

**MINUTES OF REGULAR SESSION
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
July 19, 2016, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on July 19, 2016 at 7:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Hugh Davis, Commissioner Preston Trotter, Commissioner Mike Ulczynski and Commissioner Mike Binkley present. City Planner Brett Morgan was absent. City Manager Steve Steinbach, Finance Director Maria George, City Engineer Harvey Matheny, Public Works Director Terry Parker, City Recorder Beverly Holloway, Police Chief Phil Hendricks, Fire Chief Reed Bullock were also present, along with Butch Rhea, Police Officer Daniel Hyde, Paul Ryan, Jack Murphy, et al and others 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 Commissioner Mike Ulczynski 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 with the tabling of item #11, Resolution No. 16-184, enacting a Limited English Proficiency Policy, Commissioner Mike Binkley moved to adopt the Agenda with item #11 stricken, seconded by Commissioner Ulczynski. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Special Called Meeting of June 7, 2016 and Minutes of the Regular Session of June 28, 2016; Motion to adopt the Minutes of the Special Called Meeting of June 7, 2016 and the Minutes of the Regular Session of June 28, 2016.

Action taken: There were no changes to the Minutes of the Special Called Meeting of June 7, 2016 or to the Minutes of the Regular Session of June 28, 2016, Commissioner Binkley moved to approve the Minutes of 06/07/16 and 06/28/16, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

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

Steve Steinbach, City Manager, stated staff is in the process of closing out the books on fiscal year 2016 and it will probably be another 30 to 60 days before staff has everything reconciled and the revenue streams are there for your review and of note is the sales tax dollars, the local sales tax receipts were more robust than anyone had forecast and finished with a strong month to close out the fiscal year and that has catapulted us beyond our budgeted number, everything else is falling into budget and those items that exceed 100% are being reconciled with the budget amendments we have had over the course of the fiscal year and we will again put away money towards our fund balances.

Mr. Steinbach stated on reviewing the Code Enforcement-Building Inspection report, Tommie has been quite busy over the last three months with May and April especially, there has been a decline in building permit activity as he concludes those building permits that are outstanding for new residential structures, there were 4 new permits pulled for the month of June,

continuing to absorb lots and are approaching a point now where we have solid absorption all the way around.

Fire Chief Bullock stated June was an average month with only 25 total calls, and looking at medical calls this year we have 50 medical calls out of a total 123 which is 41% in looking at past years of 2014, 2013 and 2012 we had 37, 57 and 53 so our medical is trending down which attributes to our population as demographics are changing and the other number being reviewed was motor vehicle crashes there has been 27 this year and that is 22% of our call volume for the year and in 2014 for the first six months was 14% of our calls, 2013 it was 7% and 2012 it was 8% and with the highways opening up those are trending up, last weekend the Pet Fire Safety Day event was held and there was a good turnout for Fayette County Animal Rescue, the donation amount is unknown at this time, and a few weeks ago there was a call with Rossville in which we assisted with a body recovery and an off fire note; the server project has the servers running parallel at this time with some software to be upgraded, the new phone system is in and there is programming to be done.

Mr. Steinbach gave Chief Bullock a special thanks for pulling all of that together.

Police Chief Phil Hendricks stated during the month of June, there were 80 dispatched calls, 9 incident reports, 5 arrest, and 7 motor vehicles crashes.

Action taken: Commissioner Trotter moved to approve all reports, seconded by Commissioner Ulczynski. The Motion received all affirmative votes.

Agenda item 6. Zero-turn mowers for Public Works Department – awarding of the bid

Terry Parker, Public Works Director, requested approval to purchase two zero-turn mowers that was a capital item approved in this fiscal year, the lowest bid received was \$11,999.98 from Tractor Supply and recommends purchasing these from that vendor and be advise all purchasing laws are adhere to by advertising in the paper and receiving three bids.

Commissioner Binkley inquired on the mowers and the pricing.

Mr. Parker stated they are bad boys 60" cutting width and they are commercial grade mowers with a two year warranty.

Action taken: Commissioner Trotter moved to purchase two mowers from Tractor Supply, seconded by Commissioner Binkley. The Motion received all affirmative votes.

Agenda item 7. Consideration of proposed amendment to Shaw's Creek Master Development Plan; modifications to previously approved July 30, 2009 agreement

Mr. Steinbach that Paul Ryan, the developer/developer representative, is here with us and will give an overview of the request that the Planning Commission approved at their last meeting, there is a historic context to this and staff was satisfied with the outcome.

Mr. Paul Ryan stated over the course of the last six months or so we have been working on some amendments to the Master Development Plan and the first one deals with the secondary point of access, the agreement that is referenced there is the July 30, 2009 agreement and that allowed them to start selling lots in Phase 1A at the very south end and we agreed to put a second point of access in which really was the roadway all the way out to Ralieg LaGrange when we sold or built the 50th house but we are not there yet but we are requesting to defer that requirement until Phase 2 is developed and in exchange for that we agree to modify the southernmost street cul de sac in Phase 2 to a stub street which will be taken through to the TVA easement at the request of the City Engineer and that will give access to the property to the east which makes the plan more consistent with the Major Road Plan so that is the first amendment that we are requesting, the second amendment has to do with the walking trail in the common area, the majority of which is shown is Phase 2 and the only part that is in Phase 1 is 600 feet and we felt like it was efficient to build a short dead end walking trail that does not go anywhere at this time and this was discussed in meeting in the spring with the home owners and discussed several items and the HOA didn't have any objections to deferring this so the second amendment is to

defer this section of the walking trail until the adjacent walking trail is constructed and for the last amendment, the original Master Plan showed this as Phase 2 and this area also as Phase 2, I think the idea was to do these both together but to clarify especially with the access issue we want to continue to call this Phase 2 and then the other will be Phase 3 so you can still do them together if so inclined but we have to do Phase 2 so the second access will be installed out to Raleigh LaGrange so those are the three changes we will make to the Master Plan all of which has been reviewed by the Planning Commission and that Body has approved the recommendation of all these changes.

Action taken: Commissioner Ulczynski moved to approve the amendment to Shaw's Creek, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 8. First Reading – Ordinance No. 267-16, amending Zoning Ordinance bulk requirements for residential, commercial and industrial zoning districts

Mr. Steinbach stated this is a technical house cleaning item in the Zoning Ordinance which was originally developed by the State Planning Office which is now defunct, the City prefers that the developer enter into a Planned Development process or approach with the City like most of our current developments, the bulk requirements are dimensional requirements with regard to the width, previous administrations had the Zoning Ordinance amended to provide for the minimum lot width being measures at the right of way and the more traditional approach is to permit the measure of that lot width at the building setback line where ever that setback line happens to be so a portion of this is to define the minimal lot width and the depth and the then subsequent changes in Articles 5 (residential district), Article 6 (commercial districts), and Article 7 (industrial districts) address this notation of minimal lot width and where we measure it and so primary thrust is to remove the overly penal application of measuring the minimal lot width at the right of way line and measuring it instead back where the building setback line happens to be, this gives greater flexibility in the design of the subdivision, the proposed requirements have been approved and adopted by the Planning Commission and recommended to this Board.

Action taken: Commissioner Binkley moved to approve Ordinance No. 267-16 on first reading, seconded by Commissioner Ulczynski. The Motion received all affirmative votes.

Agenda item 9. First Reading – Ordinance No. 268-16, establishing City of Piperton centralized sewer connection fees and user rates

Harvey Matheny, City Engineer, stated this is the establishment of sewer rates for centralized sewer systems and in the current fee Ordinance in section B there are connection fees for the decentralized sewer systems along with the user fees or rates for customers who have decentralized sewer systems and there is also the connection fees for Marshall County which services the area bordering on Hwy 72 and the Mississippi State line and the Shelby County line, and even though we don't have any customers currently Piperton Preserve Phase 2 will be the first development in Piperton outside of the Marshall County customers that will be served by centralized sewer, these fees are broken into two different categories; the connection fee and the user fee, from the sewer connection fees our proposed list breaks it into two components; 1) service connection fee (tap fee) that would be applied at the time the building permit is issued and the connection fees are based on the number of equivalent resident units (ERUs) served by, a typical residential lot which has an estimated flow of 300 gallons per day (gpd) and are recommending the rate for the tap fee be established at \$3000.00 per equivalent residential unit and it is favorable when compared to Collierville.

Mayor Coats inquired if that will handle the debt service.

Mr. Matheny stated in their estimation at this point.

Mayor Coats requests some examples for the Board.

Commissioner Ulczynski inquired if the City would require those users who are hooked up to decentralized sewer to hook up on centralized sewer and what would the fees be.

