

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

May 19, 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 May 19, 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
Byron Fortner, Public Works Director
Steve Hendrix, Assistant City Administrator
Jerry Hickman, City Engineer
Dennis Jarvis, City Attorney
Lynn McClurg, Chief Financial Office & City Recorder
Bob Moncrief, Events Center Acct. & Admin. Director
Don Myers, Police Chief
Bob Parker, Parks & Recreation Director
Faye Randolph, Golf Director
Mike Rawlings, Fire Chief
Butch Stott, Codes Enforcement 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 May 5, 2008 meeting and of the May 5, 2008 workshop and to dispense with the readings. Motion carried.

PUBLIC FORUM

Mayor Atchley opened the public forum section of the meeting. Atchley opened a Public Hearing on 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." There being no comments, the Public Hearing was closed.

Mayor Atchley opened a Public Hearing on 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" and Resolution R2008-011 for a Plan of Services Regarding the Annexation of Property Along Red Bank Road, Proposed to be Developed as a Subdivision and Planned Unit Development. Atchley recognized Al Jeffcoat, representing the Summerfield Property Owners Association, who stated his belief that the planned development would be compatible with existing development, but who expressed concerns regarding ingress and egress. Jeffcoat requested improvements to the Red Bank Road @ SR416 intersection. Atchley recognized Kerry Jones, who

requested that the City work with the developer regarding the possible acquisition of park land. There being no further comments, the Public Hearing was closed.

Mayor Atchley opened a Public Hearing on 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." There being no comments, the Public Hearing was closed.

Mayor Atchley opened a Public Hearing on Resolution R2008-012 Relating to Acquisition Agreements and a Special Assessment. There being no comments, the Public Hearing was closed.

Mayor Atchley recognized Don Baker, representing the Airport Authority, who requested the abandonment of right-of-way as presented in ordinance O2008-013. There being no further comments, the public forum was closed.

COMMUNICATIONS

Council recognized the following community events:

Council Workshop	June 2 nd , June 16 th	Council Hall
Chamber Coffeetalk	May 20 th , 8:00 AM	Civic Center
Smoky Mountain Pizza Ribbon Cutting	May 21 st , 10:30 AM	Sevierville
Hillsides/Ridges Study Committee	May 28 th	Sevierville
Comfort Inn Ribbon Cutting	May 29 th , 12:00 PM	Sevierville
City Park Pool Summer Opening	May 30 th	City Park
Lodging Association Meeting	June 5 th	Tennessee State Bank
East TN Development District Banquet	June 5 th	Museum of Appalachia

Mayor Atchley recognized Bryon Fortner and Doug Bishop, who introduced the following new employee(s): Dale Pitner, Public Works; Grae Hinds, MTAS Intern in Administration.

REPORTS

Mayor Atchley recognized Doug Bishop, who presented monthly staff reports, the Sevierville Chamber of Commerce brief, and the Sevier Water Board report. Atchley recognized Brenda McCroskey, who noted the success of the Bloomin' Barbeque & Bluegrass festival with approximately 22,300 attendees.

OLD 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 Ownby 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 third and final reading.

Mayor Atchley presented a Resolution R2008-011 for a Plan of Services Regarding the Annexation of Property Along Red Bank Road, Proposed to be Developed as a Subdivision and Planned Unit Development. A motion was made by Alderman Carr and seconded by Alderman Gibbs to approve the resolution as presented. Motion carried. Vice-Mayor McCroskey abstained from the vote.

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 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 third and final 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 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 third and final reading.

NEW BUSINESS

Mayor Atchley presented a Resolution R2008-012 Relating to Acquisition Agreements and a Special Assessment. Council noted the resolution included the figures presented at the workshop. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the resolution as presented. Motion carried.

Mayor Atchley presented and placed for passage an Ordinance O2008-010 entitled "AN ORDINANCE APPROPRIATING FUNDS FOR THE VARIOUS DEPARTMENTS, CAPITAL PROJECTS AND PUBLIC BUILDING AUTHORITY OF THE CITY OF SEVIERVILLE FOR THE FISCAL PERIOD JULY 1, 2008 - JUNE 30, 2009, AND ESTABLISHING A PROPERTY TAX RATE FOR TAX YEAR 2008." A motion was made by Alderman Carr and seconded by Alderman Ownby to approve the ordinance as presented and to dispense with the reading. McCroskey noted that the budget contains no tax increase. 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 O2008-011 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 AT 408 HIGH STREET FROM R-3 HIGH DENSITY RESIDENTIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." A motion was made by Alderman Ownby 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 O2008-012 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 NEAR HIGHWAY 66 AND INTERSTATE 40, SITE OF DUMPLIN CREEK DEVELOPMENT, FROM C-4 ARTERIAL COMMERCIAL DISTRICT TO C-5 TOURIST COMMERCIAL DISTRICT." A motion was made by Alderman Gibbs and seconded by Alderman Loveday 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 O2008-013 entitled "AN ORDINANCE TO CLOSE AND ABANDON THE RIGHT OF WAY OF A PORTION OF INDUSTRIAL PARK DRIVE." 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 first reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-014 entitled "STORM WATER 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, Gibbs, Loveday, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on first reading.

Mayor Atchley recognized Bryon Fortner, who presented a Contract for Maintenance of State Highways with the Tennessee Department of Transportation for maximum reimbursement of \$129,384.61. A motion was made by Alderman Carr and seconded by Alderman Ownby to approve the contract as presented. Motion carried.

Mayor Atchley recognized Bob Parker, who presented bids for 96,000 C-7 Winterfest bulbs and recommended acceptance of the low bid and award of contract to Dean Nida & Associates in the amount of \$11,190.00. A motion was made by Vice-Mayor McCroskey and seconded by Alderman Ownby to accept the bid and award the contract as recommended. Motion carried.

Mayor Atchley recognized Bob Parker, who presented bids for a 60" zero turn mower and recommended acceptance of the low bid and award of contract to Sims Tractor in the amount of \$6,075.00. A motion was made by Alderman Gibbs and seconded by Vice-Mayor McCroskey to accept the bid and award the contract as recommended. Motion carried.

Mayor Atchley recognized Bob Parker, who requested approval of an expenditure for emergency repair to the Natatorium hot water boiler with J&F Mechanical in the amount of \$13,199.00. A motion was made by Alderman Loveday and seconded by Alderman Gibbs to approve the expenditure as presented. Motion carried.

Mayor Atchley recognized Bob Parker, who requested approval of an expenditure for replacement of one HVAC unit for the Civic Center with Brooks Heating & Air in the amount of \$9,200.00 and the use of contingency funding for the expenditure. A motion was made by Alderman Carr and seconded by Vice-Mayor McCroskey to approve the expenditure as presented. Motion carried.

Mayor Atchley recognized Jim Deanda, who requested permission to purchase four copies of Double-take Software from Sunbelt Software in the amount of \$9,094.20. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the purchase as presented. Motion carried.

Mayor Atchley recognized Don Myers, who requested permission to close Court Avenue from Commerce Street to Bruce Street from 10:00 AM to 12:00 PM on Memorial Day, Monday May 26th and Veterans Day, Tuesday November 11th. A motion was made by Alderman Ownby and seconded by Vice-Mayor McCroskey to approve the street closures as requested. Motion carried.

Mayor Atchley recognized Don Myers, who requested permission to apply for a Commercial Equipment Direct Assistance Program (CEDAP) grant to obtain an Ahura chemical detection unit for use by both the police and fire departments. A motion was made by Alderman Carr and seconded by Alderman Gibbs to approve the grant application as requested. Motion carried.

Mayor Atchley recognized Don Myers, who requested permission to purchase CIS photo software from sole source vendor Creative Information Systems Software in the amount of \$6,700.00. A motion was made by Alderman Ownby and seconded by Vice-Mayor McCroskey to approve the purchase as presented. Motion carried.

Mayor Atchley recognized Don Myers, who requested approval of an expenditure to Progression Electric in the amount of \$17,031.91 for traffic light repair. Myers noted the expense exceeds budgeted amounts and requested funding from both operational and contingency budgets. A motion was made by Vice-Mayor McCroskey and seconded by Alderman Carr to approve the expenditure as presented. Motion carried.

Mayor Atchley recognized Bryon Fortner, who presented prices for a pneumatic tower tire changer and recommended acceptance of the low price bid and award of contract to American Tire Company in the

amount of \$6,549.99. A motion was made by Alderman Carr and seconded by Vice-Mayor McCroskey to accept the bid and award the contract as recommended. 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. ESRI	Software & maintenance	\$9,772.00	Sole source
2. Aerzen USA Corporation	Blower	\$5,032.00	
3. Wascon, Inc.	Duplex pump station	\$18,134.00	Sole source
4. Wascon, Inc.	Triplex pump station	\$10,900.00	Sole source

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

Mayor Atchley recognized Steve Flynn, who presented a request for sewer service on behalf of Priddy Engineering to Seymour Commercial Center in Seymour. A motion was made by Alderman Gibbs and seconded by Alderman Ownby to approve the request 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