

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, January 17, 2012, 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. The Assistant Finance Director Robert Holt gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of December 20, 2011. 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 or Items from the audience.

Regarding Reports of Boards and Committees, Mayor Werner presented Twenty Year Service Awards to Ralph Ramsey of the Fire Department, Kathy Lindsey of the Finance Department and Scott Murphy of the Convention Center.

The City Manager reported and/or requested:

- (1) that she wanted to give an update on the Phase VI Underground Utilities and Streetscape Project and stated that conduit has been installed on Ski Mountain Road to the new riser pole across River road and that ductbank work is ongoing and that the City Utilities Department will begin work to finish the sewer line to LeConte Street which will allow the ductbank work to shift again to the east side of Parkway and that the last LeConte Street bridge abutment was poured and work is ongoing to backfill the abutments and remove the stream channelization measures with steel installation scheduled to begin no later than the end of the week. The City Manager concluded that with the exception of the bridge, the Project is on schedule; and,
- (2) that she wanted to distribute a memorandum regarding a January 24, 2012 City Commission Workshop Meeting that will be held at 5:30 P.M. in the Council Room to discuss the possible formation of a Convention and Visitors Bureau; and,
- (3) that she wanted to advise of the upcoming Tennessee Winter Special Olympics which will be held January 30 and 31, 2012 at Ober Gatlinburg and that the opening ceremony is scheduled for 6:00 P.M. on Sunday, January 29, 2012, at W.L. Mills Auditorium; and,
- (4) that she wanted to announce that on February 17 and 18, 2012, the Gatlinburg Garden Club will present "Store Britches" a production of Lula Mae Ogle's play starring a local cast at 5:00 P.M. each night at the American Legion Hall. The City Manager continued that the proceeds benefit the Lucinda Oakley Ogle Cabin

Restoration Project and for more information to call (937)475-7572 and that tickets are available at the Anna Porter Public Library; and,

- (5) that finally, she wanted to introduce Mr. Andy Harper and Mr. Ashley Ogle with Pugh and Company to present the Fiscal Year 2011 Comprehensive Annual Financial Report. Mr. Harper stated that the Audit went well and offered thanks to Mr. David Beeler, Mr. Robert Holt, the City Manager and Staff for their cooperation. Mr. Harper continued that the Financial Report has been given a clean opinion which is the best they can give and that the City has maintained good Fund Balances throughout all Funds and stated that the Tourism Fund was reclassified as a General Government Activity Fund in the Fiscal Year 2011 Financial Report. Mr. Harper further commented that the City's debt is well below what other Cities are and that there was a \$4.3 Million increase in assets and that the net income for Fiscal Year 2011 was \$4,361,302. Mr. Harper then thanked Commission for the opportunity to prepare the Comprehensive Annual Financial Report and advised that his Company was available to answer questions at any time.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR JOHN LANKFORD, D/B/A GATLINBURG ELKS LODGE #1925, 968 PARKWAY #7.

Item A under New Business was discussion and consideration of approving a Certificate of Good Moral Character for John Lankford, d/b/a Gatlinburg Elks Lodge #1925, 968 Parkway #7. Commissioner Helton made a motion to approve the Certificate which was seconded by Commissioner Mark McCown and then unanimously approved.

DISCUSSION AND CONSIDERATION OF A PROPOSED CHANGE IN THE FIREFIGHTER RESIDENCY REQUIREMENT.

Item B under New Business was discussion and consideration of a proposed change in the Firefighter Residency Requirement. Commissioner Smith made a motion to approve the change which was seconded by Commissioner McCown. The City Manger then explained that she and the Fire Chief had been discussing this change over the last few months and that the present requirement is that a Firefighter's residence must be within a 12.5 mile radius of Highway 441 and Highway 321 intersection and that the proposed change is for a 30 mile radius which may sound like a dramatic change, however, a vast amount of the present 12.5 mile radius includes the National Park. The City Manager then asked the Fire Chief to provide reasons to change the living restriction and he proceeded to address Commission and stated that forty-six percent

of the current radius of the living restriction is National Park territory and that the origination of the residency requirement was in an effort to protect Gatlinburg having mostly volunteer firefighters at the time, live in a area to facilitate a quick response from home and that, now the Department relies more on a paid staff than volunteers, and that the present living restriction is problematic for recruitment purposes. The Fire Chief further stated that a comparative analysis with other Fire Departments in Tennessee was conducted to see if the 30 miles was comparable and that according to the analysis, a 30 mile radius restriction was the most consistent across the State. The Fire Chief concluded that this change in the residency requirement would open up opportunities for full time paramedics and firefighters that have lived in the area but have been limited by the 12.5 mile living restriction and even though the 30 mile radius stretches into North Carolina, it is mandatory to live in the State due to license requirements. After discussion, the motion to approve a change in the firefighter residency requirement was unanimously adopted.

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

Item C under New Business was discussion and consideration of making appointments to the Environmental Design Review Board. Commissioner McCown made a motion to reappoint Mr. Steve Reilly, Mr. Steve McKinney, and Mrs. Chris Johnson. The motion was seconded by Commissioner Helton and then unanimously adopted.

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

Item D under New Business was discussion and consideration of making an appointment to the Municipal Board of Zoning Appeals. Commissioner Helton made a motion to reappoint Mr. Kenny Maples which was seconded by Commissioner Smith and then unanimously adopted.

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

The next Item under New Business was discussion and consideration of making an appointment to the Regional Board of Zoning Appeals. Commissioner Smith made a motion to reappoint Mr. Jerry McCarter which was seconded by Commissioner Helton and then unanimously adopted.

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

Item F under New Business was discussion and consideration of making a Mayoral

Appointment to the Municipal/Regional Planning Commission. Commissioner Smith made a motion to defer this item to the next meeting which was seconded by Commissioner McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE CITY TREE BOARD.

Item G under New Business was discussion and consideration of making appointments to the City Tree Board. Commissioner McCown made a motion to reappoint Mrs. B.J. Byars and Mrs. Gail Valentine which was seconded by Vice Mayor Hays and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE GATLINBURG-PIGEON FORGE AIRPORT AUTHORITY BOARD OF DIRECTORS.

The last Item under New Business was discussion and consideration of making an appointment to the Gatlinburg-Pigeon Forge Airport Authority Board of Directors. Commissioner Smith made a motion to reappoint Mr. Jerry McCarter which was seconded by Commissioner Hetlon and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Offered congratulations to the Twenty Year Service Award recipients; and,
- (2) Asked the City Manager to give an update regarding the Mynatt Park Bridge Project. The City Manager responded that representatives of the Tennessee Department of Transportation have advised that the contractor is moving equipment back into the project area late this week and will resume work on Monday.

Commissioner Don Smith:

- (1) Congratulated the Twenty Year Service Award Recipients.

Commissioner Mark McCown:

- (1) Impressed on everyone the importance of coming to the January 24, 2012, Workshop Meeting regarding the possible formation of a Convention and Visitors Bureau and stated that input is needed from citizens and businesses.

Vice Mayor Jerry Hays:

- (1) Echoed congratulations to the Twenty Year Service Award recipients.

Mayor Mike Werner:

- (1) Echoed all of the above; and,
- (2) Expressed sympathies, on behalf of the City, to the Reagan and Clabo families, due to the recent passing of members in their respective families.

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, February 7, 2012, 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 January 17, 2012. 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 Items from the audience, Mayor Werner recognized Mr. Brian Papworth who asked Commission for an update regarding the attrition rate in the Police and Fire Departments. Mr. Papworth also asked if these Departments had the necessary resources and questioned the Police Department Accreditation Program and the Fire Department Insurance Service Organization (ISO) Rating. The City Manager commented that the attrition rate has been relatively low over the past few years and that the Police Department is still very active in the Accreditation Program. The City Manager continued that the ISO rating within the corporate limits of the City, as determined last year, remained a Class 3 which is a very good rate and that the rating that includes fire protection service areas outside the City, improved from a Class 9 to a Class 4. Commissioner Mark McCown then referenced the Vehicle Replacement Program and the recent purchase of one million dollars of equipment this Fiscal Year including several Police vehicles.

Mayor Werner then recognized Mr. Leland Wycoff who stated that his concern was regarding the Convention and Visitors Bureau Item 7(a) on the Agenda and that a thirty person Board could be unwieldy and lead to compromising hiring decisions and that this seems to be an unwise move for the City. Mr. Wycoff continued that if the issue of the hiring process could be addressed, then the candidate hired would likely be a strong hire instead of a compromised hire. Mayor Werner then thanked Mr. Wycoff for his comments.

There were no reports of Boards or Committees.

The City Manager reported and/or requested:

- (1) that she wanted to distribute copies of an update on the Mynatt Park/Asbury Lane Bridge Project and stated that the Project has resumed and that more equipment has been moved on site. The City Manager then stated that it is important to note the new completion date of the Project which is April 17, 2012, and that the City will be getting updates every two weeks from the Tennessee Department of Transportation via email; and,
- (2) that she wanted to give an update on the Phase VI Underground Utilities and

Streetscape Project and stated that the ductbank across the LeConte Creek bridge and connections on both sides should be complete by Wednesday, February 8, 2012, and that the work on the ductbank installation on the East side will resume on Wednesday or Thursday of this week and that steel decking is being installed on the LeConte Creek bridge this week and that the deck should be poured next week so that the Bridge could possibly be opened by the end of February. The City Manager continued that all sewer line replacement work is complete except for two crossings at Parkway, one at Ski Mountain Road and the other at LeConte Street and that over ninety percent of sidewalk replacement is complete on the West side of Parkway and stated that the Sevier County Electric System will begin pulling their cables in the ductbank on Monday, February 13, 2012; and,

- (3) that she wanted to advise that on February 17 and 18, 2012, the Gatlinburg Garden Club will present "Store Britches" a production of Lula Mae Ogle's play starring a local cast at 5:00 P.M. each night at the American Legion Hall. The City Manager continued that the proceeds benefit the Lucinda Oakley Ogle Cabin Restoration Project and for more information to call (937)475-7572 and that tickets are available at the Anna Porter Public Library.

DISCUSSION AND CONSIDERATION OF MAKING A MAYORAL APPOINTMENT TO THE MUNICIPAL/REGIONAL PLANNING COMMISSION (DEFERRED 1/17/12).

Item A under Old Business was discussion and consideration of making a Mayoral appointment to the Municipal/Regional Planning Commission (Deferred 1/17/12). Mayor Werner appointed Mrs. Jackie Leatherwood and it was the concensus of the City Commission to concur with this appointment.

DISCUSSION AND CONSIDERATION OF CONCEPTUAL APPROVAL OF THE CREATION OF A CONVENTION AND VISITORS BUREAU.

Item A under New Business was discussion and consideration of conceptual approval of the creation of a Convention and Visitors Bureau. Commissioner Smith made a motion to approve the concept which was seconded by Commissioner McCown and then unanimously adopted. Mayor Werner then announced the creation of a Convention and Visitors Bureau Steering Committee which included himself, Mrs. Cindy Cameron Ogle, Mr. David Beeler, Mr. Ryan DeSear, Mrs. Vicki Simms, Mrs. Vicki Blake, Mr. Robert Montgomery, Mr. Joe Waggoner, Mrs. Jackie Leatherwood, Ms. Jackelyn Schafer and Mr. Logan Coykendall. Mayor Werner then asked the City Manager to convene the Committee as soon as possible.

DISCUSSION AND CONSIDERATION OF APPROVING THE USAGE OF THE AQUARIUM PARKING GARAGE FOR THE MOUNTAIN HOPE GOOD SHEPHERD CLINIC PIRATES BALL EVENT ON MARCH 8, 2012.

Item B under New Business was discussion and consideration of approving the usage of the Aquarium Parking Garage for the Mountain Hope Good Shepherd Clinic Pirates Ball Event on March 8, 2012. Commissioner Mike Helton made a motion to approve the usage which was seconded by Commissioner Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO LAND AIR TOTAL COMMUNICATIONS FOR COMMUNICATION EQUIPMENT FOR THE MASS TRANSIT DEPARTMENT.

Item C under New Business was discussion and consideration of approving a single bid to Land Air Total Communications for communication equipment for the Mass Transit Department. Commissioner Smith made a motion to approve the single bid which was seconded by Commissioner Helton. The City Manager then explained that this is the proposed purchase of fifty mobile radios, five portable radios, a combiner and two microwave radios at a cost of \$56,203.55 and that the monies for these purchases are covered in a Grant that are 10% City, 10% State, and 80% Federal funds. Commissioner McCown then asked if the City's portion would be \$56,000.00 or \$5,600.00 and the Mass Transit Manager replied \$5,600. The City Manager then stated that the Grant has been set up in a Project account. After discussion, the motion to approve the single bid to Land Air Total Communications was unanimously adopted.

DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY EQUIPMENT AS SURPLUS.

The next Item under New Business was discussion and consideration of declaring certain City equipment as surplus. Commissioner McCown made a motion to declare the equipment as surplus which was seconded by Commissioner Helton. The City Manager explained that two recycling containers which were located at the old greenhouse and the Service Center are being requested to be declared as surplus so that the City can donate them to Sevier Solid Waste, Inc. (SSWI), and SSWI would, in turn, lease these to Goodwill Industries for the recycling center located on Highway 321 that has recently opened. The City Manager further stated that if the City desires to get these containers back at some point, that would be possible due to the participation of the City with SSWI. After discussion, the motion to approve the described City equipment as surplus was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE PROPOSED REORGANIZATION OF THE GOLF COURSE CONCESSION OPERATIONS.

Item E under New Business was discussion and consideration of approving the

proposed reorganization of the Golf Course Concession Operations. Commissioner McCown made a motion to approve the proposed reorganization which was seconded by Vice Mayor Hays. The City Manager then stated that the proposed reorganization was reviewed at the Mid Fiscal Year Budget Meeting and then asked the Assistant City Manager/Finance Director to give an overview. Mr. Beeler stated that as proposed the Golf Cart maintenance would be contracted out, the Charles Richard Resources Contract regarding concession operations would cease and that seasonal employees would be utilized for the operation which would have a positive budgetary impact. The Golf Course Manager then commented that Charles Richard Resources has done well at the Golf Course, however, it is a unique situation. Mr. Beeler then stated that the transition, if approved, would occur on April 1, 2012. Commissioner McCown asked how the menu would work and Mr. Tucker replied that it would be a very limited menu with basic Golf Course food and that the concession operation would be able to be primarily maintained by seasonal employees. After discussion, the motion to approve the proposed reorganization of the Golf Course concession operations was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT FOR ENGINEERING SERVICES WITH MCGILL ASSOCIATES, P.A., RELATED TO THE EQUALIZATION BASIN PROJECT.

Item F under New Business was discussion and consideration of approving an Agreement for Engineering Services with McGill Associates, P.A., related to the Equalization Basin Project. Commissioner McCown made a motion to approve the Agreement which was seconded by Vice Mayor Hays. The City Manager then commented that this is an Engineering Services Contract with McGill Associates to design a new equalization basin and that this is the next step in the process to replace the equalization basin at the Sewer Plant. After these comments, the motion to approve the Agreement for engineering service with McGill Associates, P.A., related to the Equalization Basin Project was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NO. 1 TO THE NEO CORPORATION CONTRACT RELATED TO THE EQUALIZATION BASIN DEMOLITION PROJECT.

The last Item under New Business was discussion and consideration of approving Change Order No. 1 to the NEO Corporation Contract related to the Equalization Basin Demolition Project. Commissioner Smith made a motion to approve the Change Order which was seconded by Commissioner Helton. The Mayor then asked Mr. Gary McGill to explain and Mr. McGill proceeded to do so and stated that the original plan was to leave a portion of the back wall, however, after demolition started it was determined that the space was not as much as originally planned, and, that after looking at possible alternatives to bracing up the back wall, it became clear that the best alternative was to take out the back wall and clear the site for future City needs. Mr. McGill further stated that the cost for removing the wall is \$25,000 with an additional twenty-eight days to

complete the Project, and that this is the most cost effective approach for the City. After these comments, the motion to approve Change Order No. 1 was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Extended sympathies to the Ron Greene family for the recent passing of Mr. Greene's wife; and,
- (2) Stated that he is ready for Spring time.

Commissioner Mark McCown:

- (1) Extended his sympathies to the Ron Green family for the recent passing of Mr. Greene's wife.

Vice Mayor Jerry Hays:

- (1) Stated that Mr. Ron Greene and his family need to be raised up in our prayers and that this is a tough time for them.

Mayor Mike Werner:

- (1) Stated that Ron Greene was a great City employee and that we need to keep him and his family in our prayers; and,
- (2) Asked Mr. Bill May to announce what he had shared with him prior to the meeting Mr. May stated that it was his understanding that there were seven National Merit Scholar finalists from Gatlinburg-Pittman High School; and,
- (3) Thanked everyone for their help on the proposed Convention and Visitors Bureau creation and stated that it has been and will continue to be a positive process and a good thing for the City.

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, February 21, 2012, 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 February 7, 2012. Vice Mayor Jerry Hays 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 Items from the audience, Mayor Werner recognized four individuals to speak and requested that they limit their speaking time to three minutes each. Mr. Ned Vickers was the first to address City Commission and stated that he is requesting approval for a proposed chairlift subject to Planning Commission approval and stated that on behalf of his partners he would like to request approval of the Franchise Agreement that is on the Agenda. Mr. Vickers further stated that time is of the essence for this Project and that he and his partners are committed to meeting the standards of the City's regulations and then asked for approval of the right-of-way crossing River Road request.

Mr. Bill Davis, Attorney and Trustee of the Gatlinburg Inn, was recognized next and stated that he believes the developer's request is premature in that there are no specific plans and that, before the right-of-way is granted, specific architecture and design plans should be seen and that, at this point, the Project is just a vague notion and that not enough information has been presented to the City to make a decision. Mr. Davis further commented that he feels that the Franchise Agreement as presented is not enforceable and that the developers are not required to compensate the City. Mr. Davis then stated that the Gatlinburg Inn and the Skylift are very unique and that they both have been major attractions to Gatlinburg for many years and that, if approved, City Commission is taking a risk of putting in jeopardy the existing Skylift and the Gatlinburg Inn due to the fact that, in reality, a lot of times these projects just do not work and that they can cause damage in their wake.

Next to be recognized was Mr. Steven Kircher of Boyne USA who stated that his Father started the Skylift in 1954 and that the relationship with the Gatlinburg Inn has been a blessed one. Mr. Kircher stated that updates to the property are coming as to landscaping and lighting and that they could expand to include a restaurant and requested that City Commission not look positively on this chairlift project but to reject it and continue to do the right thing for the City and its tourists for the next forty to fifty years. Mayor Werner then asked Mr. Kircher if their Company would be willing to consider changing the colors of the Skylift to be more in keeping with the aesthetics and natural colors of the City. Mr. Kircher responded that they would absolutely consider that possibility.

Mr. Jay Ogle was then recognized and he stated that he would like to thank everyone for

listening and considering the proposed chairlift. Mayor Werner offered his thanks to these individuals for their comments.

Regarding reports of Boards and Committees Mayor Werner presented a Twenty Year Service Award to John Leatherwood of the Water Department.

The City Manager reported and/or requested:

- (1) that she wanted to begin by giving an update from the Tennessee Department of Transportation regarding the Mynatt Park Bridge Project and that, as noted, work had resumed in the Project area and that the Contractor has been working on temporary stream diversion and once that is complete, crews will begin to excavate for the box bridge foundation and that delivery of the precast box sections is expected by the end of this month. The City Manager further stated that the estimated completion date remains April 17, 2012 as discussed at the last City Commission Meeting; and,
- (2) that it is her pleasure to announce that the Gatlinburg Fire Department has received statewide recognition by Ms. Amanda Perryman being named the recipient of the 2011 Tennessee Public Fire Educator of the Year and that her work with the Fire Kids Camp, Pi Beta Phi Elementary Program during Fire Prevention Week and the free smoke alarm program is what led to her being selected as this year's recipient and this is the first time that Gatlinburg has ever been selected to receive this award. The City Manager then commented that Ms. Perryman and the Fire Chief received the award in Nashville a few days ago and expressed congratulations to both her and the Department for this accomplishment; and,
- (3) that she wanted to announce that the Goodwill Industries Recycling Center grand opening date has been set for Thursday, March 8 at 10:00 A.M. at the site on Highway 321. The City Manager further commented that the Center is now open and is accepting aluminum and steel cans, #1 and #2 plastic containers, cardboard, newspapers, mixed paper, magazines, electric waste and car batteries and that this week, the Center will begin accepting used motor oil, antifreeze and cooking oil; and,
- (4) that also on March 8, 2012, the Fifth Annual Pirate's Ball will be held at Ripley's Aquarium of the Smokies and that this is an important fund raising event for the Mountain Hope Good Shepherd Clinic.

DISCUSSION AND CONSIDERATION OF APPROVING A FRANCHISE AGREEMENT WITH GATLINBURG CHAIRLIFT PARTNERS FOR THE USAGE OF CITY RIGHT-OF-WAY.

Item A under New Business was discussion and consideration of approving a Franchise Agreement with Gatlinburg Chairlift Partners for the usage of City Right-Of-Way.

Commissioner Mark McCown stated that he would like to hear more of the business plan for this Project and also more as it relates to the Hilltop and Ridges regulations within the City. Commissioner McCown further stated that because of the number of people here this evening, that more public input is needed and that the Franchise Fee had not been negotiated and that these concerns needed to be addressed before a decision is made. Commissioner McCown then made a motion to defer this Item until the March 6, 2012, Meeting and Commissioner Mike Helton seconded the motion which was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION RELATED TO THE PARKWAY VISITOR CENTER PEDESTRIAN PLAZA PROJECT.

Item B under New Business was discussion and consideration of approving a Grant Agreement with the Tennessee Department of Transportation (TDOT) related to the Parkway Visitor Center Pedestrian Plaza Project. Commissioner Helton made a motion to approve the Grant Agreement which was seconded by Commissioner Smith. The City Manager then commented that this is the actual Agreement with the Tennessee Department of Transportation to obtain the Grant monies for this Project and two Workshop Meetings had previously been held related to this Project. The City Manager further stated that this Project is for renovations to the Parkway Visitor Center located at the intersection of Highway 321 and 441 at Traffic Light #3 and that several improvements are being considered to redevelop the area and that the total Project cost is approximately \$700,000 to \$800,000. The City Manager then asked Mr. Steve Fritts, Design Consultant, to give more specific information and Mr. Fritts stated that the Grant amount is approximately \$506,000 and that the City's match is 20% and that based on current preliminary estimates the total Project is somewhere around \$700,000. Mr. Fritts further stated that the City had an Agreement with TDOT for these Grant monies to be utilized for the Phase VI of the Underground work and that has now rolled over to this Project and that this Agreement is for that Project and forthcoming will be an item for Commission review for the completion of the design work on this Project. The City Manager then asked Mr. Fritts to review the features of this Project and Mr. Fritts stated that there will be a splash pad, interpretive mountain areas, expanded seating areas and also removal of vegetation which will open up the visibility of the Parking Garage along with added signage to the Garage to make it more visible to tourists that are coming into town. Commissioner McCown then asked for an update on Phase VI of the Undergrounding of Utilities Project and Mr. Fritts stated that the LeConte Street Bridge will open within the next couple of weeks and that ductbank construction is progressing on the left hand side of Parkway toward the Park and that the sidewalk construction on the right hand side is approximately ninety-five percent complete and that the sidewalk has been replaced except for the areas that have existing poles and that Sevier County Electric and A T & T are pulling cable in the ductbank on the right hand side of Parkway. Mr. Fritts stated that, with the exception of the bridge,

everything is progressing fine and the contractor is confident that the June 30, 2012 deadline will be met. Vice Mayor Hays asked if there was any work that could be done at night and Mr. Fritts replied that the ductbank work would be slower and more dangerous at night, however, that any work that can be done safely will be done at night. After discussion, the motion to approve the Grant Agreement with TDOT related to the Parkway Visitor Center Pedestrian Plaza Project was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE CLOSURE OF A PORTION OF PARKWAY FOR THE RIBFEST, WINGS AND BBQ STREET FAIR TO BE HELD ON APRIL 26, 2012.

Item C under New Business was discussion and consideration of approving the closure of a portion of Parkway for the Ribfest, Wings, and BBQ Street Fair to be held on April 26, 2012. Commissioner Smith made a motion to approve the closure which was seconded by Vice Mayor Hays. Commissioner McCown then stated that business owners had approached him related to their concerns about closing Parkway and stated that the businesses contend that they are basically shut down when Parkway is closed for these type events. Commissioner McCown then asked Mr. Ryan DeSear of Ripley's Aquarium for his thoughts on this matter and Mr. DeSear commented that he personally felt that the event was very successful at the Aquarium Plaza and Greystone Parking Lot and was surprised the venue was changed, however, either way he supports the event and would be happy to host it at the Aquarium Plaza again this year. Commissioner McCown then made a motion to defer this item until the March 6, 2012, City Commission Meeting which was seconded by Vice Mayor Hays and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING CERTAIN APPOINTMENTS TO THE RECREATION BOARD.

The last Item under New Business was discussion and consideration of making certain appointments to the Recreation Board. Commissioner Helton made a motion to nominate Mr. Jason Seavy and Ms. Karen Ballentine to fill the unexpired terms of the resigning Board Members which is until April 2103. Commissioner Smith then seconded the motion which was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Congratulated John Leatherwood and Amanda Perryman for their respective

Awards and well deserved recognitions.

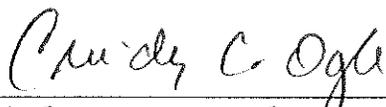
Mayor Mike Werner:

(1) Referenced the Gatlinburg-Pittman High School Girls Basketball team and stated that they placed third in the District Tournament and that they are going to the first round of the Regional Tournament and to please support them.

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 6, 2012, 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 February 21, 2012. Commissioner Mark McCown 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 and Items from the audience, the Mayor recognized Mr. Jim Embry and Mr. Frank Moore who proceeded to address City Commission regarding the Gatlinburg Rotary Club Flag Program. Mr. Embry stated that there are years of history with the Rotary Club Flag Program and that the City has been a willing participant of the Program since the beginning and that the Flag Program is a fund raising project with the monies being used mainly for scholarships. Mr. Embry continued that the Gatlinburg Club has received significant awards for the Program from the International Rotary Club and that it is now time to rejuvenate the Program and that the Rotary Club is doing so in two ways through participation and placement. Mr. Embry stated that the first change is that they will be looking to corporate sponsors, businesses and individuals and the second change will be to rejuvenate the Program through the spacing of the flags and Mr. Embry then distributed a map to illustrate the proposed placement of the Flags. Mr. Embry concluded and stated that he appreciated the ongoing City and community support of the Program.

The Mayor then recognized several individuals who had signed in to speak about the proposed Chairlift Franchise Agreement that was on the Agenda under Old Business.

The Mayor then recognized Mr. Bill Davis, Attorney and Trustee of the Rel Maples Trust. Mr. Davis then proceeded to discuss the history of the Skylift and stated that in 1953, Mr. Kircher, whom loved to ski, wanted to build a ski resort in Michigan but could not make it go, however, he knew Rel Maples and brought the old ski lift to Gatlinburg and put it up in the center of town with a line across River Road that went straight up Crockett Mountain. Mr. Davis continued that the Skylift quickly became a unique landmark and financially successful and that everyone has the right to initiate free enterprise, however, the proposal has no structure and no control. Mr. Davis further stated that the group should not be given approval without more information and asked if both chairlifts could be successful. Mr. Davis concluded and asked that Commission deny this proposal now and have the developers come back with more plans and details regarding this project.

Next to be recognized was Mr. Jay Ogle who expressed thanks for allowing him to speak and stated that all businesses should be able to compete on a level playing field and that

the proposed chairlift would only disturb one of the fourteen acres of involved mountainside and that the government role is to provide equal opportunity and that what is being asked is that City Commission please approve this right-of-way request so that it opens the door for this new and exciting addition to downtown business district.

Mr. Mike Verson with Architecture Services Group was then recognized and he reviewed the proposed landscape plans that he had prepared for Mr. Vickers which included both aesthetic and environmental approaches related to the design of the proposed project.

Mayor Werner next recognized Ms. Tammy Kelly to address Commission and she stated that she loved Gatlinburg and that her responsibility is to town and not the tattoo shops, the t-shirt shops, putt-putts and not even to chairlifts. Ms. Kelly further stated that attractions are necessary evils to this area, however, that we are very blessed with our surroundings and that it is out of opportunistic greed to have two chairlifts side by side and referenced the old chairlift at the now defunct Fun Mountain site. Ms. Kelly continued that we are the keepers of these mountains and can figure out a successful way to make a living here without the need for overkill, without being greedy and careless and without scarring anymore of our mountainsides. Ms. Kelly concluded that the direction of the City and the preservation of its integrity lies in all of our hands and asked that discernment and careful consideration of these issues be provided and not to just look at the money side of the proposed development.

Mayor Werner then recognized Ms. Kelly McCarter and she referenced the eyesore when coming into Gatlinburg and that the City has spent lots of money to underground wires and it does not need to allow cables over the mountains. Mr. McCarter further stated that her inspiration is not from chairlifts but is a reflection of the past and she does not want to see trees cut and that she wants to see more Gatlinburg and less Pigeon Forge.

Mr. Jerry McCarter was then recognized by Mayor Werner and he stated that he questions the services to the new restaurant and that his father dug pillars for the Ober Gatlinburg Tramway and that there is not room for two chairlifts and that there are already traffic problems on Greystone Heights Road. Mr. McCarter concluded that he hopes there are enough stipulations in the proposed Agreement to control the proposed development.

Mayor Werner then recognized Mr. Ned Vickers and he thanked City Commission for their time and consideration and stated that the developers are planning on doing a major development in downtown that has access via the By-pass to Campbell Lead Road to the proposed restaurant. Mr. Vickers further stated that they would take towers down, if necessary, and that they would comply with the Hillside and Ridges Regulations. Mr. Vickers then stated that he appreciates the consideration and asked

for support of this Project.

Mr. Geoffrey Wolpert was then recognized by Mayor Werner and Mr. Wolpert referenced a group of private donors who were the first to support the Undergrounding efforts on River Road in 1995, and stated that none of the supporters were concerned with personal gain and were investing in the kind of Gatlinburg that they wanted to ultimately see and that he is seeing that now in front of his businesses where Undergrounding is now taking place. Mr. Wolpert continued that this group was trying to establish a vision and a standard for the community and referenced the Board in the back of the Council Room and appealed to the City Commission to look at it and see if the proposed chairlift project meets that vision and those standards. Mr. Wolpert concluded by encouraging the City Commission to use this same process to evaluate all decisions that come before them.

The last person to be recognized by Mayor Werner was Mr. Leland Wycoff and he stated that he was pleased and touched by all of the comments and points that had already been made regarding the proposed chairlift. Mr. Wycoff continued that the vote must be to not accept this Agreement since there are no plans in place and that these are smart developers that can bring good things to Gatlinburg. Mr. Wycoff further stated that the role of the City Commission is to take calls and respond to citizens and that this project needs to be more closely reviewed by Planning Commission and he asked City Commission to not approve this Agreement at this time.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone of the upcoming Fifth Annual Pirate's Ball on Thursday, March 8, 2012, will be held at Ripley's Aquarium of the Smokies and that this is an important fund raising event for the Mountain Hope Good Shepherd Clinic; and
- (2) that she also wanted to remind everyone that the Goodwill Industries Recycling Center grand opening is Thursday, March 8 at 10:00 A.M. at the site on Highway 321. The City Manager further commented that the Center is now open and is accepting aluminum and steel cans, #1 and #2 plastic containers, cardboard, newspapers, mixed paper, magazines, electric waste and car batteries and that, this week, the Center will begin accepting used motor oil, antifreeze and cooking oil as well as computers and accessories including monitors, keyboards and printers and that the daily hours of operation are 10:00 A.M. to 6:00 P.M. except on Wednesday and Sunday; and,
- (3) that she wanted to announce that the Gatlinburg Police Department has developed the Police Email Notification System (PENS), which will allow GPD to send vital information on traffic problems, fires, slides and flooding to registered businesses and residents instantly via email and that the form also allows businesses to register the name and contact information of primary and secondary representative should an

(2) that she also wanted to remind everyone that the Goodwill Industries Recycling Center grand opening is Thursday, March 8 at 10:00 A.M. at the site on Highway 321. The City Manager further commented that the Center is now open and is accepting aluminum and steel cans, #1 and #2 plastic containers, cardboard, newspapers, mixed paper, magazines, electric waste and car batteries and that, this week, the Center will begin accepting used motor oil, antifreeze and cooking oil as well as computers and accessories including monitors, keyboards and printers and that the daily hours of operation are 10:00 A.M. to 6:00 P.M. except on Wednesday and Sunday; and,

(3) that she wanted to announce that the Gatlinburg Police Department has developed the Police Email Notification System (PENS), which will allow GPD to send vital information on traffic problems, fires, slides and flooding to registered businesses and residents instantly via email and that the form also allows businesses to register the name and contact information of primary and secondary representative should an emergency situation arise. The City Manager continued that forms are available at the Gatlinburg Police Department or by visiting the City website and that GPD Officers are contacting businesses during March to provide information about the PENS program; and,

(4) that the City will conduct Sparkle Days for the 33rd 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 19 through 23 and is set aside for the collection of commercial debris and that residential collection will take place March 26 through March 30 and that anyone interested in scheduling a pick-up or seeking more information can call the Street Department at 430-1370; and,

(5) that on March 31, 2012 the Gatlinburg Firefighters Association will host the Fit for Duty 5K Run/Walk that will begin at 9:00 A.M. at the American Legion Hall and will have multiple categories, including the Firefighter Challenge with numerous age divisions. The City Manager further commented that proceeds will be used to buy workout equipment for firefighters to promote cardiac health and that for more information to visit the City's website or call 436-5112.

DISCUSSION AND CONSIDERATION OF APPROVING A FRANCHISE AGREEMENT WITH GATLINBURG CHAIRLIFT PARTNERS FOR THE USAGE OF CITY RIGHT-OF-WAY (DEFERRED 2/21/12).

Item A under Old Business was discussion and consideration of approving a Franchise Agreement with Gatlinburg Chairlift Partners for the usage of City Right-Of-Way (Deferred 2/21/12). Commissioner Don Smith made a motion to approve the Agreement which was seconded by Commissioner Helton. Vice Mayor Hays then stated that he has been doing this City Commission job for seventeen years and that this is the toughest decision to ever make and that it is sad because it is a no win situation and that he has friends on both sides and ,that either way, someone is going to leave the meeting unhappy. Vice Mayor Hays continued that he did not think any of his fellow Commissioners enjoy the situation they are faced with and that they all have to do what

is in the best interest of the City and stated that there were a lot of emails that were sent and that this decision is difficult and apologized to whomever leaves the meeting unhappy. Mayor Werner then stated that he was glad to have deferred the decision which gave the opportunity to talk with different people and that he talked to approximately twenty people, just today, to get as much input on this issue as possible. After these comments, the motion to approve the Franchise Agreement with Gatlinburg Chairlift Partners for the usage of City Right-of-Way was defeated by majority vote with Mayor Werner, Vice Mayor Hays and Commissioner McCown voting Nay and Commissioners Smith and Helton voting Aye.

DISCUSSION AND CONSIDERATION OF APPROVING THE CLOSURE OF A PORTION OF PARKWAY FOR THE RIBFEST, WINGS AND BBQ STREET FAIR TO BE HELD ON APRIL 26, 2012 (DEFERRED 2/21/12).

Item B under Old Business was discussion and consideration of approving the closure of a portion of Parkway for the Ribfest, Wings and BBQ Street Fair to be held on April 26, 2012 (Deferred 2/21/12). Commissioner Helton made a motion to approve the closure which was seconded by Commissioner McCown. Commissioner McCown then asked the Special Events office to look at alternative locations other than Parkway. Mrs. Vicki Simms, Chamber of Commerce Director, then commented that promotional materials had been printed that indicated this event would be held on Parkway. Commissioner McCown responded that he understood that it is too late to change this year, however, he would like for alternate locations to be looked into for future events. After discussion, the motion to approve the closure was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING ADDITIONAL SERVICES ADDENDUM NO.1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BARGE, WAGGONER, SUMNER AND CANNON, INC., RELATED TO THE PARKWAY VISITOR CENTER PEDESTRIAN PLAZA PROJECT.

The first Item under New Business was discussion and consideration of approving additional services addendum No. 1 to the Professional Services Agreement with Barge, Waggoner, Sumner and Cannon, Inc., related to the Parkway Visitor Center Pedestrian Plaza Project. Commissioner Helton made a motion to approve the addendum which was seconded by Vice Mayor Hays. The City Manager then explained that this addendum is for the remainder of the necessary design services to get the Project to the bid phase. The motion to approve the additional services addendum was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NO. 3 TO THE EFFICIENT ELECTRIC COMPANY CONTRACT RELATED TO THE UNDERGROUND UTILITIES AND STREETScape PROJECT, PHASE VI.

Item B under New Business was discussion and consideration of approving Change Order No. 3 to the Efficient Electric Company Contract related to the Underground Utilities and Streetscape Project, Phase VI. Commissioner Smith made a motion to

approve Change Order No. 3 which was seconded by Commissioner Helton. The City Manager then asked Mr. Steve Fritts, Design Consultant, to explain and he stated that the change order is to replace a wall in the area of Flapjack's and Myrick's Jewelry where the sidewalk is elevated and that, in the course of the ductbank and sewer line construction, the wall disintegrated and that this proposed change order includes a decorative wall replacement and monies for this are available in the storm drainage allotment in the Contract. After discussion, the motion to approve Change Order No. 3 was unanimously adopted. Mr. Fritts then proceeded to give a Project update and stated that LeConte Street Bridge is close to being opened and that the Project is moving along as scheduled and that electric and phone cables are currently being pulled on the right hand side of Parkway and that it is possible that electric poles could come down in early May which will enable the process of putting up street lights on the right hand side. Mr. Fritts concluded that Sevier County Electric System has advised that the new lines will be activated within the next three weeks on the right hand side of Parkway going toward the Park.

DISCUSSION AND CONSIDERATION OF APPROVING A TOWER LEASE AGREEMENT WITH VERIZON WIRELESS FOR CERTAIN SPACE ON THE CITY'S CELL TOWER LOCATED AT 753 GREYSTONE HEIGHTS ROAD.

Item C under New Business was discussion and consideration of approving a Tower Lease Agreement with Verizon Wireless for certain space on the City's cell tower located at 753 Greystone Heights Road. Commissioner McCown made a motion to approve the lease agreement which was seconded by Commissioner Helton. The City Manager then asked the City Attorney to explain. Mr. Sharp stated that in 1992, the City leased space on Greystone Heights Road for a cell tower company to build a cell tower and that the company got the use of the top twenty feet of the tower and the City got the use of the rest of the tower, which it has used for Departmental radios, communication with the National Park Service, the Sevier County Utility District and others. Mr. Sharp further stated that the 1992, Lease Agreement had some provisions, one of which states that at the end of April 2012, that the cell tower would be given over to the City, and that is part of what this Agreement does by conveying ownership in exchange for the continued usage of the top twenty feet of the tower and the company will begin paying the City \$900 per month commencing May 1, 2012 for this space. Mr. Sharp further stated that the City will own and maintain the cell tower from now forward and that the term of the new lease is six and one half years due to the fact that the City has leased a portion of the tower to a competitor and that lease will expire in 2018, and at that point in time, renegotiations can take place. Mr. Sharp continued that one important feature of the 1992 lease is that once the tower is turned over to the City, there is a limit on the amount that the City can charge the Company (Verizon) per month which is the \$900 for the six and one half year term, however, at that time, the City can negotiate any rate in the form of rental from Verizon and will also be able to renegotiate with the competitor at that time, which could result in additional funds. Mr. Sharp concluded that, although the City will incur some additional expenses for the tower operation and maintenance, the City will become the landlord. After discussion, the motion to approve the Tower Lease Agreement with Verizon Wireless was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A 5311 GRANT

**APPLICATION TO THE TENNESSEE DEPARTMENT OF
TRANSPORTATION FOR THE MASS TRANSIT DEPARTMENT.**

The next Item under New Business was discussion and consideration of approving a 5311 Grant Application to the Tennessee Department of Transportation for the Mass Transit Department. Commissioner Smith made a motion to approve the application which was seconded by Vice Mayor Hays. The City Manger then stated that this application is related to the 2012-2013 Fiscal Year and that this Grant is very important to the Mass Transit operating Budget and that there will be a Grant Contract forthcoming for City Commission approval. After these comments, the motion to approve the 5311 Grant Application to the Tennessee Department of Transportation for the Mass Transit Department was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO KRUGER INTERNATIONAL (KI) FOR THE PURCHASE OF CHAIRS AND RELATED RACKS FOR THE CONVENTION CENTER.

The last Item under New Business was discussion and consideration of approving a Single Bid to Kruger International (KI) for the purchase of chairs and related racks for the Convention Center. Commissioner Helton made a motion to approve the Single Bid which was seconded by Commissioner Smith. The City Manager then explained that this is for City Commission consideration due to it being a single bid and that the amount in the Budget is just a small amount under the bid price and that this will be adding to the inventory and keep things updated at the Convention Center. After these comments, the motion to approve the Single Bid to Kruger International (KI) for the purchase of chairs and related racks for the Convention Center was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Stated that he is glad that Commissioner McCown's grandson Ben is home and doing well; and,
- (2) Asked the Public Services Manager to give an update on the Mynatt Park Bridge Project. Mr. Henderson stated that the Contractor is back on site with a limited crew and that they are preparing the first quadrant for the prefabricated barrel to go under the bridge which will be placed in four sections. Mr. Henderson further stated that they have been able to work on the stream diversion and had some difficulty with the cobbles due to the velocity of the water in the mountain stream. He continued that the cobbles have to be sealed off to put the aggregate at the bottom to level out the barrels so the bridge is in alignment. Mr. Henderson concluded that as of the last Tennessee Department of Transportation report, the completion date remains April 18, 2012.

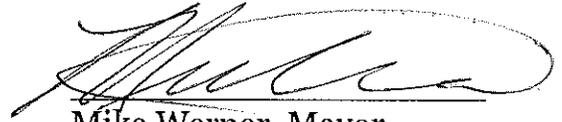
Vice Mayor Jerry Hays:

- (1) Reminded everyone of the Pirates Ball on Thursday and encouraged everyone to attend to help support Mountain Hope Good Shepherd Clinic.

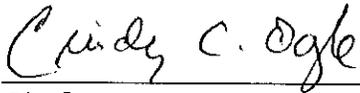
Mayor Mike Werner:

- (1) Encouraged everyone to vote and stated that the poles are open until 8:00 P.M.
- (2) Referenced the recent trip to Nashville for the Tennessee Municipal League Legislative Conference and stated that they had good discussions with our Representatives and Senator and encouraged them to help the City as much as they could in any endeavor.

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 20, 2012, 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 March 6, 2012. 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 or Reports of Board and Committees.

The City Manager reported and/or requested:

(1) that she wanted to give an update regarding the Mynatt Park Bridge Project and stated that it is her understanding that the first section of the precast bridge was set March 16, 2012, and that two more sections that were scheduled to be set this week have been delayed due to equipment issues and that these sections have been rescheduled for placement on Tuesday, March 27, 2012. The City Manager continued that Tennessee Department of Transportation (TDOT) Officials have requested that April 15, 2012, be the established official completion date, however, TDOT has not received final approval by their administration and have published an anticipated completion date to be on or around May 1, 2012. The City Manager further stated that it is important to note, that during the placement of the precast bridge sections, temporary closures of Cherokee Orchard Road and Asbury Lane will occur and are expected to be approximately forty-five minutes in duration, during which time the Assembly Grounds residents may use the emergency route through Mynatt Park; and

(2) that secondly, she wanted to give an update regarding the Phase VI Undergrounding of Utilities Project and stated that the most important update to announce is that the LeConte Street Bridge should finally reopen to traffic on Monday, March 26, 2012, and that the City will be replacing a portion of the sewer line in the lower part of LeConte Street next week, however, the road will remain open to traffic during the couple of days that this replacement will occur. The City Manager further stated that the last of the conduit crossings of Parkway in the LeConte Street area were to have been made last night and that Efficient Electric did start the main ductbank work on the east side of Parkway which is the left side on the way to the National Park from LeConte Street toward the Park boundary yesterday and that it is hoped that the ductbank construction will move more quickly than it has in the previous month. The City Manager then stated that both the Electric System and AT & T have advised that they plan to have their overhead lines converted to underground service on the right hand side of Parkway by May 1, 2012, and that the Contractor and Utility Companies continue to agree that the overall Project is moving towards an on schedule completion date of June 30, 2012; and,

(3) that she also wanted to remind everyone that the 33rd year of Sparkle Days began this week and is set aside for collection of commercial debris and that residential collection will take place next week and that everyone is encouraged to call the Street Department to schedule a pick up time at 430-1370; and,

(4) that as to upcoming events, she wanted to advise of two that will be occurring on Saturday, March 31, 2012, which include the Keep Sevier Beautiful EXTREME Home Cleanup & Medication Collection Event that will be held at the Sevierville Municipal Complex from 8:00 A.M. to 1:00 P.M. and accepted items include automotive, home improvement and lawn and garden products as well as fluorescent bulbs and tubes, certain chemicals and unwanted medicines. Also on Saturday, March 31, the Gatlinburg Firefighters Association Fit for Duty 5K Run/Walk will begin at the American Legion Hall at 9:00 A.M. and proceeds will benefit the Association; and,

(5) that finally, the Gatlinburg Community Oriented Police Program (GCOPP) will hold its fifth annual community Easter Egg Hunt for children between the ages of 1 and 12 and is scheduled for Saturday, April 7, 2012, noon to 2:00 P.M. at Mynatt Park.

DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR FREE PARKING AT THE AQUARIUM PARKING GARAGE FROM THE SEVIER COUNTY FOOD MINISTRIES FOR A FUND-RAISING EVENT ON APRIL 19, 2012.

Item A under New Business was discussion and consideration of approving a request for free parking at the Aquarium Parking Garage from the Sevier County Food Ministries for a fund-raising event on April 19, 2012. Commissioner Mark McCown made a motion to approve the request which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN OFF-PREMISE CERTIFICATE OF GOOD MORAL CHARACTER FOR MARSHA A. WILSON AND TANYA R. MCCARTER, D/B/A LIQUOR AND WINE OF THE SMOKIES, 115 NORTH MOUNTAIN TRAIL.

Item B under New Business was discussion and consideration of approving an Off-Premise Certificate of Good Moral Character for Marsha A. Wilson and Tanya R. McCarter, d/b/a Liquor and Wine of the Smokies, 115 North Mountain Trail. Vice Mayor Jerry Hays made a motion to approve the Certificate of Good Moral Character which was seconded by Commissioner Don Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR MARSHA A. WILSON AND TANYA R. MCCARTER, D/B/A LIQUOR AND WINE OF THE SMOKIES, 115 NORTH MOUNTAIN

TRAIL.

The next Item under New Business was discussion and consideration of approving a Certificate of Compliance for Marsha A. Wilson and Tanya R. McCarter, d/b/a Liquor and Wine of the Smokies, 115 North Mountain Trail. Commissioner McCown made a motion to approve the Certificate of Compliance which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NO. 3 TO THE MERIT CONSTRUCTION, INC., CONTRACT RELATED TO THE WASTEWATER TREATMENT PLANT DIGESTER MODIFICATIONS PROJECT.

Item D under New Business was discussion and consideration of approving Change Order No. 3 to the Merit Construction, Inc., Contract related to the Wastewater Treatment Plant Digester Modifications Project. Commissioner Smith made a motion to approve the Change Order which was seconded by Vice Mayor Hays. The City Manager then asked the Utilities Manager to give an overview and Mr. Phelps stated that this Project is complete and that the system is operating well and that the Change Order is a net decrease in the amount of \$2,680.41 and will be reflected in the final payment to the Contractor and will completely close out the Project. The motion to approve Change Order No. 3 to the Merit Construction, Inc., Contract was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH MCGILL ASSOCIATES, P.A., FOR DESIGN SERVICES RELATED TO THE WASTEWATER OPERATIONS AND MAINTENANCE FACILITIES IMPROVEMENTS PROJECT.

The next Item under New Business was discussion and consideration of approving an Agreement for Professional Services with McGill Associates, P.A., for design services related to the Wastewater Operations and Maintenance Facilities Improvements Project. Commissioner Helton made a motion to approve the Agreement which was seconded by Vice Mayor Hays. The City Manager then gave an overview of the Agreement and stated that the proposed Agreement is in regard to design services to add a second level to the existing administration building at the Wastewater Treatment Plant for operations facilities and that changes will also be made to the aeration blower building which is where the maintenance type facilities would be reintroduced and that this is necessary due to the movement of an operations and maintenance facility on the Sewer Plant site. The City Manager further stated that the proposed Agreement, if approved, would enable the City to proceed with this Project. After discussion, the motion to approve the Agreement for Professional Services with McGill Associates, P.A., for design services, was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE FREE PARKWAY TROLLEY SHUTTLE PROGRAM FOR THE 2012 SEASON.

The next Item under New Business was discussion and consideration of approving the Free Parkway Trolley Shuttle Program for the 2012 Season. Vice Mayor Hays made a motion to approve the Free Parkway Trolley Shuttle Program which was seconded by Commissioner Smith. The City Manager then referenced a memorandum from the Mass Transit Manager and stated that this Program is being presented to City Commission in this manner due to the fact that the Pilot Program was still underway at the time that this Fiscal Year's Budget was being prepared and that the proposed schedule to run the Free Parkway Trolley is Friday June 15 through August 18, 2012, with a total estimated cost of \$37,330.02 which includes \$8,100.00 for this Fiscal Year and that the remaining cost will be presented in the upcoming Budget. The Mass Transit Manager then stated that last Season there was an average of 1,268 riders per day and that everyone really liked this Program. After discussion, the motion to approve the Free Parkway Trolley Shuttle Program for the 2012 Season was unanimously adopted.

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

Item G under New Business was discussion and consideration of approving a Single Bid with Jon's Golf Cars for maintenance of the Golf Course Carts. Vice Mayor Hays made a motion to approve the Single Bid which was seconded by Commissioner Smith. The City Manager then explained that this item is related to the reorganization of the Golf Course Department and is before City Commission due to the fact that it is a single bid. The City Manager further stated that the bid is within the amount estimated for this service. After discussion, the motion to approve the single bid with Jon's Golf Cars for maintenance of the Golf Course Carts was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES WITH THE GATLINBURG CHAMBER OF COMMERCE FOR THE COORDINATION OF THE MARKETING OF THE CONVENTION CENTER AND THE MILLS CONFERENCE CENTER.

The last item under New Business was discussion and consideration of approving a Contract for Services with the Gatlinburg Chamber of Commerce for the coordination of the marketing of the Convention Center and the Mills Conference Center. The Mayor announced that this Item had been removed from the Agenda.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Stated that it is good to see Spring and that he looks forward to Summer business; and,
- (2) Commented that the Free Parkway Trolley Program is a great way to move people from one end of town to the other and stated that it gives people the opportunity to visit part of town that they might not have otherwise done.

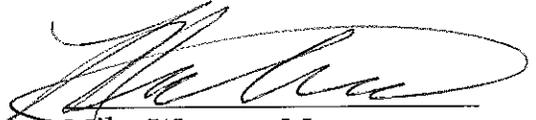
Vice Mayor Jerry Hays:

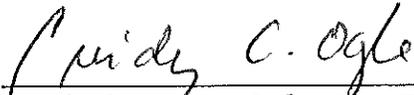
- (1) Referenced auditions being held for Tunes and Tales and stated that he is glad to see that Program coming back and that he has heard a lot of good comments about the Program and hopes it is as successful this year as it has been in the past.

Mayor Mike Werner:

- (1) Stated that three Gatlinburg-Pittman High School students, Miki Werner, Carson Sims and Claire Ballentine went to DECA competition and placed in the top four and stated that they will be going to Salt Lake City and that this is a very commendable thing for these young ladies.

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 17, 2012, 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 March 20, 2012. 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 or Communications from the Public.

Regarding Reports of Boards and Committees, the 2012 Employee Recognition Board (ERB) Employee and Units of the First Quarter were presented. The City Manager then recognized Tim Stinnett of the Police Department as Employee of the First Quarter. The City Manager also recognized the Police Department and members of the Building Maintenance and Fire and Police Departments as the 2012 Units of the First Quarter.

The City Manager reported and/or requested:

(1) that she wanted to give a status report regarding the Phase VI Undergrounding Utilities and Streetscape Project and stated that the underground utility ductbanks are 99.9% in place on both sides of Parkway and the sidewalks are approximately 70% replaced and that the LeConte Creek Bridge is open and complete with the exception of the asphalt overlay on the bridge deck and patching of the road on each end. The City Manager continued that the Sevier County Electric System has energized the underground service on the right side going toward the Park and began pulling cable on the east side which is the left side of Parkway yesterday and it is likely the overhead lines and poles on the right side of Parkway will come down around the middle of May. The City Manager further stated that all City sewer and water line replacements are complete and that AT & T has pulled all their main cables on the right side of Parkway and that the general contractor, Efficient Electric and all the Utility Companies see no problems in completing the Project on schedule, which remains to be June 30, 2012; and

(2) that secondly, she wanted to give an update on the Asbury Lane/Mynatt Park Bridge Project and stated that there was a Workshop Meeting that was held a couple of weeks ago with Tennessee Department of Transportation Officials present to provide an update on the Project, particularly to residents in the Mynatt Park area, and that at that meeting, the Contractor has now decided to do a cast in place box bridge design and the reason for the change in plans is due to site conditions placing limitations on equipment that could be used with precast sections. The City Manager further stated that the Contractor has now poured the first quarter section bottom of the box bridge and is presently placing the seal in forms to pour the bridge abutment, wing wall and

mid section support and that these pours are to occur sometime later this week and per the Workshop discussion, the Contractor anticipates a completion date of around June 30, 2012, however, TDOT has established the new completion date to be April 15 and, therefore, the Contractor is subject to liquidated damages every day beyond this date to completion; and,

(3) that she also wanted to remind everyone as to upcoming events which include the Arbor Day celebration this Thursday at 1:30 P.M at Pi Beta Phi Elementary School which will recognize the 24th consecutive year that the City has been named a Tree City USA. The City Manger continued that also on Thursday, April 19, 2012, the Ripley's Aquarium of the Smokies will host the second annual Food Ministry Fiesta at 6:00 P.M. which will benefit Sevier County Food Ministries' Growing With Grace Building Fund and that tickets are available at the door or to call 428-5182 for more information. The City Manager further stated that this Saturday, April 21, 2012, will be the fifth annual Mountain Man Memorial March which starts downtown at 9:00 A.M. as a tribute to our men and women in uniform and honors specifically First Lieutenant Fran Walkup, a UT-Knoxville alumnus who in 2007 was killed in the line of duty in Iraq. The City Manager also advised that the 62nd Annual Spring Wildflower Pilgrimage will occur next week April 25-29 at the Convention Center and on Thursday, April 26 the 11th Annual Ribfest, Wings & BBQ event will be held from 5:00 to 9:00 P.M. on Parkway. The City Manager continued that this year's first Walk on the North Side will be held April 27 and 28 and is sponsored by the North Parkway Merchants Association on the fourth weekend of each month April through December on Friday evenings and all day Saturday and finally, that the 2nd Annual Cinco de Mayo celebration will take place Saturday, May 5 in the parking lot area behind the Loco Burro Restaurant and that this is a family oriented event supported by the Gatlinburg Chamber of Commerce and the City's Special Events Office; and,

(4) that she wanted to distribute information regarding the upcoming Leadership Sevier Local Government Day Program which will be held on Wednesday, April 25 at Mills Conference Center.

DISCUSSION AND CONSIDERATION OF APPROVING A SEASONAL TENNIS COORDINATOR AGREEMENT WITH G. WEBB.

Item A under New Business was discussion and consideration of approving a Seasonal Tennis Coordinator Agreement with G. Webb. Commissioner Helton made a motion to approve the Agreement which was seconded by Commissioner Mark McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NO. 4 TO THE EFFICIENT ELECTRIC COMPANY CONTRACT RELATED TO THE UNDERGROUND UTILITIES AND STREETScape PROJECT, PHASE VI.

Item B under New Business was discussion and consideration of approving Change Order No. 4 to the Efficient Electric Company Contract related to the Underground Utilities and Streetscape Project, Phase VI. Commissioner Smith made a motion to approve the Change Order which was seconded by Vice Mayor Hays. The City Manager then asked Mr. Steve Fritts to give an overview of the proposed change order and Mr. Fritts proceeded to do so and stated that in the original contract document with Efficient Electric the cutting of pavement for the City to replace sewer and water lines was called for, however, it was silent as to the patching of the pavement and that had been brought to his attention by Efficient Electric and stated that, in discussion with the City Manager and the Public Services Manager, it was agreed that it was strictly an error on Barge, Waggoner, Sumner and Cannon's part and that some of the patching had already been done and it was only fair for the Contractor to get reimbursed for this work. Mr. Fritts further stated that the other item is related to a business directional sign which was in the original bid for the Undergrounding Project and that since that time the City has adopted a Wayfinding Program and this is to change the LeConte Street sign to match the Wayfinding design. Mr. Fritts then stated that the total cost for the change order is \$30,560 and that this amount will be reducing the Storm Drainage account and that it is no change to the original contract amount and stated that \$273,000 remains in the Storm Drainage Contingency account. Commissioner McCown then asked if the electric lines in the Park that go to the Water Plant will be placed underground. Mr. Fritts responded that yes they will be and that phone and cable conduits still have to be installed. After discussion, the motion to approve Change Order No. 4 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE PURCHASE OF A TURBO BLOWER PACKAGE UNIT FOR THE WASTEWATER TREATMENT PLANT.

The next Item under New Business was discussion and consideration of the purchase of a turbo blower package unit for the Wastewater Treatment Plant. Vice Mayor Hays made a motion to approve the purchase which was seconded by Commissioner McCown. The City Manager then asked the Utilities Manager to explain. Mr. Phelps stated that this equipment provides needed air for part of the treatment process and that there are five existing units that are all approximately 33 years old and that these units have reached their useful life. Mr. Phelps further stated that just recently City Commission had approved a bid award for two new units and that this is a third unit that is a part of the new Equalization Basin Project and that this is a valid bid price that can be extended for this purchase. Mr. Phelps concluded that this purchase of the blower and installation in the blower building will allow for modifications to the footprint of that building so that one third of that existing building can be used for maintenance purposes which are having to be relocated to build a new equalization basin and that this is virtually a two step process, in that the space is needed for the maintenance facility and that it is less of an expense to use the existing space than to

build a new building. The City Manager then commented that monies for this purchase are budgeted in the Equalization Basin Project. After discussion, the motion to approve the purchase of a turbo blower package unit for the Wastewater Treatment Plant was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO INDEPENDENCE LUMBER FOR THE PURCHASE OF MULCH FOR THE RECREATION DEPARTMENT.

Item D under New Business was discussion and consideration of approving a single bid to Independence Lumber for the purchase of mulch for the Recreation Department. Commissioner McCown made a motion to accept the single bid which was seconded by Commissioner Helton. The City Manager then asked the Recreation Director to discuss and Mr. Nicely stated that it was surprising that only a single bid was received and that this is the company that the City has used the last several years. The Mayor then asked how much mulch is used and Mr. Nicely responded that approximately five to seven truck loads of mulch are purchased each year. Vice Mayor Hays then asked if the price had increased and Mr. Nicely stated that there had not been a price increase. After discussion, the motion to approve the single bid to Independence Lumber for the purchase of mulch for the Recreation Department was unanimously adopted.

DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY VEHICLES AND OTHER MISCELLANEOUS PROPERTY AS SURPLUS.

The next Item under New Business was discussion and consideration of declaring certain City vehicles and other miscellaneous property as surplus. Commissioner Smith made a motion to declare as surplus the noted items which was seconded by Commissioner Helton. The City Manager then discussed the list of vehicles and property and stated that the disposal of these items is due to the significant amount of equipment that has been purchased this Budget cycle and that the other miscellaneous items include old winter lighting displays that were not used very often. After these comments, the motion to declare certain City vehicles and other miscellaneous property as surplus was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AUDIT CONTRACT WITH PUGH AND COMPANY, PC, FOR THE FISCAL YEAR ENDING JUNE 30, 2012.

The next Item under New Business was discussion and consideration of approving an Audit Contract with Pugh and Company, PC, for the Fiscal Year ending June 30, 2012. Vice Mayor Hays made a motion to approve the Contract which was seconded by Commissioner Smith. The City Manager then asked the Assistant City Manager/Finance Director to review and he stated that this is the third year of a three year contract that was bid out three years ago and that this contract in is in line with

what was accepted at that time. Mr. Beeler further stated, that along with this approval, the State is now requiring that Audit Contracts be submitted electronically and that permission to enter the Mayor's signature is also being requested with the approval of this Contract. Mr. Beeler concluded that a hard copy of the Audit Contract will be on file with the Finance Department after all signatures are secured by the appropriate parties. After discussion, the motion to approve the Audit Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE RECREATION BOARD.

The last Item under New Business was discussion and consideration of making appointment to the Recreation Board. Commissioner McCown made a motion to reappoint Alan Cox, Buster Flynn, Lester Flynn, Whit Helton, Larry McMahan and Al Shirley which was seconded by Commissioner Mike Helton and then unanimously approved.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Congratulated the Employee Recognition Board award recipients and stated that it is good to have these employees that go above and beyond to help others.

Commissioner Don Smith:

- (1) Echoed the above regarding the Employee Recognition Board awards.

Commissioner Mark McCown:

- (1) Commended Tim Stinnett and the Units of the Quarter for their good deeds; and,
- (2) Wanted to wish Happy April Birthday's to the City Manager, the Mayor and also Miki Werner who is turning sixteen; and,
- (3) Wanted to give a shout out to his Grandson, Ben Seavy, and stated that he is cancer free and how much he appreciates the community's support and prayers during Ben's recent medical procedures.

Vice Mayor Hays:

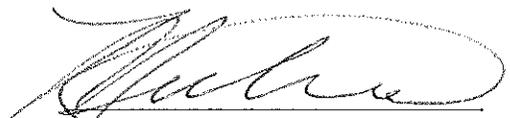
- (1) Stated that he is so glad to hear about Ben and that he is happy for the whole family; and,

- (2) Offered thanks and congratulations to the Employee Recognition Board award recipients.

Mayor Mike Werner:

- (1) Echoed the above regarding the Employee Recognition Board award recipients; and,
- (2) Referenced the recent Forbes Magazine recognition that named Gatlinburg one of the top ten prettiest towns in America and stated that everyone working together over the past several years has lead to this terrific recognition and that it is a great accomplishment for the City and that the undergrounding and the hillside and ridges regulations and the public and private sector working together are reasons for this recognition. The Mayor concluded by stating that we are thrilled to receive this prestigious designation, and that all citizens and businesses should be very proud and shout it from the rooftops.

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, May 8, 2012, at 6:00 P.M. in the City Council Room. All members were present with the exception of Commissioner Mike Helton. 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 April 17, 2012. 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 provide an update regarding the Asbury Lane/Mynatt Park Bridge Project and stated that a wing wall pouring occurred on April 30, 2012, on the upstream quadrant adjacent to Cherokee Orchard Road and since that time the contractor has been in the process of diverting the stream in order to prepare to form and pour the downstream quadrant adjacent to Mynatt Park. The City Manager further stated that it is anticipated that this will take approximately two weeks and that there have been no changes advised related to the anticipated completion date of June 30, 2012, that has been established by the bridge contractor; and

(2) that secondly, she wanted to give an update regarding the Undergrounding of Utilities and Streetscape Project, Phase VI and stated that all work is progressing on schedule and that poles may begin to be removed in a couple of weeks. The City Manager then commented that the Project remains on schedule to meet the June 30, 2012, completion date; and,

(3) that she also wanted to announce that the Baskins Creek Bypass will be closed to through traffic at the intersection of Stephens Drive tomorrow beginning at 8:30 A.M. with an anticipated reopening around 1:00 P.M. and stated that this closure is needed to allow the installation of a gas valve system by Sevier County Utility District and is scheduled in order to have less impact on Pi Beta Phi Elementary traffic and that local traffic will be allowed during the closure in order for residents or visitors to reach their homes or businesses; and,

(4) that finally, she wanted to remind everyone of several upcoming events which include May 11, 2012, being the 33rd Annual Government Day event that will be held here in City Hall with Gatlinburg-Pittman High School students and that on May 18, 2012, the Gatlinburg Community Police Program and Gatlinburg Firefighters Association Annual Emergency Services Golf Tournament tees off with a 1:00 P.M. shotgun start at the Gatlinburg Golf Course and that proceeds benefit Community Police Programs and Fire Prevention and education projects. The City Manager further

stated that hole sponsorships are still available and to contact Assistant Fire Chief Charlie Cole or Sgt. Ronnie Barrett to support this event. The City Manager concluded that the Gatlinburg Farmers Market will open for the season on May 19, 2012, and be open on Saturdays from 8:30 to 11:30 A.M. in the Alamo Steakhouse parking lot through October 13, 2012.

DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR USAGE OF THE BASKETBALL COURTS AND THE MEETING ROOM AT THE COMMUNITY CENTER MAY 26 THROUGH MAY 28, 2012, FROM THE TENNESSEE FLIGHT BASKETBALL GIRLS ORGANIZATION.

Item A under New Business was discussion and consideration of approving a request for usage of the Basketball Courts and the Meeting Room at the Community Center May 26 through May 28, 2012, from the Tennessee Flight Basketball Girls Organization. Vice Mayor Jerry Hays made a motion to approve the request which was seconded by Commissioner Don Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CERTIFICATES OF GOOD MORAL CHARACTER FOR JOSEPH A. BAKER, J. CORY COTTONGIM, AND TONY WAYNE BREEDEN, D/B/A OLE SMOKY BOTTLE SHOP, 903 PARKWAY.

Item B under New Business was discussion and consideration of approving Certificates of Good Moral Character for Joseph A. Baker, J. Cory Cottongim, and Tony Wayne Breeden, d/b/a Ole Smoky Bottle Shop, 903 Parkway. Commissioner Smith made a motion to approve the Certificates which was seconded by Commissioner Mark McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR OLE SMOKY BOTTLE SHOP, 903 PARKWAY.

The next Item under New Business was discussion and consideration of approving a Certificate of Compliance for Ole Smoky Bottle Shop, 903 Parkway. Vice Mayor Hays made a motion to approve the Certificate which was seconded by Commissioner McCown and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR DIANNE. V. KNIPP D/B/A PARK LIQUOR, 1235 E. PARKWAY, SUITE #1

Item D under New Business was discussion and consideration of approving a Certificate of Good Moral Character for Dianne V. Knipp, d/b/a Park Liquor, 1235 E. Parkway, Suite #1. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR DIANNE B. KNIPP, D/B/A/ PARKWAY LIQUOR, 1235 E. PARKWAY, SUITE #1.

The next Item under New Business was discussion and consideration of approving a Certificate of Compliance for Dianne B. Knipp, d/b/a Parkway Liquor, 1235E. Parkway, Suite #1. 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 THE RENEWAL OF THE MEDICAL INSURANCE PLAN WITH UNITED HEALTHCARE FOR THE PERIOD OF MAY 1, 2012 THROUGH APRIL 30, 2013.

The next Item under New Business was discussion and consideration of approving the renewal of the Medical Insurance Plan with United Healthcare for the period of May 1, 2012 through April 30, 2013. Commissioner Smith made a motion to approve the renewal which was seconded by Vice Mayor Hays. The City Manager then commented that there was a Workshop prior to the last Commission Meeting with the City's Insurance Consultant, Mr. Chris Fesseden, and that the United Healthcare proposal has no increase in the rate and continues with the same benefit package to the employees. The motion to approve the renewal of the Medical Insurance Plan with United Healthcare was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A DENTAL INSURANCE PLAN WITH BLUE CROSS-BLUE SHIELD FOR THE PERIOD OF JUNE 1, 2012 THROUGH MAY 31, 2013.

Item G under New Business was discussion and consideration of approving a Dental Insurance Plan with Blue Cross-Blue Shield for the Period of June 1, 2012 through May 31, 2013. Commissioner McCown made a motion to approve the Plan which was seconded by Vice Mayor Hays. The City Manager then commented that this was also reviewed in a previous Workshop and that the City's Insurance Consultant is recommending a proposed change in the Dental Plan to Blue Cross-Blue Shield due to the fact that it would be a 10.76% reduction in the premium that is presently being paid to United Healthcare and that there are several more dentists in the Blue Cross-Blue Shield Network. After discussion, the motion to approve the Dental Insurance Plan with Blue Cross-Blue Shield was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CHANNEL LEASE AGREEMENT WITH CHARTER COMMUNICATIONS, LLC, RELATED TO THE VISITOR INFORMATION CHANNEL WGAT.

The last Item under New Business was discussion and consideration of approving a Channel Lease Agreement with Charter Communications, LLC, related to the Visitor

Information Channel WGAT. Commissioner Smith made a motion to approve the Agreement which was seconded by Vice Mayor Hays. The City Manager then commented that there is a \$600 per month increase and that the Assistant City Manager/Finance Director had been working with Charter on this lease and then asked Mr. Beeler to explain. Mr. Beeler stated that this is the Visitor Information Channel that the City broadcasts and also sell advertisements to local businesses. He also stated that, even though there is an increase in the Agreement, the proposed contract amount is less than the amount paid a few years ago. Mr. Beeler further stated that the estimated income is still above the total expenses after the increase and that the contract rates are set by a company in Dallas, Texas based on FCC criteria and tend to change every year. After discussion, the motion to approve the Channel Lease Agreement with Charter Communications, LLC, was unanimously adopted.

UNSCHEDULED ITEMS:

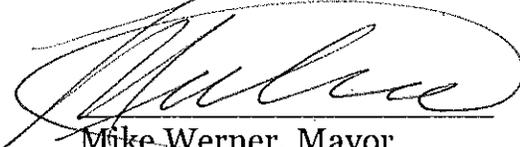
Commissioner Mark McCown:

- (1) Commented that the lighting on the City entrance sign on Highway 321 needs to be replaced and improved and asked that this matter be looked into by appropriate Staff.

Mayor Mike Werner:

- (1) Referenced his recent trip to Houston, Texas to visit Mr. Brian Ivey at the MD Anderson Facility and that Mr. Ivey is receiving cancer treatments and would be grateful for your prayers.

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, May 22, 2012, 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 8, 2012. 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, the Mayor presented a "Poppy Days" Proclamation to representatives of the American Legion Post 202, Mr. Lewis Grooms and Ms. Linda Wilson. Ms. Wilson then thanked the City for their support for the Post and the Veterans and then she read a poem written by Melba Oakley regarding Poppy Days. Mr. Grooms then expressed his appreciation and thanks to the City for their continued support.

There were no Reports of Boards or Committees.

The City Manager reported and/or requested:

- (1) that she wanted to begin by giving an update regarding the Mynatt Park Bridge Project and stated that the stream flow has been shifted to the Cherokee Orchard Road side of the bridge so that work can begin on the Mynatt Park side of the bridge. The City Manager further stated that it is anticipated that a pour on that side will occur in a couple of weeks and that there has been no official change in the projected June 30, 2012 completion date; and
- (2) that secondly, she wanted to provide an update regarding the Phase VI underground and Streetscape Project and that as of late last week, all the electrical wires on the west side were removed. The City Manager further stated that the cable television wires are the only ones remaining and that they are to be removed this week and that it is expected that the poles on this side will be removed late this week and that, also late this week, Efficient Electric will be installing the new street lights and the light levels on Parkway will be diminished due to the transition to the new lights. The City Manager continued that the brick for the sidewalk bands was delivered early last week and is being installed this week and that it is anticipated that the milling and paving of Parkway will take place sometime around the first week of June and that this work will be done at night and the businesses in this area will be advised as to the exact days that the work will take place; and,
- (3) that finally, she wanted to remind everyone of upcoming events and advised that the Walk On the North Side will be held this weekend May 25 and 26, 2012, and that the Gatlinburg Farmer's Market opened this past Saturday for the season and that the Farmer's Market is open each Saturday from 8:30 to 11:30 A.M. in the Alamo

Steakhouse parking lot on East Parkway.

RESOLUTION NUMBER 877, A RESOLUTION IN SUPPORT OF THE NATIONAL PARKS 2016 CENTENNIAL STATEMENT OF JOINT PRINCIPLES.

Item A under New Business was Resolution Number 877, a Resolution in support of the National Parks 2016 Centennial Statement of Joint Principles. Vice Mayor Hays made a motion to approve the Resolution which was seconded by Commissioner Mark McCown. The City Manager then commented that she had anticipated that Park Superintendent Dale Ditmanson would be in attendance, and that this request was received from the National Parks Conservation Association asking that the City sign on as a signatory to the Joint Statement of Principles, which are outlined in the Resolution. The City Manager further stated that these statements are very supportive to the National Park and that from her discussion with the Park Superintendent, it was concurred that the Gateway City to the National Park should act upon this request. After these comments, the motion to approve Resolution Number 877 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A LEASE AGREEMENT WITH KNOXVILLE HARLEY DAVIDSON, INC., FOR TWO (2) MOTORCYCLES FOR THE POLICE DEPARTMENT.

Item B under New Business was discussion and consideration of approving a Lease Agreement with Knoxville Harley Davidson, Inc., for two (2) motorcycles for the Police Department. Commissioner Helton made a motion to approve the lease agreement which was seconded by Commissioner Smith. The City Manager then commented that this had been approved in the Police Department Budget this year in the amount of \$4,800 and that the lease is \$1,000 more than what was estimated in the Budget and these monies will be moved administratively to cover the additional cost. Commissioner McCown asked when the motorcycles will be used and Chief Brackins stated that they are used during the daytime for traffic enforcement. After these comments, the motion to approve the Lease Agreement with Knoxville Harley Davidson, Inc., was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE OTHER THAN THE LOW BID TO BRENNTAG MID-SOUTH FOR CHEMICALS FOR THE WATER TREATMENT PLANT.

The next Item under New Business was discussion and consideration of approving the other than the low bid to Brenntag Mid-South for chemicals for the Water Treatment Plant. Commissioner Smith made a motion to approve the other than the low bid which was seconded by Commissioner Helton. The City Manager commented that bids were received for four different chemicals and that, with two of the chemicals the low bid was

acceptable, and with the other two chemicals, the Utilities Manager has requested the other than the low bid with the difference being approximately \$300 to \$400. The City Manager then asked if the purchase amount for these chemicals was \$26,000. The Utilities Manager then stated that the amount is \$26,000 and that the reason for the requested other than the low bid on the two chemicals, which are chlorine and fluoride, is due to the good quality of the chemicals that have been used in the past from this Company. Mr. Phelps further stated that there could be a potential savings in fluoride use in the upcoming year due to the Tennessee Department of Environment and Conservation Division of Water Supply implementing a rule change which would effectively reduce the fluoride level by 30% in public drinking water systems. After discussion, the motion to approve the other than the low bid was unanimously adopted.

DISCUSSION AND CONSIDERATION OF AUTHORIZING ADDITIONAL IMPROVEMENTS AT THE WATER AND WASTEWATER TREATMENT PLANTS TO BE PAID FROM THE SERIES 2010 BOND ISSUE.

The last Item under New Business was discussion and consideration of authorizing additional improvements at the Water and Wastewater Treatment Plants to be paid from the Series 2010 Bond Issue. Vice Mayor Hays made a motion to authorize the additional improvements which was seconded by Commissioner Smith. The City Manager then stated that there is \$76,000 remaining in the Bond proceeds related to the Digester Rehabilitation Project and the Water Plant Electrical Updates Project which are now complete and that the Utilities Manager has compiled a list for requested items of \$70,100. The City Manager then asked Mr. Phelps to review the list and Mr. Phelps stated that included in the list is \$3,000 to CTI Engineering Service to complete the engineering services for the Water Plant Project and that a small amount is requested to do landscaping at the Waste Water Treatment Plant around the Digester. Mr. Phelps continued that also requested is the resurfacing of the asphalt at the Water Plant to repair areas impacted by the underground conduit and that the largest cost items were removed from the Water Treatment Plant Electrical Project to stay in line with the Budget, and that now that funds are available, it would be good to complete these items, one of which is replacing equipment that dates back to 1964. After discussion, the motion to authorize additional improvements at the Water and Wastewater Treatment Plants to be paid from the Series 2010 Bond Issue was unanimously adopted.

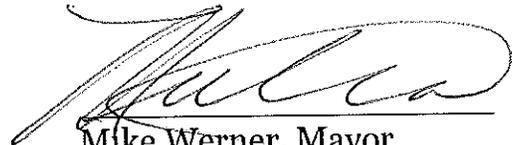
UNSCHEDULED ITEMS:

Commissioner Mike Helton:

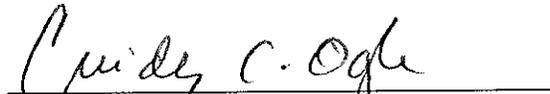
- (1) Referenced the earlier Workshop and stated that Executive Director Allen Newton with the Sevier County Economic Development Council did a good job and that he is looking forward to the feasibility study results and the potential economic impact of a Sports Complex in our City; and,

- (2) Congratulated the Gatlinburg-Pittman High School Class of 2012 that is actually graduating tonight.

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, June 5, 2012, 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 Don Smith nominated Mayor Mike Werner to serve another term as Mayor. Commissioner Mike Helton seconded the nomination which was unanimously approved. Mayor Werner next called for nominations for Vice Mayor. Commissioner Helton nominated Vice Mayor Jerry Hays to serve another term as Vice Mayor. The nomination was seconded by Commissioner Mark McCown and then unanimously approved.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of May 22, 2012. Commissioner Helton made a motion to approve the Minutes which was seconded by Commissioner 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 begin with a Phase VI Underground Project status report and distributed copies for review and then stated that there are several points to highlight and that all of the wires going into the Park on the right side of Parkway have been removed and it is a dramatic difference to that end of town. The City Manager further stated that most of the poles have been replaced with the new green ones and stated that the right side of Parkway is really looking good. The City Manager then stated that on the left side of Parkway, all of the sidewalks and curbing are complete and that the wires will begin coming down within the next week. She then stated that milling, paving and striping of Parkway will begin next Monday evening and occur from 10:00 P.M. until 6:00 A.M. and is anticipated to be complete by the end of next week. The City Manager stated that the business owners on that end of town have been advised of this schedule which is subject to weather conditions. The City Manager concluded that is important to note that Ski Mountain Road from Parkway across the intersection of River Road is included in this milling and paving, as well as LeConte Street from Parkway to River Road and stated that this adds to the scope of the Project. The City Manager then stated that Reagan Drive from the Fire Department to Parkway will also be milled and paved as a part of the Street Paving Program; and

(2) that secondly, she wanted to give a status report on the Mynatt Park Bridge Project and stated that a concrete pour occurred this morning on the bottom barrel of the upstream Mynatt Park side quadrant and that work can begin on forming the upstream bridge abutment on the Mynatt Park side with an expected pour of the abutment early next week. The City Manager further stated that the adjacent wing wall

will be poured then work can begin on the upstream side of the bridge deck. The City Manager continued that it has become obvious, based on progress, that the contractor will not make their earlier estimated completion date of June 30, 2012 and that City Staff has requested a revised estimated completion date for the Project, however, as of today, none has been established by the contractor or the Tennessee Department of Transportation. Commissioner Helton commented that there is extensive damage to the road on both Cherokee Orchard and Asbury Lane and asked that the Street Department make pothole repairs on both since the completion date will not be June 30 as anticipated; and,

(3) that the Recreation Department will celebrate the start of Free Fishing Week in Tennessee by hosting its annual Children's Rodeo on the morning of Saturday, June 9, 2012, at Herbert Holt Park and that registration begins at 7:30 A.M. and weigh-in takes place at 10:30 A.M. at the Herbert Holt Park pavilion; and,

(4) that she wanted to remind everyone that Smoky Mountain Tunes and Tales returns to the street of downtown on Friday, June 15, 2012, for its seventh season and that the street entertainment program features musicians, storytellers, crafters and cloggers and is very popular with our visitors and continues until August 11, 2012; and,

(5) that she wanted to let everyone know that the Free Parkway Trolley program will resume June 15, 2012 and will operate along the length of Parkway from 10:00 A.M. to 10:00 P.M. and continue through August 18, 2012; and,

(6) finally, that the Gatlinburg Farmers Market is open for the season on Saturdays from 8:30 A.M. to 11:30 A.M. located in the Alamo Steakhouse parking lot and stated that you can visit their website www.gatlinburgfarmersmarket.com for more information.

RESOLUTION NUMBER 878, A RESOLUTION IN AUTHORIZING THE CREATION OF A TOURISM DEVELOPMENT AUTHORITY FOR THE CITY.

Item A under New Business was Resolution Number 878, a Resolution authorizing the creation of a Tourism Development Authority for the City. Vice Mayor Hays made a motion to approve Resolution Number 878 which was seconded by Commissioner McCown. Mayor Werner referenced the earlier Workshop and stated that it was very informative and that this will be good for Gatlinburg. After these comments, the motion to approve Resolution Number 878 was unanimously adopted.

RESOLUTION NUMBER 879, A RESOLUTION TO COMMIT CERTAIN SALES TAX MONIES RECEIVED BY THE CITY TO FUND CONVENTION CENTER DEBT SERVICE AND TOURISM PROMOTION.

Item B under New Business Resolution Number 879, a Resolution to commit certain

sales tax monies received by the City to fund Convention Center Debt Service and Tourism Promotion. Commissioner Helton made a motion to approve the Resolution which was seconded by Commissioner Mark McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN ON-PREMISE CERTIFICATE OF GOOD MORAL CHARACTER FOR DENA COCHRAN, D/B/A CRYSTELLE CREEK, INC., 1654 EAST PARKWAY.

The next Item under New Business was discussion and consideration of approving an On-Premise Certificate of Good Moral Character for Dena Cochran, d/b/a Crystelle Creek, Inc.; 1654 East Parkway. Commissioner Smith made a motion to approve the Certificate which was seconded by Vice Mayor Hays and then unanimously approved.

DISCUSSION AND CONSIDERATION OF DECLARING CERTAIN CITY EQUIPMENT AS SURPLUS.

The next Item under New Business was discussion and consideration of declaring certain City equipment as surplus. Commissioner Helton made a motion to approve the equipment as surplus which was seconded by Commissioner McCown and then unanimously adopted.

ORDINANCE NUMBER 2439, 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 2012-2013, FIRST READING.

The last Item under New Business was Ordinance Number 2439, 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 2012-2013, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mark McCown:

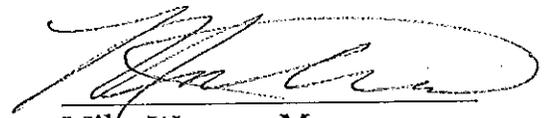
- (1) Commented on the Phase VI Underground Utilities Project and stated that, with the wires coming down, it is looking fantastic and that they are doing a great job with the Project; and,

- (2) Commended City Manager Cindy Ogle, Mayor Werner, Chamber Executive Director Vicki Simms, and Mr. Logan Coykendall for all their hard work on the Tourism Development Authority.

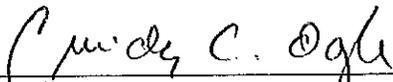
Mayor Mike Werner:

- (1) Offered thanks to his fellow Commissioners for reelecting him Mayor and stated that he is humbled by their vote and he will do his best for the City.

There being no further business to come before the City Commission, Commissioner McCown made a motion to adjourn. Vice Mayor Hays 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, June 19, 2012, 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 June 5, 2012. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mike Helton and then unanimously adopted.

There were no Petitions or Communications from the Public.

Regarding Reports of Boards or Committees, the Mayor presented Twenty Year Service Awards to Dennis Smith of the Street Department, Ross Wiley of the Recreation Department and Doug Shultz of the Utilities Department.

The City Manager reported and/or requested:

(1) that she wanted to begin with a Phase VI Underground Project status report and stated that all the street lights on the east side of Parkway are installed and that the pedestrian lights on the back of the poles are in the process of being installed. The City Manager further stated that all repaving is complete and that striping of the edges of the crosswalks should be done tonight. She continued that all overhead lines are down except for the AT & T lines on the east side of Parkway and that they are scheduled to begin removal of their lines on Thursday night and plan to be finished by Friday night or Saturday morning, and that once these lines are removed, Sevier County Electric System will remove the remaining poles. The City Manager concluded that installation of the sidewalk section where the overhead poles were is scheduled to begin next Monday and should be complete by the end of next week and that, if all goes according to plan, the Project will be substantially complete by the June 30 deadline; and

(2) that secondly, she wanted to give a status report on the Mynatt Park Bridge Project and stated that since the June 5, 2012 update, the bottom barrel of the upstream Mynatt Park side quadrant has been poured and also the upstream bridge abutment and wing wall on the same side have been poured. She further stated that the mountain stone veneer on the wing wall is presently being laid and that it is expected to be completed by this week and that once this work is completed, form work will begin to pour the upstream section of the bridge deck and once adequate curing strength is reached, the approaches to the new section of the bridge will be roughed in, then traffic will be diverted across the new section of bridge and demolition of the downstream side of the old bridge can begin. The City Manager concluded that, at this time, a new estimated completion date has not be provided by the Contractor or Tennessee Department of Transportation to City Staff; and,

(3) that this year's third Walk on the North Side will be held June 22 and 23, 2012, and will feature unique shopping, live entertainment, skill demonstrations, special sales and children's activities on north Parkway and further stated that the event is sponsored by the North Parkway Merchants Association and is on the fourth weekend of each month through December on Friday evenings and all day Saturday; and,

(4) that she wanted to remind everyone that the 37th annual Fourth of July Midnight Parade will honor American heroes with the Grand Marshals for the Parade being members of the Tuskegee Airman Association from Atlanta, Georgia and Louisville, Kentucky. The City Manager further stated that leading the Parade will be the 100th Army Band from Fort Knox, Kentucky, and will also perform concerts on the plaza at Ripley's Aquarium of the Smokies throughout the day on July 4th; and,

(5) that she wanted to make everyone aware of the July meeting schedule and then distributed a memorandum that stated that Commission Meetings will be held on July 10, 2012 and July 24, 2012 and she commented that these changes were necessitated to meet the City Charter requirements related to the presentation of the Budget.

ORDINANCE NUMBER 2439, 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 2012-13, SECOND READING, (PASSED FIRST READING 6/05/12).

Item A under Old Business was Ordinance Number 2439, 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 2012-13, Second Reading, (Passed First Reading 6/05/12). Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on second and final reading.

RESOLUTION NUMBER 879, A RESOLUTION TO COMMIT CERTAIN SALES TAX MONIES RECEIVED BY THE CITY TO FUND CONVENTION CENTER DEBT SERVICE AND TOURISM PROMOTION.

Item B under New Business Resolution Number 879, a Resolution to commit certain sales tax monies received by the City to fund Convention Center Debt Service and Tourism Promotion. Commissioner Helton made a motion to approve the Resolution which was seconded by Commissioner Mark McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING PARKING PASSES

AT THE MCMAHAN/PARKWAY PARKING GARAGE FOR THE 2012 GATLINBURG FINE ARTS FESTIVAL TO BE HELD AUGUST 30, 2012, THROUGH SEPTEMBER 2, 2012.

Item A under New Business was discussion and consideration of approving parking passes at the McMahan/Parkway Parking Garage for the 2012 Gatlinburg Fine Arts Festival to be held August 30, 2012, through September 2, 2012. Commissioner McCown made a motion to approve the parking passes which was seconded by Vice Mayor Hays and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING MODIFICATIONS TO THE COMPLETE SIGNS, LLC., CONTRACT RELATED TO THE WAYFINDING SIGN PROGRAM.

The next Item under New Business was discussion and consideration of approving modifications to the Complete Signs, LLC., Contract related to the Wayfinding Sign Program. Commissioner Don Smith made a motion to approve the modifications which was seconded by Commissioner Helton. The City Manager then explained that the original Agreement was in the amount of \$56,000 and that this modification is an increase of \$4,000 and is related to the Glades Road signage. The City Manager then asked the City Planner to further explain and Mr. Ball stated that there has been a delay in the timing of installation of these signs and that it is due to using an automotive finish. Mr. Ball further stated that installation would occur around the middle of July and that all of the signs will be installed over a two to three day time frame. After these comments, the motion to approve the modifications to the Complete Signs, LLC., Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH TRAM ROOFING COMPANY FOR THE REPLACEMENT OF FLAT ROOF SYSTEMS ON CERTAIN BUILDINGS AT THE WASTEWATER TREATMENT PLANT.

The next Item under New Business was discussion and consideration of approving a Contract with TRAM Roofing Company for the replacement of flat roof systems on certain building at the Wastewater Treatment Plant. Commissioner McCown made a motion to approve the Contract which was seconded by Vice Mayor Hays. The City Manager then commented that this Project is in the current Fiscal Year's Budget in the amount of \$125,000 and that the proposed Contract with TRAM Roofing Company is \$97,810 and stated that there have been some engineering costs incurred as it relates to this Project, and that these total costs are under the budgeted amount. The City Manager further stated that this does not include the roof on the administrative building at the Wastewater Treatment Plant and that an update on that Project will be presented at the Capital Improvements Projects meeting. The City Manager then asked the Utilities Manager to further explain and Mr. Phelps stated that seven out of ten

buildings at the Wastewater Treatment Plant roofs have been there since 1979 and that the City has positive past experience with TRAM Roofing Company and that this is a 120 day contract. After these comments, the motion to approve the Contract with TRAM Roofing Company was unanimously adopted.

RESOLUTION NUMBER 880, A RESOLUTION COMMITTING THE CITY TO THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR MATCHING FUNDS TO BE USED TOWARD THE CONSTRUCTION OF NEW PLAYGROUND EQUIPMENT AT MILLS PARK.

Item D under New Business was Resolution Number 880, a Resolution committing the City to the Tennessee Department of Environment and Conservation for matching funds to be used toward the construction of new playground equipment at Mills Park. Vice Mayor Hays made a motion to approve the Resolution which was seconded by Commissioner Helton. The City Manager then commented that the proposed Grant, if awarded, requires a City match of \$29,000 toward the total estimated costs of \$58,000. The City Manager then asked the Recreation Director to further explain and Mr. Nicely stated that this is the last playground equipment to be converted from wooden to plastic and that the existing equipment is now fourteen years old and in need of replacement. After these comments, the motion to approve Resolution Number 880 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING A CITY COMMISSION REPRESENTATIVE APPOINTMENT TO THE TOURISM DEVELOPMENT AUTHORITY.

The next Item under New Business was discussion and consideration of making a City Commission Representative appointment to the Tourism Development Authority. Commissioner Helton made a motion to nominate Mayor Werner which was seconded by Commissioner Smith and then unanimously approved.

DISCUSSION AND CONSIDERATION OF MAKING A CITY COMMISSION DESIGNEE APPOINTMENT TO THE TOURISM DEVELOPMENT AUTHORITY.

Item F under New Business was discussion and consideration of making a City Commission Designee Appointment to the Tourism Development Authority. Commissioner Helton made a motion to nominate Commissioner McCown which was seconded by Commissioner Smith and then unanimously approved.

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 Helton made a motion to reappoint Mr. Vern Hippensteal which was seconded by Commissioner McCown and then unanimously adopted.

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

Item H under New Business was discussion and consideration of making an appointment to the Keep Sevier Beautiful Board. Commissioner McCown made a motion to reappoint City Planner David Ball which was seconded by Commissioner Smith and then unanimously adopted.

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

The next Item under New Business was discussion and consideration of making a Mayoral appointment to the Municipal/Regional Planning Commission. Mayor Werner stated that he wanted to reappoint Jackie Leatherwood as his designee. It was the consensus of the Commission to concur with this appointment.

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

The last 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 reappoint Commissioner Smith which was seconded by Commissioner Helton and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mark McCown:

- (1) Congratulated the Twenty Year Service Award recipients Larry Smith, Ross Wiley and Doug Shultz and stated that their years of service shows well for the Administration and management to keep these good people here for such a long time.

Commissioner Mike Helton:

- (1) Echoed the above regarding the Twenty Year Service award recipients and stated that their combined experience totals sixty years and that this is great for the

City.

Commissioner Don Smith:

- (1) Echoed the above and stated that these are all great guys and that they do a great job.

Vice Mayor Jerry Hays:

- (1) Agreed with the above and stated that it is important to have great employees and that the whole City Staff is exceptional.

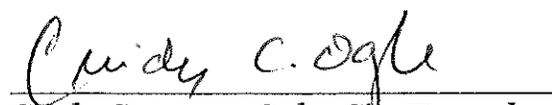
Commissioner Mark McCown:

- (1) Referenced the recently received Tennessee Municipal League Award for the Vehicle Replacement Program and stated that the Program was a great undertaking and that it was well done by all involved.

Mayor Mike Werner:

- (1) Echoed the above regarding the Tennessee Municipal League Award; and,
- (2) Also congratulated the Twenty Year Service Award recipients and stated that he appreciates the employees of the City; and,
- (3) Stated that the Gatlinburg-Pittman High School Girls Basketball team just finished a very successful camp in South Carolina and that they will be fun to watch this coming season.

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, July 10, 2012, 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 June 19, 2012. 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.

Regarding Reports of Boards and Committees, the 2012 Employee Recognition Board (ERB) Employee and Units of the First Quarter were presented. The City Manager then recognized Debbie Orsburn of the Convention Center and David Beeler of the Finance Department as Employees of the Second Quarter. The City Manager also recognized the Police Department as the 2012 Unit of the Second Quarter.

The City Manager reported and/or requested:

(1) that she wanted to give an update on the Mynatt Park Bridge Project and stated that the contractor is setting the forms to be able to pour the upstream section of the bridge deck and that it is anticipated the forms and reinforcing steel will be in place towards the end of the week with the deck being poured sometime next week. The City Manager further stated that after the bridge deck is poured and reaches adequate curing strength, the approaches to the new section of the bridge will be roughed in and traffic will be diverted across the new section of the bridge and demolition of the downstream side of the old bridge will occur and that no official revised completion date has been provided by the Tennessee Department of Transportation, however, the job superintendent for the contractor has verbally established an October completion date; and,

(2) that on a much more positive note, the Phase VI Underground Utilities and Streetscape Project did make its substantial completion deadline of June 30, 2012, and that the final walk-through on the Project will take place next week so that the Project should be fully closed out in the next couple of weeks. The City Manager then stated that as to the installation of the new Wayfinding Signage, that it is now scheduled for July 24 and 25, 2012, and that as discussed, the South end of town looks wonderful. Commissioner McCown then asked about the pouring of the sidewalk in front of the Convention Center and the City Manager responded that she will look into and report back; and,

(3) that the FY 2012-13 Budget schedule had been set and then distributed the memorandum regarding the Budget schedule.

RESOLUTION NUMBER 881, A RESOLUTION EVIDENCING THE CITY OF GATLINBURG'S INTENTION TO PURSUE AND CONSTRUCT AN AMATEUR SPORTS COMPLEX.

Item A under New Business was Resolution Number 881, a Resolution evidencing the City of Gatlinburg's intention to pursue and construct an Amateur Sports Complex. Commissioner Mike Helton made a motion to approve the Resolution which was seconded by Commissioner McCown. The City Manager then commented with regard to the recent dinner meeting with County Officials and stated that it appeared to be positive, and further stated that the Resolution authorizes the City Manager to establish a Construction Feasibility Committee and enter into an Agreement with the Sports Facilities Advisory Group to do a business pro forma analysis study not to exceed an amount of \$50,000. After these comments, the motion to approve Resolution 881 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH THE GATLINBURG TOURISM DEVELOPMENT AUTHORITY, D/B/A THE GATLINBURG CONVENTION AND VISITORS BUREAU.

Item B under New Business was discussion and consideration of approving an Agreement with the Gatlinburg Tourism Development Authority, d/b/a the Gatlinburg Convention and Visitors Bureau. Commissioner McCown made a motion to approve the Agreement which was seconded by Vice Mayor Jerry Hays. The City Manger then reviewed highlights of the Agreement and stated that the Agreement outlines the function and funding that the City is providing to the Convention and Visitors Bureau (CVB). The City Manager then stated that the transition of the Department of Tourism, Tourism Promotion employees occurred July 1, 2012 and that the Agreement is necessary in order to officially set up the arrangement between the City and the CVB and outlines the duties along with the reporting requirements of the CVB to the City Commission. The City Manager continued that the Agreement also outlines the City facilities that are being furnished to the CVB and sets out the parameters of maintenance which is basically that the City will repair and maintain the exterior of all these facilities with the CVB being responsible for the interior of these buildings and that the Agreement allows for the transfer of three vehicles to the CVB which is a later Agenda item for the declaration of these vehicles as surplus. After these comments, the motion to approve the Agreement with the Gatlinburg Tourism Development Authority, d/b/a the Gatlinburg Convention and Visitors Bureau was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN ASSIGNMENT OF SERVICE AGREEMENT BETWEEN THE CITY AND FAHLGREN, INC., TO THE TOURISM DEVELOPMENT AUTHORITY, D/B/A THE GATLINBURG CONVENTION AND VISITORS BUREAU.

Item C under New Business was discussion and consideration of approving an

Assignment of Service Agreement between the City and Fahlgren, Inc., to the Tourism Development Authority, d/b/a the Gatlinburg Convention and Visitors Bureau. Commissioner Helton made a motion to approve the Assignment of Service Agreement which was seconded by Commissioner Smith. The City Manager then explained that this Item along with the next relates to assigning the existing Fahlgren and Paramore/Redd Online Marketing Agreements to the Tourism Development Authority, d/b/a the Gatlinburg Convention and Visitors Bureau and that these Agreements simply assign to the CVB these two primary marketing agreements. After discussion, the motion to approve the Assignment of Service Agreement related to Fahlgren, Inc., was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN ASSIGNMENT OF SERVICE AGREEMENT BETWEEN THE CITY AND PARAMORE/REDD ONLINE MARKETING, LLC., TO THE TOURISM DEVELOPMENT AUTHORITY, D/B/A THE GATLINBURG CONVENTION AND VISITORS BUREAU.

The next Item under New Business was discussion and consideration of approving an Assignment of Service Agreement between the City and Paramore/Redd Online Marketing, LLC., to the Tourism Development Authority, d/b/a the Gatlinburg Convention and Visitors Bureau. Commissioner Smith made a motion to approve the Assignment of Service Agreement related to Paramore/Redd Online Marketing, LLC., which was seconded by Commissioner Helton and then unanimously adopted.

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

The next Item under New Business was discussion and consideration of declaring certain City vehicles as surplus property. Vice Mayor Hays made a motion to approve declaring the noted City vehicles as surplus which was seconded by Commissioner McCown and then unanimously adopted.

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

Item F under New Business was discussion and consideration of making an appointment to the Municipal/Regional Planning Commission. Commissioner Helton made a motion to reappoint Mrs. Teresa Cantrell which was seconded by Vice Mayor Hays and then unanimously approved.

ORDINANCE NUMBER 2440, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 411.3.6.2 TO LIMIT THE NUMBER OF INCIDENTAL SIGNS IN THE COMMERCIAL AESTHETIC (CA) OVERLAY DISTRICT, (FIRST READING AND PASSED PLANNING COMMISSION 4/19/12).

The next Item under New Business was Ordinance Number 2440, amending the Zoning Ordinance by amending Section 411.3.6.2 to limit the number of incidental signs in the Commercial Aesthetic (CA) Overlay District, (First Reading and Passed Planning Commission 4/19/12). Commissioner Smith made a motion to approve the Ordinance which was seconded by Vice Mayor Hays. The City Manager then asked the City Planner to review and Mr. Ball stated that this Ordinance limits incidental signage to a maximum of four signs in the CA Overlay District. After these comments, the motion to approve Ordinance Number 2440 on first reading was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE ENVIRONMENTAL DESIGN REVIEW BOARD.

The last Item under New Business was discussion and consideration of making an appointment to the Environmental Design Review Board. Commissioner Helton made a motion to appoint Mr. Tim Heinrich to the Environmental Design Review Board which was seconded by Vice Mayor Hays and then unanimously approved.

UNSCHEDULED ITEMS:

Commissioner Mark McCown:

- (1) Commented that the July 3, 2012, luncheon at the Aquarium for the Tuskegee Airman was a very emotional event and stated that the Special Events and Aquarium Staff all did a great job.

Vice Mayor Jerry Hays:

- (1) Complimented the Employee Recognition Board (ERB) Award recipients and stated that they do a great job for the City and that it is important to recognize them and show them appreciation for doing such a good job.

Commissioner Don Smith:

- (1) Echoed the above regarding the ERB Award recipients and stated that the Police Department does a great job with the Easter Egg Hunt and also with the Christmas event for the kids.

Commissioner Mike Helton:

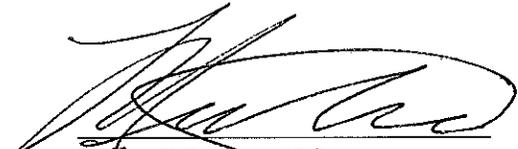
- (1) Echoed the above regarding the Tuskegee Airmen and also the ERB Award recipients; and,

- (2) Thanked Mrs. B.J. Byars for her outstanding work for the many years she has served on the Environmental Design Review Board and stated that she will be missed.

Mayor Mike Werner:

- (1) Echoed all of the above; and,
- (2) Recognized Boy Scouts that were in the audience and asked if they would share why they were at the meeting, and one stated that attendance at a Council Meeting was a requirement to achieve a Communication or Citizenship Merit Badge; and,
- (3) Asked for prayers for Mr. Brian Ivey for a successful surgery that he will be having tomorrow.

There being no further business to come before the City Commission, Commissioner McCown made a motion to adjourn. Vice Mayor Hays 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, July 24, 2012, at 6:00 P.M. in the City Council Room. All members were present with the exception of Vice Mayor Jerry Hays. 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 July 10, 2012. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner 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 advise that the Community Center will be closed from Monday, August 6 through Sunday, August 12, 2102, for maintenance. The City Manager further commented that this is an annual event where all the maintenance is performed in-house by Recreation Department personnel and that, based on the cost of refinishing the wood floors alone, it is estimated that over the 25 years the building has been open, more than \$250,000 has been saved by doing this maintenance on an in-house basis. The City Manager concluded that the Community Center will reopen at 6:00 A.M. on Monday, August 13, 2012.

ORDINANCE NUMBER 2441, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, AND CARRYING FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, FIRST READING.

Item A under New Business was Ordinance Number 2441, an Ordinance making and fixing the annual appropriation for the several Departments of the City for the Fiscal Year beginning July 1, 2012, and ending June 30, 2013, and carrying forward appropriations for prior year encumbrances, first reading. Commissioner Helton made a motion to approve the Ordinance on first reading which was seconded by Commissioner Mark McCown. The City Manager then commented that the Budget had been reviewed in a lengthy meeting the previous day and that this is the first reading of the Ordinance and that the Public Hearing and Second Reading will be August 7, 2012, with the Final Reading scheduled for August 21, and a Workshop scheduled for August 6, 2012. After these comments, the motion to approve Ordinance Number 2441, on first reading, was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR KIRILL SINCHUK, D/B/A THE FORK RESTAURANT & BAR, 408 PARKWAY, SUITE 10.

Item B under New Business was discussion and consideration of approving a Certificate of Good Moral Character for Kirill Sinchuk, d/b/a The Fork Restaurant & Bar, 408 Parkway, Suite 10. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner McCown and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR VIRGINIA JESSUP BAKER, D/B/A GATLINBURG BARRELHOUSE, LLC., 650 PARKWAY.

Item C under New Business was discussion and consideration of approving a Certificate of Good Moral Character of Virginia Jessup Baker, d/b/a Gatlinburg Barrelhouse, LLC., 650 Parkway. Commissioner McCown made a motion to approve the Certificate contingent upon the receipt of a Certificate of Occupancy. The motion was seconded by Commissioner Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH THE EAST TENNESSEE DEVELOPMENT DISTRICT FOR LOCAL PLANNING ADVISORY SERVICES.

The next Item under New Business was discussion and consideration of approving a Contract with the East Tennessee Development District for Local Planning Advisory Services. Commissioner McCown made a motion to approve the Contract which was seconded by Commissioner Smith. The City Manager then commented that this contract is for a twelve month period for continuing a very important service with the East Tennessee Development District (ETDD) and that this is a result of Tennessee Planning Offices throughout the State being eliminated a couple of years ago through the State Budgetary process. The City Manager continued that ETDD came forward to aid communities in the planning process and that an eight month trial basis has been recently completed with great success and that it is the recommendation of the City Planner to continue these planning services with ETDD. The City Manager then stated that there is no change in the annual amount of \$8,530 which is also the same that was charged by the Tennessee State Planning Office, and that it is a reasonable amount for this service. After discussion, the motion to approve the Contract with ETDD was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE OTHER THAN THE LOW BID TO SHOFFNER MECHANICAL FOR HVAC MAINTENANCE FOR THE CONVENTION CENTER AND CITY WELCOME CENTERS.

The next Item under New Business was discussion and consideration of approving the other than the low bid to Shoffner Mechanical for HVAC maintenance for the Convention Center and City Welcome Centers. Commissioner Helton made a motion to approve the other than the low bid which was seconded by Commissioner Smith. The City Manger then asked Mr. Scott Murphy of the Convention Center to explain. Mr.

Murphy stated that the Convention Center has a history with some of the service corporations that submitted bids and that some of the lower bids did not meet required specifications of the bid, and one in particular, which was that the company must be currently engaged in the maintenance of a facility that is the same size and types of these City facilities. Mr. Murphy continued that Shoffner has performed well at the Convention Center and had not raised their rate in four years. Mr. Murphy continued that the age of the equipment creates a delicate situation and that the Convention Center cannot take chances in having long term outages and put customers in jeopardy and that Shoffner is recommended due to their past history of quick response to outages and their knowledge of the existing equipment. After discussion, the motion to approve the other than the low bid to Shoffner Mechanical for HVAC maintenance for the Convention Center and the City Welcome Centers was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A 5311 RURAL TRANSPORTATION OPERATING ASSISTANCE GRANT CONTRACT FOR THE MASS TRANSIT DEPARTMENT.

Item F under New Business was discussion and consideration of approving a 5311 Rural Transportation Operating Assistance Grant Contract for the Mass Transit Department. Commissioner McCown made a motion to approve the 5311 Grant Contract which was seconded by Commissioner Helton. The City Manager then commented that the contract amount of \$358,137 is a portion of the total amount of \$830,000 that is in the Budget as operating income and is received from the Tennessee Department of Transportation and that this revenue is extremely important income for the Mass Transit Department. The City Manager further commented that this is the first of three operating assistance agreements for this Fiscal Year. After these comments, the motion to approve the 5311 Rural Transportation Operating Assistance Grant Contract for the Mass Transit Department was unanimously adopted.

RESOLUTION NUMBER 882, A RESOLUTION AUTHORIZING THE CITY TO PARTICIPATE IN THE TENNESSEE MUNICIPAL LEAGUE (TML) RISK MANAGEMENT POOL "SAFETY PARTNERS" LOSS CONTROL MATCHING GRANT PROGRAM.

The last Item under New Business was Resolution Number 882, a Resolution authorizing the City to participate in the Tennessee Municipal League (TML) Risk Management Pool "Safety Partners" Loss Control Matching Grant Program. Commissioner Helton made a motion to approve the Resolution which was seconded by Commissioner Smith. The City Manager commented that this is an annual grant program offered by TML to participating members and is in the amount of \$4,000 which is what the City qualifies for based on population. The City Manager further stated that these monies are set aside to purchase steel toed boots, safety vests, trench shoring equipment and various other safety equipment. After discussion, the motion to approve Resolution Number 882 was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mark McCown:

- (1) Commended the City Manager, the Assistant City Manager/Finance Director and Staff for doing such a great job on the \$51 million Budget and stated that he appreciates all their hard work in preparing the Budget.

Commissioner Don Smith:

- (1) Echoed the above regarding the Budget preparation and wanted to thank the City Manager and the Assistant City Manager/Finance Director for their hard work.

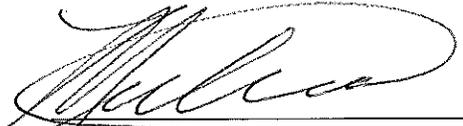
Commissioner Mike Helton:

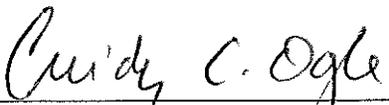
- (1) Stated that this was an excellent Budget and commended the City Manager and the Assistant City Manager/Finance Director and stated that it is great for the citizens, visitors, and employees of the City.

Mayor Mike Werner:

- (1) Echoed all of the above; and,
- (2) Asked the Mass Transit Manager as to the ridership on the Free Parkway Trolley route and Mr. Parton responded that last year in June there were approximately 5,000 to 6,000 riders and that this year in June, there were approximately 27,000, and that year to date totals are running significantly ahead in comparison to last years ridership figures at this time. The Mayor then stated that this was a great service for visitors and locals and that he had heard a great amount of positive feed back about this service.

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, August 7, 2012, 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 July 24, 2012. 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 begin with an update on the Mynatt Park Bridge Project and stated that work continues with significant progress since the last report on July 10, 2012. The City Manager continued that, since that report, the upstream section of the bridge deck has been poured along with the bridge rail columns and that the Sevier County Utility District is in the process of rerouting the gas lines through the new section of the bridge and the stone mason is laying the mountain stone veneer on the bridge rail columns and that the bridge has reached adequate curing strength so the bridge abutments have been backfilled and the approaches to the new section of the bridge are expected to be paved by the end of the week. She then stated that with the completion of the paving and the installation of barrier rails, traffic should be diverted onto the new section of the bridge sometime next week and that once traffic is diverted demolition of the lower half of the old bridge can begin. The City Manager stated that the Tennessee Department of Transportation has an unofficial estimated completion date of sometime in October 2012; and,

(2) that she wanted to remind everyone of the upcoming Gatlinburg Fine Arts Festival, which will be held on the campus of Arrowmont School of Arts and Crafts on Labor Day weekend, August 30 through September 2, 2012, and that this is the eighth annual showcase of juried artists from across the country offering the finest in exquisite arts and crafts, delicious cuisine and music, with the proceeds benefiting Arrowmont and the Sevier County Arts Council. The City Manager concluded that for more information to visit www.gfaf.net; and,

(3) that she wanted to announce that there will not be a Budget Workshop meeting on August 13, 2012. The City Manager stated that it was determined at yesterday's Budget Workshop that this meeting would not be necessary; and,

(4) that she would like for Mrs. Vicki Simms, Interim Executive Director of the Gatlinburg Convention and Visitors Bureau, to come up and discuss the upcoming Convention and Visitors Bureau Picnic. Mrs. Simms proceeded to address the City

Commission and thanked them for the opportunity to be involved in the work on the Convention and Visitors Bureau and that she appreciated all their support. Mrs. Simms then invited them to the Annual Chamber Picnic which is in celebration of the newly formed Convention and Visitors Bureau and also in celebration of the season finale of Tunes and Tales and that it will be held at the Brookside Pavilion on Thursday, August 9, 2012, at 5:00 P.M.

ORDINANCE NUMBER 2440, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 411.3.6.2 TO LIMIT THE NUMBER OF INCIDENTAL SIGNS IN THE COMMERCIAL AESTHETIC (CA) OVERLAY DISTRICT, Public Hearing and Second Reading (Passed First Reading 7/10/12 and Passed Planning Commission 4/19/12).

The first item under Old Business was Ordinance Number 2440, amending the Zoning Ordinance by amending Section 411.3.6.2 to limit the number of incidental signs in the Commercial Aesthetic (CA) Overlay District, Public Hearing and Second Reading (Passed First Reading 7/10/12 and Passed Planning Commission 4/19/12). Commissioner Mike Helton made a motion to approve the Ordinance which was seconded by Commissioner Don Smith. The Mayor then opened a Public Hearing and with no comments, closed the Public Hearing. The motion to approve Ordinance Number 2440, on second and final reading was then unanimously adopted.

ORDINANCE NUMBER 2441, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, AND CARRYING FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, PUBLIC HEARING AND SECOND READING, AS AMENDED (Passed First Reading 7/24/12).

Item A under New Business was Ordinance Number 2441, an Ordinance making and fixing the annual appropriation for the several Departments of the City for the Fiscal Year beginning July 1, 2012, and ending June 30, 2013, and carrying forward appropriations for prior year encumbrances, second reading, as amended (Passed First Reading 7/24/12). Commissioner McCown made a motion to approve the Ordinance which was seconded by Vice Mayor Hays. The Mayor then opened the Public Hearing and there being no comments, closed the Public Hearing. The motion to approve Ordinance Number 2441, on second reading, as amended, was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN EQUIPMENT RENTAL AGREEMENT WITH DIVERSE COMPUTING, INC., FOR THE POLICE DEPARTMENT.

The first Item under New Business was discussion and consideration of approving an

Equipment Rental Agreement with Diverse Computing, Inc., for the Police Department. Commissioner Smith made a motion to approve the Agreement which was seconded by Commissioner Helton. The City Manager then asked the Police Chief to explain and he proceeded to do so and stated that the requested equipment is for the main telephone connection that is used for the NCIC system which allows law enforcement agencies to run background checks and check for outstanding warrants on individuals. Chief Brackins continued that this is new equipment for the NCIC system and that the present cost is \$920 per year for the existing connection and this will be reduced to \$360 per year, after the first year, which is a considerable savings. After these comments, the motion to approve an equipment rental agreement with Diverse Computing, Inc., for the Police Department was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FROM THE GATLINBURG ROTARY CLUB FOR THE USAGE OF SURPLUS MILLS AUDITORIUM STONE.

The next Item under New Business was discussion and consideration of approving a request from the Gatlinburg Rotary Club for the usage of surplus Mills Auditorium stone. Vice Mayor Hays made a motion to approve the request which was seconded by Commissioner Helton. The City Manager commented that in your Agenda package, is information that contains the Rotary's specific requests and outlines the Projects that the Club would like to do. The City manager then asked Mrs. Debbie Orsburn to further explain and Mrs. Orsburn stated that the Rotary Club has two specific projects that they would like to use the stone for and the first one is for a new sign for the White Oaks Flats Cemetery and the second one is to put in a serenity walkway between the Anna Porter Public Library and the Baseball field which would be done by the Rotary Interact Club which is made up of Gatlinburg-Pittman High School students. After these comments, the motion to approve the usage of surplus Mills Auditorium stone by the Gatlinburg Rotary Club was unanimously adopted.

ORDINANCE NUMBER 2442, A PROPERTY TAX LEVYING ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013, First Reading.

The last Item under New Business was Ordinance Number 2442, a Property Tax Levying Ordinance for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. The City Manager then commented that the Ordinance provides for the tax rate to remain the same and is the rate that was used in the preparation of the 2012-13 Budget. After these comments, the motion to approve Ordinance Number 2442, on first reading, was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Wanted to remind everyone that School starts next week and stated that we need to be careful driving and watch out for the kids and he also stated that Fall sports are just around the corner and wished all the Schools good luck for the season.

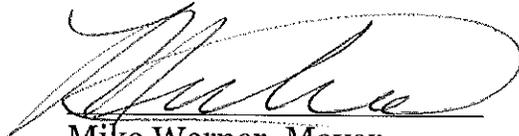
Commissioner Don Smith:

- (1) Congratulated Sheriff Hoss Seals for being named as Sheriff of the Year by the Tennessee Sheriff's Association.

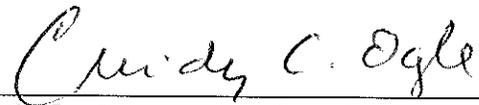
Mayor Mike Werner:

- (1) Agreed with the above comment related to Fall sports and stated that he hoped everyone had a good summer and that he is looking forward to the Fall sports events.

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, August 21, 2012, 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 August 7, 2012. Commissioner Mike Helton 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 Items from the audience, Mayor Werner recognized Dr. Vicki Moore Quilliams who proceeded to distribute information to the Board of Commissioners and then requested a change in City Ordinances that would allow for a Tennessee Party Bike operation. Dr. Quilliams then referenced a Tennessee Code that allows this operation and asked if City Commission would consider changing the Ordinance so that this could be done in the City. Dr. Quilliams further stated that the Bike is made in Holland and it is very safe and that there are no open containers allowed on the Bike and that the Tennessee Party Bike is in operation already in Knoxville and Pigeon Forge and that a tour leader is designated for each group and that that person is responsible for the cost of the tour and the conduct of the passengers. Dr. Quilliams then stated that she would be happy to answer any questions regarding this request and Mayor Werner then asked about the route that would be taken for the tour and Dr. Quilliams stated that the route would start at the Smoky Mountain Brewery then cross the Parkway to the Sugarland Cellars and then proceed on to the Ole Smoky Moonshine Holler. Commissioner McCown then asked if people would be able to get off at these locations and Dr. Quilliams responded yes and that there is space on the Bike for riders to store purchases from these businesses. Vice Mayor Jerry Hays then stated that the City Attorney needs to review the information and report back to City Commission. Dr. Moore then thanked the City Commission for their time and consideration.

Regarding reports of Boards and Committees there were none.

The City Manager reported and/or requested:

(1) that she wanted to remind everyone that the Smoky Mountain Songwriters Festival will take place this weekend and that it begins Thursday with a reception with the artists at Ober Gatlinburg and continues Friday and Saturday with events, programs and concerts at venues throughout town. The City Manager further stated that among the twenty-four musical events scheduled that Jimbo Whaley and The Greenbrier Bluegrass Band will be in concert Saturday evening at W.L. Mills Auditorium to benefit the Lucinda Oakley Ogle Cabin Restoration Project; and,

(2) that she wanted to remind everyone of the upcoming Gatlinburg Fine Arts Festival, which will be held on the campus of Arrowmont School of Arts and Crafts on

Labor Day weekend, August 30 through September 2, 2012, and that this is the eighth annual showcase of juried artists from across the country offering the finest in exquisite arts and crafts, delicious cuisine and music, with the proceeds benefiting Arrowmont and the Sevier County Arts Council. The City Manager concluded that for more information to visit www.gfaf.net.

ORDINANCE NUMBER 2441, AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATION FOR THE SEVERAL DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, AND CARRYING FORWARD APPROPRIATIONS FOR PRIOR YEAR ENCUMBRANCES, THIRD AND FINAL READING, (Passed First Reading 7/24/12 and Second Reading, as Amended 8/07/12).

Item A under Old Business was Ordinance Number 2441, an Ordinance making and fixing the annual appropriation for the several Departments of the City for the Fiscal Year beginning July 1, 2012, and ending June 30, 2013, and carrying forward appropriations for prior year encumbrances, Third and Final Reading (Passed First Reading 7/24/12 and Second Reading as Amended 8/07/12). Vice Mayor Hays made a motion to approve the Ordinance which was seconded by Commissioner Mike Helton. The motion to approve Ordinance 2441 on third and final reading was then unanimously adopted.

ORDINANCE NUMBER 2442, A PROPERTY TAX LEVYING ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013, SECOND READING, (Passed First Reading 8/07/12).

The next Item under Old Business was Ordinance Number 2442, a Property Tax Levying Ordinance for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013, Second Reading, (Passed First Reading 8/07/12). Commissioner Don Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. Commissioner McCown then commented that there is no increase in the Property Tax Rate for this year and the City Manager stated yes that is correct. After these comments, the motion to approve Ordinance Number 2442 on second and final reading was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR STEVE YATES, D/B/A SHERLOCK HOLMES PUB, 651 PARKWAY, SUITE 110.

The first Item under New Business was discussion and consideration of approving a Certificate of Good Moral Character for Steve Yates, d/b/a Sherlock Holmes Pub, 651 Parkway, Suite 110. Commissioner Helton made a motion to approve the Certificate which was seconded by Commissioner Smith and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES WITH THE GATLINBURG GATEWAY FOUNDATION D/B/A THE GATLINBURG FINE ARTS FESTIVAL AT ARROWMONT.

Item B under New Business was discussion and consideration of approving a Contract for Services with the Gatlinburg Gateway Foundation d/b/a the Gatlinburg Fine Arts Festival at Arrowmont. Vice Mayor Hays made a motion to approve the Contract for Services which was seconded by Commissioner McCown. Mayor Werner then asked Mr. Stan Johnson to address the Board of Commissioners and Mr. Johnson proceeded to do so and stated that he appreciates the City's support and that this is the eighth year of this Project and he believes that the Fine Arts Festival has a sound foundation. Mr. Johnson further stated that he met with the new Executive Director of the Tennessee Arts Commission and that the support of the Festival is now all the way to the State level due greatly because of the City's support. Mr. Johnson continued that these are a fine group of artists and that a good scope of media that are represented at the Festival and also that the benefactors of the Festival are the Boys and Girls Club, Arrowmont, and the Sevier County Arts Council and stated that he is grateful for the City Commission and the City Manager's support. Mr. Johnson then discussed the night with the artist event and that Akina Blunt will be recognized and that this will have a positive economic impact on the City. After these comments, the motion to approve the Contract for Services with the Gatlinburg Gateway Foundation d/b/a the Gatlinburg Fine Arts Festival at Arrowmont was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NUMBER 5 RELATED TO THE EFFICIENT ELECTRIC CONTRACT FOR THE UNDERGROUND UTILITIES AND STREETScape PHASE VI PROJECT.

The next Item under New Business was discussion and consideration of approving Change Order Number 5 related to the Efficient Electric Contract for the Underground Utilities and Streetscape Phase VI Project. Commissioner McCown made a motion to approve the Change Order which was seconded by Commissioner Smith. The City Manager then asked Mr. Steve Fritts, Design Consultant, to explain and she stated that this is the final change order. Mr. Fritts then explained that the change order included some small increases for items such as drainage pipe, additional railings and concrete sidewalks which totaled \$35,734 and decreases, which were due mainly to the unused portion of the storm drainage account, and also landscaping and paving done by the City, totaled \$243,000. Mr. Fritts continued that the net effect is equal to a reduction in the Contract in the amount of \$208,767. Mayor Werner then asked how often this happens and Mr. Fritts responded that this occurred in Phases IV and V and that an amount to replace all storm drainage pipes has been included in the price of the Contract and that it has worked well for both Barge, Waggoner, Sumner and Cannon and the City. Mr. Fritts then commented that the Project was substantially completed on time on June 30, 2012 and that it looks good at that end of town. After

discussion, the motion to approve change order number 5 related to the Efficient Electric Contract for the Underground Utilities and Streetscape Phase VI Project was unanimously adopted.

RESOLUTION NUMBER 883, A RESOLUTION PLEDGING TO UPGRADE TWO GATLINBURG-PITTMAN HIGH SCHOOL ATHLETIC FIELDS BY THE INSTALLATION OF SYNTHETIC TURF AS A PART OF THE SPORTS COMPLEX PROJECT.

Item D under New Business was Resolution Number 883, a Resolution pledging to upgrade two Gatlinburg-Pittman High School athletic fields by the installation of synthetic turf as a part of the Sports Complex Project. Commissioner Smith made a motion to approve the Resolution which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH SOUTHERN CONSTRUCTORS, INC., RELATED TO THE WASTEWATER TREATMENT PLANT EQUALIZATION BASIN PROJECT.

Item E under New Business was discussion and consideration of approving an Agreement with Southern Constructors, Inc., related to the Wastewater Treatment Plant Equalization Basin Project. Commissioner McCown made a motion to approve the Agreement which was seconded by Vice Mayor Hays. The City Manager then gave an overview and stated that Southern Constructors, Inc., had the low bid amount of \$1,590,000 and that is well within the budgeted amount of \$1,608,000 for this Project. After these comments, the motion to approve the Agreement with Southern Constructors, Inc., related to the Wastewater Treatment Plant Equalization Basin Project was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT FOR ENGINEERING SERVICES WITH MCGILL ASSOCIATES, P.A., RELATED TO THE WASTEWATER TREATMENT PLANT EQUALIZATION BASIN PROJECT.

The next Item under New Business was discussion and consideration of approving an Agreement for Engineering Services with McGill Associates, P.A., related to the Wastewater Treatment Plant Equalization Basin Project. Commissioner Helton made a motion to approve the Agreement which was seconded by Commissioner Smith. The City Manager then commented that the amount of the Agreement is \$73,500 and stated that it is for the construction inspection and administration of the contract that was approved in the previous item. After these comments, the motion to approve the Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A QUIT CLAIM DEED TO DARRELL D. WHITCHURCH, ET UX, RELATED TO THE

FORMER WATER TANK SITE ON CLINE DRIVE.

Item G under New Business was discussion and consideration of approving a Quit Claim Deed to Darrell D. Whitchurch, ET UX, related to the former water tank site on Cline Drive. Commissioner McCown made a motion to approve the Quit Claim Deed which was seconded by Commissioner Smith. The City Manager then explained that the water tank had been removed approximately two years ago and that Mr. Whitchurch had approached the City regarding the parcel and stated that in exchange for the Deed the City receive an easement to the whole parcel to maintain and repair water lines. The City Manager further stated that the Utilities Manager has discussed this matter with Mr. Witchurch and his attorney and that everything seems to be in order to proceed. After discussion, the motion to approve the Quit Claim Deed to Darrell D. Whitchurch, ET UX, related to the former water tank site on Cline Drive was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE ENVIRONMENTAL DESIGN REVIEW BOARD.

The last Item under New Business was discussion and consideration of making an appointment to the Environmental Design Review Board. Commissioner McCown made a motion to defer this Item until the next City Commission meeting which was seconded by Commissioner Smith and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mark McCown

- (1) Stated that he saw Live at Five at Four and that Ms. Cyndy Montgomery Reeves and Mr. George Hawkins were on it regarding the Song Writers Festival and that Ms. Heather Maples sang and he stated that they all did a great job.

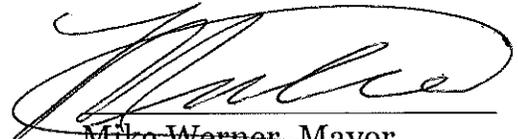
Vice Mayor Jerry Hays:

- (1) Stated that he was excited about the new Gatlinburg-Pittman High School football fields.

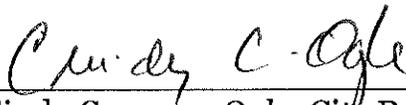
Mayor Mike Werner:

- (1) Agreed with the above related to the football fields and stated that he hopes for all the teams to do well in their upcoming Seasons.

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, September 4, 2012, 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 August 21, 2012. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Mike Helton and then unanimously adopted.

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

The City Manager reported and/or requested:

(1) that she wanted to remind everyone that the 15th Annual Taste of Autumn will be held September 27, 2012, at the Gatlinburg Convention Center at 5:00 P.M. and that vendors from the area's finest restaurants will have sample signature dishes and there will be live entertainment with music by Millie Palmer Jazz. The City Manager further stated that proceeds benefit United Way of Sevier County and that tickets are \$25; and,

(2) that the Gatlinburg Farmers Market is open each Saturday from 8:30 A.M. to 11:30 A.M. located at the Alamo Steak House Parking Lot at 705 East Parkway.

DISCUSSION AND CONSIDERATION OF MAKING AN APPOINTMENT TO THE ENVIRONMENTAL DESIGN REVIEW BOARD (DEFERRED 8/21/12).

Item A under Old Business was discussion and consideration of making an appointment to the Environmental Design Review Board (Deferred 8/21/12). Commissioner Smith made a motion to nominate Mrs. Amy Seavy which was seconded by Commissioner Helton and then unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR JAMES STEWART, D/B/A DOLCE UVA WINE BAR, 463 PARKWAY.

The first Item under New Business was discussion and consideration of approving a Certificate of Good Moral Character for James Stewart, d/b/a Dolce UVA Wine Bar, 463 Parkway. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CERTIFICATES OF GOOD MORAL CHARACTER FOR WARREN AND MARY LESSER, D/B/A HOGG'S PUB & GRUB, 170 GLADES ROAD, SUITE #33.

Item B under New Business was discussion and consideration of approving Certificates of Good Moral Character for Warren and Mary Lesser, d/b/a Hogg's Pub & Grub, 170 Glades Road, Suite #33. Vice Mayor Hays made a motion to approve the Certificates which was seconded by Commissioner Mark McCown. Commissioner McCown then asked as to the location and Commissioner Smith responded that it is at the intersection of Glades and Shieldsview Roads. After discussion, the motion to approve Certificates of Good Moral Character for Warren and Mary Lesser was unanimously adopted.

DISCUSSION AND CONSIDERATION OF AUTHORIZING CHANGES TO THE MUNICIPAL CODE TO ALLOW A REQUEST FOR A TENNESSEE PARTY BIKE OPERATION.

The next Item under New Business was discussion and consideration of authorizing changes to the Municipal Code to allow a request for a Tennessee Party Bike Operation. Commissioner McCown made a motion to defer this item due to the concerns of the Police Department and asked the City Manager to set up a Workshop as soon as possible to discuss. Commissioner Smith then seconded the motion to defer which was unanimously adopted.

RESOLUTION NUMBER 884, A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY AND SEVIER COUNTY RELATED TO THE SPORTS COMPLEX PROJECT.

Item D under New Business was Resolution Number 884, a Resolution authorizing the City to enter into a Memorandum of Understanding by and between the City and Sevier County related to the Sports Complex Project. Commissioner Smith made a motion to approve the Resolution which was seconded by Commissioner Helton. Mayor Werner then referenced the lengthy Workshop meeting that was held earlier in the evening and that the Sports Complex concept had been discussed for the past several months and this is something that is going to be good for the City and, also, for the County and asked if there was any further discussion. The motion to approve Resolution Number 884 was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN OPTION CONTRACT FOR THE PURCHASE OF A 10.07 ACRE PARCEL NEAR GATLINBURG-PITTMAN HIGH SCHOOL.

The next Item under New Business was discussion and consideration of approving an Option Contract for the purchase of a 10.07 acre parcel near Gatlinburg-Pittman High School. Commissioner Helton made a motion to approve the Contract which was

seconded by Commissioner McCown. Mayor Werner then commented that the 10.07 acres is the big foot print to the left of the High School and asked if any further discussion was necessary. The motion to approve the Option Contract for the purchase of a 10.07 acre parcel near Gatlinburg-Pittman High School was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A LEASE AGREEMENT WITH THE UNITED STATES POST OFFICE FOR THE GATLINBURG POST OFFICE.

Item F under New Business was discussion and consideration of approving a Lease Agreement with the United States Post Office for the Gatlinburg Post Office. Commissioner McCown made a motion to approve the Lease which was seconded by Vice Mayor Hays. The City Manager then asked the Assistant City Manager/Finance Director to provide an overview of the Agreement. Mr. Beeler stated that this would replace the existing lease which will expire at the end of this calendar year and that the proposed lease is for a period of five years with options for two additional five year renewals and sets the rental fee at \$79,609.20 per year for the first five years and that this is a 5% increase over the present lease amount. Mr. Beeler further stated that the lease requires that the City pay the tenant's representative, Wood Properties, Inc., a commission fee of \$15,921.84. After discussion, the motion to approve the Lease Agreement with the United States Post Office was unanimously adopted.

RESOLUTION NUMBER 885, A RESOLUTION AUTHORIZING THE ISSUANCE OF INTEREST BEARING FIRE TRUCK CAPITAL OUTLAY NOTES, SERIES 2012, IN AN AMOUNT NOT TO EXCEED \$469,837, AND PROVIDING FOR THE PAYMENT OF SAID NOTES.

The last Item under New Business was Resolution Number 885, a Resolution authorizing the issuance of interest bearing Fire Truck Capital Outlay Notes, Series 2012, in an amount not to exceed \$469,837, and providing for the payment of said notes. Commissioner McCown made a motion to approve the Resolution which was seconded by Commissioner Helton. The City Manager then explained that the purchase of a Quint Fire Engine was approved in the FY 2012-13 Budget based upon doing a ten year Capital Outlay Note and this Resolution authorizes utilizing the Tennessee Municipal League's Bond Fund Program which provides a good interest rate and minimal cost for participation. The City Manager then asked the Fire Chief to describe the equipment to be purchased and Chief Miller proceeded to do so and stated that the Quint Engine is a relatively new concept that has been around approximately ten to fifteen years and that this vehicle basically has five different purposes. Chief Miller continued that in addition to a regular fire engine that is used for fire suppression, emergency vehicle response and hazardous material removal, the Quint Engine also has a ladder which allows for rescue and elevated suppression to high rise buildings and that, per ISO evaluations in the past, the area closest to Headquarters, was identified as

an area that needed an additional ladder like the one downtown to satisfy some of the higher condominium buildings in this area of the City. Chief Miller continued that the Quint engine would run everyday just like a regular engine, however, the additional equipment that allows for rescue and elevated suppression is a great addition. Mayor Werner referenced the good price and the City Manager then asked the Fire Chief to explain. Chief Miller explained that Rosenbauer International is a large apparatus manufacturer and does not currently have any apparatus east of Chattanooga and that their distributor contacted Chief Miller after the request was sent out for quotes and that Rosenbauer International valued the opportunity to get into this area due largely to the fact that they realize how many off-duty fireman travel to this area and stop in the City Fire Halls for tours and that the potential for word of mouth sales basically lead to a \$150,000 discount on the price of the Quint engine. Chief Miller further stated that a recommended improvement from the last ISO evaluation in November 2009 was to secure a Quint engine or other aerial device for the Headquarters Fire District which will help secure and maintain the City's future ISO ratings. Vice Mayor Hays then commented that the ISO rating definitely helps reduce insurance rates and that is good for all our citizens of Gatlinburg. After these comments, the motion to approve Resolution Number 885 was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Complimented the Building Maintenance Department on the new signs at City Hall and stated that they look really good; and,
- (2) Referenced the passing of Mrs. Frances Tidwell and Mr. Von Ogle and stated that they both were great Ambassadors for the City and will be sadly missed.

Commissioner Mark McCown:

- (1) Wished best of luck to the Gatlinburg-Pittman High School Girl's Soccer Team.

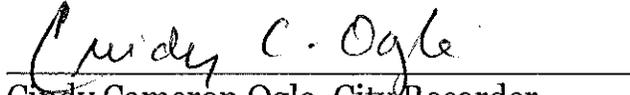
Mayor Mike Werner:

- (1) Echoed the above related to the passing of Mrs. Tidwell and Mr. Ogle and commented that he had set next to Mr. Ogle at a recent High School football game and that he hardly ever missed a game or a practice and that he will be missed and then stated to please keep these two families in your prayers.

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, September 18, 2012, 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 September 4, 2012. 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, Mr. Mike Hicks discussed the Share the Road Program and stated that North Carolina has these type signs and that cities that have these signs have had no lawsuits and roads and byways with these signs tend to have less litter. Mr. Hicks then requested that these signs be put up on Glades and Buckhorn Roads and then read a petition that was signed by approximately 150 residents and business owners. Mayor Werner then asked as to how many of these signs would be necessary and Mr. Hicks responded six to eight. Commissioner Mark McCown then asked as to the liability to the City and the City Attorney responded that he does not see any liability issues and that the County has designated Highway 416 as a bike route and that cyclists coming into Gatlinburg would use either Glades or Buckhorn Road based on that designation. The Mayor then commented that he thinks this is a great idea.

There were no reports of Boards or Committees.

The City Manager reported and/or requested:

(1) that she wanted to remind everyone that the 15th Annual Taste of Autumn will be held September 27, 2012, at the Gatlinburg Convention Center at 5:00 P.M. and that vendors from the area's finest restaurants will have sample signature dishes and there will be live entertainment with music by Millie Palmer Jazz. The City Manager further stated that proceeds benefit United Way of Sevier County and that tickets are \$25 and are available at Gatlinburg Welcome Centers, the Chamber of Commerce, and both Home Federal and Sevier County Banks in Gatlinburg, and also online at www.gatlinburg.com; and,

(2) that she wanted to give an update on the Mynatt Park Bridge Project and stated that significant progress has been made since the last report on August 7, 2012. The City Manager stated that the upstream half of the bridge has been completed, traffic has been diverted and work is now focused on the downstream half of the bridge and that work completed on the downstream section included the bridge bottom, abutment and wing wall on the Cherokee Orchard Road quadrant and center column of the bridge and that work now is focused on stream diversion in order to prepare to pour the bottom, bridge abutment and wing wall on the Mynatt Park quadrant of the bridge. The City

Manager concluded that once this work is complete the contractor can prepare to pour the bridge deck and that work is estimated to be substantially complete the end of October; and,

(3) that Officials from Great Smoky Mountains National Park advised the City of a necessary one lane closure on the southbound side of the Spur so that the Sevier County Utility District can repair a gas line. The City Manager stated that the work began Monday, September 17, 2012, and that it will take approximately three to four days to complete.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR MARIAH L. FARMER, D/B/A EPI'S FINE WINE & SPIRITS, 1359 E. PARKWAY.

Item A under New Business was discussion and consideration of approving a Certificate of Good Moral Character for Mariah L. Farmer, d/b/a Epi's Fine Wine & Spirits, 1359 E. Parkway. Commissioner Mark McCown made a motion to approve the Certificate of Good Moral Character which was seconded by Commissioner Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR MARIAH L. FARMER, D/B/A EPI'S FINE WINE & SPIRITS, 1359 E. PARKWAY.

The next Item under New Business was discussion and consideration of approving a Certificate of Compliance for Mariah L. Farmer, d/b/a Epi's Fine Wine & Spirits, 1359 E. Parkway. Commissioner Smith made a motion to approve the Certificate of Compliance which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR THE USAGE OF THE MCMAHAN/PARKWAY PARKING GARAGE NOVEMBER 1 THRU 3, 2012, FROM THE ARROWMONT SCHOOL OF ARTS AND CRAFTS.

Item C under New Business was discussion and consideration of approving a request for the usage of the McMahan/Parkway Parking Garage November 1 thru 3, 2012, from the Arrowmont School of Arts and Crafts. Commissioner McCown made a motion to approve the request which was seconded by Commissioner Helton. Mayor Werner then asked Mr. Bill May to explain and Mr. May stated that he would like to thank the Commission for their consideration of this request and that there will be 150 Art Educators coming from throughout the State to Arrowmont for this Conference and that this request for twenty parking spaces will allow the Arrowmont Staff to park in the

parking garage and make space available for the participants to park at Arrowmont. After these comments, the motion to approve the request for the usage of the McMahan/Parkway Parking Garage was unanimously adopted.

RESOLUTION NUMBER 886, AN INTIAL BOND RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) GENERAL OBLIGATION BONDS OF THE CITY OF GATLINBURG.

The next Item under New Business was Resolution 886, an initial Bond Resolution authorizing the issuance of not to exceed five hundred thousand dollars (\$500,000) General Obligation Bonds of the City of Gatlinburg. Commissioner Smith made a motion to approve the Resolution which was seconded by Vice Mayor Hays. Mayor Werner then referenced the earlier Workshop to discuss this Item and the following Item E. The motion to approve Resolution Number 886 was then unanimously adopted.

RESOLUTION NUMBER 887, A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AGGREGATE AMOUNT OF NOT TO EXCEED SEVEN MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$7,250,000) OF THE CITY OF GATLINBURG, TENNESSEE TO REFUND ALL OR A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2005, THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2006 AND THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2006B; TO FINANCE THE PURCHASE OF FIRE SAFETY EQUIPMENT AND THE PAYMENT OF LEGAL, FISCAL AND ADMINISTRATIVE COSTS INCIDENT TO THE FOREGOING; TO MAKE PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS; TO ESTABLISH THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS.

Item E under New Business was Resolution Number 887, a Resolution authorizing the issuance of General Obligation Bonds in an aggregate principal amount of not to exceed seven million two hundred fifty thousand dollars (\$7,250,000) of the city of Gatlinburg, Tennessee to refund all or a portion of the City's outstanding General Obligation Bonds, Series 2005, the City's outstanding General Obligation Bonds, Series 2006 and the City's outstanding General Obligation Bonds, Series 2006B; to finance the purchase of fire safety equipment and the payment of legal, fiscal and administrative costs incident to the foregoing; to make provision for the issuance, sale and payment of said bonds; to establish the terms thereof and the disposition of proceeds therefrom; and to provide for the levy of taxes for the payment of principal of, premium, if any, and interest on the

Bonds. Vice Mayor Hays made a motion to approve the Resolution which was seconded by Commissioner McCown. Commissioner McCown then commented that this refinancing will save an estimated \$400,000 for the City. The Assistant City Manager/Finance Director then explained that the estimated savings over the life of the Bonds is \$434,000 with a net savings of \$394,000 and that at the present rates, the overall interest rate will be approximately 2%. After these comments, the motion to approve Resolution Number 887 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF AUTHORIZING THE REPLACEMENT OF THE HVAC UNIT AND RENOVATION OF THE CONVENTION CENTER PARKWAY TOWER.

The next Item under New Business was discussion and consideration of authorizing the replacement of the HVAC unit and renovation of the Convention Center Parkway Tower. Commissioner Helton made a motion to approve the replacement and renovation which was seconded by Commissioner Smith. The City Manager then commented that there are monies available in the 816 Convention Center equipment purchase and replacement line item in the regard that the Great Hall lighting retrofit has not been done and that the idea is to do a perimeter retrofit and receive a rebate from the Tennessee Valley Authority (TVA) and not do the Great Hall at this time which will provide approximately \$20,000 for the replacement of the HVAC and carpeting and to perform painting in the Parkway Tower. The City Manager then asked the Convention Center Facilities Engineer to further explain and Mr. Scott Murphy stated that looking at initial numbers, the hope was to get 50% to 70% back on the price of the fixtures, however, the high ceiling Great Hall lighting estimated rebate is now 11% to 12%. Mr. Murphy continued that the perimeter lighting is a retrofit and is less expensive and going from a 250 watt to a 100 watt induction lighting line provides a 55% TVA rebate on that particular Project and that the perimeter lighting would cost \$13,000 which leaves \$20,000 available for this Project to do window treatments, paint, replace the HVAC and carpet in the Parkway Tower. Commissioner McCown asked if the HVAC is a water source system and Mr. Murphy responded that yes the HVAC that is the most cost effective is using water source heat pumps. After these comments, the motion to approve the authorization of the replacement of the HVAC unit and renovation of the Convention Center Parkway Tower was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR AN OPERATING ASSISTANCE GRANT FOR THE MASS TRANSIT DEPARTMENT.

Item G under New Business was discussion and consideration of approving a Grant Contract with the Tennessee Department of Transportation for an Operating Assistance Grant for the Mass Transit Department. Vice Mayor Hays made a motion to approve

the Grant which was seconded by Commissioner Smith. The City Manager then commented that the Grant amount is slightly over \$300,000 and that it is a regular operating assistance Grant which is an important revenue source for funding for the Mass Transit Department. The Mass Transit Manager then commented that this Grant does not require a match from the City. After these comments, the motion to approve the Grant Contract with the Tennessee Department of Transportation was unanimously adopted.

RESOLUTION NUMBER 888, 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 888, a Resolution authorizing the City to participate in the Tennessee Municipal League (TML) Risk Management Pool "Driver Safety" Matching Grant Program. Commissioner Smith made a motion to approve the Resolution which was seconded by Commissioner McCown. The motion to approve Resolution Number 888 was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING APPOINTMENTS TO THE BOARD OF ADJUSTMENT AND APPEALS.

The last Item under New Business was discussion and consideration of making appointments to the Board of Adjustment and Appeals. Commissioner Helton made a motion to reappoint Mr. Mike Smelcer and Mr. Mitch Ayers which was seconded by Vice Mayor Hays and then unanimously approved.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Stated that he appreciated the presentation from Mr. Mike Hicks and asked the City Manager to look into this concept and to please report back to Commission.

Commissioner Mark McCown:

- (1) Agreed with the Share the Road Signage and the need for them to be placed in those areas of town; and,

- (2) Referenced the Sevier County Commission meeting and the unanimous vote regarding the Sports Complex and stated that it was a great meeting.

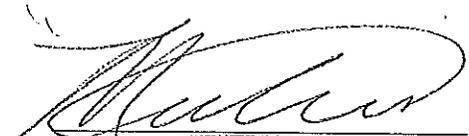
Vice Mayor Jerry Hays:

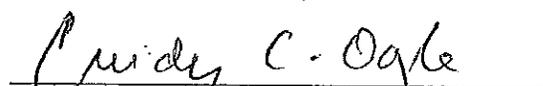
- (1) Referenced the passing of Mr. Bob King and offered condolences to that family; and,
- (2) Congratulated the Gatlinburg-Pittman High School football team on their recent victory over Gibbs.

Mayor Mike Werner:

- (1) Offered sympathies to Mr. and Mrs. Charlie Moore and their family for the loss of their son Mr. Chuck Moore and stated that he was very young; and,
- (2) Added sentiment to the above comments regarding the County Commission meeting and stated that having a unanimous vote from County Commission to participate in the Sports Complex is a great boost of confidence for the whole Project; and,
- (3) Concurred with the need for the Share the Road signage; and,
- (4) Stated that Michael Musick is still in the running for player of the week.

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, October 2, 2012, 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 September 18, 2012. 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

Regarding Reports of Boards and Committees, the City Manager presented the 2012 Employee Recognition Board Unit of the Third Quarter Award to Ms. Sally Worden, Mr. Dave Anderson, Mr. Rodney Hurst, Mr. Shawn Pross, Mr. Seth Rodgers and Mr. Bud Trentham of the Recreation Department.

The City Manager reported and/or requested:

(1) that she wanted to remind everyone that the Farmers Market is open each Saturday from 8:30 A.M. to 11:30 A.M. thru October 13, 2012, and is located in the Alamo Steakhouse parking lot at 705 East Parkway; and,

(2) that she wanted to announce that the Trick or Treat Kickoff Carnival will be held on October 31, 2012, at Ripley's Aquarium of the Smokies Plaza and that the Fire and Police Departments will be participating in this event; and,

(3) that she wanted to advise of upcoming events for November which included the Vintage Views Film Premier that will be held November 3, 2012, and is in conjunction with the 100th Anniversary of the Pi Beta Phi Settlement School and that this event features classic film clips of Gatlinburg and the Pi Beta Phi Fraternity from various movie resources. The City Manager continued that the nostalgic film produced by City Videographer Kevin Tierney debuts at the Pi Beta Phi Elementary School Gymnasium at 7:00 P.M. and will be preceded by a reception at 5:00 P.M. The City Manager then stated that the Gatlinburg Winter Magic Kick-Off and Chili Cook-Off will be held on November 7, 2012, from 5:00 to 8:00 P.M. downtown on Parkway as the City kicks off Gatlinburg Winter Magic. Finally, the City Manager advised that the City will be saluting the men and women of America who have served in our Armed Forces at the Veterans Day Celebration that will be held at Ripley's Aquarium of the Smokies Plaza at 2:00 P.M. on November 11, 2012.

DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR THE USAGE OF THE AQUARIUM PARKING GARAGE FOR THE MOUNTAIN HOPE GOOD SHEPHERD CLINIC PIRATE'S BALL EVENT ON MARCH 7, 2013.

Item A under New Business was discussion and consideration of a request for the usage of the Aquarium Parking Garage for the Mountain Hope Good Shepherd Clinic Pirate's Ball Event on March 7, 2013. Commissioner Helton made a motion to approve the request which was seconded by Commissioner Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE CLOSURE OF A PORTION OF PARKWAY FROM CHEROKEE ORCHARD ROAD TO REAGAN DRIVE FOR THE 2012 WINTER MAGIC KICK-OFF AND CHILI COOK-OFF EVENT ON NOVEMBER 7, 2012.

The next Item under New Business was discussion and consideration of the closure of a portion of Parkway from Cherokee Orchard Road to Reagan Drive for the 2012 Winter Magic Kick-Off and Chili Cook-Off Event on November 7, 2012. Vice Mayor Hays made a motion to approve the closure which was seconded by Commissioner Smith and then unanimously adopted.

RESOLUTION NUMBER 889, A RESOLUTION ADOPTING THE SEVIER COUNTY HAZARD MITIGATION PLAN IN ACCORDANCE WITH THE DISASTER MITIGATION ACT OF 200 AND 44 CODE OF FEDERAL REGULATIONS (CFR) SECTION 201, TO REPEAL AND REPLACE IN ITS ENTIRETY THE CURRENT LOCAL HAZARD MITIGATION PLAN FOR THE CITY OF GATLINBURG AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 665.

Item C under New Business was Resolution Number 889, a Resolution adopting the Sevier County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 200 and 44 Code of Federal Regulations (CFR) Section 201, to repeal and replace in its entirety the current local Hazard Mitigation Plan for the City of Gatlinburg as previously adopted by Resolution No. 665. Commissioner McCown made a motion to approve the Resolution which was seconded by Commissioner Mike Helton. Mayor Werner then referenced the previous Workshop meeting and stated that it was very beneficial and that by having this plan in place, it allows the City the opportunity to receive federal money in the event a disaster should happen or if the City can do something to mitigate or prevent a disaster, these monies could also be used for preventative measures. After these comments, the motion to approve Resolution number 889 was unanimously adopted.

ORDINANCE NUMBER 2443, AN ORDINANCE TO AMEND SECTION 8-205 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO MODIFY THE CERTIFICATE OF COMPLIANCE REQUIREMENTS TO OBTAIN A LIQUOR-BY-THE-DRINK LICENSE, FIRST READING.

The next Item under New Business was Ordinance Number 2443, an Ordinance to amend Section 8-205 of the Gatlinburg Municipal Code, and further being an

Ordinance to modify the Certificate of Compliance requirements to obtain a Liquor-By-The-Drink license, first reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. Mayor Werner then asked the City Manager to explain and she gave an overview of the Ordinance and then asked the City Attorney to further explain and Mr. Sharp stated that the State Alcohol and Beverage Commission (ABC) controls the issuance of liquor licenses, and consistent with that, the City's Municipal Code sections have paralleled the State Codes regarding liquor-by-the-drink. Mr. Sharp continued that the State, for a number of years, had a minimum seating requirement of seventy-five (75) seats and, approximately six years ago, the State added a wine only restaurant type which required a minimum of forty (40) seats and the City amended its Ordinance to conform to those requirements and that in 2010, ABC changed the State Law again with regard to limited service restaurants and rather than continually change the City Ordinance to conform with the State's minimum seating requirements, this Ordinance states that the minimum seating requirements would be set with what the State has now or adopts in the future. Mr. Sharp then stated that a second change that is included in this Ordinance is the requirement that to serve alcohol on a patio, the patio must be covered and that the State no longer has this as a requirement and that the Ordinance removes that requirement and reserves the subsection of the City Municipal Code rather than renumber the remaining sections. The motion to approve Ordinance Number 2443 on first reading was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT AGREEMENT WITH DANCO, INC., FOR BUILDING RENOVATIONS RELATED TO THE WASTEWATER TREATMENT PLANT ADMINISTRATION BUILDING.

Item E under New Business was discussion and consideration of approving a Contract Agreement with Danco, Inc., for building renovations related to the Wastewater Treatment Plant Administration Building. Commissioner Helton made a motion to approve the Contract which was seconded by Commissioner McCown. Mayor Werner then asked the City Manager to explain and she stated that the Contract is in the amount of \$925,000 and that this Project was reviewed at the Capital Improvements Program Workshop in late June and that the Project is to add a floor to the existing administration building to house the maintenance functions as it relates to the new Equalization Basin construction and that the Contract is within the budgeted amount for the Project. After these comments, the motion to approve the Contract Agreement with Danco, Inc., was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING ADDITIONAL FUNDING FOR THE WASTEWATER TREATMENT PLANT SAND FILTER REHABILITATION PROJECT.

The next Item under New Business was discussion and consideration of approving additional funding for the Wastewater Treatment Plant Sand Filter Rehabilitation Project. Vice Mayor Hays made a motion to approve the additional funding which was

seconded by Commissioner McCown. The City Manager then stated that this Project was authorized in last Fiscal Year and that it started approximately eight weeks ago and as that as it began, it was determined that additional work was necessary to properly rehabilitate the system and that \$40,000 would be utilized from savings from monies previously set aside for the Digester and Nitrification Building Projects and that the remaining \$49,000 would come from the Sewer Fund/Fund Balance which has sufficient monies to support this additional request. The motion to approve the additional funding for the Wastewater Treatment Plant Sand Filter Rehabilitation Project was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH A-PLUS CONSTRUCTION RELATED TO THE RE-ROOFING OF VARIOUS CITY BUILDINGS DUE TO HAIL DAMAGE.

The last Item under New Business was discussion and consideration of approving a Contract with A-Plus Construction related to the re-roofing of various City buildings due to hail damage. Commissioner McCown made a motion to approve the Contract which was seconded by Commissioner Smith. The City Manager then asked the Assistant City Manager/Finance Director to explain and Mr. Beeler stated that all of the repairs will be covered with Insurance reimbursements, with the exception of structural roofing repairs that will be done at the Spur Welcome Center, and that being aware of these needed repairs, these monies were placed in this Fiscal Year Budget to do those additional repairs. Mr. Beeler further stated that the Contract is in the amount of \$172,000 and that monies were budgeted in the Fiscal Year 2012-13 Budget with revenue from the Insurance settlements being reflected to offset these expenditures. After these comments, the motion to approve the Contract with A-Plus Construction related to the re-roofing of various City buildings due to hail damage was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Congratulated the Recreation Department employees on their recognition as Unit of the Quarter; and,
- (2) Commented that he hoped for a good beautiful Fall and for good business during the Fall Season.

Commissioner Don Smith:

- (1) Commended the Recreation Department employees and stated that they do a great job.

Commissioner Mark McCown:

- (1) Also commended the Recreation Department employees for their work with the Police Department; and,
- (2) Congratulated the Convention and Visitors Bureau for the IFEE Awards and referenced the specific Awards. Mrs. Vicki Simms then commented that several of the events associated with the awards occurred while Special Events was in the City Department of Tourism and, therefore, the City also deserves the credit.

Vice Mayor Jerry Hays:

- (1) Commended the Recreation Department employees and stated that it was a job well done by all involved.

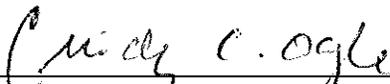
Mayor Mike Werner:

- (1) Echoed kudos to the Recreation Department employees as Unit of the Quarter; and,
- (2) Commended the work of the Convention and Visitors Bureau and stated that this week's Workshop meeting was very good and that Mrs. Vicki Simms did a good job and a very good Marketing Plan was presented and a positive Budget Report was given at the Workshop and stated that the CVB was the best thing possible for the City and also commended Mr. Logan Coykendall for a job well done.

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, October 16, 2012, 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 October 2, 2012. 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 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 that the Trick or Treat Kickoff Carnival will be held on October 31, 2012, at Ripley's Aquarium of the Smokies Plaza from Noon until 5:00 P.M. and that the Fire and Police Departments will be participating in this event; and,

(2) that she wanted to advise of upcoming events for November which included the Vintage Views Film Premier that will be held November 3, 2012, and is in conjunction with the 100th Anniversary of the Pi Beta Phi Settlement School and that this event features classic film clips of Gatlinburg and the Pi Beta Phi Fraternity from various movie resources. The City Manager continued that the nostalgic film, produced by City Videographer Kevin Tierney, debuts at the Pi Beta Phi Elementary School Gymnasium at 7:00 P.M.; and,

(3) that she wanted to remind everyone that the Gatlinburg Winter Magic Kick-Off and Chili Cook-Off will be held on November 7, 2012, from 5:00 to 8:00 P.M. downtown on Parkway as the City kicks off Gatlinburg Winter Magic. The City Manager further stated that there will be live entertainment featuring the Beatles tribute band, The Beat 64 of Knoxville, and sampling of chili recipes from local restaurants and businesses and that advance ticket will be available beginning Friday, October 19, 2012, at Home Federal Bank, Gatlinburg Welcome Centers and online at Gatlinburg.com; and,

(4) that the City will be saluting the men and women of America who have served in our Armed Forces at the Veterans Day Celebration that will be held at Ripley's Aquarium of the Smokies Plaza at 2:00 P.M. on November 11, 2012. Commissioner Mark McCown then asked the City Manager to email her report information to Commissioners for their reference of these upcoming events.

ORDINANCE NUMBER 2443, AN ORDINANCE TO AMEND SECTION 8-205 OF THE GATLINBURG MUNICIPAL CODE, AND FURTHER BEING AN ORDINANCE TO MODIFY THE CERTIFICATE OF COMPLIANCE REQUIREMENTS TO OBTAIN A LIQUOR-BY-THE-DRINK LICENSE,

SECOND READING, (Passed First Reading 10/02/12).

The only Item under Old Business was Ordinance Number 2443, an Ordinance to amend Section 8-205 of the Gatlinburg Municipal Code, and further being an Ordinance to modify the Certificate of Compliance requirements to obtain a Liquor-by-the-Drink License, Second Reading, (Passed First Reading 10/02/12). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown. Ordinance Number 2443 was then unanimously adopted on Second and Final Reading.

RESOLUTION NUMBER 890, AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED TWENTY-FOUR MILLION DOLLARS (\$24,000,000) GENERAL OBLIGATION BONDS RELATED TO THE YOUTH SPORTS COMPLEX PROJECT.

The first Item under New Business was Resolution Number 890, an Initial Resolution authorizing the issuance of not to exceed twenty-four million dollars (\$24,000,000) General Obligation Bonds related to the Youth Sports Complex Project. Commissioner Helton made a motion to approve the Resolution which was seconded by Commissioner McCown. Mayor Werner then referenced the earlier Workshop meeting that was held to review the initial Resolution and stated that this will be a great Project for the City and the entire County. After these comments, the motion to approve Resolution Number 890 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR MARIAH L. FARMER, D/B/A EPI'S FINE WINE & SPIRITS, 1359 E. PARKWAY.

Item B under New Business was discussion and consideration of approving a Certificate of Good Moral Character for Mariah L. Farmer, d/b/a Epi's Fine Wine & Spirits, 1359 E. Parkway. Commissioner Helton 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 MARIAH L. FARMER, D/B/A EPI'S FINE WINE & SPIRITS, 1359 E. PARKWAY.

Item C under New Business was discussion and consideration of approving a Certificate of Compliance for Mariah L. Farmer, d/b/a Epi's Fine Wine & Spirits, 1359 E. Parkway. Vice Mayor Hays made a motion to approve the Certificate which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF GOOD MORAL CHARACTER FOR JAMES STEWART, D/B/A DOLCE UZA

WINE BARE CAFÉ, 463 PARKWAY.

The next Item under New Business was discussion and consideration of approving a Certificate of Good Moral Character for James Stewart, d/b/a Dolce UZA Wine Bar Café, 463 Parkway. Commissioner Helton made a motion to approve the Certificate which was seconded by Commissioner Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH THE SEVIER COUNTY EMERGENCY COMMUNICATIONS DISTRICT RELATED TO CERTAIN 911 EQUIPMENT FOR THE POLICE DEPARTMENT.

Item E under New Business was discussion and consideration of approving a Contract with the Sevier County Emergency Communications District related to certain 911 Equipment for the Police Department. Commissioner Smith made a motion to approve the Contract which was seconded by Vice Mayor Hays and then unanimously adopted.

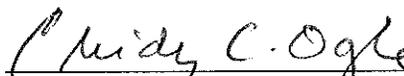
DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO ZOLL MEDICAL FOR THE PURCHASE OF THREE CARDIAC MONITORS FOR THE FIRE DEPARTMENT.

The last Item under New Business was discussion and consideration of approving a Single Bid to Zoll Medical for the purchase of three cardiac monitors for the Fire Department. Commissioner Helton made a motion to approve the single bid which was seconded by Commissioner Smith. The City Manager then stated that this is an approved item for equipment purchases in the Fire Department Budget and the amount of the bid is within the budgeted amount of this purchase and it is being brought before Commission due to the single bid. After these comments, the motion to approve the single bid to Zoll Medical for the purchase of three cardiac monitors for the Fire Department was unanimously adopted.

There were no unscheduled Items.

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, November 6, 2012, 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 October 16, 2012. 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 or Communications from the Public.

Regarding Reports of Boards and Committees, Mayor Werner presented Twenty Year Service Awards to Ms. Denise Hilton of the Finance Department and to Mr. Mike Collins and Mr. Ray Burkett both of the Street Department.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone of the Kick-Off of the Gatlinburg Winter Magic Program tomorrow evening from 5:00 – 8:00 P.M. on the Parkway with live entertainment featuring the Beatles tribute band, the Beat 64 of Knoxville and the sampling of chili recipes from local restaurants and organizations. The City Manager further stated that advanced tickets are \$10 each and can be purchased at Home Federal Bank, Gatlinburg Welcome Centers and online at Gatlinburg.com and concluded that a portion of the proceeds benefit the Pi Beta Phi PTA; and,
- (2) that she wanted to advise that, also, beginning tomorrow evening will be the Gatlinburg Winter Magic Trolley Ride of Light Tours and the cost is \$5.00 per trip; and,
- (3) that she also wanted to remind everyone that this Sunday the City will be saluting the men and women of America who have served or currently wear the uniform of our armed forces in a Veterans Day Celebration on Ripley's Aquarium of the Smokies Plaza at 2:00 P.M. with Major General Rex McMillan of the U.S. Marine Corps as the keynote speaker and the 100th Army Band from Fort Knox, Kentucky will perform during the day; and,
- (4) that as to activities coming up the week of Thanksgiving, November 20-24, the City Manager stated that the Festival of Trees will be held at the W.L. Mills Conference Center and that this event benefits Smoky Mountain Area Rescue Ministries and also November 21 thru December 2, the Great Smoky Arts and Crafts Community Holiday Show will be held at the Convention Center. The City Manager further stated that beginning November 23 thru Christmas on Friday and Saturdays will be the Winter Magic Tunes and Tales festivities and stated that the 37th Annual Fantasy of lights Christmas Parade will be Friday, December 7, at 7:30 P.M. and that Ober Gatlinburg will be serving as the Grand Marshall to honor the Resort's 50th year anniversary; and,

(5) finally, that with great pleasure she would like to announce that the Quint Fire Engine has arrived and asked that everyone come outside after the meeting tonight to view this new equipment.

DISCUSSION AND CONSIDERATION OF APPROVING AN ACCESS EASEMENT REQUEST AT 508 SKI MOUNTAIN ROAD REQUESTED BY MR. AND MRS. RALPH EGLI.

The first Item under New Business was discussion and consideration of approving an access easement request at 508 Ski Mountain Road requested by Mr. and Mrs. Ralph Egli. Vice Mayor Hays made a motion to approve the request which was seconded by Commissioner Smith. The City Manager then referenced the Planning Commission approval. After these comments, the motion to approve an access easement request at 508 Ski Mountain Road was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN OFF-PREMISE CERTIFICATE OF GOOD MORAL CHARACTER FOR MITCHELL H. MCCARTER, D/B/A PARKWAY LIQUOR STORE, 286 N. PARKWAY.

The next Item under New Business was discussion and consideration of approving an Off-Premise Certificate of Good Moral Character for Mitchell H. McCarter, d/b/a Parkway Liquor Store, 286 N. Parkway. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner Mark McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR MITCHELL H. MCCARTER, D/B/A PARKWAY LIQUOR STORE, 286 N. PARKWAY.

Item C under New Business was discussion and consideration of approving a Certificate of Compliance for Mitchell H. McCarter, d/b/a Parkway Liquor, 286 N. Parkway. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner Helton and then unanimously adopted.

Mayor Werner then referenced the October 29, 2012, Workshop meeting and stated that the following ten Ordinances were discussed in that three hour meeting with the City Attorney and Staff and stated that if anyone had any questions to please feel free to ask as each item was considered.

ORDINANCE NUMBER 2444, AN ORDINANCE TO AMEND TITLE 12, CHAPTER 1 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, FIRST READING.

The next Item under New Business was Ordinance Number 2444, an Ordinance to

amend Title 12, Chapter 1 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Building Code as prepared by the International Code Council, First Reading. Commissioner Helton made a motion to approve the Ordinance which was seconded by Vice Mayor Hays and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2445, AN ORDINANCE TO AMEND TITLE 12 OF THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 9 THEREOF, AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, FIRST READING.

Item E under New Business was Ordinance Number 2445, an Ordinance to amend Title 12 of the Gatlinburg municipal Code by repealing Chapter 9 thereof, and further being an ordinance to adopt the 2012 Edition of the International Residential Code as prepared by the International Code Council, 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.

ORDINANCE NUMBER 2446, AN ORDINANCE TO AMEND TITLE 7, CHAPTER 2 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, AND THE 2012 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA 101) LIFE SAFETY CODE, FIRST READING.

The next Item under New Business was Ordinance Number 2446, an Ordinance to amend Title 7, Chapter 2 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Fire Code as prepared by the International Code Council, and the 2012 Edition of the National Fire Protection Association (NFPA 101) Life Safety Code, First Reading. Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2447, AN ORDINANCE TO AMEND TITLE 12, CHAPTER 5 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE COUNCIL, FIRST READING.

Item G under New Business was Ordinance Number 2447, an Ordinance to amend Title 12, Chapter 5 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Energy Conservation Code Council, First Reading. Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2448, AN ORDINANCE TO AMEND TITLE 12 OF THE GATLINBURG MUNICIPAL CODE BY DELETING CHAPTER 7 IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, FIRST READING.

Item H under New Business was Ordinance Number 2448, an Ordinance to amend Title 12 of the Gatlinburg Municipal Code by deleting Chapter 7 in its entirety and substituting a new chapter in lieu thereof and further being an Ordinance to adopt the 2012 Edition of the International Mechanical Code as prepared by the International Code Council, First Reading. Vice Mayor Hays made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2449, AN ORDINANCE TO AMEND TITLE 12, CHAPTER 2 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL PLUMBING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, FIRST READING.

Item I under New Business was Ordinance Number 2449, an Ordinance to amend Title 12, Chapter 2 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Plumbing Code as prepared by the International Code Council, First Reading. Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2450, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 4 OF TITLE 12 IN ITS ENTIRETY AND SUBSTITUTING ADDITIONAL LANGUAGE IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE REPEALING THE INTERNATIONAL FUEL GAS CODE FOR THE CITY OF GATLINBURG AND AUTHORIZING SEVIER COUNTY UTILITY DISTRICT TO APPROVE PLANS, SPECIFICATIONS, FIRST READING.

The next Item under New Business was Ordinance Number 2450, and Ordinance to amend the Gatlinburg Municipal Code by repealing Chapter 4 of Title 12 in its entirety and substituting additional language in lieu thereof, and further being an Ordinance repealing the International Fuel Gas Code for the City of Gatlinburg and authorizing Sevier County Utility District to approve plans, specifications, First Reading. Commissioner McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2451, AN ORDINANCE TO AMEND THE

GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 3 OF TITLE 12 IN ITS ENTIRETY AND SUBSTITUTING ADDITIONAL LANGUAGE IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE REPEALING THE ELECTRICAL CODE FOR THE CITY OF GATLINBURG AND AUTHORIZING SEVIER COUNTY ELECTRIC SYSTEM TO APPROVE PLANS, SPECIFICATIONS, AND INSPECTIONS PURSUANT TO CODES ADOPTED BY THE STATE OF TENNESSEE AND SEVIER COUNTY ELECTRIC SYSTEM, FIRST READING.

Item K under New Business was Ordinance Number 2451, an Ordinance to amend the Gatlinburg Municipal Code by repealing Chapter 3 of Title 12 in its entirety and substituting additional language in lieu thereof, and further being an Ordinance repealing the electrical code for the City of Gatlinburg and authorizing Sevier County Electric System to approve plans, specifications, and inspections pursuant to codes adopted by the State of Tennessee and Sevier County Electric System. Commissioner McCown made a motion to approve the Ordinance which was seconded by Vice Mayor Hays. The City Manager then commented that the reason for all of the aforementioned Ordinances and the lengthy Workshop meeting is related to the City maintaining its Plans Review Exemption with the State of Tennessee and that this is extremely important to enable the City to expedite the building permit and development process in the City. After these comments, the motion to approve Ordinance Number 2451 was unanimously adopted on First Reading.

ORDINANCE NUMBER 2452, AN ORDINANCE TO REPEAL CHAPTER 8 OF TITLE 12 OF THE GATLINBURG MUNICIPAL CODE IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, FIRST READING.

The next Item under New Business was Ordinance Number 2452, an Ordinance to repeal Chapter 8 of Title 12 of the Gatlinburg Municipal Code in its entirety and substituting a new chapter in lieu thereof, and further being an Ordinance to adopt the 2012 Edition of the International Property Maintenance Code as prepared by the International Code Council, First Reading. Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown. The City Attorney then referenced an undefined term in the Ordinance and distributed a new version of the Ordinance with a definition as the only change and proceeded to read the new verbiage and stated that the new sentence defines permanent residency. Mr. Sharp then stated that to clarify the minutes, a motion to amend to include the verbiage should be made. Commissioner Helton then made a motion to amend the original motion to reflect the new verbiage which was seconded by Commissioner Smith and then unanimously adopted on First Reading.

ORDINANCE NUMBER 2453, AN ORDINANCE TO AMEND SECTION 701 OF TITLE 5 OF THE GATLINBURG 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, FIRST READING.

Item M under New Business was Ordinance Number 2453, an Ordinance to amended Section 701 of Title 5 of the Gatlinburg 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, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on First Reading.

DISCUSSION AND CONSIDERATION OF APPROVING A "LANDLORD AGREEMENT" WITH RIPLEY'S AQUARIUM (GATLINBURG) L.L.C.

Item N under New Business was discussion and consideration of approving a "Landlord Agreement" with Ripley's Aquarium (Gatlinburg) L.L.C. Vice Mayor Hays made a motion to approve the Agreement which was seconded by Commissioner McCown. The City Manager then asked the City Attorney to give an explanation of the document and Mr. Sharp stated that this same Agreement had been done in the past and is necessary for the refinancing process. Mr. Sharp further stated that the Agreement is a consent from the City, as the Landlord, that advises the lender that Ripley's is currently not in default and that if they become default, the lender can become the tenant and continue the current lease with the City. Mr. Sharp concluded that this same type Agreement had been approved for Ripley's approximately three years ago. After these comments, the motion to approve the "Landlord Agreement" with Ripley's Aquarium (Gatlinburg) L.L.C. was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SALE AND PURCHASE OF THE LOWE O. BETTIS ESTATE PROPERTY LOCATED AT 932 NEWMAN COURT.

The next Item under New Business was discussion and consideration of approving a Contract for Sale and Purchase of the Lowe O. Bettis Estate Property located at 932 Newman Court. Vice Mayor Hays made a motion to approve the Contract which was seconded by Commissioner Helton and then unanimously adopted.

ORDINANCE NUMBER 2454, AN ORDINANCE TO AMEND THE FISCAL YEAR 2011-2012 BUDGET ORDINANCE, FIRST READING.

Item P under New Business was Ordinance Number 2454, an Ordinance to amend the Fiscal Year 2011-2012 Budget Ordinance, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Helton. The City Manager then asked the Assistant City Manager/Finance Director to provide an overview of the Ordinance and Mr. Beeler explained that additional appropriations were needed to cover costs in Fuel Inventory in the Service Center, Vehicle Maintenance costs in Sanitation/Solid Waste Fund and in the Hotel/Motel Tax Revenue Fund, due to

Revenue Fund, due to revenue collections exceeding the estimated amounts for this Fund. After these comments, the motion to approve Ordinance Number 2454 was unanimously adopted on First Reading.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO SHOFFNER/MECHANICAL SERVICES FOR THE REPLACEMENT OF THE HVAC IN THE CONVENTION CENTER PARKWAY TOWER.

Item Q under New Business was discussion and consideration of approving a Single Bid to Shoffner/Mechanical Services for the replacement of the HVAC in the Convention Center Parkway Tower. Commissioner Smith made a motion to approve the Single Bid which was seconded by Vice Mayor Hays. Mayor Werner then commented that upgrades had been needed for a while so that the Parkway Tower can be utilized again. After these comments, the motion to approve the Single Bid to Shoffner/Mechanical Services for the replacement of the HVAC in the Convention Center Parkway Tower was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR A BUSINESS DIRECTIONAL SIGN FOR GATLINBURG PRESBYTERIAN CHURCH AT THE INTERSECTION OF PARKWAY AND REAGAN DRIVE.

The next Item under New Business was discussion and consideration of approving a request for a Business Directional Sign for Gatlinburg Presbyterian Church at the intersection of Parkway and Reagan Drive. Commissioner Helton made a motion to approve the request which was seconded by Commissioner Smith. Commissioner McCown then asked the City Planner as to how the addition will be made to the existing sign and Mr. Ball responded that it will be added to the bottom on the vacant panel and that this request falls under Business Directional Sign provisions since it is being placed on a City sign. Vice Mayor Hays then asked about the Arts and Crafts Community signage as to individual business names being on them and Mr. Ball replied that future signage will have more generic language because there would not be enough placement arms to name each individual business. After discussion, the motion to approve the request for the Business Directional Sign for Gatlinburg Presbyterian Church was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AMENDMENT TO THE RURAL TRANSPORTATION OPERATING ASSISTANCE GRANT CONTRACT FOR THE MASS TRANSIT DEPARTMENT.

The last Item under New Business was discussion and consideration of approving an amendment to the Rural Transportation Operating Assistance Grant Contract for the Mass Transit Department. Vice Mayor Hays made a motion to approve the Amendment which was seconded by Commissioner Helton. The City Manager then asked the Mass Transit Manager to explain and Mr. Parton stated that this is an amendment to a Grant that was previously approved and that it adds \$169,863 to the Original Operating Assistance Grant from the Tennessee Department of Transportation. After these

Transportation. After these comments, the motion to approve the amendment to the Rural Transportation Operating Assistance Grant Contract was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mark McCown:

- (1) Congratulated Ms. Denise Hilton, Mr. Mike Collins and Mr. Ray Burkett for their twenty years of service to the City and commended them for doing a good job.

Vice Mayor Jerry Hays:

- (1) Echoed the above and stated that he is proud of what they do and what all City employees do and that they deserve recognition; and,
- (2) Encouraged everyone to come to the Winter Lights kick-off event tomorrow night.

Commissioner Don Smith:

- (1) Thanked the twenty year service award recipients, Ms. Denise Hilton, Mr. Mike Collins and Mr. Ray Burkett for their service and dedication to the City.

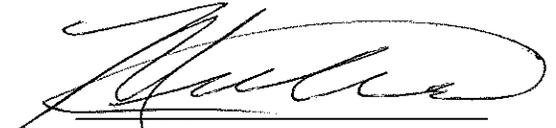
Commissioner Mark McCown:

- (1) Echoed the above regarding the twenty year service award recipients; and,
- (2) Encouraged everyone to go vote before the polls close tonight.

Mayor Mike Werner:

- (1) Complimented Ms. Denise Hilton, Mr. Mike Collins and Mr. Ray Burkett for their twenty years of service to the City; and,
- (2) Congratulated the Gatlinburg-Pittman High School Girl's Soccer Team for their great season and also to the Boy's Football team for a great season.

There being no further business to come before the City Commission, Vice Mayor Hays 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, November 20, 2012, 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 November 6, 2012. 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 or Reports of Boards and Committees.

The City Manager reported and/or requested:

(1) that she wanted to advise that beginning today through November 24, 2012, Gatlinburg's Festival of Trees will be held at the Convention Center in W.L. Mills Conference Center and that proceeds benefit the Smoky Mountain Area Rescue Ministries; and,

(2) that she wanted to announce that from November 21, 2012 thru December 2, 2012, the Great Smoky Arts and Crafts Community Holiday Show will be held at the Gatlinburg Convention Center and features unique handcrafted gifts made by members of the Great Smoky Arts and Crafts Community; and,

(3) that she wanted to remind everyone that The Nutcracker "Sweet" will be presented by the Smoky Mountain Dance Theater Company and that performances will be November 23 and 24, 2012, at 7:00 P.M. in the W.L. Mills Auditorium; and,

(4) that she also wanted to remind everyone that the 37th Annual Fantasy of Lights Christmas Parade will be Friday, December 7, at 7:30 P.M. and that Ober Gatlinburg will be serving as the Grand Marshall to honor the Resort's 50th year anniversary; and,

(5) finally, that she wanted to give an update on the Mynatt Park Bridge and stated that the Bridge was opened to two lane traffic the evening of November 8, 2012, and that the Bridge Project is complete with the exception of the street stripping which is scheduled for tomorrow and the paint application to the concrete surfaces called texture coating. Commissioner Helton then commented that monies had been set aside in the Budget approximately two years ago for the paving of Cherokee Orchard Road and that it had been put on hold until the completion of this Project. Commissioner Helton then asked the City Manager to discuss this paving project at the next Public Works meeting. The City Manager responded that the paving of Cherokee Orchard Road is a top priority and that, weather permitting, could possibly be done next week.

ORDINANCE NUMBER 2444, AN ORDINANCE TO AMEND TITLE 12, CHAPTER 1 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER

BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, SECOND READING, (PASSED FIRST READING 11/06/12).

Item A under Old Business was Ordinance Number 2444, an Ordinance to amend Title 12, Chapter 1 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Building Code as prepared by the International Code Council, Second Reading, (Passed First Reading 11/06/12). Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2445, AN ORDINANCE TO AMEND TITLE 12 OF THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 9 THEREOF, AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, SECOND READING, (PASSED FIRST READING 11/06/12).

Item B under Old Business was Ordinance Number 2445, an Ordinance to amend Title 12 of the Gatlinburg municipal Code by repealing Chapter 9 thereof, and further being an ordinance to adopt the 2012 Edition of the International Residential Code as prepared by the International Code Council, Second Reading, (Passed First Reading 11/06/12). Commissioner Smith 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 2446, AN ORDINANCE TO AMEND TITLE 7, CHAPTER 2 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, AND THE 2012 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA 101) LIFE SAFETY CODE, SECOND READING, (PASSED FIRST READING 11/06/12).

The next Item under Old Business was Ordinance Number 2446, an Ordinance to amend Title 7, Chapter 2 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Fire Code as prepared by the International Code Council, and the 2012 Edition of the National Fire Protection Association (NFPA 101) Life Safety Code, Second Reading, (Passed First Reading 11/06/12). Commissioner Mark McCown made a motion to approve the Ordinance which was seconded by Commissioner Helton and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2447, AN ORDINANCE TO AMEND TITLE 12, CHAPTER 5 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER

BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE COUNCIL, SECOND READING, (PASSED FIRST READING 11/06/12).

Item D under Old Business was Ordinance Number 2447, an Ordinance to amend Title 12, Chapter 5 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Energy Conservation Code Council, Second Reading, (Passed First Reading 11/06/12). Commissioner Smith 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 2448, AN ORDINANCE TO AMEND TITLE 12 OF THE GATLINBURG MUNICIPAL CODE BY DELETING CHAPTER 7 IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, SECOND READING, (PASSED FIRST READING 11/06/12).

Item E under Old Business was Ordinance Number 2448, an Ordinance to amend Title 12 of the Gatlinburg Municipal Code by deleting Chapter 7 in its entirety and substituting a new chapter in lieu thereof and further being an Ordinance to adopt the 2012 Edition of the International Mechanical Code as prepared by the International Code Council, Second Reading, (Passed First Reading 11/06/12). Commissioner Helton made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2449, AN ORDINANCE TO AMEND TITLE 12, CHAPTER 2 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL PLUMBING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, SECOND READING, (PASSED FIRST READING 11/06/12).

Item F under Old Business was Ordinance Number 2449, an Ordinance to amend Title 12, Chapter 2 of the Gatlinburg Municipal Code and further being an Ordinance to adopt the 2012 Edition of the International Plumbing Code as prepared by the International Code Council, Second Reading, (Passed First Reading 11/06/12). Vice Mayor Hays made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2450, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 4 OF TITLE 12 IN ITS ENTIRETY AND SUBSTITUTING ADDITIONAL LANGUAGE IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE REPEALING THE INTERNATIONAL FUEL GAS CODE FOR THE CITY OF GATLINBURG

AND AUTHORIZING SEVIER COUNTY UTILITY DISTRICT TO APPROVE PLANS, SPECIFICATIONS, SECOND READING, (PASSED FIRST READING 11/06/12).

The next Item under Old Business was Ordinance Number 2450, and Ordinance to amend the Gatlinburg Municipal Code by repealing Chapter 4 of Title 12 in its entirety and substituting additional language in lieu thereof, and further being an Ordinance repealing the International Fuel Gas Code for the City of Gatlinburg and authorizing Sevier County Utility District to approve plans, specifications, Second Reading, (Passed First Reading 11/06/12). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2451, AN ORDINANCE TO AMEND THE GATLINBURG MUNICIPAL CODE BY REPEALING CHAPTER 3 OF TITLE 12 IN ITS ENTIRETY AND SUBSTITUTING ADDITIONAL LANGUAGE IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE REPEALING THE ELECTRICAL CODE FOR THE CITY OF GATLINBURG AND AUTHORIZING SEVIER COUNTY ELECTRIC SYSTEM TO APPROVE PLANS, SPECIFICATIONS, AND INSPECTIONS PURSUANT TO CODES ADOPTED BY THE STATE OF TENNESSEE AND SEVIER COUNTY ELECTRIC SYSTEM, SECOND READING, (PASSED FIRST READING 11/06/12).

Item H under Old Business was Ordinance Number 2451, an Ordinance to amend the Gatlinburg Municipal Code by repealing Chapter 3 of Title 12 in its entirety and substituting additional language in lieu thereof, and further being an Ordinance repealing the electrical code for the City of Gatlinburg and authorizing Sevier County Electric System to approve plans, specifications, and inspections pursuant to codes adopted by the State of Tennessee and Sevier County Electric System, Second Reading, (Passed First Reading 11/06/12). Vice Mayor Hays made a motion to approve the Ordinance which was seconded by Commissioner McCown and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2452, AN ORDINANCE TO REPEAL CHAPTER 8 OF TITLE 12 OF THE GATLINBURG MUNICIPAL CODE IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER IN LIEU THEREOF, AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, SECOND READING, (PASSED FIRST READING 11/06/12).

The next Item under Old Business was Ordinance Number 2452, an Ordinance to repeal Chapter 8 of Title 12 of the Gatlinburg Municipal Code in its entirety and substituting a new chapter in lieu thereof, and further being an Ordinance to adopt the 2012 Edition of the International Property Maintenance Code as prepared by the

International Code Council, Second Reading, (Passed First Reading 11/06/12). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Helton and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2453, AN ORDINANCE TO AMEND SECTION 701 OF TITLE 5 OF THE GATLINBURG 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, SECOND READING, (PASSED FIRST READING 11/06/12).

Item J under Old Business was Ordinance Number 2453, an Ordinance to amended Section 701 of Title 5 of the Gatlinburg 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, Second Reading, (Passed First Reading 11/06/12). Vice Mayor Hays made a motion to approve the Ordinance which was seconded by Commissioner Smith and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2454, AN ORDINANCE TO AMEND THE FISCAL YEAR 2011-2012 BUDGET ORDINANCE, SECOND READING, (PASSED FIRST READING 11/06/12).

Item P under New Business was Ordinance Number 2454, an Ordinance to amend the Fiscal Year 2011-2012 Budget Ordinance, Second Reading, (Passed First Reading 11/06/12). Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Helton and then unanimously adopted on Second and Final Reading.

Mayor Werner then referenced that there was an earlier Workshop meeting to discuss the next two New Business Items, related to the Youth Sports Complex.

DISCUSSION AND CONSIDERATION OF APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF GATLINBURG, TENNESSEE AND SEVIER COUNTY, TENNESSEE RELATING TO THE FUNDING OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A YOUTH SPORTS COMPLEX.

Item A under New Business was discussion and consideration of approving an Interlocal Cooperation Agreement between the City of Gatlinburg, Tennessee and Sevier County, Tennessee relating to the funding of the acquisition, construction and equipping of a Youth Sports Complex. Commissioner Helton made a motion to approve the Agreement which was seconded by Commissioner Smith and then unanimously adopted.

RESOLUTION NUMBER 891, A RESOLUTION AUTHORIZING THE

ISSUANCE OF NOT TO EXCEED TWENTY-FOUR MILLION AND NO/100 DOLLARS (\$24,000,000) IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY OF GATLINBURG, TENNESSEE; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS.

The last Item under New Business was Resolution Number 891, a Resolution authorizing the issuance of not to exceed twenty-four million and no/100 dollars (\$24,000,000) in aggregate principal amount of General Obligation Bonds of the City of Gatlinburg, Tennessee; making provision for the issuance, sale and payment of said Bonds; establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the Bonds. Vice Mayor Hays made a motion to approve the Resolution which was seconded by Commissioner Smith and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Wished everyone a Happy Thanksgiving and stated that he looks forward to a good weekend and that it is great to live in the best City in America.

Commissioner Don Smith:

- (1) Wished everyone a Happy Thanksgiving.

Commissioner Mark McCown:

- (1) Wished everyone a Happy Thanksgiving and stated that we should all be thankful to be living in the United States as it is probably the best in the world; and,
- (2) Commented that he is pleased that the Sports Complex Project is getting started and he is looking forward to great things in the process.

Vice Mayor Jerry Hays:

- (1) Wished everyone Happy Thanksgiving; and,

- (2) Referenced the Bond Rating being so good and stated that it is the best that the City has ever received and that it will help with the financing as the City moves forward and thanked the City's Bond Counsel, Mr. Joe Ayres, for bringing this information and that it speaks well for our City and the City Administration.

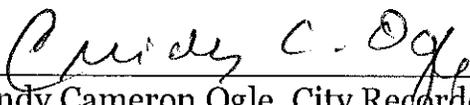
Mayor Mike Werner:

- (1) Wished everyone a healthy and Happy Thanksgiving and stated that we need to count our blessings and that listening to Mr. Dick Wellons today, reminds us that we need to help others during this Season.

There being no further business to come before the City Commission, Commissioner McCown made a motion to adjourn. Vice Mayor Hays 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, December 4, 2012, 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 November 20, 2012. 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.

The first item under Reports of Boards and Committees was presentation of the Environmental Design Review Board (EDRB) Awards by Mayor Werner. Mayor Werner made the presentations as follows: **SIGN DESIGN EXCELLENCE - Certificate Awards** – Thistle Dew Nicely, A & B Jewelry, Old Tyme Photos, Earthbound Trading Company, and Grace Dyer Gallery; **Award Winner** - The Bear Claw Gifts & Clothing Company; **BUILDING ADDITION/RENOVATION EXCELLENCE - Certificate Award** – Whaley Building and Gatlinburg Barrelhouse, LLC; **Award Winner** – Greystone Grill.

The next item under Reports of Boards and Committees was presentation of the 2012 Employee Recognition Board (ERB) Fourth Quarter Awards. The City Manager then recognized Jay Horner of the Building Inspection Department and Josh Smith of the Fire Department as Employees of the Fourth Quarter.

Item C under Reports of Boards and Committees was the presentation of a Twenty Year Service Award to Janna Brien of the Recreation Department by Mayor Werner.

The last Item under Reports of Boards and Committees was a Report from the Smoky Mountain Tourism Council. Mayor Werner introduced Mrs. Vicki Simms, Interim Director of the Gatlinburg Convention and Visitors Bureau, she proceeded to address the City Commission and introduced members of the Council including Ms. Brenda McCroskey, Mr. Leon Downey, and Mrs. Lori Moore. Mrs. Simms then reviewed material regarding recent joint promotions especially related to Winterfest and then thanked the City Commission for their support and stated that everyone is working well together and getting things done.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone that the 37th Annual Fantasy of Lights Christmas Parade will be Friday, December 7, at 7:30 P.M. and that Ober Gatlinburg will be serving as the Grand Marshall to honor the Resort's 50th year anniversary and that Catherine Bach, also known as Daisy Duke of the Dukes of Hazard, and local skiing legend, Rolf Lanz, will also help lead the Parade.

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, December 18, 2012, at 6:00 P.M. in the City Council Room. All members were present. Mayor Mike Werner called the meeting to order and asked for a moment of silence for Newtown, Connecticut and the Sandy Hook Elementary School due to the recent horrific happening in this town. The Mayor then 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 4, 2012. 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 Werner recognized Mr. Chad Kennedy who proceeded to ask for information as it relates to the process of getting City Commission to change the hours for liquor by the drink establishments to be able to serve alcohol past 1:00 A.M. and then expressed his concerns as to being able to serve until 3:00 A.M. as neighboring cities. Mayor Werner then asked the City Attorney to respond and Mr. Sharp proceeded to do so and cited Tennessee Code Annotated (TCA) No. 57-4-203-C2 which is a State Code that states that alcoholic beverages in Gatlinburg cannot be sold after 1:00 A.M. Mr. Sharp continued that the City Commission does not have the authority to authorize the sale of alcohol after 1:00 A.M. and that it would be a matter that would have to be petitioned to the State. Mr. Sharp further stated that the City of Gatlinburg is limited in the hours to sell alcoholic beverages and that it is a General Public Act statute that applies to any City that comes under this statute as Gatlinburg does stated that any changes would require going through the State Legislature. The City Manager then commented that she wanted to clarify information that was discussed with Mr. Kennedy in a previous conversation and stated that it was not a Private Act, as she had thought, and that she had been corrected by the City Attorney and stated that it was actually a Public Act. Mr. Sharp then commented that this was adopted in the early 1980's and has been on the books some twenty-five to thirty years and this is not something that has been done recently. Mr. Kennedy continued to ask how to proceed, questioning if this should be on an upcoming Agenda for a vote by City Commission and Vice Mayor Hays responded that a vote would not necessarily be appropriate as this is a State law. Commissioner McCown then suggested having a Workshop to discuss to see if City Commission wanted to support the changes that Mr. Kennedy had introduced. Mr. Kennedy then asked if City Commission would agree to discuss the matter further and Mayor Werner stated that they would take the matter under advisement and thanked Mr. Kennedy for his comments.

There were no Reports of Boards or Committees.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone of the December 31, 2012, New Year's Eve Fireworks show and ball drop that will be on Historic Nature Trail at Parkway and

continued that this event features free party favors and live entertainment and has been named "Best New Year's Eve Show in the South"; and,

(2) that she want to introduce Mr. Larry Elmore and Mr. Ashley Ogle of Pugh and Company to present the draft Audit for the previous Fiscal Year 2011-12. Mr. Elmore then proceeded to review the draft Audit as Mr. Ogle distributed copies to the City Manager and the City Commission. Mr. Elmore stated that the report has an unqualified opinion which means it is a clean Audit Report and apologized for the Audit being presented in draft form, however, if there is any change to the Report the City Commission will be advised. Mr. Elmore then asked Mr. Ogle to further explain the Report and Mr. Ogle then thanked the City Manager and the Assistant City Manager/Finance Director and the Assistant Finance Director for their cooperation and work on the Audit. Mr. Ogle then proceeded to review various parts of the Audit and referenced the strong General Fund, Fund Balance figures and reviewed the Statement of Net Assets which has increased by 8,000,000 dollars which reflects strong performance, then reviewed Table 1, Net Assets by component and Table 9, Ratio of Outstanding Debt by Type, which reflects how well the City has handled finances during recent years. Mr. Ogle then reviewed the report on internal controls and stated that there were no significant findings and that there were no findings related to Grant compliance. Mr. Ogle concluded by asking for any questions and offered additional review if necessary.

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

Item A under New Business was discussion and consideration of approving an Off-Premise Certificate of Good Moral Character for William L. Maples, d/b/a Gatlinburg Package Store, 132 Parkway. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner McCown and then unanimously adopted.

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

Item B under New Business was discussion and consideration of approving a Certificate of Compliance for William L. Maples, d/b/a Gatlinburg Package Store, 132 Parkway. Commissioner Smith made a motion to approve the Certificate which was seconded by Commissioner Mike Helton and then unanimously adopted.

RESOLUTION NUMBER 892, A RESOLUTION FOR THE ACCEPTANCE OF THE PROPOSAL OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A PROJECT DESIGNATED AS STATE PROJECT NO. 78008-4252-04. CONCERNING S.R. 71 (US 441), SLOPE STABILIZATION AT L.M. 16.3

The next Item under New Business was Resolution Number 892, a Resolution for the acceptance of the proposal of the Tennessee Department of Transportation to construct a project designated as State Project No. 78008-4252-04. Concerning S.R. 71 (US 441), Slope Stabilization at L.M. 16.3. Vice Mayor Hays made a motion to approve the Resolution which was seconded by Commissioner McCown. The City Manager then commented that this is a long awaited Tennessee Department of Transportation (TDOT) Project and that it is to continue to fix the slope on the north end of town between the BP station and the Shell station. The City Manager continued that in April of 2011, there was an emergency repair due to a failure of a portion of this slope and that prior to that the City had been concerned about this area as it has been in and out of the Capital Improvements Program for many years and stated that the proposal before you this evening is for the State to secure the necessary right-of-ways and complete the slope stabilization for the whole distance between these two stations. The City Manager then asked the Public Services Manager to give an overview of the proposal and Mr. Henderson stated that this is required documentation by TDOT and basically states that if certain circumstances arise, the City will take care of these such as the relocation of utilities or donating property if necessary for a right-of-way and other standard matters arising in this process. After these comments, the motion to approve Resolution Number 892 was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGENCY AGREEMENT WITH LEADSONLINE, LLC, FOR ONLINE ACCESS RELATED TO THE POLICE DEPARTMENT.

The last Item under New Business was discussion and consideration of approving an Agency Agreement with LeadsOnline, LLC, for online access related to the Police Department. Commissioner Helton made a motion to approve the Agreement which was seconded by Commissioner Smith. The City Manager then commented that the funding for this Agreement is in this years Police Department's Budget. The City Manager then asked the Police Chief to further explain and Chief Brackins stated that this Agreement allows the Detectives to have rapid access to various investigative information that is able to be retrieved quickly and is connected to different investigative resources throughout the Country. After these comments, the motion to approve the Agency Agreement with LeadsOnline, LLC was unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Stated that the Christmas Parade was great and expressed appreciation to the Convention and Visitors Bureau Interim Executive Director Mrs. Vicki Simms and Staff for their hard work on the Event; and,

- (2) Wished everyone a very Merry Christmas and a Happy New Year.

Commissioner Don Smith:

- (1) Wished everyone a very Merry Christmas and a Happy New Year.

Commissioner Mark McCown:

- (1) Thanked Mr. Jim Davis for a job well done with the City and wished him success at the Sevier County Food Ministries and stated that he knows that he will do a good job there and that he will be missed; and,
- (2) Wished a Merry Christmas to fellow Commissioners, the City Manager and to everyone.

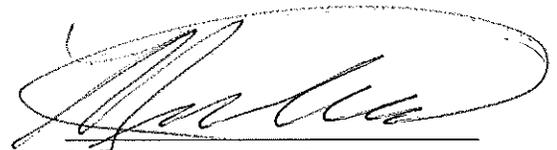
Vice Mayor Jerry Hays:

- (1) Stated that we will miss Mr. Jim Davis and then told him goodbye; and,
- (2) Wished everyone a Merry Christmas and a Happy New Year.

Mayor Mike Werner:

- (1) Stated that Mr. Jim Davis has done a good job and that he will do great for the Food Ministry and stated that if he ever needed anything to let us know; and,
- (2) Wished everyone a Merry Christmas and a Happy New Year; and,
- (3) Wished Happy Birthday to his wife, Mrs. Cindy Werner, and also wished her Happy 23rd Wedding Anniversary.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder
/jv

DISCUSSION AND CONSIDERATION OF APPROVING CERTIFICATES OF GOOD MORAL CHARACTER FOR VIRGINIA COTTONGIM, VIRGINIA BAKER, AND CHARLES EDWARDS, D/B/A GATLINBURG BARRELHOUSE, LLC, 650 PARKWAY.

Item A under New Business was discussion and consideration of approving Certificates of Good Moral Character for Virginia Cottongim, Virginia Baker, and Charles Edwards, d/b/a Gatlinburg Barrelhouse, LLC, 650 Parkway. Commissioner Mark McCown made a motion to approve the Certificates which was seconded by Commissioner Helton and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CERTIFICATE OF COMPLIANCE FOR VIRGINIA COTTONGIM VIRGINIA BAKER, AND CHARLES EDWARDS, D/B/A GATLINBURG BARRELHOUSE, LLC, 650 PARKWAY.

Item B under New Business was discussion and consideration of approving a Certificate of Compliance for Virginia Cottongim, Virginia Baker, and Charles Edwards, d/b/a Gatlinburg Barrelhouse, LLC, 650 Parkway. Commissioner Helton made a motion to approve the Certificate which was seconded by Commissioner Smith and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN AGREEMENT WITH BARBER MCMURRY ARCHITECTS, LLC, RELATED TO THE RENOVATION OF THE TWO FOOTBALL FIELDS AT THE GATLINBURG-PITTMAN HIGH SCHOOL.

The next Item under New Business was discussion and consideration of approving an Agreement with Barber McMurry Architects, LLC, related to the renovation of the two football fields at the Gatlinburg-Pittman High School. Commissioner Smith made a motion to approve the Agreement which was seconded by Commissioner McCown. Mayor Werner introduced Mr. Kelly Headden with Barber McMurry Architects and stated that the City is looking forward to working with him on this Project. The motion to approve the Agreement with Barber McMurry Architects, LLC was then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SALES CONTRACT WITH WALTERS STATE COMMUNITY COLLEGE FOUNDATION FOR THE PURCHASE OF PROPERTY LOCATED AT 1821 PARKWAY EAST.

Item D under New Business was discussion and consideration of approving a Sales Contract with Walters State Community College Foundation for the purchase of property located at 1821 Parkway East. Commissioner Helton made a motion to approve the sales contract which was seconded by Commissioner McCown. Mayor Werner then explained that this is the former Wilma Maples property that was

bequeathed to Walters State Community College and stated that he feels that the City got a fair deal with the \$1,000,000 purchase price. The motion to approve the sales contract was then unanimously adopted. The City Manager commented that this is the second property purchase related to the Sports Complex Project. Mayor Werner then commented that the other piece of property that was purchased is a flat ten acres located to the left of Gatlinburg-Pittman High School and that both these property purchases are important to the Sports Complex Project.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER NUMBER ONE (1) WITH THE DANIEL (DANCO) COMPANY, INC., RELATED TO THE WASTEWATER TREATMENT PLANT ADMINISTRATION BUILDING RENOVATION PROJECT.

Item E under New Business was discussion and consideration of approving change order number one (1) with the Daniel (DANCO) Company, Inc., related to the Wastewater Treatment Plant Administration Building Renovation Project. Commissioner McCown made a motion to approve the change order which was seconded by Vice Mayor Hays. Mayor Werner then asked the City Manager to comment and she asked Mr. Mike Smelcer, Architect for the Project, to explain the change order. Mr. Smelcer proceeded to do so and stated that it was discovered that there was concrete underneath the sidewalk approximately three feet deep and thirty feet long that had to be removed. Mr. Smelcer further stated that this was an unknown situation and that the amount of the change order is \$5,999. The City Manager then commented that there is enough contingency monies in the Project to cover the costs of the change order. After these comments, the motion to approve change order number one with the Daniel (DANCO) Company, Inc., was 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 9, 2013.

The last 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 9, 2013. Vice Mayor Hays made a motion to approve the usage which was seconded by Commissioner Smith and then unanimously adopted.

UNSCHEDULED ITEMS:

Commissioner Mike Helton:

- (1) Congratulated the ERB Award Recipients and Mrs. Janna Brien on her twenty years of service; and,

- (2) Offered a big thanks to the Street Department for the paving on Cherokee Orchard Road and stated that it looks good and is greatly appreciated.

Vice Mayor Jerry Hays:

- (1) Echoed congratulations to employees receiving Awards and, also, to the Environmental Design Review Board Award recipients.

Commissioner Mark McCown:

- (1) Referenced the Live at Five at Four show and stated that Mr. George Hawkins and the Gatlinburg Convention and Visitors Bureau Staff along with approximately sixty volunteers presented a mock parade and that it was a great promotion for the City; and,
- (2) Commented that the Chamber Banquet was a great success and expressed congratulations to Mrs. Vicki Simms and Staff for a job well done; and,
- (3) Congratulated the Environmental Design Review Board Award Recipients and also the Employees of the Quarter Mr. Jay Horner, Mr. Josh Smith and to Mrs. Janna Brien for her twenty years of service to the City.

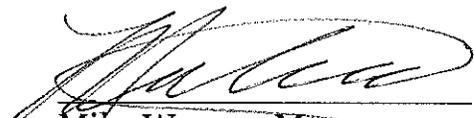
Commissioner Don Smith:

- (1) Echoed the above regarding the Employees of the Quarter and Mrs. Janna Brien's twenty years of service.

Mayor Mike Werner:

- (1) Echoed all of the above; and,
- (2) Referenced a young man named Regen Morris and his family and stated that he needs our prayers as he is having serious medical issues.

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


Mike Werner, Mayor


Cindy Cameron Ogle, City Recorder
/jv