

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, JUNE 11 2007, 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, City Manager Teaster, City Recorder Clabo, City Attorney Gass, Public Works Director Miller, Community Development Director Jagger, members of the press and interested citizens. Commissioner Sexton was absent.

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

PUBLIC HEARING

Mayor Whaley opened the public hearing to receive public comment regarding the proposed rezoning of certain property located in the Alpine Mountain Village PUD off Sugar Hollow Road, owned by Mountain Springs Resort from R-1 (Low Density Residential) to C-4 (Planned Unit Commercial).

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

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 Reagan and second to motion by Vice Mayor McClure.

Ordinance No. 828 to annex certain properties located between U.S. 441 (The "Spur") and Upper Middle Creek Road into the corporate limits of Pigeon Forge, Tennessee, said property owned by Five Star Properties was presented for the first reading. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the ordinance was approved on the first reading.

Ordinance No. 829 to amend the zoning map of Pigeon Forge, Tennessee by rezoning certain property located in the Alpine Mountain Village PUD off of Sugar Hollow Road, owned by Mountain Springs Resort, from R-1 (Low Density Residential) to C-4 (Planned Unit-Commercial) was presented for the second reading. On a motion by Commissioner Brackins, second by Vice Mayor McClure and with all voting "aye" the ordinance was approved on the second reading.

Ordinance No. 830 to create a Code of Ethics as required by State of Tennessee for the City personnel, elected officials and members of committees and boards was presented for the second reading. City Attorney Gass stated that this is mandated by state law. He discussed the different sections of the ordinance and stated that it was modeled after ordinance prepared by MTAS but had a change in section 3 to change the word may to shall. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the ordinance was approved on the second reading.

Ordinance No. 831 to establish refuse collection fees and violations in Title 17 of the municipal code was presented for the second reading. On a motion by Vice Mayor McClure, second by Commissioner Reagan and with all voting "aye" the ordinance was approved on the second reading.

Ordinance No. 835 to amend **Ordinance No. 802** annual appropriations for fiscal year 2006-2007 was presented for the first reading. City Manager Teaster stated that this was done usually twice during the year to transfer funds from one budget line to another and to address any overages in a budget line. On a motion by Commissioner Brackins, second by Commissioner Reagan and with all voting "aye" the ordinance was approved on the first reading.

Ordinance No. 836 to make and fix the annual appropriations for the several departments of the City of Pigeon Forge, Tennessee, for the fiscal year beginning July 1, 2007, and ending June 30, 2008 was presented for the first reading. City Manager Teaster explained the ordinance and discussed the major sources of revenue and also how the funds were divided to the many departments. She explained that the tourism department received the largest budget appropriations which was mainly due to advertising. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the ordinance was approved on the first reading.

Resolution No. 734 to call a public hearing to determine whether certain lands located between U.S. 441 (The "Spur") and Upper Middle Creek Road, owned by Five Star Properties, should be annexed into the City of Pigeon Forge, Tennessee was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the resolution was approved as presented.

Approval of repairs or replacement of wastewater pumps located: Kings Hills Lift Station, Jake Thomas Lift Station (40 HP), and Jake Thomas Lift Station (20 HP) was presented for approval. Martin Cross presented and stated that one of the two pumps in the Kings Hills Lift Station has failed and needs repairs in the amount of \$2,525 from a quote by Landon Electric. Also, the Jake Thomas Lift Station (40 HP) has failed and needs repaired. However, the cost for a new pump appeared to be more cost effective than repairing. The lowest quote for a new pump was received by Water and Waste Equipment at a cost of \$6,202. In addition, the Jake Thomas Lift Station (20 HP) has failed and it should be more cost effective to replace with a new pump. The lowest quote was received from Water and Waste Equipment at a cost of \$3,790. On a motion by Vice

Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Approval of grant contract between the State of Tennessee and City for Biodiesel Infrastructure Program grant funds was presented for approval. City Manager Teaster stated that the City had the opportunity to receive a small grant in the amount of \$3,449 to assist with the transfer to Biodiesel. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Approval of amendment to the Interlocal Cooperative Agreement between Sevier Solid Waste, Inc. and the Sevier Water Board, Inc. and the Cities of Gatlinburg, Pigeon Forge, Sevierville and Sevier County regarding the designation of the Code of Ethics was presented for approval. City Manager Teaster discussed interlocal agreement and stated that this was necessary to comply with new state requirements. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Manager's report included the following:

1. A public hearing will be held on Ordinance No. 832, 833, and 834 on June 25, 2007 at city hall in the council room at 5:30 p.m.
2. There will be a planning commission meeting on June 26, 2007 at 5:30 p.m. in the council room.
3. There will be a public hearing for water quality permits on Jake Thomas farm on June 28, 2007 at city hall.
4. The city has received a bill for its portion of the hillside/ridges study in the amount of \$14,750. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the bill as presented.
5. A bid correction needs to be made for a bid awarded at the May 14, 2007 council meeting regarding 5w-30 motor oil, diesel motor oil, and 85w 140 gear lube to Rogers Petroleum. The bid specifications that have been used for many years did not specify who would supply a tank and pump. When it came time to purchase the product from Rogers, they informed us that we had to purchase the tank at a cost of approximately \$3,300. Per discussion with City Attorney Gass, he advised that since council had already accepted the bid, it may be in the best interest of the City to withdraw the award and reject all bids and include proper language in the new bid specifications stating that the vendor would supply tank and pump and rebid the product. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Mayor Whaley asked for comments from the floor or Board.

Bob Sutton made general comments.

Richard Balk asked about the additional cost for the compost plant. City Manager Teaster stated that the facility would be rebuilt with better technology.

There being no further comments, and Fire Chief Watson offering a closing prayer, the meeting was duly adjourned at 6:15 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER