

**MINUTES OF REGULAR SESSION
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
March 20, 2018, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on March 20, 2018, at 7:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Hugh Davis, Commissioner Preston Trotter, and Commissioner Neil Taylor present. City Manager Steve Steinbach, City Engineer Harvey Matheny, Finance Director Maria George, Police Chief Phil Hendricks, Fire Chief Reed Bullock, Public Works Director Terry Parker, Building Official Tommie Johnson, and City Recorder Beverly Holloway were also present. Those present in the audience were Carolyn and Butch Rhea, Liz McCommon, William Meacham, Charles McElwee, Vicki and Randy Foster, Tim Turner (Eagle Contractors), Edwin and Charma Harrison, Bill and Vicki Hancock, and Officer Corey Traugher, Firefighter Brian Shoemaker and Firefighter Billy Kidd.

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: Public Works Director Terry Parker 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 with addition of new item #12 Consideration review of the Fayette County Ambulance Agreement, Vice-Mayor Binkley moved to adopt the Agenda with the addition, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of February 20, 2018; Motion to adopt the Minutes of the Regular Session of February 20, 2018.

Action taken: There were no changes to the Minutes of February 20, 2018, Vice-Mayor Mike Binkley moved to approve the Minutes of February 20, 2018, seconded by Commissioner 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.

City Manager Steve Steinbach stated the second month of our third quarter finds cash positions continue to remain strong, cash equivalents were swept into money market accounts, the magic percentage number is 66% across the revenues and expenditures and all substantial revenue items exceed that significantly and as mentioned before sales tax collections and receipts are stagnating even though we are ahead of where we need to be compared to last year we have taken in less receipts, other items are fine, expenditures seem to be tracking within budget.

Building Official Tommie Johnson stated for the month of February there were 20 total permits with 2 permits for single family dwellings, conducted 147 inspections which is almost tripled what we normally have in the month of February, 3 code compliance issues and everything is still on the up-swing.

Fire Chief Reed Bullock stated there were 23 calls with 18 calls being within the City, with the majority being medical for the month of February; on permits there were 9 rough and 9 final inspections and our department along with the police department did attend the Stewarts of Children training by the Carl Perkins Center, also participated in joint training with Collierville Fire Department and would also like to recognize Brian Shoemaker who earned his Bachelor Degree in Fire Administration, so proud of him for that accomplishment.

Police Chief Hendricks stated during the month of February there were 68 calls, 4 incident reports, 4 arrest reports and 3 motor vehicle crashes.

Mayor Coats asked Chief Hendricks to give a quick summary on the Stewarts Class.

Chief Hendricks stated this class informs you of different things to look for when dealing with all different types of child abuse and the class continues to improve as it goes along and we were hoping some people of the community would have attended, the Center will come and hold a class for the residents as they are just trying to spread the word if you see something you should say something which is mandated so that it is reported and it can be looked into.

Mayor Coats stated that he will add that to his neighborhood meetings with the hopes to get more participation.

Action taken: Commissioner Neil Taylor moved to approve all reports as read, seconded by Commissioner Hugh Davis. The Motion received all affirmative votes.

Agenda item 6: Piperton Preserve – Reduction of Letter of Credit for Phase I and Phase II

Harvey Matheny, City Engineer, stated there are two requests to reduce Letters of Credit-Piperton Preserve Phase 1 and Piperton Preserve Phase 2; on Phase 1 the current Letter of Credit on file is \$135,000.00 and recently the final surface asphalt was installed in the subdivision and with that the remaining improvements are pretty minimal with a small section of the sidewalk to complete and there maybe some latent defects or failures when we get to the final one year warranty inspection so staff recommends a reduction to \$25,000.00 to cover those remaining requirements and on Phase 2 they have not installed final surface asphalt there are still quite a few homes being completed in the subdivision but they have recorded the plat and all the major improvement are in place so staff recommends a reduction on the current Letter of Credit of \$100,000.00 to \$70,000.00 which would cover the value of the final asphalt and any potential repairs that will be needed at that time.

Action taken: Vice-Mayor Binkley moved to approve the reduction of the Letter of Credits for phase 1 and phase 2 per staff recommendations, seconded by Commissioner Taylor. The Motion received all affirmative votes.

Agenda item 7. Accessory Structure Application – Eagle Contractors Inc. (Tommy Joseph, 770 Ballard Rd)

Mr. Steinbach stated Mr. Tommy Joseph is seeking the Board's approval for a modification to an accessory structure that was first reviewed by the Planning Commission and approved by the Board in 2017 and with regards to the accessory structure Ordinance the basis review was the size of the structure and the exemption was based on the fact that the subject property is more than 5 acres so the City authorized the accessory structure subsequently to that the Joseph's and their contractor have ask for a modification which largely is an esthetic matter because staff is not addressing this from a standpoint of a new consideration of additional accessory structure but because under our regulations the esthetic architectural element is an

important component and the City felt was necessary for the Board to open this back up and consider approval of a modification to that, the Planning Commission reviewed this last Tuesday and recommended approval.

Mr. Tim Turner, Eagle Contractors, stated it is a simple additions to the building that will help to blend it in with the area and match his house, will also do a 3 foot brick wainscot around the building along with adding a 10 foot cedar framed porch across the front, 60 feet on one side and 20 foot on the far side and will be sheeting the roof of the porch with metal panels that match the dormers on the house and also his metal building, and will be repainting the walls of the building to exactly match his house so this will be some dress-up things for a better cosmetic look.

Action taken: Commissioner Trotter moved to approve the accessory structure application per staff's recommendation, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 8. AOC Easement Agreement and Consideration of Sewer Tap Fee

Mr. Steinbach stated as part of the Piperton west sewer project it was necessary for the City to secure easements and permission from at least two private property owners and permitting from the railroad, and in exchange for consideration of granting an easement AOC has asked for certain considerations with regard to tying into the sewer and this has prompted a variety of property owners to inquire about accessing the sewer line and it is a force main and it is under pressure so we ideally will minimize the number of direct tabs into that line preferring instead to utilize gravity systems and specific locations for example the Wittichen project that was discussed last month where a gravity line is constructed and ties into the pump so we need customers on this line and once this line is operational the depreciation for that expense kicks in so that can only be accommodated via user fees so the fees associated with this customer in particular will be significant and substantial and will aid and the caveat is that AOC is asking for waiver of the tap fee and staff has taken the position with regard to the circumstances we don't like to forgo revenue, and tap fees are generally collected for the primary purpose of offsetting the depreciation for the infrastructure and expanding our system but in this particular case the system is being expanded via grant money and Commissioner Trotter asked for an additional provision, which has now been included in the proposed agreement.

Vice-Mayor Binkley inquired how we would tap into the force main, thought we had to gravity feed to a pump.

Mr. Matheny stated you can connect two force mains together obviously when both pumps are running one will have a greater capacity than the other so one might idle until the other one shuts off and this pump will take over and push the liquid down the stream, they have a pump already so there will have to be some design consideration into the pump they are putting in or that they will modify that will then force it into our force main.

Vice-Mayor Binkley inquired so we are not having add to an extra pump station.

Mr. Matheny stated no, our pump will have enough capacity and will basically be the lead pump and theirs (AOC) will service their entire area and remain a private pump and the key will be putting check valves in the right locations so that one pump is not pumping right back to another pump, it can only go one direction.

Commissioner Davis inquired where exactly they want to tap in.

Mr. Matheny stated it will basically be where the water storage tank is on the south side of the railroad track, it maybe a little east of that location and our force main will follow the route of Old Stateline Road so currently they have a pump station on the

north side of the tracks and AOC will use it to pump under the railroad and back to us, so that is up to AOC to engineer that to get it to us and we will allow them to tap in.

Commissioner Trotter inquired that AOC's bill is going to be based on their potable water meters, the water that they buy.

Mr. Matheny stated as it would be for anyone, the sewer bill is a base charge plus a volume charge so much per 1000 based on the water bill.

Commissioner Trotter stated they have their own wells, are they separate from the domestic water system.

Mr. Matheny stated they are separate, doesn't have a complete understanding of how their system is setup but the City has 10 meters that are read every month for their water usage that they purchase, but doesn't think that all of those 10 meters will be a part of this domestic wastewater discharge through the City and they haven't brought this up but there may be some desire on their part to separate out the water purchase that doesn't contribute to their wastewater flow versus their water purchases that does contribute to their wastewater flow but currently the flow that goes to their small treatment system discharges about 2,000 gallons per day so that flow would be coming to the City's system and that is the equivalent of about 7 residential houses.

Action taken: Commissioner Trotter moved to approve the agreement with AOC and consideration of waving the sewer tap fee, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 9. Consideration of Contractor's Bids/Staff Recommendation-Waterline Lowering & Ridgewood Grove Culvert Replacement

Terry Parker, Public Works Director, stated staff received three bids, the City's waterline is in the way of AOC, AOC needs to improve their drainage ditch along the Old Stateline area so the City needs to lower the waterline and on the Ridgewood Culvert, this will take care of the issue on the corner of Ridgewood and Grove Park, the City Engineer along with staff decided that one contractor was needed for both jobs.

Commissioner Trotter inquired is this the one at the bottom of the hill.

Mr. Parker replied yes sir, at the bottom of the hill in the curve.

Commissioner Trotter stated in previous discussions wasn't someone else paying part of the cost like the developer.

Mr. Matheny stated the Renasant Group, the designer engineer for Ridgewood Grove had acknowledge a design bust in the sizing of that culvert and they were willing to cover half of the cost up to \$9,000.00 and the bid for that culvert replacement was \$17,900.00 and Renasant had agreed sometime last year to cover and in the last few days he has followed up on this to make sure it was still in place but they have not responded but staff has no reason to believe that they are backing off of that.

Action taken: Vice-Mayor Binkley moved to accept the bid of the Madden Phillips Construction bid of \$24,418.00, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda Item 10. Special Event Signage – St. Jude

Mayor Coats stated last year Rossville had the St. Jude Dream Home and they have another one this year, last year they placed 4 or 5 signs in Piperton city limits to point the way to the Dream Home and would like to have permission to do it again this year.

Action taken: Commissioner Trotter moved to approve the signage, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 11. Public Works Building Update – Harvey Matheny

Mr. Matheny stated the concept plan is in the packet and gives a general idea of how the facility would be laid out, there have been some modifications to minimize the amount of asphalt paving that will be needed on a day to day basis for employees and routine customers, there are 19 spaces shown on the plan and will have an additional area that is gravel surface and will be accommodated three times that for Court etc., on the north and south side of the paved parking area, then behind the building there are two double swing-gates that will allow City personnel to get to the back where there will be material storage areas, other equipment storage buildings and the equipment that is used, the primary entrance will be directly across from the entrance to this property as shown on the site plan and the equipment fuel tank is east of the gate in a secure area and behind the building there is an emergency generator and an electrical transformer, the building is a metal framed building with the enhanced façade, it is a 50 by 100 building with the front half containing offices, a meeting room and break room for staff, the back part of the facility will hold trucks and equipment.

Mayor Coats inquired on elevation drawings for the building.

Mr. Parker stated they will be the next phase.

Commissioner Trotter inquired if the septic field location has been approved by the County.

Mr. Matheny stated yes.

Mr. Parker stated that TDEC has approved it, has issued the permit and the City has paid for the permit and they have asked that we keep the area marked off and no heavy traffic on that particular spot.

Mayor Coats inquired on the sewer.

Mr. Matheny stated eventually it would come off the septic system and go on the City system, and will make it so it can be converted easily.

Commissioner Davis inquired if the fuel tank is above ground or will it be in the ground and what are we going to do about the tanks that are under the ground at City Hall.

Mr. Matheny stated it is above ground.

Chief Bullock stated the tanks at City Hall are above ground.

Mr. Parker stated they will still be accessible to the Police Department.

Agenda item 12. Ambulance agreement

Mr. Steinbach stated Chief Bullock has presented to staff a document for the Fayette County Ambulance agreement and has asked Chief to provide a brief overview to the Board, realizes the Board has not had a chance to read this nor has staff and awaiting final legal counsel review and asking the Mayor to consider a continuance on this item with the final action to be taken at the Thursday work session.

Chief Bullock stated the City has Resolution 15-173 that has been in place since 2015 for this same type of agreement and within this there are specifics on radio frequency, reporting references, etc., and with the advance of technology over time those things have changed and this agreement updated all of those items, it doesn't get into specifics but it does for our equipment and things of that nature, it does reference Tennessee EMS Board Rules and references the applicable TOSHA standards for infectious control so it simplifies the language and it is a standard agreement that the County has adopted along with the rest of the municipalities to provide medical services in conjunction with the ambulance.

Commissioner Trotter stated it looks like it is simply documenting what you are already doing without adding any responsibility is that correct.

Chief Bullock stated yes that is correct.

Agenda item 13. Any other old/new business, questions or matters from the audience.

1) Charles McElwee stated Crye Leike has a sign at the entrance to Poplar Acres that has commercial across the bottom of the sign and there are a bunch of people on Poplar Acres asking if that is commercial, it is not commercial and can we have them change that sign.

Mayor Coats stated staff has looked at that and believes that property does have the right to be commercial and will check into it again.

Mr. Steinbach stated for clarification there is a difference between the current zoning and what a real estate agent suggests it might be, this issue has come up over the years and staff has had occasion to review whatever private restrictions maybe applicable but before the zoning designation were changed it would be fully vetted and staff understands how the neighborhood feels about that, the property is owned by a bank now and the bank has put pressure on the real estate company to move it and with regard to the sign copy the City doesn't regulate that but staff will make them aware and had conversation before and this agent is fully aware the property is currently zoned residential and the land use plan doesn't identify it for future use though if a proposal were to come forward the reality is it's use for single family residential is arguably questionable given its highway location and the City knows that the neighborhood is sensitive to what could go there and if the real estate agent brings forth a prospect who would consider looking at the property they would have a considerable amount of due diligence to do with terms of vetting this and if there is a private restriction on the property that is nothing the City could preclude meaning the City could not rezone the property if there is such a private restriction.

Commissioner Davis inquired what does the realtor say, does he feel it is his right to say what is on that sign.

Mr. Steinbach stated the real estate agent feels that the property location with direct frontage on Hwy 57 positions it for consideration of an alternative zoning designation.

2) Mr. Steinbach stated he asked the City Planner to move forward preparing for a Special Census, we have the ability to pull one more before the next census and feels the City has experienced significant growth since the last special census that was conducted that was advantageous to the City, the amount of revenue per capita for each new man, woman and child counted is roughly \$130.00 that could be a significant revenue bump for the City while we wait for the 2020 census and staff recommends this.

Mayor Coats stated his understanding is that the 2020 census when it is taken it will still take a year or two to get the results.

Mr. Steinbach stated that is correct there is a lag time so we would be foregoing the additional potential revenue.

Agenda item 18. Adjournment.

Action taken: Vice-Mayor Binkley made a motion to close this meeting, seconded by Commissioner Trotter. The Motion received all affirmative votes and the meeting was closed at 7:42 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____