

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, JULY 26, 2010, 5:30 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

Mayor Whaley called the meeting to order with the following in attendance: Commissioner Brackins, Commissioner Robinson, Commissioner Wear, Vice Mayor McClure, City Manager Teaster, City Attorney Gass, members of the press and interested citizens. City Recorder Clabo was absent.

Vice Mayor McClure opened the meeting and led in the pledge of allegiance.

REGULAR MEETING

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

Mayor Whaley asked if there were any comments from citizens. Mr. Joe Barnes introduced himself and stated he was representing Barnes Insurance. Mayor Whaley asked if any of the Commissioners had any questions. Commissioner Robinson stated that he thought the issue would be discussed at a work shop. Mr. Barnes stated that he was not sure if he could make it to a work shop. Mayor Whaley asked Mr. Barnes to tell us what his insurance agency does for the city. Mr. Barnes provided information on his insurance background and gave an overview of his services. Mr. Barnes stated that he is qualified and helps the city with any insurance claims they have. Mr. Barnes discussed the need for a broker and stated that it would be difficult to handle their insurance directly due to lack of experience. Mr. Barnes stated that he has licensed insurance agents at his office and the agents are licensed by the state of Tennessee. Mayor Whaley asked if there were any other questions and stated that Joe does a good job for the city. Vice Mayor McClure stated that his experience speaks for itself.

The authorization for payment of bills was presented for approval. Commissioner Brackins made a motion to pay the bills, second by Vice Mayor McClure. Vice Mayor McClure stated that he would like to see the bills amended to add Barnes Insurance bill to be paid. Commissioner Brackins made a motion to amend her original motion to include the Barnes Insurance in the bills to be paid. Vice Mayor McClure seconded the motion. Mayor Whaley asked for discussion. Commissioner Robinson stated he did not see how Toll Free Fulfillment was a sole source vendor. Commissioner Robinson stated he googled the service and found over fifty providers of the service. Attorney Gass stated that he issued an opinion that this is a sole source contract. Commissioner Robinson stated that he has an issue with a minimum of \$10,000 monthly bill. Commissioner Robinson stated that he did not see how this was a sole source contract. Commissioner Robinson stated he was not saying we have to necessarily bid this item. Commissioner Robinson stated he does not see how we can legally do this and asked Mr. Gass if Insurance falls under professional services. Mr. Gass stated that he has not done a complete investigation, but based upon the insurance agents being licensed by the state it is likely considered a professional service. Commissioner Robinson stated that the insurance should be

discussed at a work shop. Mayor Whaley asked if there were any more questions. With there being none Mayor Whaley, Vice Mayor McClure, Commissioner Wear and Commissioner Brackins voted to pay the bills. Commissioner Robinson voted no.

Mayor Whaley stated that Ordinance No. 911 will be removed due to the need for a public hearing and that it will be on the agenda at the next meeting.

Proclamation – Mayor Whaley read a proclamation to proclaim August as Pigeon Forge Firefighter appreciation month.

Discussion and consideration of a bid for gym floor refinishing was presented for approval. John Wilbanks recommended awarding the bid to Prater's INC. for \$6,328.00. Commissioner McClure asked if we had used this vendor before. Mr. Wilbanks stated that we had and the bid is for refinishing. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the low bid as presented.

Discussion and consideration of request to use the city's Teaster Lane Parking Lot for registered participants of the Shades of the Past car show for their car haulers was presented for approval. Dan Draper explained that the registered participants needed a place to park their car haulers during the show. Mayor Whaley asked if this would be for registered participants only and Mr. Draper stated that it would. Commissioner Brackins asked if this was for the show in September and Mr. Draper said it was. Mayor Whaley stated that Mr. Draper should work with staff on the details. Mr. Draper stated they would police and clean the area. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Discussion and consideration of agreement with SSR for revisions and updates to the city's hydraulic water model was presented for approval. Houston Daughtery provided an overview of what the update to the water model entails. Mr. Daughtery stated that the update would make the model more accurate and reliable. Mayor Whaley asked how long it would take to complete the project and Mr. Daughtery stated 60 days. Vice Mayor McClure asked if this could be used on the computers and Mr. Daughtery stated it could. Mayor Whaley asked Public Works Director Miller if this was something we were behind on. Mr. Miller stated that we were not behind, but that it is time for the regular update. Commissioner Robinson asked if the project was in the budget and Mr. Miller stated that it was. Mr. Daughtery stated that the total cost is \$1,125. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Discussion and consideration of agreement with SSR for water and sewer standard specifications revision was presented for approval. Houston Daughtery explained that this is an update to the specifications that are on file with TDEC and ours are set to expire in October. Mr. Daughtery stated that the total cost is \$9,850. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Discussion and consideration of proposal from Cannon and Cannon to provide engineering services for the Dry Fork Sewer Interceptor Project was presented for approval.

Public Works Director Miller stated that the surveying for the project has been completed and Attorney Gass is working on drawing up the easements. Mr. Miller stated that proposals were received and Cannon and Cannon was the lowest cost at \$38,750. Mr. Miller introduced representatives from Cannon and Cannon. Mr. Miller stated that it would take 3 months to complete the engineering and approximately six months for construction. Commissioner Robinson stated that this is a prime example of what he has been talking about in that the city save \$20,000. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Discussion and consideration of sewer availability for Tony Glenn Rast property on Sequoia Road subject to Planning Commission and TDEC approval was presented for approval. Public Works Director Miller provided an overview of the project and what had been completed thus far. Mr. Miller stated that SSR has reviewed the request for 142 living units on the property that would generate 49,700 gallons per day. Mr. Miller stated that the best place to connect to the sewer would be the new Dry Fork line. Mr. Miller stated that detailed plans will need to be approved by the planning commission and TDEC and the approvals are good for one year. Tony Rast stated that he would like the availability for sewer to be for one year after the new dry fork line is completed. Vice Mayor McClure stated that Mr. Rast did not want to treat the sewage on site or construct a pump station. Mayor Whaley clarified that the request for availability would be for one year after the new Dry Fork line is completed. Mayor Whaley asked Attorney Gass if we could mitigate our position. Attorney Gass stated that you would have to construct the line if that is what is agreed to. Attorney Gass suggested an agreement be drafted that states sewer will be available for one year after provided the Dry Fork Sewer line is completed. Commissioner Robinson asked about the funding. Mr. Miller stated the amount in the budget is approximately \$800,000, but that is an estimate. Mr. Miller stated that total cost will not be known until after the engineering is complete. Attorney Gass will draft an agreement that states sewer will be available for one year after the completion of the Dry Fork Sewer line provided that the board votes to fund the construction of the project subject to Planning Commission and TDEC approval. A motion was made by Commissioner Wear to amend the original request as presented to include the following, subject to Planning Commission approval, TDEC approval, Public Works Director certifying that capacity is available at the plant, and an agreement that will be ratified by the board, seconded by Vice Mayor McClure, it was unanimously approved as amended.

Discussion and consideration of request to purchase ammunition for the Police Department per statewide contract 331 was presented for approval. Mayor Whaley stated the information is here and the purchase is per state wide contract. On a motion by Commissioner Brackins, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Discussion and consideration of agreement with S&ME for NEPA environmental services at the trolley station site was presented for approval. Scott Marine presented information about the work to be done by S&ME and the total cost of \$11,688 for the services. Mr. Marine stated that the cost for this service is similar to what the cost was for the Fire Station site. Commissioner McClure stated that S&ME has done work in the area before and that is helpful. Mr. Marine stated that 90% of the cost will be funded by the 5311 grant funds.

Commissioner Robinson asked about the categorical exclusion and Liz Porter with S&ME explained that there are different levels of environmental clearance and that this is the first level. Commissioner Robinson asked why the agreement talks about stuff that is not included. Liz Porter stated that they do not anticipate having to do additional work, but the items are not included because they do not know what the additional work would be until the request is made from the Army Core of Engineers or TVA. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Discussion and consideration of bid for printing the 2011-2012 travel planner was presented for approval. Leon Downey presented the bids that were opened and the low bidder was PBM graphics in the amount of \$499,633. Mr. Downey recommended the low bidder. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the request as presented.

Manager's report included the following:

1. Planning Commission will meet at 3:00 p.m. in the council room tomorrow, July 27th.
2. The Fire Department received a non-matching grant in the amount of \$18,000 to purchase wildland equipment.
3. There will be a public Hearing on Ordinance No. 911 on August 9th in the City Council Room at 5:30 p.m.
4. The date for the work session will be Wednesday, August 4th at 12 noon.
5. Commended the Public Safety personnel and all involved for their great cooperation and team work at the incident at the Sevier Solid Waste facility.

Commissioner McClure stated that the incident was conducted very professional and was proud of our guys. Commissioner Brackins stated she appreciated the guys.

Mayor Whaley asked for comments from the Commissioners/others.

A moment of silence was held in honor of former Commissioner English McCarter.

Having no other comments received, the meeting was duly adjourned at 6:25 p.m.

Approved: _____
Mayor

Attest: _____
City Recorder