

The Gatlinburg Board of Commission met in a regular meeting on Tuesday August 17, 2021, at 6:00 P.M. in the City Council Room. All members were present. At this time, Mayor Mike Werner asked for a moment of silence to honor the memory of Bud Ogle who passed away on August 5, 2021. Mayor Mike Werner then called the meeting to order and led the Pledge of Allegiance. Commissioner Ryan DeSear gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of August 3, 2021. Commissioner Chad Reagan made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

Old Business:

ORDINANCE NUMBER 2577, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, AND TO CARRY FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, THIRD AND FINAL READING (Passed Second Reading 8/3/2021 and Passed First Reading 7/20/2021).

Item A under Old Business was Ordinance Number 2577, an Ordinance making and fixing the annual appropriation for the several Departments of the City for the Fiscal Year beginning July 1, 2022, and to carry forward appropriations for the prior year encumbrances, third and final reading (Passed Second Reading 8/3/2021 and Passed First Reading 7/20/2021). Commissioner Reagan made a motion to adopt the Ordinance on third reading which was seconded by Commissioner Smith. The motion to adopt the Ordinance was unanimously approved on third and final reading.

ORDINANCE NUMBER 2580, A PROPERTY TAX LEVYING ORDINANCE FOR THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, SECOND READING.

Item B under Old Business was Ordinance Number 2580, a Property Tax Levying Ordinance for the City for the Fiscal Year beginning July 1, 2021, and ending June 30, 2022, Second Reading (Passed First Reading 8/3/2021). Vice Mayor McCown made a motion to adopt the Ordinance on second reading which was seconded by Commissioner DeSear. Mayor Werner remarked that there were no increases in taxes. After these comments, the motion to adopt the Ordinance was unanimously approved on second reading.

ORDINANCE NUMBER 2578, AN ORDINANCE TO RE-NUMBER SECTION 9-103 OF THE MUNICIPAL CODE TO SECTION 9-103(a) AND TO ADD AN ADDITIONAL SUBSECTION (b) AND FURTHER BEING AN ORDINANCE TO ALLOW LIGHTED STRUCTURES IN CERTAIN LOCATIONS AND UNDER CERTAIN CONDITIONS (Deferred 8/3/2021).

Item C under Old Business was Ordinance Number 2578, an Ordinance to re-number

section 9-103 of the Municipal Code to section 9-103(a) and to add an additional subsection (b) and further being an Ordinance to allow lighted structures in certain locations and under certain conditions (Deferred 8/3/2021). Developer Bob Bentz with Anakeesta explained that he had been working with the Building and Planning Director and the City Attorney on this Ordinance to have lights that move within his development and create an evening activity, noting that other attractions within cities in Sevier County have light shows in the evening and that he was aiming to have a light show within Anakeesta in forested areas in their property. Vice Mayor McCown asked if residents in Greystone Heights would be able to view the light shows and what impact it would have on these individuals. Mr. Bentz explained that the majority of the lights would be internal to the Anakeesta property, but lighting of the development's observation tower could be visible outside of Anakeesta. Commissioner DeSear commented that he was concerned that the Ordinance was made for the benefit of one business and that he thought it should be allowed for all businesses in the City. Commissioner DeSear also agreed that night business had been lagging in the City compared to other cities due to the absence of fireworks, light shows or fountain shows. Mr. Bentz remarked that he is aware the City is concerned about flashing lights and moving lights being seen throughout the downtown area and that is not what Gatlinburg wants to be. Commissioner DeSear asked if Mr. Bentz has mockups, to which he replied that there are no mockups, just general ideas. Commissioner DeSear remarked he would like to defer the item to a Workshop Meeting and ask Mr. Bentz to bring some examples of what he wanted to do. Mayor Werner remarked that everything Anakeesta has developed in Gatlinburg has been first class, but that he would like a little more knowledge on this Ordinance and the project Anakeesta is proposing. Mr. Bentz said he was very sensitive to making Anakeesta's development raise the bar and that is why he had been working in conjunction with the Building and Planning Director and the City Attorney on the Ordinance. After these comments Commissioner DeSear made the motion to defer the Ordinance until a Workshop Meeting was held, which was seconded by Commissioner Smith. The motion to defer the Ordinance was unanimously approved.

ORDINANCE NUMBER 2579, AN ORDINANCE TO AMEND SECTION 15-607 (1) OF THE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO CHANGE THE PARKING RATES FOR USAGE AT THE AQUARIUM AND MCMAHAN/PARKWAY PARKING FACILITIES, SECOND READING (Passed First Reading 8/3/2021).

Item D under Old Business was Ordinance Number 2579, an Ordinance to amend section 15-607 (1) of the Municipal Code and further being an Ordinance to change the parking rates for usage at the Aquarium and McMahan/Parkway parking facilities, Second Reading (Passed First Reading 8/3/2021) Commissioner Reagan made a motion to adopt the Ordinance which was seconded by Vice Mayor McCown. Commissioner DeSear asked where the revenue from parking fees collected by the City went and the Finance Director replied that the revenues were placed into the Special Revenue Fund for Parking and Mass Transit. Commissioner DeSear asked if the revenue helped to offset the costs of parking garage upgrades and the Finance Director replied that it does. After these comments, the motion to adopt the Ordinance was unanimously approved on second reading.

RESOLUTION NUMBER 983, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR AN AREA CONTAINING 9.696 ACRES PROPOSED TO BE ANNEXED BY THE CITY, LOCATED OFF OF GROUSE TRAIL, AND BEING TAX MAP 117, PARCEL 077.04 AND CONTIGUOUS TO THE EXISTING CITY LIMITS, Second Reading and Public Hearing (Passed Planning Commission 4/15/2021 and Passed First Reading 6/22/2021).

Item E under Old Business was Resolution 983, A Resolution adopting a Plan of Services for an area containing 9.696 acres proposed to be annexed by the City, located off Grouse Trail, and being Tax Map 117, Parcel 077.04 and contiguous to the existing City limits, Second Reading and Public Hearing (Passed Planning Commission 4/15/2021 and Passed First Reading 6/22/2021). Vice Mayor McCown made a motion to adopt the Resolution on second reading which was seconded by Commissioner Smith. Mayor Werner opened the Public Hearing and with no comments made, the Public Hearing was closed. The motion to adopt the Resolution was unanimously approved on second reading.

New Business:

DISCUSSION AND CONSIDERATION FOR THE APPROVAL OF UTILITY IMPROVEMENTS IN MOODY DRIVE (Requested by Hidden Hills Vista).

Item A under New Business was discussion and consideration for the approval of Utility improvements in Moody Drive (Requested by Hidden Hills Vista). Commissioner DeSear made a motion to approve the Utility improvements which was seconded by Commissioner Reagan. The Building and Planning Director explained that the request involves extending an approximate 1,000 foot extension of the public water line along Moody Drive into the Hidden Hills Vista development for the purposes of providing domestic and fire protection services within the development. He further explained that the proposed plan has been reviewed by both the Utilities Manager and Public Works Director and is acceptable, provided that a bond or letter of credit is issued to the City for the cost of construction to ensure the improvements are completed as designed and approved. Also, the bond and letter of credit must include the cost of repaving for areas that are currently paved to restore the streets to pre-construction condition. Vice Mayor McCown asked if the entrance to the development would be from Moody Road or Hidden Hills Road and the Building and Planning Director replied that the entrance is from Hidden Hills Road and that this improvement is strictly about getting public water to the property. After these comments, the motion to approve the Utility improvements was unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER #1 TO D&S BUILDERS RELATED TO THE CONVECTION CENTER RENOVATION PROJECT.

Item B under New Business was discussion and consideration of approving Change Order

#1 to D&S Builders related to the Convention Center Renovation Project. Commissioner Smith made a motion to approve the Change Order which was seconded by Vice Mayor McCown. Scott Murphy, Facilities Manager of the Convention Center, explained that at a previous Workshop Meeting items were presented to be included in this Change Order and that he had spoken with the Project architect and engineer and that the indoor/outdoor reception area was viable, as well as other items which were on the list and had been quoted by the Contractor. After these comments, the motion to approve the Change Order was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER #3 TO WHALEY CONSTRUCTION, LLC RELATED TO THE MYNATT PARK ADA PROJECT.

Item C under new Business was discussion and consideration of approving Change Order #3 to Whaley Construction, LLC related to the Mynatt Park ADA Project. Commissioner DeSear made a motion to approve the Change Order which was seconded by Vice Mayor McCown. The Recreation Director explained that the redesign of the sidewalk layout from the upper playground area to alternate locations had been approved by TDEC. Mayor Werner asked how close the project was to completion and the Recreation Director replied that the Change Order adds an additional 45 days to the Project and that the Contractor was given a six-month extension by TDEC and he anticipates the Project to be finished by late November. After these comments, the motion to approve the Change Order was unanimously adopted.

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

Item D was discussion and consideration of approving the 5311 Rural Transportation Operating Assistance Grant Contract with the Tennessee Department of Transportation for the Mass Transit Department. Vice Mayor McCown made a motion to approve the Contract which was seconded by Commissioner Smith. The Finance Director explained that this is the standard Operating Grant that the City has been receiving for many years for the Trolley Department. After these comments, the motion to approve the Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE IMPROVE ACT GRANT CONTRACT FOR SITE PREP EXPENSES RELATED TO THE MASS TRANSIT FACILITY WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MASS TRANSIT DEPARTMENT.

Item E was discussion and consideration of approving the Improve Act Grant Contract for site prep expenses related to the Mass Transit Facility with the Tennessee Department of Transportation for the Mass Transit Department. Commissioner Smith made a motion to approve the Contract which was seconded by Vice Mayor McCown. The Finance Director explained that the Grant is for site preparation expenses related to the planned

Mass Transit facility next to the Service Center area. Mayor Werner asked about the scope of the site preparation and the Public Works Director replied that the scope includes drainage improvements and bringing the site up to grade for building development. After these comments, the motion to approve the Contract was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Ryan DeSear

- (1) Stated that he offered his condolences to the City Manager and the Bud Ogle family for the recent passing of Mr. Ogle, and;
- (2) Stated that the quarterly report from the Anna Porter Public Library showcased the number of wonderful activities going on at the library for the community, and;
- (3) Asked the Recreation Director the status regarding the City's Dog Park at Mills Park and if September 7th was still the completion date. The Recreation Director replied that it may not be completed by that date.

Commissioner Chad Reagan

- (1) Stated that he also wanted to offer his condolences to the City Manager and the Bud Ogle family.

Commissioner Don Smith

- (1) Stated that he wanted to remember Bud Ogle's family in their prayers.

Vice Mayor Mark McCown

- (1) Stated that he too wanted to let the Bud Ogle family know that he was thinking of them and praying for them.

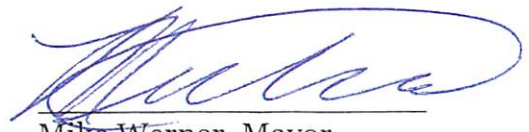
Mayor Mike Werner

- (1) Stated that Bud Ogle was a pillar of the community, that his family was important in the development of Gatlinburg and that he was a good friend to so many people

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

Cindy C. Ogle

Cindy Cameron Ogle, City Recorder
/mp



Mike Werner, Mayor