

**MINUTES OF SPECIAL CALLED SESSION
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
May 4, 2016, 5:30 P.M.**

The Piperton Board of Mayor and Commissioners met in special called session on May 4, 2016, at 5:30 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Hugh Davis, Commissioner Preston Trotter were present. Commissioner Mike Ulczynski and Commissioner Mike Binkley were absent. City Manager Steve Steinbach, City Engineer Harvey Matheny and City Recorder Beverly Holloway were also present, along with Bret Ford, Brandon Allen in the audience.

Agenda item 1. Call to order, establish quorum

Action taken: Mayor Henry Coats called the meeting to order at 5:30 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 Commissioner Preston Trotter led in the Pledge of Allegiance to the American Flag.

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

Action taken: There were no changes to the Agenda, Vice-Mayor Davis moved to adopt the Agenda, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 4. Approval of the WWTP Construction Plans

Steve Steinbach, City Manager, stated the developer, William C. Adair Development Company, entered into an agreement with the City in 2009 with the original sewer agreement and over the years there have been starts and stops and the City has issued a couple of cease and desist orders and Mr. Adair is currently under a cease and desist order as we speak and last fall Commissioner Trotter negotiated the first amendment to the original contract and the Board took it up and approved action on it but Mr. Adair refused to sign it so a couple more months have passed, the City Engineer was prepared to recommend the iteration of the plans that were in his possession at that time and it's the understanding not too much has changed and the City has executed a Memorandum of Understanding which set forth several items that Mr. Adair wanted addressed as a means for moving forward and the Board did take action on that last month and now we are here to take action on the original matter provided for in the contract which is the final approval by the City of construction design drawings that staff feels accurately represents the plant that we always envisioned and City Engineer Harvey Matheny is here to go over those plans and there is a correspondence before the Board members from Harvey providing for his recommendation in writing, staff would like to have a discussion about the plans and then pending Mr. Matheny's recommendation that the Board takes action on approval and adoption of this record set of construction plans and also consider directing the City Attorney to lift the cease and desist order so that Mr. Adair will be free to move forward and as City Manager it is my recommendation that all further work efforts on the part of Adair be done through our City Engineer in terms of notifications so we can make sure we have an inspector on site so we don't fall into the situation that occurred previously.

Harvey Matheny, City Engineer, stated the set of plans that are present were delivered to him sometime in mid-March and they are dated March 1, 2016; there are 49 sheets and will give a summary on this, over the last year and half approximately we have had a number of meetings to discuss the plans and as Commissioner Trotter knows since he was involved in several of these meetings that we brought in Dr. Larry Moore who is a professor at the University of Memphis and

his expertise is wastewater treatment and has done this work for decades; so with his outside independent review along with Commissioner Trotter's assistance and the design engineer of record, Greg Smith, was involved in the meetings as well as the representative of the major equipment supplier, Sam Selig with Instrument & Supply Company, we went through the plans and a number of iterations of reviews or comments and revisions but just to highlight the key points that we have addressed is that the grit removal system on the front end of the plant is included and that was a big item that we needed and it was provided, sludge handling was much improved over what was previously proposed, there were some questions about the effluent pump that had previously been designed and then modified but this was worked through and there was also review of all the horsepower, sizes of the blowers, mixers and all the other equipment including disinfection and aeration equipment that is involved so it has been a pretty comprehensive review of the plans and about 75 percent of the plant is already built so a lot of what is in these plans are built and completed and our focus was on the items that are yet to be installed most of which is equipment items and just to make sure that what is going to be put in will adequately handle the wastewater load that will evidently get to that plant and we feel comfortable with what we have in front of us.

Commissioner Trotter inquired if there have been any recent updates in the plans in the past couple of months.

Mr. Matheny stated the only changes in these plans may have been in July or August of last year, Greg Smith went through and did some clean up, there were some old references to the chlorination system and that system is not being used now and has been replaced with another disinfection system.

Commissioner Trotter inquired on the grit removal chamber and installation.

Mr. Matheny stated the grit removal chamber had been in the previous set and it is still in the plans, it is the same one as before and the last plans that were set to be approved last July or August did have the grit removal chamber in place and it is still in the plans.

Vice-Mayor Davis inquired when this is all done and the City takes ownership of this facility will that be this year or next year or when it is functional.

Commissioner Trotter stated in his discussions with Mr. Adair at that time he thought he would be finished with it sometime in July and soon thereafter we would start with the process of figuring out how to get it approved and transferred and that time frame may have slipped since then.

Mr. Matheny stated if they hit it hard it may be done in three months.

Commissioner Trotter stated whenever that point arrives, the whole system will be placed in mothballs by pulling pumps or whatever we need to do to extend the life of those pumps and equipment so they don't sit there in the weather over the next two years or so until we get the wastewater volume needed to start it up and will probably start using the laboratory and may have to install a septic system for the laboratory if Mr. Adair hasn't done that as he suggested he might.

Vice-Mayor Davis inquired if the land conveys to the City at that time too or just the plant.

Mr. Steinbach stated the land according to the agreement with Mike Russell and the Mike Medling Trust requires the conveyance of the underlying fee to the City when the City accepts the plant and the same thing with the interceptor line that runs in Russell Creek from 57 down to Keough Road, the easement language requires that the easement be conveyed to the City and the outfall line is the line from the treatment plant to the River which he understands from Harvey is not part of this design set but we deem it as inseparable in terms of the wastewater treatment plant and we are supposed to be receiving those documents so the only thing that is outstanding will be the wet well that is not covered in same form or fashion in terms of arriving and we have no idea what condition that is in.

Vice-Mayor Davis stated that is in the ground at Hwy 57.

Mr. Steinbach stated that is a critical component for getting sewer from the southside over to the plant.

Vice-Mayor Davis inquired if we are reviewing that in conjunction with our lines with Rossville.

Mr. Steinbach stated the connection to Rossville is a project for which Harvey's firm is doing the design on now, strategically staff had discussed whether to stop it at that location (the Adair wet well) or to continue to a location further west, in the memorandum of understanding which is another issue staff will have to get with Greg on Piperton Hills Phase I, Mr. Adair cannot do Piperton Hills Phase I without that interceptor line being functional but he could conceivably get by without the wet well through some type of system but staff feels like that will be the procuring cause to get that all addressed and we have supported that all along as the Board stated in the Memorandum of Understanding so if Mr. Adair does move forward with that first phase that is going to necessitate him getting that interceptor line and wet well.

Vice-Mayor Davis inquired if that would be on Mr. Adair and not the City.

Mr. Steinbach stated that is exactly right and that gives us a lot more flexibility in terms of how the City serves the area south of Hwy 57 so it is of importance to us, we want to minimize pumps and use gravity release if possible and Mike Russell has recently submitted an application for Phase II so it will be interesting to see if Mr. Adair moves forward.

Action taken: Commissioner Trotter moved to accept the recommendation of our City Engineer, Mr. Harvey Matheny, and approve the construction plans for the Wastewater Treatment Plant, seconded by Vice-Mayor Davis. The Motion received all affirmative votes.

Action taken: Commissioner Trotter moved to lift the cease and desist verbally now effective immediately with a followup letter for the City Attorney, seconded by Vice-Mayor Davis. The Motion received all affirmative votes.

Agenda item 5. Adjournment

Action taken: Vice-Mayor Davis moved to adjourn, seconded by Commissioner Trotter. The Motion received all affirmative votes and the meeting was adjourned at 5:51 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____