

**FINANCE COMMITTEE**

**July 16, 2019**

**3:45 p.m.**

**WORK SESSION**

**July 16, 2019**

**4:00 p.m.**

**1. Agenda Review**

**AGENDA  
CITY OF MORRISTOWN, TENNESSEE  
CITY COUNCIL MEETING  
July 16, 2019  
5:00 p.m.**

**1. CALL TO ORDER**

Mayor Gary Chesney

**2. INVOCATION**

Dr. Chris Dotson, Morristown Police Department

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL**

**5. APPROVAL OF MINUTES**

1. July 2, 2019

**6. PROCLAMATIONS/PRESENTATIONS**

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

**8. OLD BUSINESS**

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

1. Ordinance No. 3632

Ordinance to Annex Certain Territory and to Incorporate same within the Corporate Boundaries of the City of Morristown, Tennessee. Annexation of property identified as being located in the fourth civil district of Hamblen County, having Hamblen County Tax Parcel ID #034 031.00 which contains approximately 23.5 acres more or less.

2. Resolution 08-19  
Resolution Adopting a Plan of Services for the Annexation of Property identified as being located in the fourth civil district of Hamblen County, having Hamblen County Tax Parcel ID #034 031.00 shown as the John and Muriel Arnold Property survey of which is found in Plat Cabinet A Slide A94.
3. Ordinance No. 3635  
An Ordinance of the City Council of Morristown, Tennessee Amending Title 3, Chapter 2, (Section 3-204 Substitute Municipal Judge) of the Morristown Municipal Code.
4. Ordinance No. 3636  
An Ordinance of the City Council of Morristown, Tennessee Amending Title 8, Chapter 1, Liquor Stores (Section 107 (1)Hours of Sales, (2)Sales on Holidays, (9)Public Display and Public Drinking Prohibited) and (Section 112 Certificate of Compliance) of the Morristown Municipal Code.
5. Ordinance No. 3637  
An Ordinance of the City Council of Morristown, Tennessee Amending Title 8, Chapter 4, Wine in Grocery Stores of the Morristown Municipal Code (Section 408 (1)Hours of Sales, (2)Sales on Holidays, (9)Public Display, and Public Drinking Prohibited).
6. Ordinance No. 3638  
An Ordinance of the City Council of Morristown, Tennessee Amending Title Chapter 2, of the Morristown Municipal Code (Section 201 Definitions Craft Beer Enterprises) and (Section 209 On and Off Premise Permit Microbreweries).
7. Ordinance No. 3639  
An Ordinance setting the Tax Rate at \$1.50 for the Fiscal Year 2019-2020.

## **9. NEW BUSINESS**

### **9-a. Resolutions**

1. Resolution \_\_\_\_\_  
A Resolution of the City Council of Morristown, Tennessee Authorizing the City of Morristown to Participate in Public Entity Partners "Safety Partners" Matching Grant Program.

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

1. Ordinance No. \_\_\_\_\_  
An Ordinance to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B and to rezone the property located southwest of the intersection of West Morris Boulevard and Dice Street, currently assigned Hamblen County Tax ID #'s 041D D 002.00 and # 041D D 003.00; with both properties represented on the Rheatown #2 and Brickyard Addition subdivision plats containing approximately 7 +/- acres of land from LI to R-2.  
{Public Hearing August 6, 2019}

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

1. Approval of Bid to Best and Lowest Bidder for Desktop Computers.
2. Approval of Bid to Best and Lowest Bidder for Laptop Computers.
3. Approval of Professional Service Agreement with LDA Engineering to provide General Services for Stormwater issues as needed for a cost not to exceed \$40,000.
4. Approval of Professional Service Agreement with LDA Engineering to provide CEI Services for the Injection Well Repair at Lot 22 in the Morristown Airport Industrial District for a cost not to exceed \$30,000.
5. Approval of Change Order No. 2 with Burke-Ailey Construction for Petoskey Plastics – Site Improvements Phase III - FastTrack Infrastructure Development Program Grant Project increase the contract amount by \$8,741.
6. Approval of Change Order No. 1 with King General Contractors, Inc. related to the South Cumberland Stormwater Project to increase contract in the amount of \$23,000 for South Cumberland Drainage Improvements.

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

1. Council's consideration of Mayor Chesney's nomination to the Morristown Utility Commission for a five-year term to expire on July 31, 2024. Term expiring Rod Issacs.

**9-e. New Issues**

1. Approval of sale of property to Advanced Tool & Machine in the East Tennessee Progress Center, consisting of approximately 4 acres of Lot 6, at the purchase price of \$8,000 per acre.

**10. CITY ADMINISTRATOR'S REPORT**

**11. COMMUNICATIONS/PETITIONS**

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

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

**13. ADJOURN**

**City Council Meeting/Holiday Schedule:**

July 16, 2019	Tuesday	3:45 p.m.	Finance Committee Meeting
July 16, 2019	Tuesday	4:15 p.m.	Work Session – Council Agenda Review
July 16, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
August 6, 2019	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
August 6, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
August 20, 2019	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
August 20, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
September 2, 2019	Monday		City Employee's Holiday Labor Day
September 3, 2019	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
September 3, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
September 17, 2019	Tuesday	3:45 p.m.	Finance Committee Meeting
September 17, 2019	Tuesday	4:15 p.m.	Work Session – Council Agenda Review
September 17, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
October 1, 2019	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
October 1, 2019	Tuesday	5:00 p.m.	Regular city Council Meeting with Work Session
October 15, 2019	Tuesday	4:00 p.m.	Work Session – Council Agenda Review
October 15, 2019	Tuesday	5:00 p.m.	Regular city Council Meeting with Work Session
November 5, 2019	Tuesday	4:00 p.m.	Work Session - Council Agenda Review
November 5, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
November 19, 2019	Tuesday	3:45 p.m.	Finance Committee Meeting
November 19, 2019	Tuesday	4:15 p.m.	Work Session – Council Agenda Review
November 19, 2019	Tuesday	5:00 p.m.	Regular City Council Meeting with Work Session
November 28-29, 2019	Thurs/Fri		City Employee's Holiday Thanksgiving

**WORK SESSION AGENDA****July 16, 2019**

1. TCAT
2. CDBG Fire Water Lines Downtown

**STATE OF TENNESSEE  
COUNTY OF HAMBLLEN  
CORPORATION OF MORRISTOWN  
JULY 2, 2019**

The City Council for the City of Morristown, Hamblen County, Tennessee, met in regular session at the regular meeting place of the Council in the Morristown City Center at 5:00 p.m., Tuesday, July 2, 2019, with the Honorable Mayor Gary Chesney presiding and the following Councilmembers present; Al A'Hearn, Chris Bivens, Bob Garrett, Tommy Pedigo, Kay Senter and Ken Smith.

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

Councilmember Smith made a motion to approve the June 18, 2019 minutes as circulated. Councilmember Garrett seconded the motion and upon roll call; all voted "aye".

Mayor Chesney presented a Proclamation honoring Nancy Burnett of the Morristown-Hamblen Library Board.

Mayor Chesney presented the Tennessee Municipal League (TML) Municipal Achievement Award – Excellence in Governance.

A Public Hearing was held relating to Ordinance No. 3634; No one spoke

Councilmember Bivens made a motion to approve Ordinance No. 3634 on second and final reading. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

**Ordinance 3634**

**An Ordinance of the City of Morristown, Tennessee, to Amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of Hamblen County Tennessee Tax Parcel ID # 032034 02100, currently addressed as 570 Thompson Creek RD, from IB (Intermediate Business District) to R3 (High Density Residential District).**

Councilmember Senter made a motion to approve Ordinance No. 3635 on first reading and schedule a public hearing relative to final passage of said ordinance for July 16, 2019. Councilmember Bivens seconded the motion and upon roll call; all voted "aye"

**Ordinance No. 3635**

**An Ordinance of the City Council of Morristown, Tennessee Amending Title 3, Chapter 2, (Section 3-204 Substitute Municipal Judge) of the Morristown Municipal Code.**

Councilmember Senter made a motion to approve Ordinance No. 3636 on first reading and schedule a public hearing relative to final passage of said ordinance for July 16, 2019. Councilmember A'Hearn seconded the motion and upon roll call; all voted "aye"

**Ordinance No. 3636**

**An Ordinance of the City Council of Morristown, Tennessee Amending Title 8, Chapter 1, Liquor Stores (Section 107 (1)Hours of Sales, (2)Sales on Holidays, (9)Public Display and Public Drinking Prohibited) and (Section 112 Certificate of Compliance) of the Morristown Municipal Code District).**

Councilmember Senter made a motion to approve Ordinance No. 3637 on first reading and schedule a public hearing relative to final passage of said ordinance for July 16, 2019. Councilmember A'Hearn seconded the motion and upon roll call; all voted "aye"

**Ordinance No. 3637**

**An Ordinance of the City Council of Morristown, Tennessee Amending Title 8, Chapter 4, Wine in Grocery Stores of the Morristown Municipal Code (Section 408 (1)Hours of Sales, (2)Sales on Holidays, (9)Public Display, and Public Drinking Prohibited).**

Councilmember Senter made a motion to approve Ordinance No. 3638 on first reading and schedule a public hearing relative to final passage of said ordinance for July 16, 2019. Councilmember Bivens seconded the motion and upon roll call; all voted "aye"

**Ordinance No. 3638**

**An Ordinance of the City Council of Morristown, Tennessee Amending Title 8, Chapter 2, of the Morristown Municipal Code (Section 201 Definitions Craft Beer Enterprises) and (Section 209 On and Off Premise Permit Microbreweries).**

Councilmember Smith made a motion to approve three (3) year contract between the City of Morristown and CLEAR (West Publishing Corporation) for subscription services for Investigation Software for the Morristown Police Department. Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve to amend the current contract with Redflex Group and allow City Administrator Tony Cox to enter into contract negotiations to include the removal of speed cameras and allow the red-light camera enforcement to continue. Councilmember Smith seconded the motion and upon roll call; all voted "aye".



Councilmember Senter made a motion to approve the contract with Lawnman Lawncare for maintenance services as needed for Codes Enforcement. Councilmember A'Hearn seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to accept the bid submitted by Municipal Emergency Services, Inc. for the purchase of Turnout Gear for the Fire Department. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Councilmember Smith made a motion to approve the Geographic Information System (GIS) Software License Agreement with ESRI in the amount of \$50,000. Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Councilmember Senter nominated Kevin Smith to Morristown-Hamblen Library Board for a three-(3) year term to expire July 1, 2022. Upon roll call; all voted "aye".

Councilmember Bivens made a motion to nominate Paul LeBel to fill the unexpired term of Louis "Doe" Jarvis to the Morristown Regional Airport Commission. Term to expire August 31, 2021. Councilmember Pedigo made the motion to vote Mr. LeBel by acclamation. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve the Certificate of Compliance for Gauri J. Patel for a retail package store renewal license, store located at 1506 South Cumberland, DBA The Package Store. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Mayor Gary Chesney adjourned the July 2, 2019 Morristown City Council meeting at 5:28 p.m.

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Mayor

Attest:

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City Administrator

**ORDINANCE NO. 3632**

**ENTITLED AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MORRISTOWN TENNESSEE;**

*Annexation of property identified as being located in the fourth civil district of Hamblen County, having Hamblen County Tax Parcel ID #034 031.00 which contains approximately 23.5 acres more or less, the general location being shown on the attached exhibit A;*

**Section 1.**     **WHEREAS**, it now appears that the prosperity of the City and of the territory herein described shall be materially retarded and the safety and welfare of inhabitants and property owners thereof endangered if such territory is not annexed; and

**Section II.**     **WHEREAS**, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and the City as a whole;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORRISTOWN;**

1. **PURSUANT** to authority conferred by Section 6-15:102 of the Tennessee Code Annotated, there is hereby annexed to the City of Morristown Tennessee and incorporated within the corporate boundaries thereof, the following described territory:
2. Heavy Density Residential (R-3) zoning shall be applied upon adoption of the annexation area.
3. This Ordinance shall become operative thirty days after its passage or as otherwise provided for in Chapter 113, Public Acts of Tennessee, 1955.
4. This Ordinance shall become effective from and after its passage, the public welfare requiring it.

**PASSED ON FIRST READING THIS 21<sup>st</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
MAYOR

ATTEST:

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

**PASSED ON SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
MAYOR

ATTEST:

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



# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: City Council  
FROM: Lori Matthews, Senior Planner  
DATE: May 21st 2019  
SUBJECT: Annexation Request

## **BACKGROUND:**

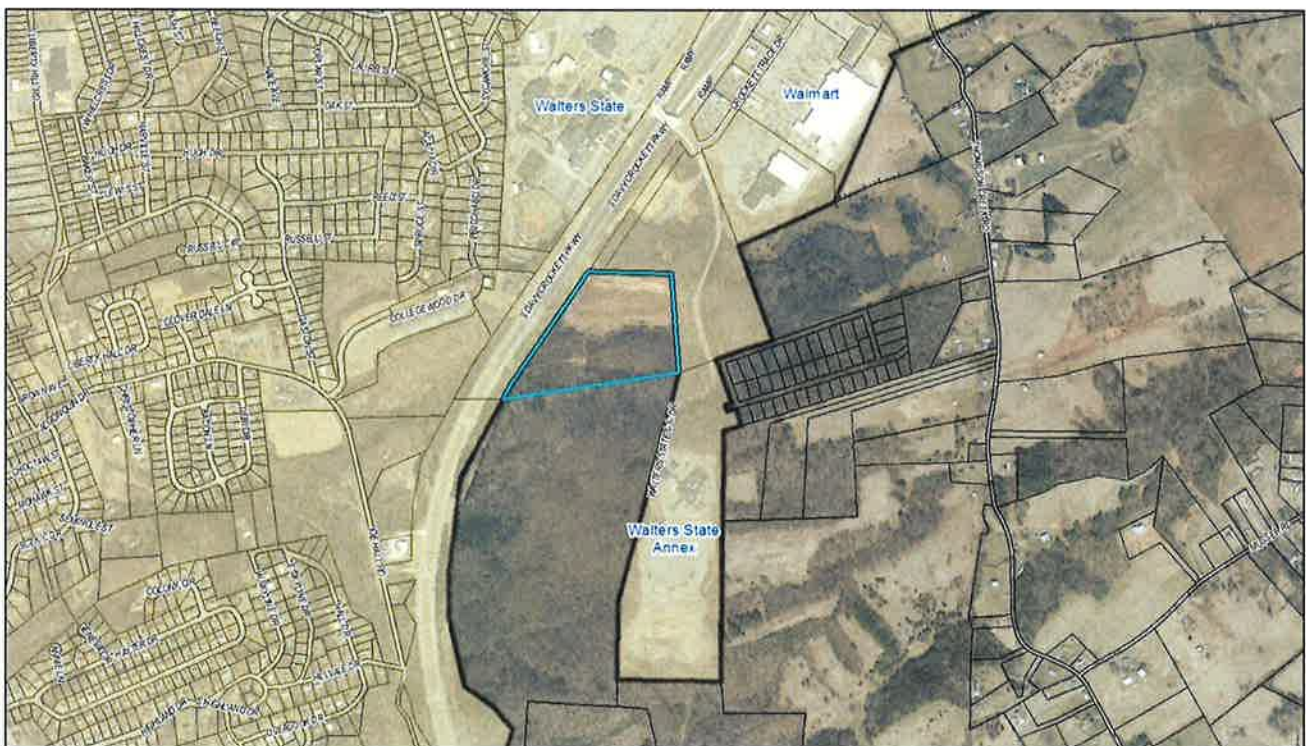
A request for annexation has been submitted by Mr. Mitch Cox on behalf of property owners James and Sarah Gose for their property located off of South Davy Crockett Highway in the City's Urban Growth Boundary region, just south of Crockett Square/Walmart shopping center. The property being 23 acres in size will be developed into a 250 unit residential complex.

Existing County zoning for this property is A-1, Agricultural and Forestry. The applicant is requesting the property be given an assigned zoning designation of R-3, High Density Residential in lieu of the typical 'placeholder' designation of R-1, Single Family Residential. The applicant has already submitted a multifamily residential site plan and is asking for approval of both annexation and site plan simultaneously. It is their intent to begin excavation immediately following approval of the annexation.

