

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday June 22, 2021, 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. Commissioner Ryan DeSear gave the Invocation.

The next Item on the Agenda was the election of the Mayor. Commissioner DeSear nominated Mayor Werner to be reappointed for the position of Mayor. Vice Mayor Mark McCown then seconded the nomination which was unanimously approved. Mayor Werner then called for nominations for Vice Mayor. Commissioner Don Smith nominated Vice Mayor McCown to be reappointed for the position of Vice Mayor. The nomination was seconded by Mayor Werner and then unanimously approved.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of May 4, 2021. Vice Mayor McCown made a motion to approve the Minutes which was seconded by Commissioner Smith and then unanimously adopted.

Mayor Werner then presented Twenty Year Service Awards to Shane Bowen with the Police Department, Scott Tarwater with the Sanitation Department and Gary Franklin with the Utility Department.

The City Manager reported and/or requested:

(1) that she would like to report on the status of various Capital Projects and the Convention Center Renovation Project and stated that copies of the reports was placed at the podium and that these Projects include Glades Road Water and Sewer Extension, Mynatt Park ADA Accessibility Project, Dog Park at Mills Park, Winterfest Lights Warehouse Construction, and the Convention Center Renovations Project; and,

(2) that she would like to announce some activities that are coming up to celebrate the July 4th Holiday. The City Manager stated that the Annual 4th of July Midnight Parade will kick off the celebration and it will honor First Responders, U.S. Veterans, military heroes, and frontline workers and stated that the 100th Army Band will be back again this year with musical performances at the Ripley's Aquarium Plaza on July 3rd and 4th and the River Raft Regatta will be held on July 4th at the Christ in the Smokies Bridge with registration beginning at 11:00 a.m. She concluded by stating that 4th of July Holiday will wrap up with a Fireworks Display at 11:00 p.m.

Old Business:

Ordinance Number 2570, AN ORDINANCE TO AMEND THE ZONING ORDINANCE BY RECLASSIFYING PARCEL 003.01, TAX MAP 126, LOCATED ON CAMPBELL LEAD ROAD, FROM R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT TO C-2 (GENERAL BUSINESS) DISTRICT, Second Reading and Public Hearing (Passed First Reading 4/20/2021 and Planning Commission 3/16/2021).

Item A under old Business was Ordinance Number 2570, an Ordinance to amend the Zoning Ordinance by reclassifying Parcel 003.01, Tax Map 126, locate on Campbell Lead Road, from R-2 (Medium Density Residential) District to C-2 (General Business) District, Second Reading and Public Hearing (Passed First Reading 4/20/2021 and Planning Commission 3/16/2021). Commissioner DeSear made a motion to adopt the Ordinance on Second Reading which was seconded by Commissioner Smith. Mayor Werner opened the Public Hearing and, there being no comments, the Public Hearing was closed. The motion to adopt the Ordinance was unanimously approved on Second Reading.

ORDINANCE NUMBER 2571, AMENDING THE ZONING ORDINANCE, BEING ORDINANCE NO.830, AND FURTHER BEING AN ORDINANCE TO REPEAL SECTIONS 714 AND 715 IN THEIR ENTIRETY AND SUBSTITUTE NEW SECTIONS IN LIEU THEREOF AND FURTHER BEING AN ORDINANCE TO ADOPT NEW CRITICAL SLOPE FLOATING ZONE AND HILLSIDE OVERLAY DISTRICT PROVISIONS, Second Reading and Public Hearing (Passed First Reading 5/4/2021 and Planning Commission 2/20/2020).

Item B under Old Business was Ordinance Number 2571, Amending the Zoning Ordinance, being Ordinance No. 830, and further being an Ordinance to repeal sections 714 and 715 in their entirety and substitute new sections in lieu thereof and further being and Ordinance to adopt new critical slope floating zone and Hillside Overlay District Provisions, Second Reading and Public Hearing (Passed First Reading 5/4/2021 and Planning Commission 3/16/2021). Commissioner Chad Reagan made a motion to adopt the Ordinance on Second Reading with an amendment to remove Cherokee Orchard Road, Dudley Creek Bypass and Baskins Creek Bypass from the Ordinance. The motion was seconded by Commissioner DeSear. Mayor Werner opened the Public Hearing and, there being no comments, the Public Hearing was closed. The motion to adopt the Ordinance with the noted amendment was unanimously approved on Second Reading.

ORDINANCE NUMBER 2572, AN ORDINANCE TO AMEND THE MUNICIPAL CODE BY REPEALING CHAPTER 4 OF TITLE 4 AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN, Second Reading (Passed First Reading 5/4/2021).

Item C under Old Business was Ordinance Number 2572, an Ordinance to amend the Municipal Code by repealing Chapter 4 of Title 4 and substituting a new chapter in lieu thereof, and further being an Ordinance to establish an updated Occupational Safety and Health Program Plan, Devise Rules and Regulations, and to provide for a Safety Director and the implementation of such Program Plan, Second Reading (Passed First Reading 5/4/2021). Commissioner Reagan made a motion to adopt the Ordinance on Second

Reading which was seconded by Commissioner Smith. The motion to approve the Ordinance was unanimously adopt on Second Reading.

