

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
FEBRUARY 6, 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, February 6, 2007 with Honorable Mayor Gary R. Johnson 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 January 16, 2007 minutes as circulated; Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Mayor Johnson announced that Morristown has been named as a Tree City USA for the fifth year in a row.

Councilmember Tucker made a motion to award the bid for the Industrial Rail Spur Line to serve Colgate Palmolive to Balfour Beatty Rail, Inc. in the amount of \$281,215. Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to award the contract for Construction Monitoring Services for the Industrial Access Road to serve Colgate Palmolive to S&ME, Inc. in an amount not to exceed \$134,000. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to award the contract for Contract Administration Services for the Industrial Access Road to serve Colgate Palmolive to Robert G. Campbell & Associates, in an amount not to exceed \$240,000. Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to approve the following Resolution No. 04-07; Councilmember Trent seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 04-07
A RESOLUTION AUTHORIZING THE CONTINUATION OF
TENNESSEE CONSOLIDATED RETIREMENT SYSTEM
BENEFITS PURSUANT TO TCA § 8-36-819 AND ACCEPTING
THE LIABILITY THEREFOR.**

WHEREAS, The Tennessee Code Annotated Section 8-36-819 permits the chief legislative body of a political subdivision to pass a resolution authorizing any retired special Group II member whose Group II service was rendered to the political subdivision, who retired prior to December 31, 2005, to accept employment with the State of Tennessee without loss or suspension of retirement benefits under the following conditions:

- (1) The commission or head of the employing state department or agency certifies to the Division of Retirement that the retired member has the requisite experience training and expertise for the position he is to fill;
- (2) The retirement benefits received by such retired member does not include compensation for disability; and
- (3) Such retired member shall not be eligible to accrue additional retirement benefits as a result of such employment.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Morristown, Tennessee does hereby authorize the continuation of Tennessee Consolidated Retirement System benefits for Joseph L. Gratz (White Pine Police Department) through employment with the State of Tennessee without loss or suspension of retirement benefits pursuant to this section and accepting the liability thereof.

Passed this 6th day of February 2007.

Mayor

ATTEST:

City Administrator

Councilmember Tucker made a motion to adopt the following captioned Ordinance No. 3280 on first reading; Councilmember Trent seconded the motion. Upon roll call, Councilmembers Jinks, McGuffin, Rooney, Senter and Mayor Johnson voted “no”; Councilmembers Trent and Tucker voted “aye”. **Ordinance No. 3280 failed to pass.**

**Ordinance No. 3280
Being an Ordinance amending Title 9, Chapter 4, Section
9-407 of the Morristown Municipal Code by prohibiting
solicitation in the public rights-of-way of city streets.**

Councilmember Rooney made a motion to adopt the following captioned Ordinance No. 3281; Councilmember Jinks seconded the motion. Councilmember Rooney made a motion to amend said Ordinance to include a limit of two permits per year; Councilmember Jinks seconded the motion to amend. Upon roll call, Councilmembers Jinks, McGuffin, Rooney, Senter, Tucker and Mayor Johnson voted “aye”; Councilmember Trent voted “no”. After Attorney Jessee explained that the Ordinance already addresses the number of permits per year; the section being referred to is for the total number of permits issued per year by the City for all solicitations. Councilmembers Rooney and Jinks withdrew the motion and second to amend. Councilmember Rooney made a motion to **TABLE** Ordinance No. 3281 until the next Council meeting; Councilmember Trent seconded the motion and upon roll call, Councilmembers Jinks, McGuffin, Rooney, Senter and Trent voted “aye”; Councilmember Tucker and Mayor Johnson voted “no”.

**Ordinance No. 3281
Being an Ordinance amending Title 9, Chapter 4,
(Charitable Solicitors) of the Morristown Municipal
Code.**

Jay More, Chief Building Official, gave a report on the buildings in the West Park Court area near Morristown Mechanical. No Certificates of Occupancy have been issued for the buildings in the area that Mr. Nicky Brown referred to at the last Council meeting; also, Mr. Brown’s building located at 154 West Park Court, does not have a Certificate of Occupancy. The Inspections and Engineering Departments are working with the owners to get the buildings into compliance so that they can be issued Certificates of Occupancy.

Status reports were given on the Unfinished Items Checklist:

- 1) Housing & Neighborhood Standards – The area of Rosedale was checked this week and no signs of overcrowding were found. The area does have some dilapidated buildings and junk cars. The Codes Enforcement Officer will begin tagging cars in this area.

Attorney Jessee is working on an ordinance regarding overcrowding and will have it ready for the March 6th Council meeting.

- 2) Show Cause Hearing for the Metro Grill – The City Court hearing on the charges was scheduled for January 29th; but Mr. Menguc requested a postponement and Judge Collins rescheduled the hearing for February 12th. The Show Cause Hearing before the Beer Board will be scheduled after the City Court ruling and Mr. Menguc has been served with a thirty day notice of the hearing.
- 3) Civil Service changes – This item will be discussed during today's Work Session.

The appointment of the 2007 Finance Committee was postponed until the next City Council meeting.

Councilmember Tucker made a motion to approve the disciplinary actions taken by Chief Overholt (suspension of two Police Department Personnel). Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Mayor Johnson adjourned the February 6, 2007 meeting.

Mayor

ATTEST:

City Administrator