

TOWN OF CUMBERLAND GAP
BOARD OF MAYOR AND ALDERMAN
JULY 3, 2017
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The Board of Mayor and Alderman met in regular session on July 3 2017 with Mayor Pucciarelli calling the meeting to order at 7:00 pm at the Town Hall building, 330 Colwyn, Cumberland Gap, TN.

Mayor Pucciarelli called for a roll call of the Board Members. Board Members answered as follows: Susan Bain-absent; Chuck Coffey- here; Teresa Fuson- here; Jerry Hopson - here; John Ravnum-here; Phillip Waller-absent.

Mayor Pucciarelli called for approval of the minutes. Chuck Coffey made a motion to the approve minutes, with a second by Jerry Hopson. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

Mayor Pucciarelli next called for the Financial Report. Town Recorder, Linda Moyers, reported the balances of all the accounts. Mayor Pucciarelli called for a motion to approve the Financial Report. Chuck Coffey made a motion to approve the financial report, with a second by Jerry Hopson. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

Mayor Pucciarelli directed the meeting to approval of the bills. Town Recorder, Linda Moyers, reported the total bills due for all the accounts. Mayor Pucciarelli called for a motion to approve the bills. Chuck Coffey made a motion to pay the bills, with a second by Jerry Hopson. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

Mayor Pucciarelli directed the meeting to the committee reports:

Planning & Zoning

The next Planning and Zoning Commission meeting will be on Thursday July 13, 2017 at 7:00 p.m. @ Town Hall.

Finance

There was nothing to report.

Law and Order

The law enforcement agreement with the Sheriff's Department will be discussed later on the agenda.

Historical

The Historic Zoning Commission will meet on Thursday July 6, 2017 at 7:00 p.m. at Town Hall.

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Streets

The mayor is in the process of getting estimates to fix the potholes in town.

Parks and Recreation

A sign listing the hours for the dog park will be ordered and installed soon.

The mayor is in the process of getting quotes to remove several trees in Festival Park and other areas in town.

Tourism/Events

Upcoming Events included:

The Artist Co-op has requested the date for the Harvest Moon Festival be changed from October 7, 2017 to October 14, 2017.

John Ravnum made a motion to approve the date change, with a second by Jerry Hopson. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

Water

The water loss is up from 31% in May to 34% in June. The total water loss for FY 2016-2017 is 29%.

Sewer

There was nothing to report.

Fire Department

The department had one (1) response for the month of June (fallen tree behind the fire station).

The department raised \$155 from the pancake breakfast at the White Lighting Trail Festival.

Fire Chief, Chase Elswick, brought up the fact the department doesn't have any long term budget goals or plans. He discussed the possibility of creating a depreciation account for the department. An amount to be determined would be set aside in a separate account each year that would be earmarked for tanker, engine, and building repairs. More information will be presented to the board at a later date.

OSHA Safety Director

Ray Paul and Jesse Thompson recently attended a 3 hour safety class. The materials/certificate from that class will be filed at the town hall.

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Litigation

There was nothing to report.

Mayor Pucciarelli called for Old Business.

Ordinance No. 5-2017- An Ordinance to Amend Title 14 by Adding a New Chapter 6 to Title 14 Creating a C-1A Central Business District

This ordinance creates a new zone entitled C-1A Central Business District and provides a central location in town for restaurants that are permitted for on premise consumption of alcoholic beverages. The area is defined as the addresses on Colwyn Avenue with the numbers 400 through 699 with an entrance onto Colwyn Avenue.

The below change was made since the first reading.

From:

District Alpha is established within the C-1 district to provide a central location in town for restaurants that are permitted for on premise consumption of alcoholic beverages. The area is defined as the addresses on Colwyn Avenue with the numbers 400 through 699 with an entrance onto Colwyn Avenue.

To:

District Alpha is established within the C-1 district to provide a central location in town for restaurants that are permitted for on premise consumption of alcoholic beverages. The area is defined as the addresses on Colwyn Avenue with the numbers 400 through 699 with the front of the lot onto Colwyn Avenue.

Jerry Hopson made a motion to approve the ordinance, with the change, on second and final reading, with a second by Chuck Coffey. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

Mayor Pucciarelli called for Citizen Comments:

Kathy Matthews asked that the board, at the next planning meeting, continue the discussion on the ordinance that would allow the Artist Co-op to have the wine tasting event in Festival Park.

Mayor Pucciarelli called for New Business:

Lawsuit to enforce Demolition Order

The board discussed whether or not to file a lawsuit to enforce the demolition order issued for the building located at 601 Pennlyn Street.

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No matter what the board decides, the option for the owner to submit a plan that meets the ordinance requirements is still open.

Steve Clouse spoke up saying that when he was issued a building permit no one told him that he had to have approval from the Historic Zoning Commission. He also stated that no one stopped him or had a problem with his building when construction first began. He showed the board a drawing of what his building would look like when complete and stated that there are others in town that have the same roof line and siding as his, but the HZC felt that his building did not fit in with the historic district guidelines.

The Mayor commented the town must enforce the Historic Zoning Codes and the Planning and Zoning Codes and asked the board to keep that in mind as they are making their decision on how to vote. Several board members felt that a compromise should be attempted before any drastic action is taken.

Town attorney, Jim Estep, explained the appeal process. The demolition order has been recorded as a result of the action taken by the Historic Zoning Commission. Tennessee Code Annotated allows 60 days for an appeal to be filed with Chancery Court. Since that did not happen, the order is final. The only alternative, at this point, is to begin litigation to enforce the order. As mentioned earlier, there is still an opportunity for further discussion with the HZC, however the discussion tonight is whether or not to file litigation to enforce the demolition order. If the board votes not to file litigation, there isn't another option except discuss the issue again next month and decide whether or not to enforce the demolition order. The town must enforce the codes.

Jerry Hopson made a motion to file litigation to enforce the demolition order. The motion died for lack of a second.

Law Enforcement Agreement

The law enforcement agreement with the Claiborne County Sheriff's Department has been approved and signed by the county officials and is ready to be approved by town.

The following correction should be made to the agreement:

Police protection by an officer assigned to the Town of Cumberland Gap, three (3) days per week, or twenty four (24) hours per week.

Police protection by an officer assigned to the Town of Cumberland Gap, three (3) days per week, or eighteen (18) hours per week.

Chuck Coffey made a motion to approve the law enforcement agreement, with the above change. Teresa Fuson seconded the motion. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson-yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

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Inmate agreement

This agreement, with the Claiborne County Sheriff's Department, would allow the town to utilize prisoners for litter collection in accordance TCA 41-2-123.

Jerry Hopson made a motion to approve the agreement with a second by John Ravnum. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson - yes; John Ravnum-yes; Phillip Waller-absent.

Announcements

Town Hall will be closed the following dates:
July 4, 2017; July 12, 2017.

Planning meeting- Monday July 31, 2017@6:00 p.m.

With no other business to come before the board, Jerry Hopson made a motion to adjourn, with a second by Chuck Coffey. Mayor Pucciarelli called for a roll call vote. Board members voted as follows: Susan Bain-absent; Chuck Coffey-yes; Teresa Fuson-yes; Jerry Hopson –yes; John Ravnum-yes; Phillip Waller-absent.