

Maryville, Tennessee
December 6, 2011
6:57 P.M.

PUBLIC HEARING
AND
REGULAR MEETING

The City Council of the City of Maryville met for a Public Hearing on December 6, 2011 at the Maryville Municipal Center at 6:59 p.m. when the following members were present and answered roll call: Mayor Tom Taylor presiding, Councilmen Tommy Hunt and Fred Metz. Also present were City Manager Greg McClain, City Recorder Deborah P. Caughron, and City Attorney David Black. Councilman Joe Swann and Andy White were absent. The Mayor declared a quorum to be present.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:59 p.m. for an ordinance to amend Section 14-218 of the Maryville Municipal Code to allow and to regulate digital billboards. There were no further comments from citizens so the Mayor declared said hearing closed.

Thereupon, Council convened for regular business at 7:00 p.m. with the same members of Council and Staff present.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt to approve the minutes from the November 1 & 29, 2011 Council Meetings. On roll call the vote was unanimous.

THEREUPON, THE FOLLOWING PROCEEDINGS WERE HAD AND ENTERED OF RECORD TO-WIT:

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final reading:

AN ORDINANCE TO AUTHORIZE THE CLOSURE OF THE ALLEY LOCATED BETWEEN N. WASHINGTON STREET AND EAST STREET AND THE ALLEY THAT INTERSECTS WITH SAID ALLEY AND E. BROADWAY AVENUE.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said ordinance be passed on second reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on second and final reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2011-31 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final reading:

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN UNOPENED ALLEY BETWEEN LECONTE DRIVE AND SCENIC DRIVE NEAR CARDINAL STREET.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said ordinance be passed on second reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on second and final reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2011-32 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final reading:

AN ORDINANCE AMENDING TITLE 14, ZONING AND LAND USE CONTROL, OF THE MARYVILLE MUNICIPAL CODE BY ALLOWING BED AND BREAKFAST HOMESTAY FACILITIES WITHIN THE DOWNTOWN COMMERCIAL DISTRICTS.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said ordinance be passed on second reading. On roll call the vote was unanimous. Thereupon, the Mayor

declared that said ordinance had passed on second and final reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2011-33 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final reading:

AN ORDINANCE AMENDING CITY CODE 14-218, OTHERWISE KNOWN AS THE SIGN ORDINANCE TO ALLOW AND REGULATE DIGITAL BILLBOARDS IN THE CORPORATE LIMITS AS REPLACEMENTS FOR TRADITIONAL BILLBOARDS THAT ARE GRANDFATHERED UNDER STATE LAW.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said ordinance be passed on second reading. After some discussion, it was moved by Councilman Metz and seconded by Councilman Hunt to amend Section 1 (c) (6) to read: Digital Billboards must be located at least 100 feet from any residentially zoned property measured from the closed point of any structural element of the billboard to the residential property line. On roll call the vote was as follows:

Councilman Hunt	Yes
Councilman Metz	Yes
Mayor Taylor	No

Thereupon, the Mayor declared that said ordinance had passed on second and final reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2011-34 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final reading:

AN ORDINANCE OF THE CITY OF MARYVILLE, TENNESSEE AMENDING THE ANNUAL OPERATING BUDGET FOR

MARYVILLE CITY SCHOOLS FOR THE FISCAL YEAR
BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt that said ordinance be passed on second reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on second and final reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2011-35 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final reading:

AN ORDINANCE AMENDING THE ANNUAL OPERATING
BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR
FISCAL YEAR 2011.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said ordinance be passed on second reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on second and final reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2011-36 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on first reading:

AN ORDINANCE OF THE CITY OF MARYVILLE, TENNESSEE
AMENDING THE ANNUAL OPERATING BUDGET FOR
MARYVILLE CITY SCHOOLS FOR THE FISCAL YEAR
BEGINNING JULY 1, 2011, AND ENDING JUNE 30, 2012.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt that said ordinance be passed on first reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on first reading.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on first reading:

AN ORDINANCE TO ADOPT ADJUSTMENTS TO THE RATES AND CHARGES FOR WATER & WASTEWATER SERVICES FOR THE CITY OF MARYVILLE EFFECTIVE WITH THE BILLING CYCLE FOR THE MONTH OF JANUARY 2012.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt that said ordinance be passed on first reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on first reading.

Thereupon, the following resolution was presented, considered, and placed for adoption:

A RESOLUTION SCHEDULING A PUBLIC HEARING TO DETERMINE WHETHER PORTIONS OF THE CORPORATE BOUNDARIES OF THE CITY OF MARYVILLE, TENNESSEE ALONG THE RIGHT-OF-WAY OF MIDDLESETTLEMENTS ROAD NEAR BROOKDALE ROAD AND THE RIGHTS-OF-WAY OF MIDDLESETTLEMENTS ROAD AND MOUNT TABOR ROAD SHOULD BE CONTRACTED FROM THE CORPORATE LIMITS.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said resolution be adopted. On roll call the vote was unanimous. The Mayor declared that said resolution had been adopted. The resolution was signed by the Mayor and City Recorder. The Mayor ordered said resolution numbered 2011-13 and recorded in the Resolution Book of the City.

Thereupon, the following resolution was presented, considered, and placed for adoption:

A RESOLUTION SCHEDULING A PUBLIC HEARING TO DETERMINE WHETHER TERRITORY ACQUIRED AS ADDITIONAL RIGHT-OF-WAY FOR MOUNT TABOR ROAD NEAR ITS INTERSECTION WITH MIDDLESETTLEMENTS ROAD SHOULD BE ANNEXED INTO THE CITY OF MARYVILLE, TENNESSEE.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz that said

resolution be adopted. On roll call the vote was unanimous. The Mayor declared that said resolution had been adopted. The resolution was signed by the Mayor and City Recorder. The Mayor ordered said resolution numbered 2011-14 and recorded in the Resolution Book of the City.

Thereupon, the following resolution was presented, considered, and placed for adoption:

A RESOLUTION SCHEDULING A PUBLIC HEARING ON THE PLAN OF SERVICES FOR A PROPOSED ANNEXATION OF TERRITORY ACQUIRED AS ADDITIONAL RIGHT-OF-WAY FOR MOUNT TABOR ROAD NEAR ITS INTERSECTION WITH MIDDLESETTLEMENTS ROAD.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt that said resolution be adopted. On roll call the vote was unanimous. The Mayor declared that said resolution had been adopted. The resolution was signed by the Mayor and City Recorder. The Mayor ordered said resolution numbered 2011-15 and recorded in the Resolution Book of the City.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt to consider a motion to appoint Bill Yarborough as Administrative Hearing Officer for a term of four (4) years, and to set a compensative rate of \$150.00 per hour. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt to consider a motion to declare certain items as surplus and to authorize their disposal. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt to consider a motion to re-appoint David Cockrill to the Board of Directors of Blount Memorial Hospital for a term to expire December 2014. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt to consider a motion to re-appoint Chris Arnette to the Historical Zoning Commission for a term to

expire December 2016. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt to re-appoint Andy White and Gary Best to the Design Review Board for terms to expire September 2016. On roll call the vote was unanimous.

Thereupon, there being no further business, the Mayor adjourned the meeting until the next scheduled meeting unless sooner called by the Mayor or as otherwise provided by law.

Mayor

Attest:

City Recorder