Ordinance Number 2573, APPROPRIATING AN AMOUNT SUFFICIENT TO COVER THE NECESSARY EXPENSES OF THE VARIOUS DEPARTMENTS, OFFICES AND BOARDS OF THE CITY PENDING THE FINAL PASSAGE OF THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 2021-22, Second Reading (Passed First Reading 5/4/2021).

Item D under Old Business was Ordinance Number 2573, appropriating an amount sufficient to cover the necessary expenses of the various Departments, offices and Boards of the City pending the final passage of the Annual Appropriation Ordinance for the Fiscal year 2021-2022, Second Reading (Passed First Reading 5/4/2021). Vice Mayor McCown made a motion to adopt the Ordinance on Second Reading, which was seconded by Commissioner DeSear. The motion to approve the Ordinance was unanimously adopt on Second Reading.

New Business:

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, Public Hearing (Passed Planning Commission 4/15/2021).

Item A under New Business was 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, Public Hearing (Passed Planning Commission 4/15/2021). Commissioner Smith made a motion to approve the Resolution which was seconded by Vice Mayor McCown. Mayor Werner opened the Public Hearing and, there being no comments, the Public Hearing was closed. The motion to approve the Resolution was unanimously adopted.

RESOLUTION NUMBER 984, A RESOLUTION TO ANNEX CERTAIN TERRITORY CONTAINING APPROXIMATELY 9.696 ACRES AND TO INCORPORATE SAME INTO THE CORPORATE BOUNDARIES, SAID PROPERTY BEING LOCATED NORTH OF THE CURRENT CITY LIMITS ON GROUSE TRAIL, AND CONTIGUOUS TO THE EXISTING CITY LIMITS, AND BEING TAX MAP 117, PARCEL 077.04, Public Hearing (Passed Planning Commission 4/15/2021).

Item B under New Business was Resolution Number 984, a Resolution to annex certain territory containing approximately 9.696 acres and to incorporate same into the

corporate boundaries, said property being located North of the current City limits on Grouse Trail, and contiguous to the existing City limits, and being tax map 117, parcel 077.04, Public Hearing (Passed Planning Commission 4/15/2021). Commissioner DeSear made a motion to approve the Resolution which was seconded by Commissioner Smith. Mayor Werner opened the Public Hearing and, there being no comments, the Public Hearing was closed. Vice Mayor McCown asked if the annexation request met all the requirements to provide City services, to which the City Manager replied that the request met all requirements and noted that the property was contiguous to the existing corporate limits. After these comments, the motion to approve the Resolution was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A RIGHT-OF-WAY USE REQUEST FOR 1470 SOUTH BADEN DRIVE. (REQUESTED BY FRANCISCO PERRICONE).

Item C under New Business was discussion and consideration of approving a right-of-way use request for 1470 South Baden Drive. (Requested by Francisco Perricone). Commissioner Smith made a motion to approve the request which was seconded by Vice Mayor McCown. The City Manager explained that the Building and Planning Director and the Public Works Director had reviewed the request and there were no issues with the request. The Building and Planning Director noted that in the process of rebuilding an existing structure damaged by fire it was discovered the parking area for the former structure had been on the public right-of-way. After these comments, the motion to approve the request was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A TERMINATION AND QUITCLAIM UTILITY EASEMENT AGREEMENT WITH GATLINBURG HOTEL PARTNERS, LLC.

Item D under New Business was discussion and consideration of approving a Termination and Quitclaim Utility Easement Agreement with Gatlinburg Hotel Partners, LLC. Vice Mayor McCown made a motion to approve the Agreement which was seconded by Commissioner Reagan. The City Manager explained that this easement was never utilized and not needed at this time. The Utilities Manager confirmed that the easement will not be needed at this time, nor in the future. After these comments, the motion to approve the Agreement was unanimously adopted.

ORDINANCE NUMBER 2574, AN ORDINANCE TO REPEAL SECTION 15-129 OF THE MUNICIPAL CODE AND SUBSTITUTING A NEW SECTION IN LIEU THEREOF AND FURTHER BEING AN ORDINANCE TO ADOPT CERTAIN STATE TRAFFIC STATUTES, First Reading.

Item E under New Business was Ordinance Number 2574, an Ordinance to repeal section 15-129 of the Municipal Code and substituting a new section in lieu thereof and further being an Ordinance to adopt certain state traffic statutes, First Reading. Commissioner Smith made a motion to adopt the Ordinance on First Reading, which was seconded by Vice Mayor McCown. The Police Chief explained that this Ordinance is necessary to

update the Municipal Code due to several additions to State Laws and that the Ordinance would allow more violations to occur in City court rather than State court. The Police Chief also noted that this practice is recommended to occur every five years to update City laws with State laws. After these comments, the motion to adopt the Ordinance was unanimously approved on First Reading.

DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE PLANNING COMMISSION.

Item F under New Business was discussion and consideration of making appointments to the Municipal Planning Commission. Commissioner DeSear made a motion to reappoint Mr. Bud Ogle, Mr. Kirby Smith, Mr. Larry Claiborne, Mrs. Jackie Leatherwood as the Mayor's Designee and Commissioner Smith as the Commission Representative. The Motion was seconded by Commissioner Smith. The motion to approve the reappointments was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE KEEP SEVIER BEAUTIFUL BOARD OF DIRECTORS.

Item G under New Business was discussion and consideration of making an appointment to the Keep Sevier Beautiful Board of Directors. Commissioner DeSear made a motion to appoint the City's Public Information Officer, Seth Butler, which was seconded by Vice Mayor McCown. The motion to approve the appointment was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID FROM JON'S GOLF CARTS FOR MAINTENANCE OF GOLF CARTS AT THE GOLF COURSE.

Item H under New Business was discussion and consideration of approving a Single Bid from Jon's Golf Carts for maintenance of golf carts at the Golf Course. Vice Mayor McCown made a motion to approve the Single Bid, which was seconded by Commissioner Reagan. The City Manager explained that the Single Bid is from the same vendor currently providing the maintenance service at the Golf Course and that there are no fee increases. After these comments, the motion to approve the Single Bid was unanimously adopted.

RESOLUTION NUMBER 985, A RESOLUTION ADOPTING A CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY FOR FISCAL YEARS 2022-2026.

Item I under New Business was Resolution Number 985, a Resolution adopting a Capital Improvements Program for the City for Fiscal years 2022-2026. Commissioner DeSear made a motion to approve the Resolution which was seconded by Commissioner Smith. The motion to approve the Resolution was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR CONVEYANCE OF FOLDING CHAIRS TO ROCKY TOP SPORTS WORLD.

Item J under New Business was discussion and consideration of approving a Contract for Conveyance of folding chairs to Rocky Top Sports World. Commissioner DeSear made a motion to approve the Contract which was seconded by Commissioner Reagan. The motion to approve the Contract was unanimously adopted.

ORDINANCE NUMBER 2576, AMENDING THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021, First Reading.

Item K under New Business was Ordinance Number 2576, amending the Appropriation Ordinance for the Fiscal Year Beginning July 1, 2020, and ending June 30, 2021, First Reading. Commissioner Smith made a motion to adopt the Ordinance on First Reading, which was seconded by Vice Mayor McCown. The City Manager explained that this is commonly referred to as the Year-End Transfer Ordinance and that most items in the Ordinance were approved in previous Commission meetings. Commissioner DeSear noted that it was great to see that \$1.33 million was being appropriated to the Tourism Fund and the City Manager explained that it was a surplus previously approved by the City Commission. Vice Mayor McCown asked if the surplus monies would be sent quarterly, to which the City Manager answered that those funds will be reviewed at the middle of the Fiscal Year and at the end of the Fiscal Year. After these comments, the motion to adopt the Ordinance was unanimously approved.

UNSCHEDULED ITEMS:

Commissioner Ryan DeSear

- (1) Stated that he wanted to congratulate Commissioner Smith and Vice Mayor McCown on their election to another term, as well as congratulate Mayor Werner and Vice Mayor McCown for being reappointed; and,
- (2) Stated that he was grateful that the Independence Day Parade was occurring again, after it had been cancelled the last couple of years due to the COVID-19 pandemic and weather conditions; and,
- (3) Stated that he wanted to congratulate Shane Bowen, Scott Tarwater and Gary Franklin for their 20 years of service to the City.

Commissioner Don Smith

- (1) Stated that he wanted to congratulate Shane Bowen, Scott Tarwater and Gary Franklin for their 20 years of service to the City; and,
- (2) Stated that he looked forward to serving Gatlinburg another four years as a City Commissioner.

Commissioner Chad Reagan:

- (1) Stated that he wanted to congratulate Shane Bowen, Scott Tarwater and Gary Franklin for their 20 years of service to the City; and,
- (2) Stated that he congratulated Commissioner Smith and Vice Mayor McCown on their reelection to the City Commission.

Vice Mayor Mark McCown

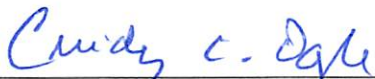
- (1) Stated that he wanted to congratulate Shane Bowen, Scott Tarwater and Gary Franklin for their 20 years of service to the City; and,
- (2) Stated that he wanted to thank the voters for another term as a City Commissioner; and,
- (3) Stated that he was thankful that the City's revenues were dramatically increased from their 2020 levels, when COVID-19 shut the economy down, and surpassed 2019 revenue totals by 64 percent.

Mayor Mike Werner

- (1) Stated that he wanted to thank his fellow Commissioners for appointing him as Mayor again; and,
- (2) Stated that he is looking forward to the City keeping up the great success.

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 Cameron Ogle, City Recorder

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