The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, October 18, 2022, at 6:00 P.M. in the City Council Room. All members were present. 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 September 13, 2022. Commissioner Chad Reagan made a motion to approve the Minutes which was seconded by Commissioner Ryan DeSear and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Werner recognized Mr. Kent Anders who signed up to speak to thank City officials for their support and cooperation of his family's business of Ober Gatlinburg throughout the years. Mr. Anders detailed his family's involvement in the business, ranging from his Father's Claude's conception of the Aerial Tramway in the early 1970s, to taking over the Ski Resort lease in 1975. Mr. Anders detailed the changes and improvements to Ober Gatlinburg during his family's involvement with the business, including the involvement and sacrifices of his Brothers Rex, Keith, Cy, and Bruce, as well as the sacrifices made by his Mother, Joyce. Mr. Anders explained that over 50 years ago, his Father turned a failing ski resort into a thriving business which helped to create a Winter economy in the City that did not exist previously and that his family was thankful for the assistance of the City Commission and Administration, business owners, and the community for their support throughout the years. Mr. Anders noted that his family sold the business to new owners on October 7, 2022, and that he knows that the City will continue its support for them as they begin their ownership of the business. Mayor Werner thanked Kent and the Anders family for their contributions to the City and stated that their work through their family business has been such an important part of Gatlinburg.

The City Manager reported and/or requested:

(1) that she would like to advise that status updates of the FY 2021-22 and 2022-23 Capital Projects and the Convention Center Renovation Project have been placed at the podium for review; and,

(2) that she would like to congratulate the Gatlinburg Convention and Visitor's Bureau for being honored by the Hospitality Tenneessee as the Destination Organization Award at the recent Hospitality Tennessee Stars of the Industry event; and,

(3) that she would like to congratulate Jackelyn Shaffer for being honored by Hospitality Tennessee as the Hotelier of the Year award and Leon Downey, Executive Director of Tourism for Pigeon Forge Department of Tourism, who was honored as Tourism Leader of the Year at the Stars of the Industry Event; and,

(4) that she would also like to announce the Halloween Spooktacular hosted by the Recreation Department and Rocky Top Sports World will occur from 6:00 to 8:00 P.M. on October 25, 2022, with registration for the costume contest starting at 5:30 P.M. and that this is a free community event. She also announced the Winterfest Kickoff and Chili

Cookoff presented by Bush's Chili Beans will be held on Thursday, November 10 from 5:00 P.M. to 8:00 P.M. at the Shade Tree Parking lot located at 120 Airport Road. Lastly, that she would like to announce that the Veterans Day Celebration will be held on Friday, November 11, at 11:00 A.M. at Rocky Top Sports World.

New Business:

DISCUSSION AND CONSIDERATION OF APPROVING THE SELECTION OF HORNER BUILDING COMPANY AS THE GENERAL CONTRACTOR RELATED TO THE PUBLIC WORKS COMPLEX CONSTRUCTION PROJECT.

Item A under New Business was discussion and consideration of approving the selection of Horner Building Company as the General Contractor related to the Public Works Complex Construction Project. Vice Mayor Mark McCown made a motion to approve the selection of Horner Building Company which was seconded by Commissioner Reagan. The City Manager explained this Project has been in the discussion and development stages for several years and has been funded in an amount of $5,929,165 in the prior year's Budgets. The City Manager also stated since the City decided that the current facility needs to remain open, the best approach to take was through a Construction Services Management approach. The City Manager further explained that this process was the same approach taken with the Convention Center Renovations Project and with the construction of the Rocky Top Sports World facility. The Finance Director explained that there were six responses received in response to the Request for Qualifications and that after discussing qualifications of each company and the nature of the Project, it is recommended that the Project be awarded to Horner Building Company. The City Manager explained that the next Agenda item was an Operating Agreement with the City Public Building Authority (PBA) that is required to enable the PBA to be the conduit to enter into a Contract for Construction Management Services with Horner Building Company. After these comments, the motion to approve the selection of Horner Building Company was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN OPERATING AGREEMENT WITH THE PUBLIC BUILDING AUTHORITY RELATED TO THE PUBLIC WORKS COMPLEX CONSTRUCTION PROJECT.

Item B under New Business was discussion and consideration of approving an Operating Agreement with the Public Building Authority related to the Public Works Complex Construction Project. Commissioner Kirby Smith made a motion to approve the Operating Agreement which was seconded by Vice Mayor McCown. Mayor Werner noted that the City Manager had previously explained that this item was required to enable the Public Building Authority to be the conduit to enter into a contract for the Construction Management Services with Horner Building Company. After these comments, the motion to approve the Operating Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE SELECTION OF D & S BUILDERS, LLC, AS THE GENERAL CONTRACTOR RELATED TO THE AQUARIUM PARKING GARAGE RENOVATIONS.

Item C under New Business was discussion and consideration of approving the selection of D & S Builders, LLC, as the General Contractor related to the Aquarium Parking Garage Renovations. Commissioner DeSear made a motion to approve the selection of D & S Builders, LLC, which was seconded by Commissioner Reagan. The City Manager explained that because the City needs the current facility to remain open, the best approach to take was through a Construction Services Management approach. The Finance Director noted that four responses were received in response to the Request for Qualifications and that after discussing the qualifications of each company and the nature of the Project, it is recommended that the Project, which is funded in the amount of $3,500,000, be awarded to D&S Builders, LLC. The City Manager explained that the City has had a great experience with D&S Builders, LLC, as the company is concluding its work on the Convention Center Renovations Project. The City Manager also noted that the next Agenda item was an Operating Agreement with the City Public Building Authority that is required to enable the PBA to be the conduit to enter into a Contract for Construction Management Services with D&S Builders, LLC. Vice Mayor McCown asked about the scope of the Project and the Public Works Director replied that the Project includes addressing the top floor drainage, rear retaining wall drainage, relocating elevators, replacement of two exit stairwells and improving ADA access. Commissioner DeSear asked if the scope of the Project including repainting the existing paint and the City Manager replied to it does. Commissioner DeSear also asked to be advised of any potential closures of the garage throughout the Project. After these comments, the motion to approve the selection of D & S Builders, LLC. was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN OPERATING AGREEMENT WITH THE PUBLIC BUILDING AUTHORITY RELATED TO THE AQUARIUM PARKING GARAGE RENOVATIONS.

Item D under New Business was discussion and consideration of approving an Operating Agreement with the Public Building Authority related to the Aquarium Parking Garage Renovations. Commissioner DeSear made a motion to approve the Operating Agreement which was seconded by Vice Mayor McCown. The motion to approve the Operating Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH SOUTHERN CONSTRUCTORS, INC., RELATED TO THE MAIN LIFT STATION IMPROVEMENTS PROJECT.

Item E under New Business was discussion and consideration of approving a Contract with Southern Constructors, Inc., related to the Main Lift Station Improvement Project. Commissioner Reagan made a motion to approve the Contract which was seconded by Commissioner DeSear. The City Manager explained that this is an important part of the $24 million Wastewater Treatment Plant Improvements Project and is a low bid recommendation, however, the bid is in the amount of $2,140,000 and the Project was funded in last year's Budget in the amount of $900,000. The City Manager further explained that there are monies currently allocated for the Water Plant Stream Bank Stabilization Project that will be applied for as part of an ARPA Grant, therefore, these monies are available to help offset the cost and it is recommended that the remaining amount of $1,890,000 be funded out of the Gross Receipts Tax fund balance. The Utilities Manager explained that this Main Lift Station is located at Herbert Holt Park at the bridge and the improvements are much needed. The Utilities Manager explained the Project scope includes the complete replacement of pumps, motors, and electrical components. Commissioner DeSear asked if there were any liquidated damages in the Contract and Mr. Richard Yarbrough with C2RL replied that there are and that the amounts depend on the current stage of the Project. Mr. Yarbrough also noted that there is a lengthy lead time to procure equipment, including eight months to receive the pumps and ten to twelve months to receive the electrical components. The Finance Director asked that since the next City Commission meeting is scheduled for November 15, if the City Manager could sign the Contract and Commissioners agreed to that. After these comments, the motion to approve the Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AMENDMENT NUMBER 1 TO THE ENGINEERING SERVICES AGREEMENT WITH C2RL, INC., RELATED TO THE MAIN LIFT STATION IMPROVEMENTS PROJECT.

Item F under New Business was discussion and consideration of approving amendment number 1 to the Engineering Services Agreement with C2RL, Inc., related to the Main Lift Station Improvements Project. Vice Mayor McCown made a motion to approve the Amendment to the Engineering Services Agreement which was seconded by Commissioner Reagan. The City Manager explained that this Amendment is for the Contract Administration and Inspection Services for the Project is in the amount of $51,500. After these comments, the motion to approve the Amendment to the Engineering Services Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING C2RL, INC., FOR ENGINEERING SERVICES RELATED TO THE CITY'S APPLICATION FOR THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING.

Item G under New Business was discussion and consideration of C2RL, Inc., for Engineering Services related to the City's Application for the American Rescue Plan Act (ARPA) Funding. Commissioner DeSear made a motion to approve C2RL, Inc. for Engineering Services which was seconded by Commissioner Smith. The Finance Director explained that four firms presented Requests for Qualifications to be considered for the engineering associated with the City application and that the evaluation has led to the recommendation to award the Contract to C2RL, Inc. The City Manager explained that in discussions with Community Development Partners, the City's ARPA Consultant, it was determined that C2RL, Inc. is familiar with the City's operations and would be the best company for the Project. After these comments, the motion to approve C2RL, Inc. for Engineering Services was unanimously adopted.

DISCUSSION AND CONSIDERATION OF ACCEPTING HIGHLAND GLADES DRIVE AS A CITY STREET.

Item H under New Business was discussion and consideration of accepting Highland Glades Drive as a City Street. Commissioner DeSear made a motion to accept Highland Glades Drive as a City Street which was seconded by Vice Mayor McCown. The Building and Planning Director explained this is a small section of street that is off East Highlands Drive and that this has been approved by Planning Commission and that the street meets all Subdivision and City Ordinance Regulations. Mayor Werner asked if there were any downsides and the Building and Planning Director noted it would be added to the City's Street and Road Improvement Program for repaving, and that the road has been recently paved. Following these comments, the motion to accept Highland Glades Drive as a City Street was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING MODIFICATIONS TO THE RIGHT-OF-WAY ALONG RIVER ROAD (Requested by Boyne Resorts, Inc.).

Item I under New Business was discussion and consideration of approving modifications to the right-of-way along River Road (requested by Boyne Resorts, Inc.). Vice Mayor McCown made a motion to approve the modifications to the right-of-way along River Road, which was seconded by Commissioner Reagan. The Building and Planning Director explained that there are four proposed right-of-way modifications which are to relocate the Trolley stop just west of the Christus Gardens Bridge and construct a new Trolley pull off area; sidewalk enhancements and widening along River Road to help pedestrian flow at the Trolley stop and Maples Lane crosswalk; construction of a pedestrian bridge across the West Prong of the Little Pigeon River to connect the sidewalk system near the new Trolley stop to the pedestrian area at the Sky Park's new commercial development; and wall improvements at the entrance to the Christus Gardens Bridge. Vice Mayor McCown asked if both bridges have been reviewed for the high water mark and the Building and Planning Director replied that they have. Commissioner DeSear asked if the new Trolley pull off would help with pedestrian flow and the Building and Planning Director replied it would and that the new pedestrian bridge would also improve the flow. The City Manager recognized representatives from the SkyPark who were in attendance at the meeting and Mr. Hank Byma noted that the new pedestrian bridge's purpose is safety oriented and that the improved sidewalk along River Road is also designed for pedestrian flow and safety. After these comments, the motion to approve the modifications to the right-of-way along River Road was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE MUNICIPAL BOARD OF ZONING APPEALS.

Item J under New Business was discussion and consideration of making an appointment to the Municipal Board of Zoning Appeals. Commissioner DeSear nominated Mr. Clay England to be appointed to the Municipal Board of Zoning Appeals. The nomination was unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING THE GATLINBURG AIRPORT AUTHORITY BOARD ROSTER OF MEMBERS AND RESPECTIVE TERMS.

Item K under New Business was discussion and consideration of approving the Gatlinburg Airport Authority Board roster of members and respective terms. Vice Mayor McCown made a motion to approve the Gatlinburg Airport Authority Board roster of members and respective terms which was seconded by Commissioner DeSear. The motion to approve the Gatlinburg Airport Authority Board roster of members and respective terms was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Chad Reagan

(1) Stated that the story Mr. Kent Anders shared earlier in the meeting was very touching and he wanted to thank the Anders family for their many years of dedication to helping to grow tourism and establish a Winter economy in Gatlinburg through their work with the Ober Gatlinburg business.

Commissioner Ryan DeSear

(1) Stated that he has fond memories of Ober Gatlinburg and thanked Mr. Kent Anders for his family's dedication to the business throughout the years.

Vice Mayor Mark McCown

(1) Stated that he wanted to thank Mr. Kent Anders, his Father, his Mother, and the entire Anders family for their sacrifices and 50 years of service and wished the Anders family well; and,

(2) Stated that he would like to ask for an update on the hotel project at the North end of Gatlinburg and update on the development project at the intersection of East Parkway and Hidden Hills Road. He also stated that the property at the intersection of Dudley Creek Road and Parkway at the former NAPA Store needs cleaned.

Mayor Mike Werner

(1) Stated that he wanted to mention how much the Anders family meant to Gatlinburg and appreciated all the Anders family has done to help make Gatlinburg successful.

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

Mike Werner, Mayor

Cindy C. Ogle

Cindy Cameron Ogle, City Recorder
/mp