

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

January 9, 2012

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 January 9, 2012, at 7:00 PM.

There were present and participating at the meeting:

Bryan C. Atchley, Mayor
Dale Carr, Alderman
Wayne Helton, Alderman
Devin Koester, Vice-Mayor
Travis L. McCroskey, Alderman
Claude Ownby, Alderman

Senior Staff Present:

Tracy Baker, Asst. City Administrator
Jim Deanda, Information Services Director
Judi Forkner, Interim Planning Director
Bryon Fortner, Public Works Director
Jerry Hickman, City Engineer
Lynn McClurg, Interim City Administrator
Bob Moncrief, PBA Accounting & Admin. Director
Don Myers, Police Chief
Ed Owens, City Attorney
Butch Stott, Codes Enforcement Director
Mark Wallace, Golf Director

Mayor Atchley chaired the meeting with Lisa Taylor as secretary of the meeting. A motion was made by Vice-Mayor Koester and seconded by Alderman Helton to approve the minutes of the December 19, 2011 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 O2011-038 entitled "AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN SEVIERVILLE MUNICIPAL CODE, SECTION 14-201 (TO REZONE PROPERTY ON APPLE VALLEY ROAD) FROM C-3 INTERMEDIATE COMMERCIAL DISTRICT TO C-4 ARTERIAL COMMERCIAL DISTRICT. There being no comments, the public hearing was closed. There being no comments, the public forum was closed.

COMMUNICATIONS

The Board recognized the following community events:

Ribbon Cutting Smoky Mtn Cheesecake	January 11 th	Winfield Dunn Pkwy
Business After Hours	January 12 th	Ole Smoky Distillery
Coffee Talk	January 17 th	Civic Center
Research Presentation	January 24 th	Civic Center

Mayor Atchley stated his appreciation and how proud the Board was of the fire department during the services for Mike Rawlings and difficult time for the family. Atchley requested from the Board their top picks for City Administrator within the next two weeks.

OLD BUSINESS

Mayor Atchley presented and placed for passage an Ordinance O2011-031 entitled "AN ORDINANCE TO REPEAL SECTION 15-103, RECKLESS DRIVING, OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." 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, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-032 entitled "AN ORDINANCE TO REPEAL SECTIONS 15-104 UNLANED STREETS, 15-105 LANED STREETS, 15-506 YELLOW LINES, 15-108 UNAUTHORIZED TRAFFIC CONTROL SIGNALS, 15-111 CLINGING TO VEHICLES IN MOTION, 15-112 RIDING ON OUTSIDE OF VEHICLES, 15-116 VEHICLES AND OPERATORS TO BE LICENSED, 15-117 PASSING, 15-119 FOLLOWING TOO CLOSELY, 15-120 DRIVING WITHOUT A VALID LICENSE, 15-123 CHILD PASSENGER RESTRAINT SYSTEMS, 15-124 USE OF SAFETY BELTS IN PASSENGER VEHICLES, 15-202 OPERATION OF AUTHORIZED EMERGENCY VEHICLES, 15-401 SIGNALS FOR TURNS, 15-402 RIGHT TURNS, 15-403 LEFT TURNS, 15-404 LEFT TURNS ON OTHER THAN TWO-WAY ROADWAYS, 15-405 U-TURNS, 15-501 UPON APPROACH OF AUTHORIZED EMERGENCY VEHICLES, 15-504 AT "STOP" SIGNS, 15-505 AT "YIELD" SIGNS, 15-506 AT TRAFFIC CONTROL SIGNALS GENERALLY, 15-507 AT FLASHING TRAFFIC CONTROL SIGNALS, 15-508 AT PEDESTRIAN CONTROL SIGNALS, 15-611 PARKING PROHIBITED IN SPACES DESIGNATED FOR DISABLED PERSONS, OF THE SEVIERVILLE MUNICIPAL CODE." A motion was made by Vice-Mayor Koester and seconded by Alderman Ownby to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-033 entitled "AN ORDINANCE TO REPEAL SECTION 15-109, PRESUMPTION WITH RESPECT TO TRAFFIC CONTROL SIGNS, ETC., OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." A motion was made by Alderman Helton and seconded by Alderman Ownby to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-034 entitled "AN ORDINANCE TO REPEAL SECTION 15-110, SCHOOL SAFETY PATROLS, OF THE SEVIERVILLE MUNICIPAL CODE." A motion was made by Alderman Carr and seconded by Vice-Mayor Koester to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-035 entitled "AN ORDINANCE TO REPEAL SECTION 15-127, COMPLIANCE WITH FINANCIAL RESPONSIBILITY LAW REQUIRED, OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." 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, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-036 entitled "AN ORDINANCE TO REPEAL SECTION 15-502, WHEN EMERGING FROM ALLEYS, ETC., OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." 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, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-037 entitled "AN ORDINANCE TO REPEAL SECTION 15-613, PENALTY, OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." A motion was made by Vice-Mayor Koester and seconded by Alderman McCroskey to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

Mayor Atchley presented and placed for passage an Ordinance O2011-038 entitled "AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN SEVIERVILLE MUNICIPAL CODE, SECTION 14-201 (TO REZONE PROPERTY ON APPLE VALLEY ROAD FROM C-3 INTERMEDIATE COMMERCIAL DISTRICT TO C-4 ARTERIAL 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, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on third reading.

NEW BUSINESS

Mayor Atchley presented and placed for passage an Ordinance O2011-022 entitled "AN ORDINANCE TO REPEAL MISCELLANEOUS SECTIONS 20-102, AUTOMATIC TELEPHONE DIALING ALARM SYSTEMS, 20-103, PERMIT ISSUANCE AND REVOCATION, 20-104, APPLICATION REQUIREMENTS FOR AN ALARM PERMIT, AND 20-105, ITEMS REQUIRED FOR AN ALARM SYSTEM TO QUALIFY FOR AN ALARM PERMIT, OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." 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, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on first reading.

Mayor Atchley presented and placed for second reading an Ordinance O2011-022 entitled "AN ORDINANCE TO REPEAL MISCELLANEOUS SECTIONS 20-102, AUTOMATIC TELEPHONE DIALING ALARM SYSTEMS, 20-103, PERMIT ISSUANCE AND REVOCATION, 20-104, APPLICATION REQUIREMENTS FOR AN ALARM PERMIT, AND 20-105, ITEMS REQUIRED FOR AN ALARM SYSTEM TO QUALIFY FOR AN ALARM PERMIT, OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT A NEW SECTION IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR THE SAFETY AND WELL BEING OF THE PUBLIC WITHIN THE CITY OF SEVIERVILLE." A motion was made by Alderman Carr and seconded by Vice-Mayor Koester to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Carr, Helton, Koester, McCroskey, Ownby. Those voting No: None. Atchley declared the ordinance passed on second reading.

Mayor Atchley recognized Don Myers, who requested approval to accept five hundred (\$500.00) dollar donation from Tanger Five Oaks Outlet for community related projects. A motion was made by Alderman Ownby and seconded by Vice-Mayor Koester. Motion carried.

Mayor Atchley recognized Don Myers, who requested permission to accept a second donation from Paul and Dee Denning in the amount of \$500.00 toward the purchase of a canine replacement. A motion was made by Alderman Ownby and seconded by Alderman McCroskey to accept the donation as presented. Motion carried.

Mayor Atchley recognized Don Myers, who requested to close portions of Bruce Street, Court Avenue and Commerce Street on Monday, January 16th beginning at 10:30 AM for the Martin Luther King, Jr. parade. A motion was made by Vice-Mayor Koester and seconded by Alderman McCroskey to approve the street closures as requested. 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. Power Equipment Company	Labor	\$14,615.39	Urgent Service
2. WSCC/Alpha Service	Police Academy	\$ 9,115.50	Prof. Services
3. North American Salt	Road Salt	\$73.37/per ton	Low Price

McClurg further requested permission for staff to spot price and purchase salt as a commodity. A motion was made by Alderman McCroskey and seconded by Alderman Ownby to approve the expense(s) as presented. Motion carried.

Mayor Atchley recognized Alderman McCroskey, who made a motion for the City to write a letter to all State Legislators stating their objection to the zoning plan to split our City voters into two districts without notification. Alderman Ownby seconded the motion. Those voting Yes: Helton, Koester, McCroskey, Ownby. Those voting No: None. Alderman Carr abstained from the vote. Motion carried.

There being no further business to discuss, the meeting adjourned at 7:20 PM.

Approved: _____
Bryan C. Atchley, Mayor

Attest: _____
Lynn K. McClurg, City Recorder