

**MINUTES OF REGULAR SESSION  
PIPERTON BOARