristown, Tennessee directing payment of Electric Tax Equivalent.

Councilmember Senter made a motion to approve Resolution No. 2022-31. Councilmember Garrett seconded the motion and upon roll call; all voted "aye."

Resolution No. 2022-31

A Resolution of the Council of the City of Morristown, Tennessee directing payment of Wastewater Tax Equivalent.

Councilmember Smith made a motion to approve Ordinance No. 4730 on its first reading and schedule a public hearing relative to final passage of said ordinance for January 3, 2023. Councilmember Pedigo seconded the motion and

upon roll call; Mayor Chesney, Councilmembers Bivens, Garrett, Pedigo and Smith voted “aye”. Councilmember Senter abstained.

Ordinance No. 4730

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of Hamblen County Tennessee Tax Parcel ID # 032050 10701 from R2 (Medium Density Residential District) to IB (Intermediate Business District) (Hwy 25E/Hwy 160).

Councilmember Pedigo made a motion to approve Ordinance No. 4731 on its first reading and schedule a public hearing relative to final passage of said ordinance for January 3, 2023. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

Ordinance No. 4731

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of Buffalo Trail Baptist Church, located at 1829 Sherwood Drive; Hamblen County Tennessee Tax Parcel ID # 032025P K 00400 from R2 (Medium Density Residential District) and OMP (Office, Medical, and Professional District) to IB (Intermediate Business District).

Councilmember Senter made a motion to approve Ordinance No. 4732 on its first reading and schedule a public hearing relative to final passage of said ordinance for January 3, 2023. Councilmember Pedigo seconded the motion and upon roll call; all voted “aye”.

Ordinance No. 4732

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning 1510 Old Liberty Hill Road from LI (Light Industrial) to IB (Intermediate Business).

Councilmember Pedigo made a motion to refer the request for rezoning as it relates to Ordinance No. 4733 back to Planning Commission for further consideration. Councilmember Smith seconded the motion and upon roll call; Mayor Chesney and Councilmembers Pedigo, Senter and Smith voted “aye”. Councilmember Bivens and Garrett voted “no”.

Ordinance No. 4733

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning a part of Lots 3, 4 and 5 of the Robert Campbell Property as shown on a plat of same from R-2 (Medium Density Residential) to R-3 (Heavy Density Residential) (1934 Shields Ferry Road).

Councilmember Senter made a motion to approve the contract with CPS-HR Consulting for Civil Service Testing Materials. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the contract with Mark III Employee Benefits to provide Insurance Broker Services effective July 1, 2023 to June 30, 2026 in an amount of \$30,000 per year. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve amendments to the Internal Control Policy Manual. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Smith made a motion to approve the amendment to the Concession Contract with the East High Band Boosters, exercising the option for a second year of concession operation at certain park facilities through February 28, 2024. Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Councilmember Smith made a motion to authorize the City Administrator to enter into a one (1) year agreement with Continental Protection to provide alarm monitoring services for the City of Morristown Police Department armory in the amount of \$420 (\$35 per month). Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to authorize the City Administrator to enter into a one (1) year agreement with Johnson Controls to provide fire alarm monitoring services for the Morristown Landing Recreation & Events Center in the amount of \$500 annually. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Smith made a motion to acknowledge receipt of proposals and approve an agreement with Evergreen Solutions, LLC to provide services related to a classification and compensation analysis and plan for the amount of \$42,500, and authorize the City Administrator to execute the same. Councilmember Garrett seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to acknowledge receipt of proposals for Turf Management and Mowing Services and authorize the City Administrator to enter into two (2) – two (2) year agreements with Oak View Landscaping and Tennessee Turf Masters totaling \$290,278.00 annually. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to acknowledge receipt of bids for Generator Maintenance Services, accept the bid from Clarke Power Services as the best and lowest bid, and authorize the City Administrator to enter into a 3-year contract with Clarke Power Services at a total cost of \$54,150.00 (or \$18,050.00 annually). Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion of the approval to surplus phone booths. Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to acknowledge receipt of bids for Police Department Tasers, accept the bid from Axon as the best and most qualified bid, and authorize the one-time purchase of (7) X26P tasers from Axon totaling \$8,540.00. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve the purchase of miscellaneous squad car equipment to include emergency lighting and radars utilizing statewide contracts #202 and #349 totaling \$87,664.92 for the Morristown Police Department. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve the amendment to contract with Mattern and Craig in the amount of \$21,000 for the Design Phase of the East Morris Blvd Rehabilitation Project. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion of the approval of Supplement No. 1 in an amount of \$48,005 with Rummel, Klepper and Kahl, LLP (RK&K) for the Turkey Creek Greenway Phase 5 project. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Smith made a motion of the approval for the Morristown Police Department apply for the FY23 Violent Crime Intervention Fund Formula Grant in the amount of \$369,978 to be used to replace an almost twenty-year-old explosive ordnance disposal tactical robot use for explosive material removal and tactical response. This grant requires no match. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion of the approval for the Morristown Police Department to apply for the FY23 Violent Crime Intervention Fund Competitive Collaborative Enhancement Grant in the amount of \$400,000 to be applied for in cooperation with the Hamblen County Sheriff's Department to provide an armored personnel transport vehicle for tactical response. This grant requires no match. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to reappointment David Wild to the Stormwater Violations Board of the City of Morristown for a three-year term to expire January 1, 2026. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Mayor Chesney opened the floor for members of the audience to speak subject to the guidelines provided; Linda Noe, Louis Chan and Daryl Brady spoke.

Mayor Gary Chesney adjourned the December 20, 2022, Morristown City Council meeting at 6:20 p.m.

Mayor

Attest:

City Administrator

DRAFT

**ORDINANCE NO. 4729
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN, TENNESSEE
AMENDING TITLE 1, CHAPTER 2, SECTION 206 OF THE
MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that the text of Title 1, Chapter 2, Section 206 of the Morristown Municipal Code is hereby amended as follows:

“Sec. 1-206. - Order of business. At each meeting of the city council, the following regular order of business shall be observed, unless dispensed with by a majority vote of the members present:

- (1)Call to order;
- (2)Invocation;
- (3)Pledge of allegiance;
- (4)Roll call;
- (5)Adoption of agenda;
- (6)Proclamations/presentations;
- (7)Citizen comments about agenda items only;
- (8)Approval of minutes;
- (9)Old business;
- (10)New business;
- (11)City administrator's report;
- (12)Comments from mayor/councilmembers/committees;
- (13)Adjournment.”

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

PASSED ON FIRST READING THIS 6th DAY OF DECEMBER, 2022.

MAYOR

ATTEST:

CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS 20th DAY OF DECEMBER, 2022.

MAYOR

ATTEST:

CITY ADMINISTRATOR

The City of Morristown

Community Development & Planning

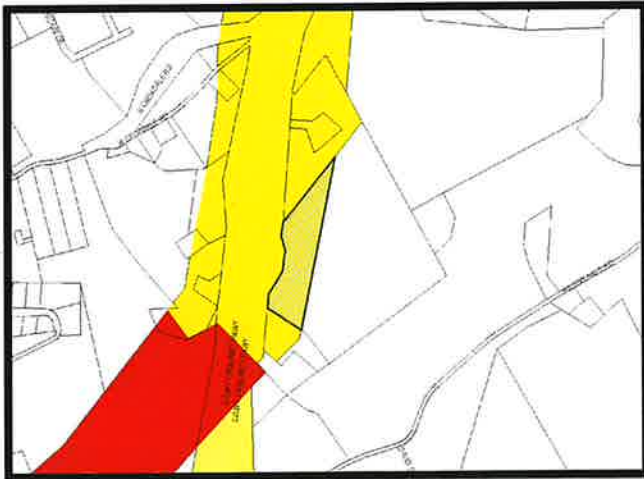


TO: Morristown City Council
FROM: Josh Cole, Senior Planner
DATE: December 20th, 2022
SUBJECT: Rezoning Request from R2 to IB
Highway 25E

BACKGROUND:

Staff has received a request from the property owner, Terry Lunsford, to rezone a parcel on Highway 25E from R-2 (Medium Density Residential District) to IB (Intermediate Business District). This property was originally annexed into the city in 1976 with what was formerly the Appalachian Highway.

The requested parcel is approximately 0.6 miles south of the intersection of Highway 25E and Highway 160. It is 5.71 acres in size and vacant. It has S. Davy Crockett/Highway 25E to the west along residential or vacant properties to the south, north, and east.



Prior to any development on this site, the developer will have to submit a site plan that meets all applicable city requirements.

RECOMMENDATION:

Per TDOT, Highway 25-E is a major corridor in the city and the daily traffic counts near this parcel was 17,943 in 2019 which makes it suitable for higher intensity development that accompanies many uses in the IB district. Thus, staff recommends approval of this rezoning request to IB. Planning Commission voted in support of this request by a 8-1 vote at their December meeting.

ORDINANCE NO. 4730,

ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B.

{Rezoning of Hamblen County Tennessee Tax Parcel ID # 032050 10701 from R2 (Medium Density Residential District) to IB (Intermediate Business District), the general location being shown on the attached exhibit A.}

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 the said amendment:

SECTION II. BE IT RESOLVED by the City Council of the City of Morristown that Ordinance No. 2092 be and the same hereby is amended so as to provide that the following described real estate be rezoned from R2 (Medium Density Residential District) to IB (Intermediate Business District),

Being 5.71 acres as shown on the Survey of The Charles L. Roberts Property as recorded containing 5.71 acres as shown by plat of recorded in Plat Cabinet J, Slide 38 in the Register's Office, Hamblen County, Tennessee.

SECTION III. BE IT FURTHER ORDAINED that all maps, records and necessary minute entries be changed so as to effect the amendment as herein provided, to the extent that the area herein above described shall be permitted to be used for Medium Density Residential District (R2) uses exclusively.

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 the 20th day of December 2022.

Mayor

ATTEST:

City Administrator

Passed on second and final reading the 3rd day of January 2023

Mayor

ATTEST:

City Administrator

Exhibit A:



The City of Morristown

Community Development & Planning

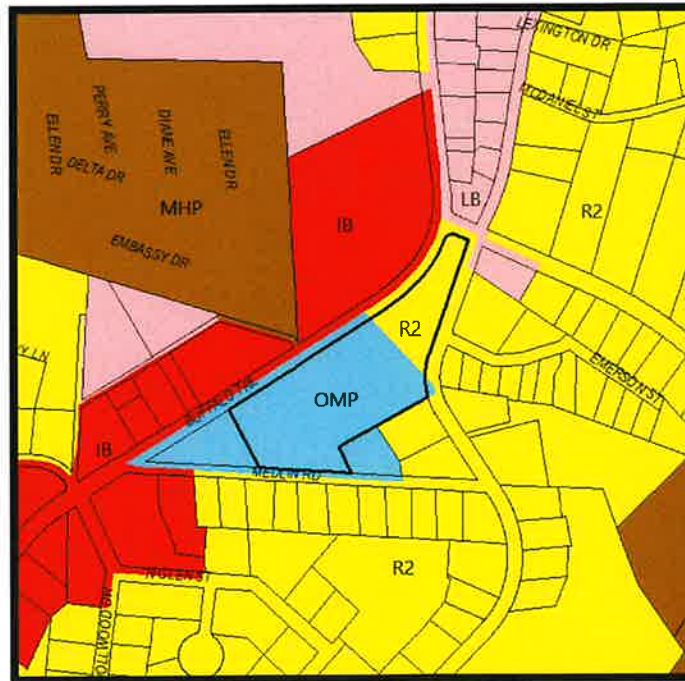


TO: Morristown City Council
FROM: Josh Cole, Senior Planner
DATE: December 20th, 2022
SUBJECT: Rezoning Request from R2 and OMP to IB
Buffalo Trail Baptist Church

BACKGROUND:

Staff has received a request from Buffalo Trail Baptist Church, located at 1829 Sherwood Drive, to be rezoned from R-2 (Medium Density Residential District) and OMP (Office, Medical, and Professional District) to IB (Intermediate Business District). The reason for the request is to upgrade their sign to a digital electronic message center which is not allowed in either the R-2 or OMP district.

The subject parcel is approximately 5.5 acres in size. It has commercial properties zoned IB to the west across Buffalo Trail, a commercial property to the north zoned IB, and primarily residential properties to the south and east zoned OMP and R2.



RECOMMENDATION:

This property is located at the intersection of two major roadways, Buffalo Trail and N. Liberty Hill Road. Staff believes the rezoning to IB is appropriate and matches the surrounding land uses and zoning districts. Staff recommends approval of this request. Planning Commission voted in support of this request by a 9-0 vote at their December meeting.

ORDINANCE NO. 4731,

ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B.

{Rezoning of Hamblen County Tennessee Tax Parcel ID # 032025P K 00400 from R2 (Medium Density Residential District) and OMP (Office, Medical, and Professional District) to IB (Intermediate Business District), the general location being shown on the attached exhibit A.}

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 the said amendment:

SECTION II. BE IT RESOLVED by the City Council of the City of Morristown that Ordinance No. 2092 be and the same hereby is amended so as to provide that the following described real estate be rezoned from R2 (Medium Density Residential District) and OMP (Office, Medical, and Professional District) to IB (Intermediate Business District),

BEGINNING at an IRN which is approximately S 39 deg. W 56325 feet from the intersection of Sherwood Drive and N. Liberty Hill Road, and approximately N 22 deg. E 53.4 feet from a power pole and approximately S 62 deg. E and 55.2 feet from another power pole; thence S 21 deg. 36 min. 17 sec. W 135.03 feet to a new nail and cap; thence S 18 deg. 54 min. 47 sec. W 295.64 feet to a drilled point in the concrete driveway to the church parsonage; thence S 4 deg. 45 min E 74 feet to an IRN; thence 61 deg. 05 min. W 316 feet to an IRO; thence S 24 deg. 52 min. 01 sec E 111.7 feet to an IRO; thence 84 deg. 02 min. 25 sec. W 339.41 feet to an eighteen inch diameter elm tree; thence N 24 deg. 07 min. 58 sec. W 221.31 feet to an IRN; thence N 60 deg. 49 min. E 653.6 feet to a new nail and cap; thence N 42 deg. 01 min. 31 sec. E 188.10 feet to an IRN; thence N 39 deg. 11 min. 49 sec. E 59.57 feet to an IRN; thence N 68 deg. 06 min. 19 sec. E 34.50 feet to an IRN; thence S 55 deg. 00 min. 21 sec E 37.75 feet to the point of BEGINNING.

SECTION III. BE IT FURTHER ORDAINED that all maps, records and necessary minute entries be changed so as to effect the amendment as herein provided, to the extent that the area herein above described shall be permitted to be used for Medium Density Residential District (R2) uses exclusively.

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 the 20th day of December 2022.

Mayor

ATTEST:

City Administrator

Passed on second and final reading the 3rd day of January 2023

Mayor

ATTEST:

City Administrator

Exhibit A:



The City of Morristown

Community Development & Planning



TO: Morristown City Council
FROM: Lori Matthews
DATE: December 20th, 2022
REQUEST: Rezoning Request

Applicant and property owner, Brad Hall, is requesting his property, located at 1510 North Liberty Hill Road be rezoned from its current designation of Light Industrial (LI) to Intermediate Business (IB). The site is located at the northwest intersection of North Liberty Hill Road with Old Liberty Hill Road.

The 1.5 acre site contains roughly 10,000 square feet of tenant space, originally constructed in the early 1990's. Bordered by Stubblefield Creek to the west and Liberty Hill Methodist Church to the east, the site is surrounded by residential zoning. There exists a mobile home park (zoned Mobile Home Park) and guttering business (zoned Light Industrial) across North Liberty Hill Road from the subject parcel.

Past tenants have included an array of businesses to include hair salons, automotive repair and religious assembly, most of which have been commercial in nature. Fire damage to the building a couple years ago caused the eviction of many tenants. Those tenants wishing to return are all commercial in use, which Staff feels to be a much better fit. Staff will be reaching out to the business across the street to see if the applicant would like to downzone his gutter business to commercial as well. Industrial zones in this predominantly residential area of Morristown are not needed.

RECOMMENDATION:

The Morristown Regional Planning Commission at their December 13th meeting voted to forward this request on to City Council for approval.



ORDINANCE NO. 4732,

ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B.

{Rezoning 1510 Old Liberty Hill Road from LI (Light Industrial) to IB (Intermediate Business), the general location being shown on the attached exhibit A.}

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 the said amendment:

Having been assigned Hamblen County Tax ID # 025J F 00503 000, 1510 Old Liberty Hill Road is located at the northwest intersection of North Liberty Hill Road and Old Liberty Hill Road, containing approximately 1.77 acres;

SECTION II. BE IT RESOLVED by the City Council of the City of Morristown that Ordinance No. 2092 be and the same hereby is amended so as to provide that the following described real estate be rezoned from LI (Light Industrial) to IB (Intermediate Business);

SECTION III. BE IT FURTHER ORDAINED that all maps, records and necessary minute entries be changed so as to effect the amendment as herein provided, to the extent that the area herein above described shall be permitted to be used for Intermediate Business uses exclusively.

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 the 20th day of December 2022.

Mayor

ATTEST:

City Administrator

Passed on second and final reading the 3rd day of January, 2023.

Mayor

ATTEST:

City Administrator

Exhibit A:



APPROPRIATION ORDINANCE

Ordinance Number: 4713.05

TO AMEND ORDINANCE NUMBER 4713, THE CITY OF MORRISTOWN, TENNESSEE ANNUAL BUDGET FOR FISCAL YEAR 2022-2023 NECESSARY TO APPROPRIATE FUNDS IN THE AMOUNT \$114,925 TO ALLOW FOR THE PURCHASE OF A KNUCKLEBOOM TRUCK AND TO INCREASE APPROPRIATIONS FOR GASOLINE AND VEHICLE REPAIRS.

Be it ordained by the Council of the City of Morristown Tennessee that Ordinance Number 4713 identifying the revenue and expenditure accounts of the City of Morristown contained in the annual budget for the fiscal year 2022-2023 is hereby amended and funds are herewith appropriated or adjusted as presented.

FUND	DEPARTMENT	CODE	ACCOUNT DESCRIPTION	FUND BALANCE / REVENUE		EXPENDITURES	
				Increase	Decrease	Increase	Decrease
Solid Waste (435)	Sanitation	43210.431	Gasoline & Diesel Fuel			\$ 60,000	
Solid Waste (435)	Sanitation	43210.433	Vehicle Parts/Oil/Fluid/Tires			\$ 20,000	
Solid Waste (435)	Sanitation	43210.971	Motor Equipment			\$ 34,925	
Solid Waste (435)	Fund Balance	435-26230	Committed Public Health & Welfare		\$ 114,925		
			Totals	\$ -	\$ 114,925	\$ 114,925	\$ -

PASSED ON FIRST READING THIS 20th DAY OF DECEMBER 2022

Mayor Signature

ATTEST:

City Administrator Signature

PASSED ON SECOND READING THIS 3rd DAY OF JANUARY 2023

Mayor Signature

ATTEST:

City Administrator Signature

APPROPRIATION ORDINANCE

Ordinance Number: **4713.06**

TO AMEND ORDINANCE NUMBER 4713, THE CITY OF MORRISTOWN, TENNESSEE ANNUAL BUDGET FOR FISCAL YEAR 2022-2023 NECESSARY TO APPROPRIATE FUNDS IN THE AMOUNT \$20,500 FOR GASOLINE.

Be it ordained by the Council of the City of Morristown Tennessee that Ordinance Number 4713 identifying the revenue and expenditure accounts of the City of Morristown contained in the annual budget for the fiscal year 2022-2023 is hereby amended and funds are herewith appropriated or adjusted as presented.

FUND	DEPARTMENT	CODE	ACCOUNT DESCRIPTION	FUND BALANCE / REVENUE		EXPENDITURES	
				Increase	Decrease	Increase	Decrease
Storm Water (440)	Administration	43292.431	Gasoline & Diesel Fuel			\$ 500	
Storm Water (440)	Drainway Maintenance	43293.431	Gasoline & Diesel Fuel			\$ 20,000	
Storm Water (440)	Fund Balance	440-27200	Unassigned Fund Balance		\$ 20,500		
Totals				\$ -	\$ 20,500	\$ 20,500	\$ -

PASSED ON FIRST READING THIS 20th DAY OF DECEMBER 2022

Mayor Signature

ATTEST:

City Administrator Signature

PASSED ON SECOND READING THIS 3rd DAY OF JANUARY 2023

Mayor Signature

ATTEST:

City Administrator Signature

AGREEMENT

This AGREEMENT (“Agreement”) is entered into this 3rd day of January, 2023, by and between the City of Morristown (“City”), Manchester Realty, LLC (“Manchester”), and John “Mitch” Potter (“Potter”) (collectively “the Parties”).

WITNESSETH

WHEREAS, Manchester is the owner of real property situated in the City of Morristown wherein the Windswept Subdivision (“Windswept”) is located;

WHEREAS, Potter is the exclusive developer of Windswept and the sole member and owner of Manchester;

WHEREAS, due to circumstances surrounding the present economy, a recent sales event for lots situated in Phases V and VI of Windswept in which Potter expended a significant sum of money to conduct, and other related events, Potter wishes to acquire final plat approval from the City of Morristown’s Planning Commission (“Commission”) for Phases V and VI in order to close on contracts for sales of lots situated in said Phases;

WHEREAS, at the December 13, 2022 Commission meeting, the Commission unanimously voted to grant final plat approval for Phases V and VI based upon certain conditions being met as detailed below;

WHEREAS, Potter certifies that work related to completion of Phases V and VI is well underway and has been for numerous months, all or substantially all materials relative to completion of Phases V and VI have been purchased by Potter, and completion is and remains a top priority;

WHEREAS, a bond in the approximate amount of \$1,500,000.00 is in place for the completion of Phases V and VI;

WHEREAS, Potter certifies that prior to any closings on the lots in Phases V and VI, it will communicate to all buyers that no building permits will be issued by the City until Potter, or the City, upon Potter's failure, installs all necessary infrastructure to support construction;

WHEREAS, Potter has placed \$2,000,000.00 into the separate trust account of Attorney Dwaine Evans as additional security for completion of Phases V and VI; and

WHEREAS, all parties will benefit from the continued growth of Windswept and desire to see completion of Phases V and VI come about as swiftly as possible.

NOW THEREFORE, in consideration of the above recitals and the mutual promises contained in this Agreement, the Parties hereby agree to the following terms:

1. PLACEMENT OF SEPARATE FUNDS. Potter has deposited separate funds in the amount of \$2,000,000.00 ("the Funds") into the trust account of attorney Dwaine Evans ("trust account") that will serve as additional security for completion of Phases V and VI. Evans shall disburse the Funds in accordance with the terms contained in this Agreement.

2. DISBURSEMENT OF THE FUNDS. Disbursement of the Funds will be governed by the following terms:

- a. The Funds shall remain in the trust account until completion of Phases V and VI has taken place and the final paving in Phase III is completed;
- b. Upon completion of Phases V and VI, completion of the roundabout at the northern terminus of Windswept Way, Edgewater Sound and Serenity Sound, and final paving in Phase III, the Funds shall immediately be returned in full to Potter;

- c. Potter and Manchester shall continuously and expeditiously work to achieve completion of Phases V and VI and final paving in Phase III;
- d. In the event completion of Phases V and VI and final paving in Phase III has not been achieved by Potter within twenty-four (24) months of the Commission's approval, the City shall be entitled to complete the remaining work and the Funds will be used to complete Phases V and VI and final paving in Phase III. In this event, the City will have immediate access to and use of the Funds without any further action or consent being required by Potter. Potter shall not be permitted to prevent the City's complete access to the trust account. To expedite completion, the Funds will be used first by the City in order to achieve completion rather than the City having to call a bond. Upon completion of Phases V and VI and final paving in Phase III, any remaining monies from the Funds shall be immediately returned to Potter.
- e. The City and/or the Commission shall determine completion pursuant to all applicable subdivision rules and regulations.

3. COMMITMENT OF PURCHASED MATERIALS. Potter has purchased all or substantially all materials for completion of Phases V and VI. Potter commits these materials to completion of Phases V and VI, no such other use for said materials will occur, and the materials will remain on the premises of Windswept. If Potter fails to complete the project as stated herein, the materials shall become the property of the City, to be used in the completion of the project.

4. COMPLETION OF PHASES V AND VI AND FINAL PAVING OF PHASE III. Potter and his agents and assigns shall work expeditiously and continually

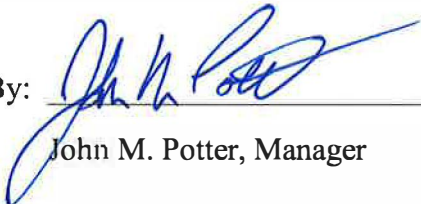
toward completion of Phases V and VI and final paving of Phase III and will work diligently and reasonably under the circumstances until such has been achieved.

IN WITNESS WHEREOF, the Parties have properly and duly executed, or have caused their duly appointed attorneys, officers or agents to execute and deliver this Agreement on the date here first above written.

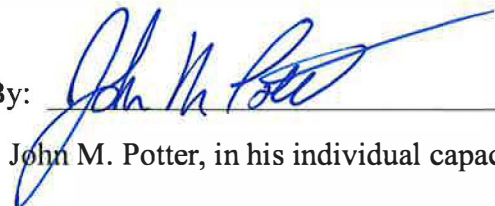
~Signatures on next page~

IN WITNESS WHEREOF, the parties have duly executed and delivered this Agreement as of the date first above written.

MANCHESTER REALTY, LLC

By:  _____
John M. Potter, Manager

JOHN M. POTTER

By:  _____
John M. Potter, in his individual capacity

CITY OF MORRISTOWN

By: _____
Name: _____
Title: _____



Morristown City Council Agenda Item Summary

Date: January 3rd, 2023

Agenda Item: Approval to declare one (1) tire balancer surplus

Prepared By: Andrew Ellard

Subject: Surplus Tire balancer

Background: In July 2022, the City of Morristown City Council authorized the upgrade and purchase of a tire balancer for the Fleet Department. The new tire balancer has been installed and is operational. With the new balancer now in use, the Fleet Department no longer has a use for a 2013 Coats tire balancer (Serial Number #1303302355). The Fleet Department desires to have the piece of equipment declared as surplus.

Findings/Current Activity:

The City has no operational use of the tire balancer. The tire balancer is functional and does have value. The Finance Department will utilize GovDeals to sell the tire balancer.

Financial Impact:

The sale of the tire balancer will generate revenue that will be receipted in the general fund.

Action options/Recommendations:

Approve the tire balancer as surplus.

Attachment: None



Morristown City Council Agenda Item Summary

Date: January 3rd, 2023

Agenda Item: Authorize the procurement of Engineering Services from LDA Engineering for Stormwater projects that need to be performed in FY23, not to exceed \$50,000.00.

Prepared By: Larry Clark

Subject: General Stormwater Engineering Work

Background: The City of Morristown currently has an open services agreement with LDA Engineering to provide general engineering services for Stormwater.

Findings/Current Activity:

Associated rates have been negotiated as part of the Master Services Agreement currently in place between the City of Morristown and LDA. This work is not part of any projects that are occurring.

Financial Impact:

Funding has been appropriated in the FY2023 budget.

Projected fees will not exceed \$50,000.00

Action options/Recommendations:

Staff recommends approval.

Attachment: None

TASK ORDER

This is Task Order
No.2, consisting of 2 pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated **June 22, 2022** ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: **Talley Ward Recreational Facility Sewer Connection**

B. Description: LDA Engineering would like to perform an existing site survey to gather existing sewer data as well as existing sewer drainage alignment within the recreational facility. LDA will also perform the design of the proposed sewer system to incorporate connecting the three connections within the building to all connect in the front of the facility. LDA will also prepare the bidding documents required to obtain a contractor to perform the construction.

2. Services of Engineer

☐ Study and Report Services

N/A

☒ **Design Services**

LDA Engineering proposes to perform the work as a lump sum.

3. Owner's Responsibilities

Make Talley Ward available for survey. Ensure no further sewer connections upstream from the facility.

4. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum, or Estimate of Compensation for Services</i>
Design Services	A. Lump Sum	\$12,500.00

5. Times for Rendering Services

Task to be completed within 6 to 8 weeks from time of acceptance of Task Order.

6. Consultants: **LDA Engineering**

7. Attachments: **N/A.**

8. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____.

OWNER:

ENGINEER:

By:

By:



Name:

Name: Steve Drummer, PE

Title:

Title: Senior Engineer



Morristown City Council Agenda Item Summary

Date: January 3rd, 2023

Agenda Item: Acknowledge receipt of bids for upfitting/equipping of police vehicles, accept the bid from Dana Safety Supply as the best and most qualified bid and authorize the city administrator to enter into an agreement with Dana Safety Supply to upfit all fifteen (15) police vehicles totaling \$48,175.00.

Prepared By: Andrew Ellard

Subject: Upfitting/equipping of police vehicles

Background: Upon taking delivery of the fifteen (15) police vehicles on order, each vehicle will need to have the necessary emergency equipment installed, which includes emergency lighting, radar units, in-car camera systems, partitions, consoles, etc... In order to ensure each vehicle is upfitted in a professional, consistent manner, bids were sought for upfitting services.

Findings/Current Activity:

An invitation to bid was advertised twice in the Citizen Tribune, on the city's website and on Vendor Registry. We received two (2) total responses to the bid. Dana Safety Supply provided the best and most qualified bid. Please note, within the bid, the City asked for additional pricing for graphics/decal installation. Of the two responses, only Trucker's Lighthouse provided pricing for graphics. Staff now recommends the graphics installation be completed by city staff and would recommend council reject the bid for graphics installation. Printing/installing graphics by city staff will be more efficient and cost effective. (See the attached bid tabulation for further information).

Financial Impact:

FY23 budget partially provides for the purchase of this equipment. Previously encumbered funds from the FY22 budget that were appropriated to the FY23 budget via amendment (4713.02) will be utilized to cover the cost overage.

Total Cost = \$48,175.00

Action options/Recommendations:

Acknowledge bids, award the bid to Dana Safety Supply, and authorize the City Administrator to enter into an agreement with Dana Safety supply to upfit all fifteen (15) police vehicles totaling \$48,175.00.

Attachment: Bid tabulation

City of Morristown
Police Squad Car Upfitting Bid
December 27th, 2022
2:00 PM

VEHICLE UPFITTING		
Item	Dana Safety Supply Total	Trucker's Lighthouse
Install Equipment in 8 PIU's	\$23,960.00	\$35,600.00
Install Equipment in 2 K-9 PIU's	\$6,590.00	\$9,900.00
Install Equipment in 1 - 2023 Explorer	\$1,195.00	\$2,850.00
Install Equipment in 1 - Expedition	\$1,995.00	\$2,850.00
Install Equipment in 2 - 2022 Explorers	\$2,390.00	\$5,700.00
Install Equipment in SRT Van	\$2,295.00	\$2,850.00
Misc. Parts for covert lighting	\$0.00	\$2,100.00
Delivery to Vendor (Per Vehicle)	\$4,875.00	\$0.00
Delivery from Vendor to City (Per Vehicle)	\$4,875.00	\$0.00
Total Equipment Installation Price	\$48,175.00	\$61,850.00
GRAPHICS		
Graphics on 8 - PIU's	No Bid	\$10,800.00
Installation on 8 - PIU's	No Bid	Included
Graphics on 2 - K-9 PIU's	No Bid	\$2,700.00
Installation on 2 - K-9 PIU's	No Bid	Included
Delivery from Vendor to City	No Bid	Included
Total Graphics Price	No Bid	\$13,500.00
Number of Business Days to install equipment	4	50
Number of Business Days to install graphics	No Bid	2
Ford Shipment Code	No	Yes



Morristown City Council Agenda Item Summary

Date: January 3rd, 2023

Agenda Item: Acknowledge and approve the sole source purchase of two (2) hydraulic pumps from Municipal Equipment totaling \$13,776.90.

Prepared By: Larry Clark

Subject: Hydraulic Pump purchase

Background: A hydraulic pump failed on Unit #547, a City of Morristown Sanitation truck. This caused the sanitation truck to be removed from service.

Findings/Current Activity:

Municipal Equipment is a sole source vendor for this part. In order to return the truck to service, Fleet Services purchased one (1) hydraulic pump from Municipal Equipment totaling \$6888.45. In the event a second hydraulic pump should fail, Fleet Services would like to purchase a second pump to maintain on hand. Doing so would reduce the time a sanitation truck would be out of service. Municipal Equipment's sole source letter is attached.

Financial Impact:

This was not a planned expenditure in the FY22-23 budget. Future budget modifications, which may include a budget amendment, will be necessary to cover the costs associated with this expenditure.

Action options/Recommendations:

Acknowledge/approve the purchase of two (2) hydraulic pumps totaling \$13,776.90.

Attachment: Municipal Equipment Sole Source Letter & Invoices from Municipal Equipment



Driving The Difference.™

Toll Free: 844-652-3395

Parts Dept. Direct Line 712-652-3395

Parts Manager: Tim Dvorak; tdvorak@newwaytrucks.com

Sr. Parts Specialist: Keith Kult; kkult@newwaytrucks.com

12/28/2022

City of Morristown

Mr. Marshall,

I am writing to inform you that Municipal Equipment is our sole source distributor of New Way & Rotopac parts, for your area.

Our dealer territories are protected, and we do not allow other dealers to ship into areas that they do not service. If you have any questions on this matter, please feel free to call us.

Sincerely, Keith Kult
Senior Parts Specialist





**MUNICIPAL EQUIPMENT
6305 SHEPHERDSVILLE RD
LOUISVILLE KY 40228**

**Phone: (502) 962-9527
WWW.MUNICIPALEQUIPMENTINC.COM**

INVOICE

Invoice ID:	S024599
Invoice Date:	12/29/2022
Sales Rep:	ANDREW HALL

PO #: 23001517

Sold To: 11480

**CITY OF MORRISTOWN
PO BOX 1499
ACCOUNTS PAYABLE
MORRISTOWN TN 37816**

Ship To:

**CITY OF MORRISTOWN
619 HOWELL
MORRISTOWN TN 37813**

CUSTOMER COPY

Customer PO	Terms	Shipping Method	Order Description			
23001517	N30	CPU				
Part Number	Description	Qty Shipped	UOM	Price	Amount	
133067	PUMP VANE T6DC FRT MNT ASL	1	EA	6,888.45	\$6,888.45	

Part Sub-Total	\$6,888.45
Order Sub-Total	\$6,888.45
Sales Tax	\$0.00
Order Total	\$6,888.45
Payments	\$0.00
Total Due	\$6,888.45

Mail Payment to: PO BOX 197809, Louisville, KY 40259



**MUNICIPAL EQUIPMENT
6305 SHEPHERDSVILLE RD
LOUISVILLE KY 40228**

**Phone: (502) 962-9527
WWW.MUNICIPALEQUIPMENTINC.COM**

INVOICE

Invoice ID: S024606

Invoice Date: 12/29/2022

Sales Rep: ANDREW HALL

PO #:

Sold To: 11480

**CITY OF MORRISTOWN
PO BOX 1499
ACCOUNTS PAYABLE
MORRISTOWN TN 37816**

Ship To:

**MUNICIPAL EQUIPMENT LOUISVILLE
6305 SHEPHERDSVILLE ROAD
PO BOX 197809
LOUISVILLE KY 40228**

*****INTERNAL COPY*****

Customer PO	Terms	Shipping Method	Order Description			
	N30					
Part Number	Description	Qty Shipped	UOM	Price	Amount	
133067	PUMP VANE T6DC FRT MNT ASL	1	EA	6,888.45	\$6,888.45	

Part Sub-Total	\$6,888.45
Order Sub-Total	\$6,888.45
Sales Tax	\$0.00
Order Total	\$6,888.45
Payments	\$0.00
Total Due	\$6,888.45

Mail Payment to: PO BOX 197809, Louisville, KY 40259



Morristown City Council Agenda Item Summary

Date: 12-28-22

Agenda Item:

Prepared by: Michael Poteet

Subject: Change order for City Hall Interior Renovations

Background / History: This contract was for City Center Interior Renovations performed by Leon Williams Contractors, Inc. This is the 7th change order for the project.

Findings / Current Activity: Change order is for (4) additional Type A signs and (1) Type P sign (14 dimensional letters).

Financial Impact: Increase in costs of \$1,700.00 This will be paid from ARPA.

Action options / Recommendations: Approve Change Order

Attachments: Shop Drawings and Change Order



Change Order

PROJECT:
City Hall Interior Renovations
100 West 1st North Street
Morristown, TN 37814

CHANGE ORDER NUMBER: 7
DATE: 12/23/2022

CONTRACTOR:
Leon Williams Contractors, LLC
337 Whitecrest Drive
Maryville, TN 37801

ARCHITECT'S PROJECT NUMBER: 20095
CONTRACT DATE: 12/22/2021
CONTRACT FOR: General Construction

THE CONTRACT IS CHANGES AS FOLLOWS:

COR 42 - Add (4) Type A signs and (14) Dimensional Letters. 1,700.00

The original Contract Sum was	\$	742,200.00
The net change by previously authorized Change Orders	\$	136,781.00
The Contract Sum prior to this Change Order was	\$	878,981.00
The Contract Sum will be <u>changed</u> by this Change Order in the amount of	\$	1,700.00
The new Contract Sum including this Change Order will be	\$	880,681.00

The Contract time will be changed by Zero (0) days.
The new Date of Substantial Completion will be January 6, 2023.

Leon Williams Contractors, LLC
337 Whitecrest Drive
Maryville, TN 37801

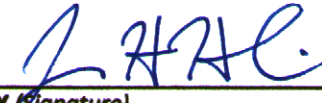
CONTRACTOR

Design Innovation Architects, Inc.
402 S. Gay Street, Suite 201
Knoxville, TN 37902

ARCHITECT

City of Morristown, TN
100 West First North Street
Morristown, TN 37814

OWNER


BY (Signature)

Jimmy Hawkins
(Typed Name)

12/23/22
DATE

BY (Signature)

(Typed Name)

DATE

BY (Signature)

(Typed Name)

DATE