The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, March 19, 2024, 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 February 20, 2024. Commissioner Jay Horner made a motion to approve the Minutes which was seconded by Vice Mayor Mark McCown and then unanimously adopted.

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 wanted to announce that the Gatlinburg Firefighters Association Fit for Duty 5K and 10K is scheduled for Saturday, March 30 and registration for the race is underway; and,

(3) that she also wanted to announce that the Recreation Department will be hosting a Children's Fishing Tournament on Monday, April 1 and a River Cleanup Trout Tournament on Saturday, April 6 and that event details and registration were available on the City's website at GatlinburgTN.gov; and,

(4) that Staff had neglected to place the Agreement to provide Trolley services to Greenbrier Campground on the Agenda and that she wanted to ask Commissioners to consider approval of the Agreement which provides service to the campground from April through October for a payment of $550 per month. Commissioner Horner made a motion to approve the Agreement which was seconded by Commissioner Kirby Smith. The motion to approve the Agreement was adopted unanimously.

Old Business:

ORDINANCE NUMBER 2610, CLOSING A PORTION OF A PUBLIC RIGHT-OF-WAY LOCATED IN THE CITY LIMITS AND BEING AN UNUSED PORTION OF HOLSTON DRIVE IN MYNATT PARK, Second Reading and Public Hearing (Passed First Reading 2/20/2024 and Planning Commission 12/21/2023).

Item A under Old Business was Ordinance Number 2610, closing a portion of a public right-of-way located in the City Limits and being an unused portion of Holston Drive in Mynatt Park, Second Reading and Public Hearing (Passed First Reading 2/20/2024 and Planning Commission 12/21/2024). Commissioner Horner made a motion to adopt the Ordinance on second reading which was seconded by Commissioner Chad Reagan. Mayor Werner then opened the Public Hearing and, after no comments were made, the Public Hearing was closed. The motion to adopt the Ordinance on second reading was approved with the vote as follows: Vice Mayor McCown, Commissioner Horner, Commissioner Smith, and Commissioner Reagan voting aye and Mayor Werner abstaining.

ORDINANCE NUMBER 2611, AMENDING ORDINANCE NUMBER 2601, THE CAPTION OF WHICH IS AN ORDINANCE MAKING AND FIXING THE

ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, Second Reading (Passed First Reading 2/20/24).

Item B under Old Business was Ordinance Number 2611, amending Ordinance Number 2601, the caption of which is an Ordinance making and fixing the Annual Appropriation for the several Departments of the City for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024. Second Reading (Passed Frist Reading 2/20/2024). Vice Mayor McCown made a motion to adopt the Ordinance on second reading which was seconded by Commissioner Horner. The motion to adopt the Ordinance on second reading was unanimously approved.

New Business:

DISCUSSION AND CONSIDERATION OF APPROVING THE USE OF THE GATLINBURG COMMUNITY CENTER FOR THE SEVIER COUNTY SCHOOL SYSTEM FUN AND FITNESS DAY ON MAY 16, 2024.

Item A under New Business was discussion and consideration of approving the use of the Gatlinburg Community Center for the Sevier County School System Fun and Fitness Day on May 16, 2024. Vice Mayor McCown made a motion to approve the use of the Gatlinburg Community Center which was seconded by Commissioner Horner. The motion to approve the use of the Gatlinburg Community Center was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE FY 2024 IMPROVE ACT CAPITAL ASSISTANCE GRANT CONTRACT FOR THE MASS TRANSIT DEPARTMENT

Item B under New Business was discussion and consideration of approving the FY 2024 Improve Act Capital Assistance Grant Contract for the Mass Transit Department. Commissioner Horner made a motion to approve the Grant Contract which was seconded by Commissioner Smith. The City Manager explained that this was an unanticipated Grant and that State Representative Dale Carr contacted the City earlier this year with notification of the Grant, which is in the amount of $1,491,972 and will be used to purchase up to five Trolleys. The Finance Director explained that the Grant requires a 20 percent match by the City, which is in the amount of $372,993. The City Manager also explained that this is the third Grant that the City has received for Trolleys in the previous year, which will be used to purchase up to 10 Trolleys. Commissioner Reagan asked the age of the oldest Trolley still in use and the Finance Director said that there is one 2003 vehicle in use and that the anticipated lifespan of the vehicles is seven to 10 years. Following these comments, the motion to approve the Grant Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CODEWRIGHT PLANNERS, LLC FOR A COMPREHENSIVE UPDATE TO THE MUNICIPAL ZONING ORDINANCE.

Item C under New Business was discussion and consideration of approving an Agreement for Professional Services with CodeWright Planners, LLC for a comprehensive update to the Municipal Zoning Ordinance. Commissioner Reagan made a motion to approve the Agreement which was seconded by Vice Mayor McCown. Mayor Werner stated that there was a Workshop Meeting held earlier in the meeting and that this update to the Municipal Zoning Ordinance is a chance to make positive changes. Commissioner Reagan stated that the cost of the Agreement is very reasonable for the services being provided. Following these comments, the motion to approve the Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A BUSINESS DIRECTIONAL SIGN FOR THE BHAT THAI RESTAURANT AT THE INTERSECTION OF EAST PARKWAY AND SPRUCE LANE (REQUESTED BY MS. GABRIELLE TAYLOR).

Item D under New Business was discussion and consideration of approving a Business Directional Sign for the Bhat Thai Restaurant at the intersection of East Parkway and Spruce Lane (Requested by Ms. Gabrielle Taylor). Vice Mayor McCown made a motion to approve the Business Directional Sign which was seconded by Commissioner Reagan. The Building and Planning Director explained this request qualifies for a Business Directional Sign based on the provisions of the Municipal Code. Commissioner Horner asked if an existing sign is in this area and the Building and Planning Director replied that there is an existing sign and this requested sign will be added to it. Following these comments, the motion to approve the Business Directional Sign was unanimously adopted.

ORDINANCE NUMBER 2612, AN ORDINANCE TO AMEND SECTION 12-502 OF THE MUNICIPAL CODE BY ADOPTING EXCEPTIONS TO THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AS RECOMMENDED BY THE TENNESSEE STATE FIRE MARSHALL'S OFFICE, FIRST READING

Item E under New Business was Ordinance Number 2612, an Ordinance to amend Section 12-502 of the Municipal Code by adopting exceptions to the 2018 edition of the International Energy Conservation Code as recommended by the Tennessee State Fire Marshall's Office, First Reading. Commissioner Horner made a motion to adopt the Ordinance on first reading which was seconded by Vice Mayor McCown. The Building and Planning Director explained that Item E was in regard to the International Energy Conservation Code and that Item F was in regard to the International Residential Code and that these amendments are required by the State Fire Marshal's Office in order to comply with a Public Act enacted by the State in April 2023. The Building and Planning Director further explained that these amendments place exceptions in the International Residential Code and the International Energy Conservation Code adopted code sections of the City's Municipal Code and are related to energy and efficiency testing methods. Following these comments, the motion to adopt the Ordinance on first reading was unanimously approved.

ORDINANCE NUMBER 2613, AN ORDINANCE TO AMEND SECTION 12-902 OF THE MUNICIPAL CODE BY ADOPTING ADDITIONAL EXCEPTIONS TO THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AS RECOMMENDED BY THE TENNESSEE STATE FIRE MARSHALL'S OFFICE, FIRST READING

Item F under New Business was Ordinance Number 2613, an Ordinance to amend Section 12-902 of the Municipal Code by adopting additional exceptions to the 2018 edition of of the International Residential Code as recommended by the Tennessee State Fire

Marshall's Office, First Reading. Vice Mayor McCown made a motion to adopt the Ordinance on first reading which was seconded by Commissioner Horner. The motion to adopt the Ordinance on first reading was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH KIWI CONSTRUCTION, LLC RELATED TO THE TROUT FACILITY RENOVATIONS PROJECT.

Item G under New Business was discussion and consideration of approving an Agreement with Kiwi Construction, LLC related to the Trout Facility Renovations Project. Commissioner Reagan made a motion to approve the Agreement which was seconded by Commissioner Horner. The City Manager explained that this will provide much needed improvements to the Trout Facility and involves removing the existing concrete raceways, which were part of the City's first Wastewater Treatment Plant. The City Manager further explained that Kiwi Construction is the low bid on the Project in the amount of $1,485,281.27 and that there is $1,323,500 available in the Project account, leading to a request that $180,000 additional funding be provided in the Year End Transfer Ordinance. The Recreation Director explained that three bids were received and reviewed and that he and the Architect had checked references for Kiwi Construction. The Recreation Director also explained that the Contract time is 180 days and that liquidated damages are included in the Contract. Mayor Werner asked what the scope of the project includes, and the Recreation Director replied that all the existing raceways will be removed and replaced, along with all of the plumbing, and a pavilion structure will be constructed over the raceways, and new fencing will be installed. Commissioner Reagan asked if capacity of the facility will be expanded through this Project and the Recreation Director said the facility will be able to hold the same amount of fish that it currently does. The City Manager explained that a portion of the Project scope also includes a concrete pad for bleachers to be installed for educational and instructional purposes. The Recreation Director explained that the Trout Facility hosts several educational events throughout the year for local school children and civic groups. Mayor Werner stated that the City has an excellent Trout Program and a handicap fishing pier in Herbert Holt Park. Following these comments, the motion to approve the Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY ITEMS AS SURPLUS.

Item H under New Business was discussion and consideration of declaring certain City items as surplus. Commissioner Horner made a motion to declare the items as surplus which was seconded by Vice Mayor McCown. The Finance Director explained that there are several impounded vehicles, along with items in the Mass Transit Department which will be declared surplus that once a date has been established to auction the impounded cars, the City will announce that date in the local media and on the City website. Following these comments, the motion to declare the items as surplus was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CITY MANAGER AGREEMENT WITH GREG PATTERSON.

Item I under New Business was discussion and consideration of approving a City Manager Agreement with Greg Patterson. Vice Mayor McCown made a motion to approve the Agreement which was seconded by Commissioner Horner. Mayor Werner stated that he wanted to thank the City Manager for her excellent years of service to the City and for the high expectations she has set for the Assistant City Manager. Following these comments the motion to approve the Agreement was adopted unanimously.

UNSCHEDULED ITEMS:

Commissioner Jay Horner

(1) Stated that he wanted the City Commission to work to find solutions for residential Sanitation customers.

Commissioner Kirby Smith

(1) Stated that he wanted to thank the City Manager for her work throughout her career.

Commissioner Chad Reagan

(1) Stated that he wanted to invite everyone to come to the City Manager's retirement reception on March 22 and that the City Manager has done good things for the City throughout her career; and,

(2) Stated that he wanted to congratulate the Public Information Officer for his recent completion of his Master Public Information Officer certification.

Vice Mayor Mark McCown

(1) Stated that he wanted to thank the City Manager for her 35 years of wonderful service to the citizens and visitors of Gatlinburg and for her efforts in the City, Sevier County, and the State of Tennessee and that she will be missed.

Mayor Mike Werner

(1) Stated that the Workshop Meeting held earlier in the evening was very productive; and,

(2) Stated that he wanted to invite everyone to the City Manager's retirement reception on March 22 to celebrate her career.

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

Mike Werner, Mayor

Greg Patterson, City Recorder
/mp