

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
DECEMBER 4, 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, December 4, 2007 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 November 20, 2007 minutes as circulated; Councilmember McGuffin seconded the motion and all voted "aye".

Several Parks & Recreation Volunteer Service Awards were presented by Mayor Barile, Craig Price and Jennifer Gentry.

A Public Hearing on the Needs Assessment for the 2008 Community Development Block Grant was conducted. {Linda Dietrich, Executive Director of M.A.T.S. & Vice President of Tennessee Valley Continuum of Care – requested funding from the service dollars for licensing fees for the HMIS System.}

A public hearing was conducted on the following Resolution No. 47-07. Councilmember Rooney made a motion to adopt said Resolution; Councilmember McGuffin seconded and upon roll call, all voted "aye".

**RESOLUTION NO. 47-07
PLAN OF SERVICES**

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED ALONG TURLEY MILL ROAD AND COLE ROAD RIGHT-OF-WAY (HAMBLLEN COUNTY TAX MAP 24, PARCEL 85)

WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE GOVERNING BODY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:

Beginning at the point of intersection of the Cole Road right-of-way, the Cherokee Drive right-of-way and parcel 96.00 of Hamblen County Tax Map 24 and heading in a southwesterly direction along the southern edge of the Cole Road right-of-way to the intersection with parcel 96.03 of Hamblen County Tax Map 24 and the Turley Mill Road right-of-way; thence in a northerly direction along the common boundary shared by the Turley Mill Road right-of-way and the Cole Road right-of-way to the intersection with parcel 85.00 of Hamblen County Tax Map 24 continuing in a northerly direction along the western boundary of parcel 85.00 of Hamblen County Tax Map 24 to the intersection with parcel 85.01 of Hamblen County Tax Map 24; thence in a northeasterly direction along the common boundary lines shared by parcel 85.00 of Hamblen County Tax Map 24 with parcels 85.01 and 84.00 of Hamblen County Tax Map 24 to the intersection with parcel 99.00 of Hamblen County Tax Map 24; thence in a southerly direction along the eastern boundary of parcel 85.00 of Hamblen County Tax Map 24 to the intersection with the northern edge of the Cole Road right-of-way; thence in an easterly direction along the northern edge of the Cole Road right-of-way to the intersection with the Cherokee Drive right-of-way; thence in a southerly direction along the common boundary line of the Cole Road right-of-way and the Cherokee Drive right-of-way to the point of beginning.

Section I. Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services.

a. Police

1. Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment, will be provided upon the effective date of annexation.

2. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

b. Fire

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided upon the effective date of annexation.

c. Water

1. Water for potable use will be provided in accordance with current policies of the Morristown Utility Commission unless located in an area in which another utility district has made service available and asserts Title 7 USC 1926b protection in the annexed area.

2. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utility Commission unless authorized by franchise agreement with another utility district which has made service available with capability to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of the Morristown Utility Commission policies shall be at the expense of the property owner or developer.

3. In those parts of the annexed area that are currently served by another utility district, the above conditions and terms will begin upon acquisition of service area by Morristown Utility System or approval of franchise agreement with another utility district which may be delayed by negotiation and/or litigation.

d. Sewers

The necessary collecting, intercepting and trunk sewers to serve the substantially developed annexed area(s) shall be in accordance with the current policies of the city. Any extension of said sewers beyond that of the city's policies shall be at the expense of the property owner or property developer.

e. Electrical

1. Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission.

2. In those parts of the annexed area presently served by an electric cooperative, the above conditions and terms will begin the acquisition of service area in accordance with State Statues from such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

f. Refuse Collection

The same regular refuse collection service now provided within the city will be extended to the annexed area upon the effective date of annexation.

g. Streets

1. Routine maintenance, on the same basis as in the present city, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received (usually July 1 following the effective date of annexation).

2. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city.

h. Inspection Services

Any inspection services now provided by the city (building, electrical, plumbing, gas, housing, weights and measures, sanitation, etc.) will begin upon the effective date of annexation.

i. Planning and Zoning

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The Morristown Regional Planning Commission recommended a zoning designation of Medium Density Residential (R-2).

j. Street Lighting

Street lights will be installed under the standards currently prevailing in the existing city.

k. Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

l. Miscellaneous

Street name signs where needed will be installed as new street construction requires.

Section II. This Resolution shall become effective from and after its adoption.

Passed on this 4th day of December 2007.

Mayor

ATTEST:

City Administrator

A public hearing was conducted on the following captioned Ordinance No. 3308. Councilmember McGuffin made a motion to adopt said Ordinance on second and final reading; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3308
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 along Turley Mill Road and
Cole Road right-of-way (Map 24, Parcel 85).}**

A public hearing was conducted on the following Resolution No. 48-07.
Councilmember McGuffin made a motion to adopt said Resolution;
Councilmember Rooney seconded and upon roll call, all voted "aye".

**RESOLUTION NO. 48-07
PLAN OF SERVICES**

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION
OF PROPERTY LOCATED ALONG **CHEROKEE DRIVE (HAMBLÉN COUNTY
TAX MAP 24, PARCELS 97 & 98)**.

WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS
AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE
GOVERNING BODY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR
AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:

Beginning at the intersection of parcel 97.00 of the Hamblen County Tax Map 24
with the Cherokee Drive right-of-way and the Cole Road right-of-way and heading
in a westerly direction along the common boundary shared by the Cole Road
right-of-way and parcel 97.00 of Hamblen County Tax Map 24 to the intersection
with parcel 85.00 of Hamblen County Tax Map 24; thence in a northerly direction
along the eastern boundary of parcel 85.00 of Hamblen County Tax Map 24 to the
intersection of parcels 85.00, 98.00 and 99.00 of Hamblen County Tax Map
24; thence in an easterly direction along the shared boundary line of parcels
98.00 and 99.00 of Hamblen County Tax Map 24 to the intersection with the
Cherokee Drive right-of-way; thence in a southerly direction along the western
edge of the Cherokee Drive right-of-way to the point of beginning.

Section I. Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code
Annotated, there is hereby adopted, for the area bounded as described above,
the following plan of services.

a. Police

1. Patrolling, radio responses to calls, and other routine police services, using
present personnel and equipment, will be provided upon the effective date of
annexation.

2. Traffic signals, traffic signs, street markings and other traffic control devices
will be installed as the need therefore is established by appropriate study and
traffic standards.

b. Fire

Fire protection by the present personnel and the equipment of the fire fighting
force, within the limitations of available water and distances from fire stations, will
be provided upon the effective date of annexation.

c. Water

1. Water for potable use will be provided in accordance with current policies
of the Morristown Utility Commission unless located in an area in which another
utility district has made service available and asserts Title 7 USC 1926b
protection in the annexed area.

2. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utility Commission unless authorized by franchise agreement with another utility district which has made service available with capability to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of the Morristown Utility Commission policies shall be at the expense of the property owner or developer.

3. In those parts of the annexed area that are currently served by another utility district, the above conditions and terms will begin upon acquisition of service area by Morristown Utility System or approval of franchise agreement with another utility district which may be delayed by negotiation and/or litigation.

d. Sewers

The necessary collecting, intercepting and trunk sewers to serve the substantially developed annexed area(s) shall be in accordance with the current policies of the city. Any extension of said sewers beyond that of the city's policies shall be at the expense of the property owner or property developer.

e. Electrical

1. Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission.

2. In those parts of the annexed area presently served by an electric cooperative, the above conditions and terms will begin the acquisition of service area in accordance with State Statues from such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

f. Refuse Collection

The same regular refuse collection service now provided within the city will be extended to the annexed area upon the effective date of annexation.

g. Streets

1. Routine maintenance, on the same basis as in the present city, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received (usually July 1 following the effective date of annexation).

2. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city.

h. Inspection Services

Any inspection services now provided by the city (building, electrical, plumbing, gas, housing, weights and measures, sanitation, etc.) will begin upon the effective date of annexation.

i. Planning and Zoning

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The Morristown Regional Planning Commission recommended a zoning designation of Medium Density Residential (R-2).

j. Street Lighting

Street lights will be installed under the standards currently prevailing in the existing city.

k. Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

l. Miscellaneous

Street name signs where needed will be installed as new street construction requires.

Section II. This Resolution shall become effective from and after its adoption.

Passed on this 4th day of December 2007.

Mayor

ATTEST:

City Administrator

A public hearing was conducted on the following captioned Ordinance No. 3309. Councilmember McGuffin made a motion to adopt said Ordinance on second and final reading; Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3309
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 along Cherokee Drive (Map 24, Parcels 97 & 98).}**

A public hearing was conducted on the following Resolution No. 49-07. Councilmember McGuffin made a motion to adopt said Resolution; Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 49-07
PLAN OF SERVICES**

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED ALONG **CHEROKEE DRIVE (HAMBLÉN COUNTY TAX MAP 24, PARCELS 95, 94 & 94.01)**.

WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE GOVERNING BODY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:

Beginning at the intersection of the Cherokee Drive right-of-way and parcels 95.00 and 96.01 of Hamblen County Tax Map 24 heading in a southerly direction along the common boundary shared by parcels 95.00 and 94.00 of Hamblen County Tax Map 24 with the western boundary of the Cherokee Drive right-of-way to the intersection with parcel 94.02 of Hamblen County Tax Map 24; thence in a westerly direction along the northern boundary of parcels 94.02 of Hamblen County Tax Map 24 to the northwestern corner of the parcel; thence in a southerly direction along the common boundary shared by parcels 94.00 and 94.02 of Hamblen County Tax Map 24 to the intersection with parcel 94.01 of Hamblen County Tax Map 24; thence in an easterly direction along the common boundary line shared by parcels 94.01 and 94.02 of the Hamblen County Tax Map 24 to the point of intersection with the western boundary of the Cherokee Drive right-of-way; thence in a southerly direction along the common boundary shared by parcel 94.01 of Hamblen County Tax Map 24 with the western boundary of the Cherokee Drive right-of-way to the point of intersection with parcel 27.01 of Hamblen County Tax Map 33; thence in a southwesterly direction along the southern boundary of parcels 94.01 and 94.00 of Hamblen County Tax Map 24 to the point of intersection with parcel 94.03 of Tax Map 24; thence in a northerly direction along the common boundary line shared by parcels 94.00 and 94.03 to the point of intersection of parcels 94.00, 94.03 and 95.00 of Hamblen County Tax Map 24; thence in a westerly direction along the common boundary line of parcels 94.03 and 95.00 of Hamblen County Tax Map 24 to the point of intersection of parcels 94.03, 95.00 and 95.01 of Hamblen County Tax Map 24; thence in a northerly direction along the common boundary shared by parcels 95.00 and 95.01 of Hamblen County Tax Map 24 to the intersection with parcel 96.02 of Hamblen County Tax Map 24; thence in an easterly direction along the northern boundary of parcel 95.00 of Hamblen County Tax Map 24 to the point of beginning.

Section I. Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services.

a. Police

1. Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment, will be provided upon the effective date of annexation.

2. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

b. Fire

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided upon the effective date of annexation.

c. Water

1. Water for potable use will be provided in accordance with current policies of the Morristown Utility Commission unless located in an area in which another utility district has made service available and asserts Title 7 USC 1926b protection in the annexed area.

2. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utility Commission unless authorized by franchise agreement with another utility district which has made service available with capability to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of the Morristown Utility Commission policies shall be at the expense of the property owner or developer.

3. In those parts of the annexed area that are currently served by another utility district, the above conditions and terms will begin upon acquisition of service area by Morristown Utility System or approval of franchise agreement with another utility district which may be delayed by negotiation and/or litigation.

d. Sewers

The necessary collecting, intercepting and trunk sewers to serve the substantially developed annexed area(s) shall be in accordance with the current policies of the city. Any extension of said sewers beyond that of the city's policies shall be at the expense of the property owner or property developer.

e. Electrical

1. Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission.

2. In those parts of the annexed area presently served by an electric cooperative, the above conditions and terms will begin the acquisition of service area in accordance with State Statues from such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

f. Refuse Collection

The same regular refuse collection service now provided within the city will be extended to the annexed area upon the effective date of annexation.

g. Streets

1. Routine maintenance, on the same basis as in the present city, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received (usually July 1 following the effective date of annexation).

2. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city.

h. Inspection Services

Any inspection services now provided by the city (building, electrical, plumbing, gas, housing, weights and measures, sanitation, etc.) will begin upon the effective date of annexation.

i. Planning and Zoning

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The Morristown Regional Planning Commission recommended a zoning designation of Medium Density Residential (R-2).

j. Street Lighting

Street lights will be installed under the standards currently prevailing in the existing city.

k. Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

l. Miscellaneous

Street name signs where needed will be installed as new street construction requires.

Section II. This Resolution shall become effective from and after its adoption.

Passed on this 4th day of December 2007.

Mayor

ATTEST:

City Administrator

A public hearing was conducted on the following captioned Ordinance No. 3310. Councilmember McGuffin made a motion to adopt said Ordinance on second and final reading; Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3310
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 along Cherokee Drive (Map 24, Parcels 95, 94 & 94.01).}**

A public hearing was conducted on the following Resolution No. 50-07. Councilmember McGuffin made a motion to adopt said Resolution; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 50-07
PLAN OF SERVICES**

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED ALONG **TURLEY MILL ROAD (HAMBLLEN COUNTY TAX MAP 24, PARCELS 96.03 & 96.02).**

WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE GOVERNING BODY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:

Beginning at the point of intersection of parcels 95.01 and 96.02 of Hamblen County Tax Map 24 heading in a northerly direction along the common boundary shared by the eastern boundary of the Turley Mill Road right-of-way and parcels 96.02 and 96.03 of Hamblen County Tax Map 24 to the intersection with the southern boundary of the Cole Road right-of-way; thence in an easterly direction along the northern boundary of parcels 96.03 of Hamblen County Tax Map 24 to

the intersection with parcel 96.00 of Hamblen County Tax Map 24; thence in a southerly direction along the common boundary line shared by parcels 96.00 and 96.03 of Hamblen County Tax Map 24 continuing along the common boundary shared by parcels 96.01 and 96.02 of Hamblen County Tax Map 24 to the point of intersection with parcel 95.00 of Hamblen County Tax Map 24; thence in a westerly direction along the southern boundary of parcels 96.02 of Hamblen County Tax Map 24 to the point of beginning.

Section I. Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services.

a. Police

1. Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment, will be provided upon the effective date of annexation.

2. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

b. Fire

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided upon the effective date of annexation.

c. Water

1. Water for potable use will be provided in accordance with current policies of the Morristown Utility Commission unless located in an area in which another utility district has made service available and asserts Title 7 USC 1926b protection in the annexed area.

2. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utility Commission unless authorized by franchise agreement with another utility district which has made service available with capability to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of the Morristown Utility Commission policies shall be at the expense of the property owner or developer.

3. In those parts of the annexed area that are currently served by another utility district, the above conditions and terms will begin upon acquisition of service area by Morristown Utility System or approval of franchise agreement with another utility district which may be delayed by negotiation and/or litigation.

d. Sewers

The necessary collecting, intercepting and trunk sewers to serve the substantially developed annexed area(s) shall be in accordance with the current policies of the city. Any extension of said sewers beyond that of the city's policies shall be at the expense of the property owner or property developer.

e. Electrical

1. Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission.

2. In those parts of the annexed area presently served by an electric cooperative, the above conditions and terms will begin the acquisition of service area in accordance with State Statutes from such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

f. Refuse Collection

The same regular refuse collection service now provided within the city will be extended to the annexed area upon the effective date of annexation.

g. Streets

1. Routine maintenance, on the same basis as in the present city, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received (usually July 1 following the effective date of annexation).

2. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city.

h. Inspection Services

Any inspection services now provided by the city (building, electrical, plumbing, gas, housing, weights and measures, sanitation, etc.) will begin upon the effective date of annexation.

i. Planning and Zoning

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The Morristown Regional Planning Commission recommended a zoning designation of Medium Density Residential (R-2).

j. Street Lighting

Street lights will be installed under the standards currently prevailing in the existing city.

k. Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

l. Miscellaneous

Street name signs where needed will be installed as new street construction requires.

Section II. This Resolution shall become effective from and after its adoption.

Passed on this 4th of December 2007.

Mayor

ATTEST:

City Administrator

A public hearing was conducted on the following captioned Ordinance No. 3311. Councilmember McGuffin made a motion to adopt said Ordinance on second and final reading; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3311
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 along Turley Mill Road (Map 24, Parcels 96.03 & 96.02).}**

A public hearing was conducted on the following captioned Ordinance No. 3312. Councilmember Senter made a motion to adopt said Ordinance on second and final reading; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3312
Entitled an Ordinance to close and vacate certain right-of-ways within the City of Morristown. {Closing an undeveloped portion of Lennie Street.}**

A public hearing was conducted on the following captioned Ordinance No. 3313. Councilmember Senter made a motion to adopt said Ordinance on second and final reading; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3313
Entitled an Ordinance to close and vacate certain right-of-ways within the City of Morristown. {Closing an undeveloped portion of Sunrise Avenue.}**

A public hearing was conducted on the following captioned Ordinance No. 3314. Councilmember Senter made a motion to adopt said Ordinance on second and final reading; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3314
Entitled an Ordinance to close and vacate certain right-of-ways within the City of Morristown. {Closing an undeveloped alley off South Jackson Street.}**

Councilmember Senter made a motion to approve a Letter of Agreement with Energy Systems Group for the next level of the Energy Audit Services in a conditional amount up to \$40,000; Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to approve a proposal from CH2MHILL/Lockwood Greene for Engineering and Job Site Observation Services for the ACT Infrastructure and Rail Improvements at Lowland in the amount of \$44,207. Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to open the agenda and add two resolutions relative to illegal immigrants. Councilmember Trent seconded the motion and all voted "aye".

Councilmember Tucker made a motion to adopt the following Resolution No. 51-07; Councilmember Trent seconded the motion and upon roll call, all voted "aye".

RESOLUTION NO. 51-07

BEING a Resolution of the City Council for the City of Morristown, Tennessee petitioning its State Representative and State Senator to introduce and support legislation aimed at reducing the growing population of illegal immigrants being harbored and employed in the City of Morristown.

WHEREAS, the City Council for the City of Morristown, Tennessee, after due consideration, makes the following findings:

1. A significant and growing population of persons reside in, are employed in, or otherwise frequent the City, who have come to, entered or remained in the United States in violation of Federal Immigration Law.
2. The City has finite resources with which to provide public services to its citizens.
3. It is desirable to secure to those lawfully present in the United States and the City, regardless of their status as citizens, the right to live in peace, free of the threat of crime, and to enjoy the public services provided by the City without being burdened by the costs of providing goods, support and services to aliens unlawfully present in the United States and the City to the extent these goals can be achieved consistently with the Constitution and laws of the United States and the State of Tennessee.
4. The increasing population of illegal aliens has compromised City and other local resources to provide essential and desirable public services to the citizens of the community, including medical services, law enforcement and public assistance.
5. The unlawful employment, the harboring of illegal aliens in dwelling units in the City of Morristown, and crime committed by illegal aliens harm the health, safety and welfare of authorized United States workers and legal residents in the City of Morristown. Illegal immigration leads to higher crime rates, subjects our hospitals to fiscal hardship and legal residents to substandard quality of care, contributes to other burdens on public services, increasing their costs and diminishing their availability to legal residents, and diminishes the overall quality of life within the City.
6. Title 8, sub-section 1324 (a) (1) (A) United States Code prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring.
7. Title 8, sub-section 1324a(a)(1) United States Code prohibits employment or referral of employment for a fee of unauthorized aliens.
8. Harboring through provision of housing to and employing illegal aliens greatly contributes to the growth of the population of illegal aliens within the City of Morristown and the surrounding community.

WHEREAS, Federal enforcement of the Immigration laws has failed to effectively regulate illegal immigration within the City of Morristown and surrounding community; and

WHEREAS, facing similar circumstances, certain states including Georgia, Arizona, Colorado and Oklahoma have adopted comprehensive legislation aimed at dealing with their growing populations of illegal aliens, a copy of Oklahoma's legislation (HB 1804, effective November 1, 2007) being attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Morristown, Tennessee, that this local governing body urges its state representative and state senator to introduce and work for passage of legislation similar in substance to Oklahoma's HB 1804.

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Honorable John Litz, State Representative and the Honorable Steve Southerland, State Senator.

Passed in Regular Session of City Council this 4th day of December, 2007.

CITY OF MORRISTOWN, TENNESSEE

BY: _____
MAYOR

ATTEST:

CITY ADMINISTRATOR

Councilmember Tucker made a motion to adopt the following Resolution No. 52-07; Councilmember Trent seconded the motion and upon roll call, all voted "aye".

RESOLUTION NO. 52-07

BEING a Resolution of the City Council for the City of Morristown, Tennessee petitioning its members of Congress for assistance in dealing with illegal immigration.

WHEREAS, the City Council for the City of Morristown, Tennessee, after due consideration, makes the following findings:

1. A significant and growing population of persons reside in, are employed in, or otherwise frequent the City, who have come to, entered or remained in the United States in violation of Federal Immigration Law.
2. The City has finite resources with which to provide public services to its citizens.
3. It is desirable to secure to those lawfully present in the United States and the City, regardless of their status as citizens, the right to live in peace, free of the threat of crime, and to enjoy the public services provided by the City without being burdened by the costs of providing goods, support and services to aliens unlawfully present in the United States and the City to the extent these goals can be achieved consistently with the Constitution and laws of the United States and the State of Tennessee.
4. The increasing population of illegal aliens has compromised City and other local resources to provide essential and desirable public services to the citizens of the community, including medical services, law enforcement and public assistance.
5. The unlawful employment, the harboring of illegal aliens in dwelling units in the City of Morristown, and crime committed by illegal aliens harm the health, safety and welfare of authorized United States workers and legal residents in the City of Morristown. Illegal immigration leads to higher crime rates, subjects our hospitals to fiscal hardship and legal residents to substandard

quality of care, contributes to other burdens on public services, increasing their costs and diminishing their availability to legal residents, and diminishes the overall quality of life within the City.

6. Title 8, sub-section 1324 (a) (1) (A) United States Code prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring.

7. Title 8, sub-section 1324a(a)(1) United States Code prohibits employment or referral of employment for a fee of unauthorized aliens.

8. Harboring through provision of housing to and employing illegal aliens greatly contributes to the growth of the population of illegal aliens within the City of Morristown and the surrounding community.

9. Title 8, sub-section 1324a(h)(2) United States Code preempts any State or local law imposing civil or criminal sanctions (other than through licensing and similar laws) upon those who employ, or recruit or refer for a fee for employment, unauthorized aliens.

10. Title 8, sub-section 1357(g) United States Code authorizes the United States Attorney General to enter into a written agreement (memorandum of understanding) with a State or any political subdivision of a State, pursuant to which an officer or employee of the State or subdivision, who is determined by the Attorney General to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to the extent consistent with the State and local law.

WHEREAS, Federal enforcement of the Immigration laws has failed to effectively regulate illegal immigration within the City of Morristown and surrounding community; and

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Morristown, Tennessee, that this local governing body urges its members of Congress to take those measures necessary and reasonable to insure statutorily mandated regulation of illegal immigration within the United States.

FURTHER RESOLVED, that the governing body requests the assistance of its members of Congress in implementing a memorandum of understanding between the City of Morristown and the United States Attorney General pursuant to Title 8, sub-section 1357(g) United States Code.

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Honorable David Davis, U.S. House of Representatives, Honorable Lamar Alexander, U.S. Senate and the Honorable Bob Corker, U.S. Senate.

Passed in Regular Session of City Council this 4th day of December, 2007.

CITY OF MORRISTOWN, TENNESSEE

BY: _____
MAYOR

ATTEST:

CITY ADMINISTRATOR

Councilmember Tucker made a motion to adopt the following Ordinance No. 3315 on first reading and schedule a public hearing relative to final passage of said Ordinance for December 18, 2007. Councilmember Trent seconded the motion and upon roll call, all voted "aye". {Administrator Crumley will research the Ordinance and give a report to Council prior to final passage.}

**Ordinance No. 3315
Entitled an Ordinance to amend the Morristown Municipal Code, Title 14, Chapter 2 (Zoning Ordinance), by adding a new Chapter 32 – Exterior Lighting.**

Councilmember Jinks made a motion to cancel the January 1, 2008 Council meeting; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to give City Employees December 24th as an additional Christmas Holiday. Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Bryan Fowler, Director of Wastewater Operations, gave a slide presentation on the problems created by power outages at Wastewater Systems Lift Stations. A proposal for a feasibility study will be prepared for the December 18, 2007 Council agenda.

City Council Convened as the Beer Board.

Councilmember Tucker made a motion to grant an Off-Premise Beer Permit to Maria Gonzolez, LA Perla IV, located at 4208 East Andrew Johnson Highway. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the December 4, 2007 City Council meeting.

Mayor

ATTEST:

City Administrator