#### Maryville, Tennessee

March 3, 2015

6:44 P.M.

PUBLIC HEARINGS

# AND

REGULAR MEETING

The City Council of the City of Maryville met for a Public Hearing on March 3, 2015 at the Maryville Municipal Center at 6:44 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 John McArthur. The Mayor declared a quorum to be present.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:44 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs off of N. Sixth Street between E. Lincoln Road and Madison Avenue and is identified as Alley #73 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:45 p.m. in regard to the consideration of an ordinance to authorize the abandonment of a portion of an alley that runs off N. Fifth Street between Madison Avenue and Monroe Avenue and is identified as Alley #81 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:46 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from N. Everett High Road to Third Street between E. Lincoln Road and Madison Avenue and is identified as Alley #99 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:47 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from N. Everett High Road to Third Street between Madison Avenue and Monroe Avenue and is identified as Alley #100 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:48 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from N. Everett High Road to Third Street between Monroe Avenue and Irwin Avenue and is identified as Alley #101 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:49 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from N. Everett High Road to Third Street between Irwin Avenue and Jefferson Avenue and is identified as Alley #102 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:50 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from N. Everett High Road to Alley #103 between E. Lincoln Road and Madison Avenue and is identified as Alley #104 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:51 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from Alley #105 to closed Alley #82 between N. Fifth Street and N. Sixth Street and is identified as Alley #106 on the Blount County GIS map. Theo King, adjacent property owner, had a question about a gate that is currently blocking the alley. He was informed that the gate would have to be removed. There were no further comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:52 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from N. Everett High Road to Alley #162 between Madison Avenue and Monroe Avenue and is identified as Alley #161 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:53 p.m. in regard to the consideration of an ordinance to authorize the abandonment of a portion of an alley that runs from Monroe Avenue to Madison Avenue, east of McGinley Street, and is identified as Alley #162 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:54 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from McGinley Street to Alley #162 and is identified as Alley #208 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:55 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from McGinley Street to Alley #352 and is identified as Alley #308 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:56 p.m. in regard to the consideration of an ordinance to authorize the abandonment of an alley that runs from Irwin Avenue to Alley #353 and identified as Alley #352 on the Blount County GIS map. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:57 p.m. in regard to the consideration of an ordinance to annex the Millsaps and the Cable properties, a portion of East Lamar Alexander Parkway, and a portion of Woodland Acres Road. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:58 p.m. in regard to the consideration of an ordinance rezone the Millsaps and the Cable properties, a portion of East Lamar Alexander Parkway, and a portion of Woodland Acres Road right-of-way. There were no comments so the Mayor declared the hearing closed.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:59 p.m. in regard to the consideration of a resolution to adopt a plan of services for the Millsaps and the Cable properties, a portion of East Lamar Alexander Parkway, and a portion of Woodland Acres Road. There were no comments so the Mayor declared the hearing closed.

Thereupon, Council convened for regular business at 7:00 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 John McArthur. The Mayor declared a quorum to be present.

At this time, a flag presentation was made by Sycamore Tree United Methodist Church Boy Scout Troop 800.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman White to approve the minutes from the February 3, 2015, Council Meeting. 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 ANNEX CERTAIN TERRITORY KNOWN AS THE MILLSAPS AND THE CABLE PROPERTIES, A PORTION OF EAST LAMAR ALEXANDER PARKWAY, AND A PORTION OF WOODLAND ACRES ROAD, AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MARYVILLE, TENNESSEE.

Thereupon, it was moved by Councilman White and seconded by Councilman Hunt that said ordinance be passed on second and final reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on second reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2015-17 and recorded in the Ordinance Book of the City.

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

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF THE MILLSAPS AND THE CABLE PROPERTIES, A PORTION OF EAST LAMAR ALEXANDER PARKWAY, AND A PORTION OF WOODLAND ACRES ROAD 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. 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 2015-04 and recorded in the Resolution Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second and final 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 KNOWN AS THE MILLSAPS AND THE CABLE PROPERTIES, A PORTION OF EAST LAMAR ALEXANDER PARKWAY, AND A PORTION OF WOODLAND ACRES ROAD FROM (COUNTY) SUBURBANIZING AND (COUNTY) COMMERCIAL TO (CITY) BUSINESS AND TRANSPORTATION.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Hunt that said ordinance be passed on second and final reading. On roll call the vote was unanimous. Thereupon, the Mayor declared that said ordinance had passed on second reading. The ordinance was signed by the Mayor and City Recorder and the Mayor ordered said ordinance numbered 2015-18 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 ALLOWING SPECIAL PERMITS FOR SALE OF BEER IN CERTAIN AREAS DURING CITY SPONSORED OR CO-SPONSORED SPECIAL EVENTS WITHIN THE SPECIAL EVENT ZONE AS A NEW CATEGORY OF BEER PERMIT ALLOWED UNDER THE CITY CODE.

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 had passed on first reading.

