The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, December 12, 2023, at 6:00 P.M. in the City Council Room. All members were present with the exception of Commissioners Chad Reagan and Kirby Smith. Mayor Mike Werner called the meeting to order and led the Pledge of Allegiance. Finance Director Robert Holt gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of October 3, 2023. Vice Mayor Mark McCown made a motion to approve the Minutes which was seconded by Commissioner Jay Horner and then unanimously adopted.

Regarding Reports of Boards and Committees, the Environmental Design Review Board Awards were presented by Mayor Werner as follows:

Recognition of the 2023 ENVIRONMENTAL DESIGN REVIEW BOARD (EDRB) AWARDS:

SIGN DESIGN:

Certificate Winner: LeConte Tapas & Grill
Bears Cove in the Glades

Award Winner: Gatlinburg Sky Park

BUILDING ADDITIONS/RENOVATIONS:

Certificate Winner: Jason Aldean's

Award Winner: LeConte Tapas and Grill

NEW BUILDING DESIGN EXCELLENCE:

Award Winner: Gatlinburg Sky Park

The City Manager reported and/or requested:

(1) that she would like to advise that status updates of the City's Active Projects were at the podium; and,

(2) that she would like to advise Commissioners that on December 7, the City opened bids for the Golf Course Clubhouse Pavilion Project, which has been approved for funding in this year's Budget. The City Manager explained that the amount appropriated was $848,000 and that the low bid from Timber Ridge Construction was in the amount of $689,000. The City Manager asked for approval to have administrative authority to sign the Contract, as it was necessary to have the Project completed by March 31, 2024. Vice Mayor McCown made a motion to allow the City Manager to sign the Contract, which was seconded by Commissioner Horner. The motion to allow the City Manager

to sign the Contract was unanimously adopted; and,

(3) that she would like to announce that Gatlinburg City Hall and City Offices will be closed on Friday, December 22 and Monday, December 25 in observance of the Christmas Holidays and that residential trash collection would not occur on Monday, December 25, while there was one scheduled commercial curbside pickup collection in the downtown area on the afternoon of Monday, December 25; and,

(4) that she would also like to announce that City Hall and City Offices will be closed on Monday, January 1 in observance of the New Year's Day holiday and that all offices will reopen on Tuesday, January 2; and,

(5) that she wanted to conclude by announcing that Gatlinburg will hold its 35th annual New Year's Eve Ball drop and Fireworks show on Sunday, December 31 at the base of the Space Needle on Airport Road.

Old Business:

ORDINANCE NUMBER 2608, AN ORDINANCE TO AMEND THE GATLINBURG ZONING ORDINANCE BEING ORDINANCE No. 830 AND FURTHER BEING AN ORDINANCE TO RECLASSIFY PARCELS 33 AND 34, GROUP B, OF TAX MAP 126O, LOCATED AT 439 AND 433 WINFIELD HEIGHTS ROAD FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL), Public Hearing and Second Reading (Passed Planning Commission 10/19/23 and First Reading 11/7/23).

Item A under Old Business was Ordinance Number 2608, an Ordinance to amend the Gatlinburg Zoning Ordinance being Ordinance No. 830 and further being an Ordinance to reclassify parcels 33 and 34, Group B, of Tax Map 126O, located at 439 and 433 Winfield Heights Road from R-2 (Medium Density Residential) to R-3 (High Density Residential) Public Hearing and Second Reading (Passed Planning Commission 10/19/23 and First Reading 11/7/23). Commissioner Horner made a motion to adopt the Ordinance on second reading which was seconded by Vice Mayor McCown. Mayor Werner then opened the Public Hearing and, after no comments were made, the Public Hearing was closed. The Building and Planning Director explained that this rezoning request, which has been approved by the Planning Commission, involves two parcels on Winfield Heights Road and that the owner has requested the rezoning which will provide the owner more residential density in developing the property. After these comments, the motion to adopt the Ordinance on second reading was unanimously approved.

New Business:

DISCUSSION AND CONSIDERATION OF ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2023.

Item A under New Business was discussion and consideration of accepting the Comprehensive Annual Financial Report for the year ended June 30, 2023. Vice Mayor McCown made a motion accept the Report which was seconded by Commissioner Horner. The City Manager explained that there was a Workshop Meeting earlier in the evening that allowed the Auditors to discuss the Report and that there were no findings in the audit. The City Manager also explained that as outlined in the Auditors report, the City is in a very good financial position. The Finance Director also explained that the Auditors would be filing the appropriate reports to the State by the end of the calendar year, which meets the state required deadline. After these comments, the motion to accept the Report was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO WHALEY CONTRACTORS, LLC, RELATED TO THE RIVER ROAD TRIANGLE SIDEWALK IMPROVEMENTS PROJECT.

Item B under New Business was discussion and consideration of approving a single bid to Whaley Contractors, LLC, related to the River Road Triangle Sidewalk Improvements Project. Commissioner Horner made a motion to approve the single bid which was seconded by Vice Mayor McCown. The City Manager explained that the single bid from Whaley Construction, LLC is in the amount of $69,545 and that the Engineer does recommend the Bid for approval. The City Manager also explained that there is an overage in the amount of $8,045 and that there are sufficient funds available in the 801 Capital Projects Fund to cover the overage. The Public Works Director explained that this Project is to improve pedestrian staging at the intersection of River Road and Parkway by better controlling pedestrian access. The Public Works Director also explained that work will begin in early January and is to be substantially completed by March 1, with work to occur between 10 p.m. and 7 a.m. After these comments, the motion to approve the single bid was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A TOWER MANAGER LEASE AGREEMENT WITH MICHAEL H. JENKINS, D/B/A, LAND AIR TOTAL TRI CITIES COMMUNICATIONS, LLC, RELATED TO THE GREYSTONE HEIGHTS RADIO TOWER.

Item C under New Business was discussion and consideration of approving a Tower Manager Lease Agreement with Micheal H. Jenkins, D/B/A, Land and Air Total Tri Cities Communications, LLC, related to the Greystone Heights Radio Tower. Commissioner Horner made a motion to approve the Lease Agreement which was seconded by Vice Mayor McCown. The City Manager explained that this Lease Agreement is to continue the utilization of Land Air Communications as the tower manger of the Greystone Heights Tower. The City Manager also explained that as part of this Lease Agreement, the tower manager informs and coordinates with the City any upgrades and usage in general of the tower. The Assistant City Manager explained that the tower manager also insures the durability and safety of the tower. After these comments, the motion to approve the Lease Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A GRANT CONTRACT WITH TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR THE LOCAL PARKS AND RECREATION GRANT (LPRF) RELATED TO MILLS PARK ADA COMPLIANCE AND CONNECTIVITY PROJECT.

Item D under New Business was discussion and consideration of approving a Grant Contract with Tennessee Department of Environment and Conservation for the Local Parks and Recreation Grant (LPRF) related to Mills Park ADA Compliance Connectivity Project. Vice Mayor McCown made a motion to approve the Grant Contract which was seconded by Commissioner Horner. The Recreation Director explained that this was a competitive Grant process and that the Contract term begins on February 1, 2024, and ends January 31, 2027, and is in the amount of $850,000 and that the City's match is 50 percent equating to $850,000. The Recreation Director also explained that this Project will establish a network of paths connecting the different areas of Mills Park, along with ADA parking improvements. After these comments, the motion to approve the Grant Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AMENDMENT TO THE EXISTING ENGINEERING SERVICES AGREEMENT WITH FOXPE RELATED TO THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT.

Item E under New Business was discussion and consideration of approving an Amendment to the existing Engineering Services Agreement with FOXPE related to the Wastewater Treatment Plant Expansion Project. Vice Mayor McCown made a motion to approve the Amendment to the existing Engineering Services Agreement which was seconded by Commissioner Horner. Mayor Werner explained that at the Workshop Meeting earlier in the evening, the Utilities Manager presented an excellent overview and status of the Project. The City Manager explained that this is a major capital project for the City and that it has required coordination between the City, the Engineer, the Contractor and the Contractor which operates the Wastewater Treatment Plant to ensure that the facility has remained operational throughout the duration of the expansion Project. The Utilities Manager also praised the work of all parties involved. Vice Mayor McCown asked how much the City is investing in this Project and the City Manager stated $24 million. After these comments, the motion to approve the Amendment to the existing Engineering Services Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE 5311 SUPPLEMENTAL CAPITAL ASSISTANCE GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MASS TRANSIT DEPARTMENT.

Item F under New Business was discussion and consideration of approving the 5311 Supplemental Capital Assistance Grant Contract with the Tennessee Department of Transportation for the Mass Transit Department. Commissioner Horner made a motion to approve the Grant Contract which was seconded by Vice Mayor McCown. The City Manager explained that this represents a Grant of $1,000,000, with $900,000 supplied by the Tennessee Department of Transportation and the City's match is $100,000 to fund the purchase of three Trolleys. The City Manager also explained that Item G was a Grant Contract in the amount of $448,932 with the City's match in the amount of $23,628 for the purchase of two Trolleys. The City Manager explained that combined this would allow the City to purchase five Trolleys and also thanked the Tennessee Department of Transportation for their generosity in these Grants, which require a small City match, and their longstanding support of the Gatlinburg Mass Transit System. After these comments, the motion to approve the Grant Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE 5339(b) MASS TRANSIT CAPITAL GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MASS TRANSIT DEPARTMENT.

Item G under New Business was discussion and consideration of approving the 5339(b) Mass Transit Capital Grant Contract with the Tennessee Department of Transportation for the Mass Transit Department. Commissioner Horner made a motion to approve the Grant Contract which was seconded by Vice Mayor McCown. The motion to approve the Grant Contract was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Jay Horner

(1) Stated that he wanted to thank the Finance Director and City Administration staff for their work on the Audit and that he was also pleased to hear that the Auditors speak highly of the City's preparation for the Audit.

Vice Mayor Mark McCown

(1) Stated that this was Public Works Director Larry Henderson's last City Commission meeting before his retirement and that he wanted to thank him for a job well done and for his many years of service to the City.

Mayor Mike Werner

(1) Stated that he wanted to also thank the City staff for their work involved in the Audit process and that the City received a clean Audit report; and,

(2) Stated that he wanted to thank Public Works Director Larry Henderson for his many years of service to the City and that he has done an excellent job over his career; and,

(3) Stated that he wanted everyone to keep the family of Randy Huffaker in their prayers, as he recently passed away; and,

(4) Stated that he wanted everyone to remember Aaron Whaley, Diana Weals, and Ron Ogle in their prayers as they are each fighting various health issues; and,

There being no further business to come before the City Commission, Vice Mayor McCown made a motion to adjourn. Commissioner Horner seconded the motion which was unanimously adopted.

Mike Werner, Mayor

Cindy C. Ogle

Cindy Cameron Ogle, City Recorder
/mp