Mayor Coats stated yes, we can compel this but the fees would be for later discussion.

Mr. Steinbach stated it needs to be reconciled back to the cost of maintaining the infrastructure going in, so we will provide methodology that is explainable and defensible and the development community understands it, this proposal has a component for recognizing the infrastructure the developers are installing at their cost that the City will assume the depreciation for the infrastructure and the builders will be absorbing the bulk of the fee based on the methodology and it will be helpful to prepare an overview of some of the tap fees that our adjacent communities charge in advance of the second reading.

Mr. Matheny stated the next section regards the methodology of the user fees but going back to the developer portion on the other section and using Piperton Preserve Phase 2 as an example, the developer will put in the infrastructure in Phase 2; the gravity sewer lines, the manholes, etc., and the developers fee would be based on the short term depreciation cost so the City will immediately start accounting for those depreciation costs and so that formula is based on the additional 3 years of depreciation of the system that they install in their development (Estimated cost of on-site public sewer infrastructure + depreciation term + ERUs served by infrastructure) x 3 years = \$ (Development Fee/ERU) and estimated somewhere in the area of \$500 to \$700 range per lot but will recheck and sewer rates or user rates primarily are to cover for the Public Works Department to operate and maintain the system and also for those long term depreciation costs which will ultimately pay to replace the system after the life expectancy has expired and so those O & M rates are setup to cover the remaining term of the depreciation that is not covered by the developer on the front end plus those estimated O & M cost and additional until the plant is operational our O & M cost are not going to change that much to operate but there will be some maintenance and is pretty minimal compared to operating the plant, this is definitely a work in progress to establish those rates with some very rough preliminary estimates prior to the plant coming on line but feels it is very comparable to the Rossville rates today which are around \$40.00 a month for residential estimate.

Mayor Coats stated this will behoove residents to put in two meters if they irrigate their yard.

Mr. Matheny stated yes, that is true.

Mr. Steinbach stated the professionals should direct people who want or have irrigation to put in that second meter because sewer charges are based on the flow of water so it is anticipated that people with a centralized system based on this rate will deduce a second meter will benefit them financially if they have an irrigation system so here is what we know right now in terms of this formula, we know our user fee will at least be Rossville's rate plus the 10% premium per our contract so the final calculation will be a determination of how much on top of that the City will choose to add so we want to be market and appropriate with that fee and would like to be consistent with our decentralized rates as we help to educate that we are moving from the decentralized system.

Action taken: Commissioner Trotter moved to approve Ordinance No. 268-16 on first reading, seconded by Vice-Mayor Davis. The Motion received all affirmative votes.

Agenda item 10. First Reading – Ordinance No. 269-16, amending Ordinance 257-15 (Various Fees for the City of Piperton), Section B – Sewer System Fees, by including City of Piperton centralized sewer connection fees and user rates

Mr. Steinbach stated this is a companion item with the previous item, it simply takes what was discussed and inserts it into our comprehensive fee schedule.

Action taken: Commissioner Binkley moved to approve Ordinance No. 269-16 on first reading, seconded by Commissioner Ulczynski. The Motion received all affirmative votes.

Agenda item 11. Resolution 16-184, to enact a Limited English Proficiency Policy

Action taken: Item was tabled at beginning of meeting.

Agenda item 12. Resolution No. 16-185, repealing Resolution No. 15-177 in its entirety an establishing an amended City Deferred Compensation Contribution Policy

Mr. Steinbach stated this document simply takes our existing document and updates it to identify what the Board approved in terms of the fiscal year 2017 budget for the deferred compensation to its employees.

A small discussion ensued between Mr. Steinbach and the Board on this subject.

Action taken: Commissioner Trotter moved to approve Resolution 16.-185, seconded by Commissioner Ulczynski. The Motion received all affirmative votes.

Agenda item 13. Permission to dispose of broken/obsolete office equipment

Bev Holloway, City Recorder, requested permission to dispose of broken/obsolete office equipment.

Action taken: Commissioner Binkley moved to approve the disposal of equipment, seconded by Vice-Mayor Davis. The Motion received all affirmative votes.

Agenda item 14. Any other old/new business, questions or matters from the audience

There was none.

Agenda item 15. Adjournment

Action taken: Commissioner Binkley moved to adjourn, seconded by Commissioner Ulczynski. The Motion received all affirmative votes and the meeting was adjourned at 804 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____