

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, FEBRUARY 22 2010, 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.

The authorization for the payment of bills was unanimously approved following motion by Commissioner Brackins and second to motion by Commissioner Wear.

Resolution No. 771 authorizing the publication of notice regarding delinquent taxes, penalties and interest for the year 2008 was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Wear and with all voting "aye" the motion was approved.

Resolution No. 772 authorizing the submittal for a special appropriation from the United States Congress for funding of the new waste water treatment plant and force main was presented for approval. City Manager Teaster explained that this was a request in the amount of 45 million dollars. On a motion by Vice Mayor McClure, second by Commissioner Brackins and with all voting "aye" the motion was approved.

Ordinance No. 901 to establish the fee structure for mechanical permits for the City of Pigeon Forge in accordance with title 12, chapter 9, section 12-902 of the City of Pigeon Forge Municipal Code was presented for the second reading. On a motion by Commissioner Brackins, second by Commissioner Wear, and with all voting "aye" the motion was approved on the second reading.

Ordinance No. 902 to establish the fee structure for plumbing permits for the City of Pigeon Forge in accordance with title 12, chapter 2, section 12-202 of the City of Pigeon Forge Municipal Code was presented for the second reading. 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. 903 to amend section 5-101 "Official depository for City Funds" in its entirety was presented for the second reading. On a motion by Commissioner Wear, second by Vice Mayor McClure, the motion was approved on the second reading. Mayor Whaley abstained from the vote.

Ordinance No. 904 to amend **Ordinance No. 894** annual appropriations for fiscal year 2009-2010 was presented for the second reading. City Recorder Clabo explained that this was necessary to adjust line items in the budget that had either exceeded the budgeted amount or departments needed to shift funds within their respective departments from one line to another. On a motion by Commissioner Brackins, second by Vice Mayor McClure, and with all voting “aye” the motion was approved on the second reading.

Ordinance No. 905 to establish a mission statement and scheduling policy for the City of Pigeon Forge Tourism Development Zone (TDZ) facility was presented for the second reading. City Attorney Gass briefly discussed ordinance noting that language had been added in section 2 since first reading to define “accommodate” as not only the ability to house a specified number of people under fire code, but also the facilities ability to adequately service the event as determined by the event sponsor. On a motion by Commissioner Wear, second by Vice Mayor McClure, and with all voting “aye” the motion was approved on the second reading.

Approval to accept a grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS) under the FY2009 Assistance to Firefighters Grant for the purchase of a tanker fire truck was presented for approval. Fire Chief Watson explained that the grant was in the amount of \$200,000. The federal share is 95% or \$190,000 and the local share is 5% or \$10,000. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the grant as presented.

Approval to accept a grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS) under the FY2009 Assistance to Firefighters Grant for the purchase of a compressor was presented for approval. Fire Chief Watson explained that the grant was in the amount of \$40,000. The federal share is 95% or \$38,000 and the local share is 5% or \$2,000. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the grant as presented.

Approval to reject all bids for fire hose and wild land equipment and rebid was presented for approval. Fire Chief Watson explained that the bids for both wild land equipment and fire hose were too high and he recommended rejecting and allowing him to rebid the items. On a motion by Commissioner Wear, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented to reject both bids.

Approval of a request from Teresa Aparicio for a newly installed water system along Crestview Drive to be accepted into the City’s water system was presented for approval. It was noted that all lines have been inspected and approved for bacteriological and pressure testing per the city’s construction inspector, utility superintendent, and water plant operator. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Approval of bid to purchase street light maintenance materials was presented for approval. It was noted that item was being deferred due to questions on specifications.

Approval of bid to purchase fabricated steel frames for tram shelters was presented for approval. Mass Transit Director Marine stated that based on bid opening from six

vendors, it was his recommendation to award bid to Goddard Enterprises with a low bid of \$806.51 per frame for 15 frames for a total of \$12,097.65. Marine noted that purchase of steel for shelters is from an ARRA grant with 100% funding requiring no local match. On a motion by Commissioner Brackins, second by Commissioner Wear, it was unanimously approved to accept the bid as presented.

Approval of bid for sewer collection system manhole rehabilitation was presented for approval. Martin Cross explained that there were four bids received and he was recommending the low bid from CK Masonry at a cost of \$32,867. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the bid as presented.

Approval of contract with Gresham Smith and Partners for supplemental engineering services for the proposed trolley station site was presented for approval. Mass Transit Director Marine noted that this supplemental agreement will include conceptual design in the amount of \$13,178; and expenses (travel, printing, and copies) in the amount of \$400 for a total of \$13,578. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Approval of a contract with Five Star Customer Service Strategies for providing guest excellence training was presented for approval. Executive Director of Tourism Downey noted that this will allow for four workshops and provide customer service training to city businesses. The total cost is \$5,200. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept the request as presented.

Approval of request to purchase new backup batteries for city computers was presented for approval. City Recorder Clabo explained that the batteries would be purchased through the U.S. Communities Contract #RQ09-997736-42B. The batteries consist of 109 550VA desktop batteries at a cost of \$58.86 each for a total of \$6,415.74 and 2 1500VA server batteries at a cost of \$178.83 each for a total of \$357.66 for a grand total of \$6,773.40. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept the request as presented.

Approval of contract with Wilbur Smith and Associates for Traffic Signal Design and Inspection located at the intersection of US 441 (Parkway) and Music Road was presented for approval. Jeff Mize with Wilbur Smith stated that the traffic signal design services would be at a cost of \$11,790 and the construction engineering inspection services would be at a cost of \$5,650 for a total of \$17,440. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept contract as presented.

Manager's report included the following:

1. There will be a planning commission meeting on February 23, 2010 at 3:00 p.m. in the council room of city hall.
2. There has been wind damage to the train depot winterfest display and staff would like direction from council on how to fix. To fix back to pre-storm status will cost \$34,430 which should be covered by insurance proceeds. The City has the option to approve an addendum to the proposal to help keep this scene from being

damaged again. This makes approximately the third time that the display has been damaged from the wind. This proposed addendum should reduce the chance of future damage due to wind since the garland that aided in creating wind resistance on the original display will not be included on the proposed silhouette. Further, the weight of the display will be reduced by approximately 20% which will aid in installation. Finally, the number of bulbs will be increased by approximately 14,000 while reducing the amps from 345 to 170. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept an addendum to the train depot at a cost of \$14,875.

- 3. Monday March 8, 2010 and Tuesday March 9, 2010 are the dates for the Legislative meetings in Nashville where some of the council, city manager, and assistant city manager will be attending. March 8, 2010 is the next regularly scheduled council meeting so the meeting date will need to be changed or cancelled. Council agreed to change the next council meeting to Thursday March 11, 2010.

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

Comments were made from the floor.

Commissioner Robinson asked about fixing a culvert for Dorothy and Clayton Robbins. Mayor Whaley recommended looking into the matter to determine if this was something the City should or could fix. Commissioner Wear agreed that he would like to see additional information regarding the request.

Following comments and Randal Robinson offering a closing prayer, the meeting was duly adjourned at 6:50 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER