

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
OCTOBER 2, 2007**

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, October 2, 2007 with Honorable Mayor Barbara C. "Sami" Barile presiding and the following named Councilmembers present: Claude Jinks, Frank McGuffin, William Rooney, Rick Trent and Mel Tucker. Absent: Councilmember Kay Senter.

Councilmember Jinks made a motion to approve the September 18, 2007 minutes as circulated; Councilmember McGuffin seconded the motion and all voted "aye".

Mayor Barile presented proclamations in recognition of the Little League Girls Senior and Junior All Star Softball Teams.

A public hearing was held on the proposed revisions to the Community Development Block Grant (CDBG) 2006 Action Plan. {Linda Dietrich, Executive Director of M.A.T.S., spoke regarding the HMIS System that would be funded with CDBG grant monies. The system will provide a web database for eleven counties which will cut down on fraud and help track movement of the homeless.}

The selection of an architect for the Community Center and the Wastewater Treatment Plant Operations contract were deferred.

Councilmember Tucker made a motion to adopt the following Resolution No. 43-07; Councilmember McGuffin seconded and upon roll call, all voted "aye".

Resolution no. 43-07

Initial Resolution authorizing the City of Morristown, Tennessee, to borrow funds in an aggregate principal amount of not to exceed Eighteen Million Dollars (\$18,000,000) through obtaining a loan from a public building authority in Tennessee, under one or more loan agreements between the Municipality and the Authority.

WHEREAS, the City Council of the City of Morristown, Tennessee (the "Municipality") has determined that it is necessary and advisable to borrow funds and incur indebtedness for certain public improvements as more fully set forth herein; and

WHEREAS, pursuant to Section 9-21-205 and Section 12-10-115(a)(2), Tennessee Code Annotated, as amended, prior to obtaining loans for said purposes, it is necessary to adopt an initial resolution authorizing said loan agreements.

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

1. For the purpose of providing funds for the (i) construction and equipping of extensions and improvements outside the geographic boundaries of the Municipality to the cable television and internet system (the "Cable System") of the Municipality; (ii) acquisition of all property, real and personal, appurtenant to the foregoing; (iii) payment of legal, fiscal, administrative, architectural and engineering costs incident to the foregoing and incident to the indebtedness described herein; (iv) payment of capitalized interest during construction of the foregoing and for up to six months thereafter; (v) reimbursement for costs previously expended for the foregoing; and (vi) payment of costs of issuance of

the loan agreements and the bonds issued to fund such loan agreements, the Municipality is hereby authorized to borrow money and incur indebtedness in an aggregate principal amount of not to exceed \$18,000,000 by obtaining one or more loans from and entering into one or more loan agreements with a public building authority in Tennessee. The indebtedness incurred pursuant to the issuance of each loan agreement shall bear interest at a rate or rates not to exceed the maximum rate permitted by law and shall be payable from *ad valorem* taxes to be levied on all taxable property within the corporate limits of the Municipality. Repayment of amounts due under each loan agreement shall be additionally payable from the revenues of the Cable System, subject only to the payment of reasonable and necessary costs of operating, maintaining, repairing and insuring the Cable System and to the prior pledge, if any, of such revenues in favor of other obligations of the Municipality payable from revenues of the Cable System.

2. The City Administrator/City Recorder of the Municipality is hereby authorized and directed to cause the foregoing resolution to be published in full in a newspaper having a general circulation in the Municipality for one issue of said paper followed by the following notice:

NOTICE

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the Municipality shall have been filed with the City Administrator/City Recorder of the Municipality protesting the entering into loans under the loan agreements, such loan agreements will be executed and delivered as proposed.

James H. Crumley, City Administrator/City Recorder

3. This Resolution shall be in immediate effect from and after its adoption, the public welfare requiring it.

Adopted and approved this 2nd day of October 2007.

Barbara C. "Sami" Barile, Mayor

ATTEST:

City Administrator/City Recorder

Councilmember Tucker made a motion to adopt the following captioned Ordinance No. 3302 on first reading and schedule a public hearing relative to final passage of said Ordinance for October 16, 2007. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3302
Entitled an Ordinance to amend the Morristown
Municipal Code, Title 14, Chapter 2 – General
Zoning Provisions (Zoning Ordinance), Section
14-214 -Habitation of Rear Dwelling.**

Without objection from City Council an ordinance was added to the agenda confirming that the City Council meeting time is 4:00 p.m.

Councilmember Tucker made a motion to approve the following captioned Ordinance No. 3303 on first reading; Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3303
Entitled an Ordinance to amend the Municipal Code
of the City of Morristown by confirming the 4:00 p.m.
meeting time of the regular meetings of the City
Council for the City of Morristown, Tennessee.**

Councilmember Jinks made a motion to approve two change orders to Underground Technologies for the Morris Blvd. Wastewater System Rehab Project – Change Order #2 - Division III in the amount of \$15,275 and Change Order #2 - Division IV in the amount of \$12,902. Councilmember Tucker seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the October 2, 2007 City Council meeting.

Mayor

ATTEST:

City Administrator