

TOWN OF CUMBERLAND GAP
PLANNING MEETING
MAY 31, 2022
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The Board of Mayor and Alderman met on May 31, 2022 to review and finalize the items on the agenda for the June 6, 2022 meeting.

Planning and Zoning- The date for the next PZC meeting is scheduled for June 6, 2022. At this time there are no items on the agenda.

Finance- The proposed water/sewer budget for FY ending June 30, 2023 was reviewed. The proposal includes a .50 cent raise for the three (3) hourly employees, \$1,000 increase in the independent contractor's pay, \$2.00 increase in water rates, and \$2.00 increase in the sewer rates.

The recorder made the board aware of one change that was made in the FY 2022-2023 proposed general fund budget reviewed last month, a \$1.00 increase in waste collection rates was added, which increased the budget by \$2,034.00.

Mayor Pucciarelli reported that he has spoken with Coca-Cola about developing their property in town. If they were to build a pumping station the water would be collected from LMU's line before the water has been treated, which means they would not be using large volumes of water. They did state they would consider giving a donation to the town each year to compensate.

Law and Order- There was nothing to report.

Historical- The date for the next HZC meeting is scheduled for June 7, 2022. At this time there are no items on the agenda.

The Certified Local Government training coordinator will be present at the August 2, 2022 Historic Zoning Commission meeting to conduct required training. Jellico's HZC will be participating in the joint training.

Streets- Since federal funds will be used for the milling there is additional paperwork involved before the work can begin.

Parks and Recreation- There was nothing to report.

Tourism- There was nothing to report.

Water- There was nothing to report.

Sewer- There was nothing to report.

Fire Department- The fire department has submitted a special event permit application to be discussed under new business.

The fire department had one call, at the LMU dorms, this month.

OSHA- There was nothing to report.

Litigation- There was nothing to report.

Old Business:

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Special Event Permit Application- Rumble in the Gap

The special event application, Rumble in the Gap, was submitted by Kevin Larew/Angelo's in the Gap/and is scheduled for July 22, 2022.

Mayor Pucciarelli explained that Mr. Larew plans to apply for a special event beer permit in order to serve beer in a roped off area. The special event beer permit will be discussed during the Beer Board meeting.

Ordinance No. 2-2022 An Ordinance Amending the Fiscal Year 2021-2022 Budget

Revenue and expenses for several accounts are expected to be greater than anticipated so there is a need to amend the budget. . This is the second and final reading of the ordinance.

Citizens Comments: There were no citizen comments.

New Business:

Ordinance No 3- 2022 An Ordinance to Adjust Water and Sewer Rates

This ordinance raises the water rates by \$2.00 and the sewer rates by \$2.00.

Ordinance No 4- 2022 An Ordinance to Adjust Garbage Collection Rates

This ordinance raises the garbage collection rates by \$1.00.

Ordinance No 6-2022- An Ordinance to Adopting the Annual Budget and Tax Rate for FY 2022-2023

This ordinance adopts the budget and tax rate for FY 2022-2023.

The first reading of the budget will be at the June 6th board meeting. A public hearing and the second reading will take place on June 27, 2022 (a special called meeting will be conducted for the second reading).

Special Event Permit Applications- Junior Firefighter Program

A special event permit application, Junior Firefighter Program, was submitted by James Ratliff / Cumberland Gap Volunteer Fire Department, and is scheduled for July 16- 17, 2022.

Don Bryant-Mayor Pucciarelli reported that he terminated Don Bryant as the town building inspector and needed a motion from the board to ratify his dismissal. Each board member was given documentation that Mayor Pucciarelli began noting since the issues first arose in January 2022 and a complaint letter from a resident and business owner.

According to the municipal code a building permit is to be issued before work can be done on any project. A permit for Nineteen19 Grill and Bar was not issued until the project was completed.

The codes require written documentation for inspections that clearly define what was inspected, if any violations are found, and what remaining items are yet to be completed. No such documentation

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existed and new issues were found each time the buildings were inspected, which resulted in delays and frustration for building and property owners.

One of the board members stated that she thought this matter had to go before the Planning and Zoning Board of Appeals. Mayor Pucciarelli replied by saying that he has spoken with the attorney and was told the Board of Appeals heard complaints regarding building and zoning issues only.

Mayor Pucciarelli reported that he has had several meetings with Mr. Bryant asking him to comply with the code but has yet seen any changes resulting in those meetings.

Mayor Pucciarelli referenced several instances where Mr. Bryant did not comply with codes. He referenced the project and lawsuit at 601 Pennlyn, the project at Nineteen19, and The Olde Church.

Near completion of the project at Nineteen19, an issue arose and the State Fire Marshall's office had to be called in. It was determined that the issue could have been avoided if a plan had been submitted prior to the start of the project. The state inspector assisted in resolving the matter and provided written documentation of his inspection.

Mayor Pucciarelli explained that the owner and contractors at Nineteen19 and the owners of The Olde Church was very frustrated and felt that the whole process was very chaotic.

Mayor Pucciarelli feels he did what is in the best interest of the town in an effort to avoid another lawsuit like what happened with 601 Pennlyn. He told the board that he has spoken with several potential building inspectors and will set up meetings if the board ratifies his decision.

Jerry Hopson made reference to the charter that states the mayor has the authority to hire and fire employees. Mayor Pucciarelli referenced the code that states that all employees are expected to exercise good judgement, loyalty, common sense, dedication, and courtesy, in the performance of their duties.

Other Business: Ralph McClanahan told the board that he hired an individual, at his expense, to research the environmental issues of the distillery. He asked to be put on the agenda for next week's meeting in an order to share the findings. Mayor Pucciarelli told Mr. McClanahan he could speak under citizen's comments next week.

Beer Board: New Business:

Special Event Beer Permit Application- Rumble in the Gap

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