

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, FEBRUARY 28 2011, 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 Wear.

Presentation of plaque to recognize the Pigeon Forge High School Wrestling Team as 2010-2011 A/AA State Wrestling Dual Runner-up was presented by Mayor Whaley.

Mayor Whaley asked if there were any comments from citizens.

Charles Rhodes asked about any news on the booking engine. Mayor Whaley stated there was nothing new to report.

Leland Wykoff asked about agenda item seven page 3 number 7 not being legible and asked when considered for approval if it would be read in to the record for clarification. Mr. Wykoff also asked about agenda items 6 and 8. Mayor Whaley noted that both agenda items had been withdrawn.

Tony Rast stated that previous agreement that had been considered between the City of Pigeon Forge and Pigeon River Land Partners, LLC mentioned a lease of 27 years. However, under the Charter it says that it can be no longer than 25 years. City Attorney Gass stated that clarification could be made under agenda item 7. Mr. Rast asked if the Letter of Intent (LOI) was still standing. City Attorney Gass noted that the new agreement would supersede the LOI.

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 noted. Commissioner Robinson noted that he was for the normal bills but opposed items in question that are not bid.

Old Business

There was no old business.

New Business

Resolution No. 779 authorizing the publication of notice regarding delinquent taxes, penalties and interest for the year 2009 was presented for approval. On a motion by Commissioner Wear, second by Commissioner Brackins and with all voting “aye” the motion was approved.

Resolution No. 780 to allow the City’s Industrial Development Board to issue bonds in the amount of \$53,420,000 for the construction of the events center was presented for approval. Item was withdrawn from agenda without discussion.

Discussion and consideration to reestablish the City’s Industrial Development Board and to appoint the members was presented for approval. City Attorney Gass stated that original plan for event center was to enter into a lease agreement with developer. It was noted that a formal lease agreement would be presented for approval. The deadline had been indicated to be February 28, 2011. Under mutual agreement, that deadline for performance of the final settlement has been extended until March 10, 2011. It has since been determined that that it will be more cost effective to secure bond proceeds through the City or Industrial Development Board as opposed to a leasing option.

The copy of By-Laws of the Industrial Development Board of Pigeon Forge, Tennessee was included with council packets. However, under article II on page 3, number 7, copy was unclear. For clarification, Mayor Whaley read section in to minutes. It reads: Newly created directorships shall be filled by majority vote of the city commissioners of Pigeon Forge, Tennessee. A director elected to fill a vacancy caused by resignation, death or removal shall be elected to hold office for the unexpired term of his predecessor.

City Manager Teaster recommended the following individuals to serve on board: Linda Ogle, Jay Ogle, Johnny Hill – President/Chairman, Robert Young, Garry Kimble, Laurie Faulkner – Secretary, and Gary Perkins. City Attorney Gass stated that this would replace all old members. On a motion by Commissioner Wear, second by Vice Mayor McClure and with all voting “aye” the motion was approved.

Discussion and consideration of a development agreement with Pigeon River Land Partners, LLC and the City’s Industrial Development Board for the construction of the city’s events center and improvements at Riverwalk Village was presented for approval. Item was withdrawn from agenda without discussion.

Discussion and consideration of a settlement agreement with Sevier Lock and Safe, Inc., Citizens National Bank and M. Copley Vickers, Trustee Respondents was presented for approval. City Attorney Gass state that this issue went back several years to

the Middle Creek Road condemnation. This agreement will conclude and settle the issue and require the City to pay \$53,000. Each party will be responsible for their own attorney fees. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the agreement as presented.

Discussion and consideration to submit an application for 5311 grant funds for the purchase of trolleys was presented for approval. Mass Transit Director Marine stated that this grant can be used to replace approximately three trolleys. The match for this grant is \$278,000 federal, \$250,000 state, and \$58,666.70 local for a total of \$586,666.70. Marine noted that this grant may come out of the 2011-2012 fiscal budget year or possibly even 2012-2013 fiscal year. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the grant as presented.

Discussion and consideration to accept a bid for the purchase of a trolley bus from Double K, Inc. was presented for approval. Mass Transit Director Marine stated that it was his recommendation to award low bid to Double K at a cost of \$165,748. On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to accept the bid as presented.

Discussion and consideration to purchase wildland fire equipment utilizing rural fire assistance grant funds was presented for approval. Fire Chief Watson stated that he recommends purchasing the following equipment from Grant G5023100027: Educational Sign from SmokeyZone.com at a cost of \$2,138.04; Adapters, valves and safety vests from Ferrara Fire at a cost of \$1,778.00; Adapters and fittings from Pro-Fire Equipment at a cost of \$530.00; and Drip Torch Bracket from Amazon.com at a cost of \$250.00. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Discussion and consideration to accept a bid for the purchase of a tire changer and tire balancer for Fleet Maintenance was presented for approval. Assistant City Manager Brackins stated that it was recommended that tire balancer be purchased from NAPA of Sevierville at a cost of \$5,115.64 and tire balancer be purchased from R. Conrad Reese at a cost of \$9,152.63 as vendors with lowest bid that meets bid specifications. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to award bids as presented.

Discussion and consideration to accept a bid for the construction of Fire Station #2 for K&F Construction was presented for approval. Mike Smelcer with SRA stated that on February 3, 2011, 9 bids were received and it was his recommendation to award bid to lowest bidder that met specifications which was K&F Construction at a cost of \$2,214,000 and 260 calendar days. Neither alternate one nor two is being recommended. On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to award bid as presented.

Discussion and consideration to reject bids for the City IVR Solution (Tourism phone service) and to rebid was presented for approval. Information Technology Director

Ogle noted that it was determined that a speech-to-text option was available for their respective IVR solution. Based on the preference to add this feature, it was recommended to reject all bids and immediately rebid with the new feature. On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to reject bids and rebid.

Manager’s report included the following:

1. There will be a public hearing on Ordinance Number 918, 920, and 921 on March 14, 2011.
2. There will be a Planning Commission meeting on March 22, 2011 at 3:00 p.m. in the council room of city hall.
3. Council members are invited to the D.A.R.E. graduation at 1:00 p.m. on Friday March 4, 2011 at the Pigeon Forge Middle School.
4. Would like to have a work session and special called meeting to discuss event center issues. Will try to have work session on Thursday March 3, 2011 at 4:00 p.m. and special called meeting on Friday March 4, 2011 at 12:00 p.m. in the council room of city hall.

Mayor Whaley asked for comments from the board.

Mayor Whaley commended Saddle Up event. Mayor Whaley also mentioned the City of Pigeon Forge receiving the Regents Award for Excellence in Philanthropy.

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

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER