

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, January 8, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of December 18, 2012. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mike Helton and then unanimously adopted.

Regarding petitions and communications from the Public, Mayor Werner recognized Mr. Bob Waikel who addressed the City Commission related to sprinkler systems in rental properties and expressed concerns as it relates to this requirement being for all properties as opposed to new construction and asked City Commission to consider revising the Ordinance as it relates to overnight rental programs. Mayor Werner then stated that the City will look into this concern to revise to new construction and asked the City Manger to look into and report back to City Commission.

The next Item regarding petitions and communications from the Public was related to a Proclamation. The Mayor then presented a Gold Star Families Proclamation regarding the Mountain Man Memorial March to Captain Mark Farley of the U. S. Air Force and First Sergeant Lee Dalton, Military Science Instructor for the University of Tennessee Army ROTC.

There were no Reports of Boards or Committees.

The City Manager reported and/or requested:

(1) that she wanted to recognize the Assistant City Manager/Finance Director, David Beeler, and asked that he distribute Bond information to the City Commission. Mr. Beeler then distributed copies of the Official Statement related to the recent \$9,730,000 General Obligation Bonds dated December 12, 2012, and advised that this is pursuant to the City's Debt Policy and State Law and stated that the Report has been approved by the State and this is the Final Official Statement.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH THE GATLINBURG PUBLIC BUILDING AUTHORITY RELATED TO THE DEVELOPMENT OF A YOUTH SPORTS COMPLEX.**

Item A under New Business was discussion and consideration of approving an Agreement with the Gatlinburg Public Building Authority related to the development of a Youth Sports Complex. Commissioner Smith made a motion to approve the Agreement which was seconded by Commissioner Mark McCown. The City Manager then commented that this approach is patterned after the Mills Conference Center Project and stated that it was extremely successful in the construction of the Mills Conference Center and then asked the City Attorney to further explain. Mr. Sharp

stated that the State of Tennessee requires the City to competitively bid projects and get the best price, however, there is an exception with the Public Building Authority (PBA) that allows a competitive selection through the Request For Proposal (RFP) process. Mr. Sharp stated that the PBA would enter into a contract with a Construction Manager and that the City would process the paperwork and pay the bills. Mr. Sharp further stated that this will enable individual components of the Project to be bid by the Construction Manager rather than a lump sum for the overall project which is a more cost effective approach that enables a maximum guaranteed price leading to savings and also the usage of local contractors. Mr. Sharp concluded that this approach will also aid in managing costs. Mayor Werner then asked Mr. Allen Newton, Director of the Sevier County Economic Development Council, to discuss the Request For Proposal process and Mr. Newton proceeded to do so and stated that in conjunction with the Architect the Request For Proposals were sent out and that eleven were received. Mr. Newton then stated that it was narrowed to two contractors and that the recommendation to the Public Building Authority is Blaine Construction Corporation. Mr. Newton concluded by stating that this is the best approach due to a tight time schedule and a tight budget for the Youth Sports Complex. After these comments, the motion to approve the Contract with the Public Building Authority was unanimously adopted.

**ORDINANCE NUMBER 2455, AN ORDINANCE TO AMEND THE GATLINBURG ZONING ORDINANCE, BEING ORDINANCE NO. 830, AND FURTHER BEING AN ORDINANCE TO RECLASSIFY PARCELS 5, 7, 8, 9 AND 10 OF TAX MAP 126N, GROUP G, LOCATED ON REAGAN DRIVE AND TRENTHAM LANE IN THE CITY OF GATLINBURG, TENNESSEE, FROM R-2 (MEDIUM DENSITY) RESIDENTIAL DISTRICT TO R-3 (HIGH DENSITY) RESIDENTIAL DISTRICT AND PARCEL 6 OF TAX MAP 126 N, GROUP G, LOCATED ON TRENTHAM LANE IN THE CITY OF GATLINBURG, TENNESSEE FROM C-2 (GENERAL BUSINESS) COMMERCIAL DISTRICT TO R-3 (HIGH DENSITY) RESIDENTIAL DISTRICT, FIRST READING, (PASSED PLANNING COMMISSION 12/20/12).**

Item B under New Business was Ordinance Number 2455, an Ordinance to amend the Gatlinburg Zoning Ordinance, being Ordinance No. 830, and further being an Ordinance to reclassify Parcels 5, 7, 8, 9 and 10 of Tax Map 126N, Group G, located on Reagan Drive and Trentham lane in the City of Gatlinburg, Tennessee, from R-2 (Medium Density) Residential District to R-3 (High Density) Residential District and Parcel 6 of Tax map 126N, Group G, located on Trentham Lane in the City of Gatlinburg, Tennessee from C-2 (General Business) Commercial District to R-3 (High Density) Residential District, First Reading, (Passed Planning Commission 12/20/12). Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith. The City Manager then asked the City Planner to give an overview of the Ordinance and Mr. Ball proceeded to do so and stated that the request was made by Mr. Logan Coykendall to rezone one of these parcels for development of office space. The City Planner then stated that during the review process the initial request was for that one parcel to be rezoned and that, after discussion with property

owners, it was determined that a better approach would be to look at the entire area and that the entire area would be better served to be rezoned to R-3. Mr. Ball continued that all of the property owners were in agreement with the proposed rezoning and that the City owned one parcel that the Shilling Center is located on and is being used for office spaces and it was appropriate to include that parcel and stated that the recommendation is to rezone all parcels to R-3. Mayor Werner asked Mr. Coykendall if this action addresses his request and Mr. Coykendall advised in the affirmative. After discussion, the motion to approve Ordinance Number 2455, on first reading, was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH WHALEY AND SONS, INC., RELATED TO THE RIVER ROAD SIDEWALK PROJECT.**

The last Item under New Business was discussion and consideration of approving a Contract with Whaley and Sons, Inc., related to the River Road Sidewalk Project. Commissioner Helton made a motion to approve the Contract which was seconded by Commissioner McCown. The City Manger then asked the engineer for the Project, Mr. Gary Norvell, to give an overview and Mr. Norvell stated that the sidewalk on River Road where the bridge goes across to Mysterious Mansion has been undermined and that the design phase became more involved as a result of not being able to get the slope that was necessary to repair the sidewalk. Mr. Norvell continued that the original estimate for the Project was approximately \$125,000 and that the low bid in the amount of \$99,750 was from Whaley and Sons, Inc. for this Project. Commissioner McCown then asked if road closure would be necessary during this Project and Mr. Norvell responded that two way traffic would be maintained during construction which is estimated to be approximately thirty days. After these comments, the motion to approve the Contract with Whaley and Sons, Inc., was unanimously adopted.

**UNSCHEDULED ITEMS:**

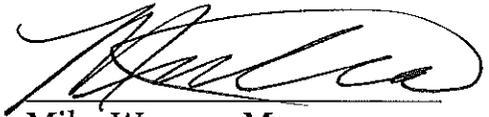
**Commissioner Mike Helton:**

- (1) Wished everyone a Happy New Year and stated that he looks forward to 2013.

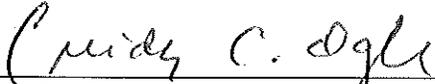
**Mayor Mike Werner:**

- (1) Also wished everyone a Happy New Year; and,
- (2) Asked everyone to continue to pray for Regen Morris who has been moved to St. Jude Children's Hospital.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder

/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, January 22, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of January 8, 2013. Commissioner Mike Helton made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

There were no Petitions and Communications from the Public.

Regarding Reports of Boards and Committees, Mayor Werner deferred the presentation of the Gatlinburg Convention and Visitors Bureau Quarterly Report to the next City Commission meeting.

**ORDINANCE 2456, AN ORDINANCE TO REPEAL A PORTION OF ORDINANCE NO. 2453 AND ADDING ADDITIONAL LANGUAGE TO SECTION 5-701 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO REQUIRE NEWLY CONSTRUCTED DWELLINGS ON THE TOURIST RESIDENCY PROGRAM TO HAVE A SPRINKLER SYSTEM, FIRST READING.**

Item A under New Business was Ordinance 2456, an Ordinance to repeal a portion of Ordinance No. 2453 and adding additional language to section 5-701 of the Gatlinburg Municipal code, and further being an Ordinance to require newly constructed dwellings on the Tourist Residence Program to have a Sprinkler System, First Reading. Commissioner Smith Made a motion to approve the Ordinance which was seconded by Commissioner Mark McCown. Ordinance 2456 was then unanimously adopted on First Reading.

**DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE ENVIRONMENTAL DESIGN REVIEW BOARD.**

Item B under New Business was discussion and consideration of making appointments to the Environmental Design Review Board. Commissioner Helton made a motion to defer items B, C, and D related to appointments to various City Boards to the next City Commission meeting which was seconded by Commissioner McCown and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING AN IN-LIEU OF PROPERTY TAX CONTRACT FOR THE SEVIER COUNTY ELECTIC SYSTEM.**

The last Item under New Business was discussion and consideration of approving an In-Lieu of Property Tax Contract for the Sevier County Electric System. Vice Mayor Hays made a motion to approve the Contract which was seconded by Commissioner

McCown. The City Manager then gave a brief overview of the Contract and stated that the Contract is in lieu of property tax payments from the Sevier County Electric System for approximately \$360,000 which is more than was budgeted in revenue for this payment. After these comments, the motion to approve the Contract was unanimously adopted.

### **UNSCHEDULED ITEMS:**

#### **Commissioner Mike Helton:**

- (1) Complimented the Street and Police Departments related to the recent inclement weather events and stated that they did a great job; and,
- (2) Offered condolences to the Fred McMahan family and thanked them for his service to the City.

#### **Commissioner Don Smith:**

- (1) Echoed condolences to Mr. McMahan's family and commented that Mr. McMahan had served the City well.

#### **Commissioner Mark McCown:**

- (1) Stated that his sympathies are with the McMahan family and offered his thanks for Mr. McMahan's service to the City and the community.

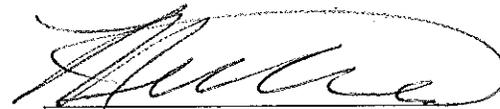
#### **Vice Mayor Hays:**

- (1) Thanked the McMahan family for all that Fred had done for the City and stated that he will be greatly missed by all.

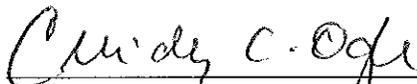
#### **Mayor Mike Werner:**

- (1) Echoed all the above regarding Mr. McMahan's passing and stated that the meeting this evening was shortened for attendance at his service which was occurring just after this meeting.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder

/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, February 5, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of January 22, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mark McCown and then unanimously adopted.

There were no Petitions and Communications from the Public.

Regarding Reports of Boards and Committees, the first item was the presentation of was the Gatlinburg Convention and Visitors Bureau (GCVB) Quarterly Report by the Interim Executive Director Vicki Simms. Mayor Werner then recognized Mrs. Simms who proceeded to present the Report and introduced Mrs. Marci Claude, the new Public Relations Manager, and then distributed copies of the Convention and Visitors Bureau Staff information and the 4<sup>th</sup> Quarter update. Mrs. Simms then reviewed the highlights of the Report, including the launch of the new mobile site and the hosting of the Tennessee Press Trip. Mrs. Simms then distributed packets of the Marketing Plan for the year and stated that the plan is still flexible and then referenced the Chamber election and ratification of the Executive Committee and then stated that she is pleased to announce that a Director of Sales had been hired and is doing a great job along with the newly hired Marketing Director and that the GCVB is working with the Sports Facility Advisory Group to collaborate as to marketing of the Sports Complex Facility. Mrs. Simms concluded that this has been an exciting last quarter and that the GCVB is looking forward to 2013.

The City Manager reported and/or requested:

(1) that she wanted to remind everyone of a couple of fund-raisers occurring in the community over the next few days and stated that tomorrow night from 4:00 P.M. until 6:00 P.M. is the Rootin for Regen Spaghetti Dinner at Calhoun's Banquet Hall and that tickets are \$5.00 and that all proceeds will help support Regen Morris in his battle with cancer. The City Manager then stated that the second event will be held on Tuesday, February 12, 2013, at all Flap Jack's locations and is also \$5.00 per person and proceeds will benefit the Sevier County Fire Chief's Training Center.

**ORDINANCE 2455, AN ORDINANCE AMENDING THE MUNICIPAL ZONING ORDINANCE, BY RECLASSIFYING PARCELS 5, 7, 8, 9 AND 10 OF TAX MAP 126N, GROUP G, LOCATED ON REAGAN DRIVE AND TRENTHAM LANE FROM R-2 (MEDIUM DENSITY) RESIDENTIAL DISTRICT TO R-3 (HIGH DENSITY) RESIDENTIAL DISTRICT AND PARCEL 6 OF TAX MAP 126N, GROUP G, LOCATED ON TRENTHAM LAND FROM C-2 (GENERAL BUSINESS) COMMERCIAL DISTRICT TO R-3 (HIGH DENSITY) RESIDENTIAL DISTRICT, PUBLIC HEARING AND SECOND**

**REDING, (PASSED PLANNING COMMISSION 12/20/12 AND FIRST READING 1/08/13).**

Item A under Old Business was Ordinance 2455, an Ordinance amending the Municipal Zoning Ordinance, by reclassifying Parcels 5, 7, 8, 9 and 10 of Tax Map 126N, Group G, located on Reagan Drive and Trentham Lane from R-2 (Medium Density) Residential District to R-3 (High Density) Residential District and Parcel 6 of Tax Map 126N, Group G, located on Trentham Lane from C-2 (General Business) Commercial District to R-3 (High Density) Residential District, Public Hearing and Second Reading, (Passed Planning Commission 12/20/12 and First Reading 1/08/13). Commissioner Helton made a motion to approve the Ordinance which was seconded by Vice Mayor Hays. Mayor Werner then opened a Public Hearing and, there being no comments, closed the Public Hearing. The motion to approve Ordinance 2455 was then unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2456, AN ORDINANCE TO REPEAL A PORTION OF ORDINANCE NO. 2453 AND ADDING ADDITIONAL LANGUAGE TO SECTION 5-701 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO REQUIRE NEWLY CONSTRUCTED DWELLINGS ON THE TOURIST RESIDENCY PROGRAM TO HAVE A SPRINKLER SYSTEM, SECOND READING, (PASSED FIRST READING 1/22/13).**

Item B under Old Business was Ordinance Number 2456, an Ordinance to repeal a portion of Ordinance No. 2453 and adding additional language to Section 5-701 of the Gatlinburg Municipal Code, and further being an Ordinance to require newly constructed dwellings on the Tourist Residency Program to have a Sprinkler System, Second Reading, (Passed First Reading 1/22/13). Commissioner Helton made a motion to table the Ordinance which was seconded by Commissioner Smith. Mayor Werner then stated that Staff has discovered other concerns than just the sprinkler systems and that Staff is looking into those issues and another Ordinance will be forthcoming in the next few weeks. The motion to table Ordinance Number 2456 was then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE ENVIRONMENTAL DESIGN REVIEW BOARD, (DEFERRED 1/22/13).**

Item C under Old Business was discussion and consideration of making appointments to the Environmental Design Review Board, (Deferred 1/22/13). Commissioner Helton made a motion to reappoint Mr. Kenneth Webster and Mr. Michael Anderson which was seconded by Commissioner Mark McCown and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE MUNICIPAL BOARD OF ZONING APPEALS, (DEFERRED 1/22/13).**

Item D under Old Business was discussion and consideration of making an appointment to the Municipal Board of Zoning Appeals, (Deferred 1/22/13). Commissioner McCown made a motion to appoint Mrs. Cyndi Bowling to the Municipal Board of Zoning Appeals which was seconded by Vice Mayor Hays and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE REGIONAL BOARD OF ZONING APPEALS, (DEFERRED 1/22/13).**

The last Item under Old Business was discussion and consideration of making an appointment to the Regional Board of Zoning Appeals, (Deferred 1/22/13). Commissioner Helton made a motion to reappoint Mrs. Libby Latham which was seconded by Commissioner McCown and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONSTRUCTION CONTRACT WITH RICH CONSTRUCTION, INC., RELATED TO THE PARKWAY VISITOR CENTER PEDESTRIAN PLAZA PROJECT.**

The first Item under New Business was discussion and consideration of approving a Construction Contract with Rich Construction, Inc., related to the Parkway Visitors Center Pedestrian Plaza Project. Vice Mayor Hays made a motion to approve the Contract which was seconded by Commissioner McCown. The City Manager then explained that the City has received Tennessee Department of Transportation concurrence and that a Workshop meeting held a few weeks ago brought everyone up to date on the Project which is approximately \$100,000 - \$150,000 more than anticipated and, at that time, Commission had directed to proceed with the Project and the request for TDOT concurrence. The City Manager concluded that this Contract is with the low bidder in the amount \$773,653.58 and is brought to City Commission for approval to move forward with this Project. After these comments, the motion to approve the Construction Contract with Rich Construction, Inc., was unanimously adopted.

**ORDINANCE NUMBER 2457, AN ORDINANCE TO AMEND SECTION 8-110 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO EXEMPT RETAIL SALES OF PRODUCT PRODUCED AT A STATE LICENSED DISTILLERY FROM THE NUMBERS LIMITATION OF RETAIL LIQUOR PACKAGE STORES WITHIN THE CITY AND ESTABLISHING A SEPARATE NUMBER LIMITATION ON SAID LOCATIONS, FIRST READING.**

The next Item under New Business was Ordinance Number 2457, an Ordinance to amend Section 8-110 of the Gatlinburg Municipal Code, and further being an Ordinance to exempt retail sales of product produced at a state licensed distillery from the numbers limitation of Retail Liquor Package Stores within the City and establishing a separate number limitation on said locations, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. Mayor Werner then asked the City Attorney to give an overview and Mr.

Sharp proceeded to do so and stated that the City has had a numbers limitation on Retail Liquor Package Stores for approximately thirty years and stated that the number limit is six. Mr. Sharp continued that recently the Alcoholic Beverage Commission (ABC) has issued retail liquor package store licenses to retail sales outlets within distilleries and that there are two of those that are currently operating within the City. Mr. Sharp then stated that a decision was necessary to have those repealed or to leave the number limit of Retail Liquor Package Stores at six and to also give an opportunity to the distilleries to have a location for retail sales of their product within the City. Mr. Sharp continued that this Ordinance maintains the original limit of six Retail Liquor Package Store Licenses and creates a new category for retail sales outlets within distilleries, so long as they only sell the product that is made on site, and that the numbers limit for this category would be four. The City Attorney explained that this has come about due to the type of license that the ABC has issued that is a Retail Liquor Package Store License. The ABC has changed their original position on the type of license that they have issued. He stated that the City has the right under State Law to regulate the number of Retail Liquor Package Stores, and, in an effort to preserve what the City has, a new category has been created to limit the retail sales outlets within distilleries and that this Ordinance sets that limit at four. After these comments, the motion to approve Ordinance Number 2457 on First Reading was unanimously adopted.

**ORDINANCE NUMBER 2458, AN ORDINANCE TO AMEND SECTION 8-105(4) OF THE GATLINBURG MUNICIPAL CODE BY REPEALING IT IN ITS ENTIRETY AND SUBSTITUTING A NEW SECTION IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO MODIFY THE RESIDENCY REQUIREMENT FOR A RETAIL LIQUOR PACKAGE STORE, FIRST READING.**

Item C under New Business was Ordinance Number 2458, an Ordinance to amend Section 8-105(4) of the Gatlinburg Municipal Code by repealing it in its entirety and substituting a new section in lieu thereof, and further being an Ordinance to modify the Residency Requirement for a Retail Liquor Package Store, First Reading. Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith. The City Attorney then stated that Cities can regulate residency requirements and that the present Ordinance states that you must be a City resident for two years to apply and that this Ordinance will conform the City requirement to what State Law requires which is that you must be a resident of the State of Tennessee for two years to apply for a Retail Liquor Package Store license. After these comments, the motion to approve Ordinance Number 2458 on First Reading was unanimously adopted.

**ORDINANCE NUMBER 2459, AN ORDINANCE TO TRANSFER SECTION 8-202 OF THE GATLINBURG MUNICIPAL CODE TO SECTION 8-111 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO CONFIRM THE DISTANCE REQUIREMENTS FOR RETAIL LIQUOR PACKAGE STORES WITHIN DISTILLERIES, FIRST READING.**

Item D under New Business was Ordinance Number 2459, an Ordinance to transfer Section 8-202 of the Gatlinburg Municipal Code to Section 8-111 of the Gatlinburg Municipal Code and further being an Ordinance to confirm the distance requirements for Retail Liquor Package Stores within Distilleries, First Reading. Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith. Mayor Werner then asked the City Attorney to explain and Mr. Sharp proceeded to do so and stated that the City has had a one thousand foot separation requirement for retail liquor package store locations on the books since 1979 and that none of the existing liquor stores or distilleries are within one thousand feet of each other. Mr. Sharp then stated that this Ordinance is necessary to put this requirement in the correct Chapter of the Municipal Code and is not a change in requirements. The City Attorney further advised that this move is administrative in nature and to clarify that this also applies to retail sales outlets within distilleries. After these comments, the motion to approve Ordinance Number 2459 on First Reading was unanimously adopted.

**ORDINANCE NUMBER 2460, AMENDING THE FISCAL YEAR 2012-13 BUDGET ORDINANCE, FIRST READING.**

The next Item under New Business was Ordinance Number 2460, amending the Fiscal Years 2012-13 Budget Ordinance, First Reading. Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner Smith. The City Manager then commented that she and the Assistant City Manager/Finance Director had reviewed most of the necessary Budget amendments at the Mid Fiscal Year Review and that this Ordinance does amend the existing Budget Ordinance and takes various actions that are outlined in both the Ordinance and the memorandum from Mr. David Beeler. The City Manager then asked Mr. Beeler to further explain and he proceeded to do so by reviewing the highlights of the proposed amendments. After these comments, the motion to approve Ordinance Number 2460 on First Reading was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NUMBER 1 FROM WHALEY AND SONS, INC., RELATED TO THE RIVER ROAD SIDEWALK PROJECT.**

Item F under New Business was discussion and consideration of approving Change Order Number 1 from Whaley and Sons, Inc., related to the River Road Sidewalk Project. Vice Mayor Hays made a motion to approve the Change Order which was seconded by Commissioner McCown. The City Manager then stated that this does not involve any additional monies and that it simply changes the start date of the Contract from January 2, 2013 to January 14, 2013 and that this is important to the Contractor because there are liquidated damages if they go past the time frame of the Project. Commissioner Helton then asked if this was due to the weather and the Public Services Manager, Larry Henderson, responded that it was actually due to the timing of the City Commission meetings and that the Contractor wanted to start on January 2, 2013,

however, approval by Commission was not until January 8, 2013 and that the start date became the following Monday, January 14, 2013. After these comments, the motion to approve Change Order Number 1 from Whaley and Sons, Inc., related to the River Road Sidewalk Project was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY VEHICLES AND EQUIPMENT AS SURPLUS.**

The last Item under New Business was discussion and consideration of declaring certain City Vehicles and Equipment as Surplus. Commissioner Smith made a motion to approve certain City Vehicles and Equipment as Surplus which was seconded by Vice Mayor Hays. The City Manager then commented that once declared surplus, these items will be placed on the Internet for sale. After these comments, the motion to approve as surplus was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Mike Helton:**

- (1) Offered condolences to the Melvin King family and stated that he was a longtime member of the community and will be missed.

**Commissioner Don Smith:**

- (1) Echoed condolences to Mr. King's family and stated that his daughter Delea works in the City Finance Department and to keep her and the family in prayers.

**Commissioner Mark McCown:**

- (1) Also offered condolences to the King family; and,
- (2) Welcomed Mrs. Marci Claude the new Public Relations Manager and stated that he thought this was actually her second meeting and was glad that she was part of the Convention and Visitors Bureau.

**Vice Mayor Hays:**

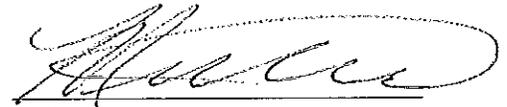
- (1) Stated that Mr. King was a good friend and a golfing buddy and offered his condolences to the family; and,

- (2) Also welcomed Mrs. Marci Claude to the Convention and Visitors Bureau Staff.

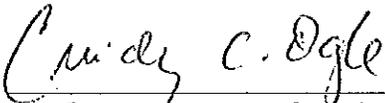
**Mayor Mike Werner:**

- (1) Echoed all the above regarding condolences to the King family; and,
- (2) Complimented Mrs. Vicki Simms on the Convention and Visitors Bureau Report and offered thanks to Mr. Logan Coykendall for all his hard work on the Department of Tourism and Chamber merger and stated that he is excited about this merger and the future.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder

/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, February 19, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of February 5, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mark McCown and then unanimously adopted.

Regarding Petitions and Communications from the Public and Item from the Audience, Mayor Werner recognized Mr. Louis Howard, Jr. who proceeded to address the City Commission regarding Agenda Items 6(c) and 7(a). Mr. Howard then referenced various City actions related to previous Bottle Shop applications and stated that the concern is if Sugarland Distilling Company, LLC application is not approved that would be discretionary action. Mr. Howard further discussed inconsistencies with Ordinances on the Agenda and stated that there should be a different license from Retail Package Store licenses. Mr. Howard concluded that Ordinance Number 2459 is an improper, illegal attempt to stop Sugarland Distilling Company, LLC's application.

The City Manager reported and/or requested:

(1) that she wanted to distribute copies of a request for Community Center usage from Mr. Jerry Codispoto the South East Director of Tennessee Girls AAU Basketball. The City Manager stated that the requested usage is for the Tennessee AAU Girls Basketball Tournament being held March 8, 9, and 10, 2013 and that this was received yesterday and that due to the time frame of the tournament, Commission consideration and action is necessary concerning this request. Commissioner Mike Helton then made a motion to approve the requested usage which was seconded by Commissioner Smith and unanimously approved; and,

(2) that she also wanted to remind everyone of the February 26, 2013 meeting with the North End Stakeholders to review the Tennessee Strategies Group Redevelopment Study at 5:00 P.M. in the Council Room.

**ORDINANCE NUMBER 2457, AN ORDINANCE TO AMEND SECTION 8-110 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO EXEMPT RETAIL SALES OF PRODUCT PRODUCED AT A STATE LICENSED DISTILLERY FROM THE NUMBERS LIMITATION OF RETAIL LIQUOR PACKAGE STORES WITHIN THE CITY AND ESTABLISHING A SEPARATE NUMBER LIMITATION ON SAID LOCATIONS, SECOND READING, (PASSED FIRST READING 2/05/13).**

The first Item under Old Business was Ordinance Number 2457, an Ordinance to amend Section 8-110 of the Gatlinburg Municipal Code, and further being an Ordinance to exempt retail sales of product produced at a State licensed distiller from the numbers limitation of Retail Liquor Package Stores within the city and establishing a separate

number limitation on said locations, Second Reading, (Passed First Reading 2/05/13). Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner Mark McCown. Ordinance Number 2457 was then unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2458, AN ORDINANCE TO AMEND SECTION 8-105(4) OF THE GATLINBURG MUNICIPAL CODE BY REPEALING IT IN ITS ENTIRETY AND SUBSTITUTING A NEW SECTION IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO MODIFY THE RESIDENCY REQUIREMENT FOR A RETAIL LIQUOR PACKAGE STORE, SECOND READING, (PASSED FIRST READING 2/05/13).**

Item B under Old Business was Ordinance Number 2458, an Ordinance to amend Section 8-105(4) of the Gatlinburg Municipal Code by repealing it in its entirety and substituting a new section in lieu thereof, and further being an Ordinance to modify the residency requirement for a Retail Liquor Package Store, Second Reading, (Passed First Reading 2/05/13). Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2459, AN ORDINANCE TO TRANSFER SECTION 8-202 OF THE GATLINBURG MUNICIPAL CODE TO SECTION 8-111 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO CONFIRM THE DISTANCE REQUIREMENTS FOR RETAIL LIQUOR PACKAGE STORES WITHIN DISTILLERIES, SECOND READING, (PASSED FIRST READING 2/05/13).**

The next Item under Old Business was Ordinance Number 2459, an Ordinance to transfer Section 8-202 of the Gatlinburg Municipal Code to Section 8-111 of the Gatlinburg Municipal Code and further being an Ordinance to confirm the distance requirements for Retail Liquor Package Stores within Distilleries, Second Reading, (Passed First Reading 2/05/13). Commissioner McCown made a motion to approve the Ordinance which was seconded by Vice Mayor Hays and then unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2460, AMENDING THE FISCAL YEAR 2012-13 BUDGET ORDINANCE, SECOND READING, AS AMENDED, (PASSED FIRST READING 2/05/13).**

The last Item under Old Business was Ordinance Number 2460, amending the Fiscal Year 2012-13 Budget Ordinance, Second Reading, as amended, (Passed First Reading 2/05/13). Commissioner Helton made a motion to approve Ordinance Number 2460 which was seconded by Commissioner Smith and then unanimously adopted on Second Reading, as amended.

**DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE BASED UPON APPLICATIONS FOR A DISTILLERY BOTTLE SHOP AND/OR RETAIL LIQUOR PACKAGE STORE FOR THE SUGARLANDS DISTILLING COMPANY, LLC.**

The first Item under New Business was discussion and consideration of approving a Certificate of Compliance based upon applications for a Distillery Bottle Shop and/or Retail Liquor Package Store for the Sugarlands Distilling Company, LLC. Commissioner McCown made a motion to disapprove the Certificate due to the property location not meeting the 1,000 feet distance requirement as outlined in the City Ordinance. Commissioner Smith then seconded the motion which was unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING AN OFF-PREMISE CERTIFICATE OF GOOD MORAL CHARACTER FOR KERRY RADER AND ROBERT TROSPER, D/B/A GATEWAY PACKAGE STORE, 1125 PARKWAY.**

Item B under New Business was discussion and consideration of approving an Off-Premise Certificate of Good Moral Character for Kerry Rader and Robert Trospen, d/b/a Gateway Package Store, 1125 Parkway. Vice Mayor Hays made a motion to approve the Certificate which was seconded by Commissioner Smith and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR KERRY RADER AND ROBERT TROSPER, D/B/A GATEWAY PACKAGE STORE, 1125 PARKWAY.**

The next Item under New Business was discussion and consideration of approving a Certificate of Compliance for Kerry Rader and Robert Trospen, d/b/a Gateway Package Store, 1125 Parkway. Vice Mayor Hays made a motion to approve the Certificate which was seconded by Commissioner McCown and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN ON-PREMISE CERTIFICATE OF GOOD MORAL CHARACTER FOR DANA PAPWORTH, D/B/A WINE A LITTLE WINE AND TAPAS BAR, 734 POWDERMILL ROAD, SUITE #2.**

Item D under New Business was discussion and consideration of approving an On-Premise Certificate of Good Moral Character for Dana Papworth, d/b/a Wine A Little Wine and Tapas Bar, 734 Powdermill Road, Suite #2. Commissioner Helton made a motion to approve the Certificate which was seconded by Vice Mayor Hays and then unanimously approved.

**ORDINANCE NUMBER 2461, AMENDING THE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO CHARACTERIZE A TOURIST RESIDENCY AS A LODGING OR ROOMING HOUSE AS DEFINED IN THE**

**2012 EDITION OF THE NFPA 101 LIFE SAFETY CODE; TO REQUIRE THAT ONLY NEW RESIDENCES MUST MEET THESE REQUIREMENTS; AND TO REPEAL ORDINANCE NO. 2453, FIRST READING.**

Item E under New Business was Ordinance Number 2461, amending the Municipal Code and further being an Ordinance to characterize a Tourist Residency as a lodging or rooming house as defined in the 2012 Edition of the NFPA 101 Life Safety Code; to require that only new residences must meet these requirements; and to repeal Ordinance No. 2453, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Vice Mayor Hays and then unanimously adopted on First Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING AN ADDENDUM TO THE LEASE AGREEMENT WITH KNOXVILLE HARLEY DAVIDSON FOR TWO POLICE DEPARTMENT MOTORCYCLES.**

The next Item under New Business was discussion and consideration of approving an addendum to the Lease Agreement with Knoxville Harley Davidson for two Police Department motorcycles. Commissioner Smith made a motion to approve the addendum which was seconded by Commissioner Helton. Commissioner McCown then asked as to the amount of the lease agreement and the City Manager responded that the lease amount is \$2,900 per motorcycle and stated that the monies are in the Police Department Budget to cover these costs. After these comments, the motion to approve the addendum to the Lease Agreement with Knoxville Harley Davidson for two Police Department motorcycles was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY VEHICLES AS SURPLUS.**

The last Item under New Business was discussion and consideration of declaring certain City vehicles as surplus. Vice Mayor Hays made a motion to declare the vehicles as surplus which was seconded by Commissioner Helton and then unanimously approved.

**UNSCHEDULED ITEMS:**

**Commissioner Mike Helton:**

- (1) Congratulated the Gatlinburg-Pittman High School Girls Basketball team and wished them luck in the District Tournament that Gatlinburg-Pittman will be hosting on Friday; and,
- (2) Asked about Sparkle Days and dates for this Spring event and requested that the City Manager look into and report back when information is available.

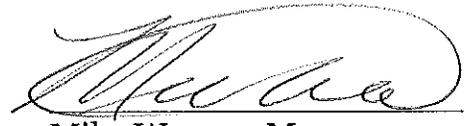
**Vice Mayor Hays:**

- (1) Also congratulated the Gatlinburg-Pittman Girls Basketball team and stated that he was at the last game and was very impressed with them and wished them the best of luck.

**Mayor Mike Werner:**

- (1) Echoed all the above regarding the Girls Basketball team and stated that his daughter plays on the team and that it will be hard to beat Fulton three times and that they are only four games away from a State Championship.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, March 19, 2013, 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. Deputy Building Official Jay Horner gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of February 19, 2013. Commissioner Mike Helton made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

Regarding Petitions and Communications from the Public and Item from the Audience, Mayor Werner recognized Mr. Steve Hobert with American Legion Post 202. Mr. Hobert then proceeded to address City Commission by reading a statement of the history of Post 202. Mr. Hobert then stated that the Post 202 Honor Guard has twenty members and requested that the City equip these members at a cost of approximately \$250-\$300 each and also requested \$1,000 for other needed equipment for a total request of \$5,000 - \$6,000. Mr. Hobert asked that the City help with the funding as much as possible so that the Honor Guard can serve the Community. The Mayor thanked Mr. Hobert and stated that the matter would be taken under advisement and that the City appreciated all of the work of Post 202.

The City Manager reported and/or requested:

(1) that she wanted to give an update on the North End Slope Stabilization Project and also on the Parkway Visitor Project and stated that the work on the North End Slope Stabilization Project began March 4, 2013, and is proceeding as planned and that the contractor is in the process of installing the treated block and back filling the wall. The City Manager continued that Ameritech has cleared the slope where the rock drape is to be installed and is in the process of drilling and installing anchors that will attach the drape to the rock bank and that the contractor expects to open the second sound bound lane to traffic and possibly the second north bound lane by Good Friday with the contract completion date of April 12, 2013. The City Manager then stated that the Parkway Visitor Center Pedestrian Plaza Project began March 11, 2013, with the contractor, Rich Construction, mobilizing and beginning the process of removing vegetation, installing erosion control as well as safety fencing and has started excavation to reach sub grade. The City Manager stated that the contract completion date for this Project is July 22, 2013; and,

(3) that the City will conduct Sparkle Days for the 33<sup>rd</sup> consecutive year and that the City Sanitation Department will pick up, free of charge, many items not normally included in garbage collection. The City Manager further stated that the first week of Sparkle Days will be March 18 through 22 and is set aside for the collection of commercial debris and that residential collection will take place April 8 through 12 and that anyone interested in scheduling a pick-up or seeking more information can call the Street Department at 430-1370. Commissioner McCown then commented that

he saw the Sparkle Days segment on Live at Five at Four and stated that it was great coverage for the City; and,

(3) that she also wanted to announce that the Arbor Day Event has been scheduled for Thursday, April 18 at 1:30 P.M. at the Pi Beta Phi Elementary School.

**ORDINANCE NUMBER 2460, AMENDING THE FISCAL YEAR 2012-13 BUDGET ORDINANCE, THIRD AND FINAL READING, (PASSED FIRST READING 2/05/13 AND SECOND READING, AS AMENDED 2/19/13).**

The first Item under Old Business was Ordinance Number 2460, amending the Fiscal Year 2012-13 Budget Ordinance, Third and Final Reading, (Passed First Reading 2/05/13 and Second Reading, as amended 2/19/13). Commissioner McCown made a motion to approve the Ordinance which was seconded by Vice Mayor Jerry Hays. Mayor Werner then asked the Assistant City Manager/Finance Director to give an overview and Mr. Beeler proceeded to do so by reviewing each of the proposed changes. After Mr. Beeler's overview, the motion to approve Ordinance Number 2460 was unanimously adopted on Third and Final Reading.

**ORDINANCE NUMBER 2461, AMENDING THE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO CHARACTERIZE A TOURIST RESIDENCY AS A LODGING OR ROOMING HOUSE AS DEFINED IN THE 2012 EDITION OF THE NFPA 101 LIFE SAFETY CODE; TO REQUIRE THAT ONLY NEW RESIDENCES MUST MEET THESE REQUIREMENTS; AND TO REPEAL ORDINANCE NO. 2453, SECOND READING, (PASSED FIRST READING 2/19/13).**

The last Item under Old Business was Ordinance Number 2461, amending the Municipal Code and further being an Ordinance to characterize a Tourist Residency as a lodging or rooming house as defined in the 2012 Edition of the NFPA 101 Life Safety Code; to require that only new residences must meet these requirements; and to repeal Ordinance No. 2453, Second Reading, (Passed First Reading 2/19/13). Commissioner Mike Helton made a motion to approve the Ordinance which was seconded by Commissioner Don Smith and then unanimously adopted on Second and Final Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING A BUSINESS DIRECTIONAL SIGN FOR SMOKY MOUNTAIN ARTS AND CRAFTS AT THE INTERSECTION OF GLADES ROAD AND POWDERMILL ROAD (REQUESTED BY MR. CALVIN FRANKLIN).**

The first Item under New Business was discussion and consideration of approving a Business Directional Sign for Smoky Mountain Arts and Crafts at the intersection of Glades Road and Powdermill Road (Requested by Mr. Calvin Franklin). Commissioner Smith made a motion to approve the sign which was seconded by Vice Mayor Hays.

The City Manager then asked the City Planner to give a brief overview of this request and Mr. Ball proceeded to do so and stated that this is the new Wayfinding signage that does have an additional cost to the applicant which Mr. Franklin is aware of and has agreed to pay the total amount of \$295. After these comments, the motion to approve the business directional sign was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR THE USAGE OF THE AQUARIUM PARKING GARAGE FOR THE SEVIER COUNTY FOOD MINISTRIES FIESTA EVENT ON THURSDAY, APRIL 18, 2013.**

Item B under New Business was discussion and consideration of approving a request for the usage of the Aquarium Parking Garage for the Sevier County Food Ministries Fiesta Event on Thursday, April 18, 2013. Vice Mayor Hays made a motion to approve the requested usage which was seconded by Commissioner Helton. Mayor Werner then asked the Director of Sevier County Food Ministries to say a few words and Mr. Davis proceeded to do so and stated that this is the only fund raiser for the food ministry for the year and that is a great event at the Aquarium and stated that there will be door prizes and silent auction items. Mr. Davis concluded by encouraging everyone to attend this event and then thanked the City Commission for their support of the Sevier County Food Ministries. After these comments, the motion to approve the requested usage of the Aquarium Parking Garage was unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A MEMORIAL PLAQUE PROGRAM AT THE MUNICIPAL GOLF COURSE.**

The next Item under New Business was discussion and consideration of approving a Memorial Plaque Program at the Municipal Golf Course. Commissioner Helton made a motion to approve the program which was seconded by Commissioner Smith. The City Manager then asked the Director of Golf to give an overview of the program and Mr. Tucker proceeded to do so and displayed a sample of the memorial plaques and stated that several members had discussed putting a fountain at the 18<sup>th</sup> Hole pond that would cost approximately \$10,000 to \$15,000 and that the members would raise the money for the fountain and that the City would not incur costs for this Project. Mr. Tucker further stated that the cost to purchase a plaque would be \$200 and that Golf Course maintenance staff would install them. Commissioner Helton then asked if these would be for deceased members only and Mr. Tucker responded yes and that approximately \$6,500 had already been raised toward the fountain. Mayor Werner then stated that this sounds like a good Program. After these comments, the motion to approve the Memorial Plaque Program at the Municipal Golf Course was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE GATLINBURG AIRPORT AUTHORITY, INC., BOARD OF DIRECTORS.**

Item D under New Business was discussion and consideration making an appointment to the Gatlinburg Airport Authority, Inc., Board of Directors. Commissioner McCown

made a motion to nominate Mike Werner which was seconded by Commissioner Smith and then approved with the vote as follows: Vice Mayor Hays, Commissioner Helton, Commissioner Smith and Commissioner McCown voting aye and Mayor Mike Werner abstaining from the vote.

**DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NUMBER 1 TO THE SOUTHERN CONTRACTORS, INC., CONTRACT RELATED TO THE WASTEWATER TREATMENT PLANT EQUALIZATION BASIN PROJECT.**

Item E under New Business was discussion and consideration approving Change Order Number 1 to the Southern Contractors, Inc., contract related to the Wastewater Treatment Plant Equalization Basin Project. Commissioner Smith made a motion to approve the change order which was seconded by Vice Mayor Hays. The City Manger then explained that the change order is in the amount of \$7,348 and it is for the purchase of two larger manholes that are necessary to accommodate larger pipes related to the EQ basin and adds sixty days to the contract. Mr. Gary McGill, Project Engineer, then stated that the additional sixty days is needed to coordinate the EQ Basin Project with the Administrative Building Renovations Project. After these comments, the motion to approve change order number 1 was unanimously adopted.

**ORDINANCE NUMBER 2462, AMENDING THE MUNICIPAL ZONING ORDINANCE BY RECLASSIFYING PARCELS 048 AND 050 OF TAX MAP 118, IDENTIFIED AS TWO ADJOINING PARCELS NEAR THE INTERSECTION OF HIGHWAY 321 AND PROFFITT ROAD FROM C-2 TO C-4, FIRST READING, (PASSED PLANNING COMMISSION 2/21/13).**

The next Item under New Business was Ordinance Number 2462, amending the Municipal Zoning Ordinance by reclassifying parcels 048 and 050 of Tax Map 118, identified as two adjoining parcels near the intersection of Highway 321 and Proffitt Road from C-2 to C-4, First Reading, (Passed Planning Commission 2/21/13). Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Helton. The City Manager then asked the City Planner to explain and Mr. Ball stated that this is to reclassify two parcels on the left side of Proffitt Road to become consistent with the Parks and Recreation Commercial Zoning C-4 and is being proposed to make all the property that is being used for the Sports Complex zoned for Parks and Recreation Commercial usage. After these comments, the motion to approve Ordinance Number 2462 was unanimously adopted on First Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING A LAND PURCHASE AND SALE CONTRACT FOR 1.8 ACRES ON PROFFITT ROAD.**

The last Item under New Business was discussion and consideration of approving a Land Purchase and sale contract for 1.8 Acres on Proffitt Road. Commissioner Helton made a motion to approve the purchase which was seconded by Vice Mayor Hays. Mayor Werner then commented that this will be beneficial for parking adjacent to the

Sports Complex and also for Gatlinburg-Pittman High School usage and stated that, if approved, this offer will be extended tomorrow. The motion to approve a Land Purchase and Sale Contract for 1.8 Acres on Proffitt Road was then unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Mike Helton:**

- (1) Stated that it is great to see that the Tennessee Department of Transportation Project on the North end of town is ahead of time and that two lanes will be opened for Easter weekend; and,
- (2) Asked that the City Manager and the Assistant City Manager/Finance Director see if there are monies available to fulfill the American Legion's request for the Honor Guard uniforms.

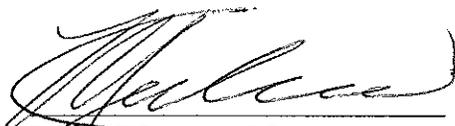
**Commissioner Mark McCown:**

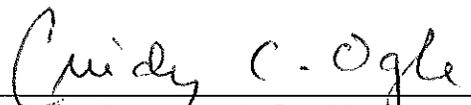
- (1) Also concurred with the American Legion request being fulfilled.

**Mayor Mike Werner:**

- (1) Echoed all the above regarding the American Legion request being fulfilled; and,
- (2) Congratulated the Gatlinburg-Pittman Middle School Football Team for having an undefeated Season and stated that at the recent Football Banquet, a plaque was presented to the City and the City was thanked for their support.

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

  
Mike Werner, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, April 16, 2013, 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. City Planner David Ball gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of March 19, 2013. Commissioner Mike Helton made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

There were no Petitions and Communications from the Public.

Regarding Reports of Boards and Committees, the City Manager presented the 2013 Employee Recognition Board Unit of the First Quarter Award to Mr. Darrell Schults, Mr. Paul Moyers, Mr. Gary Franklin, and Mr. Eddie Powell of the Utilities Maintenance Department.

The City Manager reported and/or requested:

(1) that she wanted to begin by advising that the Contract to clean and repaint the Highway 321 Retaining Walls has been awarded by the Tennessee Department of Transportation (TDOT) to A & A Painting and stated that the Project begins at the intersection of Glades Road and continues east to the intersection of Buckhorn Road and involves twenty-three walls. The City Manger further stated that a preconstruction meeting was held yesterday morning and advised that the Project will begin Wednesday, April 24 and that the Contractor has estimated that it will take twenty-seven working days to clean and repaint the walls but expects the Project to take no longer than June 10, 2013, to complete. The City Manager concluded that there will be temporary right lane closures when work is in progress for the duration of the Project with all lanes to be open when no work is occurring; and,

(2) that she wanted to distribute a copy of a request from Arrowmont regarding the usage of the McMahan/Parkway Parking Garage on May 3 in support of their 3<sup>rd</sup> Annual Art and Wine Auction and stated that, as noted, the Garage would be used as alternative parking in the event of rain. Commissioner Mark McCown then made a motion to approve the request which was seconded by Vice Mayor Jerry Hays and then unanimously adopted; and,

(3) that she also wanted to take this opportunity to give a reminder of some upcoming events and that these include the Mountain Man Memorial March that will be this Saturday, April 20, 2013, at 9:00 A.M. and this Thursday, April 18, 2013, will be the annual Arbor Day Event at the Pi Beta Phi Elementary School beginning at 1:30 P.M. The City Manager further stated that other upcoming events include the Gatlinburg Chamber of Commerce annual Golf Tournament which will be Thursday, May 2, 2013, and the Gatlinburg Emergency Services Golf Tournament which will be

Friday, May 10, 2013; and,

(4) that she would like to ask the Assistant City Manager/Finance Director to distribute a copy of the Official Statements related to the recent Refunding Bond Issue. Mr. Beeler stated that the issue dated March 1, 2013, did not extend any maturity dates and that the savings on the life of the Bonds that were refunded were in the amount of \$741,449 and that the net present value equates to \$704,354 which is 10.8% savings. Mr. Beeler concluded by stating that the City is required by State Law to distribute to City Commission the Official Statement; and,

(5) that to conclude, she stated that it is her pleasure to ask Mr. Steve Fritts with Barge, Waggoner, Sumner and Cannon to make a presentation regarding an Award recently received for the Undergrounding of Utilities Project. Mr. Fritts proceeded to explain the Award and stated that the Project was submitted earlier this year to the American Council of Engineering Companies for a Design Award and stated that all six phases of undergrounding were submitted. Mr. Fritts continued that they learned in March that the Project had won the Grand Award which is the highest awarded for the competition and that they were very pleased and he then presented the Grand Award for the City to Mayor Werner.

**ORDINANCE NUMBER 2462, AMENDING THE MUNICIPAL ZONING ORDINANCE BY RECLASSIFYING PARCELS 048 AND 050 OF TAX MAP 118, IDENTIFIED AS TWO ADJOINING PARCELS NEAR THE INTERSECTION OF HIGHWAY 321 AND PROFFITT ROAD FROM C-2 TO C-4, PUBLIC HEARING AND SECOND READING, (PASSED FIRST READING 3-19-13 AND PLANNING COMMISSION 2-21-13).**

The first Item under Old Business was Ordinance Number 2462, amending the Municipal Zoning Ordinance by reclassifying Parcels 048 and 050 of Tax Map 118, identified as two adjoining parcels near the intersection of Highway 321 and Proffitt Road from C-2 to C-4, Public Hearing and Second Reading, (Passed First Reading 3-19-13 and Planning Commission 2-21-13). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. Mayor Werner then opened the Public Hearing, and after no comments, closed the Public Hearing. The motion to approve Ordinance Number 2462 was then unanimously adopted on Second and Final Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER #1 TO THE RICH CONSTRUCTION, INC., CONTRACT RELATED TO THE PARKWAY VISITOR CENTER PEDESTRIAN PLAZA PROJECT.**

The first Item under New Business was discussion and consideration of approving Change Order #1 to the Rich Construction, Inc., Contract related to the Parkway Visitor Center Pedestrian Plaza Project. Commissioner Mike Helton made a motion to approve

the change order which was seconded by Vice Mayor Hays. The City Manager then reviewed the change order and stated that the change order is necessary to purchase a remote operation function for the splash pad as well as the fountain and is in the amount of \$11,960. The City Manager continued that the remote function would be housed at the Community Center where appropriate Staff would be available to control these functions. Mayor Werner then asked Mr. Steve Fritts to give an update on the Project and he proceeded to do so and stated that some utilities problems have been discovered now that the Project is down to the sub grade and that those will be corrected which may lead to a delay in the Project being completed as planned. After these comments, the motion to approve Change Order #1 was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE RENEWAL OF THE UNITED HEALTHCARE MEDICAL INSURANCE PLAN.**

The next Item under New Business was discussion and consideration of approving the renewal of the United Healthcare Medical Insurance Plan. Commissioner Smith made a motion to approve the renewal which was seconded by Commissioner Helton. The City Manager then gave an overview of the renewal and stated that there is a very minor increase of .6% and that there would have been a decrease if it were not for the Affordable Health Care Act which adds an additional \$64 per employee, however, there are no changes in the policy itself which is good. Mr. Beeler then commented that it is important to note that by accepting this rate, the City has secured with United Healthcare for another twelve months this rate. Commissioner Helton then asked about the Federal mandate and Mr. Beeler responded that with the mandate, \$63 of the \$64 per employee additional monies paid on the plan relates to health insurance companies covering the cost of bringing in people with preexisting conditions. After discussion, the motion to approve the renewal of the United Healthcare Medical Insurance Plan was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE RENEWAL OF THE VOLUNTARY EMPLOYEE VISION INSURANCE PLAN WITH UNITED HEALTHCARE.**

Item C under New Business was discussion and consideration of approving the renewal of the Voluntary Employee Vision Insurance Plan with United Healthcare. Commissioner Helton made a motion to approve the renewal which was seconded by Commissioner Smith. The Assistant City Manager/Finance Director then stated that the renewal has no rate increase for thirty-six months and that the employee pays fully for this insurance. After these comments, the motion to approve the renewal of the Voluntary Employee Vision Insurance Plan with United Healthcare was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AUDIT CONTRACT WITH PUGH AND COMPANY, P.C., FOR THE FISCAL YEAR**

**ENDING JUNE 20, 2013.**

The next Item under New Business was discussion and consideration of approving an Audit Contract with Pugh and Company, P.C., for the Fiscal Year Ending June 20, 2013. Commissioner Smith made a motion to approve the Contract which was seconded by Vice Mayor Hays. The City Manager then commented that Mr. Larry Elmore with Pugh and Company is in attendance this evening. The Assistant City Manager/Finance Director then explained that ordinarily this would be the year that the City would receive bids for a three year Audit Contract, and that, due to some extenuating circumstances, it is in the best interest of the City to go on as is for another year and revisit the bidding next year. The motion to approve the Audit Contract with Pugh and Company, P.C., was then unanimously adopted.

**ORDINANCE NUMBER 2463, AN ORDINANCE ADOPTING AN INVESTMENT POLICY FOR THE CITY, FIRST READING.**

Item E under New Business was Ordinance Number 2463, an Ordinance adopting an Investment Policy for the City, First Reading. Commissioner McCown made a motion to approve the Ordinance which was seconded by Vice Mayor Hays. The Assistant City Manager/Finance Director then explained that it is a State Law requirement that if a City is to place funds in any investment other than a bank or bank certificates of deposit that are federally insured, the City must first have in place an Investment Policy and stated that this policy is required to invest in the State run Local Government Pool and also that banks are not clamoring for the City's banking business due to the insurance limits and the recent recession. Mr. Beeler concluded that the Policy ensures the safety of the public's money as it relates to investments. After these comments, the motion to approve Ordinance number 2463, was unanimously adopted on First Reading.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE MUNICIPAL BOARD OF ZONING APPEALS.**

Item F under New Business was discussion and consideration of making an appointment to the Municipal Board of Zoning Appeals. Commissioner McCown made a motion to defer an appointment until the next Commission Meeting which was seconded by Vice Mayor Hays and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO BLALOCK READY MIX FOR THE PURCHASE OF CONCRETE.**

The next Item under New Business was discussion and consideration of approving a single bid to Blalock Ready Mix for the purchase of concrete. Commissioner Helton made a motion to approve the single bid which was seconded by Commissioner Smith. The City Manager then explained that this is a single bid and that is why it has to be brought to City Commission and that it is for concrete and that bids are every two years

and is based on a per yard cost and is mainly used for sidewalks. After these comments, the motion to approve the single bid to Blalock Ready Mix for the purchase of concrete was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES AGREEMENT WITH THE AMERICAN LEGION POST 202.**

The last Item under New Business was discussion and consideration of approving a Contract for Services Agreement with the American Legion Post 202. Vice Mayor Hays made a motion to approve the Contract with the American Legion Post 202 which was seconded by Commissioner Smith. Mayor Werner then explained that at the last Commission Meeting the American Legion Post had asked the City to help to uniform their Honor Guard Unit. The City Manager then stated that the requested amount was \$5,000 and will be included in the next Fiscal Year's Budget. After these comments, the motion to approve the Contract for Services Agreement with the American Legion Post 202 was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Mark McCown:**

- (1) Stated that there is a brick tile out at the old Lemon Tree business location downtown. The Public Services Manager responded that the Street Department is in the process of repairing those areas and he would verify that this had been corrected.

**Commissioner Don Smith:**

- (1) Stated that it is good to have Newfound Gap Road reopened.

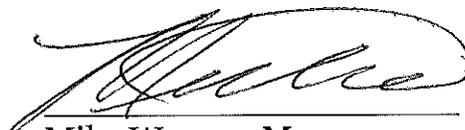
**Commissioner Mike Helton:**

- (1) Echoed the above regarding Newfound Gap Road; and,
- (2) Complimented the Utilities Maintenance Employees and all the Departments out working hard.

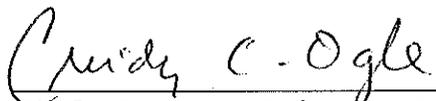
**Mayor Mike Werner:**

- (1) Congratulated the Unit of the Quarter; and,
- (2) Echoed the above regarding all the City Departments out working and doing a great job.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder

/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, May 7, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of April 16, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mike Helton and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Werner Presented a "Poppy Days" Proclamation to Ms. Linda Wilson. Ms. Wilson then commented that this is a very special event for the American Legion Post 202 and stated that they would like to thank the City for their support of Veteran's and the American Legion Post 202.

Regarding Reports of Boards and Committees, Mayor Werner recognized Mrs. Vickie Simms to address the City Commission. Mrs. Simms then distributed the 2013 First Quarter Report for the Gatlinburg Convention and Visitors Bureau (GCVB) and reviewed various highlight of the report and then stated that the GCVB is now fully staffed with an excellent team that is doing a great job. Commissioner Mark McCown then asked about the National Association of Sports Council Convention and the GCVB's participation. Mrs. Simms stated that reports to her were that the Convention was highly successful for both Rocky Top Sports World and the GCVB. Mayor Werner then commented that Gatlinburg was well represented as was Rocky Top Sports World. Mayor Werner stated that the Sports Facility Advisory Group chartered eight buses that shuttled 750 people from the Hotel to Churchill Downs and that the Rocky Top Sports World virtual tour was playing in every seat and that he felt the Convention was a great success and well received and stated that the GCVB Staff did very well.

The next Item regarding Reports of Boards and Committees was the Sevier Solid Waste Report by Solid Waste Manager Mr. Tom Leonard which was postponed to the next meeting due to Mr. Leonard's absence.

The City Manager reported and/or requested:

(1) that she wanted to begin by giving an update on the Highway 321 Walls Repainting Project and stated that the contractor, A&A Painting began the process of pressure washing the walls on the East bound lane of Highway 321 last week and have cleaned all the parapet walls and have begun cleaning the one tall retaining wall in the vicinity of the Recycling Center. The City Manager further stated that the cleaning of the walls on the East bound side should be complete by the end of this week and, the contractor will begin cleaning the West bound walls next week and weather permitting, paint the East bound walls that have been cleaned; and,

(2) that she also wanted to take this opportunity to remind everyone of the

Gatlinburg Emergency Services Golf Tournament which will be Friday, May 10, 2013 and that lunch by Calhoun's will be served at Noon with a 1:00 P.M. shotgun start and that proceeds will benefit the Community Police and Fire Prevention and Education Programs; and,

(3) that she would like to announce the Gatlinburg Rotary Club's Mountains of Chocolate and More event that will be held on Tuesday, May 21, 2013 at Arrowmont from 5:30 to 7:30 P.M.

**ORDINANCE NUMBER 2463, AN ORDINANCE ADOPTING AN INVESTMENT POLICY FOR THE CITY, SECOND READING, (PASSED FIRST READING 4/16/13).**

The first Item under Old Business was Ordinance Number 2463, an Ordinance adopting an Investment Police for the City, Second Reading, (Passed First Reading 4/16/13). Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on Second and Final Reading.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE MUNICIPAL BOARD OF ZONING APPEALS (DEFERRED 4/16/13).**

The last Item under Old Business was discussion and consideration of making an appointment to the Municipal Board of Zoning Appeals (Deferred 4/16/13). Commissioner McCown made a motion to nominate Mr. Ron Smith which was seconded by Commissioner Helton and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF A PROPOSED REZONING OF A PORTION OF TAX MAP 116, PARCEL 198, FROM R-1 TO C-4, LOCATED OFF NORTH MOUNTAIN TRAIL.**

The first Item under New Business was discussion and consideration of a proposed rezoning a portion of Tax Map 116, Parcel 198, from R-1 to C-4, located off North Mountain Trail. Commissioner McCown made a motion to uphold Planning Commission decision to disapprove the rezoning request which was seconded by Commissioner Don Smith. Mayor Werner then recognized Mr. James Tomiczek with Vision Engineering who preceded to review the sequence of events and stated that the original rezoning request of 10 acres was submitted to Planning Commission in February 2013, and was withdrawn due to neighboring residents concerns and that in an effort to help with those concerns there was a dedicated green space area added to the proposed plan. Mr. Tomiczek continued that the request was changed to include 3 acres and .28 acres that are contiguous to the C-4 zoning and that the remaining 6.8 acres abuts the neighborhood and that Planning Commission has denied this new request and that the development's proposed use for this property is for 189 parking

spaces. Commissioner McCown then asked about parking in a residential zone and the City Planner responded that some parking is allowed but limited to 120 feet into the residential district. Commissioner McCown then asked if a variance could be approved for additional parking and Mr. Ball responded that the Municipal Board of Zoning Appeals (MBZA) has the authority to grant a variance solely based on physical hardships in the property. Mr. Ball further stated that the MBZA does not have legislative powers to permit uses beyond what the Ordinance allows. After these comments, the motion to uphold the Planning Commission decision to disapprove the rezoning request was unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A CLINICAL AFFILIATION AGREEMENT WITH WALTERS STATE COMMUNITY COLLEGE ASSOCIATED WITH THE FIRE DEPARTMENT.**

Item C under New Business was discussion and consideration of approving a Clinical Affiliation Agreement with Walters State Community College associated with the Fire Department. Vice Mayor Hays made a motion to approve the Agreement which was seconded by Commissioner Helton. The City Manager then asked the Fire Chief to give an overview of the program and he proceeded to do so and stated that the affiliation agreement has been in effect since 1993 when Walters State started their Paramedic Program and that this agreement allows paramedic students, after they finish with class work, to obtain ride along experience. Chief Miller continued that this program gives students the field experience in working with trained Paramedics and gives them grading components for required clinical hours needed to obtain their national license. Chief Miller concluded that the students carry \$3,000,000 in liability insurance with \$1,000,000 in aggregate which helps the City with indemnification issues and stated that this affiliation Agreement has existed since 1993 and renews every five years. After these comments, the motion to approve the Clinical Affiliation Agreement with Walters State Community College was then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE GATLINBURG RECREATION BOARD.**

The last Item under New Business was discussion and consideration of making appointment to the Gatlinburg Recreation Board. Commissioner Helton made a motion to reappoint Marci Brien, Karen Ballentine, Chris Bowling, David McCown and Jason Seavy which was seconded by Vice Mayor Hays and then unanimously approved.

**UNSCHEDULED ITEMS:**

**Vice Mayor Jerry Hays:**

- (1) Referenced lots of activity at the Sports Complex location and stated that it is looking great.

**Mayor Mike Werner:**

- (1) Referenced that he and the City Manager went to Ms. Edna McNutt's memorial service and that she was a sweetheart and she always had something positive to say about Gatlinburg. He continued that the focus of the sermon gave us something to think about, that if everyone in the world were like Edna, sweet, kind and gracious, it would be a better place. He stated that she was a wonderful woman whom was all about Gatlinburg and commented that a Dixie land jazz version of "Just a Closer Walk With Thee" was played at the end of the service.

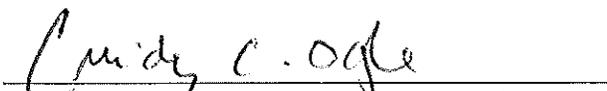
**Commissioner Mark McCown:**

- (1) Referenced the May 21 City Election and encouraged everyone to get out and vote.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder

/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, May 21, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of May 7, 2013. Commissioner Mike Helton made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Werner recognized Mr. Allen Day who proceeded to discuss the burned out shell of a building on Baskins Creek Road and stated that it is a nuisance and looks bad. Mr. Day pleaded for City Commission to do something and stated that he understands that the process could take time and stated that lots of money is spent to make our City look good for our tourists and that this is an eyesore to everyone and asked if something could please be done and stated that he had complained several times to the Codes Enforcement Department. The City Manager then commented that there are several steps to take in a process of this nature which takes time and that where the City stands presently is that this is now under Fire Code regulations and that the City is talking steps to get this matter resolved. The City Manager then asked the Fire Chief to comment and Chief Miller stated that the City has requested that the owner clean up their property and that if they do not, that the City will move ahead with doing so and that the City's responsibility will be to make certain that the property is asbestos free and that is where it stands at this point. The Mayor then commented that the City has been working on getting this matter resolved and wants the property cleaned as soon as possible as well.

Regarding Reports of Boards and Committees, Mr. Tom Leonard, Sevier Solid Waste Manager apologized for missing the last meeting and proceeded to review the Recycling Report for 2012. Mr. Leonard stated that the Tennessee Department of Environment and Conservation defines diversion as anything that does not go into a Class I Landfill, and that we are fortunate to have the composting facility which allows the County to obtain a higher diversion rate by diverting waste to a Class 3 landfill. Mr. Leonard further stated that the rate of 99.4% is the highest in the State and also discussed by category the amount of tonnage recycled. Mr. Leonard stated that tires are ground and used for fuel and that 99,967 tons of solid waste were recycled of the 147,000 tons that were processed last year. He further stated that 6.3 tons of household hazardous waste were collected during a recent annual collection event. Mr. Leonard then referenced the Goodwill Recycling Center in Gatlinburg and stated that it is working well and then referenced a \$250,000 Clean Energy Grant to use toward waste to energy technology. Finally, Mr. Leonard shared pictures of the compost application. Mayor Werner then thanked Mr. Leonard for his report.

Regarding the City Manager's Report, she stated that there were no Items to report this evening.

**DISCUSSION AND CONSIDERATION OF APPROVING ADDITIONAL MONIES FOR THE GATLINBURG-PITTMAN HIGH SCHOOL FIELD RENOVATIONS PROJECT.**

The first Item under New Business was discussion and consideration of approving additional monies for the Gatlinburg-Pittman High School Field Renovations Project. Commissioner Helton made a motion to approve the additional monies which was seconded by Vice Mayor Hays. The City Manager then introduced Mr. Greg Patterson, Assistant County Mayor, Mr. Allen Newton, Director of the Sevier County Economic Development Council, Ms. Angela Berry, Barber McMurry Architects, and Mr. John Farner and Mr. Richard Emison with Blaine Construction. The City Manager then advised that the amount needed is slightly over \$125,000 and then asked Mr. John Farner to give an overview of the request. Mr. Farner stated that there were two storm drains on Hammonds Field that had deteriorated and had been replaced several times and that the metal pipes were sunk down into the ground and stated that in good practice and having talked with the civil engineer, it was recommended to replace these under the turf and in doing so additional expenses were necessary. Mr. Farner stated that two additional corrugated pipes were also needed at the practice field and that \$48,000 of the \$125,000 is to replace that drainage. Mr. Farner further stated that additionally some wiring replacement upgrades were needed and are also included in this amount. The City Manager then stated that these monies will come from the Convention Center Debt Service Fund, Fund Balance. After these comments, the motion to approve additional monies for the Gatlinburg-Pittman High School Field Renovations Project was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF AWARDING THE CITY'S BANKING SERVICES.**

Item B under New Business was discussion and consideration of awarding the City's Banking Services. Vice Mayor Hays made a motion to award the City's Banking Services which was seconded by Commissioner Mark McCown. The City Manager then introduced the Assistant City Manager/Finance Director, the Assistant Finance Director and representatives from Smartbank, Mr. Billy Carroll and Mr. Bobby Castle. Mr. Beeler then gave an overview of the proposal and stated that these services are bid every three years, and that Request for Proposals were sent to all the banks in Gatlinburg with only two replying and that Smartbank has the better of the two proposals with a monthly fee for services of \$2,250. Mr. Beeler then stated that this is the first time that the City has had to pay a fee and it is directly related to the banking requirements that have changed over the past few years. Mr. Beeler concluded that it is the recommendation of staff to award the banking services to Smartbank. After these comments, the motion to award the City's Banking Services to Smartbank was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN OTHER THAN LOW BID WITH NATIONAL REIMBURSEMENT GROUP FOR AMBULANCE BILLING SERVICES FOR THE FIRE DEPARTMENT.**

The next Item under New Business was discussion and consideration of approving an other than low bid with National Reimbursement Group for Ambulance Billing Services for the Fire Department. Commissioner Smith made a motion to approve the other than low bid which was seconded by Commissioner Helton. The City Manager then asked the Fire Chief to give an overview of the proposal and he proceeded to do so and stated that the outsource billing began three years ago and that National Reimbursement Group's proposal is the second lowest with only a slight difference compared to the low bid. The Fire Chief further stated that the cost to change over would amount to approximately \$43,000 in lost revenues during the month and a half that it would take to get all of the billing information changed with the necessary insurance companies and Medicare and that an additional \$7,500 in expenses would be required to change software and train employees. The Fire Chief also stated that presently with NRG, the City receives an average of \$380 per transport and that the low bid proposal was to reach \$360-\$380 per transport over time and that with the present company the City is already receiving the greater amount. After these comments, the motion to approve the other than low bid was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY VEHICLES AND EQUIPMENT AS SURPLUS.**

The last Item under New Business was discussion and consideration of declaring certain City vehicles and equipment as surplus. Commissioner Smith made a motion to approve certain City vehicles and equipment as surplus which was seconded by Commissioner McCown and then unanimously approved.

**UNSCHEDULED ITEMS:**

**Commissioner Mike Helton:**

- (1) Stated that his thoughts and prayers go out to the people in Oklahoma due to the yesterday's tornadoes in that area; and,
- (2) Congratulated the Graduating Class of Gatlinburg-Pittman High School and stated that Graduation is Thursday at Mills Auditorium; and,
- (3) Complimented the artwork displays in City Hall by the Gatlinburg-Pittman High School art students.

**Commissioner Don Smith:**

- (1) Thanked the voters for their support and stated that he is looking forward to serving the next four years.

**Commissioner Mark McCown:**

- (1) Echoed the above regarding the support of the voters and that he is also looking forward to serving the next four years; and
- (2) Stated that his thoughts and prayers are with the Egli family.

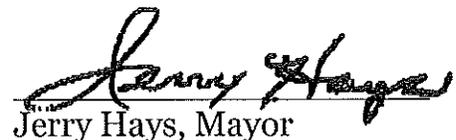
**Vice Mayor Jerry Hays:**

- (1) Congratulated Commissioners Smith and McCown on their re-election and stated that he is looking forward to continuing to serve with them; and
- (2) Stated that Mrs. Dot Egli was a close friend and she will be missed and also stated that his prayers are with the family.

**Mayor Mike Werner:**

- (1) Echoed the above regarding Mrs. Egli and stated that we have lost two wonderful women and referenced the recent passing of Mrs. Egli's sister Enda McNutt; and,
- (2) Congratulated Commissioners Smith and McCown and stated that he is looking forward to serving with them again.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, June 4, 2013, 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. Vice Mayor Jerry Hays gave the Invocation.

The next item on the Agenda was election of the Mayor. Commissioner Mike Helton nominated Vice Mayor Jerry Hays for the position of Mayor. Commissioner Don Smith then seconded the nomination which was unanimously approved. Mayor Werner then passed the gavel to Mayor Hays who proceeded to chair the meeting and stated that he would like to thank Mayor Werner for a job well done these past two years serving as Mayor. Mayor Hays next called for nominations for Vice Mayor. Commissioner Mark McCown nominated Commissioner Helton for the position of Vice Mayor. The nomination was seconded by Commissioner Mike Werner and then unanimously approved.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of May 21, 2013. Commissioner Helton made a motion to approve the Minutes which was seconded by Commissioner and then unanimously adopted.

There were no Petitions or Communications from the Public or Reports of Boards or Committees.

The City Manager reported and/or requested:

- (1) that she was happy to report that the Tennessee Department of Transportation contract to clean and repaint the Highway 321 walls was now complete. The City Manger further stated that the Contractor, A&A Painting, completed work on Saturday and completed the job earlier that anticipated; and,
- (2) that she wanted to remind everyone that the Gatlinburg Farmers Market has reopened and will be operating every Saturday through October 12, 2013, from 8:00 to 11:30 A.M. located in the Alamo Parking lot on Highway 321; and,
- (3) that on Friday, June 14, 2013, two important Summer Programs resume and stated that those are Tunes and Tales and the Free Parkway Trolley shuttle.

**DISCUSSION AND CONSIDERATION OF APPROVING A 2014-16 GATLINBUG CONVENTION CENTER RATE SCHEDULE AND RATE NEGOTIATION POLICY.**

The first Item under New Business was discussion and consideration of approving a 2014-16 Gatlinburg Convention Center Rate Schedule and Rate Negotiation Policy.

Commissioner Smith made a motion to approve the schedule and policy which was seconded by Commissioner Werner. The City Manager then commented that the proposed rate schedule was placed in the Agenda package along with a Rate Negotiation Policy that was approved in 2008 and is just being updated with a couple of changes to recognize the Convention and Visitors Bureau and staff titles and then asked Ms. Karen Robertson, Director of Sales for the Convention and Visitors Bureau, to review the proposed rate schedule. Ms. Robertson proceeded to do so by stating that the proposed rates are for 2014, 2015, and 2016 and that the 2014 rate would remain the same to give a good base for the establishment of the Convention and Visitors Bureau and a 4% increase for the two following years. After these comments, the motion to approve the 2014-16 Gatlinburg Convention Center Rate Schedule and Rate Negotiation Policy was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A SERVICE AGREEMENT FOR EMS BILLING WITH NATIONAL REIMBURSEMENT GROUP, INC.**

Item B under New Business was discussion and consideration of approving a Service Agreement for EMS Billing with National Reimbursement Group, Inc. Commissioner Werner made a motion to approve the Agreement which was seconded by Commissioner Smith. The City Manager then commented that the other than low bid was discussed and approved at the last meeting and then asked the Fire Chief to further comment. Chief Miller stated that the approved other than low bid was necessary to award the contract to National Reimbursement Group and that this is a three year contract. After these comments, the motion to approve the Service Agreement for EMS Billing with National Reimbursement Group was unanimously adopted.

**ORDINANCE NUMBER 2464, AN ORDINANCE APPROPRIATING AN AMOUNT SUFFICIENT TO COVER THE NECESSARY EXPENSES OF THE VARIOUS DEPARTMENTS, OFFICES AND BOARDS OF THE CITY OF GATLINBURG PENDING THE FINAL PASSAGE OF THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 2013-14, FIRST READING.**

The next Item under New Business was Ordinance Number 2464, an Ordinance appropriating an amount sufficient to cover the necessary expenses of the various Departments, Offices and Boards of the City of Gatlinburg pending the final passage of the annual appropriation Ordinance for the Fiscal Year 2013-14, First Reading. Commissioner Werner made a motion to approve the Ordinance which was seconded by Commissioner McCown. The City Manager then explained that this is considered the Interim Budget Ordinance which allows the City to operate during the months of July and August based on the City Charter requirement that states that the Budget must reflect actual expense and revenues of the preceding Fiscal Year and that it must be presented to Commission by July 20, and in place by September 1. After these

comments, the motion to approve Ordinance Number 2464 on first reading was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Vice Mayor Mike Helton:**

- (1) Congratulated Mr. Jerry Hays for being elected as Mayor; and,
- (2) Offered his thanks to former Mayor Mike Werner for his service these past two years and stated that he also appreciates his involvement with major projects such as the Sports Complex.

**Commissioner Don Smith:**

- (1) Echoed the above comments regarding the new Mayor and former Mayor; and
- (2) Congratulated Commissioner Helton for being elected as Vice Mayor.

**Commissioner Mark McCown:**

- (1) Thanked former Mayor Mike Werner and stated that he has done a very good job these past two years and stated that he appreciates his hard work on the Sports Complex Project.

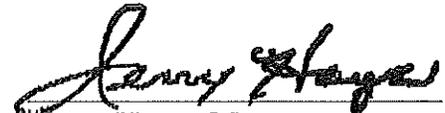
**Commissioner Mike Werner:**

- (1) Congratulated Mayor Hays and Vice Mayor Helton and stated that this is a great Board of Commissioners and that they work well together; and
- (2) Referenced the re-opening of the Gatlinburg Inn and that it was a great event and also that it was good to see the Bryant brothers and stated that the Osborne Brothers sang Rocky Top and it was also great.

**Mayor Jerry Hays:**

- (1) Thanked his fellow Commissioners for their confidence in him for being put back in as Mayor and stated that he appreciated everyone; and,
- (2) Complimented the City Manager and stated that she does a very good job and that he appreciates her hard work.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, June 18, 2013, at 6:00 P.M. in the City Council Room. All members were present with the exception of Commissioner Mike Werner. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of June 4, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Vice Mayor Mike Helton and then unanimously adopted.

There were no Petitions or Communications from the Public.

Regarding Reports of Boards and Committees, Mayor Hays presented a Twenty Year Service Award to Adam Rose of the Police Department and thanked him for his dedication to the City.

The City Manager reported and/or requested:

(1) that she wanted to announce upcoming July 4<sup>th</sup> events and stated that the 38<sup>th</sup> Annual Midnight Parade, the first parade in the Nation, will begin July 4, 2013, at 12:01 A.M. and that the Grand Marshal will be Women Veterans and other U.S. Heroes. The City Manager further stated that representing the Women Veterans will be the Tennessee Department of Veterans Affairs Commissioner Mary-Bears Grinder and member of the Women Veterans of America Chapter #20 from Nashville and that the 572<sup>nd</sup> Air Force Band will perform during the Parade. The City Manager continued and stated that also on July 4<sup>th</sup> beginning at 12:00 P.M. the annual River Raft Regatta begins at Christ in the Smokies and ends at Ripley's Aquarium and stated that at 10:00 P.M. a fireworks display will begin with the 572<sup>nd</sup> Air Force Band performing at Ripley's Aquarium Plaza; and,

(2) that she would like to have Mr. Steve Fritts of Barge Waggoner Sumner and Cannon to give an update on the Parkway Plaza Project and Mr. Fritts proceeded to do so and stated that on April 9, 2013, a City water line problem was discovered and that the only solution was to relocate the line and that in order to relocate the water line, a Tennessee Department of Transportation permit was necessary and was not received until May 20, 2013. Mr. Fritts continued that the contractor could not do much work on the Project during this time and that on June 9, 2013, an old storm drain was discovered that had to be removed and stated that on June 11, 2013, soils problems were discovered which resulted in removing more soil than originally planned which increased costs and that the City will partner with Rich Construction to minimize those costs. Mr. Fritts concluded by stating that incimate weather had also caused delays and that the completion date of July 22, 2103 has been changed to October.

**ORDINANCE NUMBER 2464, AN ORDINANCE APPROPRIATING AN AMOUNT SUFFICIENT TO COVER THE NECESSARY EXPENSES OF THE**

**VARIOUS DEPARTMENTS, OFFICES AND BOARDS OF THE CITY OF GATLINBURG PENDING THE FINAL PASSAGE OF THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 2013-14, SECOND READING, (PASSED FIRST READING 6/04/13).**

The first Item under Old Business was Ordinance Number 2464, an Ordinance appropriating an amount sufficient to cover the necessary expenses of the various Departments, Offices and Boards of the City of Gatlinburg pending the final passage of the Annual Appropriation Ordinance for the Fiscal year 2013-14, Second Reading, (Passed First Reading 6/04/13). Commissioner Mark McCown made a motion to approve the Ordinance which was seconded by Vice Mayor Helton. Ordinance Number 2464 was then unanimously adopted on Second and Final Reading.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE MUNICIPAL/REGIONAL PLANNING COMMISSION.**

The first Item under New Business was discussion and consideration of making an appointment to the Municipal/Regional Planning Commission. Vice Mayor Helton made a motion to reappoint Mrs. Dana Soehn which was seconded by Commissioner McCown and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF MAKING A MAYORAL APPOINTMENT TO THE MUNICIPAL/REGIONAL PLANNING COMMISSION.**

Item B under New Business was discussion and consideration of making a Mayoral appointment to the Municipal/Regional Planning Commission. Mayor Hays stated that he would like to have Mrs. Jackie Leatherwood continue to serve as his appointee. Commissioner McCown then made a motion to approve the appointment which was seconded by Commissioner Smith and unanimously approved.

**DISCUSSION AND CONSIDERATION OF MAKING A CITY COMMISSION REPRESENTATIVE APPOINTMENT TO THE MUNICIPAL/REGIONAL PLANNING COMMISSION.**

The next Item under New Business was discussion and consideration of making a City Commission Representative Appointment to the Municipal/Regional Planning Commission. Commissioner McCown made a motion to nominate Commissioner Smith to continue to serve as the Commission Representative which was seconded by Vice Mayor Helton and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH THE EAST TENNESSEE DEVELOPMENT DISTRICT FOR LOCAL**

## **PLANNING ADVISORY SERVICES.**

The last Item under New Business was discussion and consideration of approving a Contract with the East Tennessee Development District for Local Planning Advisory Services. Commissioner Smith made a motion to approve the Contract which was seconded by Vice Mayor Helton. The City Manager then commented that two years ago the Tennessee State Planning office was phased out and that the East Tennessee Development District began offering these Planning Services and that Mr. Chad Davis of the East Tennessee Development District attends Planning Commission meetings and is very helpful to City Staff and Planning Commission members. After these comments, the motion to approve the Contract with the East Tennessee Development District for Local Planning Advisory Services was unanimously adopted.

## **UNSCHEDULED ITEMS:**

### **Commissioner Don Smith:**

- (1) Thanked Mr. Adam Rose for twenty years of service to the City and stated that he does a good job.

### **Commissioner Mark McCown:**

- (1) Stated that he had a request from the E.L. Reagan family to name the Poplar Lane Bridge the E.L. Reagan Bridge and then asked the City Manager to look into doing this; and,
- (2) Congratulated Mr. Adam Rose for a job well done.

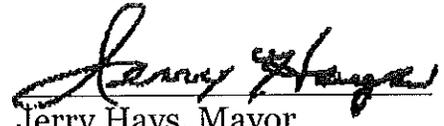
### **Vice Mayor Mike Helton:**

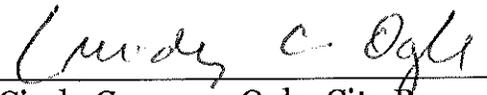
- (1) Echoed the above regarding Mr. Adam Rose and his service to the City; and,
- (2) Expressed congratulations and Happy Anniversary to his wife Patti for 36 years of marriage.

### **Mayor Jerry Hays:**

- (1) Congratulated Mr. Adam Rose and thanked him for his service to the City.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, July 2, 2013, at 6:00 P.M. in the City Council Room. All members were present. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of June 18, 2013. Commissioner Mark McCown made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Hays recognized Mr. Bill May who proceeded to address City Commission and stated that he wanted to thank the City for their continued support of Arrowmont and asked that as development goes forward, that Arrowmont be advised of future development decisions that impact Arrowmont. Mr. May further stated that his interest is not to support or be against any development and then stated that Arrowmont's interests are central to what goes on in the City and to the City. Mr. May then asked that City Commission keep that in mind as they make any future decisions.

Regarding Reports of Boards and Committees, the City Manager presented the 2013 Employee Recognition Board Employees of the Second Quarter Awards to Mr. David Beeler of the Finance Department and to Mr. Alex Morris of the Convention Center. The City Manager then presented the 2013 Employee Recognition Board Units of the Second Quarter to the Parking and Fire Departments and to the Police Department.

The City Manager stated that she had no report this evening.

**DISCUSSION AND CONSIDERATION OF APPROVING A LETTER OF INTENT TO LEASE THE PARKWAY WELCOME CENTER GARAGE TO CHM DEVELOPMENT.**

The first Item under New Business was discussion and consideration of approving a Letter of Intent to lease the Parkway Welcome Center Garage to CHM Development. Commissioner Mike Werner made a motion to discuss the Letter of Intent which was seconded by Commissioner McCown. Mayor Hays then recognized Mr. Bud Cullom with CHM Development who proceeded to review the proposal and state that it is a win/win for all and that it would revitalize the Northend of the City with an anchor tenant. Mr. Cullom continued and referenced changes in the LOI which would be to remove the option to purchase and to change the time period of eighteen months to a proposed four months to secure a retail commitment and then bring back a lease agreement for City Commission and stated that would allow an additional eight months to close on the Project. Commissioner McCown then asked the City Attorney if this LOI binds the City with a Lease and annual rent amounts and stated that there needs to be

escalations in monthly rents and stated that he had a problem with the purchase option. Mr. Sharp responded that details for rent would be negotiated and return with details in a lease agreement. Mr. Sharp further stated that it is not binding and it commits the City to work toward lease specifics subject to final City Commission approval. Vice Mayor Mike Helton then stated that the LOI does not bind the City to which Mr. Sharp responded that in the LOI, it requires that that a lease agreement would have to be presented back to the City Commission with specifics at a later date for their action at that time. Commissioner Werner then made a motion to approve the LOI with the noted changes related to the four month time frame, no option to purchase and subject to a final lease agreement. The motion was seconded by Commissioner Smith and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING ADDENDUM NO. 2 TO THE BARGE, WAGGONER, SUMNER AND CANNON, INC., DESIGN CONTRACT FOR THE PARKWAY VISITORS CENTER PEDESTRIAN PLAZA PROJECT.**

The next Item under New Business was discussion and consideration of approving Addendum No. 2 to the Barge, Waggoner, Sumner and Cannon, Inc., Design Contract for the Parkway Visitors Center Pedestrian Plaza Project. Vice Mayor Helton made a motion to approve the addendum which was seconded by Commissioner Werner. The City Manager then asked Mr. Steve Fritts, the Design Consultant, to explain and Mr. Fritts proceeded to do so and stated that the weather had finally allowed the Contractor to get a large piece of equipment on site to determine the extent of the poor soils that were discovered just a few weeks ago, and that as a result of the investigation by the geotechnical consultant, S&ME, the presence of ground water was discovered a few feet under the surface. Mr. Fritts continued that the pump tank vault for the fountain system is fiberglass and cannot withstand water around it or inundated with water and that what is inside the tank vault are all the controls for the fountain system. Mr. Fritts further stated that the solution would be to build a concrete vault and that this Addendum is for \$3,000 to design the concrete vault and that once the design was complete, costs from the Contractor would be obtained to do the actual work. Mr. Fritts then stated that further problems on this Project are not anticipated. Commissioner McCown then asked as to how the pump would be maintained and Mr. Fritts responded that the tank would open from the top to provide access. After discussion, the motion to approve Addendum No. 2 was unanimously adopted.

**RESOLUTION NUMBER 893, A RESOLUTION IN SUPPORT OF THE MARKETPLACE FAIRNESS ACT (S336 AND HR 684).**

Item C under New Business was Resolution Number 893, a Resolution in support of the Marketplace Fairness Act (S336 and HR 684). Commissioner Werner made a motion to approve the Resolution which was seconded by Commissioner McCown. The City Manager then commented that at a recent Tennessee Municipal League (TML)

Conference that she, Mayor Hays and Commissioner Werner attended, it was requested by TML that all Cities throughout the State support this by adopting a Resolution in an effort to get the United States House of Representatives to pass this legislation. After these comments, the motion to approve Resolution Number 893 was unanimously adopted.

**RESOLUTION NUMBER 894, A RESOLUTION OPPOSING A REDUCTION OR ELIMINATION OF THE TAX EXEMPTION ON MUNICIPAL BOND INTEREST.**

The next Item under New Business was Resolution Number 894, a Resolution opposing a reduction or elimination of the tax exemption on Municipal Bond interest. Commissioner Werner made a motion to approve the Resolution which was seconded by Commissioner McCown. The City Manager then commented that this was also encouraged by TML and that this is important to the City as it relates to borrowing of funds and that Municipal Bonds have never been taxed and that this is especially a concern of Representative Phil Roe due to the fact that he was the Mayor of Johnson City and he understands how negatively this would impact local Municipalities and that Cities adopting this Resolution would help explain the situation to his colleagues. After these comments, the motion to approve Resolution Number 894 was unanimously adopted.

**RESOLUTION NUMBER 895, A RESOLUTION AUTHORIZING THE CITY TO PARTICIPATE IN THE TENNESSEE MUNICIPAL LEAGUE (TML) RISK MANAGEMENT POOL "SAFETY PARTNERS" LOSS CONTROL MATCHING GRANT PROGRAM.**

The next Item under New Business was Resolution Number 895, a Resolution authorizing the City to participate in the Tennessee Municipal League (TML) Risk Management Pool "Safety Partners" Loss Control Matching Grant Program. Commissioner McCown made a motion to approve the Resolution which was seconded by Commissioner Werner. The City Manager then commented that this is an annual Program that the City can participate in and that the grant amount is approximately \$4,000 and is used to purchase items such as safety boots and vests. After these comments, the motion to approve Resolution Number 895 was unanimously adopted.

**RESOLUTION NUMBER 896, A RESOLUTION ADOPTING A CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY FOR FISCAL YEARS 2014-2018.**

Item F under New Business was Resolution Number 896, a Resolution adopting a Capital Improvements Program for the City for Fiscal Years 2014-2018. Vice Mayor Helton made a motion to approve the Resolution which was seconded by Commissioner Werner. The City Manager then commented that this Resolution simply states that the

Capital Improvements Program was presented to City Commission and that funding of specific Projects is considered during the Budget process. The motion to approve Resolution Number 896 was then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE RENEWAL OF THE LONG TERM DISABILITY INSURANCE POLICY WITH THE HARTFORD INSURANCE COMPANY.**

Item G under New Business was discussion and consideration of approving the renewal of the Long Term Disability Insurance Policy with the Hartford Insurance Company. Commissioner Werner made a motion to approve the renewal which was seconded by Commissioner Smith. The City Manager then commented that the renewal rate is .35/\$100 of payroll and reflects no change and is for a two year period. The City Manager further stated that the annual amount is approximately \$35,000. After these comments, the motion to approve the renewal of the Long Term Disability Insurance Policy with the Hartford Insurance Company was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE GATLINBURG BOARD OF EDUCATION.**

The next Item under New Business was discussion and consideration of making an appointment to the Gatlinburg Board of Education. Commissioner McCown made a motion to reappoint Mrs. Sara Valentine which was seconded by Commissioner Smith. The motion to reappoint Mrs. Sara Valentine to the Gatlinburg Board of Education was then unanimously approved.

**DISCUSSION AND CONSDIERATION OF APPROVING A SINGLE BID TO MURREY INTERNATIONAL FOR THE PURCHASE OF BOWLING CENTER EQUIPMENT.**

The last Item under New Business was discussion and consideration of approving a single bid to Murrey International for the purchase of Bowling Center Equipment. Vice Mayor Helton made a motion to approve the single bid which was seconded by Commissioner Werner. The City Manager then asked the Recreation Director to explain and Mr. Nicely proceeded to do so and showed pictures of the equipment proposed to be purchased and stated that the equipment has an updated and modern look. After discussion, the motion to approve the single bid to Murrey International for the purchase of Bowling Center Equipment was unanimously adopted.

## **UNSCHEDULED ITEMS:**

### **Commissioner Mark McCown:**

- (1) Offered congratulations to Mr. David Beeler, Mr. Alex Morris and also to the Units of the second quarter.

### **Commissioner Mike Werner:**

- (1) Echoed the above; and,
- (2) Stated that Hammonds Field looks good and that it is something to see with the new turf installed.

### **Commissioner Don Smith:**

- (1) Offered congratulations to Mr. David Beeler, Mr. Alex Morris and also to the Fire and Parking Departments as well as the Police Department for their Awards.

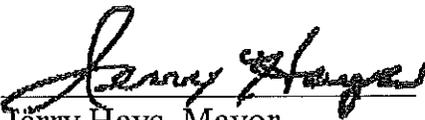
### **Vice Mayor Mike Helton:**

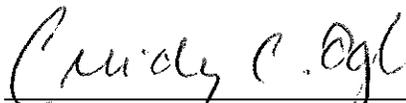
- (1) Echoed the above regarding the Employee Recognition Board Awards; and,
- (2) Referenced the July 4<sup>th</sup> Parade and Fireworks and encouraged everyone to come out and support this event.

### **Mayor Jerry Hays:**

- (1) Also referenced Hammonds Field and stated that it looks very good and that it is impressive; and,
- (2) Offered congratulations to Mr. David Beeler, Mr. Alex Morris and also to the Fire and Parking Departments as well as the Police Department for their Awards.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, July 23, 2013, at 6:00 P.M. in the City Council Room. All members were present. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. Commissioner Mike Werner gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of July 2, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Vice Mayor Mike Helton and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Hays recognized Mr. Al Shirley who proceeded to address City Commission and stated that he wanted to speak about the inspection of weekly rentals. Mr. Shirley then distributed packages of information to the City Manager and the Board of Commissioners and then read a statement that was attached to the package which requested that the re-inspection fees that he owes be waived and that the Inspectors "use a little less muscle and a little more common sense." Commissioner Mark McCown then commented that there is a lot of information to look over and stated that Commission needed time to review the information and would get back with him regarding this request. Mayor Hays then asked if there were any further comments and there were none.

Regarding Reports of Boards and Committees, the City Manager presented the 2013 Employee Recognition Board Employee of the Second Quarter Award to Mr. Gary Franklin of the Utilities Department.

The next Item regarding Reports of Boards and Committees, Mayor Hays recognized Mrs. Vicki Simms, Executive Director of the Gatlinburg Convention and Visitors and Bureau, to give the Second Quarterly Report for the GCVB. Mrs. Simms then distributed copies of the report and proceeded to review highlights of the second quarter report. Mayor Hays then thanked Mrs. Simms for the report.

The City Manager reported and/or requested:

(1) that she wanted to announce that Gatlinburg has received multiple Readers Choice Awards by Blue Ridge Country Magazine's 325,000 reading and that the following are being featured in their July/August 25<sup>th</sup> Anniversary Edition: Silver Award for Best 4<sup>th</sup> of July Destination, Platinum Award Winner for Best Couples Getaway Place, Platinum Award Winner for Best Family Getaway, Gold Award Winner for Best Fall Getaway, Gold Award Winner for Best for the Holiday's and Platinum Award Winner for Best Place for a Multi-Generational Vacation; and,

(2) that she would like to remind everyone of the Gatlinburg Farmers Market that is open every Saturday 8:30 A.M. – 11:30 A.M. in the Alamo Steakhouse parking lot through October 12, 2013; and,

(3) that she would like to announce that the Gatlinburg Recreation Department has scheduled the Community Center closing for the annual maintenance and stated that the Center will be closed August 5, 2013 through August 11, 2013 and will reopen on Monday, August 12, 2013, at 6:00 A.M.

**DISCUSSION AND CONSIDERATION OF APPROVING THE USAGE OF THE MCMAHAN/PARKWAY PARKING GARAGE BY THE GATLINBURG FINE ARTS FESTIVAL OCTOBER 3 - 6, 2013.**

The first Item under New Business was discussion and consideration of approving the usage of the McMahan/Parkway Parking Garage by the Gatlinburg Fine Arts Festival October 3 - 6, 2013. Commissioner Werner made a motion to approve the requested usage which was seconded by Vice Mayor Helton. Mr. Stan Johnson then commented that this year will be the tenth year of the Festival and that they had a wonderful trip to Cincinnati and received great reports. Mr. Johnson also commented that all the Artisans are in place and that there are eighteen on the waiting list. Mr. Johnson continued that \$75,000 has been put back into the Arts community and also referenced other positive impacts on the community. Mr. Johnson concluded by thanking the City for their continued support of the Gatlinburg Fine Arts Festival. After these comments, the motion to approve the usage of the McMahan/Parkway Parking Garage by the Gatlinburg Fine Arts Festival October 3 - 6, 2013 was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A GRANT CONTRACT BETWEEN THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE CITY FOR A CLEAN TENNESSEE ENERGY GRANT.**

The next Item under New Business was discussion and consideration of approving a Grant Contract between the Tennessee Department of Environment and Conservation and the City for a Clean Tennessee Energy Grant. Commissioner Werner made a motion to approve the Grant Contract which was seconded by Vice Mayor Helton. The City Manager then gave an overview of the Contract and stated that this Grant will partially fund the replacement of all of the lighting in the Great Hall at the Convention Center to energy efficient lighting and is one of the last major City facilities to change over to this type of lighting. The City Manager further stated that the delay has been in finding replacement lighting that is compatible with the Great Hall area and that the total Project amount is approximately \$60,000 and the Grant amount is 50% which is approximately \$30,000 and that the City is also hopeful to also receive a Tennessee Valley Authority rebate to aid in the funding of this Project. After these comments, the motion to approve the Grant Contract between the Tennessee Department of Environment and Conservation and the City was unanimously adopted.

**ORDINANCE NUMBER 2465, AN ORDINANCE MAKING AND FIXING THE**

**ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY OF GATLINBURG FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, AND TO CARRY FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, FIRST READING.**

The last Item under New Business was Ordinance Number 2465, an Ordinance making and fixing the annual appropriation for the several Departments of the City of Gatlinburg for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014, and to carry forward appropriations for prior year encumbrances, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. The motion to approve Ordinance Number 2465, was then unanimously adopted on First Reading.

**UNSCHEDULED ITEMS:**

**Commissioner Mark McCown:**

- (1) Offered congratulations to Mr. Gary Franklin Employee of the 2<sup>nd</sup> Quarter and to Mrs. Vicki Simms on her new title as Executive Director of the Gatlinburg Convention and Visitors Bureau.

**Vice Mayor Mike Helton:**

- (1) Echoed the above regarding Mr. Gary Franklin; and,
- (2) Offered thanks to the City Manager and Assistant City Manager/Finance Director for their hard work on the Budget and also Department Heads and employees for doing a good job with making cost savings decisions when they can to help with the Budget as well.

**Commissioner Don Smith:**

- (1) Thanked Mr. Beeler and Mrs. Ogle and the employees in their offices as well for their hard work and preparation of the Budget; and,
- (2) Referenced the passing of Mrs. Kelly Reagan and offered condolences to the Reagan Family.

**Commissioner Mike Werner:**

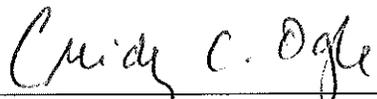
- (1) Echoed all of the above; and,
- (2) Thanked Stan and Chris Johnson for their ten years of hard work with the Fine Arts Festival; and,
- (3) Offered condolences to the Reagan Family on the loss of Mrs. Kelly Regan; and,
- (4) Stated that he was glad to hear that Bart and Adrienne Ogle's baby's operation went well and asked that everyone continue to keep baby Charlotte in their prayers.

**Mayor Jerry Hays:**

- (1) Offered thanks to the City Manager and Assistant City Manager/Finance Director for their hard work on the Budget; and,
- (2) Also offered condolences to the Reagan Family for their loss and stated that Kelly will be greatly missed and that he hopes Mr. Reagan improves and asked that everyone remember the family in their prayers.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, August 6, 2013, at 6:00 P.M. in the City Council Room. All members were present with the exception of Mayor Jerry Hays. Vice Mayor Mike Helton called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Vice Mayor Helton then called for a motion to approve the Minutes of the regular meeting of July 23, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mark McCown and then unanimously adopted.

There were no Petitions or Communications from the Public or Reports of Boards or Committees.

The City Manager reported and/or requested:

(1) that she wanted to remind everyone of the Chamber of Commerce Annual Picnic that will be held Thursday, August 8, 2013, 5:00 – 8:00 P.M. at the Brookside Picnic Pavilion; and,

(2) that she would like to also remind everyone that Tunes and Tales performances will end on Saturday, August 10, 2013; and,

(3) that she would like to announce that the Smoky Mountain Songwriters Festival will be held Thursday through Sunday, August 15 – 18, 2013, at various locations around Gatlinburg; and,

(4) that she would like to advise everyone that Great Smoky Mountains National Park will begin resurfacing the Gatlinburg Bypass on August 19, 2013, during nighttime hours only and that paving will begin Sunday, August 19, 2013, at 8:00 P.M. to 7:00 A.M. the following morning and will continue Sunday through Thursday nights until completion in September. The City Manager concluded by stating that the Bypass will remain open 24 hours a day on Friday and Saturday until paving is complete.

**ORDINANCE NUMBER 2465, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY OF GATLINBURG FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, AND TO CARRY FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, PUBLIC HEARING AND SECOND READING, AS AMENDED (PASSED FIRST READING 7/23/13).**

The only Item under Old Business was Ordinance Number 2456, an Ordinance making and fixing the annual appropriation for the several Departments of the City of

Gatlinburg for the Fiscal Year beginning July 1, 2013, and ending June 30, 2014, and to carry forward appropriations for prior year encumbrances, Public Hearing and Second Reading, as amended (Passed First Reading 7/23/13). Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith. Vice Mayor Helton then opened the Public Hearing and there being no comments, closed the Public Hearing. The motion to approve Ordinance Number 2456, as amended, was then unanimously adopted on Second Reading.

**RESOLUTION NUBMER 897, A RESOLUTION NAMING THE BRIDGE, LOCATED ON POPLAR LANE THAT TRAVERSES ROARING FORK CREEK, THE "E.L. REAGAN MEMORAIL BRIDGE," IN HONOR OF E.L. REAGAN.**

The first Item under New Business was Resolution Number 897, a Resolution naming the bridge, located on Poplar Lane that traverses Roaring Fork Creek, the "E.L. Reagan Memorial Bridge," in honor of E.L. Reagan. Commissioner Werner made a motion to approve the Resolution which was seconded by Commissioner McCown. The City Manger then read the Resolution and Commissioner McCown asked as to the timing of a dedication ceremony and the City Manager responded that a dedication ceremony will be planned in the near future. After these comments, Resolution Number 897 was unanimously adopted.

**ORDINANCE NUMBER 2466, AN ORDINANCE CLOSING A PORTION OF A PUBLIC RIGHT-OF-WAY LOCATED WITHIN THE CITY LIMITS AND BEING A PORTION OF HEMLOCK STREET, FIRST READING, (PASSED PLANNING COMMISSION 7/18/13).**

The next Item under New Business was Ordinance Number 2466, an Ordinance closing a portion of a public right-of-way located within the City limits and being a portion of Hemlock Street, First Reading, (Passed Planning Commission 7/18/13). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Werner. Vice Mayor Helton then asked the City Planner to explain and Mr. Ball proceeded by stating that the portion of the right-of-way that is being requested to be closed is the portion where the Benson apartments are located. Mr. Ball continued that in exchange for the closing of that portion of the street, there is a proposal to replatt the property to create a termination point and turn around for the public at the end of Hemlock Street. Mr. Ball further stated that this request has been reviewed by the Planning Commission and that Planning Commission has made a favorable recommendation for the abandonment of this portion of the right-of-way and that if approved by City Commission, the plan will have to be resubmitted to Planning Commission for approval of the final plat and recording of the final replatting of the right-of-way at the Sevier County Courthouse. After these comments, the motion to approve Ordinance Number 2466 was unanimously adopted, on First Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NUMBER 2 TO THE SOUTHERN CONSTRUCTORS CONTRACT RELATED TO THE WASTEWATER TREATMENT PLANT EQUALIZATION BASIN PROJECT.**

Item C under New Business was discussion and consideration of approving Change Order Number 2 to the Southern Constructors Contract related to the Wastewater Treatment Plant Equalization Basin Project. Commissioner McCown made a motion to approve the Change Order which was seconded by Commissioner Smith. The City Manager then explained that the change order is in the amount of \$11,906 and is mainly to provide slope stabilization which would include the placement of geotextile fabric and rip rap stone. The City Manager further stated that a small amount of the change order, \$1,900, is for an ultrasonic level sensor for the Equalization Basin and that there are sufficient monies in the Project contingency account to cover this request. After these comments, the motion to approve change order number 2 to the Southern Constructors Contract related to the Wastewater Treatment Plant Equalization Basin Project was unanimously adopted.

**RESOLUTION NUMBER 898, A RESOLUTION AUTHORIZING THE CITY TO PARTICIPATE IN THE TENNESSEE MUNICIPAL LEAGUE (TML) RISK MANAGEMENT POOL "DRIVER SAFETY" MATCHING GRANT PROGRAM.**

The next Item under New Business was Resolution Number 898, a Resolution authorizing the City to participate in the Tennessee Municipal League (TML) Risk Management Pool "Driver Safety" matching Grant Program. Commissioner Werner made a motion to approve the Resolution which was seconded by Commissioner McCown. The City Manager then explained that the City is required to do annual motor vehicle records checks of all employees who operate City equipment and that this Grant will cover the cost of these MVR checks. The City Manager further stated that the City appreciates the Tennessee Municipal League's support of this Grant. After these comments, the motion to approve Resolution Number 898, was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A PROPOSED RIGHT-OF-WAY USE REQUEST AT 345 NORTH MOUNTAIN TRAIL REQUESTED BY MS. TAMMY PATE.**

The last Item under New Business was discussion and consideration of approving a proposed right-of-way use request at 345 North Mountain Trail requested by Ms. Tammy Pate. Commissioner McCown made a motion to approve the right-of-way use request which was seconded by Commissioner Smith. The City Planner then distributed maps to show the encroachment of the right-of-way and then referenced having an official notarized form and that everything was in order for approval of this request. After discussion, the motion to approve a right-of-way use request at 345 North Mountain Trail was unanimously adopted.

**UNSCHEDULED ITEMS:**

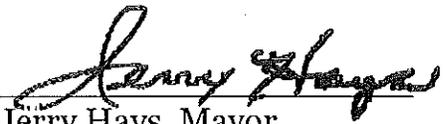
**Commissioner Mike Werner:**

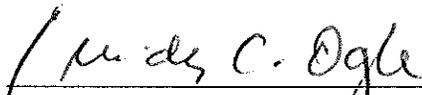
- (1) Stated that he is pleased that the Bridge was named in honor of Mr. E.L. Reagan; and,
- (2) Referenced that Garrett Soehn is in the audience tonight and stated that he is the son of Heath and Dana Soehn and is here working to achieve his Eagle Scout Badge and that he is the grandson of Woody Soehn who was a past Mayor of Gatlinburg.

**Vice Mayor Mike Helton:**

- (1) Recognized Mr. E.L. Reagan as a true pioneer and very innovative and stated that it was over 100 years ago that Mr. Reagan opened his business in Gatlinburg and that it is an honor to recognize local pioneers and ancestors of Gatlinburg any time that it is possible.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, August 20, 2013, at 6:00 P.M. in the City Council Room. All members were present. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of August 6, 2013. Commissioner Mike Werner made a motion to approve the Minutes which was seconded by Vice Mayor Mike Helton and then unanimously adopted.

There were no Petitions or Communications from the Public or Reports of Boards or Committees.

The City Manager reported and/or requested:

(1) that she wanted to give an update on the Great Smoky Mountains National Park Bypass Paving Project and stated that, weather permitting, the paving will be finished by the middle of September and that road work will be suspended Friday, September 27, 2013, to accommodate for increased October traffic. The City Manager further stated that construction will resume in November to complete work on shoulders; pullouts and scenic overlooks and bridges and that there may be some temporary single lane closures during that time and that all construction on the Bypass should conclude in the Spring of 2014; and,

(2) that she would like to announce that the Gatlinburg Community Oriented Police Program (G.C.O.P.P.) will be hosting a 5K, 10K, Half-Marathon, and Kid's Fun Run on September 21, 2013, beginning at 9:00 A.M. at the Mills Park track; and,

(3) that she would like to also announce that the Keep Sevier Beautiful Fall Clean Up Event will be held on Saturday, September 21, 2013, from 9:00 A.M. until Noon and that there are various registration locations and to contact Keep Sevier Beautiful for more information.

**ORDINANCE NUMBER 2465, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY OF GATLINBURG FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, AND TO CARRY FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, THIRD AND FINAL READING, (PASSED FIRST READING 7/23/13 AND SECOND READING, AS AMENDED, 8/06/13).**

The first Item under Old Business was Ordinance Number 2456, an Ordinance making and fixing the annual appropriation for the several Departments of the City of Gatlinburg for the Fiscal Year beginning July 1, 2013, and ending June 30, 2014, and to

carry forward appropriations for prior year encumbrances, Third and Final Reading, (Passed First Reading 7/23/13 and Second Reading, as amended, 8/06/13). Vice Mayor Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown. The motion to approve Ordinance Number 2456 was then unanimously adopted on Third and Final Reading.

**ORDINANCE NUMBER 2466, AN ORDINANCE CLOSING A PORTION OF A PUBLIC RIGHT-OF-WAY LOCATED WITHIN THE CITY LIMITS AND BEING A PORTION OF HEMLOCK STREET, PUBLIC HEARING AND SECOND READING, (PASSED FIRST READING 8/06/13 AND PLANNING COMMISSION 7/18/13).**

The next Item under Old Business was Ordinance Number 2466, an Ordinance closing a portion of a public right-of-way located within the City limits and being a portion of Hemlock Street, Public Hearing and Second Reading, ( Passed First Reading 8/06/13 and Planning Commission 7/18/13). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Werner. Mayor Hays then opened the Public Hearing and there being no comments, closed the Public Hearing. The motion to approve Ordinance Number 2466 was then unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2467, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 4 OF TITLE 18 IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF AND FURTHER BEING AN ORDINANCE TO ADOPT A STORM WATER ORDINANCE FOR THE CITY, FIRST READING.**

The first Item under New Business was Ordinance Number 2467, an Ordinance to amend the Gatlinburg Municipal Code by repealing Chapter 4 of Title 18 in its entirety and substituting a new chapter in lieu thereof and further being an Ordinance to adopt a Storm Water Ordinance for the City, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Werner. Commissioner McCown then referenced the earlier Workshop meeting and stated that this information was explained in detail at the Workshop. After these comments, the motion to approve Ordinance Number 2467 was unanimously adopted, on First Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING AN ADA PARATRANSIT PLAN FOR THE MASS TRANSIT DEPARTMENT.**

The next Item under New Business was discussion and consideration of approving an ADA Paratransit Plan for the Mass Transit Department. Vice Mayor Helton made a

motion to approve the Plan which was seconded by Commissioner Werner. The Mass Transit Manager then stated that this updates the current City Plan. After these comments, the motion to approve the ADA Paratransit Plan for the Mass Transit Department was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A TENNESSEE DEPARTMENT OF TRANSPORTATION 5311 MASS TRANSIT OPERATING GRANT CONTRACT FOR FY 2013-2014.**

Item C under New Business was discussion and consideration of approving a Tennessee Department of Transportation 5311 Mass Transit Operating Grant Contract for FY 2013-2014. Commissioner Werner made a motion to approve the Contract which was seconded by Vice Mayor Helton and then unanimously adopted.

**ORDINANCE NUMBER 2468, A TAX LEVYING ORDINANCE FOR THE CITY OF GATLINBURG FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, FIRST READING.**

The next Item under New Business was Ordinance Number 2468, a tax levying Ordinance for the City of Gatlinburg for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014, First Reading. Commissioner Werner made a motion to approve the Ordinance which was seconded by Commissioner Smith. The Assistant City Manager/Finance Director stated that there was no change in the property tax rate for this Fiscal Year. After these comments, the motion to approve Ordinance Number 2468 was unanimously adopted on First Reading.

**ORDINANCE NUMBER 2469, AN ORDINANCE TO AMEND THE GATLINBURG 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, FIRST READING.**

Item E under New Business was Ordinance Number 2469, an Ordinance to amend the Gatlinburg 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, First Reading. Commissioner Werner made a motion to approve the Ordinance which was seconded by Commissioner McCown. Commissioner McCown then referenced the earlier Workshop meeting and stated that the Interim Human Resources Director did a good job explaining the updated information related to this Ordinance. After these

comments, the motion to approve Ordinance Number 2469, was adopted on First Reading.

**UNSCHEDULED ITEMS:**

**Commissioner Mike Werner:**

- (1) Referenced the Gatlinburg-Pittman High School Girl's Soccer game that is this evening and encouraged everyone to come out and support the team; and,
- (2) Stated that Friday night is the first home Gatlinburg-Pittman High School Football game to be played on the new turf and also encouraged everyone to support the Football team.

**Vice Mayor Mike Helton:**

- (1) Echoed the above regarding the Gatlinburg-High School sporting events; and,
- (2) Thanked Mr. Buddy Parton for his hard work and effort in applying for the Tennessee Department of Transportation grant and stated that he appreciates all his work on the grants.

**Mayor Jerry Hays:**

- (1) Encouraged everyone to come out and support Gatlinburg-Pittman High School in all their athletic activities.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv



OFFICE OF CITY MANAGER

**MEMORANDUM**

To: Mayor and City Commission

From: Cindy Cameron Ogle, City Manager *CCO*

Re: **CANCELLATION OF SEPTEMBER 3, 2013, CITY COMMISSION MEETING**

Date: August 28, 2013

Please accept this memorandum as information regarding the above referenced subject.

Specifically, the September 3, 2013, City Commission meeting is cancelled. The next regular City Commission meeting will be held on September 17, 2013. By copy of this memorandum, all appropriate parties are hereby notified of this schedule.

If you have questions or desire clarification, please let me know.

CCO/jv

cc: Ron Sharp, City Attorney  
Marci Claude, Public Relations Manager  
Kevin Tierney, PEG Coordinator  
Steve Hartford, MIX 105.5  
The Mountain Press  
The Tennessee Star Journal  
The Smoky Mountain Herald

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, September 17, 2013, at 6:00 P.M. in the City Council Room. All members were present. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of August 20, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mike Werner and then unanimously adopted.

There were no Petitions or Communications from the Public or Reports of Boards or Committees.

The City Manager reported and/or requested:

(1) that she wanted to remind everyone of that the Gatlinburg Community Oriented Police Program (G.C.O.P.P.) will be hosting a 5K, 10K, Half-Marathon, and Kid's Fun Run on September 21, 2013, beginning at 9:00 A.M. at the Mills Park track; and,

(2) that she would like to announce that Special Events Director, Darrell Manis, attended the International Festivals and Events Association Convention and brought back five awards which included the Silver Grand Pinnacle Award and the Silver Award for Best Full Length TY Program both were for the Gatlinburg Fantasy of Lights Christmas Parade and two Gold Awards one for Best Organizational Website, Gatlinburg.com, and also for Best Social Media Site, Facebook.com/gatlinburgtn. The City Manager further stated that the; and,

(3) that she would like to also announce that Gatlinburg was named as one of the Ten Best Destinations for Teens in 10 Best Readers' Choice travel award contest sponsored by USA TODAY outranking areas such as the Grand Tetons, New York City and Myrtle Beach.

**ORDINANCE NUMBER 2467, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 4 OF TITLE 18 IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF AND FURTHER BEING AN ORDINANCE TO ADOPT A STORM WATER ORDINANCE FOR THE CITY, PUBLIC HEARING AND SECOND READING, (PASSED FIRST READING 8/20/13).**

The first Item under Old Business was Ordinance Number 2467, an Ordinance to amend the Gatlinburg Municipal Code by repealing Chapter 4 of Title 18 in its entirety and substituting a new chapter in lieu thereof and further being an Ordinance to adopt a Storm Water Ordinance for the City, Public Hearing and Second Reading, (Passed First Reading 8/20/13). Commissioner Werner made a motion to approve the Ordinance which was seconded by Commissioner Mark McCown. Mayor Hays then

opened the Public Hearing and there being no comments, closed the Public Hearing. The motion to approve Ordinance Number 2467 was then unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2468, A TAX LEVYING ORDINANCE FOR THE CITY OF GATLINBURG FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, SECOND READING, (PASSED FIRST READING 8/20/13).**

The next Item under Old Business was Ordinance Number 2468, a tax levying Ordinance for the City of Gatlinburg for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014, Second Reading, (Passed First Reading 8/20/13). Commissioner Werner made a motion to approve the Ordinance which was seconded by Vice Mayor Mike Helton. Commissioner McCown then commented that there is no increase in the tax rate. After these comments, the motion to approve Ordinance Number 2468 was unanimously adopted on Second and Final Reading.

**ORDINANCE NUMBER 2469, AN ORDINANCE TO AMEND THE GATLINBURG 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 8/20/13).**

Item C under Old Business was Ordinance Number 2469, an Ordinance to amend the Gatlinburg 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 8/20/13). Commissioner Smith made a motion to approve the Ordinance which was seconded by Vice Mayor Helton and then unanimously adopted on Second and Final Reading.

**RESOLUTION NUMBER 899, AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THREE MILLION SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$3,700,000) GENERAL OBLIGATION BONDS OF THE CITY OF GATLINBURG, TENNESSEE.**

The first Item under New Business was Resolution Number 899, an initial Resolution authorizing the issuance of not to exceed three million seven hundred thousand and no/100 dollars (\$3,700,000) General Obligation Bonds of the City of Gatlinburg, Tennessee. Commissioner Werner made a motion to approve the Resolution which was

seconded by Vice Mayor Helton. The City Manager then commented that she wanted to clarify that this is just the first step in the process and that an Easement Agreement will have to be approved and that there is this step and another Resolution necessary to finalize the Bond Issue. Commissioner McCown asked what would happen if Arrowmont does not raise their stated amount and Mr. May responded that he did not know for certain the answer and that those details will be in the final agreement and still need to be worked out and the City Manager commented that the Bonds would not be issued until January and, by that time, it would be known if Arrowmont had been able to raise their share of funds for the purchase. After these comments, Resolution Number 899 was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES WITH THE HELEN ROSS MCNABB CENTER, INC.**

Item B under New Business was discussion and consideration of approving a Contract for Services with the Helen Ross McNabb Center, Inc. Commissioner Werner made a motion to approve the Contract which was seconded by Vice Mayor Helton and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING CERTIFICATES OF GOOD MORAL CHARACTER FOR NICHOLAS TAYLOR OGLE AND JACOB LONAS OGLE, D/B/A SUGARLAND CELLARS, INC., 1133 PARKWAY.**

The next Item under New Business was discussion and consideration of approving Certificates of Good Moral Character for Nicholas Taylor Ogle and Jacob Lonas Ogle, d/b/a Sugarland Cellars, Inc., 1133 Parkway. Commissioner Werner made a motion to approve the Certificates which was seconded by Vice Mayor Helton and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NUMBER 3 TO THE SOUTHERN CONSTRUCTORS CONTRACT RELATED TO THE WASTEWATER TREATMENT PLANT EQUALIZATION BASIN PROJECT.**

Item D under New Business was discussion and consideration of approving Change Order Number 3 to the Southern Constructors Contract related to the Wastewater Treatment Plant Equalization Basin Project. Commissioner Werner made a motion to approve the Change Order which was seconded by Commissioner McCown and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AMENDMENT NUMBER 1 TO THE MCGILL ASSOCIATES, P.A., ENGINEERING SERVICES AGREEMENT RELATED TO THE WASTEWATER TREATMENT PLANT EQUALIZATION BASIN PROJECT.**

Item E under New Business was discussion and consideration of approving Amendment Number 1 to the McGill Associates, P.A., Engineering Services Agreement related to the Wastewater Treatment Plant Equalization Basin Project. Vice Mayor Helton made a motion to approve the amendment which was seconded by Commissioner Werner and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN ENGINEERING SERVICES AGREEMENT WITH MCGILL ASSOCIATES, P.A., RELATED TO THE NEWMAN ROAD LIFT STATION REHABILITATION PROJECT.**

The next Item under New Business was discussion and consideration of approving an Engineering Services Agreement with McGill Associates, P.A., related to the Newman Road Lift Station Rehabilitation Project. Vice Mayor Helton made a motion to approve the Agreement which was seconded by Commissioner Werner and then unanimously adopted.

**ORDINANCE NUMBER 2470, AN ORDINANCE TO AMEND SECTION 8-206 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO CHANGE THE MINIMUM DISTANCE REQUIREMENTS BETWEEN A SCHOOL AND AN ESTABLISHMENT SEEKING A CERTIFICATE OF COMPLIANCE IN THE C-1 COMMERCIAL ZONE, FIRST READING.**

Item G under New Business was Ordinance Number 2470, an Ordinance to amend Section 8-206 of the Gatlinburg Municipal Code, and further being an Ordinance to change the minimum distance requirements between a school and an establishment seeking a Certificate of Compliance in the C-1 Commercial Zone, First Reading. Commissioner Werner made a motion to approve the Ordinance which was seconded by Commissioner McCown. Ordinance Number 2470 was then unanimously adopted on First Reading.

**RESOLUTION NUMBER 900, A RESOLUTION ADOPTING THE STATE OF TENNESSEE 457(b) DEFERRED COMPENSATION PLAN AND TRUST AND APPROVING THE EMPLOYER AGREEMENT.**

The next Item under New Business was Resolution Number 900, a Resolution adopting the State of Tennessee 457(b) Deferred Compensation Plan and Trust and approving the Employer Agreement. Commissioner Werner made a motion to approve the Resolution which was seconded by Commissioner Smith and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SECURITY SERVICES AT THE CONVENTION CENTER WITH S&B SECURITY LLC, D/B/A RED HAWK SECURITY.**

The next Item under New Business was discussion and consideration of approving a Contract for security services at the Convention Center with S&B Security LLC, d/b/a Red Hawk Security. Vice Mayor Helton made a motion to approve the Contract which was seconded by Commissioner Smith and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A BEVERAGE AGREEMENT WITH COCA-COLA REFRESHMENTS, USA, INC., D/B/A KNOXVILLE COCA-COLA.**

The next Item under New Business was discussion and consideration of approving a Beverage Agreement with Coca-Cola Refreshments, USA, Inc., d/b/a Knoxville Coca-Cola. Commissioner Werner made a motion to approve the Agreement which was seconded by Commissioner Smith. Commissioner McCown then commented that bids were received from Pepsi and Coke and that Coke had the best price on the item that was sold the most and that is the reason to stay with Coca-Cola. After these comments, the motion to approve the Beverage Agreement with Coca-Cola was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A LICENSE AGREEMENT WITH B S & J ENTERPRISES, LP, FOR THE PLACEMENT OF A WINTERFEST DISPLAY AT THE INTERSECTION OF GLADES ROAD AND EAST PARKWAY (HIGHWAY 321).**

The last Item under New Business was discussion and consideration of approving a License Agreement with B S & J Enterprises, LP, for the placement of a Winterfest display at the intersection of Glades Road and East Parkway (Highway 321). Commissioner Werner made a motion to approve the license agreement which was seconded by Vice Mayor Helton and then unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Mike Werner:**

- (1) Stated that he was glad for the Arrowmont vote and that it is the best thing for Gatlinburg.

**Vice Mayor Mike Helton:**

- (1) Offered condolences to Commissioner Werner and his wife Cindy on the recent

loss of his Father-In-Law, Mr. Bob Keeton, and stated that he was a fine person; and,

- (2) Referenced the Gatlinburg-Pittman High School game Friday and stated that the Highlanders are Ranked #1 in Class 3A and that they take on Fulton.

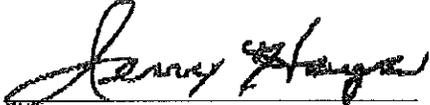
**Commissioner McCown:**

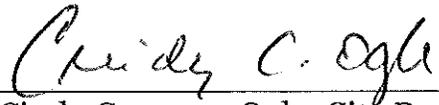
- (1) Also offered his condolences to Commissioner Werner and Cindy and stated that he was thinking of you all and your family.

**Mayor Jerry Hays:**

- (1) Echoed the above regarding Mr. Bob Keeton, Commissioner Werner's Father-In-Law; and,
- (2) Referenced that prayers and support are needed for Mr. Marlin Watson and to please keep him and his family in your thoughts and prayers.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, October 8, 2013, at 6:00 P.M. in the City Council Room. All members were present. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Building Official Jay Horner gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of September 17, 2013. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mike Werner and then unanimously adopted.

Regarding Petitions and Communication from the Public, Ms. Kay Morton addressed the City Commission regarding a development of an Alpine Slide in the North end of town on Mr. Mitch McCarter's property. Ms. Morton expressed her opinion that new development is much needed for that area of town and that it would be a major renovation for that section of town and that she would like to know what progress is being made to bring this development to fruition. The City Manager responded that the proposed developer has met with City Staff a couple of times and that the City Attorney along with the City Planner are in the process of looking at a provision to the Municipal Code that relates to this type of development which is referred to as amusements rides and that it is anticipated that the changes in the form of an Ordinance will be presented at the next City Commission Meeting for First Reading. Ms. Morton then thanked the City Manager for the report.

Regarding Reports of Boards and Committees, the City Manager presented the 2013 Employee Recognition Board Employee of the Third Quarter awards to Mr. Jay Horner of the Building Inspection Department and Detective Tim Williams of the Police Department.

The City Manager reported and/or requested:

(1) that she wanted to announce two events that the City is hosting to benefit the Sevier County United Way and stated that the first event is the Employee Tailgate Luncheon which will be held Friday, October 18, 2013, 11:00 A.M. to 1:00 P.M. at the American Legion Building and that tickets are \$8.00. The City Manager further stated that lunch will be provided by Calhoun's and dessert by Park Vista and that tickets can be purchased from Police and Fire Department personnel and also from City Employee Recognition Board members; and

(2) that the second event is the Taste of Autumn that will be held on Tuesday, October 29, 2013 from 5:00 – 8:00 P.M. at the Gatlinburg Convention Center and tickets are \$25 and that there will be twenty participating restaurants as well as wineries and bakeries that will feature their best recipes and food. The City Manager concluded by stating that Ms. Nan Kelly from GAC television network will host the evening and that there will also be live music and a cooking demonstration by chefs from local restaurants that will be assisted by local celebrities; and,

(3) that she would like to remind everyone that the Gatlinburg Chamber of Commerce is hosting a Joint Legislative Luncheon on Friday, October 11, 2013, at Mills Conference Center and that registration begins at 11:00 A.M. The City Manager further stated that the program includes a presentation on tourism and a panel discussion with State Senators Doug Overbey and Steve Southerland and State Representatives Dale Carr, Andrew Farmer and Art Swann; and,

(4) that she would like to also announce that the Gatlinburg Fire Department, as part of Fire Prevention Week, is hosting educational sessions at Pi Beta Phi Elementary School all week and that the Fire Department will host an Open House at Fire Station #2 on Reagan Drive on Thursday, October 17, 2013 from 5:00 – 8:00 P.M. The City Manager further stated that it is a free event and will include food and fun educational activities for families and that everyone is invited to attend.

**ORDINANCE NUMBER 2470, AN ORDINANCE TO AMEND SECTION 8-206 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO CHANGE THE MINIMUM DISTANCE REQUIREMENTS BETWEEN A SCHOOL AND AN ESTABLISHMENT SEEKING A CERTIFICATE OF COMPLIANCE IN THE C-1 COMMERCIAL ZONE, SECOND READING, (PASSED FIRST READING 9/17/13).**

The only Item under Old Business was Ordinance Number 2470, an Ordinance to amend Section 8-206 of the Gatlinburg Municipal Code, and further being an Ordinance to change the minimum distance requirements between a school and an establishment seeking a Certificate of Compliance in the C-1 Commercial Zone, Second Reading, (Passed First Reading 9/17/13). Vice Mayor Helton made a motion to approve the Ordinance which was seconded by Commissioner Werner. Ordinance Number 2470 was then unanimously adopted on Second and Final Reading.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONSERVATION EASEMENT AGREEMENT TO PRESERVE OPEN SPACE LAND WITH THE ARROWMONT SCHOOL OF ARTS AND CRAFTS.**

The first Item under New Business was discussion and consideration of approving a Conservation Easement Agreement to preserve open space land with the Arrowmont School of Arts and Crafts. Commissioner Werner made a motion to approve the Agreement which was seconded by Commissioner Mark McCown and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT RELATED TO SEVIER SOLID WASTE, INC.**

Item B under New Business was discussion and consideration of approving an amendment to the Interlocal Cooperation Agreement related to Sevier Solid Waste, Inc. (SSWI) Commissioner Werner made a motion to approve the amendment which was seconded by Vice Mayor Helton. The City Manager then explained that this year concludes the first agreement which has been in place for twenty-five years and that the amendment extends the agreement for twenty years and also clarifies voting percentages of each Board Member as 25%. The City Manger then asked the SSWI Manager to further discuss the amendment and Mr. Leonard explained the change in the voting percentage and stated that he appreciated the City's support of the Solid Waste Agreement. After these comments, the motion to approve the amendment to the Interlocal Cooperation Agreement related to Sevier Solid Waste, Inc. was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A GOVERNOR'S HIGHWAY SAFETY GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION RELATED TO THE POLICE DEPARTMENT.**

The next Item under New Business was discussion and consideration of approving a Governor's Highway Safety Grant Contract with the Tennessee Department of Transportation related to the Police Department. Commissioner Werner made a motion to approve the Grant Contract which was seconded by Commissioner McCown. The City Manager then explained that the Grant is a little under \$20,000 and that the City only learned approximately two weeks ago of the Grant award and that a Budget Amendment will be required to record the revenue received and expenses incurred with these additional monies. The City Manager then asked the Police Chief to give a detailed list of what the Grant will provide for the Police Department and Chief Brackins stated the purchase of motorcycle radar units and investigative camera equipment as well as a speed trailer and to pay overtime for Officers working Highway Safety patrols. After these comments, the motion to approve the Governor's Highway Safety Grant Contract with the Tennessee Department of Transportation was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF AUTHORIZING THE TRANSFER OF ADDITIONAL MONIES FROM THE CONVENTION CENTER DEBT SERVICE FUND TO THE ROCKY TOP SPORTS WORLD PROJECT.**

The last Item under New Business was discussion and consideration of authorizing the transfer of additional monies from the Convention Center Debt Service Fund to the Rocky Top Sports World Project. Vice Mayor Helton made a motion to authorize the transfer which was seconded by Commissioner Werner. Commission Werner then referenced last week's Workshop meeting and stated that it was very well presented and that there is a lot of enthusiasm and positive comments toward this Project and people

asking when it will be finished. Mayor Hays then stated that City Funds will be replenished with sponsorships related to the Sports Complex that come forth. After these comments, the motion to authorize the transfer of additional monies from the Convention Center Debt Service Fund to the Rocky Top Sports World Project was unanimously adopted.

### **UNSCHEDULED ITEMS:**

#### **Commissioner Mike Werner:**

- (1) Offered congratulations to Mr. Jay Horner and Detective Tim Williams on their receipt of the Employee of the Quarter Awards and stated that they do a great job for the City; and,
- (2) Stated that Senior Night and Homecoming will be celebrated this Friday at Gatlinburg-Pittman High School and that there is a junior varsity football game going on now and encouraged everyone to support the teams.

#### **Commissioner Don Smith:**

- (1) Echoed the above regarding the Employee of the Quarter Awards.

#### **Commissioner McCown:**

- (1) Offered congratulations to Mr. Jay Horner and Detective Tim Williams as well and stated that it is great to be elected for this award by your peers.

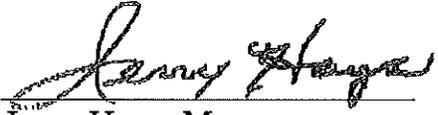
#### **Vice Mayor Mike Helton:**

- (1) Congratulated Mr. Horner and Detective Williams and stated that it was a great achievement; and,
- (2) Stated that it was crisp out this morning and that Fall is in the air; and,
- (3) Also encouraged everyone to support Gatlinburg-Pittman High School this Friday and stated that Homecoming is special for Commissioner Werner this year since his daughter Micki is running for Homecoming Queen.

**Mayor Jerry Hays:**

- (1) Echoed the above regarding the Employee's of the Quarter and stated that they both do a great job for the City.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, October 22, 2013, at 6:00 P.M. in the City Council Room. All members were present with the exception of Vice Mayor Mike Helton. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of October 8, 2013. Commissioner Mike Werner made a motion to approve the Minutes which was seconded by Commissioner Mark McCown and then unanimously adopted.

Regarding Petitions and Communication from the Public, Mr. Rob Bremer representing Town Hall Tennessee for Sevier County stated that Sharia Laws have put demands on local governments and schools that restrict our constitutional rights and Mr. Bremer then distributed a book written by Dr. Bill Warner on this topic. Mr. Bremer then referenced a Town Hall meeting that will be held on November 14, 2013, at the Sevierville Civic Center and stated that the Town Hall for Tennessee for Sevier County wants to get this information out to local leaders and citizens and that everyone is welcome to attend.

Regarding Reports of Boards and Committees, the City Manager advised that Mrs. Vicki Simms, Executive Director of the Gatlinburg Convention and Visitors Bureau was in attendance and would give a third quarter update on behalf of the CVB. Mrs. Simms proceeded to do so and distributed a report and then reviewed the highlights of the third quarter report and the various happenings of the CVB and stated that there were many of exciting things that occurred this last quarter and commented that she is excited about the increase in the Marketing Budget. Commissioner Werner commented that it looks like the color change will be late this year and asked what the CVB was doing to promote this and Mrs. Simms responded that currently the CVB is working to get the leaf report that comes from the Great Smoky Mountains National Park back up and active since the Parks closure a few weeks ago and that this year, later placement of television and digital advertisements will allow the ads to run later and carry on through the leaves changing later.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone that the annual Taste of Autumn will be held Tuesday, October 29, 2013 from 5:00 – 8:00 P.M. at the Gatlinburg Convention Center and tickets are \$25. There will be 20 local restaurants, wineries and bakeries that will feature their best recipes and food. All proceeds will benefit United Way of Sevier County; and,
- (2) secondly, that she wanted to announce the upcoming Veterans Day Celebration that will be held November 11, 2013, at Ripley's Aquarium Plaza with the program beginning at 11:00 A.M. which includes a military band and special speakers. This event is designated as an official Regional Site for the Observance

of Veterans Day by the Veterans Day National Committee, U.S. Department of Veterans Affairs; and

- (3) that she would like to also announce that the Gatlinburg Winter Magic Kick-Off and Chili Cook-Off will be held on Wednesday, November 13, 2013, from 5:00 – 8:00 P.M. in downtown and tickets are \$10; and,
- (4) that the Assistant City Manager/Finance Director, Mr. David Beeler needs to distribute to City Commission the Official Statement for the recent Bond Sale related to the Rocky Top Sports World Project and then asked Mr. Beeler to do so. Mr. Beeler then distributed the Official Statement and commented that the last two pages reflect a good summary of the Bond sales and these are being distributed to City Commission in accordance with the City's Debt Policy.

**ORDINANCE NUMBER 2471, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING SECTIONS 9-105 AND SUBSTITUTING NEW SECTIONS IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO IMPOSE RESTRICTIONS AND REGULATIONS UPON AMUSEMENT DEVICES IN CERTAIN AREAS, FIRST READING.**

The first Item under New Business was Ordinance Number 2471, an Ordinance to amend the Gatlinburg Municipal Code by repealing Sections 9-105 and substituting new Sections in lieu thereof, and further being an Ordinance to impose restrictions and regulations upon amusement devices in certain areas, First Reading. Commissioner Werner made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH THE UNIVERSITY OF TENNESSEE, MUNICIPAL TECHNICAL ADVISORY SERVICE FOR THE EMPLOYMENT OF A PUBLIC MANAGEMENT FELLOW.**

The next Item under New Business was discussion and consideration of approving an Agreement with the University of Tennessee, Municipal Technical Advisory Service(MTAS) for the employment of a Public Management Fellow. Commissioner Werner made a motion to approve the Agreement which was seconded by Commissioner Mark McCown. The City Manager then commented that this is an exciting opportunity for the City to bring in a recent graduate of the University of Tennessee, MPA Program and this will give the graduate hands on experience and help with administrative support. Mr. Pat Hardy, the City's MTAS Consultant, then commented that he appreciated the City's participation and stated that it is an exciting Program. After these comments, the motion to approve an Agreement with the University Of Tennessee, MTAS was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE CLOSURE OF A PORTION OF PARKWAY FROM TRAFFIC LIGHT #6 TO REAGAN DRIVE FOR THE 2013 WINTER MAGIC KICK-OFF AND CHILI COOK-OFF EVENT ON NOVEMBER 13, 2013.**

Item C under New Business was discussion and consideration of approving the closure of a portion of Parkway from Traffic Light #6 to Reagan Drive for the 2013 Winter Magic Kick-Off and Chili Cook-Off Event on November 13, 2013. Commissioner Smith made a motion to approve the closure which was seconded by Commissioner Werner and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE CLOSURE OF A PORTION OF PARKWAY FROM TRAFFIC LIGHT #6 TO REAGAN DRIVE FOR THE 2014 GATLINBURG BEANS AND CORNBREAD FESTIVAL ON MAY 8, 2014.**

The next Item under New Business was discussion and consideration of approving the closure of a portion of Parkway from Traffic Light #6 to Reagan Drive for the 2014 Gatlinburg Beans and Cornbread Festival on May 8, 2014. Commissioner Werner made a motion to approve the closure which was seconded by Commissioner Smith and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE USAGE OF THE COMMUNITY CENTER AND MILLS PARK FOR THE SEVIER COUNTY SCHOOL SYSTEM FUN AND FITNESS DAY EVENT ON MAY 15, 2014.**

The next Item under New Business was discussion and consideration of approving the usage of the Community Center and Mills Park for the Sevier County School System Fun and Fitness Day Event on May 15, 2014. Commissioner Werner made a motion to approve the usage which was seconded by Commissioner McCown and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH M&M MICRO SYSTEMS, INC., FOR A RECORDS MANAGEMENT COMPUTER SYSTEM FOR THE POLICE DEPARTMENT.**

The last Item under New Business was discussion and consideration of approving an Agreement with M&M Micro Systems, Inc., for a Records Management Computer System for the Police Department. Commissioner Werner made a motion to approve the Agreement which was seconded by Commissioner Smith. The City Manager then commented that this is in the Police Department current Fiscal Year Budget in the amount of \$38,000 and that the low bid for the computer system is in the amount of \$31,000 which is well under the budgeted amount. The City Manager continued that

this is a much needed upgrade to the Police Department's operating system which is now approximately thirty years old and includes dispatch, court and records management functions. Commissioner McCown then asked if there will be access to different counties within the State and Police Chief Randy Brackins responded that this will allow the Police Department access to statewide information. After these comments, the motion to approve the Agreement with M&M Micro Systems, Inc., for a Records Management Computer System for the Police Department was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Don Smith:**

- (1) Asked that everyone remember the Mr. Marlin Watson family, Ann, Mark and Allison in the recent passing of Marlin.

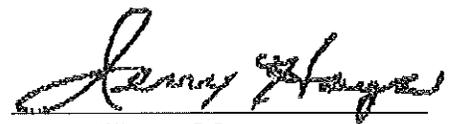
**Commissioner Mike Werner:**

- (1) Echoed the above regarding Mr. Watson's family and stated to keep them in your prayers.

**Mayor Jerry Hays:**

- (1) Stated that Mr. Marlin Watson will be greatly missed and that he was a good friend and a great citizen of our town and will certainly be missed.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, November 19, 2013, at 6:00 P.M. in the City Council Room. All members were present. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of October 22, 2013. Commissioner Mike Werner made a motion to approve the Minutes which was seconded by Commissioner Don Smith and then unanimously adopted.

There were no Petitions or Communications from the Public or Reports of Boards or Committees.

The City Manager reported and/or requested:

- (1) that she wanted to announce the upcoming Festival of Trees which will be held Tuesday, November 26 through Saturday November 30, 2013, at Mills Conference Center and benefits the Smoky Mountain Area Rescue Ministries (SMARM). The City Manager then stated that the Festival of Trees Dot Egli Memorial Luncheon will be held Tuesday, November 26, 2013 at 11:30 A.M. in Mill Auditorium and that tickets are available at SMARM; and,
- (2) secondly, that she wanted to remind everyone of the 38<sup>th</sup> Annual Christmas Parade of Lights that will be held on Friday, December 6, 2013 at 7:00 P.M.; and,
- (3) that she would like to take this opportunity to introduce Mr. Matt Rudder who is the participant in the UT Public Management Fellowship Program that the City recently entered into with the University of Tennessee Municipal Technical Advisory Service.

**ORDINANCE NUMBER 2471, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING SECTIONS 9-105 AND SUBSTITUTING NEW SECTIONS IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO IMPOSE RESTRICTIONS AND REGULATIONS UPON AMUSEMENT DEVICES IN CERTAIN AREAS, SECOND READING (PASSED FIRST READING 10/22/13).**

The first Item under Old Business was Ordinance Number 2471, an Ordinance to amend the Gatlinburg Municipal Code by repealing Sections 9-105 and substituting new Sections in lieu thereof, and further being an Ordinance to impose restrictions and regulations upon amusement devices in certain areas, Second Reading (Passed First Reading 10/22/13). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Werner. Commissioner Mark McCown then referenced the earlier Workshop meeting to discuss this item and stated that there were questions answered and it was very informative. After these comments, the motion to

approve Ordinance Number 2471 was unanimously adopted on Second and Final Reading.

**DISCUSSION AND CONSIDERATION OF EXTENDING A LETTER OF INTENT TO LEASE THE PARKWAY WELCOME CENTER GARAGE TO CHM DEVELOPMENT.**

The first Item under New Business was discussion and consideration of extending a letter of intent to lease the Parkway Welcome Center Garage to CHM Development. Commissioner Werner made a motion to approve extension to the Letter of Intent (LOI) which was seconded by Vice Mayor Mike Helton. After these comments, the motion to extend the Letter of Intent to lease the Parkway Welcome Center Garage to CHM Development was unanimously adopted. The City Manager then introduced Mr. Bud Collum with CHM Development who stated that he hoped that everyone was aware of the need for the extension and that if anyone has questions, to please contact him directly. Mr. Collum then thanked City Commission for their support in extending the LOI.

**DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER (WINE ONLY) FOR ABDELLAH MALYANI, D/B/A LUIGI'S PIZZERIA, 1017 PARKWAY.**

Item B under New Business was discussion and consideration of approving a Certificate of Good Moral Character (Wine Only) for Abdellah Malyani, d/b/a Luigi's Pizzeria, 1017 Parkway. Commissioner Werner made a motion to approve the Certificate which was seconded by Vice Mayor Helton and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING THE ACCEPTANCE OF THE STONE FENCE LANE RIGHT-OF-WAY AND ALL ASSOCIATED INFRASTRUCTURE IMPROVEMENTS.**

The next Item under New Business was discussion and consideration of approving the acceptance of the Stone Fence Lane right-of-way and all associated infrastructure improvements. Commissioner McCown made a motion to approve the acceptance which was seconded by Commissioner Werner. The City Manager then asked the City Planner to give an overview. Mr. Ball proceeded to do so and stated that Stone Fence Lane was a road that was developed in Phase II of the subdivision the Settlement at Gatlinburg and has been dedicated as a public road. Mr. Ball then stated that the road has been inspected as it was built and some necessary slope changes were made and reengineered and that this request is primarily to accept the road as a City road for maintenance and upkeep. Commissioner McCown then asked if this location is off of Loop Road and Mr. Ball responded that it is in the Forrest Springs area close to Loop Road. After these comments, the motion to approve the acceptance of the Stone Fence Lane right-of-way and all associated infrastructure improvements was unanimously

adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE SEVIER COUNTY ELECTRIC SYSTEM IN LIEU OF PROPERTY TAX CONTRACT.**

The next Item under New Business was discussion and consideration of approving the Sevier County Electric System in lieu of Property Tax Contract. Commissioner Don Smith made a motion to approve the Contract which was seconded by Commissioner Werner and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE TENNESSEE WILDLIFE RESOURCES AGENCY RELATED TO THE COOPERATIVE NUISANCE BLACK BEAR POSITION AGREEMENT.**

Item E under New Business was discussion and consideration of approving an amendment to the Memorandum of Understanding with the Tennessee Wildlife Resources Agency related to the Cooperative Nuisance Black Bear Position Agreement. Commissioner Werner made a motion to approve the amendment which was seconded by Vice Mayor Helton. Commissioner McCown then asked if this was a yearly agreement and the City Manager explained that this is a longstanding agreement that began with the National Park , TWRA and the National Park funding was phased out a few years ago and that the City and TWRA have in place a five year agreement for the funding of this position and that this amendment is to create a mechanism for the City to not be obligated for funding when the position is unfilled as it was for several consecutive months earlier this year and that is why the City is requesting this amendment. Mayor Hays asked if the City was paying this in advance and Mr. Beeler responded that it had been paid on a quarterly basis and then an annual basis and it will be going back to a quarterly basis. After these comments, the motion to approve the amendment to the Memorandum of Understanding with the Tennessee Wildlife Resources Agency was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH REED CONSTRUCTION CO., INC., RELATED TO THE WINTER LIGHTS STORAGE BUILDING PROJECT.**

The next Item under New Business was discussion and consideration of approving a Contract with Reed Construction Co., Inc., related to the Winter Lights Storage Building Project. Commissioner Smith made a motion to approve the Contract which was seconded by Commissioner Werner. The City Manager then explained that this Project was in last Fiscal Year Budget in the Special Revenue/CIP Fund and that this is to build an additional building next to the existing warehouse on McCarter Road. The City Manager further stated that the low bidder is Reed Construction in the amount of

\$61,800 and that there is \$65,000 available to cover the costs for this Project. After these comments, the motion to approve the Contract with Reed Construction Co., Inc. was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A GOLF PRO SHOP LEASE AND CONCESSION AGREEMENT.**

Item G under New Business was discussion and consideration of approving a Golf Pro Shop Lease and Concession Agreement. Commissioner McCown made a motion to approve the Agreement which was seconded by Vice Mayor Helton. The City Manager then explained that this is a longstanding agreement with Mr. Rick Tucker the Golf Pro and that it is the same as the previous five year contract and is related to the Pro Shop and Golf lessons. After these comments, the motion to approve the Golf Pro Shop Lease and Concession Agreement was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A SHELTER AGREEMENT WITH THE AMERICAN RED CROSS RELATED TO THE GATLINBURG COMMUNITY CENTER.**

The next Item under New Business was discussion and consideration of approving a shelter agreement with the American Red Cross related to the Gatlinburg Community Center. Commissioner Werner made a motion to approve the Agreement which was seconded by Vice Mayor Helton. The City Manager then explained that this agreement has been in existence for a very long time and the Red Cross has asked for an updated agreement and that the City Attorney has reviewed and it is in order for approval. The Recreation Director then stated that Red Cross has utilized the shelter two to three times over the years. After these comments, the motion to approve the shelter agreement with the American Red Cross related to the Gatlinburg Community Center was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY VEHICLES AND EQUIPMENT AS SURPLUS.**

The last Item under New Business was discussion and consideration of declaring certain City vehicles and equipment as surplus. Commissioner Werner made a motion to approve which was seconded by Vice Mayor Helton. The City Manager then stated that the largest part of the surplus items are the council room chairs and that three City vehicles are also included in the list. After these comments, the motion to approve declaring City vehicles and equipment as surplus was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Mark McCown:**

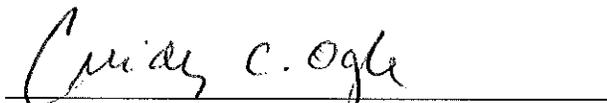
- (1) Welcomed Mr. Matt Rudder to the City and Council Meetings and thanked him for taking some administrative load off the City Manager.

**Vice Mayor Mike Helton:**

- (1) Referenced two great events that occurred last week which were the Veteran's Day event and the Winter Lights kick-off and stated that the CVB Special Events Department did a great job with both these events.

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

  
Jerry Hays, Mayor

  
Cindy Cameron Ogle, City Recorder  
/jv

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, December 3, 2013, at 6:00 P.M. in the City Council Room. All members were present with the exception of Commissioner Mike Werner. Mayor Jerry Hays called the meeting to order and led the Pledge of Allegiance. City Planner David Ball gave the Invocation.

Mayor Hays then called for a motion to approve the Minutes of the regular meeting of November 19, 2013. Commissioner Mark McCown made a motion to approve the Minutes which was seconded by Vice Mayor Mike Helton and then unanimously adopted.

There were no Petitions or Communications from the Public.

Regarding Reports of Boards and Committees, the City Manager presented the Employee Recognition Board Fourth Quarter Awards to Employees of the Fourth Quarter those being Mrs. Maureen Parton of the Planning Department and Mr. Ralph Ramsey of the Fire Department. The City Manager then presented the Units of the Fourth Quarter Awards to Mr. Eric Weeks and Mr. Charlie Flynn of the Sanitation Department and to Mr. Rodney Hurst and Mr. Bud Trentham of the Recreation Department.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone of upcoming events and stated that the Winter Magic Trolley Ride of Lights Tours are going on now and that on line ticket sales have been strong and that the Convention and Visitors Bureau has produced a map locating all the Christmas light displays throughout the City and they have also launched an app called Gatlinburg Tours so visitors can download the app to their smart phone and locate their favorite light displays and then encouraged everyone to book online at Gatlinburg.com. The City Manager then reminded everyone of the 38<sup>th</sup> Annual Christmas Parade of Lights that will be this Friday, December 6, 2013, at 7:30 P.M. and stated that she also wanted to remind everyone of the City Employee Christmas party that will be December 12, 2013, at the Community Center and that the Employee and Unit of the Year will be recognized at that time; and
- (2) that she wanted to distribute information regarding the Wayfinding Signage Project to review and then stated that, in summary this information states that the services of Norvell & Poe were engaged to aid in the process of moving forward with this Project and that in the last phase of undergrounding, the Wayfinding area directional signage was introduced along with traffic signal numbers. The City Manager further explained that there were no bids received in the bid opening held last week, and that the information in the Engineer's letter indicates that it was not good timing in regard to being close to the

Holidays and that this has caused a delay in the progress of this Project and that there will be a rebid of the Project sometime after the first of the year, and that Staff will report after the rebid as to the progress of the Project.

**ORDINANCE NUMBER 2472, AN ORDINANCE AMENDING THE ZONING ORDINANCE BY ADDING AN ADDITIONAL PERMITTED USE IN THE R-1 (LOW DENSITY RESIDENTIAL) DISTRICT AND ALLOWING BED AND BREAKFAST ESTABLISHMENTS IN SAID DISTRICT, FIRST READING.**

The first Item under New Business was Ordinance Number 2472, an Ordinance amending the Zoning Ordinance by adding an additional permitted use in the R-1 (Low Density Residential) District and allowing Bed and Breakfast establishments in said District, First Reading. Vice Mayor Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on First Reading.

**RESOLUTION NUMBER 901, A RESOLUTION AUTHORIZING EMPLOYER PARTICIPATION IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM TO CHANGE FROM ITS EXISTING REGULAR DEFINED BENEFIT PLAN AND TO ENTER THE ALTERNATE DEFINED BENEFIT PLAN OR THE LOCAL GOVERNMENT HYBRID PLAN IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED, TITLE 8, CHAPTER 35, PART 2, OR TO THE HYBRID RETIREMENT PLAN FOR STATE EMPLOYEES AND TEACHERS IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED, TITLE 8, CHAPTER 36, PART 9.**

Item B under New Business was Resolution Number 901, A Resolution authorizing employer participation in the Tennessee Consolidated Retirement System to change from its existing regular defined benefit plan and to enter the alternate defined benefit plan or the local government hybrid plan in accordance with Tennessee Code Annotated, Title 8, Chapter 35, Part 2, or to the Hybrid Retirement Plan for State Employees and Teachers in accordance with Tennessee Code Annotated Title 8, Chapter 36, Part 9. Commissioner Smith made a motion to approve the Resolution which was seconded by Vice Mayor Helton and then unanimously adopted.

**RESOLUTION NUMBER 902, A RESOLUTION ALLOWING A POLITICAL SUBDIVISION TO CONTRIBUTE TO A TAX DEFERRED RETIREMENT PLAN IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED, TITLE 8, CHAPTERS 34 THROUGH 37.**

The next Item under New Business was Resolution Number 902, a Resolution allowing a political subdivision to contribute to a tax deferred retirement plan in accordance with Tennessee Code Annotated, Title 8, Chapters 34 through 37. Commissioner

McCown made a motion to approve the Resolution which was seconded by Vice Mayor Helton and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE PAYMENT OF A PREMIUM AUDIT RELATED TO THE FY 2012-2013 WORKERS COMPENSATION INSURANCE.**

The last Item under New Business was discussion and consideration of approving the payment of a premium audit related to the FY 2012-2013 Workers Compensation Insurance. Commissioner Smith made a motion to approve the payment which was seconded by Vice Mayor Helton. Commissioner McCown then asked the Assistant City Manager/Finance Director to explain and Mr. Beeler stated that the audit was for the period of July 1, 2012 thru June 30, 2013 and that the audit showed actual payroll some \$800,000 more than was estimated in April of the previous year. Mr. Beeler further stated that the numbers that were used inadvertently left out all the seasonal and part time employees and that the previous year the auditor had reclassified some employees, which caused a portion of the increase, and that, with this additional premium amount, there is a great possibility that there will need to be a Budget amendment to the Non Departmental Budget. Mayor Hays then asked Mr. Beeler if the City could provide the Insurance Pool with additional information that would modify the audit findings and Mr. Beeler responded that the original amount the audit had the City owing was approximately \$60,000 and that this was challenged and the City was able to get the additional premium amount reduced to \$41,196. After these comments, the motion to approve the payment of a premium audit related to the FY 2012-2013 Workers Compensation Insurance was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Don Smith:**

- (1) Commended the 4<sup>th</sup> Quarter Employee Recognition Board recipients for a job well done; and,
- (2) Commented that he likes the new chairs in the Council Room.

**Commissioner Mark McCown:**

- (1) Extended his sympathies to the Mr. Brownlee Reagan family; and,
- (2) Commended Mr. Kevin Tierney on receiving the Zeno Wall Tourism Award and

stated that it was well deserved; and,

- (3) Commended Mr. Ralph Ramsey and Mrs. Maureen Parton on their Employee of the Quarter Awards and also congratulated Mr. Eric Weeks and Mr. Charlie Flynn and Mr. Rodney Hurst and Mr. Bud Trentham for Units of the Fourth Quarter Awards.

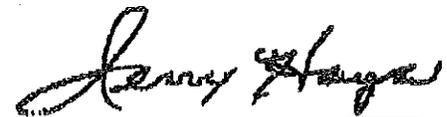
**Vice Mayor Mike Helton:**

- (1) Echoed the above regarding condolences to Mr. Reagan's family; and,
- (2) Offered congratulations to the Employee Recognition Board Award recipients and also to Mr. Kevin Tierney for receiving the Zeno Wall Tourism Award from the Chamber of Commerce.

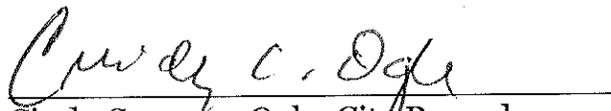
**Mayor Jerry Hays:**

- (1) Echoed the above regarding Employee Awards; and,
- (2) Offered congratulations to Mr. Kevin Tierney and stated that he enjoyed presenting him his plaque; and,
- (3) Offered his condolences to the Brownlee Reagan family and stated that he was an important part of the community and that he meant a great deal to this town and that he will be greatly missed.

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



Jerry Hays, Mayor



Cindy Cameron Ogle, City Recorder

/jv