#### Maryville, Tennessee

November 3, 2015

7:00 P.M.

REGULAR MEETING

The City Council of the City of Maryville met for a Regular Meeting on November 3, 2015 at the Maryville Municipal Center at 7:00 p.m. when the following members were present and answered roll call: Mayor Tom Taylor presiding, Councilmen Fred Metz, Joe Swann and Andy White. Also present were City Manager Greg McClain, City Recorder Deborah P. Caughron, and City Attorney, David Black. Councilman Tommy Hunt was absent. The Mayor declared a quorum to be present.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann to approve the minutes from the October 6, 2015 Council Meeting. On roll call the vote was unanimous.

At this time, New Providence Presbyterian Church was presented with the Fall Greenscape Award.

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 AMENDING TITLE 12, CHAPTER 3 OF THE MARYVILLE MUNICIPAL CODE SO AS TO ADOPT THE NATIONAL ELECTRIC CODE 2011 EDITION AND ASSOCIATED ELECTRICAL REQUIREMENTS, AND REPEAL THE PREVIOUSLY ADOPTED ELECTRICAL CODE.

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 and the Mayor ordered said ordinance numbered 2015-65 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 CREATING TITLE 12, CHAPTER 4 OF THE MARYVILLE MUNICIPAL CODE SO AS TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION, WITH CERTAIN LOCAL CHANGES.

Thereupon, it was moved by Councilman Metz 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 and the Mayor ordered said ordinance numbered 2015-66 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 ADOPTION OF CITY CODE 12-1101- 12.1104 BY ADDING CHAPTERS 12-23 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE SO AS TO ADOPT THE MECHANICAL PROVISIONS CONTAINED THEREIN.

Thereupon, it was moved by Councilman Metz and seconded by Councilman White 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 and the Mayor ordered said ordinance numbered 2015-67 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 REPEALING THE PRIOR PERMIT FEE SCHEDULE ESTABLISHED BY ORDINANCE 2010-09 AND REPLACING IT WITH A NEW REVISED FEE SCHEDULE FOR BUILDING, PLUMBING, ELECTRICAL AND OTHER VARIOUS PERMITS.

Thereupon, it was moved by Councilman Swann 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 and the Mayor ordered said ordinance numbered 2015-68 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 MARYVILLE MUNICIPAL CODE TITLE 14, CHAPTER 2, SECTION 14-202 BASIC DEFINITIONS AND INTERPRETATIONS AND SECTION 14-210 PERMISSIBLE USES WITH REGARD TO INDEPENDENT LIVING FACILITIES.

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 and the Mayor ordered said ordinance numbered 2015-69 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 MARYVILLE MUNICIPAL CODE TITLE 14, CHAPTER 2, SECTION 14-210 PERMISSIBLE USES WITH REGARD TO DAY CARE CENTERS.

Thereupon, it was moved by Councilman Metz and seconded by Councilman White 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 and the Mayor ordered said ordinance numbered 2015-70 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 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 INCLUDING TERRITORY ALONG E. LAMAR ALEXANDER PARKWAY IN THE PARKWAY OVERLAY DISTRICT.

Thereupon, it was moved by Councilman Metz and seconded by Councilman White 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 and the Mayor ordered said ordinance numbered 2015-71 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 CITY CODE TITLE 8, SECTION 2, BEER, ADDING A NEW SUB-SECTION FOR ON-PREMISE PERMITS UNDER SECTION 8-209, RESTRICTIONS ON THE ISSUANCE OF ON-PREMISE BEER PERMITS, AND AMENDING SUB-SECTION 8-211, RESTRICTION ON THE ISSUANCE OF OFF-PREMISE BEER PERMITS.

Thereupon, it was moved by Councilman White 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 THE ANNUAL OPERATING BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR FISCAL YEAR 2016.

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 resolution was presented, considered, and placed for adoption:

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MARYVILLE, TENNESSEE IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $3,550,000 IN ONE OR MORE SERIES; MAKING PROVISION FOR THE ISSUANCE, SALE, AND PAYMENT OF SAID BONDS, ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OR PREMIUM, IF ANY, AND INTEREST ON THE BONDS.

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 2015-24 and recorded in the Resolution Book of the City.

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

A RESOLUTION AUTHORIZING THE PARTIAL PREPAYMENT OF RENT PURSUANT TO AN AMENDED AND RESTATED LEASE AGREEMENT BETWEEN THE CITY OF MARYVILLE, TENNESSEE, THE CITY OF ALCOA, TENNESSEE AND THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITIES OF ALCOA AND MARYVILLE, TENNESSEE.

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 2015-25 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 approve a development agreement between the City of Maryville, Tennessee and Wal-Mart Real Estate Business Trust, and to authorize the Mayor to sign such agreement, subject to review of the City Attorney. At this time, Chris Knight, Woodland Acres Road, expressed opposition to this action. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Swann and seconded by Councilman White to consider a referral to the Maryville Regional Planning Commission of an application to rezone a parcel from Residential to Business and Transportation; and if the referral is made, requesting staff to schedule a Public Hearing and to draft the appropriate ordinance. At this time, Steve Hepperly of Hepperly Auto Sales spoke to explain his proposed use of the parcel if the request is approved. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann to consider a referral of an application for annexation of 2714 E. Lamar Alexander Parkway to the Maryville Regional Planning Commission; and if the referral is made, requesting staff to draft the appropriate Plan of Services and the appropriate Resolution, and schedule the Public Hearing. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann to consider a referral of a request for zoning property located at 2714 E. Lamar Alexander Parkway as Business and Transportation with Parkway Overlay to the Maryville Regional Planning Commission; and if the referral is made, requesting staff to draft the appropriate ordinance and to schedule a Public Hearing. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann to consider a referral for an application for annexation and zoning of property, identified as Tax Map 079, Parcels 029.01 and 029.02, to the Maryville Regional Planning Commission; and if the referral is made, requesting staff to draft the appropriate Plan of Services, the appropriate resolution, and the appropriate ordinance, and to schedule a Public Hearing. On roll call the vote was unanimous.

Thereupon, it was moved by Councilman Metz and seconded by Councilman Swann to consider a motion to declare certain items as surplus and to authorize their disposal. 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