

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

July 6, 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 July 6, 2009, at 7:00 PM.

There were present and participating at the meeting:

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

Absent:

Bryan C. Atchley, Mayor

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
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
Faye Randolph, Golf Director
Mike Rawlings, Fire Chief
Butch Stott, Codes Enforcement Director
Mike Wilds, Events Center Dev. & Mtkg Director

Vice-Mayor Carr chaired the meeting with Lynn K. McClurg as secretary of the meeting. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the minutes of the June 22, 2009 meeting and to dispense with the reading. Motion carried.

PUBLIC FORUM

Vice-Mayor Carr opened the public forum section of the meeting. Carr opened a public hearing on Ordinance O2009-014 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 3386 SOUTH SNYDER ROAD, TAX MAP 8, PARCEL 158 FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." There being no comments, the public hearing was closed.

Vice-Mayor Carr opened a public hearing on Ordinance O2009-015 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 A PORTION OF THE PROPERTY RECENTLY ANNEXED BY REFERENDUM FROM R-1, LOW DENSITY RESIDENTIAL DISTRICT TO M-1 INDUSTRIAL DISTRICT." There being no comments, the public hearing was closed.

Vice-Mayor Carr recognized Lewis Josie, who requested assistance with a water line leak and Thrift Store parking lot on Longview Drive. Steve Hendrix stated that the Thrift Store has volunteered to improve its parking lot as soon as weather permits and that the water and sewer department will

investigate the water leak. Alderman Gibbs requested that the public works department sweep Longview Drive to remove pea gravel. There being no further comments, the public forum was closed.

COMMUNICATIONS

Vice-Mayor Carr announced that Mountain National Bank will present a \$250,000 donation to the City on Friday, July 9th, for Burden Hill sewer improvements and other community improvements. Council expressed appreciation to MNB for their commitment as a corporate citizen.

OLD BUSINESS

Vice-Mayor Carr presented and placed for passage an Ordinance O2009-014 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 3386 SOUTH SNYDER ROAD, TAX MAP 8, PARCEL 158 FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." A motion was made by Alderman Ownby and seconded by Alderman 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. Carr declared the ordinance passed on third and final reading.

Vice-Mayor Carr presented and placed for passage an Ordinance O2009-015 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 A PORTION OF THE PROPERTY RECENTLY ANNEXED BY REFERENDUM FROM R-1, LOW DENSITY RESIDENTIAL DISTRICT TO M-1 INDUSTRIAL DISTRICT." A motion was made by Alderman McCroskey and seconded by Alderman Ownby to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Gibbs, Loveday, McCroskey, Ownby. Those voting No: None. Carr declared the ordinance passed on third and final reading.

Vice-Mayor Carr presented and placed for passage an Ordinance O2009-016 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 (TAX MAP 8, PARCEL 21) ADJOINING OUTDOOR SPORTSMAN'S PLACE FROM A-R AGRICULTURE-RESIDENTIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." A motion was made by Alderman Loveday and seconded by Alderman Gibbs to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Gibbs, Loveday, McCroskey, Ownby. Those voting No: None. Carr declared the ordinance passed on second reading.

Vice-Mayor Carr presented and placed for passage an Ordinance O2009-017 entitled "AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE BOUNDARIES OF THE CITY OF SEVIERVILLE, TENNESSEE (PROPERTY BELONGING TO THE SEVIER COUNTY UTILITY DISTRICT ON ROBERT HENDERSON 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. Carr declared the ordinance passed on second reading.

Vice-Mayor Carr presented and placed for passage an Ordinance O2009-018 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 M-1 INDUSTRIAL ZONING DESIGNATION UPON PROPERTY ON ROBERT HENDERSON ROAD (PROPERTY INCLUDED IN ANNEXATION ORDINANCE O2009-017)." A motion was made by Alderman Loveday and seconded by Alderman 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. Carr declared the ordinance passed on second reading.

Vice-Mayor Carr presented and placed for passage an Ordinance O2009-019 entitled "AN ORDINANCE TO AMEND ARTICLE III, DEFINITIONS, AND ARTICLE VII, SECTION 714, INTERSTATE IMPACT OVERLAY DISTRICT, OF THE ZONING ORDINANCE OF THE CITY OF SEVIERVILLE, TENNESSEE." 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. Carr declared the ordinance passed on second reading.

NEW BUSINESS

Vice-Mayor Carr recognized Lynn McClurg, who presented and placed for passage a Resolution R2009-011 Directing Payment of Various Budgeted Expenses for Fiscal Year 2010. A motion was made by Alderman McCroskey and seconded by Alderman Ownby to approve the resolution amended to remove line 110-41990-532 Schmutzer Brother parking lot rent and to direct the City Attorney to terminate the parking lot lease. Motion carried.

Vice-Mayor Carr recognized Steve Hendrix, who presented bids for 31,000 winterfest LED bulbs and recommended acceptance of the low bid and award of contract to Dean Nida & Associates in the amount of \$18,864.00. A motion was made by Alderman McCroskey and seconded by Alderman Ownby to approve the bid and award the contract as presented. Motion carried.

Vice-Mayor Carr recognized Bryon Fortner, who presented bids for annual public works contracts and recommended that contracts be awarded as follows:

- | | |
|--------------|---------------------------------|
| Dumpsters | D&W Environmental |
| Garbage Cans | Otto Environmental Systems, LLC |

A motion was made by Alderman Loveday and seconded by Alderman McCroskey to approve the contracts as presented. Motion carried.

Vice-Mayor Carr presented a City Administrator employment agreement between the City and Steve Hendrix. A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the agreement as presented. A motion was made by Alderman Gibbs to table the item pending the return of Mayor Atchley so that questions might be asked of Atchley regarding the agreement. Motion failed for lack of a second. Call to question on the original motion. Those voting Yes: Carr, Loveday, McCroskey, Ownby. Those voting Present: Gibbs. Motion carried.

Vice-Mayor Carr recognized Jim Deanda, who presented proposals for a unified communication phone system and recommended approval of the low price contract with Communication Resources, Inc. in the amount of \$82,369.00. A motion was made by Alderman Ownby and seconded by Alderman McCroskey to approve the contract as presented. Motion carried.

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

- | | | | |
|----------------------------|--------------|------------|-------------|
| 1. Stowers Machinery Corp. | Mower engine | \$7,531.79 | Sole source |
|----------------------------|--------------|------------|-------------|

Steve Hendrix explained that Stowers Machinery is a sole source to replace the caterpillar engine for the Cub Cadet mower. A motion was made by Alderman McCroskey and seconded by Alderman Loveday to table the item pending research of the price of a new mower. Motion carried.

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

Approved: _____
Bryan C. Atchley, Mayor

Attest: _____
Lynn K. McClurg, City Recorder