

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, NOVEMBER 10 2008, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

Mayor Whaley called the meeting to order with the following in attendance: Vice Mayor McClure, Commissioner Brackins, Commissioner Reagan, Commissioner Sexton, City Manager Teaster, City Recorder Clabo, City Attorney Gass, members of the press and interested citizens.

Mayor Whaley opened the meeting and Vice Mayor McClure led in the pledge of allegiance.

REGULAR MEETING

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

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

Ordinance No. 878 to repeal **Ordinance No. 851** in its entirety and to amend the Pigeon Forge Municipal Code by revising Title 12, Chapters 1, 2, and 9 Sections 12-101, 12-102, 12-201, 12-202, 12-901, 12-902, and 12-903 so as to amend the building, plumbing and mechanical code was presented for the second reading. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the motion was approved on the second reading.

Ordinance No. 879 to amend the Pigeon Forge Municipal Code by revising Title 7, Chapters 2, 3 and 4 Sections 7-201, 7-202, 7-203, 7-204, 7-206, 7-207, 7-301, 7-302, 7-304, 7-305 7-306, 7-307, and 7-401 so as to improve the fire protection code was presented for the second reading. On a motion by Commissioner Reagan, second by Vice Mayor McClure and with all voting "aye" the motion was approved on the second reading.

Ordinance No. 880 to amend the Pigeon Forge Municipal Code by revising Title 12, Chapter 1, Section 12-102 so as to adopt Appendix B of the 1999 Standard Building Code as the permit fee schedule for the City of Pigeon Forge was presented on the second reading. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the motion was approved on the second reading.

Ordinance No. 881 to de-annex certain property located along the southwest side of Upper Middle Creek Road from the corporate limits of Pigeon Forge, Tennessee. Said property being owned by Brent Shults was presented on the first reading. On a motion by Commissioner Brackins, second by Commissioner Reagan and with all voting "aye" the motion was approved on the first reading.

Ordinance No. 882 to amend Section 709 (C-5 Commercial Amusement Park District) of the text of the zoning ordinance of Pigeon Forge, Tennessee was presented on the first reading. Assistant City Planner Kreis stated that he recommended including language in Section 709.6.1 related to signs that added a height restriction of 25 feet. On a motion by Vice Mayor McClure including change discussed by Kreis, second by Commissioner Brackins and with all voting “aye” the motion was approved with the noted change on the first reading.

Resolution No. 753 to call a public hearing to determine whether certain property adjoining the southwest side of Upper Middle Creek Road, owned by Brent Shults, should be de-annexed from the City of Pigeon Forge, Tennessee was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Reagan and with all voting “aye” the motion was approved.

Consideration of professional services agreement with Barge Waggoner Sumner & Cannon for City Park Phase I improvements was presented for approval. Parks and Recreation Director Wilbanks stated that the services would be to provide a topographic survey and construction documents at a cost of \$214,780. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the agreement as presented.

Approval of bid for salt spreaders for street department was presented for approval. Public Works Director Miller stated that he recommended the low bid from O.G. Hughes at a cost of \$4,618.70 each for a total of \$9,237.40. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the bid as presented.

Approval of bid for backhoe for street department per current budget was presented for approval. Public Works Director Miller stated that he recommended the low bid from Contractor’s Machinery at a cost of \$88,864. On a motion by Commissioner Brackins, second by Commissioner Reagan, it was unanimously approved to accept the bid as presented.

Approval of bid for hydraulic excavator for utility department was presented for approval. Public Works Director Miller stated that he recommended the low bid from Bobcat of Knoxville at a cost of \$53,452.19. On a motion by Commissioner Reagan, second by Vice Mayor McClure, it was unanimously approved to accept the bid as presented.

Approval of flowering bid for parks and recreation department was presented for approval. Parks and Recreation Director Wilbanks stated he recommended the low bid from Westel Greenhouse, LLC at a cost of \$7,637.55. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the low bid as presented.

Approval of state contract to purchase mobile radios per current budget for police department was presented for approval. City Manager Teaster explained that it was

recommended by the police department to purchase five mobile radios at a cost of \$1,550 each for a total of \$7,750. On a motion by Commissioner Brackins, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Approval of donation of deleted books and VHS's to Friends of Pigeon Forge Public Library was presented for approval. City Manager Teaster stated that this is done a couple times per year to remove books and videos no longer used. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to donate the items as requested.

Approval of two (2) appointments to the City of Pigeon Forge Tree Board was presented for approval. City Manager Teaster stated that it was recommended that Amanda Fox and Don Gibson be appointed to the vacant positions. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to appoint the positions as requested.

Presentation of 2008 – 2009 Media Plan by Bohan was presented for approval. David Bohan and Donnette Engbrecht representing Bohan discussed the plan and stated that there was a change in geography from 23 markets down to 17. Mr. Bohan then discussed the impact in each market by television, radio, and print which was followed by general discussion from council. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the plan as presented.

Manager's report included the following:

1. There will be a bid opening on December 2, 2008 for the Red Roof Interceptor Phase II.
2. There will be a planning commission meeting on Tuesday November 25, 2008 at 3:00 p.m. in the Council Room of City Hall.
3. There will a ribbon cutting ceremony on Thursday at 10:00 a.m. for the Titanic.
4. There will be a public hearing for Ordinance number 881 and 882 on December 8, 2008 at 5:30 p.m. in the Council Room of City Hall.
5. City offices will be closed November 11, 2008 to observe Veterans Day.
6. The next regularly scheduled council meeting will be held November 24, 2008.

City Attorney Gass presented a quit claim deed that had been granted by the City of Pigeon Forge to Great Smoky Mountains Church of Christ on June 4th 2001 but had never been recorded by the grantee. City Attorney Gass recommended preparing a new quit claim deed to be signed by the current Mayor and City Recorder so that the grantee could get the document recorded. On a motion by Commissioner Reagan, second by Vice Mayor McClure, it was unanimously approved to have the document resigned.

After general comments, and Executive Director of Tourism Downey offering a closing prayer, the meeting was duly adjourned at 6:20 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER