

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON BOARD OF MAYOR AND COMMISSIONERS  
August 15, 2017, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on August 15, 2017 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 Planner Brett Morgan was absent. City Manager Steve Steinbach, Finance Director Maria George, Public Works Director Terry Parker, City Engineer Harvey Matheny, Building Official Tommie Johnson, Fire Chief Reed Bullock, Police Chief Phil Hendricks, and City Recorder Beverly Holloway were also present, along with Carolyn and Butch Rhea, Buddy Petty, Cynthia Johnson, William Meacham, Nell Percer, Gwen Brown, Officer Jeff Norton, Officer Ty Wilson, Fireman Adam Hursh, Brett Baurndind, and Jim Ragon 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 Hugh Davis led in the opening Prayer and Vice-Mayor Mike Binkley 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 adding of consideration of Ordinance 283-17, right-of-way abandonment of portion of Grove Park Drive and Ridgewood Drive, this is a subdivision item that was reviewed and approved by the Planning Commission as the new item #12, Vice-Mayor Binkley moved to adopt the Agenda with the one change, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of July 18, 2017; Motion to adopt the Minutes of the Regular Session of July 18, 2017

**Action taken:** There were no changes to the Minutes of the Regular Session of July 18, 2017, Commissioner Trotter moved to approve the Minutes of July 18, 2017, seconded by Commissioner Davis. 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 stated as we enter into fiscal year 2018, staff is still working with auditor to close out fiscal year 2017, with the closing out of the books and several changes will be introduced moving into the new year, primarily we will be outsourcing our payroll, cash accounts and cash equivalents are all strong, the Rossville sewer connection is complete, there was a slight format change in the financial reports this month but next month we will be back to the regular line item format.

Building Official Tommie Johnson stated for the month of July there were 45 total permits issued, 10 permits for new single family dwellings, conducted a total of 164 inspections, and there were 27 contacts on code compliance issues.

Fire Chief Reed Bullock stated for the Fire Department's report in the month of July there were 7 rough inspections, there were a total of 22 calls, 20 calls in the City which include 10 Medical and 4 motor vehicle crashes, and hopes to finish up with the FEMA disaster funds and

submit it during the week and that will allow for a portion of reimbursement for the debris pickup, associated City's labor and also a generator that was damaged in the storm.

Police Chief Phil Hendricks stated during the month of July there were 80 dispatched calls, 16 incident reports, 8 arrest reports, 1 arrest warrants issued, and 5 motor vehicles crash report and also during the month of July, Officer Wilson graduated from the Memphis Police Department Training Academy, he finished first academically, finished first in physical fitness and finished first overall in the Academy, he did a real good job. With regards to the carbon monoxide in the vehicles, all of the vehicles have been tested and no carbon monoxide was found in those vehicles, there are sensors on order to be installed.

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

**Agenda item 6. Water/Wastewater Study Report Presentation – Buddy Petty**

Mr. Steinbach stated the City commissioned RateStudies to prepare an exhaustive, comprehensive water and wastewater rate analysis, this is very necessary so we have an understanding of what our costs and liabilities are and the necessary revenue to address those responsibilities and over the course of the last several months Mr. Petty has prepared this analysis and staff has reviewed it and we are very pleased with what we have seen in terms of the thoroughness of the work.

Buddy Petty, RateStudies, gave an overview presentation of the comprehensive water and wastewater rate analysis that his company prepared along with answering questions from the Board with the recommendation of a rate increase of 13% for wastewater only for residential and a rate increase of 13% plus \$5.65 per 1000 gallons used on commercial customers.

Mr. Steinbach stated the sewer rates that are currently in play now are only applicable to our decentralized systems until the homes yet to be completed in Piperton Preserve Phase 2, which will be the first centralized customers, and will be addressed in our recommendation for the implementation of Buddy's findings in which we have utilized a flat fee structure initially so there is parity between the decentralized customers and the centralized customers, and at some point the decentralized plants in Lakes of Greenbrier, Twin Lakes, and Ridgewood will be decommissioned and everyone would be on a volume base which is a traditional measure so the rates will equalize and of course the unknown is when we take possession of and put into play the wastewater treatment plant that is nearing completion now, we need more customers to offset the value of the depreciation of the infrastructure that the City takes on.

Vice-Mayor Binkley inquired if this would give us more money to cover capital expenditures that we know are coming in our own water plant or is it going to eat up our savings.

Mr. Steinbach stated when we move from the Collierville system and take on the depreciation associated with a new water plant as it relates to our rate structures that will require further and additional analysis, it is outside of the scope of this study although he anticipates we will be initiating initial designs for our new water plant, we are not prepared to analyze that in the contexts of what we have now and to answer your question, the increases in the wastewater will take care of the infrastructure that we have to depreciate and will take care of the capital expenditures we anticipate making over the next five years but we will have to revisit this entire study analysis at such time as we bring on a new water plant.

**Agenda item 7. First Reading, Ordinance No. 284-17, repealing Ordinance 268-16, in its entirety, and establishing centralized sewer rates for the city of Piperton**

Mr. Steinbach stated this is the first step addressing the recommendation from Mr. Petty's report and this will be one of several Ordinance amendments that will be brought before the Board, it is critical with homes under construction in Piperton Preserve Phase 2 that we have a rate ready for the residents when they come on line and until such time as we are prepared to base our rate on a volume basis, staff is proposing a flat fee that includes the 13% increase from

the existing decentralized rate that is on the books, staff anticipates amending the Ordinance for the decentralized customers which staff is projecting to bring on the first of the year and additionally we have a development fee Ordinance that has and houses all of our fees so staff will be addressing those changes at the same time so this is the first rate to be implemented with the new structure.

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance 284-17 on first reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 8. Pyramex Safety Products, Inc. – Development Agreement**

Harvey Matheny, City Engineer, stated for your consideration is the development agreement for Pyramex Safety Products, which is taking place on the west side of Hwy 385 north of Keough Road, staff has issued a land disturbance permit and they are currently getting the pad ready and the full permit is pending per your approval of this contact and so Pyramex came before the Planning Commission and the DRC in March, they received site plan approval at that time, on the 4<sup>th</sup> page under security staff is requiring a letter of credit or surety in the amount of \$260,000.00, that amount is based on two things primarily, that would be any of the on-site requirements of the Planning Commission and the DRC which the most significantly is the landscaping plan but it also includes improvements to Keough Road that includes the widening of Keough along their frontage to add a center turn lane for the length of the project and staff is currently working with TDOT for a state industrial access grant that would widen Keough Road but that has not been fully executed or guaranteed yet so an additional security from Pyramex in the event that the TDOT contract does not happen and if that falls through it is Pyramex's responsibility to widen Keough Road so the amount is included in the security on page 4 and the footnote at the bottom of the page that basically says if the TDOT grant program is executed and then they could reduce the amount by whatever that is and the other footnotes on page 12, relative to sewer fees, there is a requirement of \$21,000.00 sewer development fees which is under the assumption that Pyramex connects to the City sewer system which at this time doesn't exist so the City has grant monies that have been approved and another amount pending to extend the sewer all the way to this point and if for some reason that did not happen then they have a backup plan to put in a septic system on the north part of the property and in the unlikely event that our sewer system was not extended to Pyramex, the \$21,000.00 would be refunded back to Pyramex, staff had to place these caveats without some of these things being firmly in place, Pyramex's site is a 50 acre site with phase 1 is about 250,000 square feet and phase 2 when it happens in the future will be at least another 250,000 square feet, this is their world headquarters they are currently located in Collierville and this creates an opportunity for Pyramex to expand their operations and consolidated their Company into one location, and another footnote is on page 15 relative to the development regarding inspection fees, if TDOT does approve the grant program to widen Keough then they will do their own inspections so the City will not be providing inspection services and that fee would be refunded but if Pyramex does the widening of Keough then the City would provide inspections and that fee is included.

Commissioner Trotter inquired if the widening of Keough would go all the way back into Collierville.

Mr. Matheny stated it would basically widen Keough beginning at the Living Hope property line and fully widened across the Pyramex frontage and passed the second drive the asphalt would begin to taper back down and tie back into the existing roadway just about at the Central Woodwork, staff has had discussions with Collierville, and TDOT would have to enter into an agreement with Piperton and with Collierville for these improvements but the local cost of that project would be the responsibility of Pyramex for any kind of fire hydrant re-locations and any right-of-way acquisitions, the summary of the fees and security requirements are noted on page 21.

**Action taken:** Commissioner Taylor moved to authorize the Mayor to execute the Development Agreement, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 9.** First Reading, Ordinance No. 282-17, to prohibit motor vehicle parking along a section of Tennessee Highway 57.

Mr. Steinbach stated the first Ordinance prohibited traffic on both sides and there were questions and concerns with regards to traffic movement and safety issues, staff is still working through that and TDOT may have concerns with prohibiting on the southside of Hwy 57 but staff feels it is a reasonable request and is asking the Board to approve on first reading so the Ordinance before you provides for the provisions of prohibiting parking on the south side, permitting it on the northside and permitting it on the expanding asphalt section along the west side of Hwy 196 which is anticipating the future widening of Hwy 196 well off into the future so staff is trying to address the practical needs of the customers but also needs to address some of the issues on the southside of 57.

Mayor Coats stated this was tabled last month because he wanted to make sure all of the owners were on board and they are now.

Commissioner Taylor inquired if there was anything regarding emergencies for the public.

Mr. Steinbach stated there is provision for allowing law enforcement apparatus to park within and from a practical enforcement standpoint, the police department does not site people who are dealing with a flat tire and other roadway emergencies and noted Commissioner Taylor's suggestion to add language.

Mayor Coats stated turning left on Hwy 57 is very difficult and a hazard, you cannot see.

Mr. Steinbach recommended to approve on first reading and look at expanding the exception portion to address Commissioner Taylor's idea and thoughts to make sure that is codified in the Ordinance.

**Action taken:** Commissioner Davis moved to accept Ordinance 282-17 on first reading, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 10.** Consideration of professional services proposal from Pickering Firm, Inc. for surveying, engineering design, permitting, construction admin. /inspection for sewer line extension project related to Pyramex Safety Products, LLC

Mr. Steinbach stated the proposal before the Board addresses our need to expedite surveying, engineering design services for the project that is associated for Pyramex and currently the constructed sewer line from Rossville to a point which is to service Piperton Preserve Phase 2 and the idea is to extend a force main roughly down Stateline and as Mr. Matheny previously noted before that is part of the funding that the State has approved with Fayette County to pay for that portion of Phase 1 and then Phase 2 is the gravity portion which is from the Pyramex site back to the wet well location at the northwest corner of the Living Hope Church site and the fees that staff has reviewed are within the estimates that were provided for both grant applications (State Economic Development Grant and Delta Regional Authority Grant-which staff is awaiting the decision) and so staff recommends to adopt the entirety of the Pickering proposal with the understanding that the compensation sources for Pickering will be coming from two different sources and prior to expenditures of any of those monies staff anticipates having a followup work session with the Board as well as our Finance Committee and the County has been given approval by the State of Tennessee to incur costs (document and authorize the associated costs associated with this) and with that our funding source is established for the development fees.

Commissioner Trotter inquired on the total cost.

Mr. Steinbach stated the total is in the neighborhood of \$830,000.00 to make the connection from the existing location all the way back to Pyramex.

Commission Davis inquired for the amount of the Pickering portion.

Mr. Steinbach stated Pickering has broken it up into two phases so scope 1 total is \$77,500.00 which is under the \$78,000.00 that was part of the grant application and scope 2 is \$20,000.00 which is under the \$23,000.00 that was also part of the grant.

Commissioner Taylor stated so the first scope is already in the process.

Mr. Steinbach stated that is correct, the Fayette County Mayor has met with staff and the Mayor to discuss the approval of the grant and how the process will work and staff anticipates utilizing the services of a third party grant administrator (which is a requirement) and this administrator will be compensated out of the grant proceeds and staff does anticipates a local match that staff is working through the details and cannot speculate what those requirements will be at this time but it is critical that we commence this first phase of the project to meet Pyramex's time table.

**Action taken:** Commissioner Trotter moved to approve the proposal for professional services from Pickering Firm, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 11.** Approval for disposal of older non-working office equipment

Bev Holloway, City Recorder, requested approval to dispose of two older non-working printers that date back to 2007 in the admin office.

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

**New Agenda item 12.** First Reading, Ordinance No. 283-17, to approve the abandonment of a portion of the right-of-way at the intersection of Grove Park Drive and Ridgewood Drive, Piperton, Tennessee and quit claim of City's abandoned right-of-way to the adjoining property owner

Mr. Steinbach stated this is for the vacating of right-of-way associated with a request from Mike Amick to relocate his driveway and additionally desires to relocate his entrance off of Grove Park Dr. down to where the City currently has stub roads to the south and to the east that are no longer needed due to the fact that proposed Phase 3 of Ridgewood Grove will not be developed and the portions would be abandoned and re-conveyed back to Mr. Amick, staff recommends the Board considers the abandonment of the right-of-way.

**Action taken:** Commissioner Taylor moved to approve Ordinance 283-17 on first reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

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

Fire Chief Reed Bullock stated that we advertised requesting bids for the roof, pressure washing, wood repair and painting on this facility, received three bids for each, painting (project 1) the low bid was \$10,520.00 and for roofing (project 2), the low bid was \$ 15,475.00 which are in excess of the approved budgeted amount and would need a future budget amendment.

Mr. Steinbach stated the budget amendment is not before the Board for consideration at this time only the acceptance of the bid numbers received.

Vice-Mayor Binkley moved to accept the low bids for the painting and the roofing, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 14.** Adjournment

**Action taken:** Commissioner Davis moved to adjourn, seconded by Commissioner Trotter. The Motion received all affirmative votes and the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

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