

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, AUGUST 11, 2008, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

Mayor Whaley called the meeting to order at 5:30 p.m. with the following in attendance: Commissioners Joyce Brackins, Howard Reagan, Sue Sexton and Vice Mayor McClure. Also present were City Attorney Jim Gass and a member of the press. Several interested citizens were also present.

Mayor Whaley then asked Vice Mayor McClure to lead in the Pledge of Allegiance.

Minutes of the previous meeting and minutes of the work session were unanimously approved on a motion by Vice Mayor McClure, second by Commissioner Reagan.

The authorization for payment of bills was unanimously approved by a motion by Commissioner Brackins, second by Commissioner Reagan.

Ordinance No. 872, an ordinance to close Eagle Way and accept access and sewer easement from Dollywood was presented on first reading. On a motion by Vice Mayor McClure, second by Commissioner Brackins, the ordinance passed unanimously.

Attorney Jim Gass presented for approval a settlement agreement between the City and BS&J Enterprises, L.P. regarding purchase and providing of water to the development. Attorney Gass explained the terms of the agreement (a copy of which is attached). He advised the board that in his opinion this was a reasonable settlement. After a general discussion by the board and Attorney Gass, a motion was made by Vice Mayor McClure, second by Commissioner Reagan. Voting "aye" were Commissioners Sexton, Reagan and Mayor Whaley. Voting "nay" was Commissioner Brackins. The motion carried.

Approval of the request of Parkside Resort Subdivision, an eighty-five (85) lot subdivision, to connect their development into countywide line in Mill Creek – Little Cove area was presented by Mark Miller and Grant Hensley, owner. After a general discussion of this project, the board unanimously approved the request along with authorizing the City to pay the difference between an eight inch (8") water and twelve inch (12") ductile waterline on a motion by Commissioner Brackins, second by Vice Mayor McClure. The amount of the difference of \$202,878.00 was unanimously committed by the City also on a motion by Commissioner Brackins, second by Vice Mayor McClure.

John Wilbanks, director of parks and recreation, presented a Tree Grant Agreement with the Tennessee Agricultural Program. The grant is a 50/50 match and the trees can be planed along the Greenway. The total grant is for \$10,577.00 with the City's share being approximately \$5,288.00. On a motion by Vice Mayor McClure, second by Commissioner Reagan, the grant agreement was unanimously approved.

An engineering agreement with Vision Engineering to survey, design and provide construction services for improvement of approximately two thousand one hundred feet (2,100') of eight inch (8") waterline along McCarter Hollow Road was presented by Mark Miller, director of public works. After a general discussion, the agreement was unanimously approved on a motion by Vice Mayor McClure, second by Commissioner Brackins.

An engineering agreement with Vision Engineering to design approximately three thousand feet (3,000') of eight inch (8") sewerline extension paralleling McCarter Hollow Road was presented by Mark Miller. After a general discussion by the board, the agreement was unanimously approved on a motion by Commissioner Brackins, second by Vice Mayor McClure with all voting "aye".

Mark Miller, director of public works, presented a price proposal from SSR Engineering for plans and specifications for the repair and painting of Pine Mountain Road water storage tank. The proposal in the amount of \$9,000.00 was unanimously approved on a motion by Vice Mayor McClure, second by Commissioner Brackins, with all voting "aye".

A recommendation by SSR Engineering presented by Mark Miller to allow Mid-South Consultants to perform tank work including inspection and travel to the site in the amount of \$1,030.00 per trip (approximately ten (10) trips), washout the tank, perform a lead sample analysis, preliminary tank inspection and disinfection in the amount of \$3,600.00 was unanimously approved on a motion by Vice Mayor McClure, second by Commissioner McClure with all voting "aye".

John Wilbanks, director of parks and recreations, presented bids on the purchase of a replacement vehicle for parks & recreation department. The state bid in the amount of \$18,616.63 was unanimously approved on a motion by Commissioner Brackins, second by Vice Mayor McClure, with all voting "aye".

Mark Miller presented a request from Hibernation Station Subdivision to connect to county waterline in the Goose Gap area. Mr. Miller advised that all approvals and requirements had been met. On a motion by Vice Mayor McClure, second by Commissioner Reagan, the request was unanimously approved.

John Wilbanks presented **Change Order No. 2** on the Pigeon Forge Greenway in the amount of \$25,000.00 for approval. This change order provided for addressing the light fixtures along the Greenway as well as incentive pay for early completion by the contractor. On a motion by Vice Mayor McClure, second by Commissioner Brackins, the change order was unanimously approved.

Leon Downey presented a bid in the amount \$15,684.00 to purchase mail envelopes for the Pigeon Forge Travel Planner. On a motion by Commissioner Brackins, second by Vice Mayor McClure, the bid from Curtis 1000 be approved. The motion passed unanimously.

A bid was presented for the purchase of two (2) 4X4 vehicles in the amount of \$52,428.00 for the police department using the statewide contract. On a motion by Vice

Mayor McClure, second by Commissioner Brackins, the state bid was unanimously approved.

Bids to purchase dumpsters for resale were presented by Mark Miller. On a motion by Vice Mayor McClure, second by Commissioner Reagan, the bid of D & W Environmental was unanimously approved.

Bids to purchase public works uniforms under the current budget were presented by Mark Miller. On a motion by Commissioner Brackins, second by Commissioner Reagan, the bid from Whole Armor Uniforms was unanimously approved.

A request to allow Charlie Blalock Campground to connect to City sewer was presented by Mark Miller and Mike Suttles. Mr. Suttles advised the board that Mr. Blalock would be willing to connect to the City sewer system in two (2) phases. Based on this agreement, the connection was unanimously approved on a motion by Vice Mayor McClure, second by Commissioner Reagan.

City Attorney Gass presented a billboard modification request by Lamar. After a general discussion by the board, on a motion by Vice Mayor McClure, second by Commissioner Reagan, the agreement was unanimously approved, subject to forty feet (40') in height.

City Manager Teaster advised the board of the following: Planning Commission meets Tuesday, August 25, at 3:00 p.m.; the City picnic is Wednesday, August 27, at 11:30 a.m. at Pavilion No. 2; Beer Board is scheduled for Thursday, August 28, at 2:00 p.m.; English McCarter being honored on Thursday, August 14, at 11:00 a.m. at the airport for twenty-six (26) years of service to the airport.

Mr. John Newcomb addressed the board from the floor regarding the proposed McCarter Hollow Road project and shared his feelings of concern against the project as well as others that he felt were also concerned. He urged engineers to look at an artesian well located where the road, waterlines, etc. might go.

Mr. Glen Murphy asked about status of water issue behind his property. Mr. Miller advised that TDEC has visited the area and informed the City that the ditch is not a blue line stream. Mr. Miller also advised that the City had not heard from all parties owning property. Mr. Murphy agreed to also try to help further contact property owners affected.

There being no further business to come before the meeting, Mayor Whaley recognized Leon Downey who dismissed the meeting at 6:45 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER