

**BOARD OF MAYOR AND ALDERMEN  
CITY OF SEVIERVILLE, TENNESSEE**

**April 21, 2008**

A regular meeting of the Board of Mayor and Aldermen of the City of Sevierville, Tennessee, was held at the Sevierville Civic Center, 130 Gary Wade Boulevard, Sevierville, Tennessee, on April 21, 2008, at 7:00 PM.

**There were present and participating at the meeting:**

Bryan C. Atchley, Mayor  
Dale Carr, Alderman  
Barry Gibbs, Alderman  
Jerry W. Loveday, Alderman  
Travis L. McCroskey, Vice-Mayor  
Claude Ownby, Alderman

**Senior Staff Present:**

Doug Bishop, City Administrator  
Jim Bryant, Planning Director  
Jim Deanda, Information Services Director  
Steve Flynn, Water & Sewer Director  
Bryon Fortner, Public Works Director  
Steve Hendrix, Assistant City Administrator  
Jerry Hickman, City Engineer  
Dennis Jarvis, City Attorney  
Lynn McClurg, Chief Financial Office & City Recorder  
Don Myers, Police Chief  
Beth Penland, Interim Parks & Recreation Director  
Faye Randolph, Golf Director  
Mike Rawlings, Fire Chief  
Butch Stott, Codes Enforcement Director  
Mike Wilds, Events Center Dev. & Mtkg Director

Mayor Atchley chaired the meeting with Lynn K. McClurg as secretary of the meeting. A motion was made by Alderman Ownby and seconded by Alderman Carr to approve the minutes of the April 7, 2008 meeting and of the April 7, 2008 workshop and to dispense with the reading. Motion carried.

**PUBLIC FORUM**

Mayor Atchley opened the public forum section of the meeting. Atchley recognized Jerry Whaley, who stated his opposition to the beer ordinance and requested that those voting for it state their reasons for doing so. Atchley recognized Herman C. Wilson, who stated his opposition to the beer ordinance and requested that the Board consider joining the airport authority. Atchley recognized Greg Fernatt, who stated his opposition to the beer ordinance. Atchley recognized Al Jeffcoat, representing the Summerfield Homeowners Association, who expressed concerns regarding the Red Bank annexation and requested a meeting with the developers. Atchley directed staff to attempt to coordinate a meeting between the homeowners association and the developer. Atchley recognized David Avril, who expressed concerns regarding changes in Red Bank Road as a result of the development. There being no further comments, the public forum was closed.

**COMMUNICATIONS**

Council recognized the following community events:

Wilderness Groundbreaking	April 22 <sup>nd</sup> , 10:00 AM	Sevierville
Lodging Association	May 1 <sup>st</sup>	Governor's Inn

Mayor Atchley recognized Alderman Carr, Alderman Ownby and Vice-Mayor McCroskey, each of whom stated their reasons for supporting the changes in the beer ordinance, in response to the public hearing request.

### **BOARD APPOINTMENTS**

Mayor Atchley noted that the Hillside/Ridges Study Committee appointments would be presented at the May 5<sup>th</sup> meeting.

### **REPORTS**

Mayor Atchley recognized Doug Bishop, who presented monthly staff reports, the Sevierville Chamber of Commerce brief, and the Sevier Water Board report.

### **OLD BUSINESS**

Mayor Atchley presented and placed for passage an Ordinance O2008-004 entitled "AN ORDINANCE TO AMEND ARTICLE IV, SECTION 407, PLANNED UNIT DEVELOPMENT, ARTICLE IV, SECTION 409, SIGNS AND ARTICLE IV, SECTION 411, SITE PLAN REGULATIONS, OF THE ZONING ORDINANCE OF THE CITY OF SEVIERVILLE, TENNESSEE." A motion was made by Alderman Ownby and seconded by Alderman Carr to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Gibbs, Loveday, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third and final reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-005 entitled "AN ORDINANCE TO AMEND THE FOLLOWING SECTION OF TITLE 8, CHAPTER 2 OF SEVIERVILLE MUNICIPAL CODE (BEER ORDINANCE) THOSE SECTIONS BEING, SECTION 8-205, TYPES OF PERMITS TO INCLUDE PERMANENT RESORT COMPLEXES: AMENDING SECTION 8-206 (12)(a), RESTAURANT/EATING PLACES TO PROVIDE FOR SERVING AND CONSUMPTION OF BEER ON DEFINED OUTDOOR PATIO AREA; SECTION 8-208, PERMITS NOT TRANSFERABLE TO INCLUDE REVOCATION NOT TO STAY WITH LAND; 8-211, HOURS AND DAYS OF OPERATION BE ALLOWING BEER SALES ON ANY DATE DESIGNATED AS AN "ELECTION DAY" BY THE CITY OF SEVIERVILLE, STATE OF TENNESSEE OR FEDERAL GOVERNMENT: SECTION 8-215, READOPTION OF REVOCATION PROCEDURE ." Atchley recognized Isaac Adams, who stated his opposition to the ordinance. A motion was made by Alderman Ownby and seconded by Alderman Carr to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, McCroskey, Ownby. Those voting No: Gibbs, Loveday. Atchley declared the ordinance passed on third and final reading.

Mayor Atchley presented the agenda item regarding the purchase of airport property for the location of a new main fire station and abandonment of a portion of a right of way. A motion was made by Alderman Carr and seconded by Alderman Gibbs to deny the proposed purchase as presented. Motion carried.

### **NEW BUSINESS**

Mayor Atchley presented and placed for passage an Ordinance O2008-006 entitled "AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN THE SEVIERVILLE MUNICIPAL CODE, §14-201, TO REZONE PROPERTY ON HICKS DRIVE, SEVIER COUNTY PROPERTY MAP 61G, GROUP B, PARCEL 11 FROM R-1 LOW DENSITY RESIDENTIAL TO C-4 ARTERIAL COMMERCIAL." A motion was made by Alderman Carr and seconded by Vice-Mayor McCroskey to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Gibbs, Loveday, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-007 entitled "AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE BOUNDARIES OF THE CITY OF SEVIERVILLE, TENNESSEE; PROPERTY ON RED BANK ROAD." A motion was made by Alderman Carr and seconded by Alderman Loveday to approve the ordinance as

presented and to dispense with the reading. Those voting Yes: Carr, Gibbs, Loveday, Ownby. Those voting No: None. Those abstaining: McCroskey. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-008 entitled "AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN THE SEVIERVILLE MUNICIPAL CODE, §14-201, TO PLACE THE R-2 MEDIUM DENSITY RESIDENTIAL ZONING DESIGNATION UPON PROPERTY ON RED BANK ROAD, A PORTION OF PROPERTY INCLUDED IN ANNEXATION ORDINANCE O2008-007." A motion was made by Alderman Ownby and seconded by Alderman Carr to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Gibbs, Loveday, Ownby. Those voting No: None. Those abstaining: McCroskey. Atchley declared the ordinance passed on first reading.

Mayor Atchley recognized Steve Hendrix, who requested permission to purchase trolley shelters and fixtures from sole source vendor Daytech in an amount not to exceed \$38,805.00 plus additional shipping. A motion was made by Alderman Loveday and seconded by Alderman Carr to approve the purchase as presented. Motion carried.

Mayor Atchley recognized Lynn McClurg, who requested approval and/or ratification of the following expense(s) in excess of \$5,000.00:

- |                             |                              |            |           |
|-----------------------------|------------------------------|------------|-----------|
| 1. Motion Industries        | Gearbox & pulley cover       | \$6,278.70 |           |
| 2. Ross Valve Manufacturing | Altitude valve               | \$8,743.00 |           |
| 3. Lands End                | Employee uniforms            | \$6,853.00 |           |
| 4. Varitech Industries      | Salt brine production system | \$7,950.00 | Low price |

A motion was made by Alderman Ownby and seconded by Alderman Carr to approve the expense(s) as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented a request for water service on behalf of Herman McGaha to 381 Thomas Loop Road. Flynn noted that a line extension of approximately 500 feet is necessary to provide service to the property. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the request as presented. Motion carried.

Mayor Atchley recognized Beth Penland, who requested permission to purchase a Bobcat 60" rock hound model 5B from low price vendor Bobcat of Knoxville, TN in the amount of \$5,750.00. A motion was made by Alderman Gibbs and seconded by Alderman Loveday to approve the purchase as presented. Motion carried.

Mayor Atchley recognized Don Myers, who requested permission to close West Main Street from the Co-op to Love Road, and a portion of Old Knoxville Highway on May 17<sup>th</sup> beginning at 9:00 AM for a parade benefiting St. Jude's Children's Hospital. A motion was made by Alderman Ownby and seconded by Alderman Gibbs to approve the street closures as requested. Motion carried.

Mayor Atchley recognized Don Myers, who requested permission for a police escort of the Sevier County High School mascot and ten participants from the Community Center to the High School on April 29<sup>th</sup> between 1:00 PM and 2:00 PM. A motion was made by Alderman Ownby and seconded by Vice-Mayor McCroskey to allow the police escort as requested. Motion carried.

Mayor Atchley recognized Jerry Hickman, who presented change order #2 to the Collier Drive construction contract with Charles Blalock & Sons, Inc. in the amount of \$176,258.69. Hickman noted that the change order closes the project. A motion was made by Alderman Carr and seconded by Alderman Loveday to approve the change order as presented. Motion carried.

Mayor Atchley recognized Jerry Hickman, who presented a contract supplement to the Wilbur Smith Associates construction/engineering/inspection contract for Collier Drive in the amount of

\$22,584.00. A motion was made by Alderman Carr and seconded by Alderman Gibbs to approve the contract supplement as presented. Motion carried.

There being no further business to discuss, the meeting adjourned.

Approved: \_\_\_\_\_  
Bryan C. Atchley, Mayor

Attest: \_\_\_\_\_  
Lynn K. McClurg, City Recorder