

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
SEPTEMBER 18, 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, September 18, 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 McGuffin made a motion to approve the September 4, 2007 minutes as circulated; Councilmember Rooney seconded the motion and all voted "aye".

Mayor Barile presented proclamations in recognition of the Little League Girls All-Star Softball Team World Champions; Imagination Library Week; and Constitution Week.

A public hearing was held on the following Resolution No. 42-07. Councilmember McGuffin made a motion to remove the MPLG, LLC property from the plan of services; Councilmember Trent seconded and upon roll call, all voted "aye". Councilmember Rooney made a motion to adopt said Resolution as amended; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

**RESOLUTION NO. 42-07
RESOLUTION ADOPTING A PLAN OF SERVICES
FOR THE ANNEXATION OF PROPERTIES LOCATED
ALONG ENKIA HIGHWAY. (Lowland Industrial Complex)**

PLAN OF SERVICES

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:

PROPERTIES IDENTIFIED ON THE HAMBLLEN COUNTY TAX MAP 58 Parcels 62.00, 71.05, 75.06, 76.00, 71.08, 71.01, 71.02, 71.03, 71.04, and 71.07 & Tax Map 59 Parcels 9.00 and 9.02.

TO BE ZONED HEAVY INDUSTRIAL (HI).

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 another utility cooperative, the above conditions or terms will begin with the acquisition by the city of 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 the 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.

Adopted on the 18th day of September 2007.

Mayor

ATTEST:

City Administrator

A public hearing was held on the following captioned Ordinance No. 3301. Councilmember McGuffin made a motion to remove the MPLG, LLC property from the annexation ordinance; Councilmember Tucker seconded the motion and upon roll call, all voted "aye". Councilmember Tucker made a motion to adopt said Ordinance as amended on second and final reading; Councilmember Rooney seconded the motion and upon roll call; all voted "aye".

**Ordinance No. 3301
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 Enka Highway (Lowland Industrial Complex)}.**

The contract for an architectural firm to design the community center was postponed.

Councilmember Senter made a motion to award the bid for the Communications Shop Work Van to Morristown Ford in the amount of \$15,492; Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

The annexation of the MPLG, LLC property was referred back to the Planning Commission.

Mayor Barile re-appointed Frank Abbott to the Tree Board for a three-year term to expire 9/18/10. Councilmember Senter made a motion to confirm the appointment; Councilmember Jinks seconded and all voted "aye".

The sanitary sewer agreement with the developers of the Solomon Farm was removed from the agenda.

CITY COUNCIL CONVENEED AS THE BEER BOARD.

Councilmember Rooney made a motion to approve an Off-Premise Beer Permit for K-VA-T Food Stores, Inc., dba, Food City #602, located 451 South Cumberland Street. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Tucker made a motion to approve an Off-Premise Beer Permit for Ingles Markets, Inc., #313 located at 2342 East Andrew Johnson Highway. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Councilmember Rooney made a motion to approve an Off-Premise Beer Permit for MIR, Inc., dba, Little Dandy Market, located at 1635 South Cumberland Street. Councilmember McGuffin seconded the motion and upon roll call, all voted "aye".

Mayor Barile adjourned the September 18, 2007 City Council meeting.

Mayor

ATTEST:

City Administrator