

**MINUTES OF  
CITY COMMISSION MEETING  
MONDAY, DECEMBER 9, 2013, 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 Brackins, Commissioner Ogle, Commissioner Reagan, Assistant City Manager Brackins, City Recorder Clabo, City Attorney Gass, members of the press and interested citizens. City Manager Teaster was absent.

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

**PUBLIC HEARING 1**

A public hearing to receive public comment regarding the proposed amendment to the zoning map of the Pigeon Forge, Tennessee by rezoning a portion of parcel 13.12 of tax map 93 (located on Waldens Creek Road between Little Valley and Old Valley Roads) from R-2 (high density residential) district to C-6 (mixed-use commercial) district.

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

**REGULAR MEETING**

The minutes were unanimously approved following motion by Commissioner Brackins and second to motion by Vice Mayor McClure.

Mayor Wear asked if there were any comments from citizens.

No comments were received.

The authorization for the payment of bills was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Ogle, it was unanimously approved to accept the bills as presented.

**Old Business**

**Ordinance No. 972** to amend the zoning map of Pigeon Forge, Tennessee by rezoning a portion of parcel 13.12 of tax map 93 (located on Waldens Creek Road between Little Valley and Old Valley Roads) from R-2 (high density residential) district to C-6 (mixed-use commercial) district was presented on the second reading. Community Development Director Taylor stated that this had been recommended by the Planning Commission. On a motion by Vice Mayor McClure, second by Commissioner Ogle, and with all voting "aye" the motion was approved on the second reading.

**Ordinance No. 973** to amend the Pigeon Forge Municipal Code to add a new chapter providing for a restaurant privilege tax was presented on the second reading. City Attorney Gass

presented and he stated that this will allow the code to be amended and the tax proposed to be levied is one percent. Motion was made by Commissioner Brackins and was seconded by Vice Mayor McClure. Before the vote City Recorder Clabo asked that if approved, council make the effective date February 1, 2014 to allow businesses time to make necessary changes with registers, signage, etc. Following a friendly amendment by Commissioner Brackins, second by Vice Mayor McClure, the motion was approved on the second reading. Commissioner Reagan abstained from the vote.

**Ordinance No. 974** to amend section 5-104 of the Pigeon Forge Municipal Code: purchasing was presented on the second reading. On a motion by Vice Mayor McClure, second by Commissioner Ogle, and with all voting "aye" the motion was approved on the second reading.

**Ordinance No. 975** to allow for the sale of beer by licensed caterers and to establish clarity in the enforcement of beer regulations with that of the Tennessee Alcohol Beverage Commission was presented on the second reading. City Attorney Gass presented. On a motion by Vice Mayor McClure, second by Commissioner Ogle, the motion was approved on the second reading. Commissioner Reagan abstained from the vote.

**Ordinance No. 976** to amend Ordinance No. 953 establishing a privilege tax for caterers who sell alcoholic beverages was presented on the second reading. City Attorney Gass presented. On a motion by Vice Mayor McClure, second by Commissioner Ogle, and with all voting "aye" the motion was approved on the second reading.

### **New Business**

City Attorney Gass stated that discussion of the 2012-2013 fiscal audit had been on the work session agenda prior to this meeting but had been accidentally omitted from the regular council agenda. In order to get the audit presented without having to file an extension with the State of Tennessee, he recommended amending the agenda to include consideration of the annual audit. On a motion by Vice Mayor McClure, second by Commissioner Ogle, it was unanimously approved to amend the agenda as requested.

Discussion and consideration of the 2012-2013 annual audit was presented for approval. Larry Elmore with Pugh & Company was present to answer any questions. On a motion by Commissioner Ogle, second by Vice Mayor McClure, it was unanimously approved to accept the audit as presented.

**Resolution No. 803** to accept a bid to lease exercise equipment for the Wellness Center and Police Department from Fitness Solutions of Knoxville was presented for approval. Assistant City Manager Brackins presented and recommended the low bid in the amount of \$9,085 per year for three years. On a motion by Vice Mayor McClure, second by Commissioner Brackins, and with all voting "aye" the motion was approved.

Discussion and consideration of a letter of intent to enter into a management agreement with Ripken Sports to provide pre-opening services and management services for a baseball complex to be known as the Ripken Experience Pigeon Forge was presented for approval. Assistant City Manager Brackins presented and stated that this allows the City to exclusively

negotiate with Ripken. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Discussion and consideration of bid to purchase a knuckle boom truck for the Sanitation Department from Stringfellow was presented for approval. Public Works Director Miller presented and recommended the bid in the amount of \$125,723. On a motion by Commissioner Brackins, second by Commissioner Ogle, it was unanimously approved to accept the bid as presented.

Discussion and consideration of bid to purchase water plant chemicals for the Water Plant from Brenntag Mid-South and Delta Chemical Corp was presented for approval. Public Works Director Miller presented and recommended the low bids as follows: 1) Bleach to Brenntag Mid-South at a cost of \$.79/gallon; and 2) Coagulant to Delta Chemical Corp at a cost of \$2.35/gallon or \$.218/lb. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the bids as presented.

Discussion and consideration of a reimbursement agreement for a crash report with Appriss for the Police Department was presented for approval. Police Chief Baldwin presented and noted that the State of TN collects the accident reports and makes them available to the public. The City will be reimbursed \$4 per report. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Discussion and consideration of bid to purchase crash reconstruction equipment for the Police Department from VS Visual Statement Inc. was presented for approval. Police Chief Baldwin presented and recommended the bid in the amount of \$11,190. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the bid as presented.

Manager's report included the following:

1. There will be a planning commission meeting combining the November and December meeting to be held on Tuesday December 10, 2013.
2. The Christmas lunch for city employees will be Thursday December 19, 2013.
3. The advisory board will have lunch on December 10, 2013 at 12:00 p.m.
4. The regularly scheduled council meeting on December 23, 2013 has been cancelled since city offices will be closed.
5. City offices will be closed December 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup> to observe the Christmas holiday.
6. City offices will be closed New Year's Day January 1, 2014.
7. The next regularly scheduled meeting will be January 13, 2014.

Mayor Wear asked for comments from the board.

It was requested that the bills that would become past due since the second council meeting in December has been cancelled are allowed to be paid. On a motion by Vice Mayor McClure, second by Commissioner Ogle, it was unanimously approved to pay necessary bills that will be due before the next council meeting.

Mayor Wear wished everyone a Merry Christmas.

Having no other comments received, the meeting was duly adjourned at 6:00 p.m.

APPROVED: \_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
CITY RECORDER