

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

July 20, 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:

Bryan C. Atchley, Mayor
Dale Carr, Vice-Mayor
Barry Gibbs, Alderman
Jerry W. Loveday, Alderman
Travis L. McCroskey, Alderman
Claude Ownby, 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
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
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 Gibbs and seconded by Alderman Loveday to approve the minutes of the July 6, 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 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." There being no comments, the public hearing was closed.

Mayor Atchley opened a public hearing on 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)", and Resolution R2009-012 for a Plan of Services Regarding the Annexation of Property Lying Along Robert Henderson Road (Property of Sevier County Utility District (SCUD) Contiguous to the Eastern Boundary of the SCUD Office Building Site). There being no comments, the public hearing was closed.

Mayor Atchley opened a public hearing on 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)." There being no comments, the public hearing was closed.

Mayor Atchley opened a public hearing on 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." There being no comments, the public hearing was closed.

Mayor Atchley recognized Gabriel Speaks with Liberty National Life Insurance Company, who presented an insurance product for employees. There being no further comments, the public forum was closed.

COMMUNICATIONS

Council recognized the following community events:

Chamber Coffee Talk	July 21 st	Civic Center
Chamber Seminar "Free Choice Act"	July 29 th , 9:00 AM	Civic Center
Douglas P. Bishop Bridge Dedication	August 1 st	Sevierville

Alderman Gibbs noted the success of FanFest at the stadium.

BOARD APPOINTMENTS

Mayor Atchley requested ratification of the following board appointments:

Public Building Authority	Joe Tarwater	5/2011
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(To fill the unexpired term of Bruce Brannon)

A motion was made by Alderman Gibbs and seconded by Alderman Loveday to approve the appointment(s) as recommended. Motion carried.

REPORTS

Mayor Atchley recognized Frank McDaniel, who presented the City's fiscal year 2008 Comprehensive Annual Financial Report. Atchley recognized Steve Hendrix, who presented monthly staff reports.

OLD BUSINESS

Mayor Atchley 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 Vice-Mayor Carr 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. Atchley declared the ordinance passed on third and final reading.

Mayor Atchley presented a Resolution R2009-012 for a Plan of Services Regarding the Annexation of Property Lying Along Robert Henderson Road (Property of Sevier County Utility District (SCUD) Contiguous to the Eastern Boundary of the SCUD Office Building Site). A motion was made by Vice-Mayor Carr and seconded by Alderman Loveday to approve the resolution as presented and to dispense with the reading. Motion carried.

Mayor Atchley 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 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 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 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. Atchley declared the ordinance passed on third and final reading.

Mayor Atchley 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 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. Atchley declared the ordinance passed on third and final reading.

NEW BUSINESS

Mayor Atchley presented a Resolution R2009-013 Authorizing the City of Sevierville to Participate in the TML Risk Management Pool "Safety Partners" Loss Control Matching Grant Program. A motion was made by Alderman Gibbs and seconded by Vice-Mayor Carr to approve the resolution as presented and to dispense with the reading. Motion carried.

Mayor Atchley recognized Jim Deanda, who presented proposals for internet bandwidth and recommended acceptance of the proposal from and award of agreement to Charter Communications in amounts to be negotiated, but not to exceed the submitted proposal. A motion was made by Alderman McCroskey and seconded by Alderman Ownby to accept the proposal and award the agreement with authority to negotiate as requested. Motion carried.

Mayor Atchley presented and placed for passage an Ordinance O2009-020 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 RECENTLY ANNEXED PROPERTIES NEAR SNYDER ROAD FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." 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. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-021 entitled "AN ORDINANCE TO CLOSE AND ABANDON A PORTION OF THE RIGHT OF WAY OF INDUSTRIAL PARK DRIVE." 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. Council noted its intention to pass the ordinance on third reading only if the Sevier County Volunteer Fire Department is in possession of adjacent property. Those voting Yes: Carr, Gibbs, Loveday, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on first reading.

Mayor Atchley recognized Don Myers, who presented a School Resource Officer Program agreement between the City and the Sevier County School Board that outlines the program, responsibilities and payment. Myers noted that the school system will contribute \$15,000.00 per officer per school year and requested waiver of contractual fees previously billed in excess of that amount totaling \$40,426.00. A motion was made by Vice-Mayor Carr and seconded by Alderman Loveday to approve the agreement and waive prior fees 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. Ebus	Trolley parts	\$4,750.51	Sole source
2. Stowers Machinery Corp.	Mower engine	\$6,678.39	Sole source

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

Mayor Atchley recognized Alderman Gibbs who made a motion, seconded by Alderman Loveday, to reposition the flags at Cemetery Park so that the 13 stars and strips flag is positioned at the top of the flagpole on which it flies. Motion carried.

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

Approved: _____
Bryan C. Atchley, Mayor

Attest: _____
Lynn K. McClurg, City Recorder