



CITY OF NEWPORT

300 E. MAIN STREET • P.O. Box 370 • NEWPORT, TENNESSEE 37822

PHONE: (423) 623-7323 • FAX (423) 613-4060

PHONE: (423) 623-1063 • FAX: 423-623-70

RECEIVED

2006 OCT 19 AM 9:09

VICE MAYOR
B. FAYE FISH

ALDERMEN:

Leon Bryant
Roger Butler
Jimmy Clark
John M. Clark

CITY ATTORNEY
TERRY E. HURST

MAYOR

CONNIE BALL

OCTOBER 16, 2006

CITY ADMINISTRATOR

H. BRADLEY MOFFITT

POLICE DEPARTMENT

MAURICE SHULTS, CHIEF

FIRE DEPARTMENT

WAYNE BUTLER, CHIEF

PARKS & RECREATION

TIM DOCKERY

STREET SUPERINTENDENT

BEN HICKS

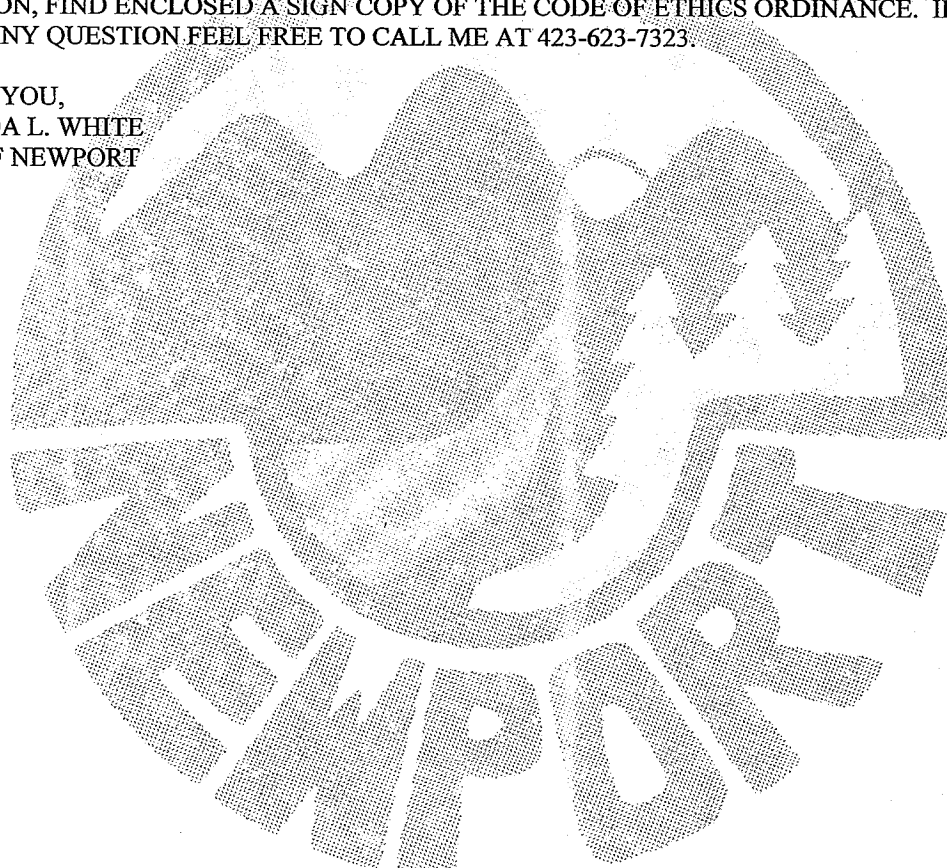
TENNESSEE
ETHICS COMMISSION

TENNESSEE ETHICS COMMISSION
312 8TH AVENUE NORTH
8TH FLOOR SNODGRASS TOWER
NASHVILLE, TENNESSEE 37243

TO WHOM IT MAY CONCERNS:

ENCLOSED YOU WILL FIND COPY'S OF THE CODE OF ETHICS PASSED BY THE NEWPORT CITY COUNCIL ON 2ND READING AND PUBLIC HEARING HELD ON SEPTEMBER 19, 2006. IN ADDITION, FIND ENCLOSED A SIGN COPY OF THE CODE OF ETHICS ORDINANCE. IF YOU HAVE ANY QUESTION FEEL FREE TO CALL ME AT 423-623-7323.

THANK YOU,
AMANDA L. WHITE
CITY OF NEWPORT



ORDINANCE NO. 2006-7

“AN ORDINANCE ESTABLISHING A CODE OF ETHICS FOR THE MAYOR, ALDERMEN, AND ALL CITY EMPLOYEES.”

WHEREAS, The Tennessee State Legislature has mandated that all local governments have a Code of Ethics Ordinance; and,

WHEREAS, MTAS has developed a model Code of Ethics recommended for adoption by all municipalities; and,

WHEREAS, The Board of Mayor and Aldermen of the City of Newport desire to be in compliance with all state laws; and,

WHEREAS, It is the desire of the Mayor and Aldermen to pass the Code of Ethics developed by MTAS;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND ALDERMEN OF THE CITY OF NEWPORT, TENNESSEE, THE CODE OF ETHICS FOR THE MAYOR, ALDERMEN AND ALL CITY EMPLOYEES, VOLUNTEERS, BOARDS AND COMMITTEES SHALL BE AS FOLLOWS:

Section 1. Applicability. This chapter is the code of ethics for personnel of the municipality. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words “municipal” and “municipality” include these separate entities.

Section 2. Definition of “personal interest.”

(1) For purposes of Sections 3 and 4, “personal interest” means:

(a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests;

or

(b) Any financial, ownership, or employment interest in a matter to be Section 3. Members of boards shall be citizens of recognized integrity, intelligence and ability to administer the duties of the office regulated or supervised;

or

- (c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).
- (2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.
- (3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

Section 3. Disclosure of personal interest by official with vote. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself from voting on the measure..

Section 4. Disclosure of personal interest in nonvoting matters. An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

Section 5. Acceptance of gratuities, etc. An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

- (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
- (2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business.

Section 6. Use of information.

- (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

- (2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity.

Section 7. Use of municipal time, facilities, etc.

- (1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.
- (2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality.

Section 8. Use of position or authority.

- (1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.
- (2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or ordinance or policy of the municipality.

Section 9. Outside employment.

An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality's charter or any ordinance or policy.

Section 10. Ethics complaints.

- (1) The city attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.
- (2)(a) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his own initiative when he acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.
- (b) The city attorney may request that the governing body hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interests in a particular matter.
- (c) When a complaint of a violation of any provision of this chapter is lodged against a member of the municipality's governing body, the governing body shall either determine that the complaint has merit, determine that

the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the governing body determines that a complaint warrants further investigation, it shall authorize an investigation by the city attorney or another individual or entity chosen by the governing body.

- (3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.
- (4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics.

Section 11. Violations. An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter or other applicable law and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action.

PASSED ON FIRST READING: AUGUST 8, 2006

PUBLIC HEARING: SEPTEMBER 19, 2006

PASSED ON SECOND READING: SEPTEMBER 19, 2006

CITY OF NEWPORT, TENNESSEE

By: Connie Ball
CONNIE BALL, MAYOR

ATTEST:

Jeanne Birdwell
JEANNE BIRDWELL, CITY RECORDER

APPROVED AS TO FORM:

Ray Hunt
City Attorney

TERRY HURST, CITY ATTORNEY

331 EAST MAIN STREET

NEWPORT, TN 37821

PHONE: (423) 623-1573

FAX: (423) _____

BPR # _____

MINUTES OF THE MEETING
CITY COUNCIL
CITY OF NEWPORT, TENNESSEE
REGULAR MEETING

PUBLIC HEARING ON 2ND READING CODES OF ETHICS ORDINANCE
MAYOR CONNIE BALL OPENED THE MEETING FOR PUBLIC HEARING.

THERE BEING NO ONE PRESENT WISHING TO SPEAK, MAYOR CONNIE BALL CLOSED THE PUBLIC HEARING.

PUBLIC HEARING ON 2ND READING 2006-2007 BUDGET
MAYOR CONNIE BALL OPENED THE MEETING FOR PUBLIC HEARING.

THERE BEING NO ONE PRESENT WISHING TO SPEAK, MAYOR CONNIE BALL CLOSED THE PUBLIC HEARING.

SEPTEMBER 19, 2006

THE CITY OF NEWPORT BOARD OF MAYOR AND ALDERMEN MET IN THE NEWPORT CITY HALL COUNCIL CHAMBERS, TUESDAY, SEPTEMBER 19, 2006 AT 5:45 P.M. IN REGULAR SESSION.

INVOCATION WAS LED BY MAYOR CONNIE BALL, AND PLEDGE TO THE FLAG WAS LED BY ALDERMAN JIMMY CLARK.

THE FOLLOWING OFFICIALS WERE PRESENT: CONNIE BALL, MAYOR; B. FAYE FISH, VICE-MAYOR; LEON BRYANT, ROGER BUTLER, JIMMY CLARK AND JOHN M. CLARK, ALDERMEN; TERRY HURST, CITY ATTORNEY; AND H. BRADLEY MOFFITT, CITY ADMINISTRATOR.

MINUTES

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER THAT MINUTES OF THE AUGUST 8, 2006 REGULAR SESSION, AUGUST 6, 29 AND SEPTEMBER 5, 2006 CALLED SESSION BE APPROVED WITH ONE CORRECTION ON PUBLIC HEARING WITH S & ME SOILS FOR THE PURPOSE OF THE OLD MILL SITE.

ALL AYES

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

CITY ADMINISTRATOR, BRAD MOFFITT, PRESENTED THE COUNCIL WITH "TARGET" SALARY SCHEDULES TO GET IN LINE W/MTAS SURVEY, DRAFT OF SCRIPT FOR THE NEWPORT ONLINE MOVIE PROJECT, AN INVITATION TO PREPARING FOR THE WORST, CHAMBER'S DOWNTOWN DECORATION CONTEST, SSUTA NET "WINNERS" AND "LOSERS" STREAMLINED SALES TAX IMPACT, TENNESSEE MUNICIPAL GROWTH POLICY SURVEY, DEPARTMENT REPORTS AND A TCRS RETIREMENT UPDATE.

OLD BUSINESS

2ND READING ORDINANCE TO ADOPT CODES OF ETHICS

MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN JIMMY CLARK TO PASS ON 2ND READING A CODE OF ETHICS FOR THE MAYOR, ALDERMEN, AND ALL CITY EMPLOYEES.

ALL AYES

FOR ORDINANCE: REFER TO MISCELLANEOUS BOOK 11 PAGES 374-378

2ND READING ORDINANCE 2006-2007 BUDGET

MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN JIMMY CLARK TO PASS ON 2ND READING A 2006-2007 BUDGET WITH A BEGINNING CASH BALANCE OF \$1,085,248, AND TOTAL GENERAL FUND BUDGET OF \$8,062,356.00.

ROLL CALL VOTE:

ALDERMAN LEON BRYANT	AYE
ALDERMAN ROGER BUTLER	AYE
ALDERMAN JIMMY CLARK	AYE
ALDERMAN JOHN M. CLARK	AYE
VICE MAYOR FAYE FISH	AYE

FOR ORDINANCE: REFER TO MISCELLANEOUS BOOK 11 PAGE 379

NEW BUSINESS

COCKE COUNTY SOFTBALL ROADBLOCK

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN JOHN M. CLARK TO APPROVE A ROADBLOCK FOR THE COCKE COUNTY SOFTBALL TEAM ON MARCH 25, 2007 IN NEWPORT.
ALL AYES

TRUE LIGHT CHURCH ROADBLOCK

MOTION BY ALDERMAN ROGER BUTLER, SECONDED BY ALDERMAN JIMMY CLARK TO APPROVE A ROADBLOCK FOR THE TRUE LIGHT CHURCH ON MAY 26, 2007 IN NEWPORT.
ALL AYES

RESOLUTION USE OF WIRELESS PHONE POLITY ADDITION TO POLICE GENERAL ORDERS

MOTION BY ALDERMAN ROGER BUTLER, SECONDED BY VICE-MAYOR FAYE FISH TO APPROVE A RESOLUTION FOR WIRELESS PHONE POLICY ADDITION TO POLICE GENERAL ORDERS. WHICH REGULATE THE USAGE OF CELLULAR PHONES, AND OTHER WIRELESS PERSONAL COMMUNICATION DEVICES WHILE ON DUTY AND DRIVING POLICE VEHICLES.
ALL AYES

FOR RESOLUTION: REFER TO MISCELLANEOUS BOOK 11 PAGES 380-381

RESOLUTION ADDING A SPIKE STRIP POLICY TO POLICE GENERAL ORDERS

MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN JIMMY CLARK APPROVING A RESOLUTION ADDING A SPIKE STRIP POLICY TO POLICE GENERAL ORDERS.
ALL AYES

FOR RESOLUTION: REFER TO MISCELLANEOUS BOOK 11 PAGES 382-383

\$300,000 WATER AND SEWER REVENUE BOND "INITIAL BOND RESOLUTION

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER APPROVING AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF \$300,000 WATER AND SEWER REVENUE AND TAX BOND, 2006A OF THE CITY OF NEWPORT, TENNESSEE. THIS BOND SHALL BEAR INTEREST AT A RATE NOT TO EXCEED 4.375% PER ANNUM, AND WHICH SHALL BE PAYABLE FROM REVENUES OF THE WATER AND SEWER SYSTEM.
ALL AYES

\$300,000 WATER AND SEWER REVENUE "BOND RESOLUTION"

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER APPROVING AN BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$300,000 WATER AND SEWER REVENUE AND TAX BOND, SERIES 2006A OF THE CITY OF NEWPORT, TENNESSEE; PROVIDING FOR THE COLLECTION AND DISPOSITION OF THE REVENUES FROM THE WATER AND SEWER SYSTEM OPERATED BY THE NEWPORT UTILITIES BOARD FOR THE MUNICIPALITY; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BOND; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THERE FROM, AND THE LEVY OF A TAX UNDER CERTAIN CONDITIONS FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BOND.
ALL AYES

RESOLUTION FOR ADDITIONAL PAID HOLIDAYS FOR FULL TIME CITY EMPLOYEES

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER APPROVING A RESOLUTION FOR THE FOLLOWING ADDITIONAL HOLIDAYS THE DAY AFTER THANKSGIVING AND CHRISTMAS EVE. TOTAL ESTIMATED COST OF THIS CHANGE IS ESTIMATED AT LESS THAN \$6,000 PER YEAR FOR ADDITIONAL OVERTIME REQUIREMENTS FOR FIRE, POLICE, SANITATION, STREETS AND PARKS & RECREATION.
ALL AYES

FOR RESOLUTION:- REFER TO MISCELLANEOUS BOOK 11 PAGE 384

1ST READING ORDINANCE ON SANITARY REMOVAL AND DISPOSAL OF ANIMAL FECES

MOTION BY ALDERMAN JOHN M. CLARK, SECONDED BY VICE-MAYOR FAYE FISH APPROVING ON 1ST READING AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR SANITARY REMOVAL AND DISPOSAL OF DOG OR CAT FECES FROM PUBLIC OR PRIVATE PROPERTY BY THE OWNER OR PERSON IN CHARGE OF SUCH DOGS OR CATS AND REGULATING NUISANCES BY SUCH DOGS OR CATS.
ALL AYES

1ST READING ON REZONING OF 610 NORTH STREET FROM P-1 TO C-2

MOTION BY ALDERMAN ROGER BUTLER, SECONDED BY VICE-MAYOR FAYE FISH APPROVING ON 1ST READING REZONING OF 610 NORTH STREET FROM A P-1 (PROFESSIONAL/RESIDENTIAL) TO C-2 (GENERAL BUSINESS).
ALL AYES

REQUEST TO HAVE TDOT PLACE SIGNAGE REGARDING JAKE BRAKES

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY VICE-MAYOR FAYE FISH TO APPROVE THE CITY TO CONTACT TDOT TO HAVE SIGNAGE PLACED IN THE CITY OF NEWPORT AND ALSO APPROVING THE COST OF THE MANUFACTURE AND INSTALLATION OF SUCH SIGNS.
ALL AYES

CONTRACT FOR NEWPORT TRAILHEAD PROPERTY ACQUISITION

MOTION BY ALDERMAN ROGER BUTLER, SECONDED BY VICE-MAYOR FAYE FISH APPROVING A GRANT, BY AND BETWEEN THE STATE OF TENNESSEE, TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION HEREINAFTER TO AS THE "STATE" AND CITY OF NEWPORT, HEREINAFTER REFERRED TO AS THE "GRANTEE," IS FOR THE PROVISION OF THE ACQUISITION, DEVELOPMENT AND/OR MAINTENANCE OF RECREATION TRAILS.
ALL AYES

REQUEST BY MAYOR CONNIE BALL TO DISCUSS RETIREMENT OPTION

MOTION BY ALDERMAN JIMMY CLARK, AFTER DISCUSSION ALDERMAN JIMMY CLARK WITHDRAWAL HIS MOTION.

CONTRACT FOR THE GOVERNOR'S HIGHWAY SAFETY GRANT

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER APPROVING A GRANT, BY AND BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF TRANSPORTATION, HEREINAFTER REFERRED TO AS THE "STATE" AND NEWPORT POLICE DEPARTMENT, HEREINAFTER REFERRED TO AS THE "GRANTEE," IS FOR THE PROVISION OF IMPLEMENTING A HIGHWAY TRAFFIC SAFETY GRANT. THIS GRANT IS AN NON-MATCHING FUND. TOTAL AMOUNT OF THE GRANT IS \$5,000.
ALL AYES

SKATE PARK DEVELOPMENT CONTRACT

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY VICE-MAYOR FAYE FISH TO ACCEPT THE CONTACT AND ALLOWING MAYOR CONNIE BALL TO SIGN THE CONTRACT FOR THIS GRANT.
ALL AYES

BIDS AND PURCHASES
BRUSH GRINDING PROPOSALS

MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN LEON BRYANT, TO APPROVE A BID FROM SUPERIOR MULCH, INC, 916 BUTTERMILK ROAD, BLOUNTVILLE, TN 37617, IN THE TOTAL AMOUNT OF \$35,494.85.
ALL AYES

ASPHALT PAVING BID FOR 2006-07

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN JOHN M. CLARK APPROVE A BID FROM NEWPORT PAVING AND READY MIX, GRADING "E" MIX IS \$64.00 PER TON INSTALLED.
ALL AYES

CITIZENS COMMENTS
MARY GRAY AND PATRICIA CURETON

PATRICIA CURETON AND MARY GRAY ASK COUNCIL TO GRANT CITY EMPLOYEE CARROLL CURETON PERMISSION TO USE 160 SICK AND 368 CARRY

REPORTS FROM COMMITTEES, MEMBERS OF COUNCIL & OTHER OFFICERS
NEWPORT COCKE COUNTY BOYS AND GIRLS CLUB

REPRESENTATIVES CHRIS TRIPLETT AND SHANE BORIE THEY REPORTED TO THE BOARD THAT GROUNDBREAKING WAS HELD MONDAY ON THE CLUB'S PROPOSED \$1.3 MILLION DOLLAR FACILITY. SINCE 2003, 525 KIDS HAVE BEEN SERVED BY THE BOYS AND GIRLS CLUB.

THE CLUB CONCENTRATES ON FIVE BASIC AREAS. THEY ARE LEADERSHIP DEVELOPMENT, HEALTH AND LIFE SKILLS, AFTER-SCHOOL TUTORING, SPORTS AND RECREATION, AND THE PERFORMING ARTS.

THE BOYS AND GIRLS REPRESENTATIVES ASKED THE BOARD TO CONTRIBUTE \$15,000 ANNUALLY TO THE CLUB.

AFTER THIS PRESENTATION, NEWPORT MAYOR CONNIE BALL CHALLENGED THE BOARD TO FIND THE FUNDS TO CONTRIBUTE TO THE CLUB.

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER TO DONATE \$15,000 TO THE CLUB, IF THE CITY CAN COME UP WITH THE MONEY.

ALL AYES

OLD BUSINESS

2ND READING ON ORDINANCE FOR ANNEXATION OF 742 THINWOOD DRIVE

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN LEON BRYANT TO APPROVE ON 2ND READING AN ORDINANCE TO ANNEX AND ZONE CERTAIN TERRITORY AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF NEWPORT PROPERTY LOCATED AT 742 THINWOOD DRIVE OWNED BY PAT AND LARRY BROWN.

ALL AYES

FOR ORDINANCE: REFER TO MISCELLANEOUS BOOK 11 PAGES 364-366

RESOLUTION FOR PLAN OF SERVICES OF 742 THINWOOD DRIVE

MOTION BY ALDERMAN LEON BRYANT, SECONDED BY VICE-MAYOR FAYE FISH TO APPROVE A RESOLUTION ADOPTING A PLAN OF SERVICES FOR PROPERTY LOCATED AT 742 THINWOOD DRIVE OWNED BY PAT AND LARRY BROWN BY THE TOWN OF NEWPORT, TENNESSEE.

ALL AYES

FOR RESOLUTION: REFER TO MISCELLANEOUS BOOK 11 PAGES 367-369

NEW BUSINESS

HVAC FOR POLICE DEPARTMENT

MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN LEON BRYANT TO APPROVE THE INSTALLATION OF THE HVAC SYSTEM IN THE POLICE DEPARTMENT WITHIN THE TIME FRAME.

ALL AYES

DISCUSSION ON PET WASTE WITHIN THE CITY OF NEWPORT

AFTER A DISCUSSION THE BOARD EXPRESSED A DESIRE TO STUDY THE MATTER FURTHER AND FOR CITY ADMINISTRATOR BRAD MOFFITT ALONG WITH CITY ATTORNEY TERRY HURST TO WORK TOGETHER TO DRAFT AN ORDINANCE FOR CONSIDERATION DURING ITS NEXT REGULAR MEETING.

1ST READING MUNICIPALITIES REQUIRED TO ADOPT CODES OF ETHICS

MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN JOHN M. CLARK TO PASS ON 1ST READING A CODE OF ETHICS FOR THE MAYOR, ALDERMEN, AND ALL CITY EMPLOYEES.

ALL AYES

TENNESSEE ROAD SCAPES GRANT

THIS IS A GRANT TO APPLY FOR A FOUNTAIN ON THE PROPERTY THAT THE CITY OF NEWPORT MAINTAINS FOR THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION LOCATED AT THE CORNER OF HIGHWAY 321 AND HIGHWAY

MINUTES OF THE MEETING
CITY COUNCIL
CITY OF NEWPORT, TENNESSEE
REGULAR SESSION

PUBLIC HEARING

MAYOR CONNIE BALL OPENED THE MEETING FOR THE PUBLIC HEARING WITH S & ME SOIL. (OLD MILL SITE)

THERE BEING NO ONE PRESENT WISHING TO SPEAK, MAYOR CONNIE BALL CLOSED THE PUBLIC HEARING.

PUBLIC HEARING ON 2ND READING OF THE ORDINANCE FOR ANNEXATION OF 742 THINWOOD DRIVE

MAYOR CONNIE BALL OPENED THE MEETING FOR THE PUBLIC HEARING.

MARK ROBINSON WITH ZONING AND PLANNING READ THE ORDINANCE OR ANNEXATION.

THERE BEING NO ONE PRESENT WISHING TO SPEAK, MAYOR CONNIE BALL CLOSED THE PUBLIC HEARING.

AUGUST 8, 2006

THE CITY COUNCIL OF THE CITY OF NEWPORT MET IN THE NEWPORT CITY HALL COUNCIL CHAMBERS, TUESDAY, AUGUST 8, 2006 AT 5:45 P.M. IN REGULAR SESSION.

INVOCATION WAS LED BY ALVIN WATTS, AND PLEDGE TO THE FLAG WAS LED BY ALDERMAN JIMMY CLARK.

THE FOLLOWING OFFICIALS WERE PRESENT: CONNIE BALL, MAYOR; FAYE FISH, VICE-MAYOR; LEON BRYANT, ROGER BUTLER, JIMMY CLARK AND JOHN M. CLARK, ALDERMEN; TERRY HURST, CITY ATTORNEY; AND H. BRADLEY MOFFITT, CITY ADMINISTRATOR.

MINUTES

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER THAT MINUTES OF THE JULY 11, 2006 REGULAR SESSION BE APPROVED WITH ONE CORRECTION.

“CORRECTION”

REQUEST FOR THE CITY TO CLOSE AND QUIT-CLAIM A 40FT. WIDE UNDEVELOPED PORTION OF 5TH STREET TO BEECH STREET

MOTION BY ALDERMAN JOHN M. CLARK, SECONDED BY VICE-MAYOR FAYE FISH APPROVING THE CLOSING OF A FORTY-FOOT WIDE UNDEVELOPED PORTION OF 5TH STREET AND BEECH STREET. PEOPLE WHOSE PROPERTY BORDER THE STRIP WILL BE OFFERED THE OPPORTUNITY TO PURCHASE ONE-HALF OF THE STRIP BORDERING THEIR PROPERTY. IF A PROPERTY OWNER ON ONE SIDE CHOOSES NOT TO TAKE ADVANTAGE OF THIS OFFER, THEN THE PROPERTY OWNER ON THE OTHER SIDE WILL BE GIVEN THE OPTION. AMOUNTS WILL BE 162 FT SECTION AT BEECH \$300.00 AT THE 5TH ST. PART \$75.00.
ALL AYES

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

CITY ADMINISTRATOR, BRAD MOFFITT, PRESENTED THE BOARD A LIST OF THE COCKE COUNTY LEADERSHIP ALUMNI FOR INFORMATION, INFORMATION ON POOPER SCOOPER ORDINANCES AND ADMINISTRATION FROM AUSTIN, TEXAS, REGARDING A GROWING PROBLEM IN NEWPORT, CABLE BILL ACTION ALERT, DEPARTMENT REPORTS, DOWN TOWN TRAFFIC LIGHT INFORMATION AND A LETTER FROM CHARTER ON HIGH SPEED INTERNET RATES.

PARKS AND RECREATION DIRECTOR, TIM DOCKERY REPORTED THE CITY OF NEWPORT HAD RECEIVED TWO GRANTS.

CHIEF OF POLICE, MAURICE SHULTS REPORTED THE STATE ENFORCEMENT THROUGH THE POLICE DEPARTMENTS REGARDING DUI AND SEAT BELT USAGE “CLICK IT OR TICKET” AND “BOOZE IT OR LOOSE IT”. THE POLICE DEPARTMENT HAD A TOTAL OF 5 DUI, 3 RECKLESS DRIVING AND 106 SPEEDING.

25/70. THE PROJECT IS A GRANT BEING WRITTEN BY THE PARTNERSHIP WHICH INCLUDES CHAMBER OF COMMERCE, TOURISM AND KEEP COCKE COUNTY BEAUTIFUL.

AFTER DISCUSSION NO ACTION WAS TAKEN.

1ST READING ON REZONING OF 610 NORTH STREET FROM A B-1 TO C-2

DUE TO INCORRECT PROCESS A MOTION BY VICE-MAYOR FAYE FISH, SECONDED BY ALDERMAN LEON BRYANT TO REFER THIS MATTER BACK TO THE PLANNING COMMISSION BOARD.
ALL AYES

RESOLUTION ADOPTING A MISSION STATEMENT FOR NEWPORT CITY GOVERNMENT

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY ALDERMAN ROGER BUTLER ADOPTING A MISSION STATEMENT. THE MISSION OF THE NEWPORT CITY GOVERNMENT IS:

“TO BE A SUCCESS DRIVEN, FORWARD-FOCUSED TEAM OF EMPLOYEES AND ELECTED OFFICIALS WHO ARE:

- COMMITTED TO COMMUNITY SERVICE
- ACCOUNTABLE TO THOSE WE SERVE
- PROUD OF OUR ACCOMPLISHMENTS
- DETERMINED TO PROVIDE AFFORDABLE, HIGH QUALITY SERVICES AND WHO ARE WORKING TO SHAPE A SAFE AND FRIENDLY FUTURE WHICH IS FULL OF OPPORTUNITY.”

ALL AYES

FOR RESOLUTION: REFER TO MISCELLANEOUS BOOK 11 PAGE 372

JAMES F. HOLT REQUEST TO USE EARLY RETIREMENT SICK LEAVE DAYS

JAMES F. HOLT AN EMPLOYEE WITH THE NEWPORT POLICE DEPARTMENT REQUESTED THAT COUNCIL ALLOW HIM TO USE THREE OF HIS EARLY RETIREMENT SICK LEAVE DAYS.

MOTION BY ALDERMAN JIMMY CLARK, SECONDED BY VICE-MAYOR FAYE FISH TO APPROVE THIS REQUEST.
ALL AYES

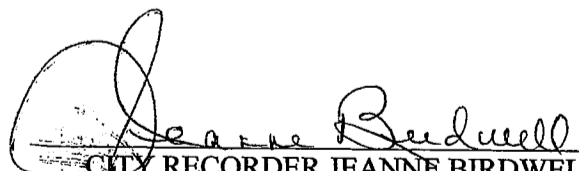
CITIZENS COMMENTS

FIRE DEPARTMENT EMPLOYEE CARROLL CURETON AND WIFE SPOKE TO THE BOARD ON CONCERNS OF HIS RETIREMENT.

ALDERMAN JIMMY CLARK DECLARED THE MEETING ADJOURNED



MAYOR CONNIE BALL



CITY RECORDER JEANNE BIRDWELL

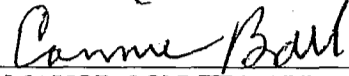
ALW


46

OVER SICK TIME A TOTAL OF 21 DAYS BEFORE IS MANDATORY EARLY
RETIREMENT DAY.

MOTION BY ALDERMAN JIMMY CLARK TO APPROVE THIS REQUEST,
MOTION DIED DUE TO LACK OF A SECONDED.

ALDERMAN JIMMY CLARK DECLARED THE MEETING ADJOURNED.


MAYOR CONNIE BALL


CITY RECORDER JEANNE BIRDWELL

ALW