

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday, April 21, 2015, at 6:00 P.M. in the City Council Room. All members were present. Mayor Mike Helton called the meeting to order and led the Pledge of Allegiance. Finance Director Robert Holt gave the Invocation.

Mayor Helton then called for a motion to approve the Minutes of the regular meeting of March 17, 2015. Commissioner Don Smith made a motion to approve the Minutes which was seconded by Commissioner Jerry Hays and then unanimously adopted.

Regarding Petitions or Communications from the Public and Items from the audience, Mayor Helton recognized Mrs. Shirley LaBorde who wanted to address City Commission regarding her concerns about garbage container requirements and that she owns apartments at 413 Baskins Creek and that the building across the street has approximately ten tenants and that the dumpster had been removed and those tenants were using her dumpster which was creating a huge mess due to trash around the area. Ms. LaBorde further stated that she had already spoken with Larry Henderson, the Public Works Director, and that there are no City laws in place that would require multiple unit dwellings to have a dumpster and that a town as beautiful as Gatlinburg does not need trash scattered all over the place. Mayor Helton then directed the City Manager to get with the Public Works Director and come up with some solutions.

Mayor Helton then recognized Mr. David Beeler who wanted to announce that there would be a Senior Expo Health screening event at the Sevier County Senior Center on Friday, April 24 from 9 A.M. to 2 P.M. and that it is a free event which includes lunch. Mr. Beeler also stated that anyone that would be interested in volunteering with senior outreach is encouraged to call the Sevier County Senior Center. The City Manager stated that Mr. Beeler is the Gatlinburg representative on this Board and thanked him for that and his comments this evening.

Mayor Helton then presented a Proclamation to Charles Richard Resources for their years of service as the Food Concessionaire at the Convention Center. Mr. Charles Williams thanked the City for the Proclamation and the years of working with the City.

Regarding Reports of Boards and Committees, the City Manager presented the Employee Recognition Board First Quarter Awards to Employees of the First Quarter those being Mr. Kenneth of the Fire Department, Mr. Chris Ball of the Sanitation Department, and Mr. Charles Trentham of the Convention Center. The City Manager also presented the Units of the First Quarter Awards to Fire Department A-Shift Personnel, the Police Department and to Mr. Joe Morris and Mr. George Valentine of the Utilities Department.

The City Manager reported and/or requested:

- (1) that she wanted to remind everyone that the 65th Annual Wildflower

Pilgrimage kicks off this evening and is through Friday, April 24 at Mills Auditorium and has a record registration of over 660 people and that the Wildflower Pilgrimage Luncheon will be on Wednesday, April 22 at 11:30 A.M. at Mills Auditorium and the guest speaker will be Mr. Kim DeLozier, formerly with the National Park Service, and he will tell stories from his book "Bear in the Backseat."; and,

- (2) that, this is Earth Week and there are many activities occurring this week including the Super Recycling Day that is tomorrow from 11:00 A.M. to 6:00 P.M. at the Good Will Recycling Drop-off Center and staff will be accepting items them along with the Police Department accepting medicine disposal for safe disposal on site. On Thursday, April 23, from 3:00 to 7:00 P.M. at Mynatt Park is the Earth Day Festival and this is a family oriented event where you can learn about easy green practices, enjoy music, activities and games, craft stations and food and on the 24th, is the Earth Day 5K Run/Walk with the start and finish line at NOC at Traffic light #10. Registration begins at 8:00 P.M. with the race beginning at 10:00 P.M.; and,
- (3) that she wanted to remind everyone that the Emergency Services Golf Tournament is Friday, May 1, at the Gatlinburg Golf Course and that this is a fund-raiser for the nonprofit associations related to the Police and Fire Departments. The City Manager further stated that it is a shotgun start that will be at 1:00 P.M. and participation will be greatly appreciated by both the Police and Fire Departments; and,
- (4) that the 2nd Annual Beans and Cornbread Festival Event will be held on Thursday, May 14 from 4:00 to 8:00 P.M. The City Manager stated that there is an item on the Agenda later this evening to approve the usage of Parkway for the Event; and,
- (5) finally, that she wanted to make a very important announcement this evening regarding the City's ISO Fire Protection Rating which is that the Gatlinburg Fire Department and Fire Chief were recently advised that the City's Class 3 rating will improve to a Class 2 rating which is a very important happening for the City. The rating puts the Gatlinburg Fire Department among the top echelon of Fire Departments across the state and the nation. The impact of this improved rating will be enjoyed primarily by commercial businesses as well as residents of our City and this improved rating could not have been achieved without the support of the City Commission and investments in the Department including the purchase of much needed new major pieces of equipment along with the addition of positions in the Department just this Fiscal Year. The City Manager expresses her congratulations to Fire Chief Greg Miller and all members of the Department for their dedication to

provide quality services to the community and for this significant accomplishment.

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

The only Item under Old Business was discussion and consideration of making an appointment to the Board of Appeals. Vice Mayor Mike Werner made a motion to appoint Mr. David Ogle, as the contractor/builder representative, which was seconded by Commissioner Don Smith. Mayor Helton then explained that Mr. Hugh Clabo had declined the appointment and that the Appeals Board is required to have a licensed contractor serve upon it. After these comments, the motion to appoint Mr. David Ogle to the Board of Appeals was unanimously adopted.

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

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

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

The next Item under New Business was discussion and consideration of approving Certificate of Compliance for Dianne V. Knipp, d/b/a Park Liquor, 1235 E. Parkway, Suite #1. Commissioner Hays made a motion to approve the Certificate of Compliance which was seconded by Commissioner Mark McCown and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT WITH WHALEY AND SONS, INC., AND AUTHORIZING ADDITIONAL FUNDING FOR THE BEANSTALK ROAD RETAINING WALL PROJECT.**

Item C under New Business was discussion and consideration of approving a contract with Whaley and Sons, Inc., and authorizing additional funding for the Beanstalk Road Retaining Wall Project. Commissioner Smith made a motion to approve the contract and the additional funding which was seconded by Vice Mayor Werner. Mayor Helton then asked the Public Works Director to explain and Mr. Henderson stated that the original cost estimate for the construction of this Project was \$60,000

and that bids were opened a few days ago with the low bid being \$223,000. Mr. Henderson further stated that it is recommend that a 10% contingency be added due to any unforeseen circumstances and that the additional amount requested for this Project is \$186,000. The City Manager then stated that it is important to note that the scope of the Project has expanded and that material costs have increased and that there are contingency monies available in this year's Capital Improvements Budget for unforeseen circumstances such as this to fund the additional costs without having to make a Budget amendment. After these comments, the motion to approve the Contract and authorizing additional funding for the Beanstalk Road Retaining Wall Project was unanimously adopted.

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

Item D under New Business was discussion and consideration of approving the renewal of the United Healthcare Medical Insurance Plan. Commissioner Smith made a motion to approve the renewal which was seconded by Vice Mayor Werner. The City Manager then commented that it is the recommended to renew this Medical Insurance Plan in consultation with Mr. Chris Fessenden the City's Insurance Consultant and also the Human Resources Manager and the Finance Director and that, based on their time and analysis, it is basically the same plan with a 3.9% rate increase. Mr. Fessenden then commented that with the healthcare reform and all the dysfunction that it has caused, the City should be commended for maintaining the continuity of the plan and the stability for the employee. Mayor Helton then thanked Mr. Fessenden for all his help and commented that in previous years the increases had been as much as 19 to 20% and stated that he appreciated the work he has done with the City. After these comments, the motion to approve the renewal of the United Healthcare Medical Insurance Plan was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A TWO YEAR CONTRACT WITH BOSTON MUTUAL FOR THE BASIC LIFE AND AD&D INSURANCE PLAN.**

The next Item under New Business was discussion and consideration of approving a two year contract with Boston Mutual for the Basic Life and AD&D Insurance Plan. Vice Mayor Werner made a motion to approve the Contract which was seconded by Commissioner McCown and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING AN AUDIT CONTRACT WITH PUGH AND COMPANY, PC FOR THE FISCAL YEAR ENDING JUNE 30, 2015.**

Item F under New Business was discussion and consideration of approving an Audit Contract with Pugh and Company, PC for the Fiscal Year Ending June 30, 2015. Commissioner Smith made a motion to approve the Contract which was seconded by Vice Mayor Werner and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A REQUEST FROM THE GATLINBURG CONVENTION AND VISITORS BUREAU FOR ADDITIONAL FUNDING FOR THE SMOKY MOUNTAIN TUNES AND TALES 2015 PROGRAM.**

Item G under New Business was discussion and consideration of approving a request from the Gatlinburg Convention and Visitors Bureau for additional funding for the Smoky Mountain Tunes and Tales 2015 Program. Vice Mayor Werner made a motion to approve the additional funding which was seconded by Commissioner McCown. The City Manager commented that this will fund the Summer and Winter Seasons of Tunes and Tales and the additional amount requested is \$60,000. After these comments, the motion to approve additional funding for the Smoky Mountain Tunes and Tales 2015 Program was unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING THE CLOSURE OF A PORTION OF PARKWAY FROM TRAFFIC LIGHT #6 TO REAGAN DRIVE FOR THE 2015 BEANS AND CORNBREAD FESTIVAL ON MAY 14, 2015.**

The next Item under New Business was discussion and consideration of approving the closure of a portion of Parkway from Traffic Light #6 to Reagan Drive for the 2015 Beans and Cornbread Festival on May 14, 2015. Vice Mayor Werner made a motion to approve the request which was seconded by Commissioner McCown and then unanimously approved.

**DISCUSSION AND CONSIDERATION OF APPROVING A BUSINESS DIRECTIONAL SIGN FOR OVERHOME CREATIONS AT THE INTERSECTION OF GLADES ROAD AND POWDERMILL ROAD (REQUESTED BY JAMES & JAN BARNES).**

Item I under New Business was discussion and considerate of approving a Business Directional Sign for Overhome Creations at the intersection of Glades Road and Powdermill Road (Requested by James & Jan Barnes). Commissioner Smith made a motion to approve the signage which was seconded by Commissioner Hays and then unanimously adopted.

**DISCUSSION AND CONSIDERATION OF APPROVING A MEDICAL SERVICES AGREEMENT WITH LECONTE MEDICAL CENTER RELATED TO DETAINEES OF THE GATLINBURG POLICE DEPARTMENT.**

Item J under New Business was discussion and consideration of approving a Medical Services Agreement with LeConte Medical Center related to detainees of the Gatlinburg Police Department. Vice Mayor Werner made a motion to approve the Agreement which was seconded by Commissioner Hays. The City Manager then commented that it is her understanding that the Tennessee Corrections Institute is

now requiring that the City have this type of Agreement and that the City has not had to do this in the past. After these comments, the motion to approve a Medical Services Agreement was unanimously adopted.

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

The next Item under New Business was discussion and consideration of making appointments to the Recreation Board. Commissioner Smith made a motion to reappoint Ms. Karen Ballentine, Ms. Marci Brien, Mr. Jason Seavy, Mr. David McCown and Mr. Chris Bowling and also to appoint Mr. Dan Saffelder to a recently vacated position. Vice Mayor Werner then seconded the motion which was unanimously adopted.

**RESOLUTION NUMBER 916, A RESOLUTION RATIFYING AND APPROVING CHAPTER NO. 0001 OF THE PRIVATE ACTS OF 2015 AND FURTHER BEING A RESOLUTION TO MAKE CERTAIN CHANGES IN SECTION 15 OF THE GATLINBURG CITY CHARTER.**

The last Item under New Business was Resolution Number 916, A Resolution ratifying and approving Chapter No. 0001 of the Private Acts of 2015 and further being a Resolution to make certain changes in Section 15 of the Gatlinburg City Charter. Commissioner McCown made a motion to approve the Resolution which was seconded by Vice Mayor Werner. The City Manager then commented that this is a Resolution to ratify changes to Section 15 which is the Budget and Appropriations portion of the City Charter and that the first Resolution was presented in October. The City manager further stated that this is needed to bring the original 1945 City Charter up to date with existing various accounting standards and provisions as required by the State. Finance Director Emeritus David Beeler then commented that it brings the City Charter current with State Law regarding Budget and Appropriations. After these comments, the motion to approve Resolution Number 916 was unanimously adopted.

**UNSCHEDULED ITEMS:**

**Commissioner Jerry Hays:**

- (1) Encouraged everyone to come out on Monday, April 27 to support the Sevier County Food Ministries Fiesta that will be held at Ripley's Aquarium and stated that it is a very good event.

**Commissioner Don Smith:**

- (1) Commended the Employees and Units of the Quarter and stated that the City

has great employees.

**Commissioner Mark McCown:**

- (1) Commended Kenneth Ogle, Chris Ball, Charles Trentham, A-Shift Fire Personnel, the Police Department and Joe Morris and George Valentine and stated these are great individuals working for the City that go out of their way to help others; and,
- (2) Welcomed back Ms. Vicki Simms to full time status with the Convention and Visitors Bureau and asked Mr. Jim Downs to be sure to let her know that we wish her every success on her return to full time duty.

**Vice Mayor Mike Werner:**

- (1) Echoed the above regarding the Award recipients and stated that these are heartfelt stories and that we have amazing City employees and that he appreciates them very much.

**Mayor Mike Helton:**

- (1) Also echoed the above regarding the Award recipients and stated that it really shows how much City employees do for residents and visitors; and,
- (2) Congratulated Austin Cline who is a football player and runs track and stated that he has qualified for the Class AA State Decathlon meet which is a great accomplishment.

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



Mike Helton, Mayor



Cindy Cameron Ogle, City Recorder  
/jv