

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
AUGUST 3, 2010**

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, August 3, 2010 with Honorable Mayor Barbara C. "Sami" Barile, presiding and the following named Councilmembers present: Gene Brooks, Bob Garrett, Claude Jinks, William Rooney and Kay Senter; absent: Councilmember Frank McGuffin.

Councilmember Jinks made a motion to approve the July 20, 2010 minutes as circulated; Councilmember Rooney seconded the motion and all voted "aye".

Councilmember Jinks made a motion to approve the retirement of K9 Raider and give him into the care of his handler, Corporal Clyde Short. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

A public hearing was held on the following captioned Ordinance No. 3397. Councilmember Senter made a motion to adopt said Ordinance on second and final reading. Councilmember Brooks seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3397
Entitled an Ordinance to close and vacate certain rights-of-way within the City of Morristown. {Closure of an unnamed right-of-way located off Jackson Street between Lennie and Sunrise Avenues.}**

A public hearing was held on the following captioned Ordinance No. 3398. Councilmember Jinks made a motion to adopt said Ordinance on second and final reading *subject to the bank signing a waiver on the down zoning of the property*. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3398
Entitled an Ordinance to amend the Municipal Code of the City of Morristown, Tennessee, Appendix B. {Rezoning of property located at 644, 652 & 670 Witt Road from Heavy Industrial (HI) to Single Family Residential (R-1)}**

Councilmember Rooney made a motion to award the bid for rock/stone/sand to Vulcan Construction Materials; Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to award the bid for Police & Fire Uniforms to Kay Uniforms (uniforms) and Screen Designs (polo & tee shirts); Councilmember Senter seconded the motion and upon roll call, all voted "aye".

Councilmember Jinks made a motion to award the bid for uniform rental & laundering to UniFirst Corp; Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Councilmember Senter made a motion to adopt the following Resolution No. 18-10; Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

CITY OF MORRISTOWN, TENNESSEE

RESOLUTION NO. 18-10

A RESOLUTION ESTABLISHING PROCEDURES FOR PUBLIC INSPECTION OF, ACCESS TO AND DUPLICATION OF PUBLIC RECORDS UNDER THE TENNESSEE PUBLIC RECORDS ACT (T.C.A. § 10-7-504, *et seq.*)

BE IT RESOLVED by the City Council of the City of Morristown, Tennessee,

Section 1. Procedures regarding access to an inspection of public records:

A. Consistent with the Public Records Act of the State of Tennessee, personnel of the City of Morristown shall provide full access and assistance in a timely and efficient manner to Tennessee residents who request access to public documents.

B. Employees of the City of Morristown shall protect the integrity and organization of public records with respect to the manner in which the records are inspected and copied. All inspections of records must be performed under the supervision of the records custodian or designee. All copying of public records must be performed by employees of the city, or, in the event that city personnel are unable to copy the records, by an entity or person designated by the records custodian.

C. To prevent excessive disruptions of the work, essential functions, and duties of employees of the City of Morristown, persons requesting inspection and/or copying of public records shall complete a records request form to be furnished by the city. If the requesting party refuses to complete a request form, a city employee shall complete the form with the information provided by the requesting party. Persons requesting access to open public records shall describe the records with specificity so that the records may be located and made available for public inspection or duplication, as provided in B above. All requests for public records shall be directed to the records custodian.

D. When records are requested for inspection or copying, the records custodian has seven days to determine whether the city can retrieve the records requested and whether the requested records contain any confidential information, and the estimated charge for copying based upon the number of copies and amount of time required. Within seven days of a request for records the records custodian shall:

- 1) produce the records requested;
- 2) deny the records in writing, giving explanation for denial; or,
- 3) in the case of voluminous requests, provide the requestor, in writing, with an estimated time frame for production and an estimation of duplication costs.

E. There is no charge assessed to a requester for inspecting a public record. Charges for physical copies of records, in accordance with the Office of Open Records Counsel (OORC) schedule of reasonable charges, are as follows:

- a. \$0.15 per copy for black and white copies.
- b. \$0.50 per copy for colored copies.
- c. \$0.15 per copy for accident reports.
- d. Maps, plats, electronic data, audio discs, video discs, and all other materials shall be duplicated at actual costs to the city.

F. Requests requiring less than one hour of municipal employee labor for research, retrieval and duplication are free to the requester. Labor in excess of one hour may be charged by the city, in addition to the cost per copy, as provided in E. The city may require payment in advance of producing voluminous records. Requests for copies of records may not be broken down to multiple requests for the same information in order to qualify for the first free hour. For a request requiring more than one employee to complete, labor charges will be assessed based on the following formula:

In calculating the charge for labor, a department head shall determine the number of hours each employee spent producing a request. The department head shall then subtract the one (1) hour threshold from the number of hours the highest paid employee(s) spent producing the request. The department head will then multiply the total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, the department head will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charged.

The police chief shall maintain in his office records of undercover investigators containing personally identifying information. All other personnel records of the police department shall be maintained in the office of the records custodian. Requests for personnel records, other than for undercover investigators, shall be made to the records custodian, who shall promptly notify the police chief of such request. The police chief shall make the final determination as to the release of the information requested. In the event that the police chief refuses to release the information, he shall provide a written explanation of the reasons for not releasing the information.

G. If the public records requested are frail due to age or other conditions and copying of the records will cause damage to the original records, the requesting party may be required to make an appointment for inspection.

Section 2. Passed in regular session of City Council this 3rd day of August, 2010.

Mayor

ATTEST:

City Administrator

Councilmember Jinks made a motion to adopt the following captioned Ordinance 3393.04 on first reading and schedule a public hearing relative to final passage of said Ordinance for August 17, 2010. Councilmember Senter seconded the motion and upon roll call, all voted "aye".

**Ordinance No. 3393.04
An Ordinance to amend Ordinance No. 3393 – FY
2011 Budget by appropriating the sum of \$31,586.28
from the FY09 Recovery Act Justice Assistance
Grant funds for Police Equipment (digital video
systems & forensics camera kits).**

Councilmember Jinks made a motion to reappoint Jack Cartwright to the Housing Board of Adjustments & Appeals for a three-year term to expire August 15, 2013. Councilmember Rooney seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to grant an on-premise beer permit to D&L Station, 345 East Economy Road, *conditional upon the structure complying with City Ordinances*. Councilmember Garrett seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the August 3, 2010 City Council meeting.

Mayor

ATTEST:

City Administrator