

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday March 14, 2017, at 6:00 P.M. in the City Council Room. All members were present with the exception of Commissioner Jerry Hays and Commissioner Mike Helton. Mayor Mike Werner called the meeting to order and led the Pledge of Allegiance. Finance Director Robert Holt gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of February 21, 2017. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Vice Mayor Mark McCown and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Werner recognized several who had signed in to speak which were Ms. Lauren Meier, Ms. Tamm Sherrod, Ms. Merry Dumas, Mr. Chris Dunnaway, Ms. Dinah Bays, Mr. Matt Church, Mr. Erik Cooper, Ms. Darlene Verito, Mr. Keith Flannery, Ms. Genie Brabham and Ms. Melinda Stites. All of the individuals that addressed City Commission had questions and concerns that related to the November 28, 2016, Wildfires, and actions during and subsequent to the event.

There were no Reports of Boards or Committees.

The City Manager reported and/or requested:

(1) that she would like to announce some upcoming events and stated that the Firefighter's Fit for Duty 5K and 10K Road Race will be Saturday, March 25, 2017 beginning at 9:00 A.M. with the start and finish at Station #1 and that the event helps to fund the Gatlinburg Firefighter's Association community programs; and,

(2) that she would like to announce that the Smoky Mountain Trout Tournament will be held April 1 and 2, 2017 and that the tournament will begin thirty minutes before sunrise and that 20 miles of streams will be stocked with 10,000 trout with over \$10,000 in cash and prizes and that registration is online at rockytopoutfitter.com or in the Smoky Mountain Angler shop in Winery Square; and,

(3) that she would also like to announce that Arbor Day will be held Wednesday, April 12, 2017 at 1:30 P.M. at Pi Beta Phi Elementary School; and,

(4) that she needs to distribute some information from the Public Works Director and discuss a Contract that just came in today which needs City Commission action and is a Natural Resources Conservation Service (NRCS) Grant Agreement in conjunction with the U.S. Department of Agricultural for hydro

seeding public right-of-ways that were damaged by the Wildfires. The City Manager continued that timing is of the essence as it relates to the hydro seeding process and that the total Grant amount is \$564,120 with the City share being \$141,030. The City Manager then asked the Public Works Director to further explain and Mr. Henderson stated that this would involve hydro seeding road shoulders, field slopes, and cut slopes and that it would cover approximately 43 miles of City right-of-ways and that the NRCS grant shows hydro seeding coverage of 188 acres at a cost of \$3,000 per acre. Mr. Henderson further stated that this was a program that had been looked into shortly after the Wildfires and that a damage survey report was received two weeks ago and that the draft agreement was received today and, due to the nature of the project, timing is crucial and stated that NRCS has indicated that funding of this Project would be in place by this Friday and then a final Agreement would be sent for signature. After these comments, a motion to approve the draft Agreement with NRCS and authorize the Mayor to sign the final Agreement, when received, was made by Vice Mayor McCown and seconded by Commissioner Smith and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A LAND LEASE WITH INTERLINK COMMUNICATION PARTNERS, LLC, (CHARTER COMMUNICATIONS) (DEFERRED 2/07/17).**

The first Item under Old Business was discussion and consideration of approving a Land Lease with Interlink Communications Partners, LLC, (Charter Communications) (Deferred 2/07/17). Commissioner Don Smith made a motion to approve the Lease which was seconded by Vice Mayor Mark McCown. The City Manager then commented that this was deferred at the last meeting and that this is a longstanding agreement with Interlink Partners, LLC, and that Staff was asked at the last meeting to negotiate a higher monthly lease payment amount and then asked the Finance Director to further explain. Mr. Holt stated that the actual language of the contract agreement did not change from the last time it was presented to City Commission and stated that the suggested amount for the monthly lease for the first five years was \$1,120 with an increase to \$1,300 the following five years and that Charter was in agreement with these amounts. After these comments, the motion to approve a land lease with Interlink Communications Partners, LLC, was unanimously adopted.

**ORDINANCE NUMBER 2510, AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE, BEING ORDINANCE NO. 830, AND FURTHER BEING AN ORDINANCE TO RECLASSIFY PARCEL 16.01 OF TAX MAP 118, LOCATED AT 810 GLADES ROAD FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-5 (CRAFTS COMMERCIAL) DISTRICT, PUBLIC HEARING AND SECOND READING, (PASSED**

**FIRST READING 2/07/27 AND PLANNING COMMISSION 1/19/17).**

The last Item under Old Business was Ordinance Number 2510, an Ordinance to amend the Municipal Zoning Ordinance, being Ordinance No. 830, and further being an Ordinance to reclassify Parcel 16.01 of Tax Map 118, located at 810 Glades Road from R-1 (Low Density Residential) to C-5 (Crafts Commercial) District, Public Hearing and Second Reading, (Passed First Reading 2/07/17 and Planning Commission 1/19/17). Vice Mayor McCown made a motion to approve the Ordinance which was seconded by Commissioner Smith. Mayor Werner then opened the Public Hearing and there being no comments, closed the Public Hearing. The motion to approve Ordinance Number 2510 on Second and Final Reading was then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A PERMANENT CONSTRUCTION EASEMENT ON PUBLIC RIGHT-OF-WAY AT 533 GREYSTONE HEIGHTS ROAD (REQUESTED BY KEITH JETT).**

Item A under New Business was discussion and consideration of approving a permanent construction easement on Public Right-of Way at 533 Greystone Heights Road (Requested by Keith Jett). Vice Mayor McCown made a motion to approve the easement request which was seconded by Commissioner Smith. The City Manager then asked the Building and Planning Director to explain and Mr. Ball stated that a design has been presented from Engineer Todd Duncan and that there is a retaining wall that is located on this private property that is in need of structural support and would involve anchorage support that would extend onto the City right-of-way. Mr. Ball further stated that the design would stabilize the top of the retaining wall and would become more of a permanent easement. Mr. Ball stated that this request would be followed up with survey information that would show specifically where the anchors are placed on the right-of-way and detailed how they were placed so that it can be recorded at the Register of Deeds Office as a permanent document and commented that this would need to be closely monitored by the Public Works and Utilities Departments to make certain that the anchors can be placed without having a negative impact on utilities and are confident that this is possible due to the site conditions. After these comments, the motion to approve a permanent construction easement on public right-of-way at 533 Greystone Heights Road was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONSTRUCTION CONTRACT WITH CHARLES BLALOCK & SONS, INC., RELATED TO THE REMEDIATION OF THREE RETAINING WALLS.**

The next Item under New Business was discussion and consideration of approving

a Construction Contract with Charles Blalock & Sons, Inc., related to the remediation of three retaining walls. Commissioner Smith made a motion to approve the Contract which was seconded by Vice Mayor McCown. The City Manager then distributed a memorandum from the Public Works Director and commented that it better summarizes the contract which is in the amount of \$268,669.71 with a 60 day completion time period and that the walls in question are located on Greystone Heights Road, North Mountain Trail and Old Cartertown Road and then asked the Public Works Director to explain. Mr. Henderson stated that this is a permanent fix to the walls that were damaged in the Wildfires. After these comments, the motion to approve the Construction Contract was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THOMPSON CONSULTING SERVICES FOR PROJECT MANAGEMENT, DEBRIS REMOVAL AND FEMA/FEDERAL COST RECOVERY SERVICES.**

Item C under New Business was discussion and consideration of approving a Professional Services Agreement with Thompson Consulting Services for Project Management, Debris Removal and FEMA/Federal Cost Recovery Services. Vice Mayor McCown made a motion to approve the Agreement which was seconded by Commissioner Smith. The City Manager then stated that this is related to Debris Removal, Project Management, FEMA and Federal Cost Recovery services associated with the City's work under the FEMA declared disaster and that the agreement is in the amount of \$177,000 and is for a 70 day period. The City Manager then introduced Mr. John Hoyle, President of Thompson Consulting Services, who stated that their role in the City's recovery process is to make sure that the City is following federal requirements and the procurement process and that bookkeeping and paperwork are done correctly to protect the City's financial interests. After these comments, the motion to approve the Professional Services Agreement with Thompson Consulting Services was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AMENDMENT NO. 1 TO THE ACCESS AND UTILITY EASEMENT WITH HEMPHILL, LLC, FOR THE PROPOSED CELL TOWER AT 1849 EAST PARKWAY.**

The next Item under New Business was discussion and consideration of approving Amendment No. 1 to the Access and Utility Easement with Hemphill, LLC, for the proposed Cell Tower at 1849 East Parkway. Commissioner Smith made a motion to approve the amendment which was seconded by Vice Mayor McCown. The City Manager then asked the Building and Planning Director to explain and Mr. Ball stated that several month ago Hemphill approached the City about acquiring right-of-way access through Community Center property to access the site for the

construction of a cell tower and since that time Hemphill has asked the City for an amendment to that easement to create an alternate route if the original easement was compromised. Mr. Ball further stated that in exchange for the easement, Hemphill would quit claim deed to the City property which the City leases for a water tank. Ms. Rhonda Brown with Hemphill then stated that this would be an alternate route only and is being put in place in the event a limitation of use could cause Hemphill not to be able to access the site through the previously approved easement agreement and that utilities will be placed underground. After these comments, the motion to approve Amendment No. 1 to the access and utility easement with Hemphill, LLC was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A FUNDING REQUEST FROM THE MOUNTAIN TOUGH RECOVERY TEAM.**

Item E under New Business was discussion and consideration of approving a funding request from the Mountain Tough Recovery Team. Vice Mayor McCown made a motion to approve the request which was seconded by Commissioner Smith. The City Manager then explained that the funding request is for \$50,000 from the City and that the same amount is being requested from Sevier County as it relates to establishing an initial budget for the Mountain Tough Recovery Team to hire an Executive Director and an Administrative Assistant. The City Manager further explained that Case Managers will be hired and will be funded through the Workforce Development Grant that was recently announced that Walters State Community College is coordinating and that is a good thing in helping to get the Mountain Tough Recovery Team established and that the \$50,000 request to the City is to fund administrative costs for the Organization. After these comments, the motion to approve the funding request from the Mountain Tough Recovery Team was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR THE USAGE OF THE AQUARIUM PARKING GARAGE ON APRIL 25, 2017, FROM THE SEVIER COUNTY FOOD MINISTRIES.**

Item F under New Business was discussion and consideration of approving a request for the usage of the Aquarium Parking Garage on April 25, 2017, from the Sevier County Food Ministries. Vice Mayor McCown made a motion to approve the request which was seconded by Commissioner Smith and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FOR THE USAGE OF THE AQUARIUM PARKING GARAGE ON MAY 9, 2017, FROM SAFESPACE.**

Item G under New Business was discussion and consideration of approving a request for the usage of the Aquarium Parking Garage on May 9, 2017, from Safespace. Commissioner Smith made a motion to approve the request which was seconded by Vice Mayor McCown and then unanimously approved.

**RESOLUTION NUMBER 935, A RESOLUTION APPROVING THE DISSOLUTION OF THE GATLINBURG REGIONAL PLANNING COMMISSION AND THE GATLINBURG PLANNING REGION.**

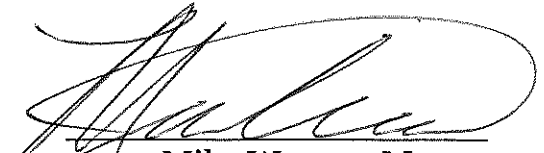
The last Item under New Business was Resolution Number 935, a Resolution approving the dissolution of the Gatlinburg Regional Planning Commission and the Gatlinburg Planning Region. Commissioner Smith made a motion to approve the Resolution which was seconded by Vice Mayor McCown. The City Manager then commented that this has been discussed for a few years and that it primarily relates to the County having adopted zoning regulations several years ago and building code regulations in the more recent history. The City Manager continued that once these regulations were adopted by the County, it became a duplication of effort of what the City does in the Planning Region and that the Building and Planning Director has been in discussion with the County Planner and that the Gatlinburg Planning Commission has approved a similar dissolution Resolution. The City Manager then asked the Building and Planning Director to further explain and Mr. Ball stated that, once approved, that the City Resolution and the County Resolution will be forwarded to the Local Planning Advisory Committee for their review and approval. Mr. Ball further explained that the committee will meet in April and will further advise if the City Commission will need to take any additional action as to passing any Ordinances related to the dissolution. After these comments, Resolution Number 935 was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Vice Mayor Mark McCown:**

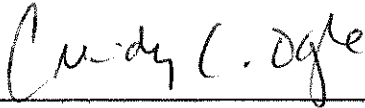
- (1) Stated that Commissioner Hays was not here this evening due to some health related issues the last couple of months and that Commissioner Helton had a fall today and that was why he was not in attendance this evening and that he was confident these Commissioners were coming back.

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



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Mike Werner, Mayor



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Cindy Cameron Ogle, City Recorder  
/jv