

**MINUTES OF
CITY COMMISSION MEETING
MONDAY, JULY 27 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

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 Vice Mayor McClure.

Mayor Whaley read a proclamation stating the week of July 27 – 31 would be MDA Pigeon Forge Firefighters Appreciation Week in Pigeon Forge.

Consideration of approval and acceptance of a \$1,165,361 capital assistance grant through the federal government under the American Recovery and Reinvestment Act to be used to purchase trolleys, trams, a minibus and construct trolley shelters was presented for approval. Mass Transit Director Marine stated that this grant is for time period April 1, 2009 and end March 31, 2014 and has no local match. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the grant as presented.

Approval of Addendum No. 2 to contract with Barge, Waggoner, Sumner & Cannon for Greenway along the city parking lot was presented for approval. Per City Manager Teaster, item will be held until next meeting when Parks and Recreation Director Wilbanks will be in attendance to discuss.

Approval of additional services performed by Barge, Waggoner, Sumner & Cannon on Greenway along city parking lot was presented for approval. Per City Manager Teaster, item will be held until next meeting when Parks and Recreation Director Wilbanks will be in attendance to discuss.

Approval of bid for refinishing gym floor at community center was presented for approval. City Manager Teaster noted that it was recommended using low bid from Finchum Sports Floors at a cost of \$5,500. On a motion by Commissioner Brackins,

second by Vice Mayor McClure, it was unanimously approved to accept the bid as presented.

Consideration and approval of amended annexation agreement with Mountain Reflections was presented for approval. City Attorney Gass presented noting language had been included as recommended from prior work sessions. Some key points Gass noted was that if council wanted a stipulation on time shares, it would need to be included in this agreement.

City Attorney Gass stated that agreement includes language that should developer decide to build without the City putting in a water tank, the developer will have the burden of building necessary tank(s) to support buildings within the development.

City Attorney Gass mentioned that though council agrees with proposition of rezoning to C-4 as noted in number four, legislative recommendation would come from planning commission and at that point would be presented to city council for final approval.

City Attorney Gass said that there had been a discrepancy between language in number 5 of agreement between city and developer. Gass stated the agreement should and does reflect that the owner shall at the time of execution of this agreement or as soon thereafter directed by the City at the 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 determined by the City. City Attorney Gass said that this did not mean that the developer had to immediately extend the sewer line, merely that the burden of extending the line would be the responsibility of the developer. In addition, City Attorney Gass reiterated that 500 taps could only be acquired up to two years and taps could only be made on property within the development and were therefore not transferrable to another property.

After further discussion and on motion by Vice Mayor McClure to accept based on recommendations of City Attorney Gass, second by Commissioner Brackins, it was unanimously approved to accept the agreement as presented.

Consideration and approval of contract with USDM for the Department of Tourism internet marketing program for current year was presented for approval. Tourism Director Downey discussed the contract. On a motion by Vice Mayor McClure, second by Commissioner Wear, the contract was approved. Commissioner Robinson voted no. Commissioner Robinson wanted to clarify that he did not vote no because of the money, he voted no because he wanted more accountability.

Consideration and approval of contract with USDM for the creation and development of the city's website was presented for approval. On a motion by Vice Mayor McClure, second by Commissioner Wear, it was unanimously approved to accept the contract as presented.

Acceptance of Byrne Memorial Justice Assistance Grant through the federal government in the amount of \$25,151 and a local share of \$1,399 for a total of \$26,550 to purchase an Automatic License Plate Reader was presented for approval. Police Chief Baldwin generally discussed. On a motion by Commissioner Brackins, second by Vice Mayor McClure, it was unanimously approved to accept grant as presented.

Manager's report included the following:

1. There will be a beer board meeting on July 28, 2009 at 2:00 p.m. in the council room of City Hall.
2. Would like council to consider a date for a weekend retreat to discuss city issues.
3. Rod Milligan would like to come before the commission at a work session to discuss car shows in the City.

Mayor Whaley asked for comments from the floor.

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

APPROVED: _____
MAYOR

ATTEST: _____
CITY RECORDER