

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, NOVEMBER 23 2009, 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 Robinson, Commissioner Wear, 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 Wear.

The authorization for the payment of bills was approved following motion by Commissioner Brackins and second to motion by Vice Mayor McClure. Commissioner Robinson voted no. Before the vote, Commissioner Robinson asked about a Bohan bill to be paid and didn't think that the council had approved an agreement with Bohan to pay items such as this. He asked how through extensive discussion, current council could approve bills to Bohan by using prior commissioner approval of a contract dated November 3, 2008 and in minutes from commission meeting November 10, 2008. City Attorney Gass noted that when the budget is approved, Bohan is authorized to spend money budgeted. There was general discussion regarding this recognizing that since Commissioner Robinson didn't take office until May 2009, he would have an opportunity to review a new agreement including media plan in January 2010 when it will be presented for approval. However, funds were made available in June 2009 by approval of the annual budget process to continue advertising until a new agreement in January is presented.

Ordinance No. 901 to regulate outdoor digital billboards was presented for the first reading. General comments were made from the council. City Attorney Gass noted that if there were any hesitations, the ordinance should be deferred to a work session. On a motion by Vice Mayor McClure, second by Commissioner Wear, and with all voting "aye" the motion deferred the ordinance for further review in a work session.

Resolution No. 770 authorizing the filing of a grant application to the United States Fire Administration for the purpose of enhancing fire prevention and life safety services of the City of Pigeon Forge Fire Department was presented for approval. Fire Chief Watson discussed the grant stating that it would allow employment of 6 additional firefighters with majority of the funding provided by a federal portion for the first two years. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the motion was approved.

Approval of agreement with SRA Architects to provide architectural services for the construction of the new fire station on Veterans Boulevard was presented for approval. Mike Smelcer stated that a fixed fee for basic compensation would cost \$116,300. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was unanimously approved to accept the agreement as presented.

Approval of agreement with Elizabeth Eason Architectural, LLC for consulting services to identify sustainable design strategies (LEED Certification) for the new fire station on Veterans Boulevard was presented for approval. Mike Smelcer explained this agreement and noted that the cost would be \$18,970. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Approval of agreement with Engineering Testing Solutions for subsurface exploration to determine general conditions of the site for the construction of the new fire station on Veterans Boulevard was presented for approval. Mike Smelcer noted that the cost would be a lump sum of \$1,750. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Approval of agreement with Wilbur Smith Associates to complete an access study at the location of the new fire station on Veterans Boulevard was presented for approval. Mike Smelcer presented and noted that this agreement was in the amount of \$13,500. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Approval of agreement with Vision Engineering to provide civil site design for the new fire station on Veterans Boulevard was presented for approval. Mike Smelcer presented and stated this agreement was in the amount of \$14,850. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Approval of agreement with Double K for a price increase for the trolleys ordered utilizing the ARRA funds was presented for approval. Mass Transit Director Marine stated that the previous two trolleys that had been ordered were based on 2009 model Cummins engines which the City has now been notified that the 2009 engines are no longer available. The city will now have to purchase 2010 year engines at an additional \$6,100 per trolley due to mandated emission changes. Marine stated that TDOT had approved this change. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Acceptance of a grant from the Tennessee Division of Forestry to purchase equipment for the Fire Department was presented for approval. Fire Chief Watson said that this would allow the department to purchase items for new members that lacked certain equipment. Total funding is in the amount of \$5,622 with the local portion being \$2,811. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the grant as requested.

Manager's report included the following:

1. There will be a public hearing for Ordinance 900 at the December 14, 2009 council meeting.
2. The Division of Water Control will hold a public hearing on December 1, 2009 at 6:00 p.m. at the community center.
3. The tree lighting at the community center will be December 3, 2009.
4. City offices will be closed November 26th and 27th to observe the Thanksgiving Holiday.
5. There will be a planning commission meeting on November 24, 2009 at 3:00 p.m. in the council room of city hall.
6. The December planning commission meeting will be held on December 15, 2009 at 3:00 p.m. due to the Christmas Holiday.

Mayor Whaley asked for comments from the floor and/or board.

Following general comments and Randal Robinson offering a closing prayer, the meeting was duly adjourned at 6:30 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER