

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
APRIL 1, 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, April 1, 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 Rooney made a motion to approve the March 18, 2008 minutes as circulated; Councilmember Senter seconded the motion and all voted "aye".

Mayor Barile read and presented a proclamation recognizing April as Litter Awareness Month to representatives from Keep Morristown Hamblen Beautiful.

A public hearing was held on the following captioned Ordinance No. 3321. Councilmember Jinks 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. 3321

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property located at the corner of Brights Pike and Davy Crockett Parkway, Parcel 46.02, HCTM 25, from Medium Density Residential (R-2) to Intermediate Business (IB).}

A public hearing was held on the following captioned Ordinance No. 3322. Councilmember McGuffin made a motion to adopt said Ordinance on second and final reading; Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Ordinance No. 3322

Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property located at 2828 Cherokee Park Road, Parcel 17, HCTM 17, from Medium Density Residential (R-2) to Intermediate Business (IB).}

A public hearing was held on the following Resolution No. 09-08. Councilmember Rooney made a motion to adopt said Resolution; Councilmember McGuffin seconded and upon roll call, all voted "aye".

**Resolution No. 09-08
PLAN OF SERVICES**

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF VETERANS PARKWAY AND PARCEL 98.00, TAX MAP 48 (BARILE PROPERTY).

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 Veterans Parkway right-of-way with the State Route Highway 160 right-of-way and parcel 98.00 of Hamblen County Tax Map 48 heading in an easterly direction along the southern boundary of parcel 98.00 of Hamblen County Tax Map 48 to the intersection with parcel 54.05 of Hamblen County Tax Map 48; Thence, in a westerly direction along the northern boundary of parcel 98.00 of Hamblen County Tax Map 48 to the point of intersection with parcels 38.00 and 44.03 of Hamblen County Tax Map 48 and the right-of-way of Veterans Parkway; Thence, in a northerly direction along the southern boundary of the Veterans Parkway right-of-way continuing in an easterly direction crossing the Merchants Greene right-of-way to the intersection with the South Bellwood Road right-of-way; Thence, in a northerly direction along the common boundary shared by the Veterans Parkway right-of-way and the South Bellwood Road right-of-way to the northern edge of the Veterans Parkway right-of-way; Thence, in a westerly direction along the northern edge of the Veterans Parkway right-of-way continuing across the Merchants Greene right-of-way along the northern boundary of the Veterans Parkway right-of-way continuing in an easterly direction to the intersection with the State Route Highway 160 right-of-way; Thence, in an easterly direction along the common boundary shared by the Veterans Parkway right-of-way and the State Route Highway 160 right-of-way to the point of beginning.

Section 1. 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 **Heavy Industrial (HI)**.

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 1st day of April 2008.

Mayor

ATTEST:

City Administrator

A public hearing was held on the following captioned Ordinance No. 3323. 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. 3323
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 Veterans Parkway and the Barile property being Parcel 98, HCTM 48 as Heavy Industrial (HI).}
(Corrective action on Ordinance No. 3270
adopted 2/20/07.)

A public hearing was held on the following captioned Ordinance No. 3324. 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. 3324
Entitled an Ordinance to close and vacate certain rights-of-way within the City of Morristown. {Right-of-Way Closing: A portion of South Daisy Street.} (Corrective action on Ordinance No. 3288
adopted 5/15/07.)

Unfinished Business – Councilmember Tucker made a motion to direct the City Administrator and City Attorney to develop a policy statement that the City will not employ, contract with, nor accept bids from companies employing illegal aliens. Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Mayor Barile appointed Randy Hall as a regional representative to the Morristown Regional Planning Commission for a four-year term to expire March 1, 2012.

Mayor Barile appointed Rose Parella as a regional representative to the Morristown Regional Planning Commission for a two-year term to expire March 1, 2010.

Mayor Barile appointed Lt. Michael Giles to the Morristown Housing Authority Board as the housing authority clientele's representative for a five year term to expire February 15, 2013.

Councilmember Senter made a motion to approve an Access Agreement with BellSouth Communications for ground water investigation for the property located at the northeast corner of East Main and South Daisy Streets (old Hale Brothers). Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to open the agenda and add an item regarding the Amvets Memorial. Councilmember Jinks seconded the motion and all voted "aye".

Councilmember Tucker made a motion to donate \$1,500 toward the War Memorial to honor Desert Shield/Desert Storm, Afghanistan and Iraq Veterans; Councilmember Jinks seconded the motion and upon roll call, all voted "aye".

Councilmember Trent made a motion to open the agenda and add an item regarding littering fines; Councilmember Tucker seconded the motion and all voted "aye".

Councilmember Trent made a motion to increase the cost of a basic littering fine to the maximum allowed – \$50 plus court fees. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the April 1, 2008 City Council meeting.

Mayor

ATTEST:

City Administrator