

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

The City Council for the City of Morristown, Hamblen County, Tennessee, met in regular session at the regular meeting place of the Council in the Morristown City Center at 5:00 p.m., Tuesday, March 3, 2015, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis and Paul LeBel.

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

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

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

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

A Public Hearing was held regarding Ordinance No. 3504.04.

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

**Ordinance No. 3504.04  
An Ordinance to Amend Ordinance Number 3504, The City of  
Morristown, Tennessee Annual Budget for the Fiscal Year 2014-2015  
and Appropriate the Sum of \$189,000 for General Fund Mid-Year  
Budget Amendment.**

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

**RESOLUTION NO. 04-15  
BEING A RESOLUTION AUTHORIZING THE APPLICATION FOR  
THE FY2014 FEDERALLY FUNDED HOME GRANT FOR HOUSING  
REHABILITATION FOR LOW INCOME HOUSEHOLDS**

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

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

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

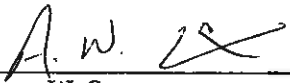
NOW THEREFORE BE IT RESOLVED, that the City Council of Morristown does hereby authorize the Mayor of Morristown to file an application for FY2014 HOME funds with THDA not to exceed \$500,000.

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

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

  
\_\_\_\_\_  
Danny Thomas, Mayor

ATTEST:

  
\_\_\_\_\_  
Anthony W. Cox  
Morristown City Clerk/Recorder

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Morristown, Tennessee that the Morristown Utility Commission is hereby directed to pay the following amounts of tax equivalents to the respective taxing jurisdictions for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

**ELECTRIC**

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

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

**WASTEWATER**

FY2015	\$ 375.553
Underpayment FY2014	\$ 36.077

Total in-Lieu Tax Payable \$ 411,630

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

  
\_\_\_\_\_  
Mayor

ATTEST:

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

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

**Ordinance No. 3515**

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

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

**Ordinance No. 3516**

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

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

**Ordinance No. 3517**

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

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

**Ordinance No. 3504.05**

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

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

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

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

Councilmember Senter made a motion to approve the sole source purchase in the amount of \$24,232.50 to 10-8 Video, for the purchase of fifteen (15) In-Car Camera Systems to be utilized by the Police Dept. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

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

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

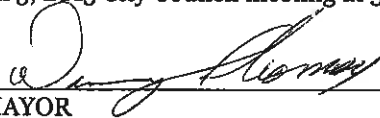
Councilmember Alvis made a motion to approve the design, permitting, and bidding services for 5-Points at SR-343 for stormwater drainage improvements from LDA in the lump sum fee of \$14,300. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

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

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

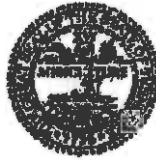
Mayor Thomas requested, for the record; "I am asking that the letter received from the Comptroller's office along with all documentation including exhibits be placed into the meeting minutes so the general public may be able to read this letter without having to file an open records request." (See attachments.)

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

  
MAYOR

ATTEST:

  
CITY ADMINISTRATOR



**STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
OFFICE OF OPEN RECORDS COUNSEL  
James K. Polk State Office Building  
505 Deaderick Street, Suite 1400  
Nashville, Tennessee 37243-1402**

**Justin P. Wilson  
Comptroller**

**August 25, 2014**

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

**Dear Mayor Thomas:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Please let me know if you have any questions.

Sincerely,



Elisha D. Hodge  
Open Records Counsel

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

The City Council for the City of Morristown, Hamblen County, Tennessee, met in regular session at the regular meeting place of the Council in the Morristown City Center at 5:00 p.m., Tuesday, July 1, 2014, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Paul LeBel and Gary Chesney.

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

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

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

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

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

Councilmember Alvis made a motion to approve the declaration of one service weapon as surplus property; Glock 31-957 sig caliber, Serial #LFL901, and the ownership be transferred to Captain David Beckner. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Chief Overholt presented Captain David Beckner with his service weapon.

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

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

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

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





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

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

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

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

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

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

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

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

City Administrator Tony Cox reported the following to Council:

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

Mayor Thomas adjourned the July 1, 2014 meeting

  
MAYOR

ATTEST:

  
CITY ADMINISTRATOR

STATE OF TENNESSEE  
COUNTY OF HAMBLEEN  
CORPORATION OF MORRISTOWN  
JULY 15, 2014

The City Council for the City of Morristown, Hamblen County, Tennessee, met in regular session at the regular meeting place of the Council in the Morristown City Center at 5:00 p.m., Tuesday, July 15, 2014, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Paul LeBel and Gary Chesney.

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

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

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

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

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

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

**Resolution No. 15-14**

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE, the following:

SECTION 1. That the City of Morristown is hereby authorized to submit application for a "Safety Partners" Loss Control Matching Grant through the TML Risk Management Pool.

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



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

  
Mayor

ATTEST:

  
City Administrator

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

**Ordinance No. 3476.19**

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

**Ordinance No. 3476.20**

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

**Ordinance No. 3476.21**

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

**Ordinance No. 3476.22**

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

**Ordinance No. 3476.23**

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

**Ordinance No. 3476.24**

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

**Ordinance No. 3476.25**

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

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

Councilmember Chesney made a motion to approve the purchase of the following police vehicles from Chrysler, Dodge, Jeep, Ram of Columbus, the quotes and purchase will be made from the Tennessee Statewide Bid Contract: One (1) Dodge Durango SUV; Three (3) 1500 Crew Cab 4x4 Police Special Service Vehicles; Eight (8) Police Package Dodge Chargers. The total cost for all vehicles is \$276,669.84. Councilmember LeBel seconded the motion and upon roll call; all voted "aye".

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

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

Councilmember LeBel made a motion to approve the use of outside consultant True North Geographic Technology, Inc. for GIS implementation in the amount of \$6,130. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

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

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

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

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

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

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

- Transfer of \$228 from 110-42110-533 (Police Supervision-Equipment Rental/Lease) to 110-42110-508 (Police Supervision-DOJ JAG Grant)
- Transfer of \$1,350 from 110-42120-111 (Patrol & Traffic-Wages & Salaries Perm. Emp.) to 110-42120-112 (Patrol & Traffic-Overtime)
- Transfer of \$7,800 from 110-42120-111 (Patrol & Traffic Wages & Salaries Perm. Emp.) to 110-42120-114 (Patrol & Traffic-Wages & Salaries Temp. Emp.)
- Transfer of \$650 from 110-42120-111 (Patrol & Traffic Wages & Salaries Perm. Emp.) to 110-42120-134 (Patrol & Traffic-Christmas Bonus & Longevity)
- Transfer of \$500 from 110-42120-111 (Patrol & Traffic Wages & Salaries Perm. Emp.) to 110-42120-212 (Patrol & Traffic-Medicare)
- Transfer of \$5,600 from 110-42120-419 (Patrol & Traffic-Small Tools & Equipment) and transfer of \$1,461 from 110-42120-971 (Patrol & Traffic-Motor Equipment) to 110-42120-999 (Patrol & Traffic-Other Capital Outlay)
- Transfer of \$193 from 110-42120-429 (Patrol & Traffic-General Operating Supplies) to 110-42120-689 (Patrol & Traffic-Other Misc. Expenses)
- Transfer of \$2,590 from 110-42130-111 (Police Investigations-Wages & Salaries Perm.) to 110-42130-112 (Police Investigations-Overtime)
- Transfer of \$25 from 110-42130-411 (Police Investigations-Office Supplies & Mat.) to 110-42130-999 (Police Investigations-Other contracted Serv.)
- Transfer of \$18 from 110-42130-411 (Police Investigations-Office Supplies & Mat.) to 110-42130-689 (Police Investigations-Other Misc. Expenses)
- Transfer of \$1,900 from 110-42210-215 (Fire Supervision-Other Salaries & Wages) transfer of \$1,857 from 110-42210-219 (Fire Supervision-Workers Compensation Ins.) transfer of \$1,360 from 110-42210-214 (Fire Supervision-employee Health Insurance) transfer of \$1,450 from 110-42210-217 (Fire Supervision-Employee Life Insurance) transfer of \$133 from 110-42210-378 (Fire Supervision-Education Seminars & Trng) to 110-42210-11 (Fire Supervision-Wages & Salaries Perm.)
- Transfer of \$405 from 110-42210-226 (Fire Supervision-Clothing/Uniform/Shoes) to 110-42210-213 (Fire Supervision-TCRS Contribution)
- Transfer of \$28 from 110-42210-429 (Fire Supervision-General Operating Supplies) to 110-42210-351 (Fire Supervision-Medical Services)
- Transfer of \$1,900 from 110-42220-115 (Fire Inspection-Other Salaries & Wages) transfer of \$3,000 from 110-42240-219 (Fire Fighting-Workers Compensation Ins.) to 110-42220-111 (Fire Inspections-Wages & Salaries Perm. Emp.)
- Transfer of \$55 from 110-42220-219 from (Fire Inspections-Workers Compensation Ins.) to 110-42220-210 (Fire Inspections-F.I.C.A.)
- Transfer of \$15 from 110-42220-219 from (Fire Inspections-Workers Compensation Ins.) to 110-42220-212 (Fire Inspections-Medicare)
- Transfer of \$350 from 110-42220-219 from (Fire Inspections-Workers Compensation Ins.) to 110-42220-213 (Fire Inspections-TCRS Contribution)
- Transfer of \$2 from 110-42230-999 (Fire Stations-Other Contracted Services) to 110-42230-310 (Fire Stations-Postal Service)
- Transfer of \$9,291 from 110-42230-343 (Fire Stations-Natural Gas & Propane) to 110-42230-345 (Fire Stations-Telephone Services)
- Transfer of \$1,856 from 110-42240-510 (Fire Fighting-Insurance) to 110-42220-510 (Fire Inspections-Insurance)
- Transfer of \$2,050 from 110-42240-214 (Fire Fighting-Employee Health Insurance) to 110-42240-111 (Fire Fighting-Wages & Salaries Perm. Emp.)
- Transfer of \$19,000 from 110-42240-214 (Fire Fighting-Employee Health Insurance) to 110-42240-112 (Fire Fighting-Medicare)
- Transfer of \$20,000 from 110-42240-214 (Fire Fighting-Employee Health Insurance) transfer of \$51,000 from 110-42240-219 (Fire Fighting-Workers Compensation Ins.) to 110-42240-119 (Fire Fighting-Holiday Pay)
- Transfer of \$2,319 from 110-42240-429 (Fire Fighting-General Operating Supplies) to 110-42240-351 (Fire Fighting-Medical Services)
- Transfer of \$315 from 110-42240-226 (Fire Fighting-Clothing/Uniform/Shoes) to 110-42260-226 (Fire & Medical Response-Clothing/Uniforms)
- Transfer of \$450 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-371 (Fire & Medical Response-Subscription & Books)

- Transfer of \$180 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-419 (Fire & Medical Response-Small Tools & Equip)
- Transfer of \$650 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-429 (Fire & Medical Response-Gen. Op. Supplies)
- Transfer of \$430 from 110-42240-378 (Fire Fighting-Education Seminars & Training) to 110-42260-523 (Fire & Medical Response-Property Insurance)
- Transfer of \$1,100 from 110-42400-214 (Inspections-Employee Health Insurance) to 110-42400-111 (Inspections-Wages & Salaries Permanent)
- Transfer of \$269 from 110-42400-399 (Inspections-Other Contracted Services) to 110-42400-413 (Inspections-Office Equipment)
- Transfer of \$14,800 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-111 (Public Works Supervision-Wages & Salaries)
- Transfer of \$100 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-112 (Public Works Supervision-Overtime)
- Transfer of \$50 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-114 (Public Works Supervision-Wages-Temp)
- Transfer of \$575 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-210 (Public Works Supervision-F.I.C.A.)
- Transfer of \$150 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-212 (Public Works Supervision-Medicare)
- Transfer of \$2,300 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-213 (Public Works Supervision-TCRS Contribution)
- Transfer of \$2,400 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43110-214 (Public Works Supervision-Health Insurance)
- Transfer of \$4,845 from 110-43120-114 (PW Building & Grounds-Wages-Temp)
- Transfer of \$2,955 from 110-43120-219 (PW Building & Grounds-Wages-Permanent) to 110-43120-111 (PW Building & Grounds-Wages-Permanent)
- Transfer of \$1,900 from 110-43120-219 (PW Building & Grounds-Workers Comp) to 110-43120-112 (PW Building & Grounds-Overtime)
- Transfer of \$2,450 from 110-43120-214 (PW Building & Grounds-Health Insurance) to 110-43120-221 (PW Building & Grounds-Unemployment Ins)
- Transfer of \$1,229 from 110-43120-378 (PW Building & Grounds-Education Seminars) to 110-43120-390 (PW Building & Grounds-Legal Notices)
- Transfer of \$7,252 from 110-43120-345 (PW Building & Grounds-Telephone Services) to 110-43120-999 (PW Building & Grounds-Other Capital Outlay)
- Transfer of \$4,300 from 110-43130-218 (PW Equipment Shop-Workers Comp) to 110-43130-111 (PW Equipment Shop-Wages & Salaries Perm.)
- Transfer of \$1,100 from 110-43130-219 (PW Equipment Shop-Workers Comp) to 110-43130-213 (PW Equipment Shop-TCRS Contribution)
- Transfer of \$2,900 from 110-43130-214 (PW Equipment Shop-Employee Health Ins.) to 110-43130-112 (PW Equipment Shop-Overtime)
- Transfer of \$11 from 110-43130-359 (PW Equipment Shop-Other Professional Serv) to 110-43130-310 (PW Equipment Shop-Postal Service)
- Transfer of \$863 from 110-43130-399 (PW Equipment Shop-Other Contracted Serv) to 110-43130-562 (PW Equipment Shop-Landfill Fee)
- Transfer of \$50,000 from 110-43140-465 (PW Street Repair & Maint.-Asphalt)
- Transfer of \$42,259 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43140-999 (PW Street Repair & Maint.-Other Capital)
- Transfer of \$230 from 110-43140-399 (PW Street Repair & Maint.-Other Contracted) to 110-43140-562 (PW Street Repair & Maint.-Landfill Fee)
- Transfer of \$3,600 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-210 (PW Street Lighting-F.I.C.A.)
- Transfer of \$850 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-212 (PW Street Lighting-Medicare)
- Transfer of \$9,200 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-213 (PW Street Lighting-TCRS Contribution)
- Transfer of \$18,617 from 110-43150-111 (PW Street Lighting-Wages & Salaries Perm) to 110-43150-214 (PW Street Lighting-Employee Health Ins.)
- Transfer of \$10 from 110-43150-361 (PW Street Lighting-Repair & Maint. Vehicles) to 110-43150-310 (PW Street Lighting-Postal Service)

- Transfer of \$98 from 110-43150-361 (PW Street Lighting-Repair & Maint. Vehicles) to 110-43150-330 (PW Street Lighting-Legal Notices)
- Transfer of \$115 from 110-43150-361 (PW Street Lighting-Repair & Maint. Vehicles) to 110-43150-385 (PW Street Lighting-Electrical, Plumbing & Hdw.)
- Transfer of \$1,213 from 110-43160-219 (PW Brush & Snow-Workers Compensation) to 110-43160-221 (PW Brush & Snow-Unemployment Ins.)
- Transfer of \$4,756 from 110-43160-219 (PW Brush & Snow-Workers Compensation) to 110-43160-212 (PW Brush & Snow-Overtime)
- Transfer of \$64,000 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43160-111 (PW Brush & Snow-Wages & Salaries)
- Transfer of \$48,982 from 110-49100-731 (Debt Principal-Debt Interest) to 110-43160-971 (PW Brush & Snow-Motor Equipment)
- Transfer of \$500 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-111 (PW Communication Shop-Wages & Salaries)
- Transfer of \$30 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-210 (PW Communication Shop-F.I.C.A.)
- Transfer of \$10 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-212 (PW Communication Shop-Medicare)
- Transfer of \$70 from 110-43200-214 (PW Communication Shop-Health Insurance) to 110-43200-213 (PW Communication Shop-TCRS Contribution)
- Transfer of \$450 from 110-43180-399 (PW Sidewalks-Other Contracted Services) to 110-43180-429 (PW Sidewalks-General Operating Supplies)
- Transfer of \$2,010 from 110-43180-451 (PW Sidewalks-Concrete Products) to 110-43180-455 (PW Sidewalks-Crushed Stone & Sand)
- Transfer of \$2,008 from 110-43190-111 (PW Traffic Devices-Wages & Salaries Perm.) to 110-43190-214 (PW Traffic Devices-Health Insurance)
- Transfer of \$8 from 110-43190-214 (PW Traffic Devices-Health Insurance) to 110-43190-411 (PW Traffic Devices-Office Supplies)
- Transfer of \$100 from 110-43190-214 (PW Traffic Devices-Health Insurance) to 110-43190-345 (PW Traffic Devices-Telephone Services)
- Transfer of \$17 from 110-43200-411 (PW Communications Shop-Office Supplies) to 110-43200-310 (PW Communication Shop-Postal Service)
- Transfer of \$446 from 110-43200-399 (PW Communication Shop-Other Contracted) to 110-43200-523 (PW Communication Shop-Property Ins.)
- Transfer of \$1,005 from 110-43400-112 (PW Health Insp. & Welfare-Overtime) to 110-43400-219 (PW Health Insp. & Welfare-Workers Comp)
- Transfer of \$203 from 110-43400-378 (PW Health Insp. & Welfare-Education Seminars) to 110-43400-523 (PW Health Insp. & Welfare-Property Insurance)
- Transfer of \$18 from 110-43400-378 (PW Health Insp. & Welfare-Education Seminars) to 110-43400-659 (PW Health Insp. & Welfare-Other Misc. Exp.)
- Transfer of \$6,000 from 110-44410-111 (Park & Rec Supervision-Wages & Salaries) to 110-44410-112 (Park & Rec Supervision-Overtime)
- Transfer of \$121 from 110-44410-411 (Park & Rec Supervision-Office Supplies) to 110-44410-345 (Park & Rec Supervision-Telephone Serv.)
- Transfer of \$30 from 110-44410-411 (Park & Rec Supervision-Office Supplies) to 110-44410-597 (Park & Rec Supervision-Cash Variances)
- Transfer of \$700 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-111 (Park & Rec Playground & Prog-Wages & Sal.)
- Transfer of \$1,750 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-112 (Park & Rec Playground & Prog-Overtime)
- Transfer of \$5,000 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-114 (Park & Rec Playground & Prog-Wages-Temp)
- Transfer of \$225 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-210 (Park & Rec Playground & Prog-F.I.C.A.)
- Transfer of \$50 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-212 (Park & Rec Playground & Prog-Medicare)
- Transfer of \$215 from 110-44420-219 (Park & Rec Playground & Prog-Workers Comp) to 110-44420-213 (Park & Rec Playground & Prog-TCRS Contribu.)
- Transfer of \$1 from 110-44420-399 (Park & Rec Playground & Prog-Other Contr.) to 110-44420-310 (Park & Rec Playground & Prog-Postal Serv.)

- Transfer of \$274 from 110-44420-399 (Park & Rec Playground & Prog-Other Contr.) to 110-44430-330 (Park & Rec Playground & Prog-Legal Notices)
- Transfer of \$328 from 110-44420-399 (Park & Rec Playground & Prog-Other Contr.) to 110-44420-424 (Park & Rec Playground & Prog-Janitorial Supp.)
- Transfer of \$19 from 110-44430-429 (Park & Rec Maintenance-General Operating) to 110-44430-310 (Park & Rec Maintenance-Postal Service)
- Transfer of \$681 from 110-44430-429 (Park & Rec Maintenance-General Operating) to 110-44430-330 (Park & Rec Maintenance-Legal Notices)
- Transfer of \$1,032 from 110-44430-429 (Park & Rec Maintenance-General Operating) to 110-44430-351 (Park & Rec Maintenance-Medical Services)
- Transfer of \$1,018 from 110-43300-958 (Pavement Management-St. Infrastructure) to 110-43300-390 (Pavement Management-Legal Notices)
- Transfer of \$1,362 from 110-48100-429 (Fixed Base Operations-Gen. Operating Supplies) to 110-48100-226 (Fixed Base Operations-Clothing/Uniform/Shoes)
- Transfer of \$1,270 from 110-48100-429 (Fixed Base Operations-Gen. Operating Supplies) to 110-48100-345 (Fixed Base Operations-Telephone Services)
- Transfer of \$59,292 from 110-49100-731 (Debt Principal-Debt Interest) to 110-49100-798 (debt Principal-Paying Agent Fees)
- Transfer of \$24,574 from 110-49100-731 (Debt Principal-Debt Interest) to 110-81000-620 (Special Appropriations-Tiff Payments)

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

Mayor Thomas adjourned the July 15, 2014 meeting

  
MAYOR

ATTEST:

  
CITY ADMINISTRATOR





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

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

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



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

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

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



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