

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, NOVEMBER 14 2011, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

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

Before the meeting, Executive Director of Tourism Downey presented awards to businesses for harvest festival decorations.

Mayor Wear 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.

Mayor Wear asked if there were any comments from citizens.

Tony Rast asked about a business plan for the proposed events center. He cited TCA 7-53-312 and gave a copy of the code to council.

No further comments were received.

The authorization for the payment of bills was presented for approval. Motion was made by Vice Mayor McClure, second by Commissioner Reagan. Before the vote, City Manager Teaster asked for a bill from TDEC that had just been received to be included with bills to pay. This is for permitting on the Wear City Park and the process cannot go forward until the \$1,000 fee is received. Following a friendly amendment by Vice Mayor McClure, second by Commissioner Reagan, it was approved to accept the bills as noted. Commissioner Robinson noted that he was for the normal bills but opposed items in question that are not bid.

Old Business

There was no old business.

New Business

Ordinance No. 934 to amend section 709 (“C5 Commercial Amusement District”) of the text of the zoning ordinance of Pigeon Forge, Tennessee to allow passenger carrying tethered helium balloons was presented for the first reading. Community Development

Director Taylor discussed the three amendments in the ordinance. On a motion by Vice Mayor McClure, second by Commissioner Robinson, the motion was unanimously approved on the first reading.

Ordinance No. 935 to amend section 711.3 (“Uses permitted on review by the Board of Zoning Appeals in a C-6 district”) of the text of the zoning ordinance of Pigeon Forge, Tennessee regarding horseback riding stables was presented for the first reading. Community Development Director Taylor stated that this had been recommended by Planning Commission and this process was approached from a safety standpoint. Commissioner Robinson stated that his concern would be with possible smell. Mr. Taylor stated that he thought there was an ordinance that addresses a smell issue but this is something that could be looked at before the second reading. On a motion by Vice Mayor McClure, second by Commissioner Reagan, the motion was unanimously approved on the first reading.

Ordinance No. 936 to amend the zoning map of Pigeon Forge, Tennessee by rezoning parcels 4.01 and 5.00 of tax map 84 (located on the west side of Veterans Boulevard and North of Goldrush Road) from R-1 (low density residential) district to C-6 (mixed use commercial) district was presented for the first reading. Community Development Director Taylor stated this had been recommended by Planning Commission. On a motion by Vice Mayor McClure, second by Commissioner Reagan, the motion was unanimously approved on the first reading.

Discussion and consideration of bid to purchase semi-automated carts from Otto Environmental Systems for the Sanitation Department was presented for approval. Public Works Director Miller recommended the low bid from Otto in the amount of \$47.34 per cart. On a motion by Commissioner Reagan, second by Vice Mayor McClure, it was unanimously approved to accept the low bid as presented.

Discussion and consideration of bid to purchase a $\frac{3}{4}$ ton pickup truck from Golden Circle Ford for the Sanitation Department was presented for approval. Public Works Director Miller recommended low bid from Golden Circle Ford at a cost of \$23,394. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was unanimously approved to accept the low bid as presented.

Discussion and consideration of bid to purchase an automated refuse truck from Stringfellow for the Sanitation Department was presented for approval. Public Works Director Miller recommended low bid from Stringfellow at a cost of \$227,463.42. Mr. Miller stated that this would allow residential cart pick up to go from a three person operation to a one person operation. On a motion by Commissioner Robinson, second by Vice Mayor McClure, it was unanimously approved to accept the low bid as presented.

Discussion and consideration of bid to purchase a dump truck from McNelly Whaley Ford for the Street Department was presented for approval. Public Works Director Miller recommended the lowest bidder that met specifications from McNelly Whaley Ford at a cost of \$37,233.52. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the bid as presented.

Discussion and consideration to disallow bid of Norris Brother and award the bid to the second lowest bidder Charles Blalock and Sons for the construction of the Wear Park reuse water line was presented for approval. Sam Harrison with SSR noted that the low bid from Norris Brother did not execute the non-collusion affidavit of the prime bidder as required by the contract documents. The low bid was in the amount of \$576,227. The next lowest bidder was Charles Blalock & Sons, Inc. with a bid of \$679,749 or an increase of \$103,522. On a motion by Commissioner Robinson, second by Vice Mayor McClure, it was unanimously approved to reject all bids and rebid project.

Discussion and consideration of a change order from Clifton Construction in the amount of \$31,820.40 for the Applewood Drive Sewer project was presented for approval. Guy Wantiez with Vision Engineering stated that the change order included four items: 1) An additional lateral was requested by home owner. The location provided originally was not at a location the owner felt he could access easily; 2) The soil materials on the project are extremely poor resulting in continuous trench failure therefore widening the installation trench significantly. In addition, the phone line running along the road has encroached into our proposed trench requiring additional trenching be performed to relocate phone line. All of this trenching occurs in the roadway which, as per the specifications, requires full depth stone backfill; 3) Approximately 72 feet of sewer line was removed and replaced due to an incorrect invert on the initial manhole of the project. This occurred at a critical location in the project where the line was at minimum cover leaving no room for adjustment; and 4) An additional 70 feet of ductile iron pipe was used to replace PVC to provide additional protection due to proximity to waterline and road surface. Mr. Wantiez noted that there was no contingency in place on the bid. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was unanimously approved to accept the request as presented.

Discussion and consideration to purchase three trolleys from Double K, Inc. utilizing 5311 grant funds for the Trolley Department was presented for approval. Mass Transit Director Marine recommended purchasing three 25 – 28 foot long trolleys at a unit cost of \$165,748 for a total of \$497,244. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the bid as presented.

Discussion and consideration of bid to purchase ballast and lamps from Kendall Electric for City Hall was presented for approval. Parks and Recreation Director Wilbanks recommended low bid from Kendall at a cost of \$10,934. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was unanimously approved to accept the bid as presented.

Discussion and consideration of In-Lieu of Property Tax Contract with the City of Sevierville/Sevier County Electric System was presented for approval. City Manager Teaster stated that this was done annually and the amount for the current year was in the amount of \$266,038.37. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was unanimously approved to accept the request as presented.

Discussion and consideration of bids to purchase ammunition from Craig's Firearms and Precision Delta Corporation for the Police Department was presented for approval. Police Chief Baldwin recommended purchasing from the Statewide contract: 1) .223 Caliber and 12 gauge ammunition from Craig's Firearms at a cost of \$9,680.80; and 2) 45 ACP FMJ ammunition from Precision Delta Corporation at a cost of \$18,240. On a motion by Commissioner Robinson, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Discussion and consideration of bid to purchase voice pagers from Radio Express, Inc. for the Fire Department was presented for approval. Fire Chief Watson recommended low bid from Radio Express, Inc for 12 at a cost of \$445 each for total of \$5,340. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was approved to accept the bid as presented. Commissioner Reagan abstained from the vote.

Discussion and consideration to purchase furnishings from A&W Office Supply for Fire Station # 2 was presented for approval. Fire Chief Watson explained that 41 different products were being purchased and none were over the bid threshold. The total cost was in the amount of \$16,012.06. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was approved to accept the request as presented. Commissioner Reagan abstained from the vote.

Discussion and consideration of bid to purchase emergency light pre-emption equipment from Quality Traffic Systems for the Fire Department was presented for approval. Fire Chief Watson recommended bid from Southern Lighting & Traffic Systems at a cost of \$12,077.50. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was approved to accept the bid as presented. Commissioner Reagan abstained from the vote.

Manager's report included the following:

1. There will be a work session on November 15, 2011 at 10:30 a.m. in Meeting Room A of the City Complex.
2. There will be a Planning Commission meeting on December 13, 2011 at 3:00 p.m. in the council room of city hall. Following the meeting, board members will have their annual Christmas dinner at JT Hannah's.
3. There will be a bid opening on the traffic signal on November 15, 2011 at 2:00 p.m. in the council room of city hall.
4. There will be a bid opening on chemicals on November 17, 2011 at 2:00 p.m. in the public works conference room at city hall.
5. There will be a bid opening on the tennis courts rehabilitation project on November 22, 2011 at 2:00 p.m. in the conference room at the community center.

6. There will be a bid opening on the Wear City Park on December 1, 2011 in the council room at city hall at 2:00 p.m.
7. City offices will be closed on November 24th and November 25th to observe the Thanksgiving Holiday.
8. City offices will be closed on December 23rd and December 26th to observe the Christmas Holiday.
9. The next regularly scheduled meeting will be on November 28, 2011.
10. There will be a public hearing on Ordinances 934, 935, and 936 at the December 12, 2011 council meeting.

Mayor Wear asked for comments from the board.

Mayor Wear thanked the departments that helped with Winterfest. He also wished everyone a happy Thanksgiving.

Having no other comments received, the meeting was duly adjourned at 6:25 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER