

The Gatlinburg Board of Commission met in a regular meeting on Tuesday, September 17, 2019, 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 Finance Director Robert Holt gave the Invocation.

Mayor Werner then called for a motion to approve the Minutes of the regular meeting of August 20, 2019. Commissioner Smith made a motion to approve the Minutes which was seconded by Commissioner Reagan and then unanimously adopted.

Regarding Petitions and Communications from the Public, Mayor Werner recognized Mr. Jim Yonan who signed up to speak about concerns at traffic light #8 intersection. Mr. Yonan asked the City if it was possible to place an Officer at traffic light #8 during the high traffic times. The City Manager stated that this is an intersection that the City is working on a project to add a crosswalk which would help the pedestrian flow and at this time the City is waiting on final approval from Tennessee Department of Transportation (TDOT) to proceed. The City Manager asked Chief Randy Brackins to further explain and he stated that the City was waiting on the permit from TDOT and, as soon as the permit was received, the Project would go out to bid and that the Project is being done to address these types of concerns.

There were no Reports of Boards and Committees.

The City Manager reported and/or requested:

- (1) that she would like to give an update on the Tennessee Department Of Transportation (TDOT) Highway 321 Slide Repair Project and that according to TDOT, Ameritech is in the process of grouting and testing the rock anchors with rock drape installation beginning after that and that curb and barrier rails will be installed and it will be mid October for a completion date; and,
- (2) that she would like to advise as to the temporary ban on open burning that was issued yesterday by Fire Chief Charlie Cole due to dry weather and low humidity conditions and that the open burn ban will take effect until significant rainfall is received and that there will be notification when the ban is lifted. As a reminder, the City Manager stated it is always required to obtain a permit prior to any open burning inside the City and that residents and visitors are still permitted to use BBQ grills with extreme caution; and,
- (3) that she would like to announce the receipt of Tennessee Department of Transportation Grant for the 2016 Wildfires Memorial and Tribute Project and that she, Mayor Werner, Sevier County Mayor Waters and Sevier County Vice Mayor McCarter traveled to Nashville yesterday for a check presentation from Governor Bill Lee and the Tennessee Department of Transportation Commissioner Clay Bright in the amount of

\$852,293. The City Manager also stated that the Project will now occur at the pedestrian bridge on the lower end of Mynatt Park and that this is a positive because the ADA (American With Disability Act) Grant to bring Mynatt Park to full AdA standards did not include the pedestrian bridge. The City Manager further stated that this Project will honor all the First Responders who came to the aide of our community and above all else the lives that were lost due to the Wildfires; and,

(4) that she would like to announce the Joint Legislative Luncheon which is Wednesday, September 18, 2019 at Mills Park Auditorium and that this event is sponsored by the Gatlinburg Chamber of Commerce and Gatlinburg Hospitality Association and that Sevier County Mayor Larry Waters will facilitate the discussion with State Senators, Art Swann and Steve Southerland and State Representatives, Dale Carr and Andrew Farmer; and,

(5) that she would like to remind everyone of the City Employee Tailgate Luncheon that will be held on Friday, October 18, 2019, from 11:00 A.M. to 1:00 P.M. at Rocky Top Sports World and that tickets can be purchased from the Police and Fire Departments; and,

(6) she would also like to announce that the Tennessee Craft Week is October 4-13 and that Gatlinburg is home to three events during this Statewide celebration with the first event being the Great Smoky Arts and Crafts Community hosting demonstrations and hands on opportunities during the ten day celebration and that Arrowmont will host a special art show called "Bridging the Gap: Contemporary Craft Practices" highlighting Artists from 18 to 35 years of age and the third is the Gatlinburg Craftsmen's Fair October 10-27. The City Manager stated that the Tennessee Crafts week is a Statewide celebration that highlights the Artist and Crafters who together make an impact on the culture, community and economy of Tennessee; and,

(7) that finally, the Planning and Building Director David Ball wanted to announce that the Census Bureau is taking job applications for paid personnel to help gather information for the 2020 Census and applications can be made on line at 2020census.gov/jobs.

ORDINANCE 2540, AMENDING THE MUNICIPAL CODE BY INCREASING THE PARKING RATES FOR THE AQUARIUM, THE FRED W. MCMAHAN (PARKWAY) PARKING GARAGES, AND THE HIGHWAY 441 PARKING LOT, SECOND READING, (Passed First Reading 8/20/19).

Item A under Old Business was Ordinance 2540, amending the Municipal Code by increasing the parking rates for the Aquarium, the Fred W. McMahan (Parkway) Parking Garages, and the Highway 441 Parking Lot, Second Reading, (Passed First Reading 8/20/19). Commissioner DeSear made a motion to approve the Ordinance on second reading which was seconded by Vice Mayor McCown and then unanimously adopted.

ORDINANCE 2541, AMENDING THE MUNICIPAL CODE BY ADOPTING BY REFERENCE STATE TRAFFIC OFFENSES AND RULES OF THE ROAD, SECOND READING, (Passed First Reading 8/20/19).

Item B under Old Business was Ordinance 2541, amending the Municipal Code by adopting by reference State Traffic Offenses and Rules of the Road, Second Reading, (Passed First Reading 8/20/19). Commissioner Reagan made a motion to approve the Ordinance on second reading which was seconded by Vice Mayor McCown and then unanimously adopted.

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

Item A under New Business was discussion and consideration of approving a Seasonal Tennis Coordinator Agreement with G. Webb for Tennis. Commissioner Smith made a motion to approve the Agreement which was seconded by Commissioner Reagan. Mayor Werner asked the City Manager for explanation and she stated that G. Webb already has an eight month Agreement and he has asked for the Agreement to be extended to a twelve month Agreement at \$1,000 per month and that there are monies in the contract services line item in the Recreation Department Budget to cover the cost. After these comments, the motion to approve the Agreement was unanimously approved.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES WITH THE SAFE HARBOR CHILD ADVOCACY CENTER, INC.

Item B under New Business was discussion and consideration of approving a Contract for Services with the Safe Harbor Child Advocacy Center, Inc. Vice Mayor McCown made a motion to approve the Contract for Services which was seconded by Commissioner Smith. Mayor Werner asked the City Manager to explain and she stated that this item and the next three agenda items were Contracts for Services with Safe Harbor, SafeSpace and a new Contract with Sevier County Food Ministries. The City Manager further stated that the contracts with Safe Harbor and SafeSpace reflect an increase of \$1,000 and the Contract with Sevier County Food Ministries is for \$5,000 and is a new Agreement and that all of these donations were approved in the FY2019-20 Budget. After these comments, the motion to approve the Contract with Safe Harbor was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES WITH SAFESPACE OF EAST TENNESSEE.

Item C under New Business was discussion and consideration of approving a Contract for Services with SafeSpace of East Tennessee. Commissioner Reagan made a motion to

approve the Contract with which was seconded by Commissioner DeSear and the motion to approve the Contract was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CONTRACT FOR SERVICES WITH SEVIER COUNTY FOOD MINISTRIES.

Item D under New Business was discussion and consideration of approving a Contract for Services with Sevier County Food Ministries. Commissioner DeSear made a motion to approve the Contract for Services which was seconded by Vice Mayor McCown and the motion to approve the Contract for Services was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING THE USAGE OF THE AQUARIUM PARKING GARAGE BY THE FRIENDS OF TENNESSEE'S BABIES WITH SPECIAL NEEDS ON NOVEMBER 9, 2019.

Item E under New Business was Discussion and Consideration of approving the usage of the Aquarium Parking Garage by the Friends of Tennessee Babies with Special Needs on November 9, 2019. Vice Mayor McCown made a motion to approve the usage of the Aquarium Parking Garage which was seconded by Commissioner Reagan and then unanimously adopted.

RESOLUTION NUMBER 968, A RESOLUTION AUTHORIZING THE CITY TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS "DRIVERS SAFETY" LOSS CONTROL MATCHING GRANT PROGRAM.

Item F under New Business was Resolution Number 968, a Resolution authorizing the City to participate in the Public Entity Partners "Drivers Safety" Loss Control Matching Grant Program. Commissioner Smith made a motion to approve the Resolution which was seconded by Commissioner DeSear. Mayor Werner asked the City Manager to explain and she stated that this is a Grant that the City has received for many years and this Grant is specifically related to Driver's Safety and then asked the Finance Director to give an explanation to which he stated that this is a fifty percent matching Grant and this year's Grant money will be used for driver training and also will be applied to the monitoring of GPS systems in various City vehicles. After these comments, the motion to approve Resolution Number 968 was unanimously adopted.

ORDINANCE 2542, AMENDING THE MUNICIPAL CODE BY ADOPTING BY ADDING AN ADDITIONAL SECTION THERETO AND FURTHER BEING AN ORDINANCE TO PROHIBIT THE OPERATION OF DOCKLESS SMALL VEHICLES OR SCOOTERS AS DEFINED HEREIN FROM USE ON THE CITY STREETS AND SIDEWALKS, FIRST READING.

Item G under New Business was Ordinance 2542, amending the Municipal Code by adding an additional section thereto and further being an ordinance to prohibit the operation of dockless small vehicles or scooters as defined herein from the use on the City streets and sidewalks, First Reading. Commissioner DeSear made a motion to approve the Ordinance on first reading which was seconded by Commissioner Smith. Mayor Werner asked the City Manager for some explanation and she asked the Police Chief to provide an overview and he stated that these are small dockless vehicles or small scooters that people ride on sidewalks or streets and that it did not include handicap vehicles and that he is recommending this Ordinance due to the liability and potential accidents that could be associated with the dockless vehicles on the City sidewalks and streets. Vice Mayor McCown asked if it included all City Streets and sidewalks and the Chief answered yes all inside the City Limits. After these comments, the motion to approve the Ordinance on first reading was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A SINGLE BID TO ARCHER AIR CONDITIONING FOR MAINTENANCE OF THE CITY HALL BUILDING, AMERICAN LEGION BUILDING AND ANNA PORTER PUBLIC LIBRARY.

Item H under New Business was discussion and consideration of approving a single bid to Archer Air Conditioning for maintenance of the City Hall Building, American Legion Building and Anna Porter Public Library. Commissioner Reagan made a motion to approve the single bid which was seconded by Vice Mayor McCown and then unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN ENGINEERING SERVICES AGREEMENT WITH C2RL, INC. RELATED TO REFURBISHING WATER TANKS LOCATED AT THE WATER TOWER ROAD AND SAVAGE GARDENS.

Item I under New Business was discussion and consideration of approving an Engineering Services Agreement with C2RL, INC. related to refurbishing water tanks located at Water Tower Road and Savage Gardens. Commissioner DeSear made a motion to approve the Engineering Services Agreement which was seconded by Commissioner Reagan. Mayor Werner asked the City Manager for explanation and she stated that this item and the next agenda item involved Engineering Services for both Projects and both are in the FY2019-20 Budget and that this Engineering Agreement is in the amount of \$43,300. The Utilities Manager further stated that these services are related to design specifications for the refurbishing of the two storage tanks and inspections of the concrete tanks. After these comments, the motion to approve the Engineering Services Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN ENGINEERING SERVICES AGREEMENT WITH C2RL, INC. RELATED TO THE POST OFFICE SEWER LIFT STATION REHABILITATION PROJECT.

