

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, MAY 14 2007, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

Mayor Chance called the meeting to order. Commissioner McClure led in the pledge of allegiance and then City Recorder Clabo administered the oath of office to the newly elected Commissioner Sexton and Commissioner Whaley.

The following were in attendance: Commissioner Sexton, Commissioner Reagan, Commissioner Brackins, Commissioner McClure, Commissioner Whaley, City Manager Teaster, City Recorder Clabo, City Attorney Gass, Public Works Director Miller, Community Development Director Jagger, members of the press and interested citizens.

Nominations for election of Mayor were requested. On a motion by Commissioner Brackins to elect Keith Whaley to serve as Mayor, second by Commissioner Sexton and with all voting "aye" the motion passed as presented.

The election of Vice Mayor was presented. On a motion by Commissioner Reagan to elect Kevin McClure to serve as Vice Mayor, second by Commissioner Sexton and with all voting "aye" the motion passed as presented.

PUBLIC HEARING NO. 1

Mayor Whaley opened the public hearing to receive public comment regarding the proposed rezoning of property located at 402 and 410 Ogle Drive from R-1 (Low Density Residential) district to R-2 (High Density Residential) district. Said property owned by Leona Ogle and Richard Greene.

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

PUBLIC HEARING NO. 2

Mayor Whaley opened the public hearing to receive public comment regarding the proposed rezoning of property located off of Veterans Boulevard near Jayell Road from R-1 (Low Density Residential) district to R-2 (High Density Residential) district. Said property owned by Katherine Taylor and optioned by Leon Epling.

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 Sexton and second to motion by Commissioner Brackins.

Ordinance No. 826 to amend the zoning map of Pigeon Forge, Tennessee by rezoning certain property located at 402 and 410 Ogle Drive, owned by Leona Ogle and Richard Greene from R-1 (Low Density Residential) to R-2 (High Density Residential) 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. 827 to amend the zoning map of Pigeon Forge, Tennessee by rezoning certain property located off of Veterans Boulevard, owned by Katherine Taylor and optioned by Leon Epling, from R-1 (Low Density Residential) to R-2 (High Density Residential) was presented for the second reading. 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. 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 first reading. On a motion by Vice Mayor McClure, second by Commissioner Sexton and with all voting “aye” the ordinance was approved on the first reading.

Approval of annual maintenance contract with Tennessee Department of Transportation for maintenance of rights of ways inside City limits was presented for approval. City Manager Teaster spoke of this being an annual contract with TDOT for the purpose of reimbursement to the City for things such as salting roads in inclement weather and mowing grass. The annual agreement will be in the amount of \$61,706.12. On a motion by Commissioner Sexton, second by Commissioner Brackins, it was unanimously approved to accept the agreement as presented.

Discussion with possible action of sign modification height request relating to existing Belz mall sign was presented for approval. City Attorney Gass spoke of the agreement and stated that there was an increase in the height request from forty feet to fifty feet. Community Development Director Jagger stated that agreeing to the proposal would combine two signs into one. This is due to two businesses agreeing to one location but requested height extension to allow sufficient height for both signs. Vice Mayor McClure asked if increasing the height of a sign would set a standard for other signs. City Attorney Gass stated that it would be something the City would have to consider for other businesses. Commissioner Reagan asked if the sign would be higher than surrounding motel. Darby Campbell said that it would be as high as the surrounding motel. On a motion by Vice Mayor McClure, second by Commissioner Sexton, it was unanimously approved to accept the request as presented.

Approval of bid on various maintenance items or products for city garage was presented for approval. Public Works Director Miller stated that the first item listed was for oil, grease, and lubricants. It was recommended by Miller to use Sevier Farmers Co-op for chassis grease; Rogers Petroleum for 5w-30 motor oil, diesel motor oil, and 85w 140 gear lube; and Greenville Oil for 10w hydraulic oil. On a motion by Vice Mayor McClure, second by Commissioner Sexton, it was unanimously approved to accept the recommendation as presented.

Miller stated that the next item listed was for batteries. It was recommended by Miller to use Interstate Battery for AGM-800-DT; Taylor Battery for 24, 24F, 1131, 78DT, 78, 65, and 74; and Batteries Plus for 908D, YB18LA, and SRM24-DPCY. On a motion by Commissioner Sexton, second by Vice Mayor McClure, it was unanimously approved to accept the recommendation as presented.

Miller stated that the next item listed was for hydraulic hoses. It was recommended by Miller to use East Tennessee Hose & Supply for ¼” to 1 ¼” hydraulic hoses and all sizes and style of hydraulic fittings. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the recommendation as presented.

Miller stated that the next item listed was for tires. It was recommended by Miller to use GoForth Tire for Goodyear 215/70/R15, 215/60/R16, 225/60VR/16, 225/70/R15, 225/75/R16, 245/75/R17, 235/55/17RSAPOL, 23570/R15, 265/75/16, 265/75/22/5, 290/75/22.5, 9R22.5, 10R22.5, 11R22.5 rear, 425/65/22.5; Electric 215/85R/16; Delta 225/75R/15, 235/75/15; Maxtis 245/70/16; Mastercraft 245/75/R16; Dynatrac 245/70/19.5; Michelin 275/80/22.5; Turnpike 11R22.5 front; Maxxis 32X1150X15; Armor 19.5LX24; and King 750/16. It was recommended to use Sevier Farmers Co-op for Geo Trak 245/75/R16; Alpha 900X20, 1000X20; Nutech 1100X20; Firestone 900 Tube, 1000 Tube; Armor 12X16.5; Carlisle 23/950/12; and STC 8/14.5. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the recommendation as presented.

Miller stated that the next item listed was for hardware items. It was recommended by Miller to use Lawson Products for bolts, nuts, washers and other hardware items. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the recommendation as presented.

Miller stated that the next item listed was for vehicle replacement parts. It was recommended by Miller to use Federated Auto Parts for replacement parts. On a motion by Commissioner Brackins, second by Commissioner Sexton, it was unanimously approved to accept the recommendation as presented.

Consideration of request from Bob Barnes, representing Laurel Branch Phase 2, to connect a nineteen (19) lot subdivision development to the City water served from line located on Waldens Creek and McMahan Sawmill Hollow Road was presented for approval. Public Works Director Miller stated that approximately 2350’ of 6” water line would be used to serve 19 lots. The lots have been designed by an engineer and were submitted to the city’s engineer and it is noted that there is adequate fire protection and water pressure. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Consideration of agreement as to operation of public municipal surface parking facility was presented for approval. City Attorney Gass opened by stating that this was a public use facility parking lot. He stated that the agreement says that the parking lot will be open to the public. City Attorney Gass noted that the agreement would allow Belle Island visitors to access the parking lot by paying the same rate that other individuals will pay. The agreement would be effective for forty years from the date the parking facility is available for

public use. There is included an option for one successive forty year period and then one successive twenty year period. Gass stated that the agreement would automatically terminate if Belle Island Village had not commenced construction of not less than 150,000 square feet of building space on the land not later than one year from the date of this agreement, Belle Island Village has to complete construction of the building space by not later than three years from the contract date, and if less than a certain percentage of improvements constructed are occupied then the agreement will terminate. The agreement states that not less than 2,600 parking spaces will be provided. City Attorney Gass stated that a form easement would be included with this agreement. He further noted that a provision was in the document that said in the event Belle Island Village constructed 325,000 of business space, the City would be notified at least six months prior to the date of the expected completion date and the City would increase the parking facility to 3,000 spaces. In addition, Jim Dickert's name needed to be added to the agreements in addition to East Tennessee Acquisitions.

City Attorney Gass stated that due to the nature of parking facility and the need to assist individuals in getting from one point to another, a separate document may need to be considered. He said council may wish to allow the mayor to enter into a separate contract for an internal transportation mechanism. If so, the suggested language may need to be included: Due to the size and linear nature of the City land to be used for surface public parking, the City recognizes the need to operate an internal transportation system to promote efficient use of the parking facility. The City shall at its cost, implement and operate a people moving system within the parking facility that is sufficient to meet the demands of the customers and invitees of Pigeon Forge businesses to circulate within the parking facility. A people mover as herein defined shall be a tram, trolley or other such vehicle which shall provide efficient circulation and transportation of people to all parts of the parking facility. The City shall insure the efficient operation of the people mover at such times as are necessary for such businesses including businesses located on adjacent and contiguous properties including peak times, special events, and hours past the normal operational hours for the people mover.

On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to enter into an agreement regarding the public parking facility and form easement as presented.

On a separate motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to enter into an agreement for an internal transit system for surface parking facility to better move visitors throughout the parking facility.

Manager's report included the following:

1. A public hearing will be held on Ordinance No. 829 June 11, 2007 at city hall in the council room at 5:30 p.m.
2. There will be a planning commission meeting on May 22, 2007 at 5:30 p.m. in the council room.
3. Would like to schedule a work session to discuss wastewater plant for possible expansion or relocation.
4. Would like to authorize city manager and city recorder to use funds in state street aid to pave Sharon Drive and River Road. On a motion by Vice Mayor McClure,

second by Commissioner Sexton, it was unanimously approved to authorize repaving.

- 5. The next regularly scheduled council meeting is scheduled for Memorial Day Monday May 28, 2007 when city hall will be closed. Would like to request moving to Tuesday May 29, 2007.

Mayor Whaley asked for comments from the floor or Board.

Jerry Roberts congratulated council and stated that he had asked to be annexed and that he had read in the paper Commissioner Sexton had stated that everyone that had wanted annexed had been. Commissioner Sexton said that he did not recall making that statement.

Mayor Whaley suggested that Mr. Roberts go back to planning commission and start the process again since it had probably been a few years since the request had been made.

Vice Mayor McClure congratulated Mayor Whaley and Commissioner Sexton on the election.

Commissioner Brackins congratulated Mayor Whaley and Commissioner Sexton on the election.

Mayor Whaley thanked everyone for their support.

There being no further comments, the meeting was duly adjourned at 6:20 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER