

**MINUTES OF
CITY COMMISSION MEETING
TUESDAY, MAY 29 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, 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.

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. 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 first reading. City Attorney Gass stated that this was a mandate from the state and had been mostly modeled after ordinance prepared by MTAS. He stated that the ordinance defines personal interests and conflicts of interests. On a motion by Vice Mayor McClure, second by Commissioner Reagan and with all voting "aye" the ordinance was approved on the first reading.

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

Ordinance No. 832 to amend the zoning map of Pigeon Forge, Tennessee, by rezoning lots 29 & 30 of Twin Bridge Subdivision, owned by Gary Whaley and Inloe Whaley, from R-1 (Low Density Residential) to C-2 (Tourist Commercial) was presented for the first reading. On a motion by Vice Mayor McClure, second by Commissioner Reagan and with all voting "aye" the ordinance was approved on the first reading.

Ordinance No. 833 to amend the zoning map of Pigeon Forge, Tennessee, by rezoning Parcels A-5 and A-6 of Tax Map 95P and Parcel A-11 of Tax Map 95I, owned by Richard Ryalls and Smoky Mountain Pancake House (Steve Collier), from R-2 (High Density Residential) to C-2 (Tourist Commercial) was presented on the first reading. 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. 834 to amend the zoning map of Pigeon Forge, Tennessee, by rezoning Parcel 32.01 of Tax Map 95, owned by Cut Above Ventures, LLC from R-1 (Low Density Residential) to R-2 (High Density Residential) 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.

Approval of **Change Order No. 2** submitted by Charles Blalock & Sons on the Red Roof Sewer Interceptor, Phase I was presented for approval. Kenny Diehl from SSR stated that this would finalize the project. He stated that the change order did include a decrease in the contract amount of \$191,724.50. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was approved to accept the change order as presented. Commissioner Reagan abstained from the vote.

Approval of final pay application to Charles Blalock & Sons, Inc. for Red Roof Sewer Interceptor, Phase I was presented for approval. City Manager Teaster presented and stated that this would finish project with final payment of \$325,048.35 which includes the retainage amount. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was approved to accept the final pay application as presented. Commissioner Reagan abstained from the vote.

Resolution No. 735 to obtain MasterCard/Visa accommodations was presented for approval. City Recorder Clabo stated that the purpose of this card was primarily to secure travel arrangements for things such as airline tickets and rental cars to help keep employees from having to charge business travel on personal credit cards. On a motion by Commissioner Brackins, second by Vice Mayor McClure and with all voting “aye” the resolution was approved as presented.

Consideration of request from Dwight Wilson asking the City to accept the water system of Mountain Grace Estates into the City’s system was presented for approval. Chief Water Plant Operator Lynn Light stated that developer had met all necessary requirements. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Consideration and approval of agreement with SSR, Inc. for engineering services on wastewater line to French Broad River was presented for approval. Kenny Diehl with SSR stated that this project goes back a number of years. Mr. Diehl stated that the agreement was for work on the pump station and force main only. Mr. Diehl stated that all states have a 303D list and even though the City does not have a problem with their plant, the west prong river cannot handle additional discharge. 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. 829 June 11, 2007 at city hall in the council room at 5:30 p.m.
2. A public hearing will be held on Ordinance No. 832, 833, and 834 June 25, 2007 at city hall in the council room at 5:30 p.m.
3. There will be a planning commission meeting on June 26, 2007 at 5:30 p.m. in the council room.
4. There will be a public hearing for water quality permits on Jake Thomas farm on June 28, 2007 at city hall.
5. A beer board meeting has been scheduled for June 13, 2007 at 10:00 a.m. for consideration of Texas Roadhouse.
6. A budget work session has been scheduled for May 30, 2007 at 3:30 p.m. in meeting room A of the City Hall complex.

Mayor Whaley asked for comments from the floor or Board.

Vice Mayor McClure thanked Chief Watson and department for good job on compost fire. Chief Watson stated that all agencies worked very well together and there had been tremendous support from the community.

City Manager Teaster stated that an emergency meeting was held for the compost plant. Another meeting has been scheduled for Friday June 1, 2007 to discuss the future of the plant.

There being no further comments, and Mayor Whaley offering a closing prayer, the meeting was duly adjourned at 6:05 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER