

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

February 9, 2009

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 February 9, 2009, 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
Claude Ownby, Alderman

Absent:

Travis L. McCroskey, Vice-Mayor

Senior Staff Present:

Jim Bryant, Planning Director
Jim Deanda, Information Services Director
Steve Flynn, Water & Sewer Director
Steve Hendrix, Interim City Administrator
Jerry Hickman, City Engineer
Lynn McClurg, Chief Financial Office & City Recorder
Bob Moncrief, Events Center Acct. & Admin. Director
Don Myers, Police Chief
Ed Owens, Acting City Attorney
Bob Parker, 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 January 5, 2009 meeting and to dispense with the reading. Motion carried.

PUBLIC FORUM

Mayor Atchley opened the public forum section of the meeting. Atchley opened a public hearing on Ordinance O2008-030 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 TWO RIVERS BOULEVARD, SEVIER COUNTY PROPERTY MAP 18P, GROUP A, PARCEL 30.00 FROM C-3 INTERMEDIATE COMMERCIAL DISTRICT TO C-4 ARTERIAL COMMERCIAL DISTRICT." There being no comments, the public hearing was closed.

Atchley recognized Robert Noelle, an attorney with Wolfe, McClain representing the Sarten family, who expressed the family's opposition to annexation of their property. Atchley recognized Dave Sarten, who stated his opposition to portions of the annexation of his property. Atchley recognized Kevin Fitzgerald, Deputy Superintendent of the Great Smoky Mountains National Park, who invited Council to various events to celebrate the 75th anniversary of the founding of the Park. There being no further comments, the public forum was closed.

COMMUNICATIONS

Council recognized the following community events:

Chamber Business After Hours	February 12 th	Wilderness Hotel
Called Board Meeting	February 13 th , 3:00 PM	Clarion Willow River
Howard Murrell retirement party	February 18 th	SCES
New Orleans /River ribbon cutting	February 19 th , 4:00 PM	Sevierville
Chamber breakfast	February 24 th	Events Center

A motion was made by Alderman Ownby and seconded by Alderman Carr to cancel the February 16, 2009 regular meeting due to the Presidents' Day holiday and to reschedule the retreat from February 13th to March 2nd at 4:00 PM, 3rd at 5:00 PM and 4th at 5:00 PM at the Civic Center. Motion carried. Mayor Atchley stated that he would pass out notebooks containing applications for the position of City Administrator and requested that Board members provide him with a short list of candidates to interview before the end of the month. Alderman Ownby noted that the City is presently under a hiring and wage freeze. Ownby requested that all City vehicles, with the exception of detective and undercover police vehicles, bear the City logo. Alderman Loveday requested that the traffic committee research the placement of a traffic light at the Food City entrance on Dolly Parton Parkway.

REPORTS

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

OLD BUSINESS

Mayor Atchley presented and placed for passage an Ordinance O2008-030 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 TWO RIVERS BOULEVARD, SEVIER COUNTY PROPERTY MAP 18P, GROUP A, PARCEL 30.00 FROM C-3 INTERMEDIATE COMMERCIAL DISTRICT TO C-4 ARTERIAL COMMERCIAL DISTRICT." A motion was made by Alderman Gibbs 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. Atchley declared the ordinance passed on third and final reading.

NEW BUSINESS

Mayor Atchley presented and placed for passage an Ordinance O2009-001 entitled "AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE BOUNDARIES OF THE CITY OF SEVIERVILLE, TENNESSEE, A PORTION OF COLLIER DRIVE, PROPERTY LYING ALONG COLLIER DRIVE, A PORTION OF RIDGE ROAD, AND PROPERTY LYING ALONG RIDGE ROAD." A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Loveday, Ownby. Those voting No: Gibbs. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-002 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 LOCATED ON THE EASTERN SIDE OF THE PARKWAY AND NORTH OF THE LITTLE PIGEON RIVER FROM R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT TO C-4 ARTERIAL 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, Ownby. Those voting No: None. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-003 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 C-3 INTERMEDIATE COMMERCIAL ZONING DESIGNATION UPON PROPERTY ON COLLIER DRIVE AND TO PLACE THE A-R AGRICULTURE-RESIDENTIAL ZONING DESIGNATION UPON PROPERTY ON COLLIER

DRIVE AND RIDGE ROAD (PROPERTIES INCLUDED IN ANNEXATION ORDINANCE O2009-001).” A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Loveday, Ownby. Those voting No: Gibbs. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-004 entitled “AN ORDINANCE TO AMEND AND REVISE THE FOLLOWING SECTIONS OF TITLE 8, CHAPTER 2 OF THE SEVIERVILLE MUNICIPAL CODE (BEER ORDINANCE), THOSE SECTIONS BEING SECTION 8-205(7), TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION; SECTION 8-206(12)(a)(vii), TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION; SECTION 8-206(12)(a)(viii), TO CHANGE THE REQUIRED HEIGHT OF PATIO ENCLOSURES; SECTION 8-206(12)(a)(vii), TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION; SECTION 8-206(12)(e), TO CLARIFY THE REQUIREMENTS APPLICABLE TO EVENT CENTER BEER PERMITS AND TO PERMIT BEER TO BE SERVED ON CERTAIN OUTDOOR AREAS ADJACENT TO AN EVENTS CENTER; SECTION 8-208, TO PERMIT AN OWNER/APPLICANT TO SERVE BEER PENDING APPROVAL OF A NEW PERMIT REQUIRED BY A BUSINESS NAME CHANGE; AND SECTION 8-211 TO REVISE PERMITTED HOURS AND DAYS OF OPERATION, TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION.” 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, Loveday, Ownby. Those voting No: Gibbs. Atchley declared the ordinance passed on first reading.

Mayor Atchley recognized Steve Hendrix, who requested approval of payment to Land-Air Communications for vehicle tracking in the total amount of \$12,148.50. Hendrix noted that annual recurring costs to track 89 vehicles will be approximately \$11,214.00. A motion was made by Alderman Ownby and seconded by Alderman Carr to approve the payment as presented. Motion carried.

Mayor Atchley recognized Don Myers, who requested approval to purchase electronic dispatch equipment from sole source provider Land-Air Communications in the total amount of \$57,819.97. Myers explained that the equipment will allow the police department to serve as a backup for the local 911 office in the event of a disaster and that funding for the equipment was provided by the Sevier County Emergency Communications District. A motion was made by Alderman Loveday and seconded by Alderman Carr to approve the purchase as presented. Motion carried.

Mayor Atchley recognized Don Myers, who requested approval to purchase vehicle equipment from GT Distributors in the total amount of \$9,410.48. A motion was made by Alderman Carr and seconded by Alderman Gibbs 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. Bakers Waste	Dumpsters	\$7,646.00	Low price
2. DLT Solutions, Inc.	Mapping software	\$7,617.40	Sole source
3. Ebus	Trolley parts & repair	\$11,116.76	Sole source
4. TN One-Call System	Utility line notification	\$6,665.30	Sole source

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

Mayor Atchley recognized Steve Flynn, who presented a request for sewer service on behalf of Marcus Whaley to three parcels of land on Denton Road. A motion was made by Alderman Carr and seconded by Alderman Gibbs to approve the request as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented a change order to the Indian Warpath Pump Station improvement contract with Brockwell Construction Company in the amount of \$19,521.95 for a new contract total of \$580,409.28. Flynn explained that the change order is required to reconcile final payment quantities of various bid items as well as for minor field changes. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the change order as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented a water relocation and betterment contract with the Tennessee Department of Transportation in the amount of \$204,750.00. Flynn explained that the contract is for the relocation of water lines along SR66 from Sevierville to Boyds Creek Highway and that it will be completed during road construction by TDOT at no cost to the City with the exception of betterment. A motion was made by Alderman Loveday and seconded by Alderman Carr to approve the contract as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented a sewer relocation contract with the Tennessee Department of Transportation at no cost to the City. Flynn explained that the contract is for the relocation of sewer lines along SR66 from Sevierville to Boyds Creek Highway and that it will be completed during road construction by TDOT. A motion was made by Alderman Loveday and seconded by Alderman Carr to approve the contract 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