Item J under New Business was discussion and consideration of approving an Engineering Services Agreement with C2RL, INC. related to the Post Office Sewer Lift Station Rehabilitation Project. Commissioner Smith made a motion to approve the Engineering Services Agreement which was seconded by Vice Mayor McCown. The City Manager stated that this is a Project that was funded in the previous year's Budget and it was realized there was not enough funding and that additional monies were placed in the FY2019-20 Budget for the Project and that the Engineering Service Agreement is in the amount of \$24,840. The Utilities Manager stated that the lift station is located between the Post Office and the campground. After these comments, the motion to approve the Engineering Services Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A CHANGE ORDER #2 RELATED TO THE 441 METER PARKING LOT SLOPE REHABILITATION PROJECT.

Item K under New Business was discussion and consideration of approving a Change Order #2 related to the 441 Meter Parking Lot Slope Rehabilitation Project. Commissioner Reagan made a motion to approve the change order #2 which was seconded by Commissioner DeSear. Mayor Werner asked the City Manager for some explanation and she asked the Public Works Director to further explain and he stated that this Project did require additional scaling and additional material which increased the cost of what was budgeted for the Project and, with the Change Order, the total contract price is \$319,825. After these comments, the motion to approve the change order #2 was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING A LEASE AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR EXCESS RIGHT OF WAY LOCATED AT 1400 EAST PARKWAY.

Item L under New Business was discussion and consideration of approving a Lease Agreement with Tennessee Department of Transportation for excess right of way located at 1400 East Parkway. Vice Mayor McCown made a motion to approve the Lease Agreement which was seconded by Commissioner DeSear. Mayor Werner asked for explanation and the City Manager stated this was an opportunity for the City to have a lease with Tennessee Department of Transportation and she asked the Public Works Director to explain further and he stated that this location is at Glades and East Parkway directly in front of Village Candles and it is about 7,000 square feet of property that can be used for public parking and is adjacent to a Trolley Stop and that the lease is at no charge and that the City will incur the expense of paving and striping the area. After these comments, the motion to approve the Lease Agreement was unanimously adopted.

DISCUSSION AND CONSIDERATION OF APPROVING AN ENGINEERING PROPOSAL WITH ROBERT G. CAMPBELL & ASSOCIATES RELATED TO THE IVY ROAD SLOPE REPAIR PROJECT.

Item M under New Business was discussion and consideration of approving an Engineering Proposal with Robert G. Campbell & Associates related to the Ivy Road Slope Repair Project. Commissioner Smith made a motion to approve the Engineering Proposal which was seconded by Vice Mayor McCown. The Public Works Director stated that this is a funded Project in the amount of \$435,000 and the Engineering Proposal is in the amount of \$30,000. After these comments, the motion to approve the Engineering Proposal was unanimously adopted.

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

Item N under New Business was discussion and consideration of making an appointment to the Board of Appeals. Mayor Werner opened the floor for nominations and Commissioner DeSear made a motion to reappoint Mr. David Hadden to the Board of Appeals which was seconded by Vice Mayor McCown and then unanimously approved.

UNSCHEDULED ITEMS:

Commissioner DeSear:

(1) Announced that the City has four new residents and their names are Iggy, Jello, Jerry and Marlee and these four endangered African Penguins came to the Aquarium from Zoo Knoxville as they are shutting down their penguin habitat and that they are adorable.

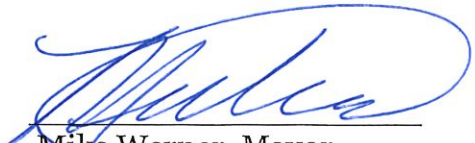
Vice Mayor McCown:

(1) Stated that he heard that the Taste of Autumn and the Eagles Tribute Band was excellent and that he had other commitments and hated to miss it and kudos for a job well done.

Mayor Mike Werner:

(1) Stated that he wanted to remind everyone that the Gatlinburg Pittman Football Team has a home ballgame this Friday and would like to see everyone come out and support the Highlanders which are having a great season.

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



Mike Werner, Mayor



Cindy Cameron Ogle, City Recorder
/mp