

WORK SESSION AGENDA
June 18, 2024
4:00 p.m.

1. Agenda Review and Citizen Forum

AGENDA
CITY OF MORRISTOWN, TENNESSEE
CITY COUNCIL MEETING
June 18, 2024
5:00 p.m.

1. **CALL TO ORDER**

Mayor Gary Chesney

2. **INVOCATION**

Reverend Chris Talley, Morristown Police Dept. Chaplain

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **ADOPTION OF AGENDA**

6. **PROCLAMATIONS/PRESENTATIONS**

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

8. **APPROVAL OF MINUTES**

1. June 4, 2024

9. **OLD BUSINESS**

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

1. Ordinance No. 4752.04
To amend ordinance number 4752, The City of Morristown, Tennessee annual budget for fiscal year 2023-2024 necessary to appropriate additional funds in relation to Morristown Landing operations, re-appropriate funds from fiscal year 2023 related to a factory cancelled vehicle order and various other operational needs and to establish the funding source for each appropriation.

2. Ordinance No. 4778
An Ordinance of the City of Morristown, Tennessee, Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2024, and ending June 30, 2025.
3. Ordinance No. 4779
Being an Ordinance of the City Council of Morristown, Tennessee amending Title 5, Section 504 of the Morristown Municipal Code (competitive bidding).

10. NEW BUSINESS

10-a. Resolutions

1. Resolution No. 2024-14
Being a Resolution of the City of Morristown, adopting an amended Charter of the City of Morristown, Tennessee pursuant to SB 2983 and HB 2999 as enacted by the 113th General Assembly of the State of Tennessee.
2. Resolution No. 2024-15
A Resolution of the City Council of Morristown, Tennessee authorizing the disbursement to Alps, Boys & Girls Club of Morristown Inc., The Child Advocacy Center, Girls Inc., Helping Hands Clinic Inc., Keep Morristown Hamblen Beautiful, Mats, Morristown-Hamblen Child Care Centers, Rose Center, Senior Citizens Center, Stepping Out, McNabb Center, Morristown's Task Force On Diversity, HC*Excel/Ready By 6, HOLA, Morristown-Hamblen Imagination Library Advisory Council, Friends of Hospice of the Lakeway Area, Holston United Methodist Home for Children/Hope & Thrive Academy, and Crockett Tavern, and ff those funds allocated to these Non-Profit Charitable and Civic Organizations in the City Of Morristown's 2024/2025 Fiscal Year Budget.
3. Resolution No. 2024-16
A Resolution of the City Council of the City of Morristown, Amending Purchasing Operating Procedures.
4. Resolution No. 2024-17
Being a Resolution of the City of Morristown, Tennessee, adopting a new Drug Free Workplace Policy and amending the City of Morristown Employee Handbook to incorporate the same.

10-b. Introduction and First Reading of Ordinances

1. Ordinance No. ____
Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. Rezoning of Hamblen County Tennessee Tax Parcel ID #'s 050 094.01 from R-2 (R-2, Medium Density Residential District) to OMP (Office, Medical, and Professional District) located on W. 3rd North Street.
{Public Hearing Date July 2, 2024}

2. Ordinance No. _____
Being an Ordinance of the City Council of Morristown, Tennessee amending
Title 18, Section 18-512 of the Morristown Municipal Code (Stormwater Fee).
{Public Hearing Date July 16, 2024}

10-c. Awarding of Bids/Contracts

1. Approve Change Order No. 13 to the contract with Path Construction Northeast for the construction of the Morristown Landing in an amount of \$14,230.18.
2. Approve purchase of one (1) 2024 Chevy Silverado 1500 Crew Cab Pickup for the Parks and Recreation Department via a Statewide Contract #209, totaling \$52,378.
3. Approval to declare surplus four (4) vehicles, four (4) trailers and one (1) tag along leaf machine that have been removed from service and are no longer being utilized.

Vehicle #	Description	VIN Number
421	2013 Dodge Charger	2C3CDXAG0DH568695
551	2009 ODB LCT Tag Along Leaf Machine	6000-11074945
570	1984 Ford F700 Leaf Truck	1FDYR80U7EVA28474
575	2006 International Knuckle Boom Loader	1HTWDAZN76J344966
586	2020 Kenworth Knuckle Boom Loader	2NKHJHJ8X4LM386401
615	2016 Hurst Trailer	1H9T62521G1057002
616	2016 Hurst Trailer	1H9T62517G1057005
617	2016 Hurst Trailer	1H9T62515G1057004
618	2016 Hurst Trailer	1H9T62511G1057008

4. Authorize the purchase of additional landscaping services from Oak View Landscaping in the amount of \$50,598 for necessary work at city parks.

10-d. Board/Commission Appointments

1. Appointment or re-appointment(s) to the Industrial Development Board, terms expiring; R. Jack Fishman, James Craine, Rosemary Moody, Raul Rangel and Paul Lynch. These appointments or re-appointments will be for a six (6) year term that will expire on June 30, 2030.

10-e. New Issues

11. CITY ADMINISTRATOR'S REPORT

12. COMMENTS FROM MAYOR/COUNCILMEMBERS/COMMITTEES

13. ADJOURN

WORK SESSION June 18, 2024

1. No Work Session Scheduled

Upcoming City Council Meeting/Holiday Schedule.

June 18, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
June 18, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
June 19, 2024	Wednesday		City Center Closed – Observance of Juneteenth
July 2, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
July 2, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
July 4, 2024	Thursday		City Center Closed – Observance of Independence Day
July 16, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
July 16, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
August 6, 2024	Tuesday	3:30 p.m.	Finance Committee Meeting
August 6, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
August 6, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
August 20, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
August 20, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
September 2, 2024	Monday		City Center Closed – Observance of Labor Day
September 3, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
September 3, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
September 17, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
September 17, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
October 1, 2024	Tuesday	3:30 p.m.	Finance Committee Meeting
October 1, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
October 1, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
October 15, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
October 15, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
November 5, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
November 5, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
November 11, 2024	Monday		City Center Closed – Observance of Veterans Day
November 19, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
November 19, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
November 28-29, 2024	Thurs/Fri		City Center Closed – Observance of Thanksgiving Holiday
December 3, 2024	Tuesday	3:30 p.m.	Finance Committee Meeting
December 3, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
December 3, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
December 17, 2024	Tuesday	4:00 p.m.	Council Agenda Review & Citizen Forum
December 17, 2024	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
December 24-25, 2024	Tues/Wed		City Center Closed – Observance of Christmas Holiday

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
JUNE 04, 2024**

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, June 4, 2024 with the Honorable Mayor Gary Chesney presiding and the following Councilmembers present: Al A'Hearn, Bob Garrett, Tommy Pedigo, Joseph Senter and Kay Senter. Absent: Chris Bivens.

Reverend Mark Campbell, Morristown Police Department Master Chaplain led in the invocation. Councilmember A'Hearn led the "Pledge of Allegiance".

Councilmember A'Hearn made a motion to adopt the June 4, 2024 agenda as presented. Councilmember K. Senter 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. Louis Chan spoke.

Councilmember A'Hearn made a motion to approve the minutes of the May 21, 2024 meeting as circulated. Councilmember K. Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve Resolution No. 2024 – 12. Councilmember A'Hearn seconded the motion and upon roll call; all voted "aye".

Resolution No. 2024-12

**A Resolution of the City Council of the City of Morristown, amending
"The Fund Balance and Spending Prioritization Policy."**

Councilmember K. Senter made a motion to approve Resolution No. 2024 – 13. Councilmember J. Senter seconded the motion and upon roll call; all voted "aye".

Resolution No. 2024-13

**A Resolution of the City Council of the City of Morristown, Tennessee
Adopting an Identity Theft Policy.**

Councilmember A'Hearn made a motion to approve Ordinance No. 4752.04 on its first reading and schedule a Public Hearing relative to the final passage of said Ordinance on June 18, 2024. Councilmember Garrett seconded the motion and upon roll call; all voted "aye".

Ordinance No. 4752.04

To amend Ordinance No. 4752, The City of Morristown, Tennessee annual budget for fiscal year 2023-2024 necessary to appropriate additional funds in relation to Morristown Landing operations, re-appropriate funds from fiscal year 2023 related to a factory cancelled vehicle order and various other operational needs and to establish the funding source for each appropriation.

Councilmember K. Senter made a motion to approve fiscal year 2025 budget Ordinance (Ordinance No. 4778) as presented on first reading except that an additional \$2,500 be appropriated from the City Administration budget to HC*Excell and schedule a Public Hearing relative to the final passage of said Ordinance on June 18, 2024. Councilmember Garrett seconded the motion and upon roll call; all voted “aye”.

Ordinance No. 4778

An Ordinance of the City of Morristown, Tennessee, Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2024, and ending June 30, 2025.

Councilmember K. Senter made a motion to approve Ordinance No. 4779 on its first reading and schedule a Public Hearing relative to the final passage of said Ordinance on June 18, 2024. Councilmember A’Hearn seconded the motion and upon roll call; all voted “aye”.

Ordinance No. 4779

Being an Ordinance of the City Council of Morristown, Tennessee amending Title 5, Section 504 of the Morristown Municipal Code (competitive bidding).

Councilmember Pedigo made a motion to declare surplus Vehicle #383, 2011 Ford Crown Vic, VIN# 2FABP7BV6BX183484 that has been removed from service and is no longer being utilized and approve the Vehicle Transfer Agreement with Northeast State Community College Police Department. Councilmember Garrett seconded the motion and upon roll call; all voted “aye”.

Councilmember A’Hearn made a motion to approve the Memorandum of Understanding/TACN Radio Site User Agreement between the City of Morristown and Jefferson County Sheriff’s Office, Jefferson City Police Department, White Pine Police Department, Dandridge Police Department, and the New Market Police Department to operate mobile and portable radio units on Tennessee Advanced Communications Network (TACN) frequencies located at the Pinebrook Site in Hamblen County, TN. Councilmember K. Senter seconded the motion and upon roll call; all voted “aye”.

Councilmember K. Senter made a motion to approve Addendum #4 to the lease for the Employee Health Clinic office space located at 1748 West Andrew Johnson Hwy, Morristown, TN to extend the current lease from January 1, 2025 to December 31, 2027

at a monthly rent of \$1,850.00. Councilmember Garrett seconded the motion and upon roll call; all voted “aye”.

Councilmember A’Hearn made a motion to authorize the purchase of two hundred and thirty-seven (237) Microsoft Office 365 (Plan E3) Licenses, totaling \$52,329.60 Councilmember Garrett seconded the motion and upon roll call; all voted “aye”.

Councilmember K. Senter made a motion to acknowledge receipt of bids for the Rolling Jacks and accept the bid from Equipment Sales and Service as the best bid; authorize the purchase of two (2) Rolling Jacks with aftermarket assembly, totaling \$26,032.60. Councilmember Garrett seconded the motion and upon roll call; all voted “aye”.

Councilmember Pedigo made a motion to authorize the purchase of a Pierce Pumper for the Fire Department from Siddons Martin Emergency Group, LLC in the amount of \$913,337.00 via cooperative purchase (Sourcewell #113021-OKC), subject to adoption and implementation of the FY 2025 budget allocating funds for the same. Councilmember J. Senter seconded the motion and upon roll call; all voted “aye”.

Councilmember A’Hearn made a motion to approve the purchase of one (1) 2024 Chevy Silverado with dump bed for the Parks and Recreation Department via State Contract #290 totaling \$73,396.00. Councilmember Garrett seconded the motion and upon roll call; all voted “aye”.

Councilmember K. Senter made a motion to acknowledge receipt of a bid for the Back UP Switch at City Hall and accept the bid from IT Decisions; authorize the purchase, totaling \$14,591.56. Councilmember A’Hearn seconded the motion and upon roll call; all voted “aye”.

City Administrator Andrew Ellard reported on Line-Item Transfers for the General Fund #110, Drug Fund #126, Solid Waste Fund #435 and Storm Water Fund #440

Mayor Gary Chesney adjourned the June 04, 2024, Morristown City Council meeting at 5:30 p.m.

Mayor

Attest:

City Administrator

APPROPRIATION ORDINANCE

4752.04

To amend ordinance number 4752, The City of Morristown, Tennessee annual budget for fiscal year 2023-2024 necessary to appropriate additional funds in relation to Morristown Landing operations, re-appropriate funds from fiscal year 2023 related to a factory cancelled vehicle order and various other operational needs and to establish the funding source for each appropriation.

Be it ordained by the Council of the City of Morristown Tennessee that Ordinance Number 4752 identifying the revenue and expenditure accounts of the City of Morristown contained in the annual budget for the fiscal year 2023-2024 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
General Fund (110)	Finance	41530.553	Bank Services & Charges			\$ 22,000	
General Fund (110)	Police Patrol	42120.361	Repairs & Maintenance Vehicles			\$ 60,000	
General Fund (110)	Police Patrol	42120.433	Vehicle Parts/Oil/Fluid/Tires			\$ 55,000	
General Fund (110)	Police Patrol	42120.971	Motor Equipment			\$ 90,000	
General Fund (110)	Firefighting	42240.112	Overtime			\$ 92,900	
General Fund (110)	Firefighting	42240.213	TCRS			\$ 60,570	
General Fund (110)	Firefighting	42240.219	Workers Compensation Insurance			\$ 5,021	
General Fund (110)	Fleet Maintenance	43100.362	Repair/Maintenance Operations Equip			\$ 26,040	
General Fund (110)	Parks & Recreation - Maintenance	44430.917	Motor Equipment			\$ 73,396	
General Fund (110)	Outside Agencies	81000-616	Economic Development			\$ 60,000	
General Fund (110)	Transfers Out	92000-640	Morristown Landing Operations			\$ 100,000	
General Fund (110)	Revenue	110.31920	Hotel/Motel Tax	\$60,000			
General Fund (110)	Fund Balance		Unassigned Fund Balance		\$ 584,927		
Morristown Landing Operations Fund (123)	Revenue	123-49800	Transfers In	\$100,000			
Morristown Landing Operations Fund (123)	Social Recreational Cultural	56900-399	Other Contracted Services			\$ 100,000	
			Totals	\$ 160,000	\$ 584,927	\$ 744,927	\$ -

PASSED ON FIRST READING THIS 4th DAY OF JUNE 2024

Mayor Signature

ATTEST:

City Administrator Signature

PASSED ON SECOND READING THIS 18th DAY OF JUNE 2024

Mayor Signature

ATTEST:

City Administrator Signature

Budget Ordinance

ORDINANCE No. 4778

AN ORDINANCE OF THE CITY OF MORRISTOWN, TENNESSEE
ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND
ENDING JUNE 30, 2025

WHEREAS, Tennessee Code Annotated § 9-1-116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Mayor and City Council have published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Council will consider final passage of the budget.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2025, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

GENERAL FUND	Estimated		Budget FY 2025
	Actual FY 2023	Actual FY 2024	
Revenues			
Local Taxes	\$ 39,115,240	\$ 40,917,667	\$ 39,956,220
Licenses And Permits	1,930,642	1,821,100	1,501,600
Intergovernmental	6,745,807	7,369,136	10,021,463
Charges For Services	159,002	211,077	203,000
Fines And Forfeitures	2,020,190	2,681,515	1,451,179
Other Financing Sources			
Issuance of Debt / Debt Proceeds	4,617,491	9,999,206	-
SBITAs	702,848	-	-
Transfers In - from ARPA Fund	-	-	2,000,000
Total Revenues and Other Financing Sources	\$ 55,291,220	\$ 62,999,701	\$ 55,133,462
Appropriations			
Expenditures			
Mayor & Council	\$ 204,303	\$ 252,950	\$ 390,840
Council Elections	25,484	-	-
City Administrator	922,245	958,862	963,660
Finance	1,043,780	1,201,235	1,336,733
Purchasing	65,537	71,960	88,259
Computer Operations	313,214	445,734	378,831
Human Resources	146,750	150,015	174,522
Risk Management	193,245	210,363	207,542
Legal Services	201,546	90,000	110,000
Court Administration	100,767	32,238	34,904
Community & Economic Affairs	440,247	473,924	505,633
Codes Enforcement	199,685	180,719	235,594
Community Development Administration	598,827	578,097	981,444
Engineering	353,857	218,616	269,821
GIS	238,370	270,491	293,053
Inspections	450,453	485,039	562,520
Police Department	9,529,348	12,839,832	11,390,906
Fire Department	9,165,578	9,653,413	10,887,700
Public Works	7,507,333	8,559,260	12,629,407
Parks & Recreation	2,485,375	2,668,253	3,346,809
Natural Resource Maintenance	412,715	317,921	390,821
Other Agencies	1,632,049	1,557,112	1,749,849
Social Services	250,000	250,000	239,275
Airport	451,467	337,648	1,013,200
Retiree Health Insurance	447,154	385,704	475,000
Debt Service Principal & Interest	5,214,745	6,161,430	5,704,168
Capital Outlay - Issuance of SBITAs	702,848	-	-
Bond Expenditures	115,687	185,706	-
Other Financing Uses			
Transfers Out - to other funds	6,761,725	750,000	2,600,000
Total Appropriations	\$ 50,174,334	\$ 49,286,522	\$ 56,960,491
Change in Fund Balance (Revenues - Appropriations)	5,116,886	13,713,179	(1,827,029)
Beginning Fund Balance July 1	39,067,958	44,184,844	57,898,023
Ending Fund Balance June 30	\$ 44,184,844	\$ 57,898,023	\$ 56,070,994
Ending Fund Balance as a % of Total Appropriations	88.1 %	117.5 %	98.4 %

Debt Service paid from General Fund

Debt Management

49100-711	Note Principal Paid	\$ 309,375	\$ 309,375	\$ -
49100-731	Note Interest Paid	9,560	3,240	-
49100-711	Bond Principal Paid	2,606,642	3,335,059	3,378,477
49100-731	Bond Interest Paid	2,163,831	2,511,256	2,320,691
49100-798	Paying Agent Fees	1,500	2,500	5,000
49100-292	Issuance of SBITAs	826,685	-	-
Total Annual Debt Service Payments		\$ 5,917,593	\$ 6,161,430	\$ 5,704,168

SOLID WASTE FUND		Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Revenues				
	Solid Waste Disposal Fees	\$ 2,244,241	\$ 2,857,739	\$ 2,840,000
	Sale of City Property	23,895	19,599	1,000
	Miscellaneous Other Revenue	-	446	-
Total Revenues and Other Financing Sources		\$ 2,268,136	\$ 2,877,784	\$ 2,841,000
Appropriations				
	Sanitation	\$ 1,298,309	\$ 1,876,420	\$ 2,090,685
	Recycling	\$ 256,160	\$ 272,132	\$ 313,816
	Debt Service	30,392	29,981	9,161
Total Appropriations		\$ 1,584,861	\$ 2,178,533	\$ 2,413,662
Change in Fund Balance (Revenues - Appropriations)		683,275	699,251	427,338
Beginning Fund Balance July 1		1,743,468	2,426,743	3,125,994
Ending Fund Balance June 30		\$ 2,426,743	\$ 3,125,994	\$ 3,553,332
Ending Fund Balance as a % of Total Appropriations		153.1%	143.5%	147.2%

DRUG FUND		Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Revenues				
	Fines And Forfeitures	\$ 122,967	\$ 52,163	\$ 46,000
	Other	-	10,822	-
Total Revenues and Other Financing Sources		\$ 122,967	\$ 62,985	\$ 46,000
Appropriations				
	Drug Enforcement	\$ 211,569	\$ 80,930	\$ 105,300
Total Appropriations		\$ 211,569	\$ 80,930	\$ 105,300
Change in Fund Balance (Revenues - Appropriations)		(88,602)	(17,945)	(59,300)
Beginning Fund Balance July 1		223,908	135,306	117,361
Ending Fund Balance June 30		\$ 135,306	\$ 117,361	\$ 58,061
Ending Fund Balance as a % of Appropriations		64.0%	145.0%	55.1%

LAMTPO FUND	Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Revenues			
City Revenues	\$ 23,888	\$ 34,770	\$ 20,798
Other County Revenue	\$ 14,000	\$ -	\$ -
Transportation Planning Reimbursement	219,350	235,136	121,821
Total Revenues and Other Financing Sources	\$ 257,238	\$ 269,906	\$ 142,619
Appropriations			
Transportation Planning Administration	\$ 286,453	\$ 269,906	\$ 142,619
Total Appropriations	\$ 286,453	\$ 269,906	\$ 142,619
Change in Fund Balance (Revenues - Appropriations)	(29,215)	-	-
Beginning Fund Balance July 1	272,410	243,195	243,195
Ending Fund Balance June 30	\$ 243,195	\$ 243,195	\$ 243,195
Ending Fund Balance as a % of Appropriations	84.9%	90.1%	170.5%

E-Citations Fund	Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Revenues			
E-Citation Fees	\$ 5,492	\$ 328	\$ -
Other Financing Sources			
Transfers In - from other funds	247,500	-	-
Total Revenues and Other Financing Sources	\$ 252,992	\$ 328	\$ -
Appropriations			
Other Public Safety	\$ 179,267	\$ 25,500	\$ 1,500
Other Financing Uses			
Transfers Out - to other funds	-	69,901	-
Total Appropriations	\$ 179,267	\$ 95,401	\$ 1,500
Change in Fund Balance (Revenues - Appropriations)	73,725	(95,073)	(1,500)
Beginning Fund Balance July 1	23,232	96,957	1,884
Ending Fund Balance June 30	\$ 96,957	\$ 1,884	\$ 384
Ending Fund Balance as a % of Total Appropriations	54.1%	2.0%	25.6%

Morristown Landing Operations Fund	Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Revenues			
Lease/Rentals	\$ -	\$ 65,680	\$ 65,680
Other Financing Sources			
Transfers In - from other funds	769,000	825,000	600,000
Total Revenues and Other Financing Sources	\$ 769,000	\$ 890,680	\$ 665,680
Appropriations			
Other Social, Cultural & Recreational	\$ 1,004,765	\$ 1,024,054	\$ 600,000
Total Appropriations	\$ 1,004,765	\$ 1,024,054	\$ 600,000
Change in Fund Balance (Revenues - Appropriations)	(235,765)	(133,374)	65,680
Beginning Fund Balance July 1	548,760	312,995	179,621
Ending Fund Balance June 30	\$ 312,995	\$ 179,621	\$ 245,301
Ending Fund Balance as a % of Appropriations	31.2%	17.5%	40.9%

ARPA Fund	Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Revenues			
ARPA Grant	\$ 2,830,750	\$ 2,202,619	\$ -
ARPA Grant - TDEC	-	-	4,000,000
Interest Income	\$ 58,773	\$ 34,909	\$ 10,000
Other Local Revenue	377,549	-	-
Other Financing Sources			
Transfers In - from other funds	-	69,793	2,000,000
Total Revenues and Other Financing Sources	\$ 3,267,072	\$ 2,307,321	\$ 6,010,000
Appropriations			
Highway & Street Projects	\$ 1,588,404	\$ 286,162	\$ -
Public Utility Projects	38,985	-	4,000,000
Social, Cultural & Recreation Projects	168,099	262,032	-
Other General Government Projects	1,235,205	302,404	-
Other Financing Uses			
Transfers Out - to other funds	177,605	1,521,446	2,010,000
Total Appropriations	\$ 3,208,298	\$ 2,372,044	\$ 6,010,000
Change in Fund Balance (Revenues - Appropriations)	58,774	(64,723)	-
Beginning Fund Balance July 1	5,949	64,723	-
Ending Fund Balance June 30	\$ 64,723	\$ -	\$ -
Ending Fund Balance as a % of Appropriations	2.0%	0.0%	0.0%

Stormwater Fund	Actual FY 2023	Estimated Actual FY 2024	Budget FY 2025
Operating Revenues			
Stormwater Utility Fees	\$ 1,473,193	\$ 1,416,952	\$ 1,974,000
Other	330	-	-
Non-Operating Revenues, Grants, Contributions, & Transfers In			
Investment Income	4,569	6,757	1,500
Bond Proceeds	-	-	2,500,000
Transfers In - from other funds	-	1,867,424	-
Total Revenues	\$ 1,478,092	\$ 3,291,133	\$ 4,475,500
Appropriations			
Operating Expenses			
Stormwater Administration	\$ 374,503	\$ 422,817	\$ 395,916
Drainway Management	682,127	2,657,599	3,336,151
Depreciation	366,180	379,574	437,500
Non-Operating Expenses and Transfers Out			
Debt Service	50,219	293,354	498,692
Total Appropriations	\$ 1,473,029	\$ 3,753,344	\$ 4,668,259
Change in Net Position (Revenues - Appropriations)	5,063	(462,211)	(192,759)
Beginning Net Position July 1	4,677,522	4,682,585	4,220,374
Ending Net Position June 30	\$ 4,682,585	\$ 4,220,374	\$ 4,027,615

Debt Service to be Paid Out of Stormwater Fund

Debt Management				
49190-711	Bond Principal Paid	\$ 243,195	\$ 238,293	\$ 383,390
49190-731	Bond Interest Paid	50,156	54,998	115,182
49190-796	Paying Agent Fees	63	63	120
Total Annual Debt Service Payments	Annual Debt Service Payments	\$ 293,414	\$ 293,354	\$ 498,692

SECTION 2: At the end of the fiscal year 2025, the governing body estimates fund balances or deficits as follows:

Fund	Estimated Fund Balance/Net Position at June 30, 2024
General Fund	\$ 57,898,023
Solid Waste Fund	3,125,994
Drug Fund	117,361
LAMTPO Fund	243,195
E-Citations Fund	1,884
Morristown Landing Operations Fund	179,621
Stormwater Fund	4,220,374

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Authorized and Unissued	Principal Outstanding at June 30, 2024	FY2025 Principal Payment	FY2025 Interest Payment
Bonds -				
General Obligation Bonds Series 2017	\$ -	\$ 7,575,000	\$ 320,000	\$ 249,863
General Obligation Bonds Series 2018	\$ -	\$ 12,365,000	\$ 1,390,000	\$ 499,850
General Obligation Bonds Series 2019B	\$ -	\$ 33,510,000	\$ 1,055,000	\$ 1,119,738
General Obligation Bonds Series 2021A	\$ -	\$ 2,450,000	\$ 230,000	\$ 49,000
General Obligation Bonds Series 2023	\$ -	\$ 9,350,000	\$ 495,000	\$ 410,925
Loan Agreements				
Tennessee Local Government Loan Program Series 2009	\$ -	\$ 1,638,416	\$ 128,648	\$ 43,862
Leases				
Pitney Bowes		30,385	3,800	-
Canon		2,923	1,172	-

SECTION 4: During the coming fiscal year (2025) the governing body has pending and planned capital projects with proposed funding as follows:

Pending Capital Projects	Pending Capital Projects - Total Expense	Pending Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Pending Capital Projects Expense Financed by Debt Proceeds
Fire Station #3	\$ 5,700,000	\$ -	\$ 5,700,000
Various Park Improvement	\$ 3,250,000	\$ -	\$ 3,250,000
Cherokee & Walters Roundabout	\$ 850,000	\$ 850,000	
Resurface City Streets 8 miles	\$ 1,536,000	\$ 1,536,000	
Rejuvenate City Streets 4.75 miles	\$ 100,000	\$ 100,000	
Central Church Road (ROW Phase)	\$ 666,227	\$ 666,227	
East Morris Resurfacing	\$ 1,125,403	\$ 1,125,403	

Proposed Future Capital Projects	Proposed Future Capital Projects - Total Expense	Proposed Future Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Proposed Future Capital Projects Expense Financed by Debt Proceeds
Stormwater Projects	\$ 2,545,000	\$ 45,000	\$ 2,500,000
Bellwood	\$ 450,000	\$ 450,000	
Lorino Lane at Snyder Road	\$ 250,000	\$ 250,000	
Collinson Ford at Wooddale	\$ 80,000	\$ 80,000	
East Main Calming Project	\$ 300,000	\$ 300,000	

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (Tenn. Code Ann. § 6-56-208). In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Tenn. Code Ann. § 6-56-205.

SECTION 6: Money may be transferred from one appropriation to another in the same fund by the City Administrator, subject to such limitations and procedures as set by the Mayor and City Council pursuant to Tennessee Code Annotated § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full-time equivalent employees required by Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 8: There is hereby levied a property tax of \$1.40 per \$100 of assessed value on all real and personal property.

There is hereby levied a property tax on all Morristown City parcels located in Jefferson County of \$0.9328 per \$100 of assessed value on all real and personal property.

SECTION 9: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller's Designee for approval if the City has debt issued pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21 of the Tennessee Code Annotated (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee. If the City does not have such debt outstanding, it will file this annual operating and capital budget ordinance and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect July 1, 2024, the public welfare requiring it.

Passed 1st Reading: June 4, 2024

Passed 2nd Reading: _____

Mayor

ATTESTED:

City Administrator

SEAL

ORDINANCE NO. 4779
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,
TENNESSEE AMENDING TITLE 5, SECTION 504 OF THE
MORRISTOWN MUNICIPAL CODE.

Be it ordained by the City Council for the City of Morristown that the text of Title 5, Section 504 of the Morristown Municipal Code is deleted in its entirety and substituted therefore is the following:

Sec. 5-504. – Competitive bidding.

Except where State law provides exemption or exception, public advertisement and competitive bidding shall be required for items costing \$50,000.00 or more. A minimum of three competitive quotes shall be obtained, whenever possible, for items between \$20,001.00 and \$49,999.00. The direct purchase of items costing \$20,000.00 or less shall be permitted without engaging in competitive bidding or obtaining the written quotes.

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

PASSED ON FIRST READING THIS 4th DAY OF JUNE, 2024.

MAYOR

ATTEST:

CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS 18th DAY OF JUNE, 2024.

MAYOR

ATTEST:

CITY ADMINISTRATOR

RESOLUTION NO. 2024-14

BEING A RESOLUTION OF THE CITY OF MORRISTOWN, ADOPTING AN AMENDED CHARTER OF THE CITY OF MORRISTOWN, TENNESSEE PURSUANT TO SB 2983 AND HB 2999 AS ENACTED BY THE 113TH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

WHEREAS, pursuant to City Resolution 2023-22, the City of Morristown requested Senator Steve Southerland and Representative Rick Eldridge to introduce legislation to amend the city charter in its entirety;

WHEREAS, the proposed legislation was assigned as Senate Bill 2983 and House Bill 2999;

WHEREAS, the legislation was approved as Private Chapter No. 64 by the 113th General Assembly; and

WHEREAS, Section 2 requires that the act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Morristown, and the approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state;

NOW THEREFORE, BE IT RESOLVED by the mayor and council of Morristown, Tennessee, that the City Council hereby ratifies the new city charter as approved by the Tennessee General Assembly by the aforementioned legislation; requires that the City Recorder produce certified copies of this resolution for submission to the secretary of state; and authorizes the mayor, or in his absence, the vice mayor, to certify the same to the secretary of state.

WHEREUPON, the Mayor declared the Resolution adopted by at least a two-thirds (2/3's) majority vote of the City Council, affixed his signature and the date thereto, and directed the same be recorded.

PASSED on the 18th day of June, 2024.

Gary Chesney, Mayor

Attest:

Andrew Ellard, City Administrator



State of Tennessee
PRIVATE CHAPTER NO. 64

HOUSE BILL NO. 2999

By Representatives Eldridge, Faison

Substituted for: Senate Bill No. 2983

By Senator Southerland

AN ACT to amend Chapter 103 of the Acts of 1903; as amended by Chapter 506 of the Acts of 1903; Chapter 502 of the Acts of 1907; Chapter 203 of the Acts of 1907; Chapter 314 of the Acts of 1909; Chapter 84 of the Private Acts of 1915; Chapter 543 of the Private Acts of 1917; Chapter 640 of the Private Acts of 1917; Chapter 616 of the Private Acts of 1921; Chapter 23 of the Private Acts of 1925; Chapter 598 of the Private Acts of 1925; Chapter 446 of the Private Acts of 1927; Chapter 792 of the Private Acts of 1927; Chapter 718 of the Private Acts of 1929; Chapter 581 of the Private Acts of 1929; Chapter 296 of the Private Acts of 1931; Chapter 158 of the Private Acts of 1931; Chapter 527 of the Private Acts of 1941; Chapter 266 of the Private Acts of 1945; Chapter 206 of the Private Acts of 1947; Chapter 689 of the Private Acts of 1947; Chapter 298 of the Private Acts of 1949; Chapter 297 of the Private Acts of 1949; Chapter 473 of the Private Acts of 1951; Chapter 565 of the Private Acts of 1953; Chapter 73 of the Private Acts of 1953; Chapter 74 of the Private Acts of 1953; Chapter 72 of the Private Acts of 1953; Chapter 247 of the Private Acts of 1959; Chapter 41 of the Private Acts of 1961; Chapter 112 of the Private Acts of 1963; Chapter 283 of the Private Acts of 1965; Chapter 487 of the Private Acts of 1967; Chapter 128 of the Private Acts of 1971; Chapter 207 of the Private Acts of 1972; Chapter 7 of the Private Acts of 1977; Chapter 256 of the Private Acts of 1978; Chapter 269 of the Private Acts of 1978; Chapter 214 of the Private Acts of 1984; Chapter 138 of the Private Acts of 2000; Chapter 7 of the Private Acts of 2001; Chapter 4 of the Private Acts of 2001; Chapter 78 of the Private Acts of 2004; Chapter 45 of the Private Acts of 2010; Chapter 44 of the Private Acts of 2012; Chapter 52 of the Private Acts of 2012; Chapter 441 of the Private Acts of 1931 and Chapter 196 of the Private Acts of 1980; and any other acts amendatory thereto, relative to the charter for the City of Morristown.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 103 of the Acts of 1903, as amended by Chapter 506 of the Acts of 1903, Chapter 502 of the Acts of 1907, Chapter 203 of the Acts of 1907, Chapter 314 of the Acts of 1909, Chapter 84 of the Private Acts of 1915, Chapter 543 of the Private Acts of 1917, Chapter 640 of the Private Acts of 1917, Chapter 616 of the Private Acts of 1921, Chapter 23 of the Private Acts of 1925, Chapter 598 of the Private Acts of 1925, Chapter 446 of the Private Acts of 1927, Chapter 792 of the Private Acts of 1927, Chapter 718 of the Private Acts of 1929, Chapter 581 of the Private Acts of 1929, Chapter 296 of the Private Acts of 1931, Chapter 158 of the Private Acts of 1931, Chapter 441 of the Private Acts of 1931, Chapter 24 of the Private Acts of 1935, Chapter 527 of the Private Acts of 1941, Chapter 266 of the Private Acts of 1945, Chapter 206 of the Private Acts of 1947, Chapter 689 of the Private Acts of 1947, Chapter 298 of the Private Acts of 1949, Chapter 297 of the Private Acts of 1949, Chapter 473 of the Private Acts of 1951, Chapter 565 of the Private Acts of 1953, Chapter 73 of the Private Acts of 1953, Chapter 74 of the Private Acts of 1953, Chapter 72 of the Private Acts of 1953, Chapter 247 of the Private Acts of 1959, Chapter 41 of the Private Acts of 1961, Chapter 112 of the Private Acts of 1963, Chapter 283 of the Private Acts of 1965, Chapter 487 of the Private Acts of 1967, Chapter 128 of the Private Acts of 1971, Chapter 207 of the Private Acts of 1972, Chapter 7 of the Private Acts of 1977, Chapter 256 of the Private Acts of 1978, Chapter 269 of the Private Acts of 1978, Chapter 196 of 1980, Chapter 214 of the Private Acts of 1984, Chapter 143 of the Private Acts of 1994, Chapter 138 of the Private Acts of 2000, Chapter 7 of the Private Acts of 2001, Chapter 4 of the Private Acts of 2001, Chapter 78 of the Private Acts of 2004, Chapter 45 of the Private Acts of 2010, Chapter 52 of the Private Acts of 2012, Chapter 44 of the Private Acts of 2012, and any other acts amendatory thereto, that being the charter for the City of Morristown, is amended by deleting Chapter 103 of the Acts of 1903 in its entirety and substituting instead the following:

CHARTER OF THE CITY OF MORRISTOWN, TENNESSEE

ARTICLE I.

Sec. 1. Incorporation.

The inhabitants of the City of Morristown, as the same extends and is laid out, are hereby constituted a corporation and body politic, by the name and style of the "City of Morristown," and by the same name shall have perpetual succession; shall sue and be sued, plead and be impleaded, in all courts of law and equity, and in all actions whatsoever, may purchase, receive and hold property, real and personal in their said city, and may sell, lease or dispose of the same for the benefit of said city; and may purchase, receive and hold property, real and personal, beyond the limits of the city, for corporate purposes; and may sell, lease or dispose of such property for the city; and to do all other acts, as natural persons. They shall have and use a common seal and change it at pleasure. They may own and control a waterworks system, electric light plant, gas plant and public school buildings and equipment.

Sec. 2. City council.

There shall be a city council, which shall consist of a mayor and six (6) council members, who shall be elected by the qualified voters of the city to serve for a term of four (4) years, and until their successors are elected and qualified.

No person shall be elected to the council unless they are at least twenty-one (21) years of age by the election date, or to the office of mayor unless they are at least twenty-one (21) years of age by the election date, and whether council or mayor, shall be a citizen of the State of Tennessee, and a bona fide resident of the city for at least one (1) year immediately preceding the election date. One (1) council member shall be elected from each of the four (4) wards of the city, as said wards are modified by reapportionment, which reapportionment shall be accomplished by the governing body based upon the most recent federal census and shall thereafter be accomplished as required by law, and such council member shall be a resident of that ward, and two (2) council members and the mayor shall be elected at large and may reside in any city ward. The four (4) council members representing particular city wards shall be voted for and elected by the voters of their respective city wards, and the mayor and the two (2) at-large council members shall be voted for and elected by the voters of all wards of the city.

Any person elected to the city council who removes from the city shall thereby vacate his or her office.

Before entering upon the duties of office, the mayor and council members shall take an oath to faithfully demean themselves in office, and perform the duties thereof. All vacancies in the council, including the office of mayor, shall be filled by a vote of a majority of the remaining members thereof, to serve until the next city election for members of council.

Sec. 3. Biennial elections; qualifications of electors; qualifications and duties of mayor.

Beginning in the year 2024, the terms of all sitting council members and mayor shall be extended such that council members previously representing the first ward and the third ward, having last been elected in May of 2021 and the at-large member last elected in May of 2021, may remain in their capacities until their successors are elected and seated, said elections to be held the first Tuesday following the first Monday in November of 2026, and that the mayor and council members previously representing the second ward and the fourth ward, having last been elected in May of 2023 and the at-large member last elected in May of 2023, may remain in their capacities until their successors are elected and seated, said elections to be held the first Tuesday following the first Monday in November of 2028. A transition seating newly elected council members and/or mayor shall occur on the last Monday of November following elections, provided elections have been certified by that date. Otherwise, a transition seating newly

elected council members and/or mayor shall occur on the next Monday following such certification.

The recipient of the most votes for any seat shall be determined to be the council member-elect (or mayor-elect). When two (2) or more candidates have an equal number of votes preventing a determination of the winner, the election for any undetermined seat(s) shall be decided by a majority vote(s) of the mayor and city council, excluding members whose seats are in dispute by virtue of the tie if that member is actively seeking reelection.

Every person entitled to vote for members of the General Assembly by the laws of the State and who shall have been a bona fide resident within the corporate limits for thirty (30) days next preceding the election shall be entitled to vote therein.

Nonresidents holding a freehold within the corporate limits of an assessed valuation of one hundred dollars (\$100.00) or other property subject to corporation taxes amounting to one hundred dollars (\$100.00) or over, shall be entitled to vote at said election. The election shall be held as now provided by the laws of the State of Tennessee for such elections.

No person shall be elected mayor who is not at the time of election at least twenty-one (21) years of age, a citizen of the State of Tennessee, and a bona fide resident of the city for at least one (1) year immediately preceding the election date. No council member whose term extends beyond the next mayoral election may qualify as a candidate for the office of mayor if such council member holds office as such thirty (30) days prior to the final day for qualification as a candidate for mayor.

Such council member shall not be disqualified from being appointed by the council to serve as a council member until the next city election for members of council and mayor, to fill the vacancy created by his or her resignation from office. The mayor may fill all vacancies occurring in any offices, except that of council member, until the same be filled by election. It shall be the duty of the mayor to preside at all meetings of the council; to see that all the ordinances of the city are duly enforced, respected and observed within the city; to take an oath of office before entering upon the duties of the same; and to call special sessions of the council when the mayor deems it expedient. The mayor shall be entitled to a vote upon all matters before the council the same as a council member, whether there be a tie or not, but shall not be entitled to vote as mayor and an additional vote as presiding officer.

Sec. 4. Appointment of city officers, employees, etc.; city administrator.

The city council shall have full power and authority to appoint all officers, servants and agents of the corporation, such as they may deem necessary and provide by ordinance. They shall also fix the compensation of such officers before their election, which shall not be increased or diminished during their continuance in office.

They shall also have power to dismiss any officer, servant or agent, by them appointed, three-fifths (3/5) of said council concurring in such dismissal.

The council, by resolution, may appoint and fix the salary of the city administrator, who shall serve at the pleasure of the council, except that he or she may be removed during his or her first year in office only for incompetence or neglect of duty. He or she shall be appointed solely on basis of his or her executive and administrative qualifications, without regard to his or her political affiliations or place of residence, but during his or her tenure in office may reside outside the city only with the consent of the council. He or she shall give his or her full time to the office unless otherwise provided by resolution. The council may remove the city administrator only after adopting a preliminary resolution stating the reasons for his or her proposed removal, which shall be published once in the official city newspaper. If within five (5) days after such publication

the city administrator delivers to the mayor a written request for a hearing, a public hearing shall be held within ten (10) to twenty (20) days after publication of the preliminary resolution, to consider any written or oral statement he or she wishes to make, in person or through counsel. After following this procedure, and after the public hearing, if one be held, the council may adopt a final resolution of removal from which there shall be no appeal. The preliminary resolution may suspend the city administrator from duty, but in any event he or she shall be paid his or her regular salary until the time of adoption of the final resolution or removal. The council may, and if the council does not, the city administrator shall, designate a person to act as city administrator during his or her absence or inability to act. An acting city administrator may be appointed by the council to fill a vacancy in the office for not to exceed one (1) year, who may be removed by the council at any time without regard to the procedure prescribed in this section for removal of the city administrator.

The city administrator shall be the executive head of the city government, responsible to the council for the efficient, orderly and business-like administration of the city's affairs. He or she shall be responsible for the enforcement of laws, rules and regulations, ordinances and franchises of the city, and the city attorney shall take such legal actions as the city administrator may direct for such purposes. The city administrator shall have authority to appoint, promote, demote, transfer, suspend and remove all department heads and employees and to direct and control their work, except as otherwise provided in this Act. He or she shall attend all meetings of the council when possible to do so and may participate in the discussions of the council, but shall have no vote. He or she shall submit to the council annual budgets, reports and such other information as he or she may deem necessary or that the council may require. He or she shall have authority to make allotments of funds within the limits of appropriations and no expenditure shall be made without his or her approval. He or she shall act as purchasing agent for the city. He or she may conduct inquiries and investigations into the conduct of the city's affairs and shall have such other powers and duties as may be provided by ordinances not inconsistent with this Act. All acts performed by the city administrator pursuant to the authority granted by this section shall be subject to review by the city council, and any authority granted to the city administrator by this Section 4 may be enlarged or diminished, three-fifths (3/5) of said council concurring in such action.

Sec. 5. Powers of city generally. Said city council shall have power within the corporation:

(1) Assessment, collection, etc., of property taxes; tax assessor. To levy, assess and collect taxes for municipal purposes upon property within said municipality, or otherwise liable therefor, taxable by law, for state purposes.

(2) Taxes on privileges. To levy and collect taxes upon all privileges, taxable by the laws of the state.

(3) Appropriations and expenditures. To appropriate money and provide for the payment of the debts and expenses of the city and to appropriate money for charitable uses and purposes, and provide by ordinance for the expenditure of the same, and, if necessary, to levy a special tax for such charitable uses and purposes. The fiscal year of the city shall begin on the first day of July and end on the last day of June.

(4) LEFT BLANK INTENTIONALLY

(5) Schools. To establish a system of free schools within the city and by proceedings accruing to the general law of the land condemn property within the municipality for school and corporate purposes.

(6) General health; nuisances; vagrancy. To make regulations to secure the general health of the inhabitants and to prevent and remove nuisances; to regulate and suppress vagrancy.

(7) Open, vacate, pave, etc., streets and sidewalks. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair streets, alleys and sidewalks, or to have the same done, and to grant privileges and franchises in the use of the same.

(8) LEFT BLANK INTENTIONALLY

(9) Market. To erect a market house, establish a market and regulate the same.

(10) Public buildings. To provide for the erection of all buildings necessary for the use of the city.

(11) Licensing and regulation of occupations and vehicles for hire. To license, tax and regulate all occupations which are now or hereafter may be declared to be privileged occupations by the laws of the state; to license, tax and regulate automobiles, automobile trucks, automobile passenger busses, and taxicabs, carts, omnibuses, cabs, motorcycles, and all other vehicles; to fix the rate to be charged for the carriage of persons and property by any vehicles held out to the public use for hire within the city, and to require indemnity bonds in surety companies or indemnity insurance policies to be filed with the city by the owner or operator of any such vehicle, for the protection of the city or any person against loss by injury to persons or property; to make all needful rules and regulations of the government of such conveyance, and to provide where such conveyances may be parked, and fix the starting and stopping point, within the city, of such vehicles, whether same are to be operated wholly within the city or from a point in the city to points outside, and whether the same be operated along fixed routes and according to fixed schedules or along different routes and without schedules; to designate the streets over and along which automobiles and other vehicles used for the purpose of affording street transportation may be operated, and to fix the rate to be charged for transportation of passengers.

(12) LEFT BLANK INTENTIONALLY

(13) Amusements, shows, exhibitions, etc. To license, tax and regulate and suppress theatrical and other exhibitions, shows or amusements.

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(20) Appointment of police; imposition of penalties for violations of ordinances; city judge: appeals from convictions. To appoint and regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for their recovery and appropriation and such recovery may be had before the mayor or before the city judge, who shall be appointed by the city council as hereinafter provided, and who shall be a citizen of the city and an attorney licensed to practice law in the State of Tennessee, with jurisdiction in either of said officers to issue warrants, render judgments, issue executions and such other process as may be necessary for the enforcement of fines, forfeitures and penalties for the violation of ordinances of said corporation; and any person against whom a judgment has been rendered by the mayor or city judge, for violation of any of the ordinances of the city, may within ten (10) days thereafter, appeal to the Circuit Court of Hamblen County, Tennessee, upon giving bond and security in the sum of two hundred fifty dollars (\$250.00) for his or her

appearance at the next term of said court to be held thereafter, conditioned according to the terms of appearance bonds required by law in criminal cases.

The office of city judge is hereby created and said judge shall be appointed for such terms and paid such salary as established by the city council through ordinance.

(21) Riotous and disorderly persons. To provide for the arrest and confinement until trial of all riotous and disorderly persons within the corporation, by day or by night; to authorize the arrest of all persons found violating any ordinance of the city.

(22) Breach of the peace; disorderly assemblies. To prevent and punish, by pecuniary penalties, all breaches of the peace, noise, disturbances, or disorderly assemblies in any street, house or place in the city by day or by night.

(23) Encroachments on streets, etc. To prevent and remove all encroachments into and upon all streets, lanes, alleys and avenues established by law or ordinance.

(a) Zoning. To regulate by ordinance the location, height, bulk, number of stories, and size of buildings and other structures, the percentage of lot which may be occupied, size of yards, courts, and other open spaces, the density of population, and the uses of buildings, structures, and land for trade, industry, residences, recreation, public activities, and other purposes, and to create and appoint a city planning commission in connection with said corporate power and authority, and to this end, said municipality is granted all the rights, powers, and authority which are granted to municipalities generally by Chapter 34 of the Public Acts of the General Assembly of the State of Tennessee for the year 1935, by Chapter 44 of the Public Acts of the General Assembly of the State of Tennessee for the year 1935, and by Chapter 74 of the Public Acts of the General Assembly of the State of Tennessee for the year 1945.

(24) Obstructions on sidewalks; repair and cleaning of sidewalks and curbstones. To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same.

(a) Airport. To establish, operate and regulate a municipal airport, within or without the corporate limits of said municipal corporation, and to this end said municipality is granted all of the rights, powers, and authority as is granted to municipalities generally by Chapter 74 of the Public Acts of the General Assembly of the State of Tennessee for the year 1931, as amended, being an Act entitled, "An Act to authorize Counties and Municipalities, jointly and separately, to establish and maintain airports, to authorize Counties and Municipalities to regulate such airports, and to confer upon the Counties and Municipalities the power to acquire by condemnation lands necessary for such airport".

(b) Off-street parking facilities. To establish off-street parking facilities for vehicles within the corporate limits of the city; to regulate the operation of the same by ordinance expressly including the power to establish if deemed necessary, charges to be paid for the use thereof; to expend corporate funds for that purpose; and to exercise the power of eminent domain to carry out the intent and purpose of this subsection.

(25) Alcoholic beverages. To regulate by ordinance the sale by retail for beverage purposes, or the giving away for beverage purposes, of intoxicating liquors, as regulated in accordance with state law, within the limits of such corporation, and to provide by ordinance suitable penalties for the violation of such ordinance, and to prevent the sale or giving such liquors to minors, within

the limits of such corporation, and to provide suitable penalties for violation of same.

(26) Ordinances generally; meetings of city council. To pass all ordinances not contrary to the Constitution and laws of the state that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of their incorporation. This shall expressly include the power to fix, by ordinance, the date and hour of regular meetings of the city council. To enforce all aforementioned ordinances within the corporate limits of the City and upon property outside the City that is owned by the City, where the city council has established that such ordinances shall apply.

(27) Sewer connections; authority to prohibit cesspools, privies, etc. That said city council and/or the Morristown Utilities Commission is hereby empowered by ordinance to compel the owners of real estate fronting on, contiguous to, or bounded by any street or streets of said city, in which street or streets are laid water mains and sanitary sewers, to connect such surface closets or privies as may be maintained on said premises with said sanitary sewer, and to provide the flushing and cleansing of said closets and privies.

Said city council is further authorized and empowered to prohibit by ordinance, the maintenance of any cesspool, surface closet or privy on any premises fronting on, contiguous to, or bounded by any street or streets of said city in which street or streets are laid water mains and sanitary sewers.

Said city council is further authorized to fix by ordinance the time within which connections shall be made with sanitary sewers as above indicated, after notice to do so has been given, and shall have the right to determine and fix by ordinance the character of notice to be given and to prescribe the penalty for failure to observe and comply with said notice and are expressly authorized to take all necessary steps to enforce the discontinuance and removal of said cesspools, surface closets and privies within the limits and boundaries above set out.

Said city council is further authorized and empowered to declare the maintenance of cesspools, surface closets and privies within said districts above indicated, a public nuisance, and shall have the right to abate same in the manner provided by law, and particularly shall have the right to enjoin the continuance and maintenance of same.

(a) Inoculation of dogs. To pass ordinances requiring owners and other persons having the custody of dogs within the corporate limits of the city, to have such dogs inoculated so as to render them immune from rabies.

(28) LEFT BLANK INTENTIONALLY

(29) Tax collector, records custodian. The office of tax collector and records custodian shall be filled by the city administrator, or in the event there be no city administrator, by the mayor. The city administrator or mayor, as the case may be, shall give a separate bond as records custodian, in an amount fixed by the city council, conditioned, to safely keep the records of the municipality, and to account for all monies received by said office as records custodian, and shall give another bond as tax collector of said municipality, the penalty thereof, to be fixed by the city council, which bond shall be conditioned to faithfully account for, and pay over to the proper parties, all monies received by him or her as tax collector for the municipality; said bond shall be approved by the city council and be entered of record in the minute book of the municipality.

Said officer shall collect all taxes of every kind and character due the municipality, and shall make reports to the city council as directed by it covering the receipt and disbursements of his or her office, showing the financial condition of the city.

He or she shall collect all taxes of every kind and character, due the said municipality, and shall make semiannual reports to the city council covering the receipt and disbursements of his or her office, showing the financial condition of the city. Said recorder and tax collector shall devote his or her time and attention to the performance of his or her duties, to the end that said duties shall be properly and efficiently performed. No other business of any kind, either public or private, except that pertaining to the municipality shall be carried on by him or her in said municipal building.

(30) LEFT BLANK INTENTIONALLY

(31) LEFT BLANK INTENTIONALLY

(32) LEFT BLANK INTENTIONALLY

(33) LEFT BLANK INTENTIONALLY

(34) Parking spaces for vehicles for hire, emergency vehicles and merchants' vehicles. It shall have power, in regulating the use of the streets of said City, to, by ordinance, designate and set apart parking space for taxicabs and other automobiles or vehicles used for hire; ambulances, automobiles, trucks or other vehicles of the police and fire departments, of said municipality, as well as trucks and vehicles used by merchants, and regulate the use thereof for certain specific purposes, for which use, in the discretion of the council, it may charge a reasonable fee.

Sec. 6. LEFT BLANK INTENTIONALLY

Sec. 7. Authority to fix due date of taxes and penalties for nonpayment of same.

Said city council is hereby empowered to fix by ordinance the time when taxes for municipal purposes shall be levied and assessed, when same shall be due and payable, the manner in which same shall be assessed and collected, and provide for interest and penalties on same for nonpayment when due.

Sec. 8. LEFT BLANK INTENTIONALLY

Sec. 9. LEFT BLANK INTENTIONALLY

Sec. 10. Original mayor and aldermen.

From the date of the passage of Chapter 103 of the Private Acts of Tennessee for 1903, until the first Monday in January, 1905, the city council of said City of Morristown, consisted of Ed. M. Grant, Mayor; John A. Rhea, E. J. Bettis, W. S. Myers, John B. McCord, J. W. Richardson and M. A. Goodson, Aldermen.

Sec. 11. Collection of delinquent taxes, fines, etc., owed to prior corporation.

All past due and uncollected taxes, levied and assessed by board of mayor and aldermen of the late corporation of Morristown, or their legally authorized agents and officers, and all fines, penalties and other assets of said former corporation, are hereby declared to be the property of the municipality hereby created, and shall be collected by the city council of the municipality hereby created by their officers and agents, and applied to the use and benefit of said municipality under the ordinances and orders of said city council.

Sec. 12. Date of assessment of property: levy of taxes.

Said city council may cause an assessment of the property within said municipality to be made as of January 10, 1903, and may levy such tax thereon as they may deem necessary for the purpose of sustaining the interests of said municipality.

Sec. 13. Boundaries of city.

The corporate limits of said city shall be as follows:

Beginning at a point in the eastern margin of the Economy Road where it intersects with the northern margin of U.S. Highway 11-E, said point of beginning being between the properties of W.J. Keith and W.C. Pettigrew; thence with the eastern margin of said Economy Road, north 3 degrees 52 minutes east 337.9 feet to a stake at Keith's northwestern corner; thence still with the eastern margin of said road, north 4 degrees 34 minutes east 440.2 feet; north 7 degrees 40 minutes east 207.4 feet; north 4 degrees 53 minutes west 98.3 feet; north 27 degrees 52 minutes west 521 feet to a stake in the eastern margin of the said Economy Road at the point where the same turns westwardly; thence north 29 degrees 34 minutes east 1217.9 feet to an iron pin at the extreme northwest corner of the Lyn-Mar Hills Subdivision; thence with the northern boundary of said Lyn-Mar Hills Subdivision, north 79 degrees minutes east 1183.0 feet to an iron pin at a large oak tree, the northeast corner of said subdivision, and being also in the line of Fairmont Avenue, if projected; thence with said avenue, if projected, south 12 degrees 54 minutes east (passing the northwest corner of Mack Long at 29 feet), running, in all, 408.5 feet to a stake in the southern property line of Mack Long; thence with the said Mack Long's southern property line north 67 degrees 02 minutes east 690.0 feet to a stake on top of the hill; thence north 41 degrees 23 minutes east 1645.2 feet to a stake in the present corporation line where the same corners with John Shipley and W.J. Barron; thence with the present corporation line north 17 degrees 00 minutes west 919.8 feet to a stake; north 35 degrees 00 minutes east 377.7 feet to a stake in the present corporation line in the center of the road west of and near the colored cemetery; thence with the center of said road north 45 degrees 01 minute west 1513.8 feet to a stake at the end of the road in the southern line of the Housley property (Boyd Ewing called in temporary description); thence with Housley's line north 13 degrees 23 minutes east 138.9 feet to a stake; thence with the line of a fence down the west side of a drain and running through the Housley property north 55 degrees 26 minutes west 496.3 feet to a stake by a large black oak; thence north 29 degrees 20 minutes west 295.8 feet to a stake in the southern margin of the Havelly Springs Public Road; thence with the southern margin of said road north 9 degrees 27 minutes east 234.7 feet to a stake; thence north 16 degrees 08 minutes east 845.7 feet to a point at the intersection of the southern margin of said Havelly Springs Road with the old Long's Ferry or Turley's Mill pike; thence crossing said pike and thence with the projected center line of Algonquin Drive and with the center line of said Drive, south 17 degrees 10 minutes east 520 feet to a stake in the center of same midway between Choctaw Street and Mohawk Street of said Cherokee Hills Addition; thence with the back lot lines between said streets south 68 degrees 30 minutes west 587.8 feet to a stake near the top of the hill; thence running through Cherokee Hills Addition, south 18 degrees 34 minutes east 711.4 feet to a stake 300 feet north of the northern property line of Mrs. Mollie Turley; thence south 56 degrees 21 minutes west 928.5 feet to a stake 500 feet east of U.S. Highway 25-E and 300 feet north of the northern property line of Mrs. Mollie Turley; thence parallel to and 500 feet east of said U.S. Highway 25-E, south 42 degrees 44 minutes east 762.0 feet; south 37 degrees 38 minutes east 265.0 feet; south 31 degrees 25 minutes east 265 feet; south 23 degrees 30 minutes east 295.0 feet; south 9 degrees 45 minutes east 489 feet to a stake 500 feet east of U.S. Highway 25-E; thence due west 446.0 feet to a large elm 54 feet east of said highway at the junction of Old Springvale Road with U.S. Highway 25-E; thence crossing said U.S. Highway 25-E, Turkey Creek, and the Ashville Division of the Southern Railway Company, south 81 degrees 25 minutes west 260 feet to a stake in the western right of way line of said Southern Railway Company; thence with said western right of way of said railway north 15 degrees 28 minutes west 260.0 feet; north 30 degrees 00 minutes west 295.0 feet; north 44 degrees 10 minutes west 299.0 feet; north 47 degrees 15 minutes west 452 feet; thence still with said right of

way north 40 degrees 47 minutes west 301.0 feet; north 45 degrees 19 minutes west 367.0 feet to a stake in the west right of way line of said Southern Railway Company at the Cold Springs Lane; thence leaving said right of way south 56 degrees 45 minutes west 1684.0 feet to a stake in the eastern boundary line of the Walter Brown property (said stake witnessed by a 14-inch locust tree which bears south 54 degrees 45 minutes west 51 feet); thence with said Walter Brown's property line north 41 degrees 30 minutes west 850.0 feet to a stake, corner of said Brown; thence north 87 degrees 30 minutes west 614.0 feet to a stake, corner of said Brown; thence north 87 degrees 00 minutes west 807.0 feet to a large poplar tree, corner to said Walter Brown, and situated in the southern edge of Linnie Avenue at the entrance of the lane leading to the home of said Walter Brown; thence with the southern edge of said Linnie Avenue, south 68 degrees 45 minutes west 801.0 feet to a point in the center of Sulphur Springs Road; thence south 44 degrees 27 minutes west 2787.7 feet to a stake in the center of Fairmont Avenue as extended, with the Jernigan Cemetery Road; thence with the northern side of said Jernigan Cemetery Road; south 89 degrees 30 minutes west 505.5 feet to a stake in the eastern edge of Valley Home Road or Old Dandridge Pike; thence north 40 degrees 30 minutes west 3859.0 feet to a stake in the eastern margin of the Economy Road in the south right of way line of the Knoxville Division of the Southern Railway Company; thence with the eastern margin of said Economy Road and crossing said Southern Railway and U.S. Highway 11-E, north 3 degrees 52 minutes east 1119.0 feet to the place of beginning.

Also, that property situated in the Fifth Civil District of Hamblen County, Tennessee, and more particularly described as follows:

Beginning at a stake in the eastern line of the Walter Brown property (said stake witnessed by a 14-inch locust tree which bears south 54 degrees 45 minutes west 51 feet); thence with said Walter Brown's property line north 41 degrees 30 minutes west 850 feet to a stake, corner to said Brown; thence north 87 degrees 30 minutes west 614 feet to a stake, corner to said Brown; thence north 87 degrees 00 minutes west 807 feet to a large poplar tree, corner to said Walter Brown and situated in the southern edge of Linnie Avenue at the entrance of the lane leading to the home of said Walter Brown; thence with the southern edge of said Linnie Avenue south 68 degrees 45 minutes west 801 feet to a point in the center of Sulphur Springs Road; thence leaving the present corporation line and running with the center of said Sulphur Springs Road and said Walter Brown's line south 24 degrees 30 minutes 1297 feet to a point in the center of said road; thence south 20 degrees 00 minutes east 221 feet to a point in the center of said road west of a large oak tree; thence running across said Walter Brown's farm north 65 degrees 00 minutes east 2285 feet to the place beginning. This survey embraces about seventy acres of land belonging to Walter Brown.

The boundaries as herein set out have been extended by the following annexation ordinances:

2288, 2289, 2290, 2293, 2294, 2295, 2296, 2299, 2305, 2306, 2307, 2308, 2309, 2313, 2318, 2328, 2329, 2330, 2331, 2338, 2358, 2373, 2374, 2382, 2409, 2410, 2418, 2419, 2439, 2443, 2444, 2445, 2446, 2481, 2482, 2512, 2567, 2609, 2628, 2653, 2681, 2682, 2683, 2684, 2690, 2704, 2705, 2477, 2717, 2722, 2723, 2725, 2726, 2732, 2733, 2740, 2744, 2745, 2848, 2850, 2855, 2866, 2867, 2879, 2881, 2884, 2894, 2914, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2951, 2955, 2966, 2968, 2972, 2979, 2980, 2991, 2992, 2995, 2996, 2997, 3045, 3046, 3049, 3050, 3057, 3058, 3059, 3060, 3061, 3062, 3070, 3074, 3077, 3079, 3090, 3096, 3098, 3109, 3110, 3111, 3120, 3125, 3126, 3130, 3131, 3138, 3133, 3134, 3136, 3137, 3142, 3143,

3144, 3156, 3174, 3175, 3180, 3183, 3184, 3185, 3186, 3187, 3188, 3195, 3201, 3207, 3208, 3216, 3217, 3218, 3225, 3228, 3229, 3230, 3233, 3235, 3240, 3241, 3246, 3249, 3260, 3262, 3263, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3286, 3287, 3289, 3290, 3291, 3296, 3304, 3308, 3309, 3310, 3311, 3323, 3334, 3336, 3346, 3347, 3348, 3349, 3353, 3354, 3405, 3409, 3422 and 3423.

Sec. 14. Debts and liabilities of former corporation.

All and singular of the debts and liabilities of the former corporation of Morristown, Tennessee, whether evidenced by bonds, warrants or otherwise, are hereby declared to be valid and subsisting debts of the corporation of Morristown, created by this Act; and shall be provided for and paid according to the laws and ordinances providing for the creation of such debts, and the city council herein provided for shall have full power and authority to carry out this section.

Sec. 15. Continuation of ordinances and resolutions.

All ordinances and resolutions of the former corporation of Morristown which were in force at the date of the abolishing of the charter of said former corporation are hereby declared to be in full force and effect as the ordinances and resolutions of the corporation created by this Act, until such time as the same shall be repealed, altered or modified by the authority of the city council of the corporation created by this Act.

Sec. 16. Continuation of former officers.

The officers and agents of the former corporation of Morristown are hereby declared to be officers and agents of the corporation created by this Act, until such time as they may be discharged or superseded by authority of the city council appointed by this Act.

Sec. 17. Transfer of property of former corporation.

All property, both real, personal and mixed, belonging to the late corporation of Morristown, is hereby declared to be the property of the corporation created by this Act.

Sec. 18. Codification of ordinances — Required every five years: admissibility as evidence.

There shall be prepared and published by the city council a digest or codification of all ordinances and resolutions of a public nature thereof every five (5) years. Said digest or codification, when so published, shall show that it is published by authority of the corporate authorities, and it shall be received and read in all the courts of the state as evidence of the ordinances, resolutions and facts pertaining to the municipality and contained therein.

Sec. 19. Same — Continuation of former Code.

The last and present digest or codification of the ordinances and resolutions of a public nature of said municipality and published by the authority of the city council, are hereby declared to be the laws and ordinances of said city upon the matters touched upon therein, excepting such as have been repealed, altered or amended, since the publication thereof, and as such shall be received and read in evidence in all the courts of the state.

Sec. 20. Municipal Utility Extension.

Said municipality, "The City of Morristown", and/or the Morristown Utilities Commission, are, and hereby are given the power of eminent domain according to the law of the land and the laws and statutes of the State of Tennessee relative thereto, with full power, in accordance therewith, to condemn, for all

municipal and corporate purposes, both within and outside the municipal boundaries, lands, and easements, including right of way for city- or commission-owned utility systems, including, but not limited to, grounds and sites for pumping stations and for the manufacture of electricity and for the manufacture and transmission of electricity either or both; water sites, springs, lands and grounds for the erection of all necessary plants for said purposes; also all necessary grounds and rights of way to and from streams, for water and manufacture of electric power, either or both; to erect, dig or prepare reservoirs for water; to build, enlarge and improve light and power stations alone or in connection with the waterworks system; to build, enlarge, or improve sewerage collection systems, pumping and treatment plants and facilities; and also, through itself, or its electric light and waterworks commissioners, according to existing laws, sell water and manufacture, transmit and sell electricity for all water, electric power and light purposes to sell sewerage treatment services, and/or to provide telecommunications service purposes, to patrons and purchasers thereof within and without the municipality.

For all the foregoing purposes and agreeable to the laws of the land and the statutes applicable thereto, the power of eminent domain is conferred upon said municipality.

ARTICLE II. Civil Service for Fire and Police Departments

Sec. 1. Civil service board created: Membership; appointment, term of office, salary, qualifications and removal of members; notice of meetings; quorum.

(a) There is hereby created a system of civil service for the City of Morristown. A civil service board shall consist of three (3) members and shall administer the system of civil service. One (1) member of such board shall be elected by the governing body or the city or Morristown and one (1) member shall be elected by the members of the classified service, i.e., members of the fire department and members of the police department, in a joint election. Such member shall receive a majority of the votes of the members of the classified service. The member selected by the governing body of the City of Morristown and the member selected by majority vote of the classified service shall then select the third member of the Board within ten (10) days after such members' appointment and selection. Provided, that if the two (2) members appointed and selected shall fail to agree relative to the third board member within ten (10) days after their appointment, the governing body of the City of Morristown shall appoint four (4) citizens to meet and confer with four (4) other citizens appointed by the members of the classified service. This joint committee of eight (8) shall meet, within ten (10) days, and appoint a person who shall serve as the third member of the Board.

(b) The three (3) members of the Board shall serve as board members for a period of three (3) years, or until their successors are appointed and qualified. On or before the expiration of the term of each board member, such board member's successor shall be selected in the same manner as the prior selection of such board member whose term is expiring.

(c) Per diem payment to Board members for attendance at Board meetings or other means of compensating service may be authorized and changed by ordinance of the City Council. No person shall be appointed a member of such board who is not a citizen of the United States, a resident of the City of Morristown, Tennessee, for at least one (1) year immediately preceding such appointment, and a registered voter of Hamblen County. No member of the classified service or any council member of the City of Morristown, may be a member of the Board.

(d) Any member of the Board may be removed from office by the governing body of Morristown for incompetency, dereliction of duty, malfeasance in office or upon conviction of any crime involving moral turpitude. Provided, however, that no member of the Board shall be removed until written charges

shall have been made, with due notice, and a full public hearing shall have been conducted before the governing body of the City of Morristown.

(e) The members of the Board shall devote adequate time and attention to the performance of the duties of the Board. Two (2) members of the Board shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the Board under and by virtue of the act.

(f) Provided, however, that due notice of all meetings shall be given so that all three (3) board members may have an opportunity to be present. Confirmation of original or succeeding board members by the legislature shall not be required.

Sec. 2. Persons subject to civil service.

This Article II shall apply to:

(a) All full-time law enforcement officers certified as such by the Peace Officers Standards and Training Commission; and

(b) All full-time fire department personnel holding the classification of firefighter driver, inspector, lieutenant, captain, battalion chief, and assistant or deputy chief in the City of Morristown. The chiefs of the police and fire departments may be hired directly by the city governing body without approval of the Civil Service board. The chiefs shall not be members of the classified service except to the extent that a two-thirds (2/3) vote of the governing body shall be required to dismiss, suspend or demote the chief of either department, which action shall not be reviewable by the Board. All such persons shall be known as the classified service. All other city employees shall be known as the unclassified or civilian service.

Sec. 3. Appointments and promotions.

All future appointments to and promotions in such departments, except as otherwise provided in this Article II, shall be made on the basis of filling the position with the best qualified candidate, using the following methods:

Subject to the standards set forth in this Article II, the city governing body shall meet with the Board and formulate minimum requirements and weighted selection criteria for each position in the classified service. As soon as possible, but in no event later than sixty (60) days after the passage of this act, the city and the Board shall jointly adopt minimum requirements and weighted selection criteria, the latter of which shall include percentage allocations for at least the following: Seniority, experience, training, testing, education, record of conduct and recommendations of the chiefs of the respective departments. If the city governing body and the Board are unable to agree upon such minimum requirements and weighted selection criteria, the city administrator, chairman of the civil service board and a person designated by the director of the municipal technical advisory service shall adopt such requirements and criteria by affirmative vote of two (2) of the three (3) persons so designated, and certify such vote in writing to the city and board. Such requirements and selection criteria shall immediately become effective. Standards, when set, shall remain in effect until altered by joint action of the city and board. After the enunciation of such standards, a roster shall be kept by the board of all full-time personnel in the classified service indicating what job classifications within each respective departments such personnel are eligible to fill. A roster shall also be kept on all applicants to become members of the classified service with appropriate indication of what job classifications such applicants are eligible to fill.

After the enunciation of such standards, no vacancy shall be filled except by a person on the roster of persons having the requisite qualifications to fill such vacancy.

If any vacancy shall occur within any branch of the classified service, the governing body shall only award the position to the individual on the roster determined to be best qualified from among those in such position on the relative roster as described in Section 10, herein. In determining who is best qualified, the city governing body shall consider seniority, experience, training, testing, education, record of conduct, and recommendations of the chiefs of the respective departments. No person shall be reinstated in, or transferred, suspended or discharged from any place, position or employment in the classified service contrary to this Article II.

Sec. 4. Functions and duties of civil service board; officers of board; meetings of board.

The board shall organize by forthwith electing one (1) of its members as chairman and shall hold regular meetings at least once a month, and such additional meetings as may be required for the proper discharge of its duties.

The board shall appoint a secretary who shall keep its records, preserve all reports made to it, superintend and keep a record of all examinations and perform such other duties as the board may prescribe.

It shall be the duty of the board:

(a) To make suitable rules and regulations not inconsistent with this Article II. Such rules and regulations shall provide in detail the manner in which examinations may be held and appointments, promotions, transfers, demotions, reinstatements, suspensions and discharges shall be made, and may also provide for any other matters connected with the general subject of personnel administration; such rules and regulations shall include the methods used in determining the standard for each job classification in the classified service. These rules and regulations may be changed from time to time by the board and shall be printed or otherwise made publicly available;

(b) To adopt rules and regulations that include provisions to ensure that seniority may not be lost by any person holding a position in the classified service, if such person leaves the classified service to enter the military service of the United States; provided, that such person returns to the classified service within six (6) months following his or her honorable discharge from such service. In such cases the period of military service shall be included in the period of seniority of such person;

(c) To make investigations and report upon all matters relating to the enforcement and effect of this Article II, and the rules and regulations prescribed hereunder, inspect all institutions and employment affected by this Article II, and ascertain whether this article and all such rules and regulations are being adhered to. Such investigations shall be made by the board on its own motion and must also be made on petition of any citizen duly verified stating that irregularities or abuses exist, or setting forth in writing the necessity for such investigation. In the course of such investigation, the board shall have the power to administer oaths, subpoena and require the attendance of witnesses, and require the production of books, papers, documents and accounts appertaining to the investigation. The failure upon the part of any person to comply with such subpoena or demand shall be a violation of this Article II and be punishable as such;

(d) To ensure that all hearings and investigations before the board are governed by this Article II and by the rules of practice and procedure

to be adopted by the board. The board, or its designated hearing officer, shall not be bound by technical rules of evidence. No formality in any procedure or hearing shall invalidate any order, decision, rule or regulation made or approved by the board; provided, however, that no decision shall be binding unless concurred in by at least two (2) of the board members;

(e) To hear and determine appeals or complaints relative to the allocation of positions, the determination of job changes, the furnishings of rosters and the position of members of the classified service, and of applicants on such rosters, and such other matters relating to the administration of this Article II as may be referred to the board;

(f) To see that the job classifications, the standard for filling said classifications and the roster of eligible appointees for each classification are kept continuously up to date, and posted in the respective departments of the classified service. Said rosters shall show name, rank and number in their proper order according to the scoring mechanism established for eligible appointees to each job classification. Terms of leaves of absence granted by the board hereby created upon recommendation of the chief of each department shall not forfeit the rights of the member granted leave under this Article II nor be charged against such member in his or her order of seniority;

(g) To make provisions that persons laid off because of curtailment of expenditures, reduction in force, and for like causes, shall be the persons, including probationers, that have been appointed to the respective department of the classified service. Rules and regulations shall provide that persons so laid off shall be reinstated before any new appointments to said department shall be made;

(h) To keep the appointing authority notified of the person highest on each eligible list for appointment to each vacancy that may occur; and

(i) To keep such records as may be necessary for the proper administration of this Article II.

Sec. 5. Reserved.

Sec. 6. Qualification of applicants.

(a) Citizenship. An applicant for a civil service position of any kind under the classified service must be a citizen of the United States, who can read and write the English language.

(b) Character and fitness. Every applicant for a position in the classified service must, in addition to such minimum standards as are stated by the board, also be of ordinary good health, of good moral character and of temperate and industrious habits; these facts to be ascertained in such manner as the board may deem advisable.

Sec. 7. Tenure of office; grounds for demotion, suspension or discharge.

The tenure of everyone holding office, place, position or employment under this Article II shall be for and only during good behavior. Any such person may be removed or discharged, suspended without pay, demoted or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons, but for no other reasons:

(a) Dishonesty, intemperance, immoral conduct, insubordination, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to conduct himself properly; or any willful violation of this Article II or the rules and regulations to be adopted hereunder;

(b) Conviction of a felony, or a misdemeanor involving moral turpitude, or a misdemeanor reflecting upon ability to perform public service or one for which a jail sentence is or may be imposed; or

(c) Any other act or failure to act which, in the judgment of the board, is sufficient to show the offender to be an unsuitable and unfit person to be employed in the classified service.

Sec. 8. Removal of members from civil service.

(a) No person in the classified civil service who shall have been permanently appointed or inducted into civil service under this Article II shall be removed, suspended or discharged except for cause, and only upon the written accusation of the appointing power, or any citizen or taxpayer, a written statement of which accusation shall be served upon the accused, and a duplicate filed with the Board. The chief of the fire department or the chief of the police department may suspend a member of the department pending the confirmation of the suspension by the regular appointing power under this Article II, which must be within twenty-one (21) days. Any person so removed, suspended or discharged may within twenty (20) days from the time of the person's removal, suspension or discharge file with the Board a written demand for an investigation, whereupon the Board shall conduct such investigation.

(b) The investigation shall be confined to the determination of whether such removal, suspension or discharge was or was not made for political reasons and was or was not made in good faith for cause. After such investigation, the Board shall deliberate and may affirm the action taken, or if it shall find that the removal or suspension was made for political reasons, or was not made in good faith for cause, shall order the immediate reinstatement or reemployment of such person in the office, place, position or employment from which such person was removed, suspended or discharged, which reinstatement shall, if the Board so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such removal, suspension or discharge. The findings of the Board shall be certified in writing to the appointing power and shall be forthwith enforced by such authority.

(c) All investigations made by the Board pursuant to this section shall be by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded the opportunity to appear in person with counsel or by counsel and to present a defense. At any such hearing the testimony of all witnesses shall be taken in writing and a record shall be made of all proceedings.

Sec. 9. Duty of city officers and employees to assist board.

(a) It shall be the duty of the City Administrator to assign sufficient staff of the City of Morristown to carry out this Article II, and such rules and regulations consistent with this Article II, as may, from time to time be prescribed by the board and to afford the Board, its members and employees, all reasonable facilities and assistance in the inspection of all books, papers, documents and accounts applying or in any way appertaining to any and all offices, places, positions, papers, documents and accounts relevant to the duties of the board. It shall be the duty of such officers and employees to attend and testify whenever required by the Board or any member thereof.

(b) The board shall not promulgate any rule or regulation under authority of the act or make any appointments or promotions that are inconsistent with any state or federal guidelines or standards, or inconsistent with any rules or regulations of the appropriate accreditation agencies that certify or accredit the police and fire departments of the city pursuant to state or federal law or the standards required of a nongovernmental agency that have been accepted by the city governing body. If a rule or regulation of the Board appears to the city governing body to be inconsistent with such standards, the city shall submit the question to the applicable agency, if any, promulgating such standards for an

opinion relative to the apparent inconsistency. Such opinion, if received within ninety (90) days of submission in writing from such agency shall be the basis upon which the board and/or the governing body shall amend said rules or regulations in order to comply. Should such opinion not be provided within ninety (90) days, the city governing body, in its sole discretion, shall determine if such rules or regulations are inconsistent with such standards, and in the event such determination is in the affirmative, the rule or regulation shall be void, upon duly adopted resolution of the city.

Sec. 10. Certification of names for vacancies; eligible lists; probationary employment.

(a) When a position in the classified service becomes vacant, whether entry level or promotional, the governing body of the City of Morristown shall make requisition upon the board for the names of three (3) persons eligible for appointment. The board shall certify the names of the three (3) persons highest on the eligible list willing to accept employment.

(b) In the event of two (2) or more promotional vacancies for the same position, two (2) additional names shall be certified for each such additional vacancy.

(c) Promotional appointees shall serve on probation during the first six (6) months of employment, and may be transferred back to such appointee's former position for good cause by the governing body, in its discretion. Such action shall not be reviewable by the Board. In such event, the employee shall re-qualify for the promotional roster before being eligible for promotion.

(d) Whenever a requisition is to be made, or whenever a position is held by a temporary appointee and an eligible list for the class of such position exists, the governing body shall appoint a person from among the persons so certified for such position.

(e) Notwithstanding any provision of the Civil Service Act to the contrary, the chiefs of the respective departments, with the approval of the governing body, shall be empowered, upon proper certification by the board of the eligibility of a new (non-classified service) applicant for a position in the classified service, to appoint such person to such position for a period of six (6) months plus the required time for formal entry-level training as defined by departmental policy, but not to exceed a total of fourteen (14) months, during which time the applicant shall be on probation and subject to removal for just cause shown at any time during the probationary period. If the governing body in its discretion deems such person on probation unfit and unsatisfactory for such position, such person on probation may be dismissed. Any action taken by such governing body with respect to the dismissed applicant or probationer shall not be reviewable by the Board. In the event of dismissal of such applicant or probationer for reasons satisfactory to the governing body of the city of Morristown, the board shall again certify the names of the persons on the eligible list as the same shall appear from the records of the board. Notwithstanding the foregoing, a departmental chief may request and the civil service board may grant, at its sole discretion, an extension of the probationary period of up to sixty (60) additional days.

(f) The chiefs of the respective departments may make lateral assignments of personnel. A lateral assignment shall be an assignment which is not accompanied by changes in wages, clothing allowance, vacation accrual, sick leave accrual or incentive pay.

Sec. 11. Leave of absence without pay.

Leave of absence, without pay, may be granted by the board upon the recommendation of the chief of the fire department or the chief of the police department, and the board shall give notice of such leave of absence to the governing body. All temporary employment caused by leaves of absence shall be made from the eligible list of classified civil service of the department concerned.

Sec. 12. False marking, grading, etc., of examinations, etc., prohibited.

No board member or any other person, shall, by himself or herself, or in cooperation with one (1) or more persons, defeat or deceive any person in respect of his or her right of examination or registration according to the rules and regulations of this Article II, or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to this Article II or aid in so doing, or make any false representation concerning the same or concerning the person examined, or furnish any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined, registered or certified, or persuade any other person, or permit or aid in any manner any person to personate any other person, in connection with any examination or registration or application or request to be examined or registered.

Sec. 13. Political activities; prohibited; religious and political discrimination prohibited.

(a) No person shall be appointed or promoted to, or demoted or dismissed from, any position in the classified service, or in any way favored or discriminated against with respect to the employment in the classified service because of his or her political or religious opinions, but all employees must take an oath to support the Constitution of the United States.

(b) No person shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service.

(c) No person shall use or promise to use, directly or indirectly, any political or official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service or an increase in pay or other advantages in employment in any such position either for the purpose of influencing the vote of political action of any person, or for any consideration, or otherwise.

(d) It shall be the duty of the board to supervise the execution of the foregoing civil service provisions of this Article II and the rules made thereunder, and it shall be the duty of all persons under this Article II and in the service of the police and fire departments to comply with such rules and to aid in their endorsement.

Sec. 14. LEFT BLANK INTENTIONALLY

Sec. 15. Compliance with Act.

The failure on the part of the board, or any member thereof or on the part of the governing body of the City of Morristown, or any member thereof, to comply with the terms of this Article II shall be considered a violation of this Article and shall be punishable as such.

Sec. 16. City to furnish board with accommodations and equipment; employment or clerical, administrative, etc., assistance.

The governing body of the City of Morristown shall provide the board with suitable and convenient rooms and accommodations and cause the same to be furnished, heated and lighted and supplied with all office supplies and equipment necessary to carry on the business of the board and shall either provide directly or provide the funds for the payment of such necessary clerical, administrative, actuarial and legal assistance as may be employed by the board. Said accommodations, equipment, employment, or other assistance shall be requested of the City Administrator, who shall facilitate the same with available resources or through additional allocation requested to the governing body; and the failure on the part of the governing body to do so shall be considered a violation of the Act and shall be punishable as such.

Sec. 17. Appropriations by city council.

The governing body of the City of Morristown shall have authority to appropriate from the general funds of said city a sum sufficient to carry out the purposes of this Article II, and shall make such appropriation.

Sec. 18. Organization of original board.

It shall be the duty of the board appointed subject to this Article II to organize immediately and to see that the provisions thereof are carried into effect, and to make suitable rules and regulations to effect said purposes; and the failure upon the part of said board, or any individual member thereof so to do, shall be deemed a violation of this Article II and shall be punishable as such.

Sec. 19. Penalty for violation of Act.

Any person who shall willfully violate any of this Article II shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not less than twenty-five dollars (\$25.00), or more than five hundred dollars (\$500.00), or by imprisonment in the county jail for not longer than eleven (11) months and twenty-nine (29) days or by both such fine and confinement in the county jail.

Sec. 20. Repeal of conflicting laws.

All laws or parts of laws in conflict with this Article II be and the same are hereby repealed.

Sec. 21. Severability of Act.

The provisions of this Article II are hereby declared to be joint and severable and the invalidating of any section shall not affect the validity of the remaining sections, which shall remain in full force and effect.

ARTICLE III. Morristown Utilities Commission

Sec. 1. Name change; membership; appointment of members.

(a) Name—Authority. The Board of Electric Light and Waterworks Commissioners is hereby designated the Morristown Utilities Commission. Said Utilities Commission shall have authority to manage and control the electric power and water utilities and, subject to city council approval, all other municipal utilities of the City of Morristown, Tennessee, which are both within and without the corporate limits of the City, all in accordance with and subject to the requirements of state and federal laws, rules and regulations.

(b) Membership; Appointment; Term. The commission shall consist of five (5) persons to serve five (5) year terms. In order to facilitate an orderly transition with respect to expansion of membership and term of office, the present terms shall be modified in the following manner:

Term Expiring	Modified to Expire
July 31, 2001	July 31, 2006
July 31, 2002	July 31, 2005
July 31, 2003	July 31, 2004

In addition to the enumerated modifications, there shall be two (2) additional commissioners to be appointed to increase the commission to five (5) members.

Each of the additional commissioners shall be appointed in accordance with the procedures provided herein for nominations. The first new appointment

shall be made for a term beginning August 1, 2001, and expiring July 31, 2002. The second new appointment shall be made for a term beginning August 1, 2001, and expiring July 31, 2003. All subsequent terms of all commissioners shall be for five (5) years.

(c)

(1) Prior to the first day of July in each year, the commissioners shall submit to the Mayor a list of three (3) nominees for the commission seat expiring as of July 31st. The Mayor shall, within thirty (30) days of submission of such nominees, select from these names a nominee. A majority vote of the City Council shall be necessary for the election of such nominee as a commissioner. Should the City Council fail to take action to either approve or disapprove a nominee within a period of thirty (30) days following notice of such nomination to the City Council, the nominee shall be deemed elected.

(2)

(A) In the event that the City Council takes action within such thirty (30) day period but a nominee does not receive a majority vote of the City Council, the nomination procedure shall be repeated except that the commissioners shall have fourteen (14) days from notice of the City Council that a nominee did not receive a majority vote of the City Council in which to submit the names to the Mayor of three (3) nominees, which may include two (2) of the three (3) names not previously selected and submitted by the Mayor to the City Council.

(B) If a nominee is not selected from the second list submitted to the City Council by the Mayor under the procedure established in subdivision (c)(2)(A), then a third and final list of nominees shall be submitted to the Mayor by the commissioners within the time period established for submitting the second list of names. If a nominee is not selected from the third list submitted to the City Council by the Mayor under the procedure established in subdivision (c)(2)(A), subdivision (c)(3) shall take effect.

(3)

(A) The commissioners shall submit directly to the City Council a list of three (3) nominees for the commission seat expiring as of July 31st. Such names shall be submitted to the City Council within fourteen (14) days from notice of the City Council that a nominee from the third list submitted by the Mayor to the City Council did not receive a majority vote of the City Council. The City Council shall have thirty (30) days from the date the list is submitted to the City Council to take an action to approve a nominee from the fourth list. The nominee receiving the highest number of votes from the City Council shall be the nominee. However, if a tie vote occurs between two (2) of the names submitted, the name of the nominee who received the fewest votes shall be eliminated and the City Council shall vote on the remaining two (2) nominees with the nominee receiving the highest number of votes being declared the nominee.

(B) If the City Council fails to take action to either approve or disapprove a nominee within such thirty-day period, the Mayor shall select the nominee from the list of three (3) names submitted to the City Council to be the commissioner.

(4) In the event of a vacancy during the term, said vacancy shall be filled for the remainder of the term in accordance with the procedures provided in subdivisions (1) through (3) for nominations, and the

commission shall make its nominations to the Mayor within thirty (30) days of the occurrence of the vacancy to commence the election process.

Sec. 2. Qualifications of commissioners; oath and bond; compensation; removal of commissioners; commissioners not to hold other office.

The commissioners shall be residents of said municipality, and reside within the corporate limits thereof. Said commissioners shall be elected by the city council as hereinbefore provided. Said commissioners, before entering upon their duties, shall make and subscribe an oath in writing to faithfully discharge their duties as such commissioners, and each will give bond in such sum as the corporate authorities may require, payable to the State of Tennessee, conditioned for the careful and faithful performance of their duties as such commissioners, and upon said bonds a right of action will be in the name of the State for the use of the party or parties aggrieved by any neglect of duty on the part of said commissioners. Said commissioners shall receive such compensation as the city council may determine, and any and all of them may be removed from office by the city council for malfeasance or misfeasance therein. No person holding any other office pertaining to said city shall be eligible for the office of commissioner.

Sec. 3. Chairman and secretary; quorum; records to be kept; powers and duties generally.

The commissioners, upon their election and qualification, shall organize by selecting one (1) of their number chairman and one (1) secretary. A majority of the commissioners shall constitute a quorum for the transaction of business, and all matters to be determined by them shall be determined by a majority vote, and they shall keep a record of all their transactions in a well-bound book, which shall be open, on demand, to the inspection of any and all citizens and taxpayers of the City of Morristown. Said utilities commissioners shall have charge and supervision of the electric light and water works systems of the corporation and with prior approval of city council, telecommunications, natural gas, ISP and CATV services and any other utility service, and shall have full power to make all contracts necessary to the operation thereof, employing such help as may be necessary, and fixing the salaries of all employees, and fixing rates for such services, and through their secretary, collect the same, it being the intention hereby to make said utility commissioners a separate and independent body for the performance of the duties of the positions to which they are elected. The fees or proceeds arising for the use of the various utilities, when collected, shall be kept separate from the other as a separate enterprise fund to be applied to the operation of each particular utility. The net proceeds of each utility shall only be liable for the debts and liabilities of that particular utility hereafter occurring, but the property of commission and proceeds thereof shall be liable for any debts heretofore contracted. Said commissioners will make reports at least annually to the city council, setting out in said report separately the receipts and disbursements of each of said utilities, and reciting therein all business transacted by them since the date of their last report.

Sec. 3A. Action of board of utilities commissioners may be by resolution.

Any and all action required or authorized to be taken under this Article III by the board of utilities commissioners, except as statute or regulating authority may otherwise prescribe, may be by resolution, which resolution may be adopted at the meeting of the board at which such resolution is introduced, and shall take effect immediately upon adoption.

Sec. 3B. Repeal of conflicting Acts.

That all Acts or parts of Acts in conflict with this Act be and the same hereby are repealed.

Sec. 4. Authority to construct, expand, and operate municipal utilities; power of condemnation; other powers.

The utilities commissioners of the City of Morristown may create, construct, expand, enlarge, extend, and operate the municipal utilities they are authorized to operate to such point or points within or without the corporate limits of the City of Morristown in conformity with general law and as in their discretion may be deemed necessary or desirable. In order to expand, enlarge and extend said municipal utilities, the utilities commissioners and/or the city council for the City of Morristown is hereby authorized and empowered to acquire, either by purchase or condemnation, all real estate necessary or proper to expand and extend said utilities. This shall include, but not be limited to, any spring or springs of water, pump stations, rights of ways to and from such springs or pump stations, and for necessary pipe lines for conveying water either outside or within the corporate limits of said city; and it may take and appropriate such lands and grounds upon which are located springs of water, together with such quantity of land surrounding said watering places, as may be necessary or proper for the proper protection of such springs of water and for the location of pump stations and for rights of way for water mains, pipes, and other devices that may be necessary or proper for conveying currents of water in the operation of said waterworks system, and the utilities commissioners and/or the city council for the City of Morristown is hereby vested with full power and authority to acquire by purchase or condemnation proceedings the riparian rights of lower landowners along any stream, the spring or upper portion of which is acquired or the water from which is used under this Article III. Additionally, the utilities commissioners and/or the city council for the City of Morristown is hereby authorized and empowered to acquire, by purchase or the exercise of the right of eminent domain, any property or easements or other right or interest in property necessary for the construction, reconstruction, extension or enlargement of a sewerage system whether such property be within or without the city or partially within and partially without the city.

That if it shall become necessary to condemn any private property for the use set out in this section of this Article III, the utilities commissioners and/or the city council for the City of Morristown shall direct the general manager of the Morristown Utilities Commission, the mayor or some other administrative officer or the attorney for the Morristown Utilities Commission and/or the City of Morristown to proceed in the name of the Morristown Utilities Commission and/or the City of Morristown to have said property or right of way appropriated as provided for the taking of private property for works of internal improvements as stated in the general laws and Code of the State of Tennessee.

Additional powers of the Morristown Utilities Commission include:

- (a) To fix, levy and collect fees, rents, tolls, or other charges for connecting to and for the use of each utility service;
- (b) To make contracts and execute instruments containing such terms, provisions and conditions as in the discretion of the board of utilities commissioners may be necessary, proper or advisable for the purpose of obtaining a grant, loan or other financial assistance from any federal agency or from the State of Tennessee by virtue of any Act of Congress or Act of the General Assembly of Tennessee;
- (c) To make all contracts and execute all other instruments necessary, proper or advisable in or for the furtherance of the construction, expansion, rehabilitation, and/or operation of each utility service;
- (d) To enter on any lands, waters and premises for the purpose of making surveys, soundings and examinations in or for the furtherance of the construction of its utility functions;
- (e) To require the owner, tenant or occupant of each lot or parcel of land which abuts upon a street or other public way containing a sanitary sewer upon which lot or parcel a building exists for residential, commercial or industrial use to connect such building with such sanitary

sewer and to cease to use any other means for the disposal of sewage, sewage waste or other polluting matter;

(f) To require the owner, tenant or occupant of each lot or parcel of land who is obligated to pay the charges made for the utility service(s) furnished to make a reasonable deposit in advance to ensure the payment of such charges;

(g) To discontinue any services of the system to any owner, tenant, or occupant obligated to pay the charges made for the service furnished by the utility in the event of failure to pay for said services of the system; and

(h) Perform any acts authorized under this act or otherwise authorized by the laws of the State of Tennessee.

Sec. 5. LEFT BLANK INTENTIONALLY

ARTICLE IV. Hotel Occupancy Tax

Sec. 1. Definitions.

As used in this Article IV, unless a different meaning clearly appears from the context, the following definitions shall apply:

(a) "Consideration" means the consideration charged whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person;

(b) "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist court, tourist camp, tourist cabin, motel or any place in which rooms, lodgings, or accommodations are furnished to transients for a consideration;

(c) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings or accommodations in any hotel;

(d) "Operator" means the person operating the hotel whether as owner, lessee or otherwise.

(e) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business, trust receiver, trustee, syndicate, or any other group or combination acting as a unit; and

(f) "Transient" means any person who exercises occupancy or is entitled to occupancy for any room, lodgings, or accommodations in a hotel for a period of less than ninety (90) continuous days.

Sec. 2. Tax levied.

The City of Morristown is hereby authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient up to a maximum rate of seven percent (7%) of the consideration charged by the operator. Said tax so imposed is a privilege tax upon the transient occupying said room and is to be collected and distributed as hereinunder provided.

Sec. 3. Operator's responsible for collecting tax.

Said tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of his or her hotel, such invoice to be given directly or transmitted to the transient, and shall be collected by such operator from the transient and remitted to the City Recorder of the City of Morristown.

Sec. 4. Tax due date.

The tax hereby levied shall be remitted by all operators who lease, rent, or charge for any rooms to the City Recorder of the City of Morristown, to be remitted to such officer not later than the 20th day of each month next following collection from the transient.

Sec. 5. Occupant responsible for paying tax.

No operator of a hotel shall advertise or state in any manner whether directly or indirectly that the tax or any part thereof will be assumed or absorbed by the operator, or that it will be added to the rent, or that, if added, any part will be refunded.

Sec. 6. Delinquent taxes.

Taxes collected by an operator which are not remitted to the City Recorder on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at the rate of twelve percent (12%) per annum, and in addition for penalty of one-half of one percent (1/2 of 1%) for each month or fraction thereof such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted.

Willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall constitute a misdemeanor punishable upon conviction by a fine not less than twenty-five dollars (\$25.00) nor in excess of fifty dollars (\$50.00). The fine levied herein shall be applicable to each individual transaction involving lodging services paid by a customer to the operator in those cases when the operator fails or refuses to pay the tax payable to the City Recorder.

Sec. 7. Operators' duties.

It shall be the duty of every operator liable for the collection and payment of this tax, to keep and preserve for a period of three (3) years all records necessary to determine the amount of such tax for whose collection and payment to the municipality he or she may have been liable, which records the City Recorder shall have the right to inspect at all reasonable times.

Sec. 8. Illegal assessment and collection.

In administering and enforcing this Article IV, the City Recorder shall have as additional powers the powers and duties with respect to collection of taxes provided in Tennessee Code Annotated, Title 67, or otherwise provided by law.

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in Tennessee Code Annotated, Section 67-1-911, it being the intent of this Article IV that the provisions of law concerning the recovery of erroneous tax payments to municipalities shall apply to the tax collected under the authority of this Article IV; provided, the City Recorder shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-1-707, with respect to the adjustment and settlement with taxpayers of all errors of taxes collected by him or her under the authority of this Article IV and to direct the funding of the same. Notice of any tax paid under protest shall be given to the City Recorder, and suit for recovery shall be brought against him or her.

Sec. 9. Uses of collected taxes.

The proceeds from the tax levied herein shall be retained by the municipality and deposited in the general funds of the municipality; however, twenty-five percent (25%) of the tax levied may be used to promote the development of tourism in the municipality. Proceeds of this tax may not be used to provide a subsidy of any form to any hotel or motel.

Sec. 10. Occupancy tax to be in addition to other taxes and fees.

The tax herein levied shall be in addition to all other taxes levied or authorized to be levied whether in the form of excise, license, or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied.

Sec. 11. City recorder to enforce.

The City Recorder shall have the power to make and publish reasonable rules and regulations not inconsistent with this Article IV or other laws, for the enforcement of this Article and the collection of revenues hereunder. Further the City Recorder shall design, prepare, print and make available to all persons who are subject to this Article IV, all necessary forms for filing returns and instructions to ensure full compliance with this Article.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Morristown. Its approval or nonapproval shall be proclaimed by the presiding officer of and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it becomes effective upon becoming a law, the public welfare requiring it. For all other purposes, it becomes effective as provided in Section 2.

HOUSE BILL NO. 2999

PASSED: April 22, 2024



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2024



BILL LEE, GOVERNOR

RESOLUTION NO. 2024-15

“A RESOLUTION OF THE CITY COUNCIL OF MORRISTOWN, TENNESSEE AUTHORIZING THE DISBURSEMENT TO ALPS, BOYS & GIRLS CLUB OF MORRISTOWN INC., THE CHILD ADVOCACY CENTER, GIRLS INC., HELPING HANDS CLINIC INC., KEEP MORRISTOWN HAMBLÉN BEAUTIFUL, MATS, MORRISTOWN-HAMBLÉN CHILD CARE CENTERS, ROSE CENTER, SENIOR CITIZENS CENTER, STEPPING OUT, MCNABB CENTER, MORRISTOWN’S TASK FORCE ON DIVERSITY, HC*EXCEL/READY BY 6, HOLA, MORRISTOWN-HAMBLÉN IMAGINATION LIBRARY ADVISORY COUNCIL, FRIENDS OF HOSPICE OF THE LAKEWAY AREA, HOLSTON UNITED METHODIST HOME FOR CHILDREN/HOPE & THRIVE ACADEMY, AND CROCKETT TAVERN, AND OF THOSE FUNDS ALLOCATED TO THESE NON-PROFIT CHARITABLE AND CIVIC ORGANIZATIONS IN THE CITY OF MORRISTOWN’S 2024/2025 FISCAL YEAR BUDGET.”

WHEREAS, as a part of its annual budget process the City of Morristown allocates to be disbursed to deserving non-profit charitable and civic organizations; and,

WHEREAS, as a part of the City of Morristown’s budget adopted for the 2024/2025 fiscal year two-hundred fifty-six thousand seven hundred seventy-five dollars (\$256,775) were allocated to be disbursed to ALPS, Boys & Girls Club of Morristown Inc., The Child Advocacy Center, Girls, Inc., Helping Hands Clinic, Inc., Keep Morristown Hamblen Beautiful, MATS, Morristown-Hamblen Child Care Centers, Rose Center, Senior Citizens Center, Stepping Out, McNabb Center, Morristown's Task Force on Diversity, HC*Excel/Ready by 6, HOLA, M-H Imagination Library Advisory Council, Friends of Hospice of the Lakeway Area, Holston United Methodist Home for Children/Hope & Thrive Academy, and Crockett Tavern; and,

WHEREAS, the City of Morristown in accordance with Tennessee Code Annotated 6-54-111 does hereby pass this Resolution authorizing the disbursement to these non-profit charitable and civic organizations of the funds appropriated and budgeted for their use and benefit in the City of Morristown’s 2024/2025 fiscal year budget; and,

WHEREAS, it is in the best interest and welfare of the citizens and residents of the City of Morristown that this Resolution shall be passed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morristown, Tennessee, meeting in regular session on this the 18th day of June, 2024, with a lawful quorum of said Council being present and with a majority of said Council voting in the affirmative as follows:

1. That the two-hundred fifty-six thousand seven hundred seventy-five dollars (\$256,775) appropriated and budgeted by the City of Morristown Council in its 2024/2025 fiscal

year budget for the use and benefit of deserving non-profit charitable and civic organizations shall be disbursed and is authorized to be disbursed as follows:

<u>Organization</u>	<u>Amount</u>
ALPS	\$ 13,000
Boys & Girls Club of Morristown Inc.	26,500
The Child Advocacy Center	1,000
Girls, Inc.	15,000
Helping Hands Clinic, Inc.	7,125
Keep Morristown Hamblen Beautiful	19,950
MATS	8,000
M-H Child Care Centers	23,925
Rose Center	18,000
Senior Citizens Center	48,625
Stepping Out	2,500
McNabb Center	24,650
Morristown's Task Force on Diversity	8,000
HC*Excel / Ready by 6	5,000
HOLA	8,000
M-H Imagination Library Advisory Council	5,000
Friends of Hospice of the Lakeway Area	10,000
Holston United Methodist Home for Children/Hope & Thrive Academy	2,500
Crockett Tavern	10,000
	<u>\$ 256,775</u>

2. This Resolution shall be effective from and after its adoption.

PASSED on the 18th day of June 2024.

Mayor

ATTEST:

City Administrator/Recorder

RESOLUTION NO. 2024-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRISTOWN,
AMENDING PURCHASING OPERATING PROCEDURES.**

WHEREAS, the Council desires to establish an amended Standard Operating Procedures policy relative to Purchasing,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Morristown:

SECTION 1. The City Council hereby approves and adopts the “Standard Operating Procedures” for Purchasing efforts as amended and presented herein, superseding policy and procedures previously adopted internally or by City Council except as exists or as may be amended from time to time through the Municipal Code of Ordinances.

SECTION 2. This resolution shall be in full force and effect immediately upon passage.

**CITY OF MORRISTOWN, TENNESSEE
FINANCE DEPARTMENT: PURCHASING
STANDARD OPERATING PROCEDURES**

Background:

The City’s **Municipal Code of Ordinances** creates basic Purchasing related policies in Title 5, Chapter 5, Section 501 through 504 (Chapter most recently amended June 18, 2024). The City Council also adopts an **Internal Control Manual**, which addresses Purchasing matters (most recently amended December 2022). Further, the **Municipal Purchasing Law of 1983** and various other purchasing related state statutes exist as the basic foundation for purchasing policies and procedures.

Both the Code of Ordinances and the Internal Control Manual state that certain Policies & Procedures will be further adopted by Resolution of the City Council. *This Standard Operating Procedure document, adopted by resolution, intends to establish a thorough set of expectations and guidelines with regard to the purchasing process and various scenarios.*

Basic Policy:

The purchasing of services, equipment and supplies are centralized in the Purchasing Department under the immediate supervision of the Purchasing Agent under the supervision of the Finance Director. No invoice submitted by a vendor is to be paid unless the purchase was made or approved by the Purchasing Department (creating a purchase order) except for travel, utilities, legal ads, and similar recurring expenditures where Administration has determined that it is infeasible, impractical, or otherwise unnecessary and has documented the same.

Identifying Thresholds:

The user department should determine which threshold its desired purchase is likely to meet. In determining this threshold, the user department must consider similar purchases already made within the same fiscal year and consider the cumulative cost including the new proposed purchase. The Purchasing Department will also be responsible for considering whether a proposed purchase may exceed certain thresholds when taken into consideration with purchases made cumulatively across City departments.

Level 1: Purchases of \$50,000 or more, except as provided herein or by other state exemption, shall be publicly advertised for competitive, sealed bidding.

Level 2: Purchases from \$20,001 to \$49,999 require written, competitive quotes from at least three vendors whenever possible, except as may be provided herein.

Level 3: Purchases of \$20,000 or less may be purchased directly, although multiple quotes remain the best method to ensure proper competition and fiscal responsibility when doing so is feasible.

The user department may seek assistance from the Purchasing Department in determining the likely threshold and consult on whether or not exceptions or exemptions to a process may be available. In any case, the Purchasing Agent, Finance Director, and City Administrator may, using their best judgement, require that a purchase follow a process for a stricter threshold than it may appear is necessary.

In consultation with the user department, the Purchasing Agent, Finance Director, or City Administrator may identify that a proposed purchase is better suited for a request for proposal (RFP) or request for qualifications (RFQ) process rather than direct bidding or quoting. When this is the case, the Purchasing Agent will work with the user department to create the appropriate documents for the solicitation.

Invitations to Bid (ITB), Requests for Proposals (RFP), Requests for Qualifications (RFQ):

The user department provides the Purchasing Agent with pertinent details for the proposed purchase. Typically, this may include 1) a general description/overview of the intended purchase or services to be procured, 2) a detailed list of quantities where applicable, 3) a list of specifications identifying what specifications are exact or are intended as minimums or maximums, 4) identification of makes, models, brands, etc. upon which the specifications were established (but ensuring that specifications do not single-out a particular vendor), 5) deadline requirements, 6) expectations for one-time purchase versus establishing a standing contract, 7) bonding or other security requirements, and 8) any other pertinent details.

For RFP and RFQ items, the Purchasing Agent will work with the user department to identify other information necessary for ultimately basing recommendations: statements of qualifications, work history, experience, methodology, timelines, familiarity with the project, etc. Likewise, the Purchasing Agent will work with the user department to establish scoring criteria.

Based on the information above, the Purchasing Agent will create a solicitation and will ensure that a public advertisement is published notifying eligible vendors of the purchasing need, which shall run in a local newspaper (The Citizen Tribune) for a minimum of two (2) days. The public notice should at a minimum identify the item(s) required, the date for receipt and opening of bids, and contact information for the office or location where additional details can be found.

All purchases or awards as a result of the ITB, RFP, or RFQ process require final action by the City Council. The lowest compliant bidder is generally the bid that is recommended to the City Council for acceptance unless other offsetting factors dictate acceptance of a higher bid. Likewise, the respondent to an RFP or RFQ that scores most favorably according to a selection committee is generally the vendor/firm recommended to the City Council for acceptance unless other offsetting factors dictate otherwise.

A successful competitive solicitation will result in two or more sealed bidders. If fewer than two sealed bids are received, the Purchasing Department and the user department should consult to determine whether specifications or other details of the solicitation could be amended to better attract bidders. Staff will present the City Council with an action to reject all bids (if only one was received). The same opportunity to bid – or an amended version should be produced. If a second attempt is unsuccessful or if there are extenuating circumstances that may not warrant a second attempt, the City Administrator may authorize alternate action, which may include consideration of a purchase by the City Council.

Procedure:

The first step in the purchasing procedure is preparation of the purchasing requisition in Munis. This prompts the Purchasing Agent to assess the requisition and process a purchase order for additional approvals. The requisition establishes a department's need and does not represent a purchase contract. The user department prepares a purchasing requisition of the materials it needs, the vendor from which the purchase is to be made (for Level 2 and Level 3 purchases), the budgeted funding source to be used for the purchase (with adequate funding for said purchase), and approval by the head of the department or his or her authorized representative; it is then submitted to the purchasing agent. In preparing the requisition, the user department should include such pertinent facts as the department account number, date, delivery date, delivery address, description and specific quantity of material needed. Ahead of submitting the requisition, the user department may request assistance from the Purchasing Department in identifying vendor(s). Requisitions submitted, which are determined to meet Level 1 or Level 2 thresholds or to require RFPs/RFQs, may be disapproved or canceled by the Purchasing agent until the appropriate procurement process is followed.

For Level 2 threshold purchases, the Purchasing Agent will ensure that the user department has provided at least three (3) written quotes whenever possible for the proposed purchase (T.C.A. § 12-3-1212). If quotes are not provided, the Purchasing Agent will work with the user department as necessary to identify possible vendors from which to seek quotes.

For Level 1 threshold purchases, requisitions need not be entered until after formal bids (or RFPs or RFQs) have been received, opened, and a recommended vendor identified. These requisitions will be entered by the Purchasing Agent after the City Council has formally awarded a bid and/or contract.

Potential exemptions to purchasing policy in Emergency situations are described in the following section. Procedurally, if/when a department has need for an emergency purchase outside of normal business hours, the user department may take action necessary to procure necessary items, materials, or services, and shall at the next possible opportunity during normal business hours, present documentation to the Purchasing Agent. At minimum, the user department shall provide a detailed description of the nature of emergency and the emergency purchase made or initiated, any receipts, invoices, delivery slip, or other detail typically provided by said vendor or provider. The Purchasing Agent will process the transaction accordingly, notifying the Finance Director and others as appropriate. Documentation of emergency purchase transactions meeting the Level 1 or 2 thresholds will be provided to the City Council for acknowledgement at the next opportunity.

Exceptions:

While the Tennessee Code at times requires public advertising and competitive sealed bidding, and at other times requires written quotes, it also provides for various exemptions, which by reference, the City of Morristown incorporates as applicable:

- Purchases through state contracts (T.C.A. § 12-3-1201).
- Investments in or purchases from the Local Government Investment Pool (LGIP) (T.C.A. § 6-56-302).
- Purchases from instrumentalities created by two or more cooperating governments (T.C.A. § 6-56-302).
- Purchases of goods and services from nonprofit corporations formed to specifically serve municipalities (T.C.A. § 6-56-302).
- Purchases, leases, or lease-purchases of real property (T.C.A. § 6-56-304).
- Emergency purchases (complete documentation and a report to the municipality's governing body and chief executive are required for each emergency purchase) (T.C.A. § 6-56-304).
- Purchases of perishable commodities and fuel and fuel products when purchased on the open market (T.C.A. § 6-56-304); purchases of natural gas and propane for re-sale (T.C.A. § 6-56-304).
- Purchases, leases, or lease purchases of secondhand articles or equipment, etc., from federal, state, or local government units or agencies (T.C.A. § 6-56-304).
- Purchases under \$2,500, unless a municipality adopts an ordinance increasing the purchase amount to \$25,000, when the municipality does not have centralized purchasing authority and a full-time purchasing agent (T.C.A. § 12-3-1212).

- Purchases under \$2,500, unless a municipality adopts an ordinance increasing the purchase amount to \$50,000, when the municipality has centralized purchasing authority and a full-time purchasing agent (T.C.A. § 12-3-1212).
- Purchases of goods and services from a sole source (T.C.A. § 6-56-304).
- Purchases of materials, supplies, commodities, and equipment at public auction (T.C.A. § 12-2-421).
- Purchases of goods and services through a reverse auction (T.C.A. § 12-3-1208).
- Purchases of energy-related services through contracts (T.C.A. § 12-4-110).
- Purchases of professional service through contracts and contracts for architects, engineers, construction services, legal services, financial advisors, fiscal agents, etc. (T.C.A. § 12-3-1209 and § 12-4-107).
- Purchases for information management services through contracts in counties with a population of no less than 470,000 and no more than 480,000 according to the 1980 census or any subsequent federal census (T.C.A. § 12-3-1209).
- Purchases of motor vehicles and intoxicating beverages seized and confiscated by the State (T.C.A. 12-2-201).
- Purchases of supplies, equipment, and services by another governmental entity at the request of a municipality (T.C.A. § 12-3-1203).
- Purchases made through cooperative purchasing agreements (T.C.A. § 12-3-1205 and § 12-9-101 et seq).
- Purchases of any of the insurance as provided in Tennessee Code Annotated, title 29, chapter 20 (T.C.A. § 29-20-407).
- Purchases of articles from TRICOR (T.C.A. § 41-22-119 through 121).
- When reasonable efforts have been made to solicit for competitive procurement (ITB, RFP, or RFQ) and no qualified vendor/provider responds, a second attempt to solicit will be made – with reasonable adjustments to the specifications if warranted. Should the second attempt result in no qualified vendor/provider response, the City Administrator may authorize the Purchasing Department or the user department to solicit a quote directly from a preferred vendor/provider to be presented for consideration by the City Council.

Scoring:

RFPs and RFQs are used when the procurement of products or services cannot be adequately compared by bid prices alone. The Purchasing Department, in consultation with the user department, will create a list of factors by which submissions will be graded. Factors will be different from one RFP or RFQ to another depending on the needs of each procurement and may include, but are not limited to: statements of qualifications, work history, experience, quality of past products, methodology, timelines, familiarity with the project, pricing, etc. Mechanisms for scoring, including the relative weight of each factor, should be included in the solicitation.

Change Orders:

From time to time, changes will need to be made for planned purchases. Changes may be necessary due to supply chain disruptions, changes in project needs, changes in project conditions, or the changing needs of the user department. In such cases, the user department will consult with the Purchasing Agent to make necessary changes to active Purchase Orders. Purchase Orders may be reduced or canceled as necessary. When a Purchase Order for a Level 1 threshold purchase needs to be increased by more than 10% from its original amount, or when a Purchase Order needs to increase to an amount that (cumulatively for the fiscal year) would make it a Level 1 threshold purchase, such increase/amendment shall be presented to the City Council for consideration and approval. In cases where the City Administrator finds that deferring a decision to the next City Council meeting may be detrimental to a project, the increase may be approved and presented to the City Council at the next available opportunity. Similar exception is also found in the Internal Control Policy.

City Council Approval:

Consideration/Approval by the City Council is required for the following:

- Purchases that have been solicited by sealed bid (ITB), RFP, or RFQ, regardless of amount.
- Change Orders greater than 10% on Level 1 purchases (except as provided herein).
- Change Orders that will increase an overall purchase to the Level 1 threshold.
- Contracts and service agreements in which the City's participation is guaranteed for more than one year (no clause for cancelation) and the total guaranteed cost would exceed a Level 1 threshold.
- Purchases to be made under an exemption to the bidding requirements when the total cost exceeds a Level 1 threshold.
- Any purchase that the City Administrator determines to be of some extraordinary circumstance as to warrant council consideration.

All other purchases, abiding by applicable TCA code, the Internal Control Policy, and the procedures contained herein may be made administratively. Contracts and service agreements may be procured as any other purchase, based on relative thresholds, and do not require advance City Council approval if they are annually renewable and cancelable.

PASSED ON THIS THE 18th DAY of JUNE, 2024.

MAYOR

ATTEST:

CITY ADMINISTRATOR

RESOLUTION NO. 2024-17

BEING A RESOLUTION OF THE CITY OF MORRISTOWN, TENNESSEE, ADOPTING A NEW DRUG FREE WORKPLACE POLICY AND AMENDING THE CITY OF MORRISTOWN EMPLOYEE HANDBOOK TO INCORPORATE THE SAME.

BE IT RESOLVED by the City Council for the City of Morristown, Tennessee that a new Drug and Alcohol Testing Policy is hereby adopted in keeping with the City's efforts to provide a drug-free workplace, attached hereto, which supersedes prior versions of such policies, and

BE IT FURTHER RESOLVED that the Employee Handbook is hereby amended, effective July 1, 2024, such that:

Section IV, 6, A be amended to read

“Following a conditional offer of employment, prospective employees for certain classifications will be examined by a licensed medical physician designated by the City and undergo a pre-employment drug screen. This exam will determine whether prospective employees can perform the essential functions of the position offered. The cost of this medical examination shall be borne by the City.”

Section VI be amended by changing the title to read “Drug Free Workplace Policy and Testing Policy” and striking all content of the section and replacing the same with:

“Preface: The following is a summary of the City of Morristown's Drug Free Workplace Policy. The policy in its entirety is presented to all City employees and additional copies are available by contacting the Human Resources office.

To provide a safe, healthy, productive, and drug-free working environment for its employees to properly conduct the public business, the City of Morristown has adopted a drug and alcohol testing policy. The policy complies with the Drug-Free Workplace Act of 1988, which ensures employees the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs; Federal Highway Administration (FHWA) rules, which require drug and alcohol testing for persons required to have a commercial driver's license (CDL); Department of Transportation (DOT) rules, which include procedures for urine drug testing and breath alcohol testing; and the Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of safety-sensitive employees in the aviation, motor carrier, railroad, pipeline, commercial marine, and mass transit industries. The types of tests that may be required under the DFW policy are pre-employment, transfer, reasonable suspicion, post-accident (post-incident), random (for safety-sensitive positions only), return-to-duty, and follow-up.

It is the policy of the City of Morristown that the use of drugs by its employees and impairment in the workplace due to drugs and/or alcohol is prohibited and will not be tolerated. Engaging in prohibited and/or illegal conduct may lead to disciplinary action up to and including termination.

Prohibited and/or illegal conduct includes but is not limited to:

1. being on duty or performing work for the City while under the influence of drugs and/or alcohol;
2. engaging in the manufacture, sale, distribution, use or unauthorized possession of drugs at any time and of alcohol while on duty or while in or on City property, or City vehicles;
3. refusing or failing a drug and/or alcohol test administered under the policy;
4. providing an adulterated, altered, or substituted specimen for testing;
5. use of alcohol within four hours prior to reporting for duty on schedule or use of alcohol while on-call for duty; and
6. use of alcohol or drugs within eight hours following an accident (incident) if the employee's involvement has not been discounted as a contributing factor in the accident (incident) or until the employee has successfully completed drug and/or alcohol testing procedures

Employees who are required to take prescribed or over-the-counter medication shall notify the immediate supervisor should the medication produce, or be at risk of producing, any effects which might limit the employee's ability to safely perform his/her job.

Per Public Chapter 373 – 2019 a valid prescription is defined only as a prescription issued within six (6) months prior to a positive drug test.

The City of Morristown performs post-offer, pre-employment drug screens for safety-sensitive positions, including positions requiring a CDL for performance of the job; random, post-accident/incident; and reasonable suspicion. No disciplinary action may be taken pursuant to this drug policy against employees who voluntarily identify themselves as drug users prior to selection for drug testing, obtain counseling and rehabilitation through the City of Morristown's Employee Assistance Program or other program sanctioned by the City of Morristown or through the employee's own provision, and thereafter refrains from violating the City of Morristown's policy on drug and alcohol abuse. However, voluntary identification will not prevent disciplinary action for the violation of the City of Morristown's drug and alcohol testing policies and regulations, nor will it relieve the employee of any requirements for return to duty testing.

A job applicant will be denied employment with the City of Morristown if his/her post-offer, pre-employment test result has been confirmed positive. Current employees will be subject to disciplinary action up to and including termination of employment if their test result has been confirmed positive, if they refuse to test, or for any other violations outlined in the Drug Free Workplace policy. Compliance with this substance abuse policy is a condition of employment; the City of Morristown will pay for all required drug tests.

The failure or refusal by an applicant or employee to cooperate fully by signing necessary consent forms or other required documents or the failure or refusal to submit to any test or any procedure under this policy in a timely manner will be grounds for refusal to hire or disciplinary actions up to and including termination of employment. The submission by an applicant or employee of a urine sample that is not the employee's own or is adulterated shall be grounds for refusal to hire or disciplinary action up to and including

termination of employment.

All property belonging to the City of Morristown is subject to inspection at any time without notice, as there is no expectation of privacy.

a. Property includes, but is not limited to, vehicles, desks, containers, files, and storage lockers.

b. Employees assigned lockers (that are locked by the employee) are also subject to inspection.

Employees who have reason to believe another employee is using alcohol or illegal drugs while on duty must report the facts and circumstances immediately to their supervisor, department head or Human Resources department. Failure to do so may result in disciplinary action. Supervisors are required to detail in writing the specific facts, symptoms, or observations that formed the basis for their determination that reasonable suspicion existed to warrant the testing of an employee. This documentation shall be forwarded to the Human Resources department.

To the extent allowed under the Tennessee Open Records Law, all information from an employee's or applicant's drug and alcohol test is confidential and only those individuals with a need to know are to be informed of test results.”

Passed this 18th day of June 2024.

Mayor

ATTEST:

City Administrator, Andrew Ellard

CITY OF MORRISTOWN DRUG AND ALCOHOL TESTING POLICY

PURPOSE

The purpose and goal of this program is to send a clear message that the use of alcohol and drugs in the workplace is prohibited. Also, this program is to encourage our employees to voluntarily seek help with alcohol and drug problems.

The City of Morristown recognizes that the use and abuse of drugs and alcohol in today's society is a serious problem that may involve the workplace. It is the intent of the City of Morristown to provide all employees with a safe and secure workplace in which each person can perform his/her duties in an environment that promotes individual health and workplace efficiency. Employees of the City of Morristown are public employees and must foster public trust by preserving the employee and employer's reputation for integrity, honesty, and responsibility.

To provide a safe, healthy, productive and drug-free working environment for its employees to properly conduct the public business, the City of Morristown has adopted this drug and alcohol testing policy that balances our respect for individuals with the need to maintain an alcohol and drug free environment effective July 1, 2024. This policy complies with the Federal Drug-Free Workplace Act of 1988, which ensures employees the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs; Federal Highway Administration (FHWA) rules, which require drug and alcohol testing for persons required to have a commercial driver's license (CDL);¹ Division of Transportation (DOT) rules, which include procedures for urine drug testing and breath alcohol testing; and the Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of safety-sensitive employees in the aviation, motor carrier, railroad, pipeline, commercial marine, and mass transit industries. In the case of this policy, the Omnibus Transportation Employee Testing Act of 1991 is most significant with its additional requirement of using the "split specimen" approach to alcohol testing, which provides an extra safeguard for employees. The types of tests required are pre-employment (for safety-sensitive positions), transfer (for certain safety sensitive positions), reasonable suspicion, post-accident, random (for safety-sensitive positions), return-to-duty, and follow-up post rehabilitation testing.

The City of Morristown has no intention of interfering with the private lives of its employees unless involvement with alcohol or other drugs off the job affects job performance or public safety. This policy does not preclude the appropriate use of legally prescribed medication that does not adversely affect the mental, physical, or emotional ability of the employee to safely and efficiently perform his/her duties. It is the employee's responsibility to inform the proper supervisory personnel of his/her use of any legally prescribed medication that may impair his/her ability to safely perform the job before the employee goes on duty or performs any work. Any information obtained from the

employee's disclosure will be maintained and treated in accordance with the ADA and other applicable laws.

It is the policy of the City of Morristown that the use of alcohol and illegal drugs by its employees, and impairment in the workplace due to the use of drugs and/or alcohol is prohibited and will not be tolerated. Engaging in prohibited and/or illegal conduct may lead to disciplinary action. Prohibited and/or illegal conduct includes, but is not limited to:

1. being on duty or performing work in or on City of Morristown property while under the influence of drugs and/or alcohol;
2. engaging in the manufacture, sale, distribution, use, or unauthorized possession of illegal drugs at any time and of alcohol while on duty or while in or on City of Morristown property;
3. refusing or failing a drug and/or alcohol test administered under this policy;
4. providing an adulterated, altered, or substituted specimen for testing;
5. use of alcohol within four hours prior to reporting for duty on schedule or use of alcohol while on-call for duty; and
6. use of alcohol or drugs within eight hours following an accident (incident) if the employee's involvement has not been discounted as a contributing factor in the accident (incident) or until the employee has successfully completed drug and/or alcohol testing procedures.

In order to educate the employees about the dangers of drug and/or alcohol abuse, the City of Morristown shall sponsor an annual information and education program for all employees and supervisors. Information will be provided on the signs and symptoms of drugs and/or alcohol abuse; the effects of drug and/or alcohol abuse on an individual's health, work and personal life; the City of Morristown's policy regarding drugs and/or alcohol; and the availability of counseling. The Human Resources department has been designated as the City of Morristown's official responsible for answering questions regarding this policy and its implementation.

All City of Morristown owned or furnished property is for official use only and may be subject to inspection at any time without notice. There is no expectation of privacy in such property. Property includes, but is not limited to vehicles, desks, containers, files, cell phones, computers, and lockers. Employee-assigned lockers that are locked by the employee are also subject to inspection by the employee's supervisor in the presence of the employee after reasonable advance notice to the employee unless such notice is waived by the Department Head due to reasonable cause to suspect criminal activity.

Scope

Provisions of this policy apply to all employees of the City of Morristown, with the exception of pre-employment, transfer, and random selection testing, which applies only to safety-sensitive positions. The policy also applies to all applicants who have been given a conditional offer of employment.

Consent Form

Before a drug and/or alcohol test is administered, employees and applicants will be asked to sign a consent form authorizing the test and permitting release of test results to the laboratory, medical review officer (MRO), Human Resources, or his/her designee. The consent form also provides authorization for certified or licensed attending medical personnel to take and have analyzed appropriate specimens to determine if drugs or alcohol were present in the employee's system. In the event that the applicant or employee is a minor, parental consent for drug testing will be required.

Compliance with Substance Abuse Policy

Compliance with the substance abuse policy is a condition of employment. The failure or refusal by an applicant or employee to cooperate fully by signing necessary consent forms or other required documents, or the failure or refusal to submit to any test or any procedure under this policy in a timely manner may be grounds for refusal to hire or for disciplinary action up to and including immediate termination of employment. The submission by an applicant or employee of a urine sample that is not his/her own or is adulterated will be grounds for refusal to hire or for disciplinary action up to and including immediate termination of employment.

Duty to Report Convictions

Any employee convicted of violating a criminal drug statute must inform the director of his/her department of such conviction (including pleas of guilty and *nolo contendere*) in writing within five calendar days of the conviction occurring. The organization will take appropriate action within 30 days of notification. Failure to so inform the City of Morristown subjects the employee to disciplinary action up to and including termination of employment for the first offense. If appropriate, the City of Morristown will notify the federal contracting officer pursuant to applicable provisions of the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act.

Drug Testing Identification Requirement

When required to appear for drug testing, an applicant or employee must present a valid government issued photo ID to the appropriate collection personnel. Failure to present a valid, government issued photo ID is equivalent to refusing to take the test, resulting in denial of employment or disciplinary action up to and including immediate termination of employment.

DRUG TESTING

Under the drug-free workplace policy there are various reasons for the implementation of drug tests and include but are not limited to the following:

1. Deter employees from abusing drugs and alcohol.
2. Prevent the hiring of individuals who use illegal drugs.
3. Provide early identification and referral of employees who have drug and/or alcohol problems.

4. Provide a safe workplace for other employees.
5. Ensure general public safety and instill citizen confidence that employees are working safely.

The City of Morristown's drug testing program will follow the Substance Abuse and Mental Health Services Administrations' (SAMHSA) mandatory guidelines for workplace drug testing which include having an MRO review the test. Testing will be done for those drugs identified in the SAMHSA guidelines (marijuana, cocaine, opiates, amphetamines, and phencyclidine) for which drug laboratories are certified.

1. TYPES OF TESTS

Pre-employment

All applicants for employment in safety-sensitive positions who have received a conditional offer of employment with the City of Morristown must submit to a drug test before receiving a final offer of employment.

Transfer/Promotion

Employees transferring/being promoted to a safety sensitive position shall undergo drug testing. "Safety sensitive positions" include, but are not limited to, police officers, firefighters, positions requiring a commercial driver's license and public works positions involving the operation of heavy construction equipment. If the employee tests positive, the offer of the transfer or promotion will be withdrawn and the employee may be disciplined, up to and including termination, and/or required to participate in rehabilitation as described in this policy.

Post-Accident/Post Incident

NOTE – All employees are subject to post-accident drug testing.

Following any workplace accident (incident) any employee in a safety sensitive position who was directly involved in the accident (incident) will be required to take a post-accident (post-incident) drug test.

Post-accident (post-incident) testing shall be carried out within eight hours following the accident (incident). Urine collection for post-accident (post-incident) testing may be monitored or observed at the established collection site(s).

Following all workplace accidents (incidents) where drug testing is to be performed, unless otherwise specified by the department head, any affected employees who are ambulatory will be taken by a supervisor or designated personnel of the City of Morristown to the designated urine specimen collection site. In the event of an accident (incident) occurring after regular work hours, the employee(s) will be taken to the testing site as soon as is practical within the time limits indicated above. No employee shall consume drugs prior to completing the post-accident (post-incident) testing procedures.

Any affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following an accident (incident) shall consent to the obtaining

of specimens for drug testing by qualified, licensed attending medical personnel and consent to the testing of the specimens. Consent shall also be given for the attending medical personnel and/or medical facility (including hospitals) to release to the MRO of the City of Morristown appropriate and necessary information or records that would indicate only whether or not specified prohibited drugs (and what amounts) were found in the employee's system. Each employee shall grant consent at the implementation date of the substance abuse policy of the City of Morristown or upon hiring following the implementation date.

Post-accident (post-incident) urinary testing may be impossible for unconscious, seriously injured, or hospitalized employees. If this is the case, certified or licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if drugs were present in the employee's system. Only an accepted method for collecting specimens will be used. Any failure to do post-accident (post-incident) testing within eight hours must be fully documented by the attending medical personnel.

In instances where post-accident (post-incident) testing is to be performed, the City of Morristown reserves the right to direct the MRO to instruct the designated laboratory to perform additional testing on submitted urine specimens for possible illegal/illegitimate substances. Any testing for additional substances listed under the Tennessee Drug Control Act of 1989 as amended shall be performed at the urinary cutoff level that is normally used for those specific substances by the laboratory selected.

Testing Based on Reasonable Suspicion

NOTE – All employees are subject to reasonable suspicion testing.

Reasonable suspicion testing is also referred to as probable cause testing and is required for any employee where there is reasonable suspicion to believe the employee is using or is under the influence of drugs.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is using or has used drugs. This belief should be based on recent, physical, behavioral or performance indicators of possible drug use. Possible causes requiring a testing of reasonable suspicion include specific, objective, and articulable facts concerning appearance, behavior, speech, body odors or performance. One supervisor who has received drug detection training that complies with DOT regulations must make the decision to test and must observe the employee's suspicious behavior. Among other things, such facts and inferences may be based upon, but not limited to, the following, as provided by Tennessee Code Annotated § 50-9-103 and Tenn. Comp. R. and Reg. 0800-02-12-.03(21):

- (A) Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
- (B) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;

- (C) A report of substance abuse provided by a reliable and credible source;
- (D) Evidence that an individual has tampered with any substance abuse test during his or her employment with the city;
- (E) Information that an employee has caused or contributed to an accident while at work;
- (F) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment; or
- (G) Involvement in an accident which results in an injury to another individual or in property damage exceeding five thousand dollars (\$5,000.00), or such minimum amount as set by U.S.DOT Guidelines, if less.

Supervisory personnel of the City of Morristown making a determination to subject any employee to drug testing based on reasonable suspicion shall document their specific reasons and observations in writing to the Human Resources department within twenty-four hours of the decision to test and before the results of the urine drug tests are received by the department. Urine collection for reasonable suspicion testing may be monitored or observed.

Random Testing – Safety Sensitive Positions

Random testing shall be unannounced. Every employee in the random testing pool has an equal chance of being chosen for testing every time a random selection is drawn. Only employees of the City of Morristown holding safety sensitive positions are subject to random drug testing. "Safety sensitive positions" include, but are not limited to, police officers, firefighters, positions requiring a commercial driver's license and public works positions involving the operation of heavy construction equipment. While positions requiring a commercial driver's license are also considered safety sensitive positions, CDL holders will be tested in a separate pool pursuant to federal requirements at set forth in a separate section of this policy.

A minimum of fifteen (15) minutes and a maximum of two (2) hours will be allowed between notification of an employee's selection for random urine drug testing and the actual presentation for specimen collection.

Random donor selection dates will be unannounced and occur with regular frequency. Some employees may be tested more than once each year while others may not be tested at all, depending on the random selection.

If an employee is unavailable to produce a specimen (i.e., vacation, sick day, out of town, work-related causes, etc.) on the date random testing occurs, the City of Morristown may omit that employee from random testing or await the employee's return to work.

Random Testing – Commercial Driver’s License Holders

Positions requiring a commercial driver’s license (“CDL”) are considered safety sensitive positions and will be tested in a separate pool pursuant to federal requirements. Random testing shall be unannounced. Every employee in the CDL random testing pool has an equal chance of being chosen for testing every time a random selection is drawn. It is the policy of the City of Morristown to annually perform random tests for drugs on at least fifty percent (50%) of the total number of drivers required to possess or obtain a commercial driver’s license (CDL).

A minimum of fifteen (15) minutes and a maximum of two (2) hours will be allowed between notification of an employee’s selection for random urine drug testing and the actual presentation for specimen collection.

Random donor selection dates will be unannounced and occur with regular frequency. Some employees may be tested more than once each year while others may not be tested at all, depending on the random selection.

If an employee is unavailable to produce a specimen (i.e., vacation, sick day, out of town, work-related causes, etc.) on the date random testing occurs, the City of Morristown may omit that employee from random testing or await the employee’s return to work.

Return-to-Duty and Follow-Up

Any employee of the City of Morristown who has violated the prohibited drug conduct standards must submit to a return-to-duty test, as provided in the return-to-work agreement. Follow-up tests, also referred to as post rehabilitation testing, will be unannounced, and provided in the return-to-work agreement. Follow-up testing may be extended for up to twelve months following return to duty for safety-sensitive positions.

The employee will be required to pay for his or her return-to-duty and follow-up tests accordingly.

Testing will also be performed on employees in safety-sensitive positions returning from leave or special assignments in excess of twelve months. In this situation, the employee will not be required to pay for the testing.

2. PROHIBITED DRUGS

The substances for which testing is commonly performed are those that the National Institute for Drug Abuse (NIDA) designated as “illegal” drugs for purposes of the Federal Drug Testing programs. All drug results will be reported to the MRO. If verified by the MRO, they will be reported to the Human Resources Department. The following is a list of drugs for which tests will be routinely conducted:

1. Amphetamines
2. Marijuana (cannabinoids)
3. Cocaine (benzoyllecgonine)
4. Opiates (codeine, morphine, heroin)

5. PCP (phencyclidine)
6. 6-Acetylmorphine (heroin)
7. MDMA (ecstasy)

The City of Morristown may test for additional substances listed under the Tennessee Drug Control Act of 1989 (as amended).

3. COLLECTION PROCEDURES

Testing will be accomplished as non-intrusively as possible. Affected employees, except in cases of random testing, will be taken by a supervisor or designated personnel of the City of Morristown to a drug test collection facility selected by the City of Morristown where a urine sample will be taken from the employee in private. The urine sample will be immediately sealed by personnel overseeing the specimen collection after first being examined by these personnel for signs of alteration, adulteration, or substitution. The sample will be placed in a secure mailing container. The employee will be asked to complete the chain-of-custody form to accompany the sample to a laboratory selected by the City of Morristown to perform the analysis on collected urine samples. The chain-of-custody form is required in order to prove that a sample that tested positive for drugs or alcohol is actually the sample from the employee who is being tested.

4. DRUG TESTING LABORATORY STANDARDS AND PROCEDURES

The Department of Health and Human Services (DHHS)/Substance Abuse and Mental Health Services Administration (SAMHSA) has established standardized procedures and cutoff levels that are followed by several federal agencies, DOT, and various private and governmental regulations. All collected urine samples will be sent to an authorized laboratory that is certified and monitored by the federal Department of Health and Human Services (DHHS).

The Omnibus Act requires that drug testing procedures include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a “primary” and a “split” specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of drugs, the employee has 72 hours to request sending the split specimen to another federal Department of Health and Human Services (DHHS) certified laboratory for analysis. The employee will be required to pay for his or her split specimen test(s).

For the employee's protection, the results of the analysis will be confidential except for the testing laboratory. After the MRO has determined a positive test result, the employee will be notified, and the MRO will notify the Human Resources department.

5. REPORTING AND REVIEWING

The City of Morristown will designate an MRO to receive, report, and file testing information transmitted by the laboratory. This person shall be a licensed physician with knowledge of substance abuse disorders.

1. The laboratory shall report test results only to the designated MRO, who will review them in accordance with accepted guidelines and the procedures adopted by the City of Morristown.
2. Reports from the laboratory to the MRO shall be in writing or by fax. The MRO may talk with the employee by telephone upon exchange of acceptable identification.
3. The testing laboratory, collection site personnel, and MRO shall maintain security over the testing data and limit access to such information to the following: the respective department head, the Human Resources department, and the employee.
4. Neither the City of Morristown, the laboratory, nor the MRO shall disclose any drug test results to any other person except under written authorization from the affected employee, unless such results are necessary in the process of resolution of accident (incident) investigations, requested by court order, or required to be released to parties (i.e., DOT, the Tennessee Department of Labor, etc.) having legitimate right-to-know as determined by the City of Morristown attorney.

ALCOHOL TESTING

An applicant or employee must carry and present a valid government issued photo ID to the appropriate personnel during testing. Failure to present photo identification is equivalent to refusing to take the test.

1. TYPES OF TESTS

Post –Accident/Post Incident Testing

NOTE – All employees are subject to post-accident alcohol testing.

Following any workplace accident (incident) any employee involved will be required to take a post-accident (post-incident) alcohol test.

Post-accident (post-incident) testing shall be carried out within two hours following the accident (incident) under the following circumstances.

Following all workplace accidents (incidents) where alcohol testing is to be performed, unless otherwise specified by the department head, affected employees who are ambulatory will be taken by a supervisor or designated personnel of the City of Morristown to the designated breath alcohol test site for a breath alcohol test within two hours following the accident. In the event of an accident (incident) occurring after regular work hours, the employee(s) will be taken to the designated hospital within (2) two hours. No employee shall consume alcohol prior to completing the post-accident (post-incident) testing procedures.

No employee shall delay his/her appearance at the designated collection site(s) for post-accident (post-incident) testing. Any unreasonable delay in appearing for alcohol testing shall be considered a refusal to cooperate with the substance abuse program of the City of Morristown and shall result in disciplinary action.

An affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following a significant accident (incident) shall consent to the obtaining of specimens for alcohol testing by qualified, licensed attending medical personnel and consent to specimen testing. Consent shall also be given for the attending medical personnel and/or medical facility (including hospitals) to release to the MRO of the City of Morristown appropriate and necessary information or records that would indicate only whether or not specified prohibited alcohol (and what amount) was found in the employee's system. Consent shall be granted by each employee at the implementation date of the substance abuse policy of the City of Morristown or upon hiring following the implementation date.

Post-accident (post-incident) breath alcohol testing may be impossible for unconscious, seriously injured, or hospitalized employees. If this is the case, certified or licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if alcohol was present in the employee's system. Only an accepted method for collecting specimens will be used. Any failure to do post-accident (post-incident) testing within two hours must be fully documented by the attending medical personnel.

Testing Based on Reasonable Suspicion

An alcohol test is required for each employee where there is reasonable suspicion to believe the employee is using or is under the influence of alcohol.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is using or has used alcohol. This belief should be based on recent physical, behavioral, or performance indicators of possible alcohol use. One supervisor who has received alcohol detection training that complies with DOT regulations must make the decision to test and must observe the employee's suspicious behavior.

Supervisory personnel of the City of Morristown making a determination to subject any employee to alcohol testing based on reasonable suspicion shall document their specific reasons and observations in writing to the Human Resources department immediately before the decision to test.

Random Testing – Safety Sensitive Positions

Only employees of the City of Morristown holding safety sensitive positions are subject to random alcohol testing. "Safety sensitive positions" include police officers, firefighters, positions requiring a commercial driver's license, public works positions involving the operation of heavy construction equipment, water/wastewater plant operators, all positions involving the construction and maintenance of electrical lines, teachers and other positions having responsibility for the safety and care of children. While positions requiring a commercial driver's license are considered safety sensitive positions, CDL

holders will be tested in a separate pool pursuant to federal requirements at set forth in a separate section of this policy.

A minimum of fifteen (15) minutes and a maximum of two (2) hours will be allowed between notification of an employee's selection for random alcohol testing and the actual presentation for testing.

Random test dates will be unannounced with regular frequency. Some employees may be tested more than once each year while others may not be tested at all, depending on the random selection.

If an employee is unavailable to produce a specimen (i.e., vacation, sick day, out of town, work-related causes, etc.) on the date random testing occurs, the City of Morristown may omit that employee from random testing or await the employee's return to work.

Random Testing – Commercial Driver's License Holders

Positions requiring a commercial driver's license are considered safety sensitive positions and will be tested in a separate pool pursuant to federal requirements. It is the policy of the City of Morristown to annually random test for alcohol at least ten percent (10%) of the total number of drivers required to possess or obtain a commercial driver's license (CDL).

A minimum of fifteen (15) minutes and a maximum of two (2) hours will be allowed between notification of an employee's selection for random alcohol testing and the actual presentation for testing.

Random test dates will be unannounced with regular frequency. Some employees may be tested more than once each year while others may not be tested at all, depending on the random selection.

If an employee is unavailable to produce a specimen (i.e., vacation, sick day, out of town, work-related causes, etc.) on the date random testing occurs, the City of Morristown may omit that employee from random testing or await the employee's return to work.

Return-to-Duty and Follow-Up

Any employee of the City of Morristown who has violated the prohibited alcohol conduct standards must submit to a return-to-duty test, as provided in the return-to-work agreement. Follow-up tests, also referred to as post rehabilitation testing, will be unannounced, and provided in the return-to-work agreement. Follow-up testing may be extended for up to twelve months following return to duty for safety-sensitive positions.

The employee may be required to pay for his or her return-to-duty and follow-up tests accordingly.

Testing will also be performed on any employee returning from leave or special assignment in excess of twelve months. In this situation, the employee will not be required to pay for the testing.

2. ALCOHOL TESTING PROCEDURES

All breath alcohol testing conducted for the City of Morristown will be performed using evidential breath testing (EBT) equipment and personnel approved by the National Highway Traffic Safety Administration (NHTSA). NOTE – A local government's own public safety department cannot do this testing unless the test is required because of a traffic accident [incident].

Alcohol testing is to be performed by a qualified technician as follows:

1. Step One: An initial breath alcohol test will be performed using a breath alcohol analysis device approved by the National Highway Traffic Safety Administration (NHTSA). If the measured result is less than 0.02 percent breath alcohol level (BAL), the test will be considered negative. If the result is greater or equal to 0.04 BAL, the result will be recorded and witnessed, and the test shall proceed to Step Two.
2. Step Two: Fifteen minutes will be allowed to pass following the completion of Step One above. Before the confirmation test or Step Two is administered for each employee, the breath alcohol technician shall insure that the evidential breath testing device registers 0.00 on an air blank. If the reading is greater than 0.00, the breath alcohol technician will conduct one more air blank. If the reading is greater than 0.00, testing shall not proceed using that instrument. However, testing may proceed on another instrument. Then Step One will be repeated using a new mouthpiece and either the same or equivalent but different breath analysis device.

The breath alcohol level detected in Step Two shall be recorded and witnessed.

If the lower of the breath alcohol measurements in Step One and Step Two is 0.04 percent or greater, the employee shall be considered to have failed the breath alcohol test.

Any breath alcohol level found between 0.02 percent BAL and 0.04 percent BAL shall result in the employee's removal from duty without pay for a minimum of 24 hours. In this situation, the employee must be retested by breath analysis and found to have a BAL of up to 0.02 percent before returning to duty with the City of Morristown.

All breath alcohol test results shall be recorded by the technician and shall be witnessed by the tested employee and by a supervisory employee of the City of Morristown when possible.

The completed breath alcohol test form shall be submitted to the Human Resources department.

OPPORTUNITY TO CONTEST OR EXPLAIN TEST RESULTS

Employees and job applicants who have a positive confirmed drug or alcohol test result may explain or, after requesting the testing of the split specimen, contest the result to the medical review officer within five (5) working days after receiving written notification of the

test result from the medical review officer. As provided in Tennessee Code Annotated § 50-9-116, the medical review officer shall only consider prescriptions issued within six (6) months prior to a positive confirmed drug result for purposes of determining a valid prescription and immunity from actions required by this policy following a positive confirmed drug result. If an employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the city. An employee may contest the drug test result pursuant to rules adopted by the Drug Free Workplace Program of the Tennessee Bureau of Workers' Compensation.

EDUCATION AND TRAINING

All Newly Hired Employees

The City of Morristown will sponsor a drug-free awareness program for all newly hired employees consisting of 60 minutes of training. Existing employees who have undergone such training at least once previously must, at minimum, acknowledge annually in writing the existence of the City of Morristown's drug-free workplace policy.

Supervisory Personnel Who Will Determine Reasonable Suspicion Testing

In addition to the training for all employees, supervisory personnel who will determine whether an employee must be tested based on reasonable suspicion and all persons who supervise CDL drivers subject to these regulations will be trained to include at the minimum two 60-minute periods of training on the specific, contemporaneous, physical, behavioral, and performance indicators of both probable drug use and alcohol use. One 60-minute period will be for drugs, and one 60-minute period will be for alcohol.

Distribution of Information

The minimal distribution of information for all employees will include the display and distribution of:

1. informational material on the effects of drug and alcohol abuse;
2. an existing community services hotline number, available drug counseling, rehabilitation, and employee assistance programs for employee assistance;
3. the City of Morristown's policy regarding the use of prohibited drugs and/or alcohol; and
4. the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace

CONSEQUENCES OF A CONFIRMED POSITIVE DRUG AND OR ALCOHOL TEST RESULT AND/OR VERIFIED POSTIVE DRUG AND/OR ALCOHOL TEST RESULT

One of the goals of the City of Morristown's drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an employee violates the policy, the consequences may result in disciplinary action up to

and including termination of employment. Job applicants will be denied employment with the City of Morristown if their initial positive pre-employment drug test results have been confirmed and/or verified.

If a current employee's positive drug and alcohol test result has been confirmed, the employee is subject to immediate removal from any safety-sensitive function and may be subject to disciplinary action, up to and including termination. The City of Morristown reserves the right to allow employees to participate in an education and/or treatment program approved by the City of Morristown's Employee Assistance Program as an alternative to or in addition to disciplinary action. If such a program is offered and accepted by the employee, then the employee must satisfactorily participate in and complete the program.

No disciplinary action may be taken pursuant to this drug policy against employees who voluntarily identify themselves as drug users, obtain counseling and rehabilitation through the City of Morristown's Employee Assistance Program or other program sanctioned by the City of Morristown, agree to and successfully complete the terms of a return-to-work agreement, and thereafter refrains from violating the City of Morristown's policy on drug and alcohol abuse. However, voluntary identification will not prevent removal from safety-sensitive functions or disciplinary action for the violation of the City of Morristown's drug and alcohol testing policies and regulations, nor will it relieve the employee of any requirements for return to duty testing. (See Voluntary Disclosure).

Refusing to submit to an alcohol or drug test means that an employee: (1) fails to provide adequate breath for testing without a valid medical explanation after he/she has received notice of the requirement for breath testing in accordance with the provisions of this part; (2) fails to provide adequate urine for drug testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this part; (3) engages in conduct that clearly obstructs the testing process; or (4) any other action specified in this policy as a refusal to submit. In either case the physician or breath alcohol technician shall provide a written statement to the City of Morristown indicating a refusal to test.

RETURN-TO-WORK AGREEMENT

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a return-to-work agreement as a condition of continued employment. A return-to-work agreement (RTWA) is a written document that sets forth the expectations that the City of Morristown has for completing rehabilitation, return-to-work testing, and follow-up post-rehabilitation testing. RTWA may also include completion of return-to-duty recommendations from the substance abuse professional. RTWA also sets forth the consequences if the expectations are not met. This agreement will be used if an employee has violated the drug-free workplace policy and has been provided the opportunity to participate in rehabilitation as a condition of continued or re-employment, or voluntarily identifies as a drug user, obtains counseling and rehabilitation through the City of Morristown's Employee Assistance Program or another program sanctioned by the City of Morristown.

If an employee has the capacity to consent to such agreement prior to entering rehabilitation, an agreement shall be executed prior to the employee entering rehabilitation. If the employee does not have the capacity to consent to such agreement prior to entering rehabilitation, an agreement shall be executed prior to the employee returning to work.

VOLUNTARY DISCLOSURE OF DRUG AND/OR ALCOHOL USE

In the event that an employee of the City of Morristown is dependent upon or an abuser of drugs and/or alcohol and sincerely wishes to seek professional medical care, that employee should voluntarily discuss his/her problem with the respective supervisor in private.

Such voluntary desire for help with a substance abuse problem may be honored by the City of Morristown. If substance abuse treatment is required, the employee will be removed from service pending completion of the treatment. Voluntary disclosure must occur before an employee is notified of or otherwise becomes subject to a pending drug and/or alcohol test.

Affected employees of the City of Morristown are entitled to up to thirty (30) consecutive calendar days for initial substance abuse treatment as follows:

1. The employee must use their personal vacation, sick and compensatory time available. Any leave for substance abuse treatment shall run concurrently with any applicable Family Medical Leave.
2. In the event accumulated annual/vacation, sick, and compensatory time is insufficient to provide the medically prescribed and needed treatment up to a maximum of thirty (30) consecutive calendar days, the employee will be provided unpaid leave for the difference between the amount of accumulated leave and the number of days prescribed and needed for treatment up to the maximum 30-day treatment period.

Prior to any return-to-duty consideration of an employee following voluntary substance abuse treatment, the employee shall obtain a return-to-duty recommendation from the substance abuse professional (SAP) monitoring the employee's treatment. The SAP may suggest conditions of reinstatement of the employee that may include after-care and return-to-duty and/or follow-up drug and alcohol testing requirements. The respective Department Head and Human Resources department of the City of Morristown will consider each case individually and set forth final conditions of reinstatement to duty. These conditions of reinstatement must be met by the employee. Failure of the employee to complete treatment or follow after-care conditions, or subsequent failure of any drug or alcohol test under this policy will result in disciplinary action up to, and including, dismissal.

These provisions apply to voluntary disclosure of a substance abuse problem by an employee of the City of Morristown. Voluntary disclosure provisions do not

apply to applicants. Employees testing positive during drug and/or alcohol testing under this policy are subject to disciplinary action.

EXCEPTIONS

This policy does not apply to lawful possession, use or provision of alcohol and/or drugs by employees in the context of authorized work assignments (i.e., undercover police enforcement, intoxilyzer demonstrations). In all cases, it is the individual employee's responsibility to ensure that job performance is not adversely affected by the lawful possession, use, or provision of alcohol and/or drugs.

EMPLOYEE CONFIDENTIALITY/PROTECTION

The information received by the City of Morristown through the drug-free workplace program will be maintained as confidential to the extent authorized by law.

The City of Morristown

Community Development & Planning



TO: Morristown City Council
FROM: Steve Neilson, Development Director
DATE: June 18th, 2024
SUBJECT: Rezoning R-2 to OMP
W. Third North Street

SUBMITTAL:

Staff has received a request to rezone a .29 acre parcel along W. Third North Street from R-2, Medium Density Residential District, to OMP – Office, Medical, and Professional District. The petitioner of this request is James Snyder.

The proposed property is bordered by the new Justice Center to the north and single-family residential uses on the other three sides. The predominate zoning along this corridor is OMP and the primary land uses consist of office and governmental uses.

RECOMMENDATION:

With the new Justice Center under construction directly across the street, the desirability of this property for a single-family residence is low. The proposed OMP is consistent with the surrounding zoning and staff recommends this request be forwarded to the City Council for approval. At the June 11th Planning Commission, the Commission voted to forward this on to the City Council for approval.



ORDINANCE NO. _____,
ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF
MORRISTOWN, TENNESSEE, APPENDIX B.
*{Rezoning of Hamblen County Tennessee Tax Parcel ID #'s 050 094.01 from R-2 (R-2, Medium
Density Residential District) to OMP (Office, Medical, and Professional 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.

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 R-2, Medium Density Residential District to OMP, Office, Medical, and Professional District;

Hamblen County Tax Parcel # 050 094.01, located approximately 93 feet southwest of the intersection of
West 3rd North Street with Pence Aly;

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 OMP, Office, Medical, and Professional District 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 on the 18th day of June, 2024.

Mayor

ATTEST:

City Administrator

Passed on second reading on the 2nd day of July, 2024.

Mayor

ATTEST:

City Administrator

Exhibit A:



**ORDINANCE NO. _____,
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,
TENNESSEE AMENDING TITLE 18, SECTION 18-512 OF THE
MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that the text of Title 18, Section 18-512, Paragraph 7 of the Morristown Municipal Code is deleted in its entirety and substituted therefore is the following:

Sec. 18-512(7). – Monthly billing and collection.

The Witt Utility District, Russellville-Whitesburg Utility District and Alpha-Talbott Utility District, which are henceforth referred to as "other authorized agencies," and the Morristown Utilities Commission shall bill and collect stormwater service charges for the city from all customers who own or rent properties that are subject to the stormwater utility service charges imposed by this chapter. The Morristown Utilities Commission and other authorized agencies shall include such stormwater utility service charges as a designated item on its utility service bills each month, following the same procedure it uses in billing and collecting utility charges. Effective July 22, 2024, the stormwater rate is \$3.50 per ERU.

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

PASSED ON FIRST READING THIS 18th DAY OF JUNE, 2024.

MAYOR

ATTEST:

CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS 16th DAY OF JULY, 2024.

MAYOR

ATTEST:

CITY ADMINISTRATOR



Morristown City Council Agenda Item Summary

- Date:** June 18, 2024
- Agenda Item:** Approve Change Order No. 13 to the contract with Path Construction Northeast for the construction of the Morristown Landing.
- Prepared By:** Andrew Ellard
- Subject:** Change Order No 13 – Morristown Landing
- Background:** Exposure of certain building materials to corrosive chemicals in an equipment space requires the replacement of certain components.
- Findings/Current Activity:**
Correction/replacement of certain components will be required before the State Fire Marshal's Office can declare the project complete and issue a final certificate of occupancy. Until such time, the facility will maintain its temporary certificate of occupancy.
- Financial Impact:**
The total cost of this change order is \$14,230.18. Sufficient bond financing remains to cover this cost.
- Action options/Recommendations:**
Staff recommends approval.
- Attachment:** Change Order No. 13



AIA® Document G701® – 2017

Change Order

PROJECT: (Name and address)
17007-3 Morristown Community Center
Morristown, TN

CONTRACT INFORMATION:
Contract For: General Construction
Date: 12/01/2020

CHANGE ORDER INFORMATION:
Change Order Number: 013
Date: 06/04/2024

OWNER: (Name and address)
City of Morristown
100 West First North St.
Morristown, TN 37814

ARCHITECT: (Name and address)
Lose Design
2809 Foster Avenue
Nashville, TN 37210

CONTRACTOR: (Name and address)
Path Construction Northeast
125 E Algonquin Rd
Arlington Heights, IL 60005

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Remove and replace the damaged electrical, mechanical, and fire suppression materials in the acid room of the pool area with new corrosion resistant materials per the requirements set forth in the original contract documents.


The original Contract Sum was	\$	27,927,000.00
The net change by previously authorized Change Orders	\$	4,703,195.28
The Contract Sum prior to this Change Order was	\$	32,630,195.28
The Contract Sum will be increased by this Change Order in the amount of	\$	14,230.18
The new Contract Sum including this Change Order will be	\$	32,644,425.46

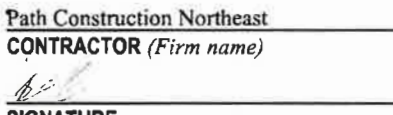
The Contract Time will be increased by Zero (0) days.

The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Lose Design
ARCHITECT (Firm name)

SIGNATURE
MICHAEL BLACK, VP
PRINTED NAME AND TITLE
6/4/2024
DATE

Path Construction Northeast
CONTRACTOR (Firm name)

SIGNATURE
Brian Leibham, SPM
PRINTED NAME AND TITLE
6/4/24
DATE

City of Morristown
OWNER (Firm name)

SIGNATURE

PRINTED NAME AND TITLE

DATE



Morristown City Council Agenda Item Summary

Date: June 18, 2024

Agenda Item: Approve purchase of one (1) 2024 Chevy Silverado 1500 Crew Cab Pickup via a Statewide Contract #209, totaling \$52,378.

Prepared By: Jeanna Vanek

Subject: Parks and Recreation Vehicle Purchase – FY 2024

Background: The current truck at Parks and Recreation is a 1998 Ford F150 that has deteriorated with regular use and needs to be replaced.

Findings/Current Activity:

Alan Jay has provided the attached quote. Pricing for the 2024 Chevy Silverado has been approved under Statewide Contract #209. Contract available in the Purchasing Office.

Financial Impact:

FY 24 budget provides for the purchase of this vehicle.

Total Cost : \$52,378

Action options/Recommendations:

Authorize staff to make a one-time purchase of one (1) 2024 Chevy Silverado from Alan Jay, totaling \$52,378.

Attachment: Alan Jay Quote & Statewide Contract #209.



GOVERNMENT PRICE QUOTE

Call Us first, for all of your Fleet Automotive, & Light Truck needs.

Quote

PHONE (800) ALANJAY (252-6529)		DIRECT 863-402-4216	WWW.ALANJAY.COM	55047-2
Corporate Office	2003 U.S. 27 South Sebring, FL 33870	MOBILE 904-505-9682	Mailing Address	P.O. BOX 9200 Sebring, FL 33871-9200
		FAX 863-402-4221		

ORIGINAL QUOTE DATE
6/11/2024

PRICE QUOTE FORM

REVISED QUOTE DATE
6/12/2024

REQUESTING AGENCY	MORRISTON, CITY OF (TN)			
CONTACT PERSON	MIKE WINSTEAD	EMAIL	MWINSTEAD@MYMORRISTOWN.COM	
PHONE	423-273-3410	MOBILE	FAX	

Contract No. 80358 - SWC209 EVENT # 32110-12904

MODEL	CK10743 1WT	MSRP	\$52,905.00
2024 CHEVY SILVERADO 1500 CREW CAB PICKUP 4WD 5.3L v8 WT 6.5' BED			

CUSTOMER ID

GOVERNMENT PRICE **\$47,643.00**

BED LENGTH **6.5' Bed**

** All vehicles will be ordered white w/ darkest interior unless clearly stated otherwise on purchase order.

FACTORY OPTIONS

DESCRIPTION

GAZ	Summit White	\$0.00
H2G	Jet Black, Vinyl seat trim	\$0.00
L84	Engine, 5.3L EcoTec3 V8	\$0.00
MHT	Transmission, 10-speed automatic, electronically controlled	\$0.00
1WT	OPTIONS Work Truck Preferred Equipment Group	\$0.00
AKO	Glass, deep-tinted	\$0.00
AZ3	Seats, front 40/20/40 split-bench	\$0.00
C49	Defogger, rear-window electric	\$0.00
CSY	GVWR, 7100 lbs. (3221 kg)	\$0.00
CTT	Hitch Guidance	\$0.00
DLF	Mirrors, outside heated power-adjustable	\$0.00
FE9	Emissions, Federal requirements	\$0.00
G80	Auto-locking rear differential	\$395.00
GU5	Rear axle, 3.23 ratio	\$0.00
IOR	Audio system, Chevrolet Infotainment 3 system	\$0.00
JL1	Trailer brake controller, integrated	\$275.00
K34	Cruise control, electronic	\$0.00
KC4	Cooling, external engine oil cooler	\$0.00
KNP	Cooling, auxiliary external transmission oil cooler	\$0.00
KW7	Alternator, 170 amps	\$0.00
PCV	WT Convenience Package	\$795.00
QBN	Tires, 255/70R17 all-season, blackwall	\$0.00
QBR	Tire, spare 255/70R17 all-season, blackwall	\$0.00
RD6	Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel	\$0.00
RVS	LPO, Assist steps - 4" Black - round	\$795.00
Z82	Trailer Package	\$425.00

FACTORY OPTIONS

\$2,685.00

Contract No. 80358 - SWC209 EVENT # 32110-12904

AFTERMARKET OPTIONS

DESCRIPTION

3BLS	3rd brake light safety sulse (Pulses 3rd brake light (4) times upon application of brake pedal to increase driver awareness behind you when stopping)	\$200.00
EWD	EXTENDED WARRANTY DECLINED	\$0.00
NO-TEMP	TEMP TAG NOT REQUESTED, CUSTOMER WILL HANDLE THEIR OWN TAG WORK.	\$0.00
HD SOB SH	HD Scorpion spray on bed liner (short bed) under rail.	\$735.00
DTF 4 TRK	Deep tint film installed on four doors and back glass for extended/crew cab pickups.	\$290.00
FS MPS62U-4	(4) Federal Signal MicroPulse Ultra dual color with (2) mounted in grille and (2) mounted to rear of vehicle.	\$825.00
AFTERMARKET OPTIONS		\$2,050.00

TRADE IN

TOTAL COST

\$52,378.00

YES WE TAKE TRADE INS [ASK ABOUT MUNICIPAL FINANCING](#)

TOTAL COST LESS TRADE IN(S)

QTY

1

\$52,378.00

Estimated Annual payments for 60 months paid in advance: \$12,042.78

Municipal finance for any essential use vehicle, requires lender approval, WAC.

Comments

QUOTE SUBJECT TO FACTORY ORDER ACCEPTANCE or 30 DAYS

VEHICLE QUOTED BY

MATT FORTE

GOVERNMENT ACCOUNT MANAGER matt.forte@alanjay.com

"I Want to be Your Fleet Provider"

I appreciate the opportunity to submit this quotation. Please review it carefully. If there are any errors or changes, please feel free to contact me at any time. I am always happy to be of assistance.



Alan Jay Fleet

Ashlee Wilson | 863-402-4234 | ashlee.wilson@alanjay.com

Vehicle: [Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck (✔ Complete)



Note:Photo may not represent exact vehicle or selected equipment.

Window Sticker

SUMMARY

[Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck	MSRP:\$46,100.00
Interior:Jet Black, Vinyl seat trim	
Exterior 1:Summit White	
Exterior 2:No color has been selected.	
Engine, 5.3L EcoTec3 V8	
Transmission, 10-speed automatic, electronically controlled	

OPTIONS

CODE	MODEL	MSRP
CK10743	[Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck	\$46,100.00
OPTIONS		
1WT	Work Truck Preferred Equipment Group	\$0.00
AKO	Glass, deep-tinted	Inc.
AZ3	Seats, front 40/20/40 split-bench	\$0.00
C49	Defogger, rear-window electric	Inc.
C5Y	GVWR, 7100 lbs. (3221 kg)	Inc.
CTT	Hitch Guidance	Inc.

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Vehicle: [Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck (Complete)

DLF	Mirrors, outside heated power-adjustable	Inc.	
FE9	Emissions, Federal requirements		\$0.00
G80	Auto-locking rear differential		\$395.00
GAZ	Summit White		\$0.00
GU5	Rear axle, 3.23 ratio	Inc.	
H2G	Jet Black, Vinyl seat trim		\$0.00
IOR	Audio system, Chevrolet Infotainment 3 system		\$0.00
JL1	Trailer brake controller, integrated		\$275.00
K34	Cruise control, electronic	Inc.	
KC4	Cooling, external engine oil cooler	Inc.	
KNP	Cooling, auxiliary external transmission oil cooler	Inc.	
KW7	Alternator, 170 amps		\$0.00
L84	Engine, 5.3L EcoTec3 V8		\$1,595.00
MHT	Transmission, 10-speed automatic, electronically controlled	Inc.	
PCV	WT Convenience Package		\$795.00
QBN	Tires, 255/70R17 all-season, blackwall		\$0.00
QBR	Tire, spare 255/70R17 all-season, blackwall		\$0.00
RD6	Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel		\$0.00
RVS	LPO, Assist steps - 4" Black - round		\$795.00
Z82	Trailer Package		\$425.00
SUBTOTAL			\$50,380.00
Adjustments Total			\$0.00
Destination Charge			\$1,995.00
TOTAL PRICE			\$52,375.00

FUEL ECONOMY

Est City:16 (2023) MPG
Est Highway:20 (2023) MPG
Est Highway Cruising Range:480.00 mi

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Vehicle: [Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck (Complete)

Standard Equipment

Package

Chevy Safety Assist includes (UHY) Automatic Emergency Braking, (UKJ) Front Pedestrian Braking, (UHX) Lane Keep Assist with Lane Departure Warning, (UE4) Following Distance Indicator, (UEU) Forward Collision Alert and (TQ5) IntelliBeam

Mechanical

Durabed, pickup bed

Engine, TurboMax (310 hp [231 kW] @ 5600 rpm, 430 lb-ft of torque [583 Nm] @ 3000 rpm) (STD) (Not available with (Z71) Z71 Off-Road Package, (VYU) Snow Plow Prep Package or (ZW9) pickup bed delete.)

Transmission, 8-speed automatic, electronically controlled with overdrive and tow/haul mode. Includes Cruise Grade Braking and Powertrain Grade Braking (STD) (Included and only available with (L3B) TurboMax engine.)

Rear axle, 3.42 ratio

GVWR, 7000 lbs. (3175 kg) (STD) (Requires Crew Cab or Double Cab 4WD model and (L3B) TurboMax engine.)

Push Button Start

Automatic Stop/Start (Not available with (5W4) Special Services Package, (9C1) Police Pursuit Package or (FHS) E85 FlexFuel capability.)

Transfer case, single speed electronic Autotrac with push button control (4WD models only)

Four wheel drive

Battery, heavy-duty 730 cold-cranking amps/80 Amp-hr, maintenance-free with rundown protection and retained accessory power

Alternator, 220 amps (Included with (L3B) TurboMax engine, (VYU) Snow Plow Prep Package, (5W4) Special Service Package or (9C1) Police Pursuit Package.)

Recovery hooks, front, frame-mounted, Black

Frame, fully-boxed, hydroformed front section

Suspension Package, Standard

Steering, Electric Power Steering (EPS) assist, rack-and-pinion

Brakes, 4-wheel antilock, 4-wheel disc with DURALIFE rotors

Brake lining wear indicator

Capless Fuel Fill

Exhaust, single outlet

Exterior

Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel (STD)

Tires, 255/70R17 all-season, blackwall (STD)

Tire, spare 255/70R17 all-season, blackwall (STD) (Included with (QBN) 255/70R17 all-season, blackwall tires.)

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Vehicle: [Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck (Complete)

Exterior

- Wheel, 17" x 8" (43.2 cm x 20.3 cm) full-size, steel spare
- Tire carrier lock, keyed cylinder lock that utilizes same key as ignition and door
- Bumpers, front, Black (semi-gloss)
- Bumpers, rear, Black (semi-gloss)
- CornerStep, rear bumper
- Cargo tie downs (12), fixed rated at 500 lbs per corner
- Headlamps, halogen reflector with halogen Daytime Running Lamps
- IntelliBeam, automatic high beam on/off
- Lamps, cargo area, cab mounted integrated with center high mount stop lamp, with switch in bank on left side of steering wheel (incandescent on Regular Cab models, LED on Crew Cab and Double Cab models)
- Taillamps with incandescent tail, stop and reverse lights
- Mirrors, outside manual, Black (Standard on Crew Cab and Double Cab models only. Not available on Regular Cab models.)
- Glass, solar absorbing, tinted
- Door handles, Black
- Tailgate and bed rail protection cap, top
- Tailgate, standard
- Tailgate, locking utilizes same key as ignition and door (Removed when (QT5) EZ Lift power lock and release tailgate is ordered.)
- Tailgate, gate function manual, no EZ Lift

Entertainment

- Audio system, Chevrolet Infotainment 3 system 7" diagonal HD color touchscreen, AM/FM stereo, Bluetooth audio streaming for 2 active devices, voice command pass-through to phone, Wireless Apple CarPlay and Wireless Android Auto compatibility (STD)
- Sirius XM, delete (Can be upgraded to (U2K) SiriusXM.)
- Audio system feature, 6-speaker system (Requires Crew Cab or Double Cab model.)
- Wireless phone projection for Apple CarPlay and Android Auto
- Bluetooth for phone, connectivity to vehicle infotainment system
- Wi-Fi Hotspot capable (Terms and limitations apply. See onstar.com or dealer for details.)

Interior

- Seats, front 40/20/40 split-bench with covered armrest storage and under-seat storage (lockable) (STD)
- Seat trim, Vinyl
- Seat adjuster, driver 4-way manual

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Interior

- Seat adjuster, passenger 4-way manual
- Seat, rear 60/40 folding bench (folds up), 3-passenger (includes child seat top tether anchor) (Requires Crew Cab or Double Cab model.)
- Floor covering, rubberized-vinyl (Not available with LPO floor liners.)
- Steering wheel, urethane
- Steering column, Tilt-Wheel, manual with wheel locking security feature
- Instrument cluster, 6-gauge cluster featuring speedometer, fuel level, engine temperature, tachometer, voltage and oil pressure
- Driver Information Center, 3.5" diagonal monochromatic display
- Exterior Temperature Display located in radio display
- Compass located in instrument cluster
- Window, power front, drivers express up/down
- Window, power front, passenger express down
- Windows, power rear, express down (Not available with Regular Cab models.)
- Door locks, power
- Remote Keyless Entry, with 2 transmitters
- Power outlet, front auxiliary, 12-volt
- USB Ports, 2, Charge/Data ports located on instrument panel
- Air conditioning, single-zone manual
- Air vents, rear, heating/cooling (Not available on Regular Cab models.)
- Mirror, inside rearview, manual tilt
- Assist handles front A-pillar mounted for driver and passenger, rear B-pillar mounted
- Chevrolet Connected Access capable (Subject to terms. See onstar.com or dealer for details.)

Safety-Mechanical

- Automatic Emergency Braking
- Front Pedestrian Braking
- StabiliTrak, stability control system with Proactive Roll Avoidance and traction control, includes electronic trailer sway control and hill start assist

Safety-Exterior

- Daytime Running Lamps with automatic exterior lamp control

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Safety-Interior

Airbags, Dual-stage frontal airbags for driver and front outboard passenger; Seat-mounted side-impact airbags for driver and front outboard passenger; Head-curtain airbags for front and rear outboard seating positions; Includes front outboard Passenger Sensing System for frontal outboard passenger airbag (Always use seat belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

OnStar and Chevrolet connected services capable (Terms and limitations apply. See onstar.com or dealer for details.)

HD Rear Vision Camera

Lane Keep Assist with Lane Departure Warning

Following Distance Indicator

Forward Collision Alert

Rear Seat Reminder (Requires Crew Cab or Double Cab model.)

Rear Seat Belt Indicator (Requires Crew Cab or Double Cab model.)

Teen Driver a configurable feature that lets you activate customizable vehicle settings associated with a key fob, to help encourage safe driving behavior. It can limit certain available vehicle features, and it prevents certain safety systems from being turned off. An in-vehicle report card gives you information on driving habits and helps you to continue to coach your new driver

Buckle to Drive prevents vehicle from being shifted out of Park until driver seat belt is fastened; times out after 20 seconds and encourages seat belt use, can be turned on and off in Settings menu

Tire Pressure Monitoring System, auto learn includes Tire Fill Alert (does not apply to spare tire)

3 Years of Remote Access. The Remote Access Plan gives you simplified remote control of your properly equipped vehicle and unlocks a variety of great features in your myChevrolet mobile app. See dealer for details. (Remote Access Plan does not include emergency or security services. See onstar.com for details and limitations. Available on select Apple and Android devices. Service availability, features and functionality vary by vehicle, device, and the plan you are enrolled in. Terms apply. Device data connection required.)

WARRANTY

Basic Years: 3

Basic Miles/km: 36,000

Drivetrain Years: 5

Drivetrain Miles/km: 60,000

Drivetrain Note: Silverado TurboMax™ engines, 3.0L & 6.0L Duramax® Turbo-Diesel engines, and certain commercial, government, and qualified fleet vehicles: 5 years/100,000 miles

Corrosion Years (Rust-Through): 6

Corrosion Years: 3

Corrosion Miles/km (Rust-Through): 100,000

Corrosion Miles/km: 36,000

Roadside Assistance Years: 5

Roadside Assistance Miles/km: 60,000

Roadside Assistance Note: Silverado TurboMax™ engines, 3.0L & 6.0L Duramax® Turbo-Diesel engines, and certain commercial, government, and qualified fleet vehicles: 5 years/100,000 miles

Maintenance Note: First Visit: 12 Months/12,000 Miles

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Vehicle: [Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck (Complete)

Technical Specifications

Chassis

Weight Information

Standard Weight - Front	0.00 lbs	Standard Weight - Rear	0.00 lbs
Base Curb Weight	N/A	Gross Axle Wt Rating - Front	3800 lbs
Gross Axle Wt Rating - Rear	3800 lbs	Curb Weight - Front	2927 lbs
Curb Weight - Rear	1956 lbs	Option Weight - Front	0.00 lbs
Option Weight - Rear	0.00 lbs	Reserve Axle Capacity - Front	873.00 lbs
Reserve Axle Capacity - Rear	1844.00 lbs	As Spec'd Curb Weight	4883.00 lbs
As Spec'd Payload	2217.00 lbs	Maximum Payload Capacity	2217.00 lbs
Gross Combined Wt Rating	15000 lbs	Gross Axle Weight Rating	7600.00 lbs
Curb Weight	4883.00 lbs	Reserve Axle Capacity	2717.00 lbs
Total Option Weight	0.00 lbs	Payload Weight Front	0 lbs
Payload Weight Rear	0 lbs	Gross Vehicle Weight Rating	7100.00 lbs

Trailer

Dead Weight Hitch - Max Trailer Wt.	5000 lbs	Dead Weight Hitch - Max Tongue Wt.	500 lbs
Wt Distributing Hitch - Max Trailer Wt.	9200 lbs	Wt Distributing Hitch - Max Tongue Wt.	920 lbs
Fifth Wheel Hitch - Max Trailer Wt.	8600 lbs	Fifth Wheel Hitch - Max Tongue Wt.	2150 lbs
Maximum Trailering Capacity	9400 lbs		

Frame

Frame Type	Box Ladder	Sect Modulus Rails Only	N/A
Frame RBM	N/A	Frame Strength	N/A
Frame Thickness	N/A		

Suspension

Suspension Type - Front	Independent	Suspension Type - Rear	Solid Axle
Spring Capacity - Front	3800 lbs	Spring Capacity - Rear	3850 lbs
Axle Type - Front	N/A	Axle Type - Rear	N/A
Axle Capacity - Front	3800 lbs	Axle Capacity - Rear	3800 lbs
Axle Ratio (:1) - Front	3.23	Axle Ratio (:1) - Rear	3.23

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Chassis

Suspension

Shock Absorber Diameter - Front	N/A	Shock Absorber Diameter - Rear	N/A
Stabilizer Bar Diameter - Front	1.30 in	Stabilizer Bar Diameter - Rear	N/A

Tires

Front Tire Order Code	QBN	Rear Tire Order Code	QBN
Spare Tire Order Code	QBR	Front Tire Size	255/70R17
Rear Tire Size	255/70R17	Spare Tire Size	255/70R17
Front Tire Capacity	3800 lbs	Rear Tire Capacity	3800 lbs
Spare Tire Capacity	N/A	Revolutions/Mile @ 45 mph - Front	N/A
Revolutions/Mile @ 45 mph - Rear	N/A	Revolutions/Mile @ 45 mph - Spare	N/A

Wheels

Front Wheel Size	17 x 8 in	Rear Wheel Size	17 x 8 in
Spare Wheel Size	17 x 8 in	Front Wheel Material	Steel
Rear Wheel Material	Steel	Spare Wheel Material	Steel

Steering

Steering Type	Electric Rack & Pinion	Steering Ratio (:1), Overall	N/A
Steering Ratio (:1), On Center	N/A	Steering Ratio (:1), At Lock	N/A
Turning Diameter - Curb to Curb	49.5 ft	Turning Diameter - Wall to Wall	N/A

Brakes

Brake Type	Pwr	Brake ABS System	4-Wheel
Brake ABS System (Second Line)	N/A	Disc - Front (Yes or)	Yes
Disc - Rear (Yes or)	Yes	Front Brake Rotor Diam x Thickness	13.5 x 1.18 in
Rear Brake Rotor Diam x Thickness	13.6 x 0.79 in	Drum - Rear (Yes or)	N/A
Rear Drum Diam x Width	N/A		

Fuel Tank

Fuel Tank Capacity, Approx	24 gal	Aux Fuel Tank Capacity, Approx	N/A
Fuel Tank Location	N/A	Aux Fuel Tank Location	N/A

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Vehicle: [Fleet] 2024 Chevrolet Silverado 1500 (CK10743) 4WD Crew Cab 157" Work Truck (Complete)

Dimensions

Interior Dimensions

Passenger Capacity	6	Front Head Room	43.03 in
Front Leg Room	44.53 in	Front Shoulder Room	66.02 in
Front Hip Room	61.18 in	Second Head Room	40.12 in
Second Leg Room	43.4 in	Second Shoulder Room	65.16 in
Second Hip Room	60.24 in		

Exterior Dimensions

Wheelbase	157 in	Length, Overall w/o rear bumper	N/A
Length, Overall w/rear bumper	N/A	Length, Overall	241.41 in
Width, Max w/o mirrors	81.24 in	Height, Overall	75.4 in
Overhang, Front	N/A	Overhang, Rear w/o bumper	N/A
Front Bumper to Back of Cab	N/A	Cab to Axle	N/A
Cab to End of Frame	N/A	Ground to Top of Load Floor	N/A
Ground to Top of Frame	N/A	Frame Width, Rear	N/A
Ground Clearance, Front	7.95 in	Ground Clearance, Rear	7.95 in
Body Length	0.00 ft	Cab to Body	N/A

Cargo Area Dimensions

Cargo Box Length @ Floor	79.44 in	Cargo Box Width @ Top, Rear	N/A
Cargo Box Width @ Floor	71.4 in	Cargo Box Width @ Wheelhousings	50.63 in
Cargo Box (Area) Height	22.4 in	Tailgate Width	N/A
Cargo Volume	71.7 ft³	Ext'd Cab Cargo Volume	N/A

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Invitation to Bid (ITB)
For SWC209 Vehicles
Event# 12818-12889

1. Section 1 -- Background Information

- 1.1. This contract is to provide vehicles for Transportation and Vehicle Asset Management as needed. All items must meet the specifications as listed in the solicitation bid sheet. The total purchases of any goods or services under the Contract are not known. The State estimates the purchases during the Term shall be thirty four million (\$34,000,000) ("Estimated Liability").

- 1.2. **Statewide Contract.** The purpose of this Invitation to Bid is to establish a source or sources of supply for all Tennessee State Agencies, Tennessee local governmental entities, the board of trustees of the University of Tennessee system, the Tennessee board of regents system or the state university boards, and the nonprofit entities identified in Tenn. Code Ann. § 33-2-1001.

- 1.3. **Pre-response Conference Notification.** The Central Procurement Office will hold a pre-response conference for this solicitation at the date, time, and location specified below:

Date/Time: 9:00AM CST August 3, 2023

Location: Teams Meeting

Room: Teams Meeting

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjhiYWJhZGZEtYTdhYi00ZmlwLTk1NGltNDJkYjZkMzk5ZmZj%40thread.v2/0?context=%7b%22Tid%22%3a%22f345bebf-0d71-4337-9281-24b941616c36%22%2c%22Oid%22%3a%22de6e4c54-f562-4165-841c-e3b33c72af40%22%7d)

[join/19%3ameeting_ZjhiYWJhZGZEtYTdhYi00ZmlwLTk1NGltNDJkYjZkMzk5ZmZj%40thread.v2/0?context=%7b%22Tid%22%3a%22f345bebf-0d71-4337-9281-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjhiYWJhZGZEtYTdhYi00ZmlwLTk1NGltNDJkYjZkMzk5ZmZj%40thread.v2/0?context=%7b%22Tid%22%3a%22f345bebf-0d71-4337-9281-24b941616c36%22%2c%22Oid%22%3a%22de6e4c54-f562-4165-841c-e3b33c72af40%22%7d)

[24b941616c36%22%2c%22Oid%22%3a%22de6e4c54-f562-4165-841c-e3b33c72af40%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjhiYWJhZGZEtYTdhYi00ZmlwLTk1NGltNDJkYjZkMzk5ZmZj%40thread.v2/0?context=%7b%22Tid%22%3a%22f345bebf-0d71-4337-9281-24b941616c36%22%2c%22Oid%22%3a%22de6e4c54-f562-4165-841c-e3b33c72af40%22%7d)

- 1.4. Prospective respondents are encouraged to attend this pre-response conference; however attendance is not mandatory in order to submit a response. The Central Procurement Office conducts pre-response conferences to discuss and answer questions prior to response due date. The pre-response conference is for informational purposes only. Nothing stated at the pre-response conference shall change the solicitation unless the change is reflected in writing and disseminated to all prospective respondents that attended the pre-response conference.

The City of Morristown

Finance Department



Morristown City Council Agenda Item Summary

Date: June 18, 2024

Agenda Item: Approval to declare surplus four (4) vehicles, four (4) trailers and one (1) tag along leaf machine that have been removed from service and are no longer being utilized.

Prepared By: Jeanna Vanek

Subject: Surplus vehicles, trailers and leaf machine

Background: The City of Morristown wishes to declare these vehicles and trailers as surplus.

Vehicle #	Description	VIN Number
421	2013 Dodge Charger	2C3CDXAG0DH568695
551	2009 ODB LCT Tag Along Leaf Machine	6000-11074945
570	1984 Ford F700 Leaf Truck	1FDYR80U7EVA28474
575	2006 International Knuckle Boom Loader	1HTWDAZN76J344966
586	2020 Kenworth Knuckle Boom Loader	2NKHJHJ8X4LM386401
615	2016 Hurst Trailer	1H9T62521G1057002
616	2016 Hurst Trailer	1H9T62517G1057005
617	2016 Hurst Trailer	1H9T62515G1057004
618	2016 Hurst Trailer	1H9T62511G1057008

Findings/Current Activity: The above vehicles, trailers and leaf machine are currently not in use and no longer have usable value to the City. The Finance Department will utilize GovDeals to sell the surplus vehicles, trailers and leaf machine.

Financial Impact: The sale of surplus items will generate revenue.

Action options/Recommendations: Staff would recommend approval

Attachment None



Morristown City Council Agenda Item Summary

Date: June 18, 2024

Agenda Item: Authorize the purchase of additional landscaping services from Oak View Landscaping in the amount of \$50,598 for necessary work at city parks.

Prepared By: Jeanna Vanek

Subject: Frank Lorino Park & Fulton-Hill Park Reseeding

Background: We have a standing agreement with Oak View for turf management at these parks, but the type of work was not contemplated in the original bid or contract.

Findings/Current Activity:

Reseeding, straw and bob cat work needed for both parks.

Financial Impact:

This was a non-budgeted item, but funds have been identified to cover the cost.

Frank Lorino Park = \$26,492

Fulton-Hill Park = \$24,106

Action options/Recommendations:

Approve the work needed at Frank Lorino Park and Fulton-Hill Park

Park Attachment: Receipts



June 10, 2024

The Honorable Gary Chesney, Mayor
City of Morristown
P. O. Box 1499
Morristown, TN 37816-1499

Dear Mayor Chesney:

The terms of office for the following members of The Industrial Development Board of the City of Morristown will expire on June 30, 2024:

James Craine, R. Jack Fishman, Paul Lynch, Raul Rangel and Rosemary Wigington

The Morristown Area Chamber of Commerce submits as candidates for nomination to a six-year term (July 1, 2024 to June 30, 2030) the following:

Mr. James Craine*
Mr. R. Jack Fishman*
Mr. Paul Lynch*
Mr. John McClellan
Mr. Raul Rangel*
**Current Board Member*

Each of the incumbent recommended nominees has participated in the activities of the Industrial Development Board in a conscientious manner, and it is the feeling of the Chamber of Commerce that each will continue to bring experience and dedication to the job. We also believe the new nominee will bring an equal amount of dedication and consciousness to the Board and appreciate your consideration.

Sincerely,

Jim Price
2024 Chairman

JP/jb

Cc: Mr. R. Jack Fishman
Mr. Andrew Ellard

IN THE MOUNTAINS BETWEEN THE LAKES