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

AN ORDINANCE AMENDING TITLE 8, CHAPTER 5, OF THE CITY OF MARYVILLE CODE REGARDING CERTAIN SPECIAL EVENTS ALLOWING FOR CONSUMPTION AND POSSESSION OF BEER ON PUBLIC PROPERTY TO FURTHER ALLOW FOR CONSUMPTION AND POSSESSION OF OTHER ALCOHOLIC BEVERAGES IN CERTAIN SPECIAL EVENTS ON PUBLIC PROPERTY.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann 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 AMENDING CITY CODE, TITLE 8, SECTION 105, PUBLIC CONSUMPTION OF INTOXICATING LIQUORS OR ALCOHOLIC BEVERAGES PROHIBITED TO ALLOW POSSESSION AND CONSUMPTION OF WINE AND HIGH ALCOHOLIC CONTENT BEER IN ADDITION TO REGULAR BEER DURING CERTAIN CITY SPONSORED OR CO-SPONSORED SPECIAL EVENTS WITHIN THE PHYSICAL PARAMETERS OF THE SPECIAL EVENT ZONE DURING THE TIME OF THE SPECIAL EVENT ZONE IF OTHERWISE PROVIDED BY RESOLUTION OF CITY COUNCIL.

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 AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS OFF OF N. SIXTH STREET BETWEEN E. LINCOLN ROAD AND MADISON AVENUE AND IS IDENTIFIED AS ALLEY #73 ON THE BLOUNT COUNTY GIS MAP.

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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF A PORTION OF AN ALLEY THAT RUNS OFF N. FIFTH STREET BETWEEN MADISON AVENUE AND MONROE AVENUE AND IS IDENTIFIED AS ALLEY #81 ON THE BLOUNT COUNTY GIS MAP.

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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM N. EVERETT HIGH ROAD TO THIRD STREET BETWEEN E. LINCOLN ROAD AND MADISON AVENUE AND IS IDENTIFIED AS ALLEY #99 ON THE BLOUNT COUNTY GIS MAP.

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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM N. EVERETT HIGH ROAD TO THIRD STREET BETWEEN MADISON AVENUE AND MONROE AVENUE AND IS IDENTIFIED AS ALLEY #100 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Swann 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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM N. EVERETT HIGH ROAD TO THIRD STREET BETWEEN MONROE AVENUE AND IRWIN AVENUE AND IS IDENTIFIED AS ALLEY #101 ON THE BLOUNT COUNTY GIS MAP.

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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM N. EVERETT HIGH ROAD TO THIRD STREET BETWEEN IRWIN AVENUE AND JEFFERSON AVENUE AND IS IDENTIFIED AS ALLEY #102 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann 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 AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM N. EVERETT HIGH ROAD TO ALLEY #103 BETWEEN E. LINCOLN ROAD AND MADISON AVENUE AND IS IDENTIFIED AS ALLEY #104 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Swann 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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM ALLEY #105 TO CLOSED ALLEY #82 BETWEEN N. FIFTH STREET AND N. SIXTH STREET AND IS IDENTIFIED AS ALLEY #106 ON THE BLOUNT COUNTY GIS MAP.

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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM N. EVERETT HIGH ROAD TO ALLEY #162 BETWEEN MADISON AVENUE AND MONROE AVENUE AND IS IDENTIFIED AS ALLEY #161 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Swann 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 AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM MONROE AVENUE TO MADISON AVENUE, EAST OF MCGINLEY STREET, AND IS IDENTIFIED AS ALLEY #162 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann 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 AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM MCGINLEY STREET TO ALLEY #162 AND IS IDENTIFIED AS ALLEY #208 ON THE BLOUNT COUNTY GIS MAP.

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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM MCGINLEY STREET TO ALLEY #352 AND IS IDENTIFIED AS ALLEY #308 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Swann 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 had passed on first reading.

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

AN ORDINANCE TO AUTHORIZE THE ABANDONMENT OF AN ALLEY THAT RUNS FROM IRWIN AVENUE TO ALLEY #353 AND IS IDENTIFIED AS ALLEY #352 ON THE BLOUNT COUNTY GIS MAP.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann 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 TO REPEAL PART 1 OF THE LAND DEVELOPMENT AND PUBLIC WORKS STANDARDS FOR THE CITY OF MARYVILLE, TENNESSEE TO REPLACE THE SAME WITH A NEW PART 1 OF THE LAND DEVELOPMENT AND PUBLIC WORKS STANDARDS.

Thereupon, it was moved by Councilman Metz and seconded by Councilman White 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 2015-05 and recorded in the Resolution Book of the City.

Thereupon, it was moved by Councilman Metz and seconded by Councilman White to consider a motion to award the annual external audit contract to Ingram, Overholt and Bean in the amount of $77,900.00 and to authorize the Mayor to sign said contract. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Hunt and seconded by Councilman White to consider a motion to re-appoint Danny Davis and Fred Metz to the Construction Board of Adjustments and Appeals for a term to expire April 2019. 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