

The Gatlinburg Board of Commissioners met in a regular meeting on Tuesday June 21, 2016, at 6:00 P.M. in the City Council Room. All members were present with the exception of Mayor Mike Werner. Vice Mayor Mark McCown called the meeting to order and led the Pledge of Allegiance. Building and Planning Director David Ball gave the Invocation.

Vice Mayor McCown then called for a motion to approve the Minutes of the regular meeting of June 7, 2016. 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 and Committees.

The City Manager reported and/or requested:

- (1) that she would like to announce that registration is open for the Gatlinburg Police Department Kids Camp which will be held July 25-29, 2016, at the American Legion Building. The City Manager continued that the week includes bike and firearms safety, presentations by the SWAT Team and K-9 Officers, self-defense and conflict resolution, team building exercises, hiking and whitewater rafting and that the camp is free for children 9 to 13 and includes lunch every day; and,
- (2) that she wanted to announce the upcoming 41st Fourth of July Midnight Parade that will step off East Parkway at the stroke of midnight on Sunday, July 3 and will roll south through Gatlinburg ending at traffic light #10 and that the parade will honor our Nation's military veterans and U.S. Military Heroes; and,
- (3) that the Spur Welcome Center Open House will be Tuesday, June 28, 2016 2:00 P.M. to 5:00 P.M. located at 1011 Banner Road.

ORDINANCE NUMBER 2497, AMENDING THE MUNICIPAL CODE BY ADDING SECTIONS TO CHAPTER 3 OF TITLE 8 OF THE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO CONFORM TO RECENT CHANGES IN STATE LAW REGARDING THE PERMITTING AND SALE OF BEER, SECOND READING, (PASSED FIRST READING 06/07/16).

The first Item under Old Business was Ordinance Number 2497, amending the Municipal Code by adding sections to Chapter 3 of Title 8 of the Municipal code and further being an Ordinance to conform to recent changes in State Law regarding the permitting and sale of beer, Second Reading, (Passed First Reading

06 /07/16). Commissioner Helton made a motion to approve Ordinance Number 2497, which was seconded by Commissioner Jerry Hays and then unanimously adopted on Second and Final Reading.

ORDINANCE NUMBER 2498, AMENDING SECTION 8-115 OF THE MUNICIPAL CODE BY NUMBERING SAID SECTION AS SUBSECTION 1 AND ADDING AN ADDITIONAL PARAGRAPH BEING SECTION 2 FOR THE PURPOSE OF IMPOSING AN INSPECTION FEE ON RETAIL FOOD STORE WINE LICENSEES AND ON A MANUFACTURER OF HIGH ALCOHOL CONTENT BEER WHERE SAID MANUFACTURER OBTAINS A RETAIL LICENSE TO SELL THIS PRODUCT AT ITS RETAIL STORE, SECOND READING, (PASSED FIRST READING 06/07/16).

The next Item under Old Business was Ordinance Number 2498, amending Section 8-115 of the Municipal Code by numbering said section as subsection 1 and adding an additional paragraph being section 2 for the purpose of imposing an inspection Fee on retail food store wine licensees and on a manufacturer of high alcohol content beer where said manufacturer obtains a retail license to sell this product at tis retail sore, Second Reading, (Passed First Reading 06/07/2016). Commissioner Smith made a motion to approve Ordinance Number 2498, which was seconded by Commissioner Hays and then unanimously adopted on Seconded and Final Reading.

ORDINANCE NUMBER 2499, APPROPRIATING AN AMOUNT SUFFICIENT TO COVER THE NECESSARY EXPENSES OF THE VARIOUS DEPARTMENTS, OFFICES AND BOARDS OF THE CITY PENDING THE FINAL PASSAGE OF THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 2016-17, SECOND READING, (PASSED FIRST READING 06/07/2016).

The last Item under Old Business was Ordinance Number 2499, appropriating an amount sufficient to cover the necessary expenses of the various Departments, Offices and Boards of the City pending the final passage of the Annual Appropriation Ordinance for the Fiscal Year 2016-17, Second Reading, (Passed First Reading 06/07/2016). Commissioner Helton made a motion to approve Ordinance Number 2499, which was seconded by Commissioner Smith and then unanimously adopted on Second and Final Reading.

DISCUSSION AND CONSIDERATION OF APPROVING AN ACCESS AND UTILITY EASEMENT AGREEMENT WITH HEMPHILL, LLC, FOR A PROPOSED CELL TOWER.

Item A under New Business was discussion and consideration of approving an access and utility easement agreement with Hemphill, LLC, for a proposed cell tower. Commissioner Smith made a motion to approve the easement agreement which was seconded by Commissioner Helton. The City Manager commented regarding the Workshop meeting that was held just prior to this meeting and that representatives with Hemphill, LLC gave clarifying discussion as it relates to the easement request. The City Manager then asked the Building and Planning Director to review the stipulations for approval. Mr. Ball stated that City staff recommends the following: a drainage plan with calculations must be provided to the City for review and approval to ensure that the proposed drainage way and infrastructure improvements are acceptable to the Public Works Department and the Recreation Department; a planting plan and maintenance schedule associated with the slope easement areas must be provided to the City for review and approval to ensure easement areas are properly stabilized and revegetated for screening purposes; a plan showing final placement of any security gate systems to be located on the City's property to ensure placement does not prevent access to the Community Center facility or its associated utilities and equipment; and that Hemphill, LLC, provide a bond or letter of credit in an amount determined by the City, to cover any repair costs to the City's existing driveway and/or property that may result from construction activities associated with the cell tower. Commissioner Smith then stated that he agreed that the above stipulations be placed in his motion for approval. Commissioner Helton also stated his agreement and inclusion in the second to the motion. After these comments, the motion to approve an access and utility easement agreement with Hemphill, LLC, with the above noted stipulations, was unanimously adopted.

RESOLUTION NUMBER 926, A RESOLUTION TO STRONGLY ENCOURAGE CONGRESS TO CREATE A RELIABLE, PREDICTABLE STREAM OF RESOURCES TO ADDRESS DEFERRED MAINTENANCE NEEDS IN AMERICA'S NATIONAL PARK SYSTEM.

The next Item under New Business was Resolution Number 926, a Resolution to strongly encourage Congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System. Commissioner Hays made a motion to approve the Resolution which was seconded by Commissioner Helton. The City Manager then commented that Mr. Martin Penny, who is a consultant to the Pew Charitable Trust and on behalf of the National Parks Centennial Campaign, had contacted the City and asked for the Mayor to sign off on support for this type of request to which the Mayor did and that this request for the Resolution was also from Mr. Penny and that on both occasions the Great Smoky Mountains National Park (GSMNP) has been contacted to see if this is something that they would like for the Mayor and the City to participate as to the requests. The City Manager continued that in both cases, Mrs.

Dana Soehn with GSMNP, has indicated that the Park would appreciate it greatly if the City would support this endeavor. The City Manager further commented that this Resolution is related to the National Park Centennial campaign in an effort to secure additional funding for the maintenance needs in all of the National Parks. After these comments, the motion to approve Resolution Number 926 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING CHANGE ORDER #1 RELATED TO THE HAYWARD AND BAKER, INC., CONTRACT FOR THE HEIDEN DRIVE SLOPE STABILIZATION PROJECT.

Item C under New Business was discussion and consideration of approving change order #1 related to the Hayward and Baker, Inc., Contract for the Heiden Drive Slope Stabilization Project. Commissioner Helton made a motion to approve the change order which was seconded by Commissioner Smith. The City Manager then asked the engineer for the Project, Mr. Gary Norvell, to explain and he stated that after Hayward and Baker mobilized on site it was determined that looking at the slope that 500 additional square feet of area needed to be repaired and that it would be approximately \$50,000. Mr. Norvell then referenced that \$10,445 of the engineering fees would not be billed to the City could go toward this change order and that the net change order to the City would be \$39,555. The City Manager then stated that the information provided by the Public Works Director included a spreadsheet of the status of Projects in the General Fund and that reflects in the Arbon Drive and Loop Roads Project, sufficient savings to cover this change order. After these comments, the motion to approve Change Order #1 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO SUPERIOR WATER SYSTEMS FOR THE MAINTENANCE OF THE WATER COOLING TOWERS AT THE CONVENTION CENTER AND CITY HALL.

Item D under New Business was discussion and consideration of approving a single bid to Superior Water Systems for the maintenance of the water cooling towers at the Convention Center and City Hall. Commissioner Hays made a motion to approve the single bid which was seconded by Commissioner Smith. The Finance Director then commented that two or more bids are usually received and that this Company is the one presently being used for this service. After these comments, the motion to approve a single bid to Superior Water Systems was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT

WITH THE EAST TENNESSEE DEVELOPMENT DISTRICT FOR THE PROVISION OF 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 the provision of local planning advisory services. Commissioner Smith made a motion to approve the contract which was seconded by Commissioner Hays. The City Manager then explained that this is the annual contract with East Tennessee Development District to provide local planning services and that it is in the Building and Planning Department Budget and that the City Planner and Commissioner Smith would agree that this is a reasonable cost for this very important service to the City. After these comments, the motion to approve the contract with the East Tennessee Development District was unanimously adopted.

DISCUSSION AND CONSIDERATION OF MAKING VARIOUS APPOINTMENTS TO THE MUNICIPAL/REGIONAL PLANNING COMMISSION.

Item F under New Business was discussion and consideration of making various appointments to the Municipal/Regional Planning Commission. Commissioner Hays made a motion to reappoint the present members being Mr. Bud Ogle, Mr. Kirby Smith, Mr. Larry Claiborne and Commissioner Don Smith. The motion was seconded by Commissioner Helton and then unanimously adopted.

ORDINANCE NUMBER 2500, AMENDING THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016, FIRST READING.

The last Item under New Business was Ordinance Number 2500, amending the appropriation Ordinance Number 2500, amending the appropriation Ordinance for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016, First Reading. Commissioner Smith made a motion to approve the Ordinance which was seconded by Commissioner Hays. The City Manager commented that this is an Ordinance to amend the current Fiscal Year Budget and due primarily to the emergency slope repair in the Fall on Zurich Road due to a water main break. The City Manager further stated that some existing funds were available to cover the \$200,000 emergency repair and that the Ordinance requests an additional appropriation toward these costs of \$100,000. The City Manager then asked the Finance Director to further explain the additional amount and Mr. Holt stated that the other amount is related to the Spur Welcome Center Project and that these are additional funds requested to cover Architectural costs due to the increased scope of the Project. The City Manager then stated these monies are available in revenues exceeding original estimates this Fiscal Year. After these comments, the motion to

approve Ordinance Number 2500 was unanimously adopted on First Reading.

UNSCHEDULED ITEMS:

Commissioner Jerry Hays:

- (1) Stated that he was glad to hear of the success of the Fulmer Camp and the Globetrotters at Rocky Top Sports World.

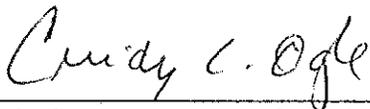
Commissioner Mike Helton:

- (1) Offered condolences to the Trotter Family due to the death of their son, Tom, and referenced that Tom was a Detective with the City at one time and then stated that he used to coach him in football.

Vice Mayor McCown:

- (1) Read information in the Agenda package regarding the State Audit of the City's Ambulance Service and offered congratulations to the Chief Miller and the City Manager for this great report.

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.



Cindy Cameron Ogle, City Recorder

/jv


Mike Werner, Mayor