

**MINUTES OF REGULAR MEETING  
PIPERTON BOARD OF MAYOR AND COMMISSIONERS  
February 18, 2020, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on February 18, 2020 at 7:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Preston Trotter, and Commissioner Hugh Davis. Commissioner David Crislip arrived late. City Manager Steve Steinbach, Finance Director Maria George, Building Inspector Daniel Hyde, Police Chief Phil Hendricks, Fire Chief Reed Bullock, City Engineer Harvey Matheny, Public Works Director Bill Kilp, and City Recorder Beverly Holloway were present. City Planner Brett Morgan was absent. Debra Joyner (Fayette Falcon), Vicki Hancock, William Meacham, Liz McCommon, Danny Germany, Charles McElwee, Josh Burnette, Fire Lt. Adam Hursh, Linda Coffman, Dennis Rasche, Officer Ty Wilson, and et al were present in the audience.

**Agenda item 1.** Call to order, establish quorum

**Action taken:** Mayor Henry Coats called the meeting to order at 7:00 p.m., and established that a quorum was present.

**Agenda item 2.** Prayer and Pledge of Allegiance to the American Flag

**Action taken:** Fire Chief Reed Bullock led in the opening Prayer and Mayor Coats led in the Pledge of Allegiance to the American Flag.

**Agenda item 3.** Any changes to Agenda; Motion to adopt Agenda

**Action taken:** There was a change to the Agenda, Vice-Mayor Mike Binkley moved to adopt the Agenda with the tabling of item #13, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of January 21, ~~2019~~<sup>2020</sup> Motion to adopt the Minutes of the Regular Session of January 21, ~~2019~~<sup>2020</sup>

**Action taken:** There were no changes to the Minutes of the Regular Session of January 21, ~~2019~~<sup>2020</sup> Commissioner Trotter moved to approve the Minutes of the Regular Session of January 21, ~~2019~~<sup>2020</sup>; seconded by Commissioner Hugh Davis. The Motion received all affirmative votes.

**Agenda item 5.** Review/approval of Financial Reports, Building Inspector's Report, Fireman's Report and Police Report

City Manager Steve Steinbach stated we are tracking 58% for the seventh month into FY 2019, while overall revenues are in excess of 58%, sales tax is trending a little lower, building permit income is at 110%, property tax is at 73%, cash positions are strong.

Building Inspector Daniel Hyde stated during the month of January, there were with 7 permits for new single family dwellings, conducted 118 total inspections and 7 code compliance issues addressed.

Fire Chief Reed Bullock stated there were 25 calls with 22 in the city (9 medical), see page 2 of the report with the new software implemented we have increased our zones from 9 to 14 that allows us to track I-269 and the new developments in the city we can further narrow down our resource deployment to meet the challenges and to also work with our community risk reduction, also the new squad is in service. Chief also recognized Lt. Adam Hursh along with Firefighter Brandon Fletcher for achieving their chief fire officer designation.

Police Chief Phil Hendricks stated during the month of January there were 68 dispatched calls, 5 incidents, 0 arrest reports and 1 vehicle crashes and the Board should have received the annual report.

Public Works Director Bill Kilp stated commended the Public Works/Utilities staff, his staff responded to 21 sewer related work orders in January, 17 street repairs, 34 water system related work orders, 7 new meter sets, street repairs, signage maintenance is underway, dealing with a lot of litter so we are working to develop litter signs with the new slogan and in closing staff is looking forward to moving into the new Public Works Building.

Commissioner Davis inquired on the drainage concerns.

Mr. Kilp stated that he, Mr. Matheny, Chief Bullock, Mr. Steinbach and the Mayor have compiled a master drainage list, we have it prioritized and will get costs.

**Action taken:** Vice-Mayor Binkley moved to approve all reports, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 6.** Presentation of the FY 2019 Audit/Ms. Linda Coffman

Linda Coffman, Linda's Accounting Firm, gave an overview of the 2019 audit report, stating the city has grown tremendously, commended staff for a good job and I am pleased to report to you a good financial report for the City.

Commissioner Davis stated a correction adding Commissioner Crislip in lieu of Neal Taylor on page 1 (Directory).

Ms. Coffman stated she will make the corrections and submit it to the State.

**Agenda item 7.** FY 2020 Audit Engagement Proposal (Linda's Accounting Firm)

Mr. Steinbach stated we have enjoyed our working relationship with Ms. Coffman and she is ethical beyond reproach and staff recommends engaging her firm for FY 2020-2021.

**Action taken:** Commissioner Trotter moved to approve the engagement proposal for 2020, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 8.** Recess-hold Public Hearing concerning Ordinance No. 315-19, amending the Budget for FY 2019-2020, (First Amendment) for the City of Piperton

**Action taken:** Commissioner Davis moved to recess, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Mr. Steinbach stated this is the first budget amendment for FY 2020 involves the General Fund (Exhibit A), Water Fund (Exhibit B), Sewer Fund (Exhibit C) and Special Revenue Fund (Street Aid-Exhibit D), Exhibit A-item 1, Admin-Property Due Diligence- new fund appropriation item to investigate feasibility of Public Property purchase (appraisals, analysis of property for future expansion possibilities for Admin, Fire & Police), item 2-Admin Medical Insurance increase for change in employee medical insurance classification due to a qualifying event, item 3-Admin Workmen's Comp Insurance-increase due to two claims, item 4-Admin Legal Services increase for legal related issues duly related to County actions deemed necessary to challenge by the City, item 5-Admin Miscellaneous is used for memorials and recognition, item 6-Bldg Dept Salaries increase for recognition for additional certifications by staff, item 7-Bldg Dept-FICA increase due to salary increase, item 8-Public Works Building, the next 4 or 5 items are related to the building and finish the site, original contract (\$908,931.00), Site (\$378,034.00), Bldg (\$513,150.00), there were soft cost/design related fees of \$17,750.00 and expended \$111,123.44 in FY 2019 for site grading, rough in plumbing, slab was poured and in recognition of those expenses we budgeted \$798,000.00 for this current fiscal year and \$668,417.17 has been expended as of 2/14/20 and the balance necessary to finish is \$86,500.00 (Site \$67,000.00 & Bldg \$ 19,500.00) based on calculations by Chief Bullock (who served as property manager and construction manager), we are dealing with undercut issues, added some additional asphalt based on counsel from our new Public Works Director so it was decided to increase the width of the gravel base in the back to avoid issue with large vehicles sinking in the mud, again this is for items that were not contemplated in the original design and some of this is still being reconciled with the contractor in terms of credits, we have reduced the amount of the parking areas, we have removed from contract consideration the south entrance drive, there were issues with design and conflicts with utilities in terms of culvert installation and we have determined a different option and with regards to the building we had overlooked in the initial design the cost related to low voltage cabling for our computer network infrastructure, telephones/data and several other items, regarding fixtures we had initially budgeted \$7,500.00 as a place holder and included in the increase are the computers were not included in the original estimation along with conference room furniture, phone equipment and expenditures for the shop area that were not include, new line items related to the building include the utilities, telephone/date, and janitorial services. Item 13-Public Works deals with overtime expenses for numerous emergency repairs dealing with waterline busts and road issues, item 14-Public Works mobile telephone service is a new item to secure a dedicate cellular phone that will be distributed between two employees who will rotate and will be responsible for answering phone calls and that number will be published on the website, item 15-Public Works vehicle maintenance increase for emergency repairs to Public Works vehicles, item 16-Fire increase for emergency repairs to Fire Dept vehicles and equipment, item 17-Police increase for additional holiday pay, item 18-Police, increase for additional state funding allotted to public safety employees, item 19-Police vehicle maintenance increase for unforeseen repairs to vehicle 33, 36 and 36, the total amendment amount is \$ 177,934.00. The Water Fund (Exhibit B), item 1-materials/supplies maintenance increased for numerous emergency water line and related

equipment repairs, item 2-water meters increased for additional meters due to increased construction activity, item 3-facility maintenance fee increase due to increased construction activity, and item 4-12" water line extension (Patrick Rd.) increased for underestimated capital cost estimate and related change order previously approved by the Board, net increase \$79,100.00. Sewer Fund (Exhibit C), item 1-materials/supplies maintenance increased for additional materials/supply requirements due to the increased construction activity, item-2 sewer pumps increase to replenish residential and decentralized plant pump supplies, net increase \$16,000.00 Special Revenue Fund (Street Aid-Exhibit D), item 1-repair/replace equipment increased for unexpected repairs to mowers and roller, net increase \$2,000.00.

**Action taken:** Vice-Mayor Binkley moved to reconvene, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 9.** Second Reading, Ordinance No. 315-19, amending the Budget for FY 2019-2020, (First Amendment) for the City of Piperton

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 315-19, amending the Budget for FY 2019 on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 10.** Recess-hold Public Hearing concerning Ordinance No. 319-20, amending previously approved Master Development Plan/CD-O of Shaw's Creek (Ord 87-09)

**Action taken:** Commissioner Trotter moved to recess, seconded by Commissioner Davis. The Motion received all affirmative votes.

City Engineer Harvey Matheny stated the developer requested amending the CD-O by modifying the approved Phasing Plan to change Phase 2 to the area just west of the existing Phase 1 development, the existing Phase 2 area will become Phase 4 of the development and they wish to remove the walking path approved as a requirement of the CD-O that circumnavigates Shaw's Creek, the HOA is in agreement with that with the understanding that they would acquire the property that is on the west side of the creek, the HOA has provided a letter in support of removing the trail requirement in exchange for title to the land along the roadway as common open space, the applicant shall address erosion concerns 1) the north of Kilmore Drive between Kirkhill land and Glenshee, 2) south end of Kirkhill Lane from edge of pavement to the existing natural drainage channel, 3) drainage path through the decentralized treatment drip field (redirect flow path to the south and repair/top dress eroded drip field area), and to construct an emergency ingress/egress road following this future roadway that will connect up to Raleigh LaGrange suitable for fire equipment and will be gated also will serve as a construction road for some of the heavy traffic coming in for Phase 2.

**Action taken:** Vice-Mayor Binkley moved to reconvene, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 11.** Second Reading, Ordinance No. 319-20, amending previously approved Master Development Plan/CD-O of Shaw's Creek (Ord 87-06)

**Action taken:** Commissioner Davis moved to approve Ordinance No. 319-20 amending previously approved Master Development Plan/CD-O of Shaw's Creek on second reading, seconded by Commissioner Crislip, The Motion received all affirmative votes.

**Agenda item 12.** Development Agreement – Shaw's Creek SD, Phase 2, Shaw's Creek Builders, LLC

Mr. Matheny stated this is the agreement for Phase 2 consisting of 18 lots, fees and letters of credit/surety (\$150,000.00) are summarized on page 21 that are required for this project.

**Action taken:** Commissioner Trotter moved to approve Shaw's Creek SD, Phase 2 Development Agreement, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 13.** Development Agreement – Piper Hollow SD, Phase 1, Grove View Investments, LLC

**Action taken:** Item was tabled at the beginning of the meeting.

**Agenda item 14.** Resolution No. 20-220, repealing Resolution No. 00-07 in its entirety and adopting a Computer and Network Acceptable Use Policy for the City of Piperton

Mr. Steinbach stated as part of FY 2020 budget we had budgeted for a comprehensive and forensic review of our computer network systems, we retained the services of VC3 and they conducted that analysis and part of the analysis entailed recommendations with regard to a comprehensive computer and network acceptable use policy, a template was provided and I reviewed the template,

some of the information was applicable and a lot of good information resulted from that analysis and the Board was sent a summary of the recommendations, Reed is already in the process of addressing some of the holes in the network related to the firewall, will try to move to a cloud base system for data backup along with a host of other recommendations that we will try to incorporate as we move forward, the City had an old email based policy which was a good policy but it is outdated, so the resolution before you seeks to repeal the currently active policy and replace it with the computer and network acceptable use policy which covers a purpose, identifying the scope, essentially everyone who would be beholden to the policy is obviously employees but also third party vendors who are doing work on our network and then there is policy and procedures with regard to ownership of the data, the applicability of the data as it relates to Tennessee's Public Records Act, security and proprietary information and a number of unacceptable use items resulting in malware, this policy is a prerequisite to our cyber insurance.

**Action taken:** Commissioner Crislip moved to approve Resolution No. 20-220, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 15.** First Reading, Ordinance No. 321-20 amending certain portions of the text in the Piperton Zoning Ordinance: Article 14-Conservation Design Overlay (CD-O) – amendments to density allowance when served by public sanitary sewer system

Mr. Steinbach stated this was recommended by the Planning Commission, our regulatory system of land development has served the city well over the last several years, the CD-O is a regulatory technique for planned development requiring open space but its primary applicability was for property that was utilizing the decentralized systems now that we have centralized sewer that is expanding throughout the city we desire to continue to utilize the CD-O as a regulatory approval for new developments but we need to recognize a need for increased density, we can't extend centralized sewer infrastructure efficiently and expect to pay for it over time with density of less than 1 unit per acre and as it is proposed the recognition of our sewer availability provides for an additional category of CD-O (Urban) and that would be available for properties that are within striking distance of existing sewer and that would enable an increased density to 2.0 with an increase up to 2.5 with bonuses, that is a traditional suburban density that you would find in Germantown & Collierville, it is still very low density but it helps to offset the expense of depreciation expense associated with that, this enables the continuation of our CD-O overlay ordinance with an urban designation that would have centralized sewer availability.

**Action taken:** Commissioner Trotter moved to approve Ordinance No. 321-20, on first reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 16.** First Reading, Ordinance No. 322-20 amending certain portions of the text in the Piperton Zoning Ordinance: Article 7-Provisions governing manufacturing districts-amendments to bulk regulations for M-1, M-2, and M-3 districts

Mr. Steinbach stated this is a recommendation from the Planning Commission, it deals with bulk requirements, every zone districts has required bulk requirements, we made the change for our commercial district some time ago but we have not done this for our industrial districts, with the availability of sewer we enable the developer to have greater flexibility with regards to the size of the lots, so basically this reduces the minimum lot area to 1 acre assuming there is availability of sewer, this allows the market to determine the size of the lot not the governing body,

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 322-20 on first reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 17.** Any other old/new business, questions or matters from the audience

Charles McElwee inquired when the older subdivision would get on the centralized sewer system, has to replace all his field lines.

Mayor Coats stated not at this time but there is some technology breakthrough's that we are looking at and it could be sooner than later, there are some things we are working on.

Commissioner Trotter commented some of your neighbors are having trouble also.

Mayor Coats stated Meadowlark also.

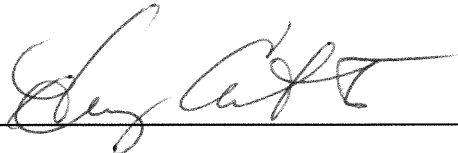
Mayor Coats stated we would like the Board to think about changing the meeting time to 6:00 p.m. to benefit staff.

**Agenda item 18.** Adjournment

**Action taken:** Vice-Mayor Binkley made a motion to adjourn the meeting, seconded by Commissioner Trotter. The Motion received all affirmative votes and the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved:  date: 4/21/20