

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday December 11, 2018 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 November 6, 2018. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Hannah Helton Harper. Commissioner DeSear noted that a correction was needed in that he said excited and not exited during unscheduled items. The minutes were then unanimously approved with this correction.

Mayor Werner then presented Certificates of Recognition to the Gatlinburg-Pittman High School 2018 Volleyball Team, Cross Country Team and Golf Team.

Regarding petitions and communications from the public, Mayor Werner recognized Mr. Jim Steitz who talked about the units at Covered Bridge in the Glades. Mr. Steitz stated that part of the units are being turned into more overnight rentals and that neighbors received a 30 day notice to leave the property. He also stated his frustration that the notices were served at the same time as subsidized housing was being built directly behind the complex. Mr. Steitz asked that the Board consider how to discourage property owners from converting to overnight rentals and to aid in providing needed affordable housing in the community.

Regarding Reports of Boards and Committees, Mayor Werner presented the Environmental Design Review Board Awards as follows: **SIGN DESIGN EXCELLENCE - Certificate Awards** – Alewine Pottery; **Award Winner** – Red Oak Bistro; **BUILDING ADDITION/RENOVATION EXCELLENCE – Certificate Awards** – Ripley’s Believe It or Not, Beer Wine Liquor Superstore; **Award Winner** – River Edge Motor Lodge **NEW BUILDING DESIGN EXCELLENCE - Certificate Awards** –Smoky Mountain Real Estate Corp.; **Award Winner** –Roaring Fork Baptist Church; **LANDSCAPING DESIGN EXCELLENCE – Certificate Awards** – Margaritaville Resort; **Award Winner** – Roaring Fork Baptist Church.

The City Manager reported and/or requested:

(1) that she would like to begin by announcing that the annual New Year’s Eve Fireworks Show and Ball Drop will be on December 31 and that everyone is invited to ring in the New Year at the Space Needle located at traffic light #8; and

(2) that she would like to advise of some upcoming Holiday schedules. First, City offices and the Community Center will be closed Monday and Tuesday, December 24 & 25. Second, City offices will be closed on New Year's Day. Lastly, the Community Center will close at 4:00 p.m. on Monday, December 31 and remain closed on New Year's Day.

DISCUSSION AND CONSIDERATION OF APPROVING A UTILITY EASEMENT AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, LLC, A GEORGIA CORPORATION, D/B/A AT&T TENNESSEE. (Deferred 11/6/18)

The only item under Old Business was discussion and consideration of approving a Utility Easement Agreement with Bellsouth Telecommunications, LLC, A Georgia Corporation, D/B/A AT&T Tennessee. (Deferred 11/06/18). Vice Mayor McCown made a motion to approve the Agreement which was seconded by Commissioner Smith. The City Manager asked the Building and Planning Director to explain the Agreement. Mr. Ball explained that the area is adjacent to the Aquarium Parking Garage and that there is a landscaped area in the round-about in which the request is to put an electrical housing box and then there will be some underground cable that will be run to that box to the power supply. Mr. Ball further stated that this is approximately 485 square feet easement area for the cable and 100 square feet for the box itself. The City Manager questioned if the cable is all underground and Mr. Ball stated, that is correct. Commissioner Ryan DeSear questioned how big the box is and Mr. Ball stated that the easement area is 100 square feet and is a ground mount and is like the transformer type boxes. The City Manager stated that payment for the Easement is a \$3,000 proposed fee and that is to provide monies for the City to landscape in that area. After further discussion, the motion to approve the Utility Easement Agreement with Bellsouth Telecommunications, LLC, A Georgia Corporation, D/B/A AT&T Tennessee was unanimously approved.

DISCUSSION AND CONSIDERATION OF ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2018.

Item A under New Business was discussion and consideration of accepting the Comprehensive Annual Financial Report for the year ended June 30, 2018. The Mayor and City Manager stated that there had been an earlier workshop meeting during which the Auditors had reviewed the Report and that there were no findings and it was a good report according to the Auditors. Commissioner DeSear then made a motion to accept the Report which was seconded by Commissioner Harper and was unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR TANDA S. PAINE, D/B/A GATEWAY PACKAGE STORE, 1125 PARKWAY.

Item B under New Business was discussion and consideration of approving a Certificate of Good Moral Character for Tanda S. Paine, D/B/A Gateway Package Store, 1125 Parkway. Commissioner DeSear made a motion to approve the Certificate of Good Moral Character which was seconded by Commissioner Harper and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR TANDA S. PAINE, D/B/A GATEWAY PACKAGE STORE, 1125 PARKWAY.

Item C under New Business was discussion and consideration Certificate Compliance for Tanda S. Paine, D/B/A Gateway Package Store, 1125 Parkway. Vice Mayor McCown made a motion to approve the Certificate of Compliance which was seconded by Commissioner Harper and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR WILLIAM L. MAPLES, D/B/A GATLINBURG PACKAGE STORE, 132 PARKWAY.

Item D under New Business was discussion and consideration of approving a Certificate of Good Moral Character for William L. Maples, D/B/A Gatlinburg Package Store, 132 Parkway. Commissioner Smith made a motion to approve the Certificate of Good Moral Character which was seconded by Vice Mayor McCown and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR WILLIAM L. MAPLES, D/B/A GATLINBURG PACKAGE STORE, 132 PARKWAY.

Item E under New Business was discussion and consideration Certificate Compliance for William L. Maples, D/B/A Gatlinburg Package Store, 132 Parkway. Vice Mayor McCown made a motion to approve the Certificate of Compliance which was seconded by Commissioner Smith and then unanimously approved.

RESOLUTION NUMBER 960, A RESOLUTION CONSENTING TO ARROWMONT SCHOOL OF ARTS AND CRAFTS UNDERTAKING CERTAIN ACTIVITIES ON A CONSERVATION EASEMENT OWNED BY THE CITY.

Item F under New Business was Resolution Number 960, a Resolution consenting to Arrowmont School of Arts and Crafts undertaking certain activities on a Conservation Easement owned by the City. The City Manager commented that Executive Director Bill May was in attendance and the Planning Commission has reviewed and approved the proposed parking expansion on the Arrowmont campus. The City Manager further stated that the City purchased, as part of the contribution to Arrowmont to buy the campus, the open green-space area and that approval for the usage of this is necessary. Mr. May explained that the location is near where the upper parking area is now and that this is to expand that area and to make that the primary parking area for the campus. Commissioner DeSear then made a motion to approve the Resolution which was seconded by Vice Mayor McCown and unanimously adopted.

ORDINANCE NUMBER 2531, AN ORDINANCE TO AMEND THE GATLINBURG ZONING ORDINANCE, BEING ORDINANCE 830, AND FURTHER BEING AN ORDINANCE TO REZONE PARCEL 44 OF TAX MAP 126N, GROUP E, LOCATED AT 225 WEST HOLLY RIDGE ROAD FROM R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT TO C-2 (GENERAL BUSINESS) DISTRICT, First Reading (Passed Planning Commission 11/15/18)

Item G under New Business was Ordinance Number 2531, an Ordinance amending the Gatlinburg Zoning Ordinance, being Ordinance 830, and further being an Ordinance to rezone Parcel 44 of Tax Map 126N, Group E, Located at 225 West Holly Ridge Road from R-2 (Medium Density Residential) District to C-2 (General Business) District, First Reading (Passed Planning Commission 11/15/18). Commissioner DeSear made a motion to approve the Ordinance which was seconded by Vice Mayor McCown. The City Manager asked the Building and Planning Director to give an overview. Mr. Ball stated this is a very small tract which is adjacent to commercial zoning and the request is to be zoned consistent with the adjoining property. Commissioner DeSear asked if any neighboring concerns had been expressed and Mr. Ball advised that none had been. After these comments, Ordinance Number 2531 was unanimously approved on First Reading.

ORDINANCE NUMBER 2532, AN ORDINANCE TO AMEND THE GATLINBURG ZONING ORDINANCE, BEING ORDINANCE 830, AND FURTHER BEING AN ORDINANCE TO REZONE SEVERAL PARCELS LOCATED OFF SILVERBELL HEIGHTS LANE FROM R-1 (LOW DENSITY RESIDENTIAL) DISTRICT TO C-1 (TOURIST COMMERCIAL) DISTRICT, First Reading (Passed Planning Commission 11/15/18)

Item H under New Business was Ordinance Number 2532, an Ordinance amending the Gatlinburg Zoning Ordinance, being Ordinance 830, and further being an Ordinance to rezone several parcels located off Silverbell Heights Lane from R-1 (Low Density Residential) District to C-1 (Tourist Commercial) District, First Reading (Passed Planning Commission 11/15/18). Mayor Mike Werner asked if everything was good with the request and the Building and Planning Director then gave an overview explaining the area and state that the property owner has provided a buffer to the other residential properties in this area at the request of those property owners at the Planning Commission Meeting. Commissioner Smith made a motion to approve the Ordinance which was seconded by Vice Mayor McCown. Ordinance Number 2532 was unanimously approved on First Reading.

DISCUSSION AND CONSIDERATION OF APPROVING A RIGHT OF WAY USE REQUEST AT 1455 ZURICH ROAD (REQUESTED BY MR. CLAY CARATHAN.

Item I under New Business was discussion and consideration of approving a Right of Way Use Request at 1455 Zurich Road (Requested by Mr. Clay Carathan. Vice Mayor McCown made a motion to approve the request which was seconded by Commissioner Smith. The City Manager stated that there is an existing wall in this right-of-way area and that there was no documentation that the City had ever approved that and this is a request to replace the wall. After these comments, the motion to approve the Right of Way Use request was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A WATER PURCHASE AGREEMENT WITH THE CITY OF PIGEON FORGE.

Item J under New Business was discussion and consideration of approving a Water Purchase Agreement with the City of Pigeon Forge. Vice Mayor McCown made a motion to approve the request which was seconded by Commissioner Harper. The City Manager stated that the City entered into a Water Purchase Agreement twenty years ago with the City of Pigeon Forge and that Agreement has expired and the City Attorney and Finance Director have worked with Pigeon Forge to develop this proposed Agreement that is similar to an Agreement with the County as it relates to the sale of water to them at a couple of locations out in the Eastern part of the City. The City Manager further stated that this is a fair Agreement and does reflect an increase in the rate, which is going from \$3.33 per gallon to \$4.17. Vice Mayor McCown asked for clarification as to how the rate is determined and the City Manager stated that there is a formula attached to the Agreement and annually that formula will be used to determine the rate. Vice Mayor McCown asked as to the requirement to purchase a minimum of 1 million gallons per month and the Utilities Manager responded that this is a reasonable requirement and that the

minimum purchase requirement will be easily attained. Mr. Holt stated that the calculation will be taken right out of Pigeon Forge's Financial Statements. After these comments, the motion to approve the Purchase Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE USE OF THE GATLINBURG COMMUNITY CENTER AND MILLS PARK FOR THE SEVIER COUNTY SCHOOL SYSTEM FUN AND FITNESS DAY TO BE HELD ON THURSDAY, MAY 16, 2019.

Item K under New Business was discussion and consideration of approving the use of the Gatlinburg Community Center and Mills Park for the Sevier County School System Fun and Fitness Day to be held on Thursday, May 16, 2019. Commissioner Harper made a motion to approve the request which was seconded by Vice Mayor McCown and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Ryan DeSear:

- (1) Commissioner DeSear asked about a City of Gatlinburg arch being put above the area in the Council Room where photos are taken or something with the word "Gatlinburg" in the photo; and,
- (2) Commissioner DeSear commented that the Christmas Parade was really good with some great floats this year; and,
- (3) Commissioner DeSear commented that he had the privilege of attending the Firemen's Banquet and that he was reminded of the 2016 Wildfires and how well all the First Responders had done; and,
- (4) Commissioner DeSear commented about the Tax numbers looking great for October and that the numbers rivaled 2016; and,

Commissioner Don Smith:

- (1) Commissioner Smith stated that he would like to wish everyone a Merry Christmas and a safe and Happy New Year.

Commissioner Hannah Harper:

- (1) Commissioner Harper stated her condolences to Sevierville Mayor Bryan Atchley and his family and to let people know that they are in the City's thoughts and prayers; and
- (2) Commissioner Harper also stated that she would like to wish everyone a Merry Christmas and is looking forward to an exciting 2019.

Vice Mayor Mark McCown:

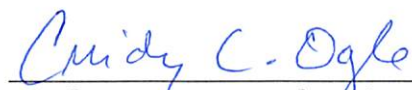
- (1) Vice Mayor McCown commented that he would also like wish everyone a Merry Christmas and a great New Year.

Mayor Mike Werner:

- (1) Mayor Werner also wished everyone a Merry Christmas and Happy New Year; and,
- (2) Mayor Werner commented that he would like to congratulate tonight's award recipients; and,
- (3) Mayor Werner commented that the loss of Mayor Atchley will be felt for a long time to come in our area.

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


Mike Werner, Mayor


Cindy Cameron Ogle, City Recorder
/mp