

**BOARD OF MAYOR AND ALDERMEN
CITY OF SEVIERVILLE, TENNESSEE
August 16, 2021**

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 August 16, 2021 at 6:00 PM.

There were present and participating at the meeting:

Robbie Fox, Mayor
Wayne Helton, Alderman
Devin Koester, Alderman
Travis L. McCroskey, Alderman
Joey Ohman, Alderman
Mitch Rader, Vice Mayor

Senior Staff present:

Tracy Baker, Asst. City Administrator
Bryon Fortner, Public Works Director
Matt Henderson, Fire Chief
Joseph Manning, Police Chief
Lynn McClurg, Chief Financial Officer & City Recorder
Ed Owens, City Attorney
Bob Parker, Parks & Recreation Director
Dustin Smith, Development Director
Russell Treadway, City Administrator

Mayor Fox chaired the meeting with Lynn K. McClurg as secretary of the meeting. A motion was made by Alderman Koester and seconded by Vice Mayor Rader to approve the minutes of the August 2, 2021 meeting and of the August 2, 2021 workshop and to dispense with the readings. Motion carried.

PUBLIC FORUM

Mayor Fox opened the public forum section of the meeting. Fox opened a public hearing on ordinance O2021-010 entitled "AN ORDINANCE TO AMEND THE OPERATING BUDGET FOR THE FISCAL PERIOD JULY 1, 2021 – JUNE 30, 2022." There being no comments, the public hearing was closed.

Mayor Fox opened a public hearing on ordinance O2021-011 entitled "AN ORDINANCE TO AMEND CHAPTER 3.0 USES AND PERFORMANCE STANDARDS OF THE SEVIERVILLE ZONING ORDINANCE (Religious Assembly)." There being no comments, the public hearing was closed.

Mayor Fox opened a public hearing on ordinance O2021-012 entitled "AN ORDINANCE TO AMEND CHAPTER 2.0 ZONING DISTRICTS ESTABLISHED, CHAPTER 3.0 USES AND PERFORMANCE STANDARDS, CHAPTER 8.0 ADMINISTRATION, AND CHAPTER 9.0 DEFINITIONS OF THE ZONING ORDINANCE OF THE CITY OF SEVIERVILLE, TENNESSEE (Short Term Transient Rentals)." There being no comments, the public hearing was closed.

Mayor Fox opened a public hearing on ordinance O2021-013 entitled "AN ORDINANCE TO AMEND TITLE 12, CHAPTER 1 SECTION 12-101 OF THE SEVIERVILLE MUNICIPAL CODE (Fire Code)." There being no comments, the public hearing was closed. There being no comments, the public hearing was closed.

COMMUNICATIONS

Mayor Fox recognized Matt Henderson, who introduced the following new Fire Station 3 employee(s): Carly Van Auken, Kyle Peterson, Jose Marca, Joshua Bowman, Michael Silvers, Hannah Waddell and Cody Keys.

REPORTS

Mayor Fox noted the submission of monthly staff reports.

OLD BUSINESS

Mayor Fox presented and placed for passage an ordinance O2021-010 entitled "AN ORDINANCE TO AMEND THE OPERATING BUDGET FOR THE FISCAL PERIOD JULY 1, 2021 - JUNE 30, 2022." A motion was made by Alderman McCroskey and seconded by Vice Mayor Rader to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on third and final reading.

Mayor Fox presented and placed for passage on second reading an ordinance O2021-011 entitled "AN ORDINANCE TO AMEND CHAPTER 3.0 USES AND PERFORMANCE STANDARDS OF THE SEVIERVILLE ZONING ORDINANCE (Religious Assembly)." A motion was made by Vice Mayor Rader and seconded by Alderman Helton to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on second reading.

Mayor Fox presented and placed for passage on third reading an ordinance O2021-011 entitled "AN ORDINANCE TO AMEND CHAPTER 3.0 USES AND PERFORMANCE STANDARDS OF THE SEVIERVILLE ZONING ORDINANCE (Religious Assembly)." A motion was made by Alderman Koester and seconded by Alderman McCroskey to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on third and final reading.

Mayor Fox presented and placed for passage on second reading an ordinance O2021-012 entitled "AN ORDINANCE TO AMEND CHAPTER 2.0 ZONING DISTRICTS ESTABLISHED, CHAPTER 3.0 USES AND PERFORMANCE STANDARDS, CHAPTER 8.0 ADMINISTRATION, AND CHAPTER 9.0 DEFINITIONS OF THE ZONING ORDINANCE OF THE CITY OF SEVIERVILLE, TENNESSEE (Short Term Transient Rentals)." A motion was made by Vice Mayor Rader and seconded by Alderman Koester to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on second reading.

Mayor Fox presented and placed for passage on third reading an ordinance O2021-012 entitled "AN ORDINANCE TO AMEND CHAPTER 2.0 ZONING DISTRICTS ESTABLISHED, CHAPTER 3.0 USES AND PERFORMANCE STANDARDS, CHAPTER 8.0 ADMINISTRATION, AND CHAPTER 9.0 DEFINITIONS OF THE ZONING ORDINANCE OF THE CITY OF SEVIERVILLE, TENNESSEE (Short Term Transient Rentals)." Alderman Koester requested that staff advise the Board of issues or concerns as they may arise. A motion was made by Alderman Helton and seconded by Vice Mayor Rader to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on third and final reading.

Mayor Fox presented and placed for passage on second reading an ordinance O2021-013 entitled "AN ORDINANCE TO AMEND TITLE 12, CHAPTER 1 SECTION 12-101 OF THE SEVIERVILLE MUNICIPAL CODE (Fire Code)." A motion was made by Alderman McCroskey and seconded by Alderman Koester to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on second reading.

Mayor Fox presented and placed for passage on third reading an ordinance O2021-013 entitled "AN ORDINANCE TO AMEND TITLE 12, CHAPTER 1 SECTION 12-101 OF THE SEVIERVILLE

MUNICIPAL CODE (Fire Code).” A motion was made by Alderman Helton and seconded by Alderman McCroskey to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on third and final reading.

NEW BUSINESS

Mayor Fox recognized Dustin Smith, who presented and placed for passage a Resolution R2021-011 for a Plan of Services Regarding the Annexation of Property on Saint Ives Drive (Sevier County Tax Map 62, Parcel 24.00). A motion was made by Alderman Helton and seconded by Alderman Koester to approve the resolution as presented. Motion carried.

Mayor Fox recognized Dustin Smith, who presented and placed for passage a Resolution R2021-012 to Annex Certain Territory and to Incorporate Same within the Boundaries of the City of Sevierville, Tennessee (Saint Ives Drive, Sevier County Tax Map 62, Parcel 24.00). A motion was made by Alderman Koester and seconded by Alderman Helton to approve the resolution as presented. Motion carried.

Mayor Fox presented and placed for passage an ordinance O2021-014 entitled “AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN THE SEVIERVILLE MUNICIPAL CODE, SECTION 14-201, TO REZONE PROPERTY AT 245 EAST HARDIN LANE, TAX MAP 049, PARCEL 025.02 AND 025.00 FROM LOW DENSITY RESIDENTIAL (LDR) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MDR) DISTRICT.” A motion was made by Alderman Koester and seconded by Alderman Helton to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on first reading.

Mayor Fox presented and placed for passage an ordinance O2021-015 entitled “AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN THE SEVIERVILLE MUNICIPAL CODE, SECTION 14-201, TO PLACE THE MEDIUM DENSITY RESIDENTIAL (MDR) DISTRICT DESIGNATION UPON PROPERTY ON SAINT IVES DRIVE, TAX MAP 062, PARCEL 24.00 (PROPERTY INCLUDED IN ANNEXATION RESOLUTION R2021-012).” A motion was made by Alderman Koester and seconded by Alderman Helton to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on first reading.

Mayor Fox presented and placed for passage an ordinance O2021-016 entitled “AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF SEVIERVILLE, TENNESSEE, AS SET FORTH IN THE SEVIERVILLE MUNICIPAL CODE, SECTION 14-201, TO REZONE PROPERTY AT 1701 MIDDLE CREEK ROAD, TAX MAP 073, PARCEL 005.00, FROM TOURIST COMMERCIAL (TCL) DISTRICT TO HIGH DENSITY RESIDENTIAL (HDR) DISTRICT.” A motion was made by Vice Mayor Rader and seconded by Alderman McCroskey to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on first reading.

Mayor Fox presented and placed for passage an ordinance O2021-017 entitled “AN ORDINANCE TO AMEND TITLE V, CHAPTER 5 OF THE SEVIERVILLE MUNICIPAL CODE AND TO ADOPT NEW PURCHASING POLICIES AND PROCEDURES.” A motion was made by Alderman Koester and seconded by Vice Mayor Rader to approve the ordinance as presented and to dispense with the reading. Those voting Yes: Helton, Koester, McCroskey, Ohman, Rader. Those voting No: None. Fox declared the ordinance passed on first reading.

Mayor Fox recognized Dustin Smith, who requested approval to purchase eight FZ55 Panasonic Toughbooks from sole available source vendor CDW-G in the total amount of \$23,169.68. A motion was

made by Vice Mayor Rader and seconded by Alderman Helton to approve the purchase as presented. Motion carried.

Mayor Fox recognized Bryon Fortner, who requested approval to purchase Trimble Total Station survey equipment from sole source vendor Precision Products in the amount of \$33,132.26. A motion was made by Alderman Helton and seconded by Alderman McCroskey to approve the purchase as presented. Motion carried.

Mayor Fox recognized Bryon Fortner, who presented bids for traffic signal upgrades and recommended acceptance of the low qualified bid and award the contract to Progression Electric, LLC in the amount of \$545,715.35. Fortner noted that the project involves upgrading two intersections to mast arms (Parkway at Bruce Street and SR66 at Main Street). A motion was made by Vice Mayor Rader and seconded by Alderman Helton to approve the bid and award the contract as presented. Motion carried.

Mayor Fox recognized Bob Parker, who requested permission to make payment in the amount of \$50,000.00 to the Sevierville Chamber of Commerce for Winterfest displays in the downtown area. A motion was made by Alderman McCroskey and seconded by Alderman Koester to approve the payment as presented. Motion carried.

Mayor Fox recognized Bob Parker, who requested approval of an agreement with the Sevier Aquatic Club for use of City Aquatic Facilities for the 2021/2022 season school year. A motion was made by Vice Mayor Rader and seconded by Alderman Helton to approve the agreement as presented. Motion carried.

Mayor Fox recognized Bob Parker, who requested approval of an agreement with Sevier County High School, Northveiw Academy, and the King's Academy for providing the Bowling Center for practice and matches for the term of September 13, 2021 through December 23, 2021. A motion was made by Alderman Koester and seconded by Alderman McCroskey to approve the agreement as presented. Motion carried.

Mayor Fox recognized Bob Parker, who requested approval of an agreement with the Sevier County Junior Tennis League for use of the Tennis Facility for the term of September 1, 2021 through October 31, 2021. A motion was made by Vice Mayor Rader and seconded by Alderman Koester to approve the agreement as presented. Motion carried.

Mayor Fox recognized Matt Henderson, who requested approval to purchase a vehicle stabilization system from sole source TN vendor Municipal Emergency Services (MES) in the amount of \$15,085.00. A motion was made by Alderman Helton and seconded by Vice Mayor Rader to approve the purchase as presented. Motion carried.

Mayor Fox recognized Russell Treadway, who requested authorization to apply for EDA and ARC grants related to water and sewer extensions to serve "The 407" development. Treadway detailed that the 50/50 grants will reduce SWS share of off-site work estimated at \$8.8 million. A motion was made by Alderman Koester and seconded by Alderman Helton to approve the grant applications as requested. Motion carried.

Mayor Fox recognized Russell Treadway, who requested approval of a settlement agreement in the case of Huskey, et al vs. City of Sevierville. Treadway noted that the litigation involves current and former Water Department employees and retiree health insurance provision and cost. A motion was made by Alderman Koester and seconded by Vice Mayor Rader to approve the settlement agreement subject to counsel final wording and signing by all plaintiffs. Motion carried. Alderman McCroskey abstained from the vote.

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

- | | | | |
|------------------------|---------------------------|-------------|----------------|
| 1. Pace Analytical | Water analysis | \$21,154.00 | Prof. services |
| 2. The Peterbilt Store | Garbage truck 1901 repair | \$5,733.10 | Prof. services |

A motion was made by Alderman Helton and seconded by Alderman Ohman to approve the expenditure(s) as presented. Motion carried.

A motion was made by Alderman McCroskey and seconded by Alderman Helton to cancel the September 6, 2021 meeting due to the Labor Day holiday. Motion carried. There being no further business to discuss, the meeting adjourned at 6:41 PM.

Approved: _____
Robbie Fox, Mayor

Attest: _____
Lynn K. McClurg, City Recorder