

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

March 2, 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 March 2, 2009, 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
Claude Ownby, Alderman
Travis L. McCroskey, Vice-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
Lynn McClurg, Chief Financial Office & City Recorder
Bob Moncrief, Events Center Acct. & Admin. Director
Don Myers, Police Chief
Ed Owens, Acting City Attorney
Bob Parker, Parks & Recreation Director
Mike Rawlings, Fire Chief
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 Ownby and seconded by Alderman Carr to approve the minutes of the February 9, 2009 meeting and of the February 13, 2009 called meeting and to dispense with the readings. Motion carried.

PUBLIC FORUM

Mayor Atchley opened the public forum section of the meeting. Atchley recognized David Sarten, who stated his and his family's opposition to portions of the annexation of their property. There being no further comments, the public forum was closed.

COMMUNICATIONS

Council recognized the following community events:

BMA Retreat	March 3 rd , 4 th	Council Hall
Sevier County Bank 100 th Anniversary	March 10 th , 10:00 AM	Sevier County Bank
Chamber Business After Hours	March 11 th	Sevier County Bank
TML Legislative Conference	March 23 rd , 24 th	Nashville

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 O2009-001 entitled "AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE BOUNDARIES OF THE CITY OF SEVIERVILLE, TENNESSEE, A PORTION OF COLLIER DRIVE, PROPERTY LYING ALONG COLLIER DRIVE, A PORTION OF RIDGE ROAD, AND PROPERTY LYING ALONG RIDGE 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, Loveday, McCroskey, Ownby. Those voting No: Gibbs. Atchley declared the ordinance passed on second reading.

Mayor Atchley presented and placed for passage an Ordinance O2008-002 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 LOCATED ON THE EASTERN SIDE OF THE PARKWAY AND NORTH OF THE LITTLE PIGEON RIVER FROM R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT TO C-4 ARTERIAL COMMERCIAL DISTRICT." A motion was made by Vice-Mayor 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 second reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-003 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 C-3 INTERMEDIATE COMMERCIAL ZONING DESIGNATION UPON PROPERTY ON COLLIER DRIVE AND TO PLACE THE A-R AGRICULTURE-RESIDENTIAL ZONING DESIGNATION UPON PROPERTY ON COLLIER DRIVE AND RIDGE ROAD (PROPERTIES INCLUDED IN ANNEXATION ORDINANCE O2009-001)." A motion was made by Alderman Ownby 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 second reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-004 entitled "AN ORDINANCE TO AMEND AND REVISE THE FOLLOWING SECTIONS OF TITLE 8, CHAPTER 2 OF THE SEVIERVILLE MUNICIPAL CODE (BEER ORDINANCE), THOSE SECTIONS BEING SECTION 8-205(7), TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION; SECTION 8-206(12)(a)(vii), TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION; SECTION 8-206(12)(a)(viii), TO CHANGE THE REQUIRED HEIGHT OF PATIO ENCLOSURES; SECTION 8-206(12)(a)(vii), TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION; SECTION 8-206(12)(e), TO CLARIFY THE REQUIREMENTS APPLICABLE TO EVENT CENTER BEER PERMITS AND TO PERMIT BEER TO BE SERVED ON CERTAIN OUTDOOR AREAS ADJACENT TO AN EVENTS CENTER; SECTION 8-208, TO PERMIT AN OWNER/APPLICANT TO SERVE BEER PENDING APPROVAL OF A NEW PERMIT REQUIRED BY A BUSINESS NAME CHANGE; AND SECTION 8-211 TO REVISE PERMITTED HOURS AND DAYS OF OPERATION, TO CONFORM WITH STATE STATUTES AND THE REGULATIONS OF THE STATE ALCOHOLIC BEVERAGES COMMISSION." 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, Loveday, McCroskey, Ownby. Those voting No: Gibbs. Atchley declared the ordinance passed on second reading.

NEW BUSINESS

Mayor Atchley presented and placed for passage an Ordinance O2009-005 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 STADIUM ACRES SUBDIVISION, A PORTION OF STADIUM DRIVE AND LINE DRIVE FROM C-4 ARTERIAL COMMERCIAL DISTRICT TO C-5 TOURIST 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 first reading.

Mayor Atchley presented and placed for passage an Ordinance O2009-006 entitled "MUNICIPAL FLOOD DAMAGE PREVENTION ORDINANCE." 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 a Resolution R2009-003 Authorizing the Mayor to Submit a 2009 Home Application to the Tennessee Housing Development Agency. A motion was made by Alderman Carr and seconded by Vice-Mayor McCroskey to approve the resolution as presented and to dispense with the reading. Motion carried.

Mayor Atchley recognized Jamie Tyler, who requested approval of a health reinsurance contract with Boston Mutual Life Insurance for the March 1, 2009 - February 28, 2010 policy year and a transplant insurance policy from AIG Medical Excess in amounts as follows:

Type	Deductible	Family Premium	Single Premium
Specific Reinsurance	\$100,000	\$82.26	\$31.92
Aggregate Reinsurance	\$3,040,727 (est.)	\$ 4.89	\$ 4.89
Transplant Policy	First dollar	\$11.57	\$ 5.04

A motion was made by Alderman Ownby and seconded by Alderman Loveday to approve the contract 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. Appalachian Environmental | Submersible chopper pump | \$22,903.00 | Sole source |
| 2. Five Oaks Tire | Trolley tires | \$6,937.44 | State contract |
| 3. Kronos, Inc. | Time clock services | \$6,303.19 | Sole source |

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

Mayor Atchley recognized Don Myers, who requested permission to close a portion of Bruce Street on Thursday, March 5th from 6:30 PM until 10:00 PM to remove Winterfest displays. A motion was made by Alderman Ownby and seconded by Alderman Carr to allow the street closure as requested. Motion carried.

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

Approved: _____
Bryan C. Atchley, Mayor

Attest: _____
Lynn K. McClurg, City Recorder