

TOWN OF CUMBERLAND GAP  
BOARD OF MAYOR AND ALDERMAN  
AUGUST 3, 2015  
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The Board of Mayor and Alderman met in regular session on August 3, 2015 with Mayor McGaffee calling the meeting to order at 7:00 p.m. at the Town Hall building, 330 Colwyn, Cumberland Gap, TN. After the Pledge to the Flag, Mayor McGaffee called for a roll call of the Board Members. Board Members answered as follows: Susan Bain-here; Chuck Coffey- here; Teresa Fuson- here; Jerry Hopson -here; John Ravnum-here; Phillip Waller-here.

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

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

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

Mayor McGaffee directed the meeting to the committee reports:

**Planning & Zoning**

Meetings will no longer be conducted monthly unless there are items to be discussed. Members will be notified if something comes up and a meeting needs to be held.

**Finance**

There was nothing to report.

**Law and Order**

Claiborne County Sheriff's department is doing extra patrolling in town. Mayor McGaffee is looking into hiring a part-time police officer.

**Historical**

The next meeting of the Historic Zoning Commission will be on Tuesday August 4, 2015.

**Streets**

Volunteers are needed to help dig up and fix potholes later next week.

The section of the road beside Holiday BP needs restriping. Mayor McGaffee stated that the town does not own that property.

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**Parks and Recreation**

Jerry Hopson is working with the LMU Girls Softball team to set a date for community service.

**Tourism/Events**

Upcoming events include:

Cumberland Mtn. Music Show- August 8, 2015

As You Like It- Play Performance (Berkau Park) - August 13<sup>th</sup> – 15<sup>th</sup>; 20<sup>th</sup> -21<sup>st</sup>

Chili Cook-Off, Art, Crafts, & Antique- September 26, 2015

Donnie Lipscomb with LMU gave an update on the LMU Homecoming event that will take place on October 10, 2015. The event will start at 4 pm and will end at 7:00 pm. No vendors will be brought in. The time for the Cumberland Mountain Music was changed to 4pm and will take place outside on the empty lot near the Bicycle Museum (in case of rain it will be moved to the Convention Center). The street from the Pineapple Tea Room down to Gertie's Commissary will be blocked off. The county will be patrolling the event, but Chief Sandifer with LMU police said they would assist if the county requested.

Mayor McGaffee will talk to the fire department this week to see if they want to sponsor the Crazy Aunt Sadie's Yard Sale this fall. A date will be announced at the September meeting.

**Water**

Ray and Jesse plan to check for water leaks later this week.

**Sewer**

The flow meter was installed last month.

**Fire Department**

Ray Paul has been appointed acting fire chief. Turn out gear is in need of replacement. The department has applied for a grant and is waiting for award announcements.

**OSHA Safety Director**

There was nothing to report.

**Litigation**

There was nothing to report.

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Mayor McGaffee called for OLD BUSINESS.

**Ordinance 6-2015- An Ordinance to Amend the Cumberland Gap Municipal Code, Title 20**

This ordinance was passed on second reading on June 1, 2015. The mayor refused to sign the ordinance due to the hold harmless agreement clause found in 20-104 (7). According to Section 2.08 of the Cumberland Gap Charter the ordinance shall not be valid unless the board by a two-thirds (2/3) vote pass the same over the Mayor's veto.

A question was asked if a minimum can be put on the size of the event. If attendees are less than a certain amount then event insurance is not required. The attorney answered it doesn't matter if the event is small or big the liability is the same. Coverage is needed because the town's insurance is not providing it. Any daily and normal use of the town's facilities is covered under the town's liability insurance, but special organized events are not.

Mayor McGaffee stated he will follow the advice of the attorney and he recommends that it not be done that way.

Jerry Hopson made a motion to pass the ordinance eliminating the hold harmless agreement clause found in 20-107(7). Teresa Fuson seconded the motion. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

**Ordinance 8-2015(An Ordinance to Amend the Cumberland Gap Municipal Code, Title 9 (Business, Peddlers & Solicitors)**

Susan Bain made a motion to approve Ordinance 9-2015 on second and final reading, with a second by Jerry Hopson. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

**Ordinance 9-2015 (An Ordinance to Amend the Cumberland Gap Municipal Code, Title 10 (Animal Control)**

Jerry Hopson made a motion to approve Ordinance 9-2015, with a second by Phillip Waller. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

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**Ordinance 10-2015 (An Ordinance to Amend the Cumberland Gap Municipal Code, Title 11 (Municipal Offenses))**

Jerry Hopson made a motion to approve Ordinance 10-2015, with a second by Susan Bain. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

**Citizens Comments**

There were no citizen comments.

Mayor McGaffee called for NEW BUSINESS:

**Chili Cook-Off, Art, Crafts, & Antiques Special Event Permit Application**

Carl Nichols was present to discuss the event. Art displays and crafts will be set up in Festival Park. Since the Artist Co-op will be a part of the event, they will be covered under the same insurance as the Chili Cook-off. Food vendors will be limited to one barbeque vendor. The others will be novelty vendors, such as cotton candy, popcorn, shaved ice, and etc. Five spots will be offered to school organizations, such as cheerleaders bake sale.

The White Lightning Trail Festival committee has discussed moving the festival to the first weekend in June. The move is being considered for two reasons: (1) the last weekend in June is extremely hot (2) no one has money to attend. Since attendance has been done the past years, vendors are not returning. The move hopefully will increase attendance, therefore increasing vendor profit.

John Ravnum made a motion to approve the special event permit application for the Chili Cook-Off, Art, Crafts, & Antiques. Jerry Hopson seconded the motion. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

Jerry Hopson made a motion to approve the date change for the White Lighting Trail Festival. Susan Bain seconded the motion. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

**Trash Cans**

Jerry Hopson made a motion to declare the 5 trash containers that used to be located downtown, as surplus. Teresa Fuson seconded the motion. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

A sale price was not set.

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**Ordinance 11-2015- An Ordinance Amending the Fiscal Year 2014- 2015 Budget**

Jerry Hopson made a motion to approve Ordinance 11-2015, with a second by Chuck Coffey. Mayor McGaffee called for a roll call vote. Board members voted as follows: Susan Bain-yes; Chuck Coffey-yes; Teresa Fuson- yes; Jerry Hopson -yes; John Ravnum-yes; Phillip Waller-yes.

**Meter Replacement and Calibration Policy**

The town must have a meter replacement and calibration policy in place once all three phase of the water grant is completed. Steve with Tennessee Association of Utility District recommends the following: Once usage reaches one million (1,000,000) gallons the meter will be tested and replaced if more than 5% inaccurate. The master meter will be recalibrate annually.

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

**September Meeting**

Due to Labor Day, the September meeting will be held on Tuesday September 8, 2015.

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

**Announcements**

Planning Meeting- Monday August 31, 2015@6:00 pm