

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

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 annexation of Wear Farm City Park to annex certain property located off Wears Valley Road and South of Waldens Creek known as Wear Farm City Park into the corporate limits of Pigeon Forge, Tennessee said property being owned by the City of Pigeon Forge. (Ordinance No. 955).

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

REGULAR MEETING

The minutes were presented and motion was made by Vice Mayor McClure which was seconded by Commissioner Brackins. Before the vote, City Recorder Clabo stated City Attorney Gass was recorded as being present at the January 24, 2013 work session but he was actually absent due to a death in his family. Under a friendly amendment to reflect the change in the work session minutes, the minutes were unanimously approved.

Mayor Wear asked if there were any comments from citizens.

Melissa Sunderland asked for clarification on money from liquor by the drink going to the Pigeon Forge schools.

James Overstreet asked if liquor laws would allow bars. He further noted that he respectfully disagreed with City Attorney Gass at the last meeting regarding the answers he gave to Commissioner Robinson. He also stated that a finance report should be given monthly.

Mark Rutledge thanked the City for the renovation to the tennis courts next to the community center.

Ken Maples asked City Attorney Gass to clarify James Overstreet's request to make sure everyone had the facts.

No other comments were received.

The authorization for the payment of bills was presented for approval. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was approved to accept the bills as presented. Commissioner Robinson noted that he was for the normal bills but opposed items in question that are not bid.

Old Business

Ordinance No. 955 to annex certain property located off Wears Valley Road and South of Walden's Creek known as Wear Farm City Park into the corporate limits of Pigeon Forge, Tennessee said property being owned by the City of Pigeon Forge was presented on the second reading. Community Development Director Taylor presented. Commissioner Reagan asked if there were any plans for the property. Mr. Taylor said there were not any current plans. On a motion by Vice Mayor McClure, second by Commissioner Brackins, and with all voting "aye" the motion was approved on the second reading.

Ordinance No. 956 to amend Ordinance No. 949 annual appropriations for Fiscal Year 2012-2013 was presented on the second reading. City Recorder Clabo presented and discussed amendment. On a motion by Commissioner Brackins, second by Vice Mayor McClure, and with all voting "aye" the motion was approved on the second reading.

New Business

Resolution No. 799 to adopt a plan of service for the property of the City of Pigeon Forge known as Wear Farm City Park, tax map 83, a portion of parcel 51.00 located off wears Valley Road, proposed for annexation into the corporate limits of the City of Pigeon Forge, Tennessee was presented for approval. Community Development Director Taylor presented and noted that a plan of service would be required. On a motion by Vice Mayor McClure, second by Commissioner Robinson, and with all voting "aye" the motion was approved.

Discussion and consideration of an agreement for pre-development services for the proposed tournament baseball facility with Ripken Management and Design LLC was presented for approval. Jim Arnold with Ripken Management stated that this agreement would allow final concept plans and overall costs to be determined. He stated the process should take between four to six weeks. On a motion by Vice Mayor McClure, second by Commissioner Robinson, it was unanimously approved to accept the agreement as presented.

Discussion and consideration of bid to purchase street light maintenance materials from Graybar was presented for approval. Public Works Director Miller presented and stated three bids had been received and he recommended the lowest bid from Graybar at a cost of \$5,873.48. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the bid as presented.

Discussion and consideration of a change order from Charles Blalock and Sons relating to the construction of Wear Farm City Park in the amount of \$243,552.55 was presented for approval. The amount will be paid for utilizing bond funds. Steve Fritts with Barge Waggoner Sumner & Cannon presented. Commissioner Robinson asked why we would not bid some of these items. Mr. Fritts stated that it would delay the opening of the park. On a motion by Commissioner Brackins,

second by Vice Mayor McClure, it was unanimously approved to accept the change order as presented.

Discussion and consideration of proposal for concession drink provider at Wear Farm City Park and the Community Center outdoor pool from Coca-Cola was presented for approval. Parks and Recreation Director Wilbanks stated that a proposal was only received for Coke. It was recommended by Mr. Wilbanks to reject proposals and rebid. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to reject the proposal and rebid.

Discussion and consideration to purchase 68 glock pistols as replacement for current weapons for the Police Department from Craig's Firearms was presented for approval. Police Chief Baldwin presented and stated that it is recommended the turnover cycle is between 4 to 5 years. After the trade in value, the final cost would be \$11,492. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept the request as presented.

Discussion and consideration to purchase 8 body cameras via the statewide contract for the Police Department from L3 Mobile Vision was presented for approval. Police Chief Baldwin stated that the camera system would be \$909.95 each for a total of \$7,279.60. 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. The tentative schedule for the wastewater plant will be: advertise – February 17, 2013; pre-bid – March 6, 2013; open bids – March 28, 2013; council approval – April 8, 2013.
2. There will be a planning commission meeting on Tuesday February 26, 2013 at 3:00 p.m. in the council room at city hall.
3. There will be a beer board meeting on Wednesday February 27, 2013 at 11:00 a.m. in the council room at city hall.
4. There will be an IDB meeting on Tuesday February 12, 2013 at 4:00 p.m. in meeting room A of the city complex.
5. The State of the City meeting will be held on Thursday February 21, 2013 at 11:30 a.m. at the Holiday Inn in Pigeon Forge.

Mayor Wear asked for comments from the board.

Vice Mayor McClure asked about the petting zoo. City Attorney Gass stated that the owner obtained a permit for demolition and removed some. The permit is good for one year. There is framing that is not in compliance and a good portion of the site has never been permitted and is non-conforming. It was asked what process could be taken. City Attorney Gass suggested a 10 notice be sent to owner. Before the vote, Commissioner Reagan left the meeting sick. On a motion by Vice Mayor McClure, second by

Commissioner Brackins, it was unanimously approved to direct City Attorney Gass to send a letter to property owner giving him 10 days from receipt of letter to bring building into compliance with City regulations. Otherwise, the City will initiate action for enforcement and compliance to City regulations with taxing costs to property owner.

Mayor Wear asked City Attorney Gass to explain how the bar issue and also how the liquor by the drink tax would be distributed. City Attorney Gass stated that he thought that the food requirement was 50% for a restaurant. As it related to the tax, the tax collected on alcohol sales is 15%. 7.5% of the 15% would go to the State. The other 7.5% would stay in the City of Pigeon Forge to go to the three schools since the City has a premier resort status.

Having no other comments received, the meeting was duly adjourned at 6:15 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER