MINUTES OF REGULAR SESSION
PIPERTON PLANNING COMMISSION
March 8, 2016, 6:30 P.M.

The Piperton Planning Commission met on March 8, 2016 at 6:30 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Commissioner David Crislip, Commissioner Denise Browder and Vice-Mayor Hugh Davis present. City Engineer Harvey Matheny and Fire Chief Reed Bullock were absent. City Planner Brett Morgan and City Recorder Beverly Holloway were present along with Bill Baker, Jim Ragon, Buddy Wittichen, Preston Trotter, Bill & Vicki Hancock, Robert Ackermann, John Grandberry, Gwen Brown, et al and others in the audience.

Agenda item 1. Call to order, establish quorum

Action taken: Chairman John Henszey called the meeting to order at 6:30 p.m., and established that a quorum was present.

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

Action taken: Vice-Mayor Hugh Davis led in the opening Prayer and Chairman John Henszey 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, Chairman Henszey requested item #7 be moved to item #5 and then others following, Commissioner Browder moved to adopt the Agenda with the changes in order, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the February 9, 2016 meeting: Motion to approve Minutes of February 9, 2016.

Action taken: There were no changes to the Minutes of February 9, 2016 and Mayor Coats moved to adopt the Minutes of 02/09/16 meeting as presented, seconded by Commissioner Browder. The Motion received all affirmative votes.

Agenda item 5. Ordinance No. 263-16, amending the established standards for Indoor Shooting Ranges as a special exception in the M-1, Light Industrial District, vote to recommend to the Board of Mayor and Commissioners

Bret Morgan, City Planner, stated this is a continuation of an application that was made last month to allow for indoor shooting ranges in the M-1 District, and it was made an allowance under a special exception were this Ordinance to pass through the Board of Commissioners, this is the Ordinance as it is written with the conditions added and these will be required to comply with all Federal, State and Local regulations, Mr. Morgan went over the conditions for the benefit of the Commission and the audience.

Commissioner Crislip recommended adding "in compliance with Federal regulations" to condition B.

Mr. Morgan went over the definition of an Indoor Shooting Range that would be added to the Zoning Ordinance.

Vice-Mayor Davis inquired on the level of security since firearms and ammunition will be sold, hopes there will be state of the art security cameras and motion detectors.

Mr. Morgan stated he would add "security" to condition B where the City requires the comprehensive plan.

Robert Ackermann, the applicant, stated their focus is to train people how to be aware of their situation and defend themselves, the first option in all altercations is to leave with a mental picture and report it to the police, this is an education center to train people properly to operate weapons and handguns, as far as the paintball piece that is clearly optional, it would be nice to have something not only in a recreational mode but for the tactical police units to be able to come in and do some tactical training and has made contact with Alan Keller, who is the Commander of the Germantown Swat Team, and he is very interested in being part of this designing and the educational courses but the paintball was kind of an add on to the initial plan, let's get a tactical training center together and have some courses, we want to have course 1, course 2 like in college and get further advanced in education, also looking at a daycare room for children while the parent is using the facility.

Chairman Henszey stated the concern was that the paintball area would have to enter through the gun range part and the first thought was that kids having fun and the gun range don't mix and that is where the restriction of it being for training purposes came from.

Mr. Ackermann stated if that doesn't work that is not the main intent of what we are trying to accomplish, can't control who comes on and wants their kids to go to the paintball course if there is one there but they would not sponsor party events, although it would generate revenue.

Vice-Mayor Davis stated since you are still in the designing from scratch stage let the architects go to work and design something that is safe and that will get them through the facility without interfering with anything else, it might be possible.

Mr. Ackermann stated there truly would have to be a definitive separation between the paintball area and live fire, and that will have to be very controlled and it will be very controlled.

Mr. Morgan inquired if the access to paintball area would be through the gun range.

Mr. Ackermann stated not necessarily, that will depend on what the City wants.

Mayor Coats stated the way it reads now is pretty clear.

Jim Ragon of Greenbrier stated this would be a great business but his concern is everyone is using the word "tactical" and thinks that is very offsetting and if going to law or court and had to show he has training and everything says tactical this and tactical that thinks we should get away from the word "tactical" for the average home user.

Mr. Morgan stated the word tactical is not used in the Ordinance, it just says for training activities only.

Vice-Mayor Davis stated it is not in the verbiage.

Mayor Coats stated this is a retail facility as stated by Mr. Ackermann, it is for that purpose but he can see them contacting all the law enforcement agencies around the area to help with their training.

Action taken: Mayor Coats moved that Ordinance No. 263-16 be approved with both staff and Boards recommendation, seconded by Vice-Mayor Davis. The Motion received all affirmative votes.

Agenda item 6. Discussion – Piperton Economic Study

Chairman Henszey stated this is not about the value of comprehensive planning, comprehensive planning is needed and necessary but it is about when, how and who does it and the motion that we started with when all the discussion was put on hold was to recommend to the Board of Mayor and Commissioners that we cancel the existing contract with MAAG and enter into a new contract with MAAG for the comprehensive planning proposal and that is the motion we will be working on once we get through whatever discussion we have, the supporting sheets shows the expenses that have been made that are not reimbursable and have received

another bill so there is $8300.00 that is invested in the current study and an estimate not including all of the costs below of $38,330.55 for the new study.

Mayor Coats stated that throwing away $8000.00 is a waste of tax payers money and we do need a comprehensive plan but it doesn't need to be done now and thinks MAAG should finish what was started and turn in the original study because we need a lot of this information to go after businesses in the area and there is a lot of good things in the first series and the comprehensive plan doesn't include a road plan which we have and it was updated last year, this doesn't include a land use map and we have that and it was updated and same thing with zoning, the flood plan we have is on one of the maps so a lot of things on the comprehensive plan have been done but the City has an erosion problem that is threating a 12 inch water main and that will cost about $25,000.00 emergency funds and the sewer that we will have to run to Rossville as soon as possible and that will be between $300,000.00 to $400,000.00 and a sewer rate study that we need to go along with that so we can start charging people when we hook up to Rossville the appropriate amount of money and one of the things to hook up to Rossville is Piperton Preserve and hopefully we can hook up in this area in the next 12 to 18 months and by hooking up to Rossville we can start getting some retail here so it is not that we don't need a comprehensive plan because yes we do need it but the timing is not right and when we do go for the comprehensive plan then we should issue an RFP and MAAG would be included in the RFP but everyone should bid on it.

Vice-Mayor Davis stated with the age of the City and the size of the City we can always find things that will always be issues of funding but we never had it recommended to us even by the City Planner, so maybe we are stepping out into something we don't need to be in and the other thing back to the RFP, the City of Piperton is a part of MAAG and we can get services through MAAG by not having to issue an RFP but MAAG will be very competive with RFPs and the reason MAAG is preferred is the new and fresh thoughts because we have been bogged down with the same stuff for the last 15 years, will not stand in the way of this because I can see where it is going and agrees with the Mayor that we do have other expenses but we are fooling ourselves if we think planning is just now but we should be planning for the next 5 years,10 years and 20 years it's not just for now.

Mayor Coats stated we should go ahead with what we are doing with MAAG and feels that MAAG will give us the best price on the comprehensive plan but it should be budgeted for next year.

Vice-Mayor Davis stated its always like it's the secondary thing, every time we talk about planning or strategic planning for the last 10 years somebody always comes up and says it is a good idea and then we don't do it, it has taken a year for us to even get to this point, it could be done differently and done better, we haven't planned out one thing, we have some things on the wall we can talk about but it took forever to do them.

Chairman Henszey stated when we get this study completed we will have a real good idea of what MAAG can do and make easier for the next step.

Chairman Henszey stated the Motion before the Commission is that we recommend to the Mayor and Commissioners that we cancel the existing contract with MAAG and we enter into a new contract with MAAG for a comprehensive study.

Action taken: No one moved on the Motion and the Motion fails due to lack of motion.

Vice-Mayor Davis stated this is still in limbo, how will you get MAAG to start back up with what they are doing?

Chairman Henszey stated that MAAG had no authority to stop and MAAG will finish what they started, and Chairman Henszey will send a written notification back to them to continue.

Agenda item 7. Review & Discussion of Subdivision Regulations

Mr. Morgan stated everyone should have a new updated copy of the Subdivision Regulations, last month we started this discussion and handed out a copy of the existing

Subdivision Regulations, since then there have been a few things added that are not in the original copy you received, everything that is highlighted in yellow in the newest copy is brand new to this set of regulations and in brief just tiding up to make sure our verbiage goes along with the State's verbiage regarding Subdivision Regulations and planning purposes and in the new document for instance on page 21 the State does have in its text and it states any grounds of disapproval of any plat have to be stated upon the records of the commission, there is also a notification comment in the Tennessee Code that no plat shall be acted upon by the commission without affording a hearing thereon, this is more in line with the actual wording of the State's documents.

Chairman Henszey inquired if there is a request for additional information does that extend the time period required by another 60 days.

Mr. Morgan stated that is why we will give the applicants a good checklist to make sure they note all things they are supposed to do and when they hand that in the time begins now if they have not crossed it off the checklist then that is on the applicant and doesn't start the clock again, once the application is made the clock starts and on page 24 is pretty much the same type of verbiage and he did add there is the ability of waiving any timeframes and will add that in writing that if they are going to waive it put it in writing and we have record of it and on page 52, in the old there was a whole section regarding fees that we had regarding open space and we don't have open space or park land and we have no real justification for where those fees would go and so if it were challenged we would lose so that whole section under the old version was deleted and replaced by what is here which gives the Board the right to request open space and require open space dedication but it doesn't require fees or fees in lieu of if don't do it, that tidies that up, and on all the mapping we have is really much more complicated than what it looks like, it is all done on State Planes and it all plugs into Google Earth at the right place if you have the KMZ file and so we are requiring that anything that is provided to us be done on the NAD83 State Plane coordinates which will allow our mapping technician to plug it right in so it will be part of the same system, this is language we haven't had in there before that we feel like is necessary and helps us keeps our maps updated without having to do in-house updating.

Mayor Coats inquired would the comprehensive plan cover parks and stuff because we have some areas.

Mr. Morgan stated it would more than likely address an open space component which would deal with parks and recreation and would deal with connecting the overall county comprehensive plan in some way, GreenPrint could be a part of that as well, and typically any land uses would be addressed in a comprehensive plan.

Chairman Henszey inquired on page 8, defining the Enforcing Officer, it states the building inspector or such person designated by the chief executive officer, how about changing that to City Manager.

Vice-Mayor Davis stated it is in our Charter as City Manager.

Chairman Henszey inquired on section H, page 49, under Sanitary Sewers, do we need to define decentralized sewers or does public sewer system cover centralized or decentralized sewer.

Mr. Morgan stated it would cover that.

Chairman Henszey inquired on setback lines, do we need to put anything in about the developer setting the higher ones or is that covered under the Subdivision Regs on page 51, should that statement be included in the setback lines.

Mr. Morgan stated the minimum building setback for any subdivision is established by the recorded plat for that development and if a developer adds a setback line that is different or greater than the City's that setback line then becomes the standard.

Chairman Henszey inquired on the voltage of lines, is that overhead?

Mr. Morgan stated that is any easement, any electrical transmission line whether it is overhead or in ground.

Chairman Henszey stated if the Commission will be required if this is approved to hold a Public Hearing at the next meeting and that will be published.

Mayor Coats inquired if the language for the flood plan has been updated to 10 years in this and wants to make sure that is reflected.

Mr. Morgan stated he would find out and make sure that language is updated.

Action taken: Vice-Mayor Davis moved that the draft of the Subdivision Regulations for the City of Piperton, Tennessee that after all of the discussion and with corrections that have been submitted by the City Planner be moved to the next phase which would be to make it available for first public hearing at our next meeting, seconded by Mayor Coats. The Motion received all affirmative votes.

Agenda item 8. Any other old/new business, questions or matters from the audience

Chairman Henszey stated under old business/new business, the Commission for the last 4 or 5 months been trying to operate based on Planning Commission Process and Rules of Conduct, it hasn't been fully implemented but would like to adopt this.

Mayor Coats stated on item 13, should add roll call to this.

Action taken: Vice-Mayor Davis moved to adopt the Planning Commission Process and Rules of Conduct, seconded by Mayor Coats with changes. The Motion received all affirmative votes.

Agenda item 9. Adjournment

Action taken: Commissioner Browder moved for adjournment, seconded by Mayor Coats. The Motion received all affirmative votes, and the meeting was adjourned at 7:37 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____date:_____