

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
OCTOBER 7, 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, October 7, 2014, with the Honorable Mayor Danny Thomas, presiding and the following Councilmembers present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, and Gary Chesney; absent Councilmember Paul LeBel.

Mark Campbell, Chaplain Morristown Police Department led in the invocation and Councilmember Alvis led in the "Pledge of Allegiance".

Councilmember Chesney made a motion to approve the September 16, 2014 minutes as circulated. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

A Public Hearing was held regarding Ordinance No. 3504.01. The following people spoke regarding Ordinance No. 3504.01: Rev. Nigel Marlin Reid, Sr.

Councilmember Senter made a motion to approve Ordinance No. 3504.01 on second and final reading. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3504.01

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 \$2,600 for Office Furniture.

A Public Hearing was held regarding Ordinance No. 3506. The following people spoke regarding Ordinance No. 3506: Rev. Nigel Marlin Reid, Sr.

Councilmember Chesney made a motion to approve Ordinance No. 3506 on second and final reading and amend the Ordinance to strike the words "one member from the health department". Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3506

An Ordinance of the City Council of Morristown, Tennessee Amending Title 18, Chapter 2 of the Morristown Municipal Code (Cross Connections, Auxiliary Intakes, Etc.).

Councilmember Chesney made a motion to approve Ordinance No. 3506 as amended. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve Ordinance No. 3504.02 on first reading and schedule a public hearing relative to final passage of said Ordinance for October 21, 2014. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Ordinance No. 3504.02

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 \$500,000 for the Railroad Greenway Grant.

Councilmember Senter made a motion to approve the bid/contract with IT decisions for the following Computer Hardware: HP Server (Incode) in the amount of \$10,278.85; HP Server - Remote (Terminal Services) in the amount of \$5,187.94 and HP Server - DB (Public Safety) in the amount of \$8,677.70 Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the License and Services Agreement between the City of Morristown and Tyler Technologies, Inc. for Municipal Court Software in the amount of \$229,670. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the bid/contract for Playground Equipment to be located at Wayne Hansard Park Soccer Field to GameTime a Playcore company in the amount of \$31,361.80. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to approve the bid/contract for a Shelter to be located at Wayne Hansard Park Soccer Field to UltraShelter a Playcore company in the amount of \$10,347.22. Councilmember Senter seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the bid/contract to purchase six (6) Air Conditioning Units for Morristown City Center in the amount of \$28,100 from Interstate MIC. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the bid/contract for the purchase of ten (10) Patrol in car video systems in the amount of \$16,155.00 from 10-8 Video. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to approve the bid/contract for the purchase of ten (10) Police Department Stationary and Moving Radar in the amount of \$19,330 from MPH Industries, Inc. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the bid/contract for the purchase of twelve (12) Police Department Taser's and twenty four (24) Taser Cartridges in the amount of 20,981.68 from Gulf States Distributor, Inc. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the Final Change Order #1 to Bewley Excavation for Storm Drainage Fall Creek ETVID Main Drainageway, net decrease of this change order \$11,096.22, bringing total of contract from \$196,820.00 to \$185,723.78. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve Change Order #1 to J&H Construction for Storm Drainage Improvements - Whitewood Circle/Jaybird Rd., MLK, Jr. Park & Cub Cir., net increase of this change order \$24,300 bringing total of contract from \$353,115 to \$377,415. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Garrett made a motion to approve Change Order #1 to East Tennessee Turf and Landscape for Millennium Square II project, net increase of this change order is \$95,715.04 and increase in contract time of one hundred fifty (150) days, bringing total of contract from \$1,202,190.00 to \$1,293,905.04. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to approve the Grant Contract between the State of Tennessee, Department of Transportation and the City of Morristown Police Department for Traffic Safety and Impaired Driving Prevention Program in the amount of \$20,000.00. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

City Council convened as Beer Board.

The following are compliance violations against the off-premise establishments listed for underage sale of beer, Municipal Code, 8-213-4.

Councilmember Chesney made a motion to impose a thirty (30) day suspension of license to sell beer or an in-lieu of suspension civil penalty of \$1,000 to Longhorn Steakhouse, 2550 E Morris Blvd. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to impose a thirty (30) day suspension of license to sell beer or an in-lieu of suspension civil penalty of \$1,000 to El Toro Mexican Grill, 2550 E Morris Blvd. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to impose a thirty (30) day suspension of license to sell beer or an in-lieu of suspension civil penalty of \$1,000 to Tennessee Veterans, 3441 Old Hwy 25E. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Alvis made a motion to impose a thirty (30) day suspension of license to sell beer or an in-lieu of suspension civil penalty of \$1,000 to Brice's Market, 839 Lincoln Ave. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to impose a thirty (30) day suspension of license to sell beer or an in-lieu of suspension civil penalty of \$1,000 to Hillside Grill, 3614 West A.J. Hwy. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to impose a thirty (30) day suspension of license to sell beer or an in-lieu of suspension civil penalty of \$1,000 to Sagebrush, 2323 East Morris Blvd. Councilmember Alvis seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve an on-premise beer permit to Faustino F. Hernandez (owner and registered agent) DBA Fuego Sports Grill, 709 S. Cumberland Street. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Chesney made a motion to approve an on-premise beer permit to Craig Copley (owner and registered agent) DBA The Hot Spot, 3211 East Andrew Johnson Highway. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Bivens made a motion to approve an off-premise beer permit to K-VA-T Food Stores, Inc. (Brady Parvin registered agent) DBA Food City #607, 2310 Sandstone Drive. Councilmember Chesney seconded the motion and upon roll call; all voted "aye".

Chief Overholt and Lt. Gulley briefed the Beer Board on the following matter: In July 2014, during the beer permit process for Club Inferno, LLC DBA 423 Grill, it was disclosed that one applicant, Mr. Daniel Bickley, had Federal Charges pending. After consulting with legal counsel Mr. Bickley was advised that while the pending charges did not prevent him from possessing a beer permit if convicted the Beer Board would need to review his eligibility. Since that time Mr. Bickley has entered a guilty plea to two Federal Charges.

Councilmember Bivens made a motion to allow Ronnie Lester, co-applicant of the original on-premise beer permit, issued to Club Inferno, LLC DBA 423 Grill, to continue operating under the permit until the next City Council Meeting, October 21, 2014, in order to give Mr. Lester time to submit a new application for an on-premise beer permit. Councilmember Garrett seconded the motion. Discussion ensued. Upon roll call; Councilmembers Garrett, Bivens, Senter, Chesney and Mayor Thomas voted "aye", Councilmember Alvis voted "no".

Mayor Thomas adjourned the October 7, 2014 meeting


MAYOR

ATTEST:


CITY ADMINISTRATOR