

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, JUNE 27 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, Assistant City Manager Brackins, City Recorder Clabo, City Attorney Gass, members of the press and interested citizens. City Manager Teaster was absent.

Mayor Wear 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 Brackins.

Mayor Wear asked if there were any comments from citizens.

Bruce Johnson commented on bidding of goods, services, and contracts.

M C Wilson commented on tax and rate increases and issue with zoo.

Tony Rast commented on the budget, unfunded projects, RFQs for unbid contracts, potential conflicts of interest with commission, and agreement with Darby Campbell.

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. 926 to amend the Pigeon Forge Municipal Code, Section 5-702 Amusement Tax levy to provide for a tax levy of two and one-half percent was presented for the second reading. 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.

Ordinance No. 927 to amend the Pigeon Forge Municipal Code, Section 5-602 Hotel/Motel Tax levy to provide for a tax levy of two and one-half percent was presented for the second reading. On a motion by Commissioner Brackins, second by Vice Mayor McClure, the motion was approved on the second reading. Commissioner Robinson and Commissioner Reagan voted no.

Ordinance No. 929 to amend 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. 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.

Ordinance No. 930 to make and fix the annual appropriations for the several departments of the City of Pigeon Forge, Tennessee for the fiscal year beginning July 1, 2011, and ending June 30, 2012 was presented for the second reading. Commissioner Robinson made a motion to amend ordinance by including COLA and step plan for employees and to remove contribution made to Gatlinburg/Pigeon Forge Airport in amount of \$100,000, LeConte Medical Contract with City to operate wellness center at a cost of \$97,821, and manhole rehabilitation at a cost of \$38,000, second by Commissioner Reagan. Motion failed with Mayor Wear, Vice Mayor McClure, and Commissioner Brackins voting no.

Vice Mayor McClure made a motion to accept budget “as is” and was seconded by Commissioner Brackins. Vice Mayor McClure stated he would like the discussion for COLA to be looked at again in January 2012. Mayor Wear noted he did not think that he had a conflict voting on the budget that has funds in it that support the Sevier County Economic Development Council which is a non-profit organization funded by public and private dollars. However, he said he would read the following statement, “Because I am an employee of Sevier County Economic Development Council, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents.”

City Attorney Gass stated he would read something pointed out by Tony Rast from another city ordinance referring to disclosure of personal interest by official with vote which states “an official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official’s vote on the measure. In addition, the official shall recuse himself from voting on the measure.”

City Attorney Gass stated that an amendment could be made removing item in question from budget and voting on it separately. Vice Mayor McClure stated he would amend his original motion to approve budget “as is” and break out \$5,000 request to Sevier County Economic Development Council as separate vote. Commissioner Brackins seconded motion and motion to amend and accept ordinance was approved on the second reading. Commissioner Robinson and Commissioner Reagan voted no.

Mayor Wear asked for a vote on the funding for the Sevier County Economic Development Council appropriations that had been removed as noted above. On a motion by Vice Mayor McClure, second by Commissioner Brackins, the motion was denied with Commissioner Robinson and Commissioner Reagan voting no. Mayor Wear abstained from the vote.

It was noted for clarification that the \$5,000 appropriations removed the budget would revert to undesignated expenditure line for balancing purposes.

New Business

Discussion and consideration of the 2011-2012 Scope of Work with Bohan for tourism advertising was presented for approval. Executive Director of Tourism Downey noted that this was approved by the city's Tourism Advisory Board. The scope of work was in the amount of \$6,977,000. Commissioner Robinson stated that he is not necessarily against company but wants to do comparison to other businesses. It was noted that RFPs would be sent out in the current year regarding contracts. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was approved to accept the request as presented. Commissioner Robinson and Commissioner Reagan voted no.

Discussion and consideration of the 2011-2012 Scope of Work with USDM for online tourism advertising was presented for approval. Executive Director of Tourism Downey noted that this was approved by the city's Tourism Advisory Board and the scope of work was in the amount of \$1,785,000. Commissioner Robinson stated he had the same comments as noted in the previous agenda item. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was approved to accept the request as presented. Commissioner Robinson and Commissioner Reagan voted no.

Discussion and consideration of an agreement with Majority Opinion Research for the 2011-2012 marketing research program was presented for approval. Executive Director of Tourism Downey noted that this had been approved by the city's Tourism Advisory Board and the scope of work was in the amount of \$199,000. Commissioner Robinson stated he didn't see how this could be so costly and if this had to be done annually. Downey stated that his department would do whatever council asked but they would be working on RFPs for the upcoming year. Vice Mayor McClure stated that this had also been discussed at previous work sessions. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was approved to accept the request as presented. Commissioner Robinson and Commissioner Reagan voted no.

Discussion and consideration of a contract to lease three Tennessee State Welcome Center kiosk spotlight packages was presented for approval. Executive Director of Tourism Downey said that the kiosks are located at the I-75 south bound Jellico Welcome Center, I-75 north bound Chattanooga Welcome Center, and the I-81 sound bound Bristol Welcome Center. The total cost for a lease for the current year is \$13,000. 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 a contract with BDS for 2011-2012 brochure distribution was presented for approval. Executive Director of Tourism Downey stated that the brochures would be distributed to the state welcome centers, area welcome centers, and area distribution at a cost of \$4,247. 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 an agreement with the Thomas Group for selling of ad space etc. was presented for approval. Executive Director of Tourism Downey stated that the company is responsible for selling ad space in the department's Travel Planner,

Destination Planner, Value Card, and any co-op programs for the group tour/convention/meetings market. They also pick up contacts from advertisers, for production and approval of ads for advertisers. Further, they provide print production services for the Travel Planner which includes being on site during the printing of the Travel Planner. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept request as presented.

Discussion and consideration of bid to purchase dumpsters from Wastequip Mfg. Co. was presented for approval. Public Works Director Miller stated that he recommended accepting low bid from Wastequip Mfg. Co. based on following prices: 8 cy standard - \$766; 8 cy hinged - \$848; recycling dumpster - \$781; 4 cy lid - \$28; 8 cy lid - \$31; and rod and nuts - \$9. On a motion by Vice Mayor McClure, second by Commissioner Reagan, it was unanimously approved to accept request as presented.

Discussion and consideration to reappoint Phil Campbell, Jeff Taylor, and Gary Perkins to the Tourism Advisory Board for two year terms was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Brackins, it was unanimously approved to accept request as presented.

Manager’s report included the following:

1. There will be a public hearing on property tax rate on July 11, 2011.
2. The July 4th event will be held on Monday July 4th.
3. Bids will be opened on July 20, 2011 at 2:00 p.m. regarding the Middle Creek Force Main replacement
4. City offices will be closed to observe July 4th holiday. The festivities will begin at Patriot Park around 12:00 p.m. and the fireworks show is scheduled to begin at approximately 9:45 p.m.

Mayor Wear asked for comments from the board.

Tony Rast stated that he wanted to challenge Vice Mayor McClure’s vote subject to section 6-20-205 paragraph 3.

Having no other comments received, the meeting was duly adjourned at 6:15 p.m.

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER