

AGENDA
CITY OF MORRISTOWN, TENNESSEE
CITY COUNCIL MEETING
OCTOBER 4, 2016 – 5:00 P.M.

1. **CALL TO ORDER**
Mayor Gary Chesney
2. **INVOCATION**
Mark Campbell, Senior Chaplain, Morristown Police Department
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
September 20, 2016
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**
9. **NEW BUSINESS**
- 9-a. **Resolutions**
- 9-b. **Introduction and First Reading of Ordinances**
- 9-c. **Awarding of Bids/Contracts**
 1. Approval of bid for four (4) Dump Trailers (Sway Cars) from Hurst Trailers in the amount of \$55,600.
 2. Approval of Amendment No. 2 between the State of Tennessee Department of Transportation (TDOT) and the City of Morristown for Safe Routes to School project by adding STP funding in the amount \$27,250 and changing the federal project number to SRTS-STP-M-9113(19).

3. Acceptance of Local Parks and Recreation Grant from Tennessee Department of Environment & Conservation, Recreation Educational Services, in the amount of \$500,000.
4. Approval of Stormwater Management/BMP Facilities Maintenance Agreement between Chloe Lane, LP (Dist. 1, Map 62, Parcel 10.20, SP-Int 000, City 500) and the City of Morristown.

9-d. Board/Commission Appointments

9-e. New Issues

1. Police Department hiring of one (1) entry-level Patrol Officer.

10. CITY ADMINISTRATOR'S REPORT

1. Wayfinding Progress.

10-a. Recess for Executive Session

11. COMMUNICATIONS/PETITIONS

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

12. COMMENTS FROM MAYOR/COUNCILMEMBERS/COMMITTEES

13. ADJOURN

**City Council Meeting/Holiday Schedule:
Regular City Council Meeting with Work Session**

October 18, 2016	(Tues) 4:00 p.m.	Finance Committee Meeting
October 18, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
November 1, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
November 15, 2016	(Tues) 4:00 p.m.	Finance Committee Meeting
November 15, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
November 24-25, 2016	(Thurs. & Friday)	City Employee's Holiday Thanksgiving
December 6, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
December 20, 2016	(Tues) 4:00 p.m.	Finance Committee Meeting
December 20, 2016	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
December 26, 2016	(Monday)	City Employee's Holiday Christmas
January 2, 2017	(Monday)	City Employee's Holiday New Year's
January 3, 2017	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session
January 17, 2017	(Tues) 4:00 p.m.	Finance Committee Meeting
January 17, 2017	(Tues) 5:00 p.m.	Regular City Council Meeting with Work Session

WORK SESSION AGENDA
October 4, 2016
5:00 p.m.

1. Title 12

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
SEPTEMBER 20, 2016**

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, September 20, 2016, with the Honorable Mayor Gary Chesney, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Ken Smith and Tommy Pedigo.

Don Lamb, Chaplain, Morristown Fire Department, led in the invocation and Councilmember Alvis led in the "Pledge of Allegiance".

Councilmember Alvis made a motion to approve the September 6, 2016, minutes as circulated. Councilmember Smith seconded the motion and upon roll call; all voted "aye".

Mayor Chesney and Police Chief Overholt presented a Commendation Plaque to Nicholas R. Overbay for his assistance to emergency personnel on July 28th allowing the rescue of the vehicles occupant.

Councilmember Alvis made a motion to approve the agreement between Lose & Associates, Inc. and the City of Morristown for Recreation Facility Design Services in the amount of \$95,000 for project fees, subject to Attorney review. (In addition to fees for professional services, reimbursable expenses will be charged as outlined on the rate schedule.) Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the Tennessee Valley Authority (TVA) Invest Prep Program Project Agreement between the City of Morristown and the TVA for East Tennessee Progress Center. Councilmember Pedigo seconded the motion and upon roll call; all voted "aye".

Councilmember Pedigo made a motion to approve the Engineering Services Proposal for Freddie Kyle Trail and Turkey Creek Greenway Trail Phase 5 with McGill Associates in the amount of \$127,091 for both projects. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Smith made a motion to approve the purchase of Playground Equipment from GameTime for Parks & Recreation, Rotary Phase II, in the amount of \$14,856.38. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the purchase of ten (10) HD Dual Cam System W/2.4 GHZ – camera systems for new patrol cars, in the amount of \$16,990 from Truckers Lighthouse. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

Councilmember Senter made a motion to approve the declaration of the following items as surplus property; 109 Regulatory Signs and 24 Street Signs, from the Public Works Department, and direct staff to dispose of the listed property in the most appropriate manner. Councilmember Alvis seconded the motion and upon roll call; all voted “aye”.

Councilmember Bivens made a motion to approve the Police Departments hiring of Devin Cribley, as a full time Patrol Officer. Councilmember Smith seconded the motion and upon roll call; all voted “aye”.

Councilmember Alvis made a motion to approve the Police Departments hiring of Jonathan Maxey, as a full time Patrol Officer. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

Councilmember Senter made a motion to approve the Police Departments hiring of David Barker, as a full time Patrol Officer. Councilmember Alvis seconded the motion and upon roll call; all voted “aye”.

Councilmember Senter made a motion to approve the Police Departments hiring of Courtney Newman as a Reserve Patrol Officer. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

City Administrator Tony Cox reported on the 2015 Consolidated Annual Plan Evaluation and Review (CAPER), CDBG program for the City of Morristown.

City Administrator Tony Cox advised Council that the city recently received an opportunity for a Tennessee Department of Environment and Conservation (TDEC) State Grant that will allow additional funds for purchase of recycling cans. Mr. Cox asked the council to open the agenda in order to add a resolution that is required to accompany the grant application.

Councilmember Pedigo made a motion to Open the Agenda. Councilmember Senter seconded the motion and upon roll call; all voted “aye”.

Councilmember Alvis made a motion to approve Resolution No. 17-16. Councilmember Bivens seconded the motion and upon roll call; all voted “aye”.

**RESOLUTION NO. 17-16
A RESOLUTION AUTHORIZING THE CITY OF MORRISTOWN
SOLID WASTE TO MAKE A 2016/17 SUBMISSION FOR A
RECYCLING EQUIPMENT GRANT.**

WHEREAS, the Recycling Equipment Grant Program as administered by the Tennessee department of Environment and Conservation, TDEC, Division of Solid Waste Management offers grants to local jurisdictions to fund equipment needs in recycling, and;

WHEREAS, the City of Morristown is committed to provide recycling opportunities to all the citizens of Morristown with door to door collection of recyclables, and;

WHEREAS, the State of Tennessee Department of Environment & Conservation (TDEC) offers to local communities a grant to support efforts of local governments toward achieving their waste reduction and recycling goals;

NOW, THEREFORE, BE IT RESOLVED that the City of Morristown does hereby commit to applying for a Recycling Equipment Grant, not to exceed \$50,000 for the purchase of recycling containers, and;

BE IT FURTHER RESOLVED that the City of Morristown City Council will commit to provide matching funds in the amount of forty (40) percent.

This Resolution shall be effective from and after its adoption.

Passed this the 20th day of September, 2016.

MAYOR

ATTEST:

CITY ADMINISTRATOR

Mayor Chesney adjourned the September 20, 2016, City Council meeting at 5:30 p.m.

MAYOR

ATTEST:

CITY ADMINISTRATOR

DRAFT



Morristown City Council Agenda Item Summary

Date: September 28, 2016

Agenda Item: Approval of Bid – Dump Trailer (Sway Car)

Prepared by: Joey Barnard

Subject: Dump Trailer (Sway Car)

Background/History: Due to the age and utilization of current dump trailers (sway cars), Public Works needs to replace trailers that are currently in use. These trailers are utilized to haul bulk waste to the landfill.

Findings/Current Activity: The bid was advertised in the *Citizen Tribune* on September 16, 2016 and on September 23, 2016. 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 10:00 AM on Wednesday, September 28, 2016. We received one (1) response.

Financial Impact: This capital expenditure was planned and appropriated in the 16-17 budget. Funds totaling \$65,000 have been appropriated. Hurst Trailers submitted the only bid for the trailers in the amount of \$13,900 per unit. It is Public Works desire to purchase four (4) units for a total capital outlay of \$55,600.

Action options/Recommendations: It is staffs' recommendation to accept the best and lowest bid submitted by Hurst Trailers as detailed above.

Attachments: None.

Amendment Number: 2

Agreement Number: 120294

Project Identification Number: 118144.00

Federal Project Number: SRTS-STP-M-9113(19)

State Project Number: 32LPLM-F0-040

32LPLM-F1-041

32LPLM-F3-043

**FOR IMPLEMENTATION OF SURFACE TRANSPORTATION
PROGRAM ACTIVITY**

THIS AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20___ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF MORRISTOWN (hereinafter called the "Agency") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

Safe Routes to School: Lincoln Heights Elementary and Middle Schools. Improving three crosswalks along Lincoln Avenue, construction 1,400 linear feet of sidewalk along Walnut Avenue and Charles Street and improving the pedestrian entrance to the schools.

The language of AGREEMENT # 120294 dated June 25, 2013 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment **2**.

1. Federal Project Number SRTS-9113(19) is deleted in its entirety and replaced with the following:

- 2.

Federal Project Number SRTS/STP-M-9113(19)

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF MORRISTOWN

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

By: _____	_____	By: _____	_____
Mayor	Date	John C. Schroer	Date
Gary Chesney		Commissioner	

**APPROVED AS TO
FORM AND LEGALITY**

**APPROVED AS TO
FORM AND LEGALITY**

By: _____	_____	By: _____	_____
City Attorney	Date	John Reinbold	Date
Richard Jessee		General Counsel	

EXHIBIT "A"

Infrastructure Budget

CONTRACT NO.: 120294

PROJECT IDENTIFICATION NO.: 118144.00

PROJECT DESCRIPTION: Safe Routes to School: Lincoln Heights Elementary and Middle Schools. Improving three crosswalks along Lincoln Avenue, constructing 1400 linear feet of sidewalk along Walnut Avenue and Charles Street and improving the pedestrian entrance to the schools. The purpose of the project is not location dependent. The purpose of this project shall be accomplished in accordance with the project application, budget and/or scope of work on which approval of the project was based, AASHTO standards and Exhibit B (which are the AASHTO path standards). The application, budget and/or scope of work may be amended from time to time as agreed to by the parties and when amended will serve as the revised project standard.

TYPE OF WORK: Bicycle/Pedestrian Facility

FUNDING:

PHASE FUNDING SOURCE	FED %	STATE %	AGENCY %	ESTIMATED COST
PE - NEPA Safe Routes To School (SRTS)	100	0	0	\$5,833.00
PE -Design Safe Routes to School (SRTS)	100	0	0	\$19,500.00
PE - Design STP	80	0	20	\$27,250.00
CONST Safe Routes to School (SRTS)	100	0	0	\$168,750.00
CONST- TDOT				
Engineering Services Safe Routes to School (SRTS)	100	0	0	\$5,917.00

INELIGIBLE COST: One hundred percent (100%) of the actual cost will be paid from Agency funds following expenditure of the funds shown herein above or if the use of said federal funds is ruled ineligible at any time by the Federal Highway Administration.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provides funding for the development of the herein-described project as denoted above, which is comprised of 100% federal funds.

LEGISLATIVE AUTHORITY: The Safe Routes to School Program under Section 1404 of the SAFETEA-LU (23 U.S.C. 402; Public Law 109-59) and Section 1122 of the Moving Ahead For Progress In The 21ST Century Act (23 U.S.C. 213, Public Law 112-141).

PROJECT FUNDING AND SCOPE LIMITATION: Once the project is completed per the application and description above, all remaining federal funds will revert to the Department. Project scope revisions and/or additions outside the Safe Routes to School activity are prohibited. Limited project scope revisions consistent with the awarded activity must be reviewed and approved by the Department.

TDOT ENGINEERING SERVICES (TDOT ES): In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT's expenses associated with the project during construction are covered. The anticipated TDOT expenses include but are not necessarily limited to Construction Inspection and Materials and Testing Expenses (Quality Assurance Testing).

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.

City of Morristown

Incorporated 1855



GARY CHESNEY
Mayor

October 4, 2016

Gerald F. Parish, Jr. Director
Recreation Educational Services
Department of Environment & Conservation
William R. Snodgrass Tennessee Tower
312 Rosa L. parks Ave., 2nd Floor
Nashville, TN 37243

RE: Local Parks & Recreation Grant Award

Dear Mr. Parish,

As Mayor of the City of Morristown it is my honor to inform you that the City of Morristown will accept the Local Parks & Recreation Grant Award for park improvements at six of our local parks. The parks that will be utilizing the grant monies are: Civic, Hillcrest, Frank Lorino, Popkin, Fred Miller, and Wayne Hansard. There have been no alterations of the project scope from the original application.

The City of Morristown wants to thank you for this wonderful opportunity to make significant improvements to our park system.

Sincerely,

Mayor, Gary Chesney

STORMWATER MANAGEMENT / BMP FACILITIES MAINTENANCE AGREEMENT

City of Morristown, TN

Engineering Department

(423) 585-4620

STORMWATER MANAGEMENT/BMP FACILITIES MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this 19th day of July, 2016, by and between Chloe Lane, LP hereinafter called the "Landowner", and
(Insert Full Name of Owner)
the City of Morristown, TN hereinafter called "City".

WITNESSETH, that

WHEREAS, the Landowner is the owner of certain property described as Dist. 1, Map 62,
Parcel 10.20, Sp-Int 000, City 500 as recorded by deed in the last land records of
(Insert Hamblen County Tax & Parcel Number)
Hamblen County, TN, Deed Book 1395 Page 560, hereafter called the "Property".

WHEREAS, the Landowner is proceeding to build on and develop the property; and

WHEREAS, the Site Plan/Subdivision known as Chloe Lane
(Name of Plan/Development)

hereafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for management of stormwater within the confines of the property; and

WHEREAS, the City and the Landowner, its successors and assigns, agree that the health, safety and welfare of the residents of the City of Morristown, Tennessee, require that on-site stormwater management/BMP facilities be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site stormwater management/BMP facilities, as shown on the Plan,
be constructed and adequately maintained by the Landowner, its successors and assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management/BMP facilities shall be constructed by the Landowner, its successors, and assigns, in accordance with the plans and specifications identified in the Plan and shall, upon construction completion, be certified as such by the Plan's Engineer of Record.
2. The Landowner, its successors, and assigns, shall adequately maintain the stormwater management/BMP facilities as outlined in the Plan and contained within the Landowner's property. This includes all pipes and channels built to convey stormwater to and from the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition, so that these facilities

are performing their design functions. Those maintenance procedures outlined in the Plan and the City's approved BMP guidelines shall be practiced at a minimum. Common maintenance shall include the removal of debris (leaves, lawn clippings, sticks, etc.) and trash after rainfall events, checking outlet structures for clogging and cleaning, as necessary, repairing erosive areas promptly upon observation, and removing accumulated sediment.

3. The Landowner, its successors, and assigns, shall inspect the stormwater management/BMP facility and report to the City Engineer if any major repairs (i.e. structural) are necessary. The purpose of the inspection and reporting is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc and shall be performed at such times and such manner as to accomplish these objectives.
4. The Landowner, its successors, and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management/BMP facilities (including sediment removal) is outlined on the approved plans or in the City's BMP guidelines, the Landowner, its successors, and assigns, shall adhere to the schedule.
5. The Landowner, its successors, and assigns, hereby grant permission to the City, its authorized agents, and employees, to enter upon the Property and to inspect the stormwater management/BMP facilities whenever the City deems necessary. The purpose of inspection may be to check the facility for proper functioning, to follow-up on reported deficiencies or repairs, to respond to citizen complaints, and/or to check for any other reasons the City deems necessary. If problems are observed, the City shall provide the Landowner, its successors, and assigns, copies of the inspection findings and a directive to commence with the repairs within a specified timeframe.
6. In the event the Landowner, its successors, and assigns, fails to maintain the stormwater management/BMP facilities in good working condition acceptable to the City, the City may enter upon the Property and take the steps necessary to correct deficiencies identified in the inspection report. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Landowner, outside of the easement, for the stormwater management/BMP facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the City.
7. In the event the City, pursuant to this Agreement, performs work of any nature or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner, its successors, and assigns, shall reimburse the City upon demand, within sixty (60) days of receipt thereof, for one hundred fifty percent (150%) of all actual costs incurred by the City hereunder.
8. If the Landowner fails to pay the City for one hundred fifty percent (150%) of their incurred expenses within sixty (60) days of receipt of written notice, the Landowner authorizes the City to place a lien against the property in an amount equal to one hundred fifty percent (150%) of said expenses.
9. If the Landowner fails to reimburse the City, as described above, the Landowner further authorizes the City to collect said expenses from the Landowner through other appropriate legal action, with the Landowner to be liable for the reasonable costs of collection, court costs, and attorney fees.

- 10. This Agreement imposes no liability of any kind whatsoever on the City, and the Landowner agrees to hold the City harmless from any liability in the event the stormwater management/BMP facilities fail to operate properly.
- 11. This Agreement shall be recorded among the land records of Hamblen County, Tennessee, and shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests.

WITNESS the following signatures and seals:

Chloe Lane, LP
Company/Corporation/Partnership Name (Seal)

By: *Phil Ellen*

Phil Ellen
(Type Name)

Manager of General Partner
(Type Title)

State of Alabama

County of Marshall

The foregoing Agreement was acknowledged before me this 19th day of July, 2016.

by Angela Bishop Higgins

Angela Bishop Higgins
Notary Public

My Commission Expires 3-21-2017



Approved as to form:

James A. Cozart for Paul Cozart
City Attorney Date 9-29-16

Morristown Police Department

ROGER OVERHOLT
Chief of Police



MEMORANDUM

To: Mayor Gary Chesney
City Council

From: Chief Roger D. Overholt RDO/MJ/2

Date: September 29, 2016

Re: Patrol Officer

I am requesting to hire one fulltime officer at the October 4th council meeting. Attached is the current civil service roster of eligible candidates for the fulltime position. We may consider any of the top three candidates to backfill this vacancy.

Thank you.

RDO/II

CIVIL SERVICE BOARD

P. O. Box 1499 • MORRISTOWN, TN 37816

POLICE DEPARTMENT ENTRY-LEVEL ROSTER

Revised on September 29, 2016 to reflect recent testing, *hiring* and /or corrections

	RANK AND NAME	EXPIRES
1	Jeffrey Coyne	31-Jul-17
2	Michael Williams	31-Jul-17
3	Troy Rosenfels	31-Jul-17
4	Austin Miller	31-Jul-17
5	Robert Bolden	31-Jul-17
6	Brandon Skelton	31-Jul-17
7	Jeremy Hayes	31-Jul-17
8	Henry Russell	28-Feb-17
9	Nick Cline	31-Jul-17

For the Civil Service Board



Lee Parker, Chairman

9-29-2016

Date