

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, MARCH 12 2007, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

Mayor Chance called the meeting to order with the following in attendance: Vice Mayor Sexton, Commissioner Reagan, Commissioner Brackins, Commissioner McClure, City Manager Teaster, City Recorder Clabo, City Attorney Gass, Public Works Director Miller, Community Development Director Jagger, members of the press and interested citizens.

Mayor Chance opened the meeting and Commissioner McClure led in the pledge of allegiance.

PUBLIC HEARING NO. 1

Mayor Chance opened the public hearing to receive public comment regarding amending the zoning map of the City of Pigeon Forge by rezoning certain property located along Chapel Way off of Wears Valley Road, owned by Tom Marsh from R-1 (Low Density Residential) to R-2 (High Density Residential).

Tom Marsh stated that he was for the rezoning.

There being no other comments received, Mayor Chance closed the public hearing.

PUBLIC HEARING NO. 2

Mayor Chance opened the public hearing to receive public comment regarding amending the zoning ordinance of the City of Pigeon Forge concerning sexually oriented businesses.

Sandra Rauhuff, David Broyles, Sarah Broyles, Betty Cusick, and Ben Cusick noted that they were against the zoning ordinance.

There being no other comments received, Mayor Chance closed the public hearing.

PUBLIC HEARING NO. 3

Mayor Chance opened the public hearing to receive public comment regarding amending the zoning map of the City of Pigeon Forge by rezoning certain property located along Ridge Road, Cain Hollow Road and Rainbow Road from R-1 (Low Density Residential) and C-2 (Tourist Commercial) to M-1 (Industrial).

Sandra Rauhuff, David Broyles, Sarah Broyles, Betty Cusick, and Ben Cusick noted that they were against the zoning ordinance.

There being no other comments received, Mayor Chance closed the public hearing.

REGULAR MEETING

Mayor Chance opened the regular meeting and presented the minutes of previous meeting for approval.

The minutes were unanimously approved following motion by Commissioner McClure and second to motion by Commissioner Reagan.

The authorization for the payment of bills was unanimously approved following motion by Vice Mayor Sexton and second to motion by Commissioner Reagan.

ORDINANCE NO. 820 to amend the zoning map of Pigeon Forge, Tennessee by rezoning certain property located along Chapel Way off of Wears Valley Road, owned by Tom Marsh from R-1 (Low Density Residential) to R-2 (High Density Residential) was presented for the second reading. On a motion by Commissioner McClure, second by Commissioner Brackins and with all voting “aye” the ordinance was approved on the second reading.

ORDINANCE NO. 821 to amend the zoning ordinance of City of Pigeon Forge, Tennessee concerning sexually oriented businesses was presented for the second reading. City Attorney Gass spoke about the ordinance and made general comments including noting that it was illegal to ban sexually oriented businesses. He also stated that the ordinance would help with the adverse secondary effects that can be caused by those types of businesses. On a motion by Commissioner McClure, second by Commissioner Reagan and with all voting “aye” the ordinance was approved on the second reading.

ORDINANCE NO. 822 to amend the zoning map of Pigeon Forge, Tennessee by rezoning certain property located along Ridge Road, Cain Hollow Road and Rainbow Road from R-1 (Low Density Residential) and C-2 (Tourist Commercial) to M-1 (Industrial) was presented for the second reading. On a motion by Commissioner McClure, second by Commissioner Reagan, the ordinance was approved by a vote of four to one on the second reading. Mayor Chance voted no.

ORDINANCE NO. 823 to amend **ORDINANCE NO. 802** annual appropriations for fiscal year 2006-2007 was presented for the first reading. On a motion by Commissioner Brackins, second by Vice Mayor Sexton and with all voting “aye” the ordinance was approved on the first reading.

ORDINANCE NO. 824 to amend the zoning map of Pigeon Forge, Tennessee, by rezoning certain property on Whaley Drive near the intersection with Veterans Boulevard owned by Joan Thurman, Kay Trent, Carolyn Watson, Jim Trotter and Kay Atchley from C-1 (General Commercial), R-1 (Low Density Residential) and C-4 (Planned Unit-Commercial) to C-2 (Tourist Commercial) was presented for the first reading. On a

motion by Commissioner McClure, second by Vice Mayor Sexton and with all voting “aye” the ordinance was approved on the first reading.

ORDINANCE NO. 825 to amend the zoning map of Pigeon Forge, Tennessee, by rezoning certain property located along Ridge Road, owned by Sukit, Juva and Jerre Arunthanakun, Warren Hurst and Darrell Keene, from R-2 (High Density Residential) to M-1 (Industrial) was presented for the first reading. On a motion by Vice Mayor Sexton, second by Commissioner Reagan and with all voting “aye” the ordinance was approved on the first reading.

Discussion of sign proposal for Darby Campbell at intersection of Parkway and East Wears Valley Road was presented for approval. Community Development Director Jagger discussed the amount of remaining square footage of signage that was removed from Dollywood Lane being used to offset new sign at intersection of Parkway and East Wears Valley Road. Mayor Chance asked if City Attorney Gass had any problems with proposal. City Attorney Gass stated that an agreement needed to be put in writing. On a motion by Commissioner McClure, second by Vice Mayor Sexton, it was unanimously approved to accept the proposal with an understanding that a billboard agreement needed to be signed by each entity.

Approval of bid on firefighting gear per annual budget was presented for approval. Fire Chief Watson stated that three bids had been received and two of them met the bid specifications. It was his recommendation to award the bid to Tennessee Fire Equipment and Supply at a cost of \$975 per coat and \$675 per pants. On a motion by Commissioner Brackins, second by Commissioner McClure, it was unanimously approved to accept the bid as presented.

RESOLUTION NO. 733 to authorize the application of the 2007 Federally Funded Home Grant in the amount of \$500,000 for housing rehabilitation of low income households was presented for approval. City Manager presented the resolution and stated that the City would have no financial obligation. On a motion by Vice Mayor Sexton, second by Commissioner McClure and with all voting “aye” the resolution was approved.

Approval of bid on soft drinks for parks and recreation was presented for approval. Parks and Recreation Director Wilbanks stated that two bids had been received and it was his recommendation to accept the low bid from Pepsi. On a motion by Commissioner McClure, second by Commissioner Brackins, it was unanimously approved to accept the bid as presented.

Approval of Change Order No. 5 on the Pigeon Forge Greenway, Phase I project was presented for approval. Vice Mayor Sexton commented that the change order was high for the amount of project. Steve Fritz stated that part of the reason for the high change order was that a set of incomplete plans were produced and issued for bid quickly in order to get under contract and get funds committed due to a grant deadline. The complete and sealed plans that were issued after bids were received and a contract awarded contained numerous changes that were necessary for construction of the project. In addition, the installation of the light fixtures the City had purchased was added to Rich’s contract in order to not have to bid the work separately. There were also water lines and a gas line that caused unforeseen

interferences that resulted in additional costs. On a motion by Commissioner McClure, second by Commissioner Brackins, the change order was approved by a vote of four to one. Vice Mayor Sexton voted no.

Approval of Change Order No. 1 to construct modifications to intersection of Sugar Hollow Road, Parkway, and Henderson Chapel Road was presented for approval. Public Works Director Miller stated that the change order was to get median work done before paving was done by the state. The estimated quantities are \$128,223.50. Mayor Chance asked Public Works Director Miller to coordinate with engineers and with theaters letting out at night when road work would be occurring. On a motion by Commissioner McClure, second by Vice Mayor Sexton, it was unanimously approved to accept the change order as presented.

Approval of Change Order No. 2 for North Parkway Sewer Project was presented for approval. Public Works Director Miller stated that the project was complete and that there were savings of \$334,043.45 from original bid. The final cost of the project was \$1,909,461.55. Miller stated that the contract called for a revideo to be done on January 19, 2008 for warranty purposes. On a motion by Vice Mayor Sexton, second by Commissioner McClure, it was unanimously approved to accept the change order as presented.

Consideration of request from Dean Phillips of Wild Briar Development asking City to officially accept water lines in his development located near Upper Middle Creek was presented for approval. Public Works Director Miller stated that the development has done everything that the City has requested.

Mayor Chance asked if in the future, council could be furnished with a map so that they could get a visual representation.

Commissioner Brackins asked if Public Works Director Miller had any concerns. Miller said that he felt comfortable with request. Miller also noted that nothing further could be done in development without first going through the process again. City Attorney Gass noted that the City needed to have the development guarantee the lines for one year. On a motion by Commissioner McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented and recommended by City Attorney Gass.

Consideration of capital request in reference to LaFollette Lift Station and Jake Thomas Lift Station repairs (quote-unbudgeted items) was presented for approval. Martin Cross presented and stated that he recommended the low quote of \$3,782 from Water & Waste Equipment for the LaFollette Lift Station and the low quote of \$4,061 from S.O.S., Inc. for the Jake Thomas Lift Station Spare Pump. On a motion by Commissioner McClure, second by Vice Mayor Sexton, it was unanimously approved to accept the capital request as presented.

Manager's report included the following:

1. City Manager Teaster stated that for the Home Grant Resolution, the City had to recommend an engineering firm. It would be her recommendation to use Barge Waggoner Sumner & Cannon. On a motion by Vice Mayor Sexton, second by

Commissioner McClure, it was unanimously approved to accept the request as presented.

2. There will be a planning commission meeting on March 27, 2007 at 5:30 p.m. in the council room.
3. A beer board meeting has been scheduled for April 9, 2007 at 2:00 p.m. in the council room of city hall.
4. A public hearing will be held on Ordinance No. 824 and 825 on April 9, 2007 at city hall in the council room at 5:30 p.m.

Mayor Chance asked for comments from the floor or Board.

Richard Balk thanked the firemen for helping on the recent brush fire.

Commissioner McClure stated that the fire department had done well.

Commissioner Brackins thanked fire department for hard work.

Commissioner Reagan thanked the church for opening their doors to assist with the fire situation.

David Broyles asked what happened with ordinance. Mayor Chance stated that it passed four to one.

There being no further comments, and Public Works Director Miller offering a closing prayer, the meeting was duly adjourned at 6:35 p.m.

APPROVED: Ralph E Chance
MAYOR

ATTEST: Dennis C Clabo
CITY RECORDER