

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

October 20, 2008

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 October 20, 2008, at 7:00 PM.

There were present and participating at the meeting:

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

Senior Staff Present:

Jim Bryant, Planning Director
Jim Deanda, Information Services Director
Bryon Fortner, Public Works Director
Steve Flynn, Water & Sewer Director
Steve Hendrix, Interim City Administrator
Dennis Jarvis, City Attorney
Lynn McClurg, Chief Financial Office & City Recorder
Bob Moncrief, Events Center Acct. & Admin. Director
Don Myers, Police Chief
Bob Parker, Parks & Recreation Director
Faye Randolph, Golf Director
Mike Rawlings, Fire Chief
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 Ownby and seconded by Vice-Mayor McCroskey to approve the minutes of the October 6, 2008 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 O2008-024 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 1240 MIDDLE CREEK ROAD FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-4 ARTERIAL COMMERCIAL DISTRICT." There being no comments, the public hearing was closed.

Mayor Atchley recognized Ms. Cooper, from the Spencer Clack Chapter of the Daughters of the American Revolution, who presented the Mayor with a certificate of appreciation for his continued support of their organization. There being no further comments, the public forum was closed.

COMMUNICATIONS

Council recognized the following community events:

Chamber Coffee Talk	October 21 st	Civic Center
Winterfest Celebration	November 3 rd	Municipal Complex
Lodging Meeting	November 6 th	Sevierville
SCHS Veterans' Day Program	November 6 th , 7 th	Sevier County High School
Chamber Education Seminar	November 12 th	Sevierville

A motion was made by Alderman Carr and seconded by Alderman Ownby to cancel the November 3, 2008 meeting due to the Winterfest celebration. Motion carried.

REPORTS

Mayor 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 and placed for passage an Ordinance O2008-024 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 1240 MIDDLE CREEK ROAD FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-4 ARTERIAL COMMERCIAL DISTRICT." 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 O2008-025 entitled "AN ORDINANCE TO AMEND THE STORM WATER ORDINANCE, ORDINANCE O2008-014, TO CHANGE THE PROCEDURE FOR APPEALS." A motion was made by Alderman 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.

NEW BUSINESS

Mayor Atchley presented and placed for passage an Ordinance O2008-026 entitled "AN ORDINANCE TO REPEAL SECTIONS 16-301 THROUGH 16-310 OF THE SEVIERVILLE MUNICIPAL CODE AND ADOPT NEW SECTIONS IN PLACE THEREOF, AND BEING AN ORDINANCE TO PROVIDE FOR ORDER, SAFETY, AND TRANQUILITY IN THE STREETS WITHIN THE CITY OF SEVIERVILLE." 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 first reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-027 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 WEST MAIN STREET FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT AND C-4 ARTERIAL COMMERCIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." A motion was made by Alderman Ownby and seconded by Alderman 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 placed for second passage an Ordinance O2008-027 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 WEST MAIN STREET FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT AND C-4 ARTERIAL COMMERCIAL DISTRICT TO C-3 INTERMEDIATE COMMERCIAL DISTRICT." A motion was made by Alderman Loveday and seconded by Alderman 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 second reading.

Mayor Atchley recognized Steve Hendrix, who presented, for discussion, the purchase of downtown properties for a parking facility or other public use. Council determined that City intentions

regarding the purchase of the project should be decided. Dennis Jarvis confirmed that CBID funds could be used to acquire the property for the purpose of a parking facility, which may or may not include a garage. Atchley recognized Gary Wade, who stated that any acquisition would need to allow for ingress and egress to the family's remaining two tracts and enough space to maintain the heat and air system for Victoria Mall. Wade also noted the existence of an electric transformer easement. A motion was made by Alderman Loveday and seconded by Alderman Ownby to rescind Resolution R2007-030 (Authorizing the City of Sevierville to Exercise its Powers of Eminent Domain as Provided in Tennessee Code Annotated, §6-2-201(9), and City of Sevierville Charter, Article 2, Subsection 9, to Acquire by Eminent Domain, the Property Commonly Referred to as the Wade Downtown Properties, Adjacent to Bruce Street, Sevierville, Tennessee). Jarvis noted that R2007-030 applied specifically to condemnation for a parking garage. Motion carried.

A motion was made by Alderman Gibbs and seconded by Alderman Loveday to allow the Interim City Administrator to enter into negotiations with the Wade family to acquire the subject property and to report the results of negotiations to the Board of Mayor and Alderman. Motion carried. Council discussed the affect of the property acquisition on business owners leasing portions of the subject property.

A motion was made by Alderman Loveday and seconded by Alderman Ownby to abandon plans for construction of a downtown parking garage at this time. Motion carried.

Mayor Atchley recognized Bryon Fortner, who recommended a revised schedule of fees for collection, removal and disposal of garbage and refuse. Fortner noted that the fee change to garbage compactors and roll-off containers is requested due to a price increase by Sevier Solid Waste, Inc. A motion made by Alderman Ownby and seconded by Alderman Carr to approve the fee schedule as presented. Motion carried.

Mayor Atchley recognized Steve Flynn, who presented bids for the Burden Hill Area water main extension project and recommended acceptance of the low bid and award of contracts to Kay & Kay Contracting, LLC in the amount of \$477,558.50. A motion was made by Vice-Mayor McCroskey and seconded by Alderman Ownby to approve the bid and award the contract as presented. Motion carried.

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

Approved: _____
Bryan C. Atchley, Mayor

Attest: _____
Lynn K. McClurg, City Recorder