

Gatlinburg City Commission

July 16, 2024

Meeting Minutes

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, July 16, 2024, at 6:00 P.M. in the City Council Room. All the 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 June 18, 2024. Commissioner Horner made a motion to approve the Minutes which was seconded by Commissioner Chad Reagan and then unanimously adopted.

Regarding Petitions and Communications from the Public and Items from the Audience, Mr. Chick Steadman addressed Commissioners regarding the Tennessee Wildlife Resources Agency and recent human-bear encounters and praised the City's animal-resistant dumpster program. Mr. Steadman also stated that he thought TWRA should be doing more to address the feeding of bears and find ways to help bears from being euthanized. Mayor Werner then recognized the City Manager to discuss the City's response to bears, which the City Manager initially explained that the City has had a 25-year partnership with TWRA and co-funds a Bear Management Officer position with the agency and that they have also partnered on the establishment of an animal-resistant container Ordinance and zone where these containers are required. The City Manager also explained that the City Commission allocated \$3 million for the purchase of over 460 dumpsters in the 2023-24 Budget. The City Manager also explained in recent days, that the Police Department has checked for compliance with animal-resistant containers and passed out educational information on the need to comply, while the Fire Department has distributed BearWise information to the City's rental and cabin companies, and hoteliers, about how to make their properties BearWise, as well as give information to their guests. Additionally, the City Manager explained that the City's upcoming utility bills will include a BearWise Basics and At-Home BearWise Basics flyer and that signage was installed at the entrances to the City with the reminder that feeding bears is illegal. The City Manager further explained that the City has sent letters to active commercial building permit holders reminding them to secure their construction dumpsters and not to use those to dispose of food waste. Mayor Werner recognized Lieutenant Jerry Merica to discuss the recent Smokies BearWise Taskforce meetings and also thanked Mr. Steadman for his comments.

The City Manager reported and/or requested:

- (1) that he would like to advise that the status update of the ongoing Capital Projects have been placed at their seats for review; and,
- (2) that he wanted to announce that the Gatlinburg Fire Department will hold a Firewise Neighborhood Preparedness Event for the North Gatlinburg community at Herbert Holt Park on Saturday, July 20 from 10 a.m. until 4 p.m.; and,
- (3) that he would like to also announce that the Gatlinburg Community Center will be closed the Week of July 29 for annual maintenance week at the facility; and,
- (4) that he wanted to remind everyone that the Safe Harbor Child Advocacy Center will host

its annual Fun and Safety Back to School Bash at Rocky Top Sports World on Thursday, July 25 from 3 until 5 p.m. and the Gatlinburg Police Department and Gatlinburg Fire Department will be in attendance at the event; and,

(5) that he wanted to ask that everyone remember Mayor Werner in their prayers as he travels to Zimbabwe for a Mission Trip with members of First Baptist Church.

Old Business:

ORDINANCE NUMBER 2614, AN ORDINANCE TO AMEND THE MUNICIPAL CODE BY ADDING AN ADDITIONAL CHAPTER THERETO, BEING CHAPTER 6 OF TITLE 14, AND FURTHER BEING THE ADOPTION OF AN AMENDED STORM WATER ORDINANCE, AND FURTHER REMOVING A CHAPTER FROM THE MUNICIPAL CODE, BEING CHAPTER 4 OF TITLE 18, THE EXISTING STORM WATER ORDINANCE, Second Reading (Passed Planning Commission 5/16/2024 and First Reading 6/18/2024).

Item A under Old Business was Ordinance Number 2614, an Ordinance to amend the Municipal Code by adding an additional Chapter thereto, being Chapter 6 of Title 14, and further being the adoption of an amended Storm Water Ordinance, and further removing a Chapter from the Municipal Code, being Chapter 4 of Title 18, the existing Storm Water Ordinance, Second Reading (Passed Planning Commission 5/16/2024 and First Reading 6/18/2024). Commissioner Horner made a motion to adopt the Ordinance on second reading which was seconded by Vice Mayor Mark McCown. The motion to adopt the Ordinance on second reading was unanimously approved.

ORDINANCE NUMBER 2615, 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 2024-2025, Second Reading (Passed First Reading 6/16/2024).

Item B under Old Business was Ordinance Number 2615, 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 2024-2025, Second Reading (Passed First Reading 6/16/2024). Commissioner Horner made a motion to adopt the Ordinance on second reading which was seconded by Commissioner Reagan. The motion to adopt the Ordinance on second reading was unanimously approved.

New Business:

DISCUSSION AND CONSIDERATION OF APPROVING THE USAGE OF THE AQUARIUM PARKING GARAGE BY THE FRIENDS OF TENNESSEE BABIES WITH SPECIAL NEEDS ON AUGUST 28, 2024.

Item A under New Business was discussion and consideration of approving the usage of the Aquarium Parking Garage by the Friends of Tennessee Babies with Special Needs on August 28, 2024. Commissioner Reagan made a motion to approve the use of the Aquarium Parking Garage which was seconded by Vice Mayor McCown. Mayor Werner stated that this is an annual event, and it is a great organization. Commissioner Horner asked how many parking spaces the parking

garage has and the City Manager replied the garage has 360 spaces and that the event is requesting 100 spaces. Following these comments, the motion to approve the use of the Aquarium Parking Garage was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE SELECTION OF HORNER BUILDING COMPANY, LLC AS THE GENERAL CONTRACTOR RELATED TO THE MASS TRANSIT STORAGE FACILITY PROJECT.

Item B under New Business was discussion and Consideration of approving the selection of Horner Building Company LLC as the General Contractor related to the Mass Transit Storage Facility Project. Commissioner Kirby Smith made a motion to approve the selection of Horner Building Company as the General Contractor related to the Mass Transit Storage Facility Project which was seconded by Vice Mayor McCown. The motion to approve the selection of Horner Building Company as the General Contractor related to the Mass Transit Storage Facility Project was adopted with the vote as follows, Mayor Werner, Vice Mayor McCown, Commissioner Reagan and Commissioner Smith voting aye, and Commissioner Horner abstaining.

DISCUSSION AND CONSIDERATION OF APPROVING AN OPERATING AGREEMENT WITH THE PUBLIC BUILDING AUTHORITY RELATED TO THE MASS TRANSIT STORAGE FACILITY PROJECT.

Item C under New Business was discussion and consideration of approving an Operating Agreement with the Public Building Authority related to the Mass Transit Storage Facility. Commissioner Reagan made a motion to approve the Operating Agreement with the Public Building Authority related to the Mass Transit Storage Facility Project which was seconded by Vice Mayor McCown. The motion to approve the Operating Agreement with the Public Building Authority related to the Mass Transit Storage Facility Project, Mayor Werner, Vice Mayor McCown, Commissioner Reagan and Commissioner Smith voting aye, and Commissioner Horner abstaining.

DISCUSSION AND CONSIDERATION OF APPROVING A CHANGE ORDER TO HORNER BUILDING COMPANY LLC RELATED TO MODIFICATIONS TO THE SCOPE OF WORK TO THE PUBLIC WORKS COMPLEX RELATED TO THE BUILDING LOCATED AT 912 EAST PARKWAY.

Item D under New Business was discussion and consideration of approving a Change Order to the Horner Building Company LLC related to the modifications to the scope of work to the Public Works Complex related to the building located at 912 East Parkway. Vice Mayor McCown made a motion to approve the Change Order which was seconded by Commissioner Reagan. The City Manager explained that modifies the original scope of work to incorporate the renovation of the building located at 912 East Parkway and that the total amount of the Change order is \$388,685. The City Manager also explained at the June 24 Workshop Meeting that City Commissioners and Staff agreed that the best use of this facility is moving a portion of the Finance Department to allow residents and visitors use as a customer service center and make use of the drive-thru window. Following these comments, the motion to approve the Change Order was unanimously adopted.

RESOLUTION NUMBER 1015, A RESOLUTION ADOPTING A CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF GATLINBURG FOR FISCAL YEARS 2025-2029.

Item E under New Business was Resolution Number 1015, a Resolution adopting a Capital Improvements Program for the City of Gatlinburg for Fiscal Year 2025-2029. Commissioner Reagan made a motion to adopt the Resolution which was seconded by Vice Mayor McCown. The City Manager explained that this Resolution adopts the City's Capital Improvements Program for the Fiscal Years 2025-2029, and that the CIP was reviewed during a Workshop Meeting on June 18, 2024. Following these comments, the motion to adopt the Resolution was unanimously approved.

RESOLUTION NUMBER 1016, A RESOLUTION APPROVING AND ADOPTING THE HUMAN RESOURCES RULES AND REGULATIONS DATED AUGUST 1, 2024.

Item F under New Business was Resolution Number 1016, a Resolution approving and adopting the Human Resources Rules and Regulations dated August 1, 2024. Commissioner Horner made a motion to adopt the Resolution which was seconded by Vice Mayor McCown. The City Manager explained that the proposed changes and revisions to the Human Resources Rules and Regulations were reviewed with you during a Workshop Meeting on June 24, 2024, and will be effective August 1, 2024, if approved. The City Manager also recognized the Human Resources Director, Finance Director, Assistant Public Works Director, Police Chief, and Fire Chief for their work on these revisions. Following these comments, the motion to adopt the Resolution was unanimously approved.

ORDINANCE NUMBER 2616, AMENDING THE ZONING ORDINANCE, BEING AN ORDINANCE TO RECLASSIFY PARCELS 17.01, 18, 18.01, 19, 20, 21, 22, 23, 24, 25, 25.01, 25.02, 26 AND 27 OF TAX MAP 127I, GROUP A, LOCATED ON SILVERBELL AND WEST LOOP ROAD, FROM R1-A (LOW DENSITY RESIDENTIAL) DISTRICT TO R-1 (LOW DENSITY RESIDENTIAL) DISTRICT, First Reading.

Item G under New Business was Ordinance Number 2616, amending the Zoning Ordinance, being an Ordinance to reclassify Parcels 17.01, 18, 18.01, 19, 20, 21, 22, 23, 24, 25, 25.01, 25.02, 26 AND 27 OF TAX MAP 127I, Group A, located on Silverbell and West Loop Road, from R1-A (Low Density Residential) District to R-1 (Low Density Residential) District, First Reading. Vice Mayor McCown made a motion to adopt the Ordinance on first reading which was seconded by Commissioner Smith. The City Manager explained that this item was approved by the Planning Commission at its June 20, 2024, meeting. The Planning Director explained that this is related to the reclassification of 14 parcels from R1-A to R-1 Residential on Silverbell and West Loop Road and that this came after a petition from residents in the grouping of parcels to go to from R1-A to R-1 for the purpose of short-term rentals. Following these comments, the motion to adopt the Ordinance on first reading was unanimously approved.

ORDINANCE NUMBER 2617, AMENDING THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, First Reading.

Item H under New Business was Ordinance Number 2617, amending the appropriation Ordinance for the Fiscal year beginning July 1, 2023, and ending June 30, 2024, First Reading. Commissioner Horner made a motion to adopt the Ordinance on first reading, which was seconded by Vice Mayor McCown. The City Manager explained that this is the Year End Transfer Ordinance which amends the Fiscal Year 2023-2024 Budget and outlines the various year-end transfers. Following these comments, the motion to adopt the Ordinance on first reading was unanimously approved.

ORDINANCE NUMBER 2618, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025, AND TO CARRY FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, First Reading.

Item I under New Business was Ordinance Number 2618, an Ordinance making and fixing the Annual Appropriation for the several Departments of the City for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, and to carry forward appropriations for the prior year encumbrances, First Reading. Vice Mayor McCown made a motion to adopt the Ordinance on first reading which was seconded by Commissioner Horner. Mayor Werner stated that the City held a great Budget Presentation on July 11 and commended the Staff for their job. Following these comments, the motion to adopt the Ordinance on first reading was unanimously approved.

UNSCHEDULED ITEMS:

Commissioner Jay Horner

- (1) Stated that he wanted to commend the City Staff for their work to present the Fiscal Year 2024-2025 Budget and everything was well-explained during the Budget Presentation.

Commissioner Kirby Smith

- (1) Stated that he also wanted to commend Staff for their work during the Budget process and that there are great items in this Budget.

Commissioner Chad Reagan

- (1) Stated that he wanted to thank the Department Heads for their work in bringing the FY 2024-25 Budget together and appreciate all of the City employees; and,
- (2) Stated that he wanted to wish Mayor Werner well on his Mission Trip to Zimbabwe.

Vice Mayor Mark McCown

- (1) Stated that he too wanted to thank the City Staff and Department Heads for their work on the Budget and that the Budget Presentation went well; and,
- (2) Stated that he also wanted to wish Mayor Werner well on his upcoming Mission Trip.

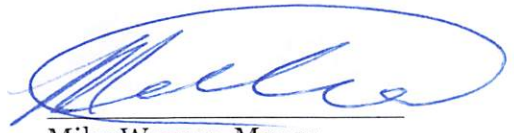
Mayor Mike Werner

- (1) Stated that he covets everyone's prayers for his Mission Trip and the team from First Baptist Church.

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.



Greg Patterson, City Recorder
/sb



Mike Werner, Mayor