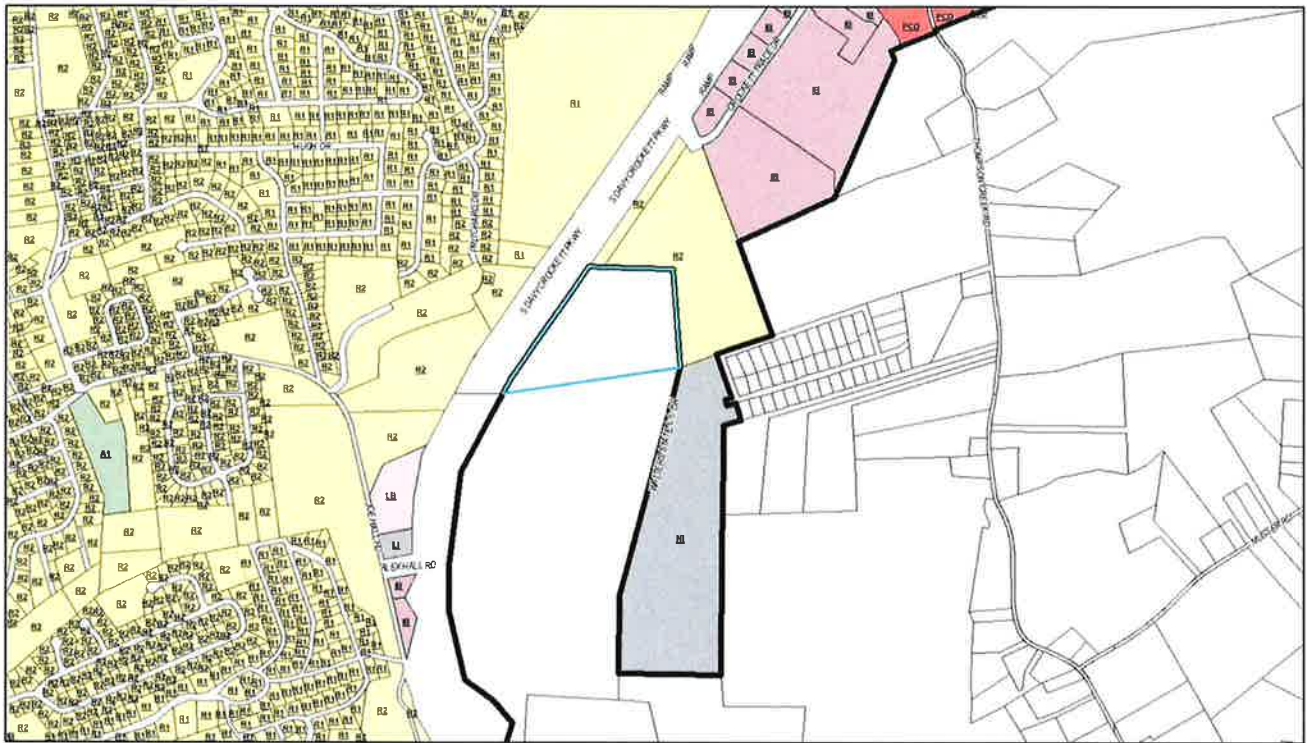
Morristown Utilities Commission will serve as provider for all utilities to include electric, sanitary sewer and water needs. No additional right-of-way is to be included. No additional Fire or Police personnel will be required at this time.

## **RECOMMENDATION:**

The Planning Commission at their May 14<sup>th</sup> meeting voted unanimously to forward this request on to City Council for approval.



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**PLAN OF SERVICES  
RESOLUTION NO. 08-19**

**RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED ALONG THE EAST SIDE OF SOUTH DAVY CROCKETT HIGHWAY (APPALACHIAN HIGHWAY) AND SHOWN AS LOTS 1 AND 2 OF THE JOHN AND MURIEL ARNOLD PROPERTY AS RECORDED IN PLAT CABINET A SLIDE A94**

**WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE GOVERNING BODY.**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:**

*Property identified as being located in the fourth civil district of Hamblen County, Hamblen County Tax Parcel ID # 034 031.00, shown as the John and Muriel Arnold Property survey of which is found in Plat Cabinet A, Slide A94 and as shown on the attached Exhibit A;*

**Section I.** Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services.

**Police Protection**

Patrolling, radio responses to calls, and other routine police services using present personnel and equipment will be provided upon the effective date of annexation.

**Fire Protection**

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided upon the effective date of annexation. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utilities Commission unless authorized by franchise agreement with another utility district which has made service available with capabilities to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of Morristown Utilities Commission policies shall be at the expense of the property owner or developer.

**Water Service**

Water for potable use will be provided in accordance with current policies of Morristown Utilities Commission.

**Sanitary Sewer Service**

Any extension of said shall be at the expense of the property owner or property developer.

**Electrical Service**

Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission. In those parts of the annexed area presently served by another utility cooperative, the above conditions or terms will begin with the acquisition by the city of such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

**Refuse Collection**

The same regular refuse collection service now provided within the City will be extended to the annexed area sixty days following the effective date of annexation.

**Streets**

Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city. Traffic signals, traffic signs, street markings and other



traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards. Street name signs where needed will be installed as new street construction requires.

**Inspection Services**

Any inspection services now provided by the City (building, property maintenance, electrical, plumbing, gas, housing, sanitation, etc.) will begin upon the effective date of annexation.

**Planning and Zoning**

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The recommended zoning designation for this land will be R-3 (High Density Residential).

**Street Lighting**

Street lights will be installed in accordance to City and Morristown Utilities Commission policies.

**Recreation**

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used will be followed in expanding the recreational program and facilities in the enlarged city.

**Section II.** This Resolution shall become effective from and after its adoption.

Passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor  
ATTEST:

\_\_\_\_\_  
City Administrator

**ORDINANCE NO. 3635  
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AMENDING TITLE 3, CHAPTER 2 OF THE MORRISTOWN  
MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that Chapter 2 of Title 3 of the Morristown Municipal Code is amended by adding the following text:

“Section 3-204. Substitute Municipal Judge. The Morristown City Council shall designate a special substitute municipal judge to preside over municipal court in the municipal judge’s absence.”

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

PASSED ON FIRST READING THIS 2ND DAY OF JULY, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED ON SECOND AND FINAL READING THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

**ORDINANCE NO. 3636**

**BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AMENDING TITLE 8, CHAPTER 1, SECTIONS 107 & 112  
OF THE MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that the text of Sections 107 and 112 of Chapter 1 of Title 8 of the Morristown Municipal Code are deleted in its entirety and substituted therefore is the following:

**“CHAPTER 1**

**INTOXICATING LIQUORS/LIQUOR STORES**

**SECTION 8-107. Regulations of sales and business hours.**

(1) Hours of sales. Retail dealers in alcoholic beverages shall not engage in the sale of such beverages, except between the hours of 8:00 A.M. and 11:00 P.M., on weekdays and Saturdays, and 10:00 A.M. and 11:00 P.M., on Sundays. The store may not be open to the general public except during these regular business hours.

(2) Sales on holidays. Retail dealers shall be closed for business on the following holidays: Easter, Thanksgiving Day, and Christmas.

(3) Sales to minors. A retailer or any employee thereof shall not make or permit to be made any sales of alcoholic beverages or beer to minors. Prior to making a sale of alcoholic beverages for off-premises consumption, the adult consumer whose physical appearance does not reasonably demonstrate an age of 50 years or older must present to the retailer or any employee of the retailer a valid, government issued document, such as a driver license or other form of identification deemed acceptable to the retailer that includes the photograph and birth date of the adult consumer attempting to make an alcoholic beverage purchase. Persons exempt under state law from the requirement of having photo identification shall present identification that is acceptable to the retailer. The retailer or employee shall make a determination from the information presented whether the purchaser is an adult. In addition to the prohibition of making a sale to a minor, no sale of alcoholic beverages for off-premises consumption shall be made to a person whose physical appearance does not reasonably demonstrate an age of 50 years or older who does not present such a document or other form of identification to the license holder or any employee of the license holder in a face-to-face transaction.

(4) Keeping an unsealed bottle or container. No retailer of alcoholic beverages shall keep or permit to be kept upon the licensed premises any alcoholic beverages in any unsealed bottles or other unsealed containers except such open bottles and containers of damaged and unmarketable product retained by the retail licensee for purpose of return to a wholesaler or such open bottles and containers required for conducting a sales demonstration as permitted by Tennessee Code Annotated § 57-3-404(h).



(5) Sales to persons intoxicated. No retailer shall sell any alcoholic beverages or beer to any person who is visibly intoxicated, nor shall any retailer selling alcoholic beverages or beer sell to any person accompanied by a person who is visibly intoxicated.

(6) Sales on credit. No holder of a permit for the sale of alcoholic beverages at retail shall sell, deliver, or cause, permit, or procure to be sold or delivered, any alcoholic beverages on credit.

(7) Discount sales. A retailer may offer a discount in such manner as the retailer deems appropriate as long as the discount being offered is not below the cost paid by the retailer to purchase the alcoholic beverages from the wholesaler.

(8) Consumption on premises. No alcoholic beverages shall be sold for consumption, or consumed, on the premises of the seller, except that a retail licensee may offer complimentary samples of the products it sells for tastings to be held on the premises of the retail licensee. Such tastings shall be for sales, education and promotional purposes. No person holding a license under § 57-3-203 shall, directly or indirectly, provide any products, funding, labor, support or reimbursement to a retailer for the consumer tastings authorized by this subsection.

The tastings may be held at the option of the retail licensee during the hours the retail licensee is open for business, without filing any notice other than as provided with the commission, and no charge or fee may be assessed by the commission for a retail licensee to offer such complimentary samples.

The size of each sample shall be no greater than approximately two ounces for each wine or high alcohol content beer sample and no greater than approximately one-half ounce for each liquor sample. It is the responsibility of the retail licensee to limit the number of tastings per customer and the number of products available for tasting.

Notwithstanding any law or rule to the contrary, a retail licensee or employee of the licensee may participate in tastings.

(9) Public display and public drinking prohibited. It shall be unlawful for any person to publicly drink any alcoholic beverage on any street or sidewalk, on any school ground or in any park, theatre, stadium, or school. It shall be unlawful for any person to display openly a bottle or other container of alcoholic beverage on any public street, sidewalk, or school ground, or in any park, theatre, stadium, or school. This prohibition shall not apply to any participant of an event that has obtained specific permission to sell alcoholic beverages pursuant to a Special Occasion Permit.

**SECTION 8-112. Certificate of compliance.** As a condition precedent to the issuance of a state liquor retailer's license by the state alcoholic beverage commission, city council may authorize the issuance of certificates of compliance by the city according to the terms contained herein. An applicant or applicant group for a retail liquor store permit shall file with the city recorder a completed written application on a form to be provided by the city recorder which shall contain all of the following

information and whatever additional information the city council or city administrator may require:

(1) The name and street address of each person to have an interest, direct or indirect, in the retail liquor store as an owner, partner, stockholder or otherwise. That the applicant or applicants who are to be in actual charge of the business have not been convicted of a felony within a ten-year period immediately preceding the date of application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application.

(2) The name and address of the proposed retail liquor store. That the applicant or applicants have secured a location for the business, which complies with all restrictions of this chapter.

(3) That the applicant or applicants have complied with this chapter regulating the number of retail licenses to be issued.

(4) A statement that the persons receiving the requested certificate to the best of their knowledge if awarded the certificate of compliance could comply with all the requirements for obtaining the required licenses and permits under state law and the provisions of this chapter for the operation of a retail liquor store within the city.

(5) The agreement of each applicant to comply with all applicable laws and ordinances and with the rules and regulations of the Tennessee Alcoholic Beverage Commission with reference to the sale of alcoholic beverages and the agreement of each applicant as to the validity and reasonableness of this chapter, including the fees and taxes imposed thereby with respect to the sale of retail alcoholic beverages.

(6) Fees. Each original certificate of compliance application shall be accompanied by a non-refundable \$250.00 investigation fee. One application fee per applicant group is sufficient."

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

PASSED ON FIRST READING THIS 2<sup>ND</sup> DAY OF JULY, 2019.

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MAYOR

ATTEST:

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CITY ADMINISTRATOR

PASSED ON SECOND AND FINAL READING THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

**ORDINANCE NO. 3637**

**BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AMENDING TITLE 8, CHAPTER 4, SECTION 408 OF THE  
MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that the text of Section 408 of Chapter 4 of Title 8 of the Morristown Municipal Code are deleted in its entirety and substituted therefore is the following:

**“CHAPTER 4”**

**WINE SALES IN RETAIL FOOD STORES**

**SECTION 8-408. Regulation of sales.**

(1) Hours of sales. Retail food store wine licensees shall not engage in the sale of wine, except between the hours of 8:00 a.m. and 11:00 p.m. on weekdays and Saturdays and 10:00 a.m. and 11:00 p.m. on Sundays.

(2) Sales on holidays. No retail food store wine licensee shall sell or give away any wine on the following holidays: Easter, Thanksgiving Day, and Christmas.

(3) Sales to minors. No retail food store wine licensee, or any employee thereof, shall sell or give away wine to minors. Prior to making a sale of wine for off-premises consumption, the adult consumer must present to the license holder or any employee of the license holder a valid, government-issued document, such as a driver license or other form of identification deemed acceptable to the license holder that includes the photograph and birth date of the adult consumer attempting to make a wine purchase. Persons exempt under state law from the requirement of having photo identification shall present identification that is acceptable to the license holder. The license holder or employee shall make a determination from the information presented whether the purchase is an adult. In addition to the prohibition of making a sale to a minor, no sale of wine for off-premises consumption shall be made to a person who does not present such a document or other form of identification to the license holder or any employee of the license holder in a face-to-face transaction; however, it is an exception to any criminal punishment or adverse administrative action, including license suspension or revocation, for a violation of this section if the sale was made to a person who is or reasonably appears to be over 50 years of age and who failed to present an acceptable form of identification.

(4) Keeping an unsealed bottle or container. No retail food store wine licensee shall keep, or permit to be kept upon his premises, wine in any unsealed containers or bottles.

(5) Sales to persons intoxicated. No retail food store wine licensee shall sell or give away wine to any person who is intoxicated, nor shall any retail food

store wine licensee sell or give away wine to any person accompanied by a person who is intoxicated.

(6) Sales on credit. No retail food store wine licensee shall sell, deliver, or cause, permit, or procure to be sold or delivered, wine on credit.

(7) Wine tastings. No retail food store wine licensee shall conduct tastings of wine on the premises of the retail food store.

(8) Consumption on premises. No wine shall be sold for consumption, or consumed, on the premises of the retail food store, except that a retail food store wine licensee may also hold a license to sell alcoholic beverages for consumption on premises pursuant to Tennessee Code Annotated § 57-4-101, et seq., provided that the premises of the on-premises licensee shall be separate and distinct from the premises of the retail food store and the business of the on-premises licensee shall be operated separately and distinctly from the operation of the business of the retail food store wine licensee.

(9) Public display and public drinking prohibited. It shall be unlawful for any person to publicly drink wine or publicly display any bottle or container of wine on any street or sidewalk, on any school ground or in any park, theatre, stadium, or school. This prohibition shall not apply to any participant of an event that has obtained specific permission to sell alcoholic beverages pursuant to a Special Occasion Permit."

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

PASSED ON FIRST READING THIS 2ND DAY OF JULY, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED ON SECOND AND FINAL READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

**ORDINANCE NO. 3638  
BEING AN ORDINANCE OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AMENDING TITLE 8, CHAPTER 2, SECTIONS 201 & 209  
OF THE MORRISTOWN MUNICIPAL CODE.**

Be it ordained by the City Council for the City of Morristown that the text of Sections 201 and 209 of Chapter 2 of Title 8 of the Morristown Municipal Code are deleted in its entirety and substituted therefore is the following:

**“CHAPTER 2**

**BEER**

**SECTION 8-201. Definitions**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicated otherwise:

*Beer.* Beer, ale or other malt beverages, or any other beverage having an alcoholic content of not more than eight percent by weight, except wine as defined in Tennessee Code Annotated § 57-3-101; provided, however, that no more than 49 percent of the overall alcoholic content of such beverage may be derived from the addition of flavors and other non-beverage ingredients containing alcohol. (Should the Tennessee Code Annotated § 57-5-101 statutory definition of "beer" change, that definition shall govern.)

*Caterer permit.* A permit issued for the retail sale of beer by a caterer who operates a permanent catering hall on an exclusive basis, has a complete and adequate commercial kitchen facility, and is licensed as a caterer by the Tennessee Department of Health, unless the catering hall is licensed as a restaurant. The caterer must provide food at any catered event.

*Convenience store.* A store that maintains an inventory of basic food items such as luncheon meats, snack items, milk products, bread products, and canned goods.

*Craft Beer Enterprise.* A craft beer business whose primary business is the retail sale of craft beer for consumption on the premises and/or off the premises. Said craft beer establishment shall have a seating capacity of at least 40 people.

*Craft Beer.* Beer manufactured by breweries with an annual production of six million (6,000,000) barrels or less.



*Drug store.* A business whose primary business is the sale of prescription drugs and associated items.

*Full line grocery store.* A store that maintains an inventory of staple food items, including fresh meats, vegetables, produce, and fruits.

*Growler.* A refillable rigid glass, plastic, aluminum or stainless steel container with a flip-top or screw-on lid that is no larger than 2 liters (0.5283 gallons) into which craft beer is prefilled, filled or refilled for off-premises consumption.

*Limited service restaurant permit.* A permit issued for the retail sale of beer for consumption on the premises of a restaurant that has gross revenue food sales of less than 50 percent of its total revenues. The limited service restaurant shall have a seating capacity of at least 40 people at tables and shall have a menu of prepared food available to patrons.

*Microbrewery.* A small brewery and/or restaurant engaged in the manufacture of beer or alcoholic content of not more than eight percent by weight, and which sells the aforesaid beer for consumption on the premises and/or off the premises, provided that the aggregate sales shall not exceed 25,000 barrels of beer annually. Said microbrewery shall have a seating capacity of at least 40 people.

*Nonprofit club/organization.* A corporation which has been recognized as exempt from federal taxes under Section 501(c) of the Internal Revenue Code for two consecutive calendar years, is organized and in good standing under the laws of the State of Tennessee, and is not for profit, but is solely for the promotion of some common object of fellowship, recreation and other nonprofit purposes other than the sale and consumption of beverages containing alcohol.

*Off-premises permit.* A permit issued for the retail sale of beer for consumption off the premises of the permittee.

*On-premises permit.* A permit issued for the retail sale of beer for consumption on the premises of the permittee.

*On- and off-premises permit.* A permit issued for the retail sale of beer for consumption on and off the premises of the permittee in which the business is a microbrewery as defined in this chapter.

*Permit.* The permit required or issued pursuant to this chapter, and "permittee" thus means any person, firm, or corporation to whom such permit has been issued pursuant to this chapter.

*Restaurant.* Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment and a seating capacity of at least 40 people at tables, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. Said restaurant should serve at least one meal per day at least four days per week, with the exception of holidays, vacations and periods of redecorating. The serving of such meals shall be the principal business conducted (revenue sales from food must exceed 50 percent, except where the restaurant is located in a hotel or motel which provides at least 30 rooms or suites for guests, in which case, the restaurant business may be secondary to the hotel or motel business. In no case shall beer be sold at times other than when meals are being served.

*Special occasion permit.* A permit issued for the retail sale of beer by a bona fide charitable or non-profit organization, or a bona fide political organization for a 24-hour period. The charitable/nonprofit organization must have been in existence for at least two consecutive calendar years and must expend at least 60 percent of its gross revenue for religious, educational or charitable purposes. The political organization must be either a political campaign committee as defined in Tennessee Code Annotated § 2-10-102(a) or a political party as defined in Tennessee Code Annotated § 2-13-101. Said permits cannot be issued more than 12 times in a calendar year to the same organization. These permits will be issued for the following locations: Farmer's Market area, Rose Center (and the immediate surrounding block), Downtown Main Street (from Henry Street to Cumberland), and other approved locations.

*Temporary permit.* A permit that may be issued by the city administrator or his designee, to allow the continued sale of beer at a location which presently has a valid permit. Said permit may be issued in order to allow a new application to be administratively processed and considered by the beer board. The applicant for said permit shall meet all requirements set forth in these ordinances, and the temporary permit shall not be issued for more than 30 days. The city administrator or his designee, shall be entitled to immediately revoke said temporary permit upon discovering any violation of this chapter.

#### SECTION 8-209. Beer permits shall be restrictive.

All beer permits shall be restrictive as to the type of beer business authorized under them.

(1) Separate permits shall be required for selling at retail, storing, distributing, and manufacturing. It shall be unlawful for any beer permit holder to engage in any type or phase of the beer business not expressly authorized by his permit. It shall likewise be unlawful for him not to comply with any and all express restrictions or conditions that are written into his permit by the beer board.

(2) No on-premises permit shall be issued for a premise other than a nonprofit club, restaurant, limited service restaurant, microbrewery or craft beer enterprise. No on- and off-premise permit shall be issued for a premise other than a microbrewery and/or craft beer enterprise. For purposes of this chapter, "on premise", and "on-and off-premise" shall include the interior of the business enclosed by permanent walls and covered by a permanent roof, as well as all decks, patios and other outdoor serving areas that are contiguous to the exterior of the building in which the business is located, and in the case of a nonprofit club, a golf course that is a part of the establishment. An outdoor serving area shall be defined as a patio, deck, courtyard or other outdoor area where the permitted establishment provides service to the outdoor serving area that is (1) contiguous to the exterior of the building in which the business is located, (2) operated and controlled by the business, and (3) fenced or surrounded on all sides except for designated entrances and exits. The fencing or surrounding barrier need not be permanent, but must consist of a barrier not less than 40 inches high and must be constructed of a substantial material without gaps or spaces that would allow ingress and egress of the premises except through designated entrances and exits. Examples of substantial material includes, but is not limited to, securely connected cattle gates, planters, decorative fencing or other decorative architectural or landscaping material. An outdoor serving area may not include all or any part of an area otherwise used by the business or by the public for parking.

(3) No off-premise permit shall be issued for a premise other than full line grocery stores, drug stores, or convenience stores.

(4) Each holder of a beer permit shall continuously maintain in this city:

a. A registered office which may be the same as the permitted place of business; and

b. A registered agent, who shall be an individual whose business office is identical with the registered office.

(5) With the exception of a microbrewery and/or craft beer enterprise, no brewer, wholesaler or manufacturer of beer, nor any agent of such brewer, wholesaler or manufacturer, shall be permitted to make a loan of money or furnish any fixtures of any kind or have any interest either directly or indirectly in the business of any retailer of beer, or in the premises occupied by such retailer. No person holding and/or exercising a valid permit issued pursuant to this chapter shall while so doing convey or grant or contract to convey or grant any interest in the business located at the place named on the permit, or an interest in the premise or any property therein, to any brewer, wholesaler or manufacturer of beer regulated by this chapter. No person holding and/or exercising a valid permit issued pursuant to this chapter shall incur or contract any indebtedness or financial obligation to any brewer, wholesaler or manufacturer of beer regulated by this chapter, except for the purchase of the beverages. No permit shall be granted under this chapter to any applicant who at the time of making application, is indebted or financially obligated to any such brewer, wholesaler or manufacturer, except for the purchase of the beverages."

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

PASSED ON FIRST READING THIS 2ND DAY OF JULY, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED ON SECOND AND FINAL READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

**ORDINANCE NO. 3639**

**AN ORDINANCE SETTING THE TAX RATE AT \$1.50 FOR THE FISCAL YEAR  
2019-2020**

**BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCILMEMBERS OF THE  
CITY OF MORRISTOWN, TENNESSEE:**

**SECTION I.** That the tax rate for the fiscal year 2019-2020 be and is hereby fixed at \$1.50 on each one hundred dollars (\$100) assessed value of taxable property located within the City of Morristown, Tennessee.

**SECTION II.** That the tax rate hereby set forth exceeded the equalized property tax rates as presented by the State of Tennessee, State Board of Equalization.

**SECTION III.** That a public hearing will be held at the next scheduled meeting for final consideration of this ordinance on second reading, and the City Clerk has hereby prepared and has published, proper notice of said public hearing not less than ten (10) days prior to the date of said public hearing.

**SECTION IV.** This ordinance shall take effect upon its final passage.

PASSED on first reading this the 12<sup>th</sup> day of July, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

PASSED on second and final reading this the 16<sup>th</sup> day of July, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator



## **Morristown City Council Agenda Item Summary**

**Date:** 07-16-19

**Agenda Item:**

**Prepared by:** Larry Clark

**Subject:** Public Entity Partners Safety Partners Matching Grant

**Background / History:** This is a reimbursing grant from TML to help cities offset some costs incurred during the year for safety-initiated programs.

**Findings / Current Activity:** Application for grant is required for award.

**Financial Impact:** If awarded, the grant will help offset costs incurred for steel toed boot purchases.

**Action options / Recommendations:** Approval of resolution

**Attachments:** Resolution



**RESOLUTION \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF MORRISTOWN,  
TENNESSEE AUTHORIZING THE CITY OF MORRISTOWN TO  
PARTICIPATE IN PUBLIC ENTITY PARTNERS “SAFETY  
PARTNERS” MATCHING GRANT PROGRAM.**

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

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

WHEREAS, Public Entity Partners seeks to encourage the establishment of a safe workplace by offering a “*Safety Partners*” *Matching Grant Program*.

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

SECTION 1. That the City of Morristown is hereby authorized to submit application for a “Safety Partners” Matching Grant Program through Public Entity Partners.

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

This Resolution shall be effective from and after its adoption.

Passed on this the \_\_\_\_\_ day of \_\_\_\_\_ in the year of \_\_\_\_\_.

\_\_\_\_\_  
Gary Chesney, Mayor

ATTEST:

\_\_\_\_\_  
Anthony W. Cox, City Administrator



## 2019 - 2020 "Safety Partners" Grant Program

### Public Entity Partners GRANT APPLICATION

**DATE SENSITIVE**  
**THE PROGRAM DEADLINE IS AUGUST 9TH, 2019**

Your application has been sent.  
 If you do not receive an **email confirmation within 15 minutes** please check your SPAM or JUNK email folder in the event the confirmation has been blocked by your organization; or you may contact via email or (615) 371-0049.

PRINT this Page for your Records

CLOSE this webpage - I am done

Click to download/print the RESOLUTION form

Click to download/print the MOTION form

1.	Application Date:	Wednesday 03 July 2019
2.	Participant city (or Agency) Name:	CITY OF MORRISTOWN
3.	P.O. Box Address or Street:	P.O. BOX 1499
4.	City:	MORRISTOWN
4.	Zip Code:	37816
5.	Contact Person:	LARRY CLARK
6.	Contact Person - Title:	ASST. CITY ADMINISTRATOR
7.	Contact Person - Telephone:	(423) 585-4617
8.	Contact Person - Fax:	(423) 585-4687
9.	Contact Person - Email:	lclark@mymorristown.com
10.	No of Full Time Employees in City/Agency"	300
11.	No. Employees Affected by this Purchase:	300
12.	City/Agency Desires to Purchase the Following:	Motor vehicle checks and GPS devices subscription for Public Works.
13.	Justification for the Needed Purchase:	Motor vehicle checks for City wide new hires and annual checks. Public Works vehicles to use GPS equipment for locations and to assist in call outs
14.	Resolution	You have selected to submit your application at a later time. Your next meeting is schedule for <b>07/16/2019</b> . Once you have the completed form you may email the completed form to <a href="#">Tahtia Mitchell</a> or you may fax a copy to Tahtia Mitchell at (615) 371-9212.
15.	Estimate #1 - Calculated Total	\$3,000
15.	Estimate #2 - Calculated Total	\$3,000
16.	Approving Supervisor - Name	Tony Cox
17.	Approving Supervisor - Email	tc Cox@mymorristown.com

**We HIGHLY recommend you Print a copy for your records.**

# City of Morristown

*Incorporated 1855*

**DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING**



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TO: City Council; Tony Cox  
FROM: Lori Matthews, Senior Planner  
DATE: July 16th 2019  
SUBJECT: Rezoning of City Property

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## **BACKGROUND:**

The Tennessee College of Applied Technology (TCAT) is in the process of expanding their campus north to include seven additional acres of City owned property. As the property is zoned Light Industrial, the City has initiated a request to rezone the property from LI to R-2 (Medium Density Residential) which is the same zoning district assigned to the existing campus site.

Located between Pauline and Rosedale Avenue, TCAT will merge with the property that is currently home to the City's Public Works facility and (former) Morristown-Hamblen County Animal Shelter. The animal shelter has already relocated to 5251 East Morris Boulevard which is east of the Orbit Electronics site (former Shelby Williams manufacturer). Public Works will be moving to Durham Landing between Howell Road and Merchants Boulevard. That portion of Rosedale Avenue located between the existing Public Works site and TCAT campus was vacated in September of 2018 to accommodate the expansion.

As shown by the graphic attached, many properties fronting Morris Boulevard were zoned industrial (LI) to accommodate what was historically used for manufacturing and industrial sites. Many of these same properties are now commercially utilized. Rosedale Avenue can be seen as the dividing line, south of which is residentially zoned and used. Morristown Housing Authority, Highland Terrace, South Hills Addition and West High School are all neighbors of the existing TCAT campus which is itself zoned residentially.

Current Light Industrial (LI) regulations allow educational facilities, but only through the use on review process which goes to the Board of Zoning Appeals for approval. As the existing campus is zoned R-2, and both existing and future campus' are expected to become one, Staff thought it best to rezone the 'future' campus property the same as their current property, as the City's R-2 designated areas allow education facilities as a use by right.

## **RECOMMENDATION:**

The Planning Commission voted unanimously to forward this request on to City Council for approval.

**ORDINANCE NO. \_\_\_\_\_, ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF MORRISTOWN, TENNESSEE, APPENDIX B.**

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

NOW, THEREFORE, in order to carry into effect the said amendment:

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

*That property located southwest of the intersection of West Morris Boulevard and Dice Street, currently assigned Hamblen County Tax ID #'s 041D D 002.00 and # 041D D 003.00; with both properties represented on the Rheatown #2 and Brickyard Addition subdivision plats and highlighted in blue on the attached graphic, containing approximately 7 +/- acres of land;*

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

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

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

Passed on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

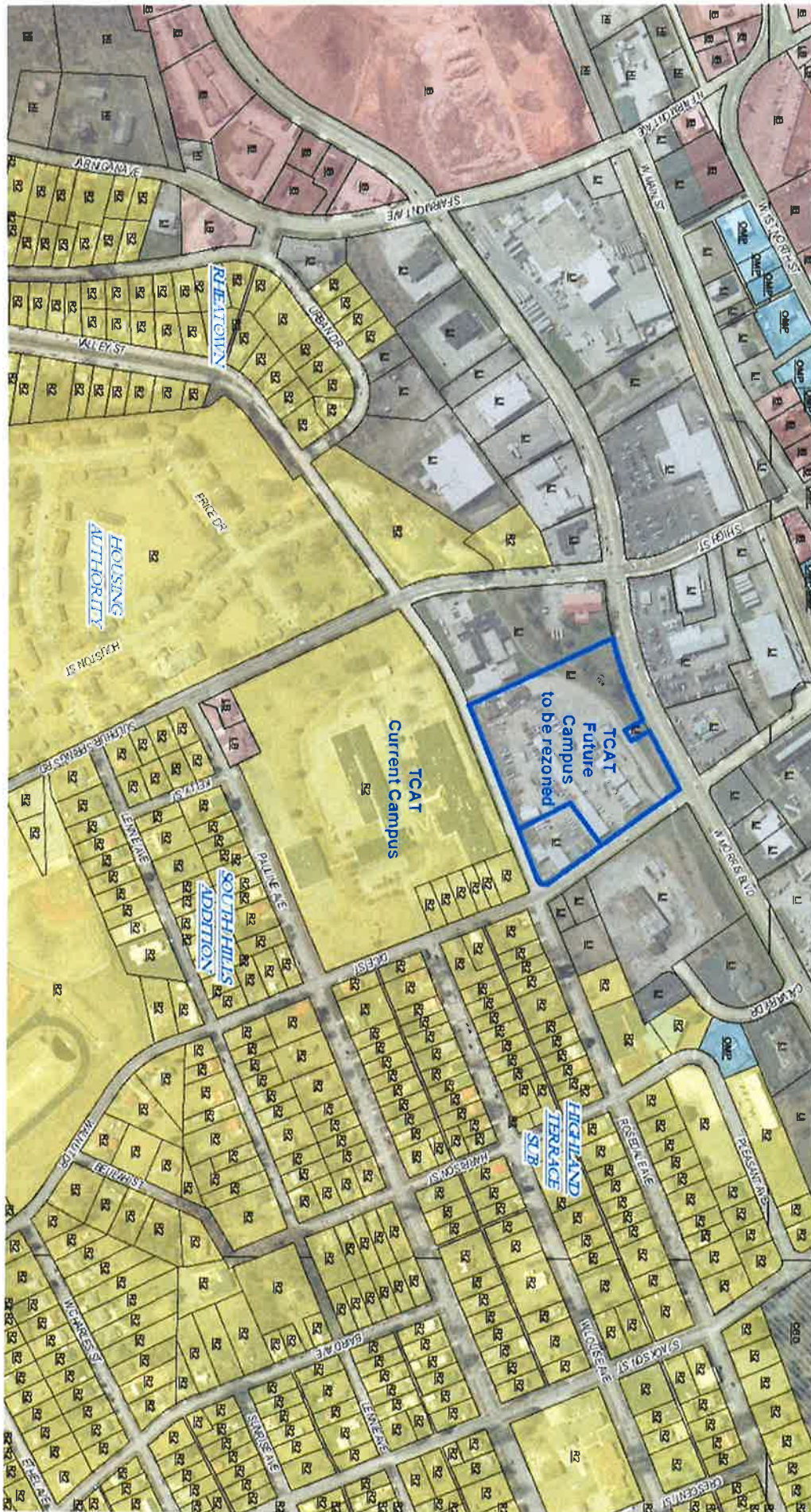
Passed on second and final reading the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator







## Morristown City Council Agenda Item Summary

**Date:** July 9, 2019

**Agenda Item:** Approval of Bid - Desktop Computer Bid

**Prepared by:** Joey Barnard, Assistant City Administrator

**Subject:** Desktop Computer Bid

**Background/History:** Certain City employees' utilize a desktop computer rather than a laptop to perform tasks essential to their jobs. The City of Morristown ensures that the number of machines (desktop/laptop) are assigned according to the employees' essential duties and minimizes the number of employees that rely on a both a desktop and a laptop. It occasionally becomes necessary to update outdated or inefficient machines.

**Findings/Current Activity:** The bid was advertised in the *Citizen Tribune* on June 25, 2019 and on June 27, 2019. Additionally, the bid was posted to the City of Morristown's website and through Vendor Registry, an on-line bid facilitation website. The submission deadline was Tuesday, July 9, 2019 at 2:00 P. M. We received two (2) responses.

**Financial Impact:** In the 19-20 budget, \$15,000 is appropriated for the replacement of antiquated or unrepairable computers. The goal is to replace computers each year in order to keep funding level and to avoid unanticipated expenditures. This bid allows the City of Morristown to obtain the maximum number of machines at competitive pricing. These machines meet the specifications recommended by IT staff.

**Action options/Recommendations:** It is staffs' recommendation to accept the best and lowest bid submitted by The Horus Group, LLC.

**Attachments:** Copy of the Bid Tabulation



**City of Morristown**  
**Desktop Computer Bid Tabulation**  
**Tuesday, July 9, 2019 at 2:00 PM**

Bidder	Make and Model	Unit Price
The Horus Group, LLC	Dell Optiplex 5060	\$809.03
HPI International	HP HJ16UT	\$861.18



## Morristown City Council Agenda Item Summary

**Date:** July 9, 2019

**Agenda Item:** Approval of Bid - Laptop Computer Bid

**Prepared by:** Joey Barnard, Assistant City Administrator

**Subject:** Laptop Computer Bid

**Background/History:** It has become increasingly necessary to convert to laptop computers to reduce the amount of users relying on both desktop and laptop machines. Integrating laptops will give City employees' the opportunity to be more efficient and productive.

**Findings/Current Activity:** The bid was advertised in the *Citizen Tribune* on June 25, 2019 and on June 27, 2019. Additionally, the bid was posted to the City of Morristown's website and through Vendor Registry, an on-line bid facilitation website. The submission deadline was Tuesday, July 9, 2019 at 2:30 P. M. We received one (1) response.

**Financial Impact:** In the 19-20 budget, \$15,000 is appropriated for the replacement of antiquated or unrepairable computers. The goal is to replace computers each year in order to keep funding level and to avoid unanticipated expenditures. This bid allows the City of Morristown to obtain the maximum number of machines at competitive pricing. These machines meet the specifications recommended by IT staff. Converting to laptop computers will reduce the number of employees relying on both a desktop and laptop machine and in turn save taxpayer dollars.

**Action options/Recommendations:** It is staffs' recommendation to accept the best and lowest bid submitted by The Horus Group, LLC.

**Attachments:** Copy of the Bid Tabulation

City of Morristown  
Laptop Computer Bid Tabulation  
Tuesday, July 9, 2019 at 2:30 PM

Bidder	Make and Model	Unit Price
The Horus Group, LLC	Dell Latitude 5491	\$ 1,386.57



LDA ENGINEERING

June 13, 2019

Mr. Anthony Cox  
City Administrator  
City of Morristown  
PO Box 1499  
Morristown, TN 37816-1499

Reference: City of Morristown  
Professional Services Agreement  
Stormwater Program

Mr. Cox:

LDA Engineering appreciates the opportunity for continuing to provide Engineering Services to the City of Morristown stormwater program. We understand that the City of Morristown will continue to engage in multiple stormwater capital improvement projects. The major elements of the projects will be, but not limited to:

- Project controls and reporting
- Hydrologic and hydraulic analysis
- Design, surveying and permitting
- Prepare construction plans and specifications
- Easement and right-of-way document preparation
- Project construction contract administration
- Project construction observation
- Provide record documents, including information suitable for input to the City of Morristown Geographic Information System (GIS) database.
- Assist the City of Morristown in obtaining regulatory permits.

LDA Engineering proposes to provide the additional services on an hourly basis with a not to exceed budget of \$40,000 based on our current hourly rates (attached Appendix A) within the Engineers Joint Contract Documents Committee (EJCDC) Master Agreement.

We are available to begin immediately upon written authorization. If you have any questions or comments, please do not hesitate to contact us.

Sincerely,

Greg Jones, P.E.  
Vice President

The City Council has approved the proposal  
And LDA Engineering is authorized to proceed.

\_\_\_\_\_  
Anthony Cox, City Administrator

\_\_\_\_\_  
Date



**LDA ENGINEERING**

**Appendix A  
LDA Engineering  
Standard Rates (2019)**

<b>JOB CLASSIFICATION</b>	<b>BILLING RATE</b>
Managing Engineer	\$ 195.00
Senior Project Manager	\$ 175.00
Civil-Environmental Engineer/Scientist V	\$ 225.00
Civil-Environmental Engineer/Scientist IV	\$ 175.00
Civil-Environmental Engineer/Scientist III	\$ 145.00
Civil-Environmental Engineer/Scientist II	\$ 115.00
Civil-Environmental Engineer/Scientist I	\$ 105.00
Electrical Engineer II	\$ 225.00
Electrical Engineer I	\$ 155.00
GIS Professional	\$ 115.00
GIS/CADD III	\$ 105.00
GIS/CADD II	\$ 85.00
GIS/CADD I	\$ 65.00
Project Administrator II	\$ 70.00
Project Administrator I	\$ 60.00
Field Technician IV	\$ 95.00
Field Technician III	\$ 85.00
Field Technician II	\$ 75.00
Field Technician I	\$ 65.00
Survey Crew	\$ 150.00

Mileage: Reimbursement rate published by US General Service Administration  
Currently \$0.565/mile

Subconsultants: \$ Actual Cost + 8%

Other reimbursable: \$ Actual Cost

Automobile mileage will be invoiced at prevailing IRS rate, which is \$0.56/mile effective January 1, 2019. Subconsultant professional services including but not limited to geotechnical and survey, will be invoiced at cost plus eight percent. Rates listed are subject to annual adjustment on January 1, 2020



LDA ENGINEERING

June 13, 2019

Mr. Anthony Cox  
City Administrator  
City of Morristown  
P.O. Box 1499  
Morristown, TN 37816-1499

Reference: City of Morristown  
Injection Well Repair – Lot 22 MAID

Mr. Cox:

We appreciate the opportunity to provide you with a proposal for Construction Administration (CA) and Resident Project Representative (RPR) services for the referenced project. The contract construction time is 120 days.

The Construction Administration (CA) includes shop drawing review, responding to contractor questions, review/process contractor pay requests, evaluate/prepare necessary change order requests, assist with project related construction activity complaints, coordinating activities with other Utility Providers, site visits, evaluating erosion/sediment controls, and conduct progress meetings as needed.

LDA Engineering will provide a part-time Resident Project Representative (RPR), which will observe the performance of the work of the contractor. The onsite observation of the work in progress includes field reports, field photos, field check of materials and equipment. Engineer shall endeavor to provide further protection for the Owner against defects and deficiencies in the work of the contractor; but, the furnishing of such services will not make the Engineer responsible for or give Engineer control over construction means, methods, techniques, sequences, procedures, safety precautions, programs or responsibility for contractor's failure to perform the Work in accordance with the Contract Documents. The time for RPR will only be charged relating to the actual construction time.

We propose to provide the services outlined above for the following not-to-exceed hourly budgets:

- Construction Administration \$ 9,000
- Resident Project Representative (part time) \$21,000



City Administrator  
City of Morristown  
Injection Well Repair – Lot 22 MAID  
June 13, 2019  
Page 2

We are prepared to begin this work immediately upon your written authorization. Invoices will be submitted monthly based upon the services performed during the billing period. If you have questions or comments, please do not hesitate to contact us.

Sincerely,



Greg Jones, P.E.  
Vice President

The City Council has approved the proposal  
and LDA Engineering is authorized to proceed.

---

Anthony Cox, City Administrator

---

DATE



# Document G701™ – 2017

## Change Order

**PROJECT:** *(Name and address)*  
Petoskey Plastics - Site Improvements -  
Phase III  
5725 Commerce Blvd.  
Morristown, TN 37814

**CONTRACT INFORMATION:**  
Contract For: General Construction  
Date: April 16, 2019

**CHANGE ORDER INFORMATION:**  
Change Order Number: 2  
Date: June 27, 2019

**OWNER:** *(Name and address)*  
City of Morristown  
Office of Finance  
100 W. First North Street  
Morristown, TN 37814

**ARCHITECT:** *(Name and address)*  
George Armour Ewart, Architect  
404 Bearden Park Circle  
Knoxville, TN 37919

**CONTRACTOR:** *(Name and address)*  
Burke-Ailey Construction Co., Inc.  
P.O. Box 1644  
Morristown, TN 37814

### 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.)*

Add \$8,741.00 for underground drainage from building to underground water storm line.

The original Contract Sum was	\$	665,582.00
The net change by previously authorized Change Orders	\$	-152,440.00
The Contract Sum prior to this Change Order was	\$	513,142.00
The Contract Sum will be increased by this Change Order in the amount of	\$	8,741.00
The new Contract Sum including this Change Order will be	\$	521,883.00

The Contract Time will be increased by Zero (0) days.  
The new date of Substantial Completion will be August 23, 2019.

**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.

George Armour Ewart, Architect

**ARCHITECT** *(Firm name)*

*[Signature]*

**SIGNATURE**

George A. Ewart, AIA, Owner/Architect

**PRINTED NAME AND TITLE**

6/27/19

**DATE**

Burke-Ailey Construction Co., Inc.

**CONTRACTOR** *(Firm name)*

*[Signature]*

**SIGNATURE**

Ron Ailey, Vice President

**PRINTED NAME AND TITLE**

07-01-19

**DATE**

City of Morristown

**OWNER** *(Firm name)*

*[Signature]*

**SIGNATURE**

Joey Barnard, Finance Director

**PRINTED NAME AND TITLE**

**DATE**

# CHANGE ORDER

No. 1

DATE OF ISSUANCE	<u>June 5, 2019</u>	EFFECTIVE DATE	<u>June 18, 2019</u>
OWNER	<u>City of Morristown</u>		
CONTRACTOR	<u>King General Contractors, Inc.</u>		
Contract:	<u>City of Morristown - South Cumberland Drainage Improvements</u>		
Project:	<u>South Cumberland Drainage Improvements</u>		
OWNER's Contract No.		ENGINEER's Contract No.	<u>MRC722</u>
ENGINEER	<u>LDA Engineering</u>		

You are directed to make the following changes in the Contract Documents.

Description: Add new line item for specialty shoring along railroad

Reason for Change Order: Norfolk Southern Railroad changed requirement for shoring of one are of the project to install a catch basin close to the main rail tracks.

Attachments: (List documents supporting change) Email from King General Contractors

<b>CHANGE IN CONTRACT PRICE:</b>	
Original Contract Price	
\$ <u>459,505.80</u>	
Net Increase (decrease) from previous Change Orders No. <u>0</u> to No. <u>1</u>	
\$ <u>0.00</u>	
Contract Price prior to this Change Order	
\$ <u>459,505.80</u>	
Net Increase (decrease) of this Change Order	
\$ <u>23,000.00</u>	
Contract Price with all approved Change Orders	
\$ <u>482,505.80</u>	

<b>CHANGE IN CONTRACT TIMES:</b>	
Original Contract Times:	
Substantial Completion: <u>120</u>	
Ready for final <u>150</u>	(days or dates)
Net changes from previous Change Orders No. <u>0</u> to No. <u>1</u> :	
Substantial Completion: <u>0</u>	
Ready for final payment: <u>0</u>	(days)
Contract Times prior to this Change Order	
Substantial Completion: <u>120</u>	
Ready for final payment: <u>180</u>	(days or dates)
Net Increase (decrease) of this Change Order	
Substantial Completion: <u>0</u>	
Ready for final payment: <u>0</u>	(days)
Contract Times with all approved Change Orders	
Substantial Completion: <u>120</u>	
Ready for final payment: <u>180</u>	(days or dates)

RECOMMENDED:  
BY: [Signature]  
ENGINEER (Authorized Signature)

APPROVED:  
BY: \_\_\_\_\_  
OWNER (Authorized Signature)

ACCEPTED:  
BY: \_\_\_\_\_  
CONTRACTOR (Authorized Signature)

DATE: June 5, 2019

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

**MRC722**

**00640 - 1**

EJCDC No. 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specification.

[Return to Agenda](#)

# MORRISTOWN UTILITIES COMMISSION

441 West Main Street

P.O. Box 667

Morristown, Tennessee 37815

Phone: (423) 586-4121 Fax: (423) 587-6590

[www.musfiber.net](http://www.musfiber.net)

RECEIVED  
JUN 28 2019

June 28, 2019

Mr. Tony Cox  
City Administrator  
P. O. Box 1499  
Morristown, Tennessee 37815

Dear Tony,

I am forwarding the resolution adopted by the Morristown Utilities Commission at the board meeting June 27, 2019, which identifies three nominees for the first submission of the Board vacancy currently held by Rod Isaacs.

We do not require applications and resumes are not available at present. For additional information, you can reach the nominees at these numbers:

Rod Isaacs, Pioneer Petroleum  
3040 Brandywine Circle  
Morristown, TN 37814  
(423) 231-1922

Lance Wild, Vice President of Operations, Wild Building Construction  
225 West 1<sup>st</sup> North Street  
Suite 102  
Morristown, TN 37814  
(423) 581-5639

Glenn Thompson, CPA  
1025 Walters Drive  
Morristown, TN 37814  
(423) 736-0752

Sincerely,



Joseph S. Wigington  
General Manager

cc: Mayor Gary Chesney

**RESOLUTION 2019-06-05**

**SUBMISSION FOR BOARD MEMBER VACANCY**

**BEING A RESOLUTION BY THE MORRISTOWN UTILITIES COMMISSION FOR THE PURPOSE OF SUBMITTING TO THE MAYOR A LIST OF THREE ELIGIBLE PERSONS FOR THE MAYOR'S NOMINATION AND CITY COUNCILS' CONFIRMATION OF ONE SUCH PERSON TO SERVE ON THE COMMISSION.**

**WHEREAS**, the City of Morristown, Tennessee (City) is a Municipal corporation created by the Private Acts of the Tennessee Legislature of 1903, Chapter 103; and

**WHEREAS**, The Morristown Utilities Commission (Commission) is a governmental entity with situs in Morristown, Tennessee, having been created by the Private Acts of the Tennessee Legislature of 1901, Chapter 392; and

**WHEREAS**, Chapter 392 of the Private Acts of the Tennessee Legislature for 1901 was amended and ratified by referendum on May 1, 2001 which increased the number of commissioners from three to five members, and provided a method for appointment of members; and

**WHEREAS**, Chapter 392 of the Private Acts of the Tennessee Legislature for 1901 was further amended and ratified by City Council on May 1, 2012 which amendment modified the method for appointment of commission members; and

**WHEREAS**, pursuant to this amendment, one vacancy exists on the Morristown Utilities Commission for a five year term beginning on August 1, 2019 and ending July 31, 2024.

**NOW, THEREFORE BE IT RESOLVED BY THE MORRISTOWN UTILITIES COMMISSION**, that in accordance with the method of appointment of Commission members, the following list of nominees are submitted to the Mayor of the City of Morristown for the existing vacancy, this being the first set of names in accordance with the MUC Charter as amended effective May 1, 2012.

1. Term beginning on Aug. 1, 2019 - Ending July 31, 2024.

- (a) Rod Isaacs
- (b) Lance Wild
- (c) Glenn Thompson

**PASSED** this 27 day of June, 2019.

  
George B. McGuffin, Chairman

  
Harold L. Nichols, Secretary

Industrial Development Board of The City of



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

July 11, 2019

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

Dear Tony:

At a called meeting of the Industrial Development Board of the City of Morristown on July 11, 2019, the Board reviewed a request from Advanced Tool & Machine to purchase approximately 4 acres of Lot 6 in the *East Tennessee Progress Center*, which lies to the east of their existing building (see attached.)

The Industrial Development Board recommends the sale of this land at an agreed upon purchase price of \$8,000 per acre. Additionally, Advanced Tool & Machine will be responsible for payment of the survey of the property.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Marshall Ramsey'.

Marshall Ramsey  
Secretary

MR/jb



