

**MINUTES OF  
CITY COMMISSION MEETING  
MONDAY, JANUARY 11 2010, 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 Robinson, Commissioner Wear, City Manager Teaster, City Recorder Clabo, City Attorney Gass, members of the press and interested citizens.

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 Brackins.

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

A proclamation to proclaim Monday, March 15, 2010 as Arbor Day was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept request as presented.

Review and consideration of an agreement with Cindy Owens as Trustee for Ogle Credit Shelter Trust regarding the purchase of right-of-way and the rezoning of property from R-1 (Low Density Residential) district to C-2 (Tourist Commercial) was presented for approval. City Attorney Gass noted that owners would be bound to this agreement for five years. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved.

Approval of agreement with Vision Engineering for survey work at the new fire station was presented for approval. Mike Smelcer with SRA explained that this would allow the necessary surveying and flagging of the property line and easement to be done and then reviewed by Dollywood for their approval. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Approval of request to purchase items to upgrade the Jake Thomas Lift Station Pump was presented for approval. Martin Cross discussed and noted that this was for a new pump and recommended treating as a sole source so that the pumps and guide rails are interchangeable. The equipment costs are as follows: (1) Hydromatic s6a pump from Water and Waste Equipment at a cost of \$7,190; (2) Hydromatic 6" MTM rail system from Water and Waste Equipment at a cost of \$2,990; (4) Stainless Guide Rails from Water and Waste Equipment at a cost of \$780; (2) Electrical Components from United Automation & Electric at a cost of \$1,181.70; and pump bypass equipment from Rain for Rent at a cost of \$4,783.35

for a total of \$16,925.05. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Consideration of addendum to the 2009-2010 scope of work with USDM was presented for approval. Executive Director of Tourism Downey explained that this was a change that had been discussed by council in that ad sale payments will be remitted the City of Pigeon Forge instead of directly to USDM. In January 2010, USDM will invoice the City \$39,000 monthly for services and advertising services. Commissioner Robinson asked about the 10% that was being paid. Mayor Whaley stated that it was an administrative fee where they did work on the account. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Consideration of a General Services Agreement with USDM to provide the City of Pigeon Forge Department of Tourism with Integrated Marketing Services was presented for approval. Executive Director of Tourism Downey discussed contract. Commissioner Robinson asked that additional language be added to the agreement that allows either party to terminate contract with 90 days written notice. Commissioner Robinson also asked about this contract being treated as a professional service since he had an email from Dennis Dycus noting it has to be bid. City Attorney Gass stated that the City has a letter from MTAS stating that what the City is doing is ok. On a motion by Vice Mayor McClure with provision to include termination clause as recommended by Commissioner Robinson, second by Commissioner Brackins, it was approved to accept the agreement with provision. Commissioner Robinson voted no.

Consideration of the 2009-2010 scope of work and media plan with The Bohan Agency was presented for approval. Executive Director of Tourism Downey discussed plan and scope of work generally. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Consideration of a letter or agreement with The Bohan Agency to provide the City of Pigeon Forge Department of Tourism with Advertising Services was presented for approval. Commissioner Robinson noted that he didn't see the incentive for Bohan to save the City any money if they receive the same percentage regardless of the ad sales purchased. David Bohan said that the AC Neilson report is used to provide a range of costs for ads. After general discussion and on a motion by Vice Mayor McClure, second by Commissioner Brackins, it was approved to accept the agreement as presented. Commissioner Robinson voted no.

Reappointment of Police Chief Jack Baldwin to serve as a member of the 911 Board of Directors was presented for approval. City Manager Teaster stated that this appointment would serve for four years. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept request as presented.

Appointment of Commissioner David Wear to the Sevier County Economic Development Council was presented for approval. City Manager Teaster explained that the City could appoint one member to serve as representative for the City. On a motion

by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept request as presented.

Manager's report included the following:

1. There will be a public hearing on Ordinance 897 on January 25, 2010 at 5:30 p.m. in the council room of city hall.
2. There will be a planning commission meeting on January 26, 2010 at 3:00 p.m. in the council room of city hall.
3. There is a need for a work session to review the 2008-2009 annual audit and would like to schedule on January 20, 2010 at 3:00 p.m.

Mayor Whaley asked for comments from the floor and/or board.

Following general comments and Mike Smelcer offering a closing prayer, the meeting was duly adjourned at 6:35 p.m.

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

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