

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, APRIL 13 2009, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

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

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

PUBLIC HEARING NO. 1

Vice Mayor McClure opened the public hearing to receive public comment regarding a proposed amendment to the text of Section 708 of the City's Zoning Ordinance ("FP-1 Floodplain Overlay District").

There being no comments received, the public hearing was closed.

PUBLIC HEARING NO. 2

Vice Mayor McClure opened the public hearing to receive public comment regarding proposed revision to the text of the City's Municipal Flood Damage Prevention ordinance (contained in the appendix of the City's zoning ordinance).

There being no comments received, the public hearing was closed.

REGULAR MEETING

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

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

Ordinance No. 888 to amend the text of the zoning ordinance of Pigeon Forge, Tennessee, by amending section 708 FP-1 (Floodplain) district was presented for the second reading. On a motion by Commissioner Reagan, second by Commissioner Brackins and with all voting "aye" the motion was approved on the second reading.

Ordinance No. 889 to be adopted pursuant to Tennessee Code Annotated section 6-19-101 for the purpose of amending the City of Pigeon Forge, Tennessee Municipal Code regulating development within the corporate limits of Pigeon Forge, Tennessee, to minimize danger to life and property due to flooding, and to maintain eligibility for participation in the National Flood Insurance Program was presented for the second reading. On a motion by Commissioner Brackins, second by Commissioner Reagan and with all voting "aye" the motion was approved on the second reading.

Resolution No. 758 to accept a newly built extension of Cool Hollow Avenue as a City street was presented for approval. On a motion by Commissioner Brackins, second by Commissioner Reagan and with all voting “aye” the motion was approved.

Approval of Change Order No. 1 for Red Roof Interceptor Phase II was presented for approval. Sam Harrison with SSR spoke of five changes. They include: 1) a credit offered by the contractor to delete the specified DryCon coating and substitute ConSeal CS-55 which will result in a credit on a per manhole basis of \$119.10 for a total credit of \$4,645; 2) the addition of 44 feet of 30-inch sewer line and one additional manhole caused by the relocation of the line to the Larry LaFollette property on LaFollette Circle resulting in changes applied at the unit bid prices and the estimated total increase in the contract value will be \$14,970; 3) pipe conflicts that were not known prior to the start of construction resulted in an alignment shift adding 33 feet of line and two manhole bases and the changes will be applied at the unit bid prices and the estimated total increase in the contract value will be \$16,524; 4) work associated with the archeological survey that is on-going at the confluence of Mill Creek and the West prong of the Little Pigeon River. The survey has been required to confirm human remains are not disturbed with an allowance for the archeological study to confirm no human burials will be disturbed in the construction of the project in the amount of \$25,000; 5) the scope increase of this project requires the addition of time for the contractor to complete the additional work in the amount of 21 calendar days. The total of all five changes results in an increase of \$51,849 and an additional 21 days. On a motion by Commissioner Brackins, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Approval of Change Order No. 4 for wastewater treatment plant digester repairs was presented for approval. Sam Harrison with SSR spoke of the four changes. They include: 1) balancing of the contract price proposed in Change Order No. 2 since actual quantities used were less than the original estimate and results in a decrease in the contract price of \$5,914.96; 2) pipe conflicts not known prior to the start of construction caused the location of a precast vault change resulting in additional work to pour higher walls, install handrail, and modify grating at a cost of \$3,250; 3) addition of an emergency horn located on the outside of the building that will signal plant personnel in the event of an equipment failure at a cost of \$350; 4) replacement of a level indicator for the secondary digester due to the level indicator being rusted out and required replacement through the course of work to repair the roof of the secondary digester at a cost of \$1,700. The total of all four changes results in a decrease of \$614.96 and an increase of 234 calendar days. On a motion by Commissioner Reagan, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Approval of Amendment No. 2 for operations and maintenance of the Pigeon Forge WWTP, lift stations, and collection system rehabilitation program was presented for approval. Martin Cross stated that this would extend the contract five additional years. On a motion by Commissioner Brackins, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Approval of single bid for trolley pressure washers under 5309 grant funds was presented for approval. Mass Transit Director Marine stated that he recommended the sole bid from Washington Equipment of Tennessee at a cost of \$18,790 with an additional \$496 for two barrels of washing concentrate for a total of \$19,286. On a motion by Commissioner Reagan, second by Commissioner Brackins, it was unanimously approved to accept the bid as presented.

Approval of bid for janitorial and paper supplies for all departments was presented for approval. Parks and Recreation Director Wilbanks recommended the low bid from Ellison

Sanitary Supply at a cost of \$15,577.45. On a motion by Commissioner Brackins, second by Commissioner Reagan, it was unanimously approved to accept the bid as presented.

Approval of maintenance agreement letter from Parkside Resort requesting City to accept project was presented for approval with responsibility of project being maintained by developer for 12 months. City Attorney Gass recommended if council accepted request that they do so subject to all liens being released. On a motion by Commissioner Reagan, second by Commissioner Brackins, it was unanimously approved to accept request with recommendations by City Attorney.

Approval of maintenance agreement letter from Grand Crown Resort, Phase I, Section I requesting City to accept water and sewer system in the development was presented for approval with responsibility of project being maintained by developer for 12 months. On a motion by Commissioner Brackins, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Manager's report included the following:

1. Community Night will be held on April 21, 2009 at 4:30 p.m. at the Pigeon Forge High School.
2. There will be a planning commission meeting on April 28, 2009 at 3:00 p.m. in the council room of City Hall.
3. The Dolly Parade will take place on May 8, 2009 at 6:00 p.m.
4. The next regularly scheduled council meeting will be held April 27, 2009.
5. The new municipal parking lot will be opening this Thursday April 16, 2009.

After general comments, and Tony Watson offering a closing prayer, the meeting was duly adjourned at 6:05 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER