

**MINUTES OF REGULAR SESSION
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
April 18, 2017, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on April 18, 2017 at 7:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Commissioner Hugh Davis, Commissioner Neil Taylor and Commissioner Preston Trotter present. Vice-Mayor Mike Binkley, City Engineer Harvey Matheny and City Planner Brett Morgan were absent. City Manager Steve Steinbach, Finance Director Maria George, Public Works Director Terry Parker, City Recorder Beverly Holloway, Police Chief Phil Hendricks, Fire Chief Reed Bullock were also present, along with Butch Rhea, William Meacham, Liz McCommon, Nell Percer, Gwen Brown, Bill and Vicki Hancock and Officer Matt Kittrell 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: Commissioner Neil Taylor 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 the Agenda; Motion to adopt the Agenda

Action taken: There was a change to the Agenda with the request to table item #7 and Commissioner Trotter moved to adopt the revised Agenda with the tabling of item #7, seconded by Commissioner Hugh Davis. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of March 21, 2017; Motion to adopt the Minutes of March 21, 2017.

Action taken: There were no changes to the Minutes of March 21, 2017, Commissioner Davis moved to adopt the Minutes of 03/21/17 as presented, 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

Steve Steinbach, City Manager, stated as staff looks to close out the fiscal year, collections have been strong in sales tax, which has already exceeded the budget with three more months left in the fiscal year, beer tax is lagging, cash flow in all operations continues to be strong even with the expenditures for the Rossville sewer project extension, the remaining water fund savings is also strong.

Mayor Coats stated for the audience's benefit there will be a lot of infrastructure in the next 2 to 5 years that we will have to tackle, there is a 6 inch water main running down Hwy 196 that needs to be upgraded to a 12 inch eventually and there are several neighborhoods that don't have adequate water supplied so we need to be cognitive of the fact that we have things to do and have the money to do it with.

Mr. Steinbach on the Building Inspector's report stated the building activity is picking up, Mike Russell's new subdivision will probably be released and will be coming before the Board next month to get his bond converted to a full performance and to reduce the amount of that and also have the plat recorded, this month 3 new single family dwellings permits were added compared to last year and last month and with regards to code compliance; we see a series of zeros for the month of February and that is due to the fact that the City didn't have a code

compliance officer but the City has hired Mr. Alan Howell and he is doing a great job and is a great addition to staff.

Fire Chief Reed Bullock stated for the month of March there were 24 total calls, 17 calls in the City, 8 medical calls which is 47% of the calls with 3 motor vehicles crashes.

Police Chief Phil Hendricks stated during the month of March there were 84 dispatched calls, 3 incident reports, 2 arrest reports, and 7 motor vehicles crashes.

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

Agenda item 6. First Reading, Ordinance 278-17, amending the Budget for FY 2016-2017, (Second Amendment)

Mr. Steinbach stated this is the second budget amendment for FY 2017 and it consists of proposed amendments to three different funds (General Fund exhibit A, Sewer Fund exhibit B and the Water Fund exhibit C) and aside from the emergency acquisition of the utility truck for Public Works there are no proposal for additional appropriations that were not approved as part of the budget, staff is making sure that all potential overages on a line item basis are covered by transferring from available monies and there will be a full presentation for the audience on the screen at the public hearing next month and for the Board's benefit with regards to the General Fund, Mr. Steinbach gave an overview on some of the transfers, regarding item 27 on the HVAC Package unit, the Board had budgeted \$3,000.00 for a capital acquisition of a package plant to provide heating and air for the barracks upstairs and the plan now is to address the immediate need of the ladies of Court comfortable so the thought process now is we will add an HVAC packet unit to the room up front and the five ton unit that continues to heat and cool the boardroom and the barracks upstairs will remain the same for the current period of time, on the Sewer Fund, exhibit B, there was no specific new appropriations but item 1 increasing that line item due to under-estimating revenues for the centralized sewer (Marshall County) and the corresponding expenditure is also increasing and on exhibit C, the Water Fund, it reflects the purchase of the new Dodge pickup for the utility crew.

Commissioner Trotter inquired on the high cost of item 28, Salaries-Building & Codes.

Mr. Steinbach stated this represents expense associated with Tommie's pay as an independent contractor along with a part time codes enforcer.

Action taken: Commissioner Trotter moved to approve Ordinance 278-17 on First Reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 7. First Reading, Ordinance 277-17, amending the text of the Piperton Zoning Ordinance to amend Article 3, Section 3.3 Accessory Structures (Swimming Pools)

Action taken: This item was tabled at the beginning of the meeting.

Agenda item 8. First Reading, Ordinance 279-17, repealing Ordinance 54-04 and establishing an updated occupational safety and health program plan, devise rules and regulations, and to provide for a safety director and the implementation of such program plan (TOSHA)

Fire Chief Reed Bullock stated Piperton participates in TOSHA's voluntary protection plan which means they come and inspected the City every two years and as part of that we have a Municipal Safety plan that has to be recognized by Ordinance and a Safety Director appointed, this repeals and updates the previous Ordinance.

Commissioner Trotter inquired how are the OSHA standards communicated to the Department Heads, do they have access or know where to go find them on the website, can go on Tennessee.gov website and see the standards and find out the requirements under each one of those standards and it would be good if everyone knew that so they know what is required.

Chief Bullock stated a Right to Know Class was held for Public Works and the Fire Department and will have a class for Admin and can also use TOSHA's video for the right to know and also gives a handout to be used.

Commissioner Davis inquired under penalties assuming there is a violation, we can self-site if someone does something wrong.

Chief Bullock stated if Mr. Parker or I sees something we can correct that there and if TOSHA comes in and finds violations since we are voluntarily participating we have a remediation period where we are allowed to correct the violation and send documentation of the correction and there are no penalties assessed.

Action taken: Commissioner Trotter moved to adopt Ordinance 279-17 on First Reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 9. Drip Fields Grass Mowing Bid Approval/Recommendation – Terry Parker

Terry Parker, Public Works Director, stated as part of the maintenance at the drip fields which is 5 parcels that contain about 34 acres and the mowing maintenance is contracted out, the cutting season is annually from April to about October for 12 cuts a year, bids were received by the City and there were 6 bids received which is more than received last year and based on this, the lowest responsible bid is Turf Technology and staff recommends the contract to Turf Technology.

Commissioner Trotter inquired on the criteria for a responsible bid.

Mr. Parker gave an overview on the criteria.

Mayor Coats inquired if there was an out-clause in the contract for termination of contract if the contractor is not doing a proper job.

Mr. Parker stated that is correct, and there will also be a penalty added.

Action taken: Commissioner Taylor moved to approve Turf Technology based on Mr. Parker's recommendation, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 10. Any other old/new business, questions or matters from the audience

- 1) Mr. Parker, Public Works Director, stated a discretion was found in our Fire Protection Fee that was adopted in December 2014, where a cap of \$250.00 would be charged and on one of our customers this was not implemented so we need to refund or credit the overages and also found 2 customers that were under charged but we will not retro bill but will absorb this and we have corrected the billing going forward so we are transparent.
- 2) Mr. Steinbach stated on the matter of Ridgewood Grove Subdivision at Hwy 196 & Keough Rd, late last year Harvey Matheny, City Engineer, presented a drainage easement to the Board, there was an issue of a property owner, Louis Houff, his neighbor and the association, the property owner was claiming it was having a negative impact on this particular property and staff didn't know he owned the property at the time and since have had dialogue and discussions and offered them three options: A) the City would condemn the lot and address it for detention, B) consider re-routing the drainage on the outside of the street or C) the property owners that are specifically affected would convey to the City a public drain easement, there are two lots in between a block, we just had a followup meeting yesterday, and so the issue is one of the property owners was concerned about giving the City a public drain easement because of his fear that the City would disturb his improvements and that is not the situation at all and so the two owners that represent the interest of the association was told by Mr. Steinbach that he would report back to the Board that they are amenable to conveying to the City a public drain easement along the north property line of both lots and the effected property owner who brought this to our

attention would pay at his expense a civil engineer to design a solution for conveying drainage that now traverses his lot at a diagonal location so it would get in here and the City would add it to a capital improvement project and that is where we are and with the Board's consent let the property owner know that he has reported as such to the Board and that he is free to retain a civil engineer at his expense to prepare a design for Mr. Matheny's review and then staff would consider the improvements associated with that design as part of the fiscal year 2018 capital budget, doesn't anticipate an expenditure to exceed \$8,000 to \$ 10,000.00 at the most and will receive additional dollars from the design engineer of record who was responsible for the design bust and the under-size culvert so some of that money will off-set that expense, but it is staff's position and recommendation to the Board that we pursue this route as opposed to alternative routes which may have included litigation and believes the City is in a position to defend itself nevertheless it is almost never worth the time and hassle when we can come to together and resolve the situation like this.

Commissioner Trotter stated the proposed design whenever they come up with it, needs to be reviewed very carefully.

Mr. Steinbach stated there are two lots and the drainage comes across the side lot lines from one street to the other street and the issue will be catching the water and rerouting the water is not the problem but how we make a 90 degree turn and it is clearly going to involve energy dissipaters and probably a head wall so the integrity of the roadway is not washed out so the splash block gets into there and that coupled with the replacement of the culvert should alleviate the problems they have been experiencing.

Commissioner Taylor inquired when the proper sized culvert would be installed.

Mr. Steinbach stated probably within the next month or so.

- 3) Liz McCommon requested an update on the 57 sewer, is it finished and anyone hooking on.

Mayor Coats stated it is finished to Rossville but there are no houses built yet to hook on to it but all it lacks is the pump to go into the well, all lines have been run, tested and approved, the next leg is going west to at least Hwy 385 and will get into that in a couples of months probably.

Agenda item 11. Adjournment

Action taken: Commissioner Trotter moved to adjourn, seconded by Commissioner Davis. The Motion received all affirmative votes and the meeting was adjourned at 7:37 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____