

**MINUTES OF  
CITY COMMISSION MEETING  
MONDAY, JULY 25 2011, 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.

**REGULAR MEETING**

The minutes were presented for approval. Vice Mayor McClure made a motion to approve minutes, which was seconded by Commissioner Brackins. Before the vote City Recorder Clabo noted that a correction needed to be made in language in Ordinance 928. It stated Mayor Whaley abstained from the vote and it needed to be changed to Mayor Wear. Vice Mayor McClure amended motion to include change, second by Commissioner Brackins, and the motion was unanimously approved.

Mayor Wear asked if there were any comments from citizens.

Tony Rast stated that since he was neither an official or an employee, he felt he needed to withdraw his complaint made regarding the City's Ethics Policy.

Jim Hedrick, Ryan Desear, Dharamdas Hemrajani, and Thomas Fay all commented on flooding in their neighborhood in Kings Hills and asked the City for assistance. Vice Mayor McClure asked if this could be discussed at an upcoming work session.

Charles Rhodes commented on the ethics issue.

Dana Day commented on when agendas are posted on the website.

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**

**Ordinance No. 931** to amend Ordinance No. 929 and the Pigeon Forge Municipal Code by revising Section 18-109 water rates and Section 18-110 sewer rates for the City of

Pigeon Forge was presented for the second reading. Commissioner Robinson noted that he was against because he was against raising rates, not because of the typographical error. On a motion by Vice Mayor McClure, second by Commissioner Brackins, the motion was approved on the second reading. Commissioner Robinson and Commissioner Reagan voted no.

### **New Business**

**Resolution No. 783** to amend the Resolution adopted March 4, 2011 relating to the request to the Industrial Development Board of the City of Pigeon Forge, Tennessee to issue its not to exceed \$54,000,000 Lease Revenue Bonds, Series 2011 (City of Pigeon Forge Events Center Project) for the purpose of funding the acquisition and construction of a Civic Events Center; approving a lease agreement with the municipality in connection therewith; and authorizing the levy of a direct annual tax for payments to be made under the lease agreement was presented for approval. Joe Ayres with Morgan Keegan presented the Resolution. Commissioner Robinson made a motion to amend document so that City Commissioners have the right to inspect books pertaining to the development and construction of the project just as the Industrial Development Board does, second by Vice Mayor McClure, and with all voting “aye” the amendment was approved.

Mr. Ayres stated that the purpose of the Resolution was to: 1) change the name of the bond to Public Facility Bonds, Series 2011; 2) correct a wrong reference or typo to a section of TCA of the Industrial Development Board; and 3) change the amortization when going to market. Following lengthy discussion regarding the issuance of the bonds and on a motion by Vice Mayor McClure, second by Commissioner Brackins, the resolution was approved. Commissioner Robinson and Commissioner Reagan voted no.

Discussion and consideration of agreement with RES LLC for assistance in acquiring Right-of-Way for the Greenway was presented for approval. Assistant City Manager Brackins stated that the cost for the company to obtain donations of the required right of ways will be at a rate of \$1,250 per parcel or \$7,500 for 6 tracts. In the event that the property owners do not agree to donate the right of ways, making offers and negotiations will be an additional \$1,750 per parcel. 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 Notice of Complaints by Citizen in regards to the City's Ethics Policy was presented for approval. Mayor Wear asked what needed to be done since Tony Rast had asked to withdraw item from agenda. City Attorney Gass stated that council could accept the request to withdraw. Vice Mayor McClure asked City Attorney Gass to discuss complaint. City Attorney Gass stated that there was a complain against Mayor Wear, Vice Mayor McClure, and City Attorney Gass. Mr. Gass paraphrased a letter he had written in response to the complaint and also a letter from Sid Hemsley at MTAS responding to the complaint. Vice Mayor McClure asked to put in minutes that the donation made to the Pigeon Forge High School began before he was on city council. Following discussion and on a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to withdraw item from agenda and take no action.

Manager's report included the following:

1. There will be a planning commission meeting on July 26, 2011 at 3:00 p.m. in the council room of city hall.
2. There will be a beer board meeting on July 27, 2011 at 1:00 p.m. in the council room of city hall.
3. Reminder that the volunteer appreciation dinner will be on August 18, 2011 at Mama's Farmhouse Restaurant at 6:00 p.m.
4. The City video will be shown at the Forge Cinemas on July 28, 2011 at 10:00 a.m.
5. Bids have been opened on the Middle Creek force main so a recommendation should be presented at one of the meetings in August.
6. Based on the comments from concerned citizens at the beginning of the meeting, a work session is necessary to discuss flooding issue further in Kings Hills subdivision. Meeting will be set for Monday August 1, 2011 at 3:00 p.m. in the City Hall Complex Meeting Room A.

Mayor Wear asked for comments from the board.

No comments were received.

Having no other comments received, the meeting was duly adjourned at 6:45 p.m.

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

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