

**MINUTES OF REGULAR SESSION  
PIPERTON BOARD OF MAYOR AND COMMISSIONERS  
April 17, 2018, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on April 17, 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, and City Recorder Beverly Holloway were also present. Those present in the audience were Carolyn Rhea, Liz McCommon, William Meacham, Jim Ragon, Randy and Vicki Foster, Bill and Vicki Hancock, Greg Smith, Mike Medling and Officer Corey Traughber. Building Official Tommie Johnson was absent.

**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:** Mike Medling 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 Mike Binkley moved to adopt the Agenda, seconded by Commissioner Hugh Davis. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of March 20, 2018 and the Minutes of the Work Session of March 22, 2018; Motion to adopt the Minutes of the Regular Session of March 20, 2018 and the Minutes of the Work Session of March 22, 2018

**Action taken:** There were no changes to the Minutes of March 20, 2018 and the Minutes of the Work Session of March 22, 2018, Commissioner Davis moved to approve the Minutes of March 20, 2018 and the Minutes of the Work Session of March 22, 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 completing the first quarter of the calendar year rounding into the last quarter of our fiscal year, cash positions continue to remain healthy, while reviewing the financial statements-sales tax is trailing slightly at 75% at this point, building permit income is clearly covering a lot of those deficiencies but expects to make budget on the overall projected revenues.

Mr. Steinbach stated Mr. Johnson is not here but on his report for the month of March there were 17 permits for new single family dwellings, which may be a record, there is a lot of new product coming on and staff is looking to budget for an assistant inspector and has told him to start that process now.

Mayor Coats stated the Vesta Home Show is going to be October 6 through October 28<sup>th</sup> in Piperton Preserve.

Fire Chief Reed Bullock stated there was joint-in-service training with the Collierville Fire Department and he also participated in "Fire Department Day on the Hill" and met our State Representative and State Senator, and on inspections it was a fairly average month, there were 24 total calls with all calls being within the City, medical calls are trending up.

Commissioner Davis voiced his concerns regarding an incident with an ambulance on a call.

Police Chief Hendricks stated during the month of March there were 85 dispatched calls, 11 incident reports, 5 arrest reports and 1 vehicle crash.

Vice-Mayor Binkley inquired that the alarm companies have to call Fayette County first and it takes 4 to 5 minutes for us to get the call, is this true?

Police Chief Hendricks stated it does take a while because the alarm company has to try to verify the alarm and then yes they have to call dispatch and then dispatch dispatches the call to us but in both incidents that took place the individuals were in/out and gone before the alarm call ever came in.

Commissioner Davis inquired on surveillance.

Police Chief Hendricks stated there is some video.

Mayor Coats stated it normally takes 8 to 10 minutes for the alarm services to verify and finally then it gets dispatched and these people are hitting and gone in 4 minutes so Chief is looking at an apparatus called a sky-cop which you have seen in some parking lots in Memphis and it has also been very effective in Holy Springs, so we just need to research and if we need to place a unit in one or two places.

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

#### **Agenda item 6:** Call for Election

Mayor Coats stated the Election Commission is requesting that cities holding a municipal election with the November general election make an official call of election at the earliest convenience which is tonight, the election office will start issuing petitions on May 18<sup>th</sup> and the qualifying deadline for city candidates is noon on August 16<sup>th</sup> and that will affect 2 Commissioners' positions.

#### **Agenda item 7.** Resolution No. 18-204, approving and adopting the City of Piperton Drought Management Plan

Terry Parker, Public Works Director, stated this plan is driven by the Tennessee Public Water System rule and this rule governs the system to assist our department in having safe drinking water for all of our citizens and based on the guidelines this plan must be submitted by June 30<sup>th</sup> and staff did receive assistance from Commissioner Trotter in drafting this plan which has been reviewed by the City Attorney and sent to TDEC for their review and verification, TDEC did respond and staff is requesting the Board adopt this based on the guidelines stated by the Environmental Conservation Department.

Mayor Coats stated there is an order that will be followed in case of a drought, irrigation of lawns, landscaping, pools etc.

Commissioner Taylor inquired how we monitor that.

Mayor Coats stated we would send out notices.

Mr. Parker stated there are media sources that we would reach out to and if we have a problem then Collierville has the same problem since we are depended on them for water and everyone will be working together and as time goes by we have to review and update the plan every year.

Mayor Coats stated we would start with the website, water bills etc.

Commissioner Trotter stated this plan follows the State's guidelines and it also follows the Collierville plan that has certain trigger points and certain actions for each trigger point and as one of their users we would have to respond to their triggering of their drought management plan, so step by step ours follows theirs with different verbiage but it does follow theirs so we would be in a position to respond to their activation of their drought management plan.

Commissioner Davis inquired if this requires any addendums to our water contract with Collierville.

Mr. Parker stated no sir.

**Action taken:** Vice-Mayor Binkley moved to adopt Resolution No. 18-204, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 8.** Utility Debit Write-off, Resolution No. 18-205

Mr. Parker stated this Resolution is based on uncollected debit on the books for the last two or three years, it is considered uncollectable and the amount is around \$1500.00 and there is also a provision in place that if the person tries to come back to the City to establish service that we can collect the past due amount, this write-off amount includes a company that has gone out of business and people that have left town and their deposit has been applied to their account.

Commissioner Davis inquired if one was a commercial account.

Mr. Parker stated it was a commercial account based on a gas line and had used a commercial meter, the company left and has since gone out of business and filed bankruptcy.

**Action taken:** Commissioner Trotter moved to approve Resolution No. 18-205, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 9.** Consideration of Contractor's Bids/Staff Recommendation – 2017-2018 Street Overlay Project

Terry Parker, Public Works Director, stated the winter did create a problem for our roads and now we are ready to address some of the roads and in the upcoming budget will try to address the others from this past winter, two bids for the overlay of Wright Road completely, a portion of Fletcher Road, Mann Drive in the Piperton Business Center area and a portion of Keough west of 196 were received and staff recommends the lowest bidder.

Commissioner Taylor inquired on the square yards.

Mr. Parker stated it is about 11,500 square yards.

Commissioner Davis inquired on Mann Drive, we had the emergency at the entrance where we had to cut and do some things if they do any patching/repairing over there which is a lot of traffic in and out, are we going to deal with the sub that is under the top and I see Harvey shaking his head so that is a good thing.

Mr. Parker stated at this point all individuals came out to put a bid on the project and we will have to address that and may have to do a change order to allow the contractor to put in a heavier base in one area due to the soft soil.

Mayor Coats inquired if both bidders came to the same conclusion on Mann Drive.

Mr. Parker stated everyone came to the same conclusion that we may have to put sub-surface down, quoted 6 to 8 but we may have to do 8 to 10 in the CTV.

Commissioner Taylor inquired how much CTV are they quoting, are they quoting the max, how much base are they quoting.

Mr. Parker stated we requested at least 8 inches.

Commissioner Taylor inquired how much asphalt on top of that.

Mr. Parker stated we had asked for 1 inch but we may have to go to 2 inches.

Commissioner Taylor suggested at least 2 inches, and even consider 3 inches and also requested the cost per square yard from Mr. Parker.

Mr. Parker stated there will be an inspector on the job.

Commissioner Davis inquired on the difference between the bids.

Mr. Parker stated Standard Construction has their plant and can absorb some of the cost where Lehman or any others would have to purchase asphalt.

Mayor Coats stated to keep an inspector there at all times and make sure it is done right.

Commissioner Trotter inquired if we are ok with 1 inch of asphalt and with the probable modification on Mann Drive.

Mr. Parker stated with Mann Drive we definitely know we will need more than 1 inch for sure based on traffic and now based on everyone's comment.

Vice-Mayor Binkley stated there will definitely be an addendum for probably thicker surface.

Commissioner Davis inquired if there was any kind of a dollar cap because they can come back after you dig a hole and see a problem for an addendum that will come back to the Board for approval or between you and Harvey.

Mr. Parker stated right now we do have a little bit extra in our budget item that should cover it if everything goes according to plan and should be alright and before any work is done they have to get permission and an estimate.

Mayor Coats inquire to Harvey Matheny, City Engineer, if we should get the price of the extra inch ahead of time or does that matter.

Mr. Matheny stated the base is the key and removing the bad material and the surface won't matter if you don't have a good base.

Commissioner Trotter inquired if you can determine at this point how much base you need and it sounds like you have to dig it out to find out.

Mr. Matheny stated that is correct.

**Action taken:** Vice-Mayor Binkley moved to approve Standard Construction for the overlay, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda Item 10.** Consideration of Contractor's Bids/Staff Recommendation – 2018 Finish Mowing and Weed Eating

Mr. Parker stated staff received four bids for the yearly mowing and trimming at the various decentralized plants also there was an additional 9 acres added this year due to Madeline Farms (formerly LaGrange Pointe) and recommends Wilburn Construction.

Commissioner Trotter inquired who has the contract this year.

Mr. Parker stated Scott Contractors which did not bid this year.

Commissioner Taylor inquired with the addition of the tractor we purchased last year do we not have manpower to do some of this.

Mr. Parker stated these particular fields have to have a finished cut where turf tires are needed to get on the field and a bushhog type tractor needed to cut those fields, our tractor is a side-boom.

**Action taken:** Commissioner Trotter moved to approve the Mowing and Weed Eating bids to Wilburn Construction, seconded by Commissioner Davis. The Motion received all affirmative votes.

Mr. Steinbach stated that in theory this expense will continue to reduce as we decommission these facilities in time and will have a couple that will be staying with us

(Shaw's Creek and Madeline Farms) but the ones south as we decommission those I expect that number to decrease over time.

**Agenda item 11.** Piperton Hills Commercial, Phase 1 – Development Agreement

Mr. Matheny stated this item is the consideration of the development contract for Piperton Hills Commercial, Phase 1, which is a planned development overlay for 15 lots that is at the corner of Hwy 72 and Hwy 196, Phase 1 of this development are lots 4 and 13 that are flanking the future Piperton Hills Parkway which will continue up into the property as more phases are developed, water and sewer infrastructure as well as the road improvements for Piperton Hills Parkway are the nuts and bolts of this development contract, this is a standard contract and in paragraph 8 under security (page 4), typically when a subdivision contract is approved the developer will put up an alternative bond which is a minimum surety that we need if the developer were to go bankrupt and this would allow staff to go into the site and make it safe with no intentions of developing the subdivision and in this case the developer has opted to put up a full bond for full improvements of water and sewer, this allows the developer to record the plat upon completion and execution of the development contract and upon completion of the construction plans for the project, and so the developer's intention is to put up the full bond for the project and the intent there is to record the plat and sell the lots with lot 13 being subject to being sold and developed quickly that there is enough surety in case of bankruptcy that City would have enough money to put in the water and sewer infrastructure so those can be developed so that is one item that is different than what you typically see in a contract, water and sewer fees on page 12 are both n/a as water fees for a commercial development are paid with the building permit by the individual developers of each lot and the sanitary sewer fees are based on an initial cost for public infrastructure depreciation and all the sewer infrastructure on this project is to be private and on page 13, paragraph 27A is an added paragraph that basically states as the Planning Commission approved that sewer infrastructure will be private, owned and maintained by the owner for servicing Piperton Hills Commercial-commercial development and that will become public at some point in time when the City wants it to become public or if TDEC steps in and states they want this made a public system which staff has spoken with TDEC and they don't have a requirement that it be public they just want the City to have authority to make sure the facilities are operating properly and there are no overflows that would be polluting our streams etc, so we do have that ultimate authority but the primary reason the City would take it over as a public infrastructure in the future is if someone outside of the PD-O would want to tie into the pump station or gravity line so from that point downstream it would need to be public but as long as it is only used for the sole purpose of servicing Piperton Hills Commercial development then that could be maintained as private system.

Commissioner Davis stated when you are talking development you are talking about lot 4 and 13 right now but would it also cover any of the other lots.

Mr. Matheny stated it would cover anything within that PD-O.

Greg Smith stated they will install gravity as it progresses southward and remain off line.

Mr. Matheny stated the water feed will come from Russell Road to connection at Hwy 72 and run along the north side of the highway to the site.

Mayor Coats inquired 12 inch and inquired if fire hydrants are part of that plan.

Mr. Matheny stated yes, 12 inch line and hydrants are part of it and as more of the PD-O develops with more water demand needed there is a requirement in the conditions that the water system may have to be extended and looped to our existing system on Hwy 196 to make sure we have enough pressure and flow for that

development but for the initial phase which is just those two corner lots the 12 inch line from the Russell intersection will be sufficient.

Commissioner Trotter inquired what type of agreement is there that this system will remain private until the City can afford the depreciation.

Mr. Matheny stated the development contract basically and the wording for 27A will also be printed on the plat.

**Action taken:** Vice-Mayor Binkley moved to approve Piperton Hills Commercial Phase 1 Development Agreement, seconded by Commissioner Trotter. The Motion received all affirmative votes.

#### **Agenda item 12. Madeline Farms LOC Reduction**

Mr. Matheny stated Madeline Farms, previously known as LaGrange Pointe on Raleigh LaGrange Road some distances west of the Hwy 196 intersection, Phase I was initially 66 lots and it went before the Planning Commission to split the Phase I into Phases 1A (33 lots) and 1B (33 lots), both sides have been completed with the base asphalt laid, the water system, sewer systems, gas and other facilities are in but only Phase 1A has been platted and recorded so with those improvements, they have asked for their letter of credit to be reduced from \$573,000.00 to \$150,000.00 which would cover the remaining value of surface asphalt improvements in both phases as well as any latent defects that may occur.

Mayor Coats inquired on when the east exit is coming in as far as the development is concerned.

Mr. Matheny stated the east exit was eliminated from the contract for Phase I due to road closure issues with the County in lowering the hill.

Mayor Coats stated we need to address that before the second phase opens up because that will be on the owners of the subdivision.

**Action taken:** Commissioner Davis moved to approve to reduce the LOC from \$573,000.00 to \$150,000.00, seconded by Commissioner Trotter. The Motion received all affirmative votes.

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

Mr. Matheny stated we had to close Keough Road yesterday to make a sewer crossing at the west side of the Church property and today (late afternoon) will have to shut down the road again because it is a deep sewer and a small amount of room and there were some issues with sinking and on Thursday when they turn to go back across Keough Road there will be another closure and then will be done, appreciates everyone's patience with that and the help of the Fire and Police.

Mayor Coats asked for an update on the sewer from Mr. Matheny.

Mr. Matheny stated all the pipe should be in the ground by the end of April and then we can begin pressure testing the force main and the gravity lines along with vacuum testing the manholes and will come out to survey the manholes to make sure they are at the right depth and the slopes are good, the pump station delivery time is what takes a while and we expect the pump to come in early June and then we should be completed by mid-June.

Commissioner Davis inquired to the need to go across Keough on the southside.

Mr. Matheny stated on the northside we knew we had the waterline just off the edge of the asphalt but what we didn't know because it had not been marked previously was underground power, fiber-optics and telephone and it was all right where we needed to be and so we went across to avoid it.

Ms. Liz McCommon stated we have a nice white building now, can we before Saturday's rain get shrubs in the front so it won't be messed up, and it does look nice, good job.

Mayor Coats stated not before Saturday but we can always wash the brick, and there is still a few things to do but it does look nice.

**Agenda item 14.** 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 7:45 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: \_\_\_\_\_ date: \_\_\_\_\_