

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, AUGUST 10 2009, 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

Commissioner Robinson requested that the minutes from last meeting be changed to reflect clarification on Mountain Reflections agreement regarding rezoning of property having to go before planning commission and city council before being rezoned C-4. Further, he noted it needs to clearly state as had been discussed that taps for property within development were non-transferrable to another property. City Recorder Clabo agreed to include changes to June 27, 2009 meeting minutes. The minutes were unanimously approved with changes noted 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.

Resolution No. 764 to prohibit handguns in public municipal parks, and other similar public places was presented for approval. City Attorney Gass discussed noting that post September 1, 2009 prohibition would be removed to allow guns in parks and certain places. He noted that based on discussion from a prior work session, he had drafted a resolution to opt out of law change which would still prohibit handguns in parks but would not address the greenway. Gass further noted that other state law on books still would prohibit handguns in parks if school is using park for school function making the handgun law difficult to police if they were allowed.

Joey DeBergalis and Richard Balk spoke against the ban on handguns. Richard Yakes spoke in favor of the ban.

After discussion and on motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept resolution as presented.

Approval of agreements for design on proposed fire station was presented for approval. Fire Chief Watson explained that schematic design by SRA Architects would be done at a cost of \$17,100 (of a total \$114,000 – Design Development \$22,800;

Working Drawings \$45,600; Bidding \$5,700; Construction Administration \$22,800 would be necessary if grant awarded and/or station built); a boundary and topographic survey would be done by Vision Engineering at a cost of \$1,975 with additional estimated expenses of \$25; an HUD Environmental Review checklist would be done by S&ME at a cost of \$2,500; and a grading plan that will reflect the current interchange plans would be done by Wilbur Smith Associates at a cost of \$500. On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to accept the agreements as presented.

Approval of annexation agreement between Mountain Reflections, LLC and the City of Pigeon Forge to correct language relating to extension of sewer to developer's property line was presented for approval. City Attorney Gass stated that developer wanted certain language in the agreement under number five stating "at the time the Owner starts any development on the property it shall, at Owner's sole expense, extend the City sewer line in a size determined by the City to the development property line along with all pumps or lift stations which may be needed as determine by the City." On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to change language in number 5 of agreement as noted.

Approval of reappointment of Robert Young to the Pigeon Forge Planning Commission was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept reappointment as presented.

Appointment of member of Pigeon Forge City Council to the Pigeon Forge Planning Commission was presented for approval. City Manager Teaster stated that Commissioner Brackins would be stepping down from planning commission and the position needed to be filled by a board member. On a motion by Commissioner Brackins to appoint Vice Mayor McClure to planning commission, second by Commissioner Robinson, it was unanimously approved accept nomination as presented.

Manager's report included the following:

1. The community center will be closed for annual maintenance August 12, 2009 through August 16, 2009.
2. There will be a planning commission meeting August 25, 2009 at 3:00 p.m. in the council room of city hall.

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

Commissioner Robinson asked for council to consider incentive for planning commission members serving on board.

Mayor Whaley asked about scheduling a retreat and August 25, 2009 at 4:30 p.m. and August 26, 2009 at 8:00 a.m. were discussed as options. Everyone tentatively agreed to these dates.

After closing comments and Randall Robinson offering a closing prayer, the meeting was duly adjourned at 6:10 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER