

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, JANUARY 25 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.

PUBLIC HEARING

A public hearing to receive public comment regarding an ordinance to amend the Zoning Map of Pigeon Forge, Tennessee by rezoning parcels 156 of tax map 94 and parcel F-31.01 of tax map 94-F, owned by Cindy Owens and Credit Shelter Trust, from R-1 (Low Density Residential) District to C-2 (Tourist Commercial) District.

Robert Greene, John Wear, Tommy Wear, Suzy Campbell, and Cindy Owens were in attendance stating they were for the rezoning.

Scott Aldrich, Kelly Aldrich, Dee Gallon, Debra Kellar, Tim Kellar, Wilburn Malugen, Mitzi Malugen, Nancy Clabo, Denny Clabo, Bert Patel, and Vinod Patel were in attendance stating they were against the rezoning.

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

REGULAR MEETING

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

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

Ordinance No. 897 to amend the Zoning Map of Pigeon Forge, Tennessee by rezoning parcels 156 of tax map 94 and parcel F-31.01 of tax map 94-F, owned by Cindy Owens and Credit Shelter Trust, from R-1 (Low Density Residential) District to C-2 (Tourist Commercial) District was presented for the second reading. Community Development Director Taylor explained that that the requested C-2 zone is the only zone which permits an RV park. He noted that there currently is property in the area that is zoned commercial. There was lengthy discussion between council and the general public regarding what could be located on the property, traffic and safety concerns with large RVs traveling on Ogle drive, road conditions on Ogle Drive being able to accommodate

the large RVs, and potential noise issues. After lengthy discussion and on a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to defer to a work session on Tuesday February 2, 2010 at 4:30 p.m. in Meeting Room A.

Approval of In-Lieu of Property Tax Contract with the City of Sevierville detailing the distribution of the Sevier County Electric System tax equivalents was presented for approval. City Manager Teaster stated that the City of Pigeon Forge will receive \$243,639.71. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Approval and acceptance of the City's 2008-2009 Fiscal Year Audit was presented for approval. Larry Elmore with Pugh & Company spoke and noted that the audit had went well, staff had participated well, and the City was receiving an unqualified opinion. Commissioner Robinson stated that he understood that Pugh & Company had did what they were told to do and staff had done what was expected of them but he was concerned that the audit did not address specific issues he had discussed over the past months. He further added that he didn't believe that a full audit was completed and perhaps the report could be changed and be referred to as a partial audit. Elmore stated that a full audit had been performed and is the same as those done throughout the State of Tennessee for other cities. There was further discussion regarding whether or not an internal audit was being requested to answer Commissioner Robinson's concerns. After lengthy discussion and on a motion by Commissioner Wear, second by Vice Mayor McClure, it was approved to accept the audit as presented. Commissioner Robinson voted no.

Review and consideration of a development agreement with Holrob Pigeon Forge Partners and Transamerica Life Insurance Company in regards to access to parking spaces was presented for approval. City Attorney Gass discussed the agreement noting that Holrob will put up the required spaces as defined in the agreement and that the parking will not include municipal parking. On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Review and consideration of a mutual release and settlement agreement with MF Billboards regarding the relocation of a billboard was presented for approval. City Attorney Gass noted that this will permit the existing sign on the parkway in front of Belle Island to be relocated to the property know as Alf's. He stated he had been provided the documentation clarifying that there were no issues with the courts regarding this sign. He did state that council may want to include language that the sign may be a tri-vision or digital board. On a motion by Vice Mayor McClure with stipulation to include language for tri-vision or digital board face, second by Commissioner Wear, it was unanimously approved to accept the request.

Approval of a request for water service for the proposed waterline extension along McMahan Sawmill Road for Kevin Blalock was presented for approval. Per Mayor Whaley, this item was withdrawn from the agenda.

Approval of request to purchase Winterfest Chasers was presented for approval. City Manager Teaster stated that it was recommended using low bid from All American Christmas at a cost of \$3,629. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Manager's report included the following:

1. There will be a planning commission meeting on January 26, 2010 at 3:00 p.m. in the council room of city hall.
2. There will be a notice done for the work session.

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

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

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER