

Maryville, Tennessee
January 4, 2011
6:52 P.M.

PUBLIC HEARING
AND
REGULAR MEETING

The City Council of the City of Maryville met for a Public Hearing at 6:52 p.m. when the following members were present and answered roll call: Mayor Tom Taylor presiding, Councilmen Tommy Hunt, Fred Metz, Joe Swann, and Andy White. Also present were City Manager Greg McClain, City Recorder Deborah P. Caughron, and City Attorney Melanie Davis. The Mayor declared a quorum to be present.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:52 p.m. in regard to amending the zoning and land use regulations relative to body piercings and tattoo parlors. There were no comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:53 p.m. in regard to closing a portion of an unopened alley right of way running from Hanna Avenue to Morningside Avenue and parallel to Columbus Street and Elizabeth Street. There were no comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:54 p.m. in regard to annexing territory located along Foch Street and Oakdale Street. There were no comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:55 p.m. in regard to rezoning territory located along Foch Street and Oakdale Street from (County) Suburbanizing to (City) High Intensity Retail. There were no comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:56 p.m. in regard to the proposed Plan of Service for the annexation of territory along Foch Street and Oakdale Street. There were no comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:57 p.m. in regard to the annexation of territory located off Middlesettlements Road, and along Cimarron Street, Oakdale Street, Pinedale Street, Springdale Street, Wooddale Street, and Jeania Lane. A resident of Oakdale Street

commented about the need for directional signals to improve traffic flow. There were no further comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:58 p.m. in regard to rezoning certain territory located off Middlesettlements Road and along Cimarron Street, Oakdale Street, Pinedale Street, Springdale Street, Wooddale Street, and Jeania Lane from (County) Suburbanizing to (City) High Intensity Retail. A resident of Wooddale Street requested speed bumps be installed on their street. There were no further comments from council or citizens so the Mayor declared said hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:59 p.m. in regard to the proposed Plan of Service for the annexation of territory located off Middlesettlements Road and along Cimarron Street, Oakdale Street, Pinedale Street, Springdale Street, Wooddale Street, and Jeania Lane. There were no comments from council or 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 White and seconded by Councilman Metz to approve the minutes from the December 7, 2010 Council Meeting. On roll call the vote was unanimous.

At this time, Diane Pezick, 110 Piedmont Circle, addressed Council regarding the proposed school grade configurations and closings.

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 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 Hunt and seconded by Councilman Swann 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 2011-01 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 ESTABLISHING SECTION 18-104 ENTITLED "WATER USAGES REGULATED DURING PERIODS OF SHORTAGE" OF THE MARYVILLE MUNICIPAL CODE REGULATING THE USE OF WATER BY CUSTOMERS OF THE CITY OF MARYVILLE WATER SYSTEM DURING PERIODS OF SHORTAGE OF THE WATER SUPPLY, AND PROVIDING PENALTIES FOR VIOLATIONS OF THESE REGULATIONS, AND REPEALING ORDINANCE 88-27 IN ITS ENTIRETY.

Thereupon, it was moved by Councilman White 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 2011-02 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 AMENDING TITLE 14, ZONING AND LAND USE CONTROL, OF THE MARYVILLE MUNICIPAL CODE DEFINING PROFESSIONAL AND PERSONAL CARE SERVICES AND ALLOWING SAID SERVICES WITHIN THE OFFICE DISTRICT, AND SPECIFYING THAT BODY PIERCING, TATTOO ARTISTS AND TATTOO PARLORS ARE ALLOWED IN THE BUSINESS AND TRANSPORTATION DISTRICT.

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

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

AN ORDINANCE TO CLOSE A PORTION OF AN UNOPENED ALLEY RUNNING FROM HANNA AVENUE TO MORNINGSIDE AVENUE AND PARALLEL TO COLUMBUS STREET AND ELIZABETH STREET.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman White that said ordinance be passed on first reading with amended language. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance has passed on first reading.

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

AN ORDINANCE TO ANNEX CERTAIN TERRITORY LOCATED OFF FOCH STREET AND OAKDALE STREET AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MARYVILLE, TENNESSEE.

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

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

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF MARYVILLE, TENNESSEE, AS SET FORTH IN SECTION 13-7-203 THROUGH 13-7-204, TENNESSEE CODE ANNOTATED, BY REZONING TERRITORY LOCATED OFF FOCH STREET AND OAKDALE STREET FROM (COUNTY) SUBURBANIZING TO (CITY) HIGH INTENSITY RETAIL.

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

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

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF TERRITORY LOCATED OFF FOCH STREET AND OAKDALE STREET BY THE CITY OF MARYVILLE, TENNESSEE.

Thereupon, it was moved by Councilman Swann and seconded by Councilman Metz that said resolution be adopted. On roll call the vote was unanimous and 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 2011-01 and recorded in the Resolution Book of the City.

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

AN ORDINANCE TO ANNEX CERTAIN TERRITORY LOCATED OFF MIDDLESETTLEMENTS ROAD AND ALONG CIMARRON STREET, OAKDALE STREET, PINEDALE STREET, SPRINGDALE STREET, WOODDALE STREET, AND JEANIA LANE AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MARYVILLE.

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

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

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF MARYVILLE, TENNESSEE, AS SET FORTH IN SECTION 13-7-203 THROUGH 13-7-204, TENNESSEE CODE ANNOTATED, BY REZONING TERRITORY LOCATED OFF MIDDLESETTLEMENTS ROAD AND ALONG CIMARRON STREET, OAKDALE STREET, PINEDALE STREET, SPRINGDALE STREET, WOODDALE STREET, AND JEANIA LANE FROM (COUNTY) SUBURBANIZING TO (CITY) HIGH INTENSITY RETAIL.

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

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

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF TERRITORY LOCATED OFF MIDDLESETTLEMENTS ROAD AND ALONG CIMARRON STREET, OAKDALE STREET, PINEDALE STREET, SPRINGDALE STREET, WOODDALE STREET, AND JEANIA LANE BY THE CITY OF MARYVILLE TENNESSEE.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann that said resolution be adopted. On roll call the vote was unanimous and 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 2011-02 and recorded in the Resolution Book of the City.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman Metz to consider a motion to grant Certificates of Compliance to owners of Foothills Plaza Wines & Spirits, LLC at 502 N. Foothills Plaza Drive. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Swann and seconded by Councilman Hunt to consider a motion to grant Certificates of Compliance to owners of Wine & Spirits Cellar, LLC of 1781 W. Broadway Avenue. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Swann and seconded by Councilman Hunt to consider a motion to grant Certificates of Compliance to owners of Creekside Fine Wines & Spirits at 2017 E. Broadway Avenue. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Swann and seconded by Councilman Metz to consider a motion to reappoint David Pesterfield to the Board of Directors of Blount Memorial Hospital for a term to expire January 2014. 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