

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

May 18, 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 May 18, 2009, at 7:00 PM.

There were present and participating at the meeting:

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

Senior Staff Present:

Jim Bryant, Planning Director
Jim Deanda, Information Services Director
Steve Flynn, Water & Sewer Director
Bryon Fortner, Public Works Director
Steve Hendrix, Interim City Administrator
Lynn McClurg, Chief Financial Office & City Recorder
Don Myers, Police Chief
Ed Owens, Acting City Attorney
Bob Parker, Parks & Recreation Director
Faye Randolph, Golf Director
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. Atchley recognized Lynn McClurg, Notary Public, who administered the Oath of Office to Bryan C. Atchley for the Office of Mayor and to Dale Carr and Claude O. Ownby for the Office of Alderman. A motion was made by Vice-Mayor McCroskey and seconded by Alderman Ownby to nominate Dale Carr for the position of Vice-Mayor. Motion carried. A motion was made by Alderman Ownby and seconded by Vice-Mayor Carr to approve the minutes of the May 4, 2009 meeting and of the May 4, 2009 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 Resolution R2009-008 for a Plan of Services Regarding the Annexation of a Portion of Collier Drive, Property Lying Along Collier Drive, and a Portion of Ridge Road; and Ordinance O2009-009 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, AND A PORTION OF RIDGE ROAD." O2009-008 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 REZONE PROPERTY ON VETERANS BOULEVARD, TAX MAP 62, PARCEL 33.02 FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." There being no comments, the public hearing was closed.

Mayor Atchley opened a public hearing on Ordinance O2009-010 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 A PORTION OF THE RIGHT OF WAY OF COLLIER DRIVE AND RIDGE ROAD, AND, TO PLACE THE A-R AGRICULTURE-RESIDENTIAL ZONING DESIGNATION UPON PROPERTY ON COLLIER DRIVE AND A PORTION OF THE RIGHT OF WAY ON COLLIER DRIVE (PROPERTIES INCLUDED IN ANNEXATION ORDINANCE O2009-009).” There being no comments, the public hearing was closed. There being no comments, the public forum was closed.

COMMUNICATIONS

Council recognized the following community events:

Covington Credit ribbon cutting	May 20 th	Sevierville
Salvage Unlimited ribbon cutting	May 22 nd	Sevierville
BMA Budget Workshop	June 1 st	Council Hall

At the request of Mayor Atchley, a motion was made by Alderman Loveday and seconded by Alderman McCroskey to begin the process to name to the bridge at Gists Creek Road and SR66 the “Douglas P. Bishop Memorial Bridge”. Motion carried. Alderman Ownby requested that staff remedy a ditch on Old Knoxville Highway near Oak Haven resort. Ownby requested that staff research an allowable directional sign for Middle Creek Cemetery. Alderman McCroskey requested that staff landscape the right-of-way near the trolley stop on Collier Drive. Steve Hendrix reported that staff met and will continue to meet with church owners of the thrift shop on Longview Drive and that improvements to the parking have already been made. Hendrix reported that staff met with Vulcan representatives regarding its spoils pile and noted that the pile has been inspected by TDOT and is in compliance with regulations and will be reclaimed as regulations require. Vice-Mayor Carr expressed appreciation to the Hilltops and Ridges committee for their work.

REPORTS

Mayor Atchley recognized Amanda Marr, who noted the success of the Bloomin’ Barbeque & Bluegrass festival with approximately 26,000 attendees. Marr noted that the state is planning to cut its tourism budget and requested that Council phone state representatives urging that the allocations remain in place. 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 a Resolution R2009-008 for a Plan of Services Regarding the Annexation of a Portion of Collier Drive, Property Lying Along Collier Drive, and a Portion of Ridge Road. A motion was made by Alderman Loveday and seconded by Alderman McCroskey to approve the resolution as presented and to dispense with the reading. Motion carried.

Mayor Atchley presented and placed for passage an Ordinance O2009-009 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, AND A PORTION OF RIDGE ROAD.” A motion was made by Alderman Gibbs and seconded by Vice-Mayor 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 O2009-010 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 A PORTION OF THE RIGHT OF WAY OF COLLIER DRIVE AND RIDGE ROAD, AND, TO PLACE THE A-R AGRICULTURE-RESIDENTIAL ZONING DESIGNATION UPON PROPERTY ON COLLIER DRIVE AND A PORTION OF THE RIGHT OF WAY ON COLLIER DRIVE (PROPERTIES INCLUDED IN ANNEXATION ORDINANCE O2009-009).” 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 third and final reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-011 entitled "AN ORDINANCE TO CLOSE AND ABANDON THE RIGHT-OF-WAY OF AN UNOPENED PORTION OF AIRPORT 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, Gibbs, Loveday, McCroskey, 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 O2009-012 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, 2009 - JUNE 30, 2010, AND ESTABLISHING A PROPERTY TAX RATE FOR TAX YEAR 2009." A motion was made by Alderman Ownby and seconded by Vice-Mayor 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 deferred consideration of Ordinance O2009-013 entitled "AN ORDINANCE TO AMEND THE FOLLOWING SECTIONS OF TITLE 19, CHAPTER 1 OF THE SEVIERVILLE MUNICIPAL CODE (ELECTRICITY), THOSE SECTIONS BEING 19-101 AND 19-106, BY DELETING PORTIONS OF SAME AND SUBSTITUTING CERTAIN TEXT IN LIEU THEREOF" pending a workshop.

Mayor Atchley recognized Jim Deanda, who requested approval of a lease with South Central Communications Corporation for tower space for police and fire transmitters and antennae. Deanda explained that the lease is a three year contract with provisions for two 3-year extensions at an initial term expense of \$6,000 per year. A motion was made by Vice-Mayor Carr and seconded by Alderman Loveday to approve the lease as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented bids for annual water and sewer contracts and recommended that contracts be awarded as follows:

Hydrated lime	Carl Ownby Co., Inc.
Stone	Vulcan Construction Materials LP
Trucking of stone	Atchley Trucking
OLD WTP:	
1. Sodium Silicofluoride (60% min.)	Brenntag Mid-South, Inc.
2. Sodium Hypochlorite Solution (12.5 wt%)	The Dycho Company, Inc.
NEW WTP:	
3. Sodium Bisulfite Liquid (38%-40%)	The Dycho Company, Inc.
4. Sodium Hypochlorite Solution (12.5 wt%)	Brenntag Mid-South, Inc.
5. Sodium Hydroxide Solution (25%)	The Dycho Company, Inc.
6. Aluminum Sulfate Solution (8.0% min.)	Brenntag Mid-South, Inc.
7. Liquid Calcium Hydroxide (Lime Slurry)	Burnett Lime Company, Inc.
8. Sodium Chloride Dry (salt)	Sullivan Corporation
9. Fluorosilic Acid (Fluoride) (23% min)	The Dycho Company, Inc.
10. Citric Acid Solution (50%)	Brenntag Mid-South, Inc.
WWTP:	
11. Sodium Bisulfite Liquid (38%-40%)	The Dycho Company, Inc.

A motion was made by Alderman Ownby and seconded by Vice-Mayor Carr to approve the bids and award the contracts as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented bids for a ¾-ton extended cab 4-wheel drive pickup truck and recommended acceptance of the low qualified bid and award contract to McNelly

Whaley Motor Company in the amount of \$23,535.83. A motion was made by Alderman Loveday and seconded by Alderman Ownby to accept the bid and award the contract as recommended. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented a change order to the Burden Hill area water main extension contract with Kay and Kay Contracting, LLC in the amount of \$150,732.65 for adding sewer to the Burden Hill area. Flynn explained that the change order will save considerable mobilization expense. A motion was made by Vice-Mayor Carr and seconded by Alderman Ownby to approve the change order as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who requested permission to make an emergency purchase of three sewer flow monitors to meet TDEC requirements from sole source vendor ADS Environmental Services in the total amount of \$40,390.00. A motion was made by Alderman McCroskey and seconded by Alderman Ownby to allow the purchase as presented. Motion carried.

Mayor Atchley recognized Steve Hendrix, who presented a Resolution R2009-009 to Participate in the TML Risk Management Pool and an interlocal agreement to participate in the pool. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the resolution and agreement as presented and to dispense with the reading. 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. Ebus | Trolley parts | \$5,552.80 | Sole source |
| 2. Kendall Electric | Starters for water & sewer | \$8,238.73 | Sole source |

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

Mayor Atchley noted that, contrary to published reports, the Board of Aldermen has voted 3-2 on less than 5% of its votes over the past two years.

A motion was made by Vice-Mayor Carr and simultaneously seconded by Aldermen Gibbs, Loveday, McCroskey and Ownby to direct the Mayor to enter into contract negotiations with Steve Hendrix for the position of City Administrator. Motion carried. The Board thanked all of the applicants for their interest.

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

Approved: _____
Bryan C. Atchley, Mayor

Attest: _____
Lynn K. McClurg, City Recorder