

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
JULY 15, 2008**

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 4:00 p.m., Tuesday, July 15, 2008 with Honorable Mayor Barbara C. "Sami" Barile presiding and the following named Councilmembers present: Claude Jinks, Frank McGuffin, William Rooney, Kay Senter, Rick Trent and Mel Tucker.

Councilmember Jinks made a motion to approve the July 1, 2008 minutes as circulated; Councilmember Rooney seconded the motion and all voted "aye".

Councilmember Jinks made a motion to amend the agenda by moving the Police Officer hiring and Ordinance No. 3337 (annexation Panther Creek/ Millrace) to the front of the agenda; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to accept Chief Overholt's recommendation and hire Carla Parka as an entry-level police officer. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to accept Chief Overholt's recommendation and hire Terry Sexton as an entry-level police officer. Councilmember Tucker seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to **DENY** the following captioned Ordinance No. 3337 for the annexation of property located at Panther Creek and Millrace Roads. Councilmember Senter seconded the motion and upon roll call, Councilmembers Jinks, McGuffin, Senter, Trent, Tucker and Mayor Barile voted "aye"; Councilmember Rooney "abstained".

**Ordinance No. 3337
Entitled an Ordinance to annex certain territory and to incorporate same within the corporate boundaries of the City of Morristown, Tennessee. {Annexation and Zoning Classification of property located at Panther Creek Road and Millrace Road.}**

Mayor Barile recognized and congratulated Lt. Michelle Jones on her being chosen as 2008 East Tennessee Police Officer of the Year.

Councilmember Tucker made a motion to award the bid for the East Morris Blvd. Widening Project to G.W. Wyatt in the amount of \$123,451.10. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to approve the Energy Audit Contract with Energy Services Group subject to legal review of the contract; Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to approve the following Resolution No. 18-08; Councilmember Tucker seconded the motion and upon roll call, all voted "aye".

RESOLUTION NO. 18-08

A RESOLUTION AUTHORIZING THE CITY OF MORRISTOWN TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL "SAFETY PARTNERS" LOSS CONTROL MATCHING GRANT PROGRAM.

WHEREAS, as 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 CITY COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE the following:

RESOLUTION 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.

RESOLUTION 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 15th day of July 2008.

Mayor

Administrator

Councilmember Jinks made a motion to approve the following Resolution No. 19-08; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Resolution No. 19-08

Resolution declaring certain structures located in the East Tennessee Progress Center on Howard-Allen Road consisting of the structures on the former Arnold Allen Farm as surplus property and authorizing the Industrial Development Board to dispose of and/or remove said structures.

WHEREAS, the City of Morristown recently acquired property in the East Tennessee Progress Center; and

WHEREAS, there exists a health and safety hazard due to the structures located on this property; and

WHEREAS, the City of Morristown wishes to dispose of and/or remove said structures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Morristown while in regular session on July 15, 2008, as follows:

Section 1. That the structures owned by the City of Morristown which are located in East Tennessee Progress Center on the former Arnold Allen Farm, Howard Allen Road, are hereby declared as surplus property.

SECTION 2. That the City Council hereby authorizes disposal and/or removal of said structures.

SECTION 3. That the City Council hereby authorizes the Industrial Development Board to dispose of and/or remove said structures.

SECTION 4. That an inventory list of said structures be attached hereto.

Adopted this 15th day of July 2008 while in regular session.

MAYOR

Attest:

City Administrator

Attachment -----

*LIST OF STRUCTURES TO BE SURPLUSED IN THE EAST
TENNESSEE PROGRESS CENTER/FORMER ARNOLD ALLEN FARM
LOCATED ON HOWARD-ALLEN ROAD. (7/15/08)*

*Three (3) large barns, one with attached concrete block structure;
One (1) white frame house;
Miscellaneous sheds.*

Councilmember Tucker made a motion to adopt the following captioned Ordinance No. 3336 on first reading and schedule a public hearing relative to final passage of said Ordinance for August 5, 2008. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3336
Entitled an Ordinance to annex certain territory and to
incorporate same within the corporate boundaries of the
City of Morristown, Tennessee. {Annexation and
Zoning Classification of property located at 1327
Panther Creek Road.}**

Councilmember Tucker made a motion to adopt the following captioned Ordinance No. 3338 on first reading and schedule a public hearing relative to final passage of said Ordinance for August 5, 2008. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3338
Entitled an Ordinance to amend the Municipal Code of
the City of Morristown, Tennessee, Appendix B.
{Rezoning of the Walgreens East property located at 704
Ridgelawn and 521 North Haun from Medium Density
Residential (R-2) to Intermediate Business (IB)}.**

Mayor Barile re-appointed Max Biery to the Morristown Utility Commission for a five year term to expire 7/31/2013. Councilmember Jinks made a motion to approve the appointment; Councilmember Tucker seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to approve the acquisition of a sewer easement across the I-81 Flea Market property in the amount of \$25,000;

Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to approve the Conditional Contract of Sale prepared by City Attorney Jessee for a property swap with Don Bunch (swap of the old Roy Widener Trucking property on Liberty Hill Road for the Public Works Complex on Dice Street and the property on Sulphur Springs Road earmarked for a new public works facility). Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

CITY COUNCIL CONVENED AS THE BEER BOARD.

Councilmember Rooney made a motion to approve an On-Premise Beer Permit for Club Rehab, 1557 Sulphur Springs Road; Councilmember Tucker seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to impose a 30 day suspension or in-lieu of civil penalty in the amount of \$1,000 against Viva Mexico, 300 North Fairmont, for violation of the Beer Ordinance by selling beer on Sunday. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to impose a 30 day suspension or in-lieu of civil penalty in the amount of \$1,000 against El Portal Taqueria Y Cantina, 1147 S. Cumberland, for violation of the Beer Ordinance by selling beer after hours. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to impose a 30 day suspension or in-lieu of civil penalty in the amount of \$1,000 against Quick Stop Market #44, 1516 Buffalo Trail, for violation of the Beer Ordinance by selling beer on Sunday. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

For the record Council was notified that Adrianna's Video, 216 Lincoln Avenue, had been cited for selling beer without a permit, storage of beer and gambling device on 11/30/07 and 12/17/07. The business cannot possess a beer permit due to location. {Keep information on file for future reference in case the business applies for a permit in the future.}

For the record Council was notified that Irma Elizabeths, 1305 S, Cumberland, had been cited for selling beer after hours on 8/10/07. The business is currently closed. {Keep information on file for future reference in case the business applies for a permit in the future.}

Mayor Barile adjourned the July 15, 2008 City Council meeting.

Mayor

ATTEST:

City Administrator