

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
APRIL 21, 2009**

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 21, 2009 with Honorable Mayor Barbara C. "Sami" Barile presiding and the following named Councilmembers present: Claude Jinks, Frank McGuffin, William Rooney, Kay Senter and Rick Trent.

Councilmember Jinks made a motion to approve the April 7, 2009 minutes as circulated; Councilmember Rooney seconded the motion and all voted "aye".

Mayor Barile recognized Elaine Stelzman, Anthony Carter, Sara Kutbay, Chelsea Leonard and Matthew McAnear, academic achiever students from West High School.

Mayor Barile read a proclamation recognizing April as Fair Housing Month.

A Public hearing was held on the 2009 - 2014 CDBG Consolidated Plan. There were no comments from the public.

A Public hearing was held on the 2009 CDBG Action Plan. There were no comments from the public.

City Administrator's Report

Administrator Crumley read **City Administrator Policy 2009-01**. **This Policy requires the City Administrator to notify the Mayor and City Council in advance of any irregular employee pay raise.** Councilmember Senter recommended that the word "irregular" be replaced with "non-budgeted".

Councilmember Rooney made a motion to defer action on the proposed resolution modifying the authority of the City Administrator with respect to the expenditure of certain funds until after the May 5th City Election (2nd Council meeting in May). Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to reappoint Michael Price, Eddie Fuller and Max Cook to the Construction Board of Adjustments, Appeals and Examiners for three year terms to expire May 1, 2012. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to reappoint Robert Russell as the City Representative to the Hamblen County Board of Equalization for two year term to expire May 1, 2011. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember McGuffin made a motion to reschedule the May 5th Council Meeting to May 11, 2009 at 5:00 due to the City Election falling on May 5th. Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to schedule the Sine Die Council meeting for May 11, 2009 at 4:00 p.m. Councilmember McGuffin seconded the motion and upon roll call, all voted “aye”.

Action on the change order to Wild Building Contractors for rehab of the old airport terminal building was postponed until the May 11, 2009 meeting.

Councilmember Jinks made a motion to declare the following vehicles as Surplus Property and authorize the disposal thereof. Councilmember Senter seconded the motion and upon roll call, all voted “aye”.

<u>Year/Model</u>	<u>Vin #</u>	<u>Car #</u>
2000 Crown Vic	2FAFP71W1YX174020	392
1996 Crown Vic	2FALP71W3TX156159	60
1991 Dodge Van	2B7HB21Y1MK451293	514
1998 Crown Vic	2FAFP71WXWX164535	445
1991 Chevy Caprice	1G1BL5373MR137272	407
1998 Crown Vic	2FAFP71W6WX164533	411
1996 Crown Vic	2FALP71W9SX151854	224
1996 Chevy Lumina	2G1WL52M8T9220021	433
2002 Crown Vic	2FAFP71W42X110030	371
1982 Ford Flatbed	1FDXC70H5CVA08781	803
1993 Crown Vic	2FACP71W1PX164833	408
1998 Crown Vic	2FAFP71W0XX161810	308
1991 Chevy Caprice	1G1BL5378MR148221	56
1994 Crown Vic	2FALP71W5RX201370	226
1991 Chevy Caprice	1G1BL5374MR138771	53
2001 Crown Vic	2FAFP71W41X137341	384

CITY COUNCIL CONVENED AS THE BEER BOARD.

Councilmember Rooney made a motion to approve an On-Premise Beer Permit for Café Italia, 3304 West Andrew Johnson Highway. Councilmember McGuffin seconded the motion and upon roll call, all voted “aye”.

Councilmember Rooney made a motion to approve Off-Premise Beer Permits for Mountain Empire Oil Co., Road Runner Market #178, 924 East Morris Blvd.; Road Runner Marker #179, 3700 West Andrew Johnson Hwy.; and Road Runner Market #180, 1344 Buffalo Trail. Councilmember McGuffin seconded the motion and upon roll call, all voted “aye”.

Beer Ordinance Violations:

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Carroll’s Grocery, 682 W. Andrew Johnson Hwy., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted “aye”.

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against BP Food Shop, 3505½ W. Andrew Johnson Hwy., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted “aye”.

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against La Perla, 4208 E. Andrew Johnson Hwy., for underage sale of beer and a warning letter for the no server permit violation. Councilmember Senter seconded the motion and upon roll call, all voted “aye”.

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Texaco/Smokestack, 2244 W. Andrew Johnson Hwy., for underage sale of beer. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Food City, 2181 W. Andrew Johnson Hwy., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a ninety (90) day suspension or in-lieu of civil penalty in the amount of Fifteen Hundred Dollars (\$1,500) against Viva Mexico, 300 N. Fairmont, for underage sale of beer. {Two prior violations.} Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Zoomerz, 1401 W. Morris Blvd., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Westside Market, 303 Jarnigan Ave., for underage sale of beer. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Brice's Market, 893 Lincoln Ave., for underage sale of beer. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Little Dandy Market, 1635 S. Cumberland, for underage sale of beer and a warning letter for the no server permit violation. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Shell, 2207 E. Morris Blvd., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against 11-E Stop Shop, 5614 E. Andrew Johnson Hwy., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Fastop, 3507 E. Andrew Johnson Hwy., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against Food Lion, 1707 E. Andrew Johnson Hwy., for underage sale of beer. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against By-Lo/BP, 1154 E. Andrew Johnson Hwy., for underage sale of beer. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to impose a thirty (30) day suspension or in-lieu of civil penalty in the amount of One Thousand Dollars (\$1,000) against By-Lo, 1736 Buffalo Trail, for underage sale of beer and a warning letter for the no server permit violation. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to revoke the beer license for El Portal Taqueria Y Cantina, 1147 S. Cumberland. Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to revoke the beer license for Metro Grill, 709 S. Cumberland. Councilmember Trent seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the April 21, 2009 City Council meeting.

Mayor

ATTEST:

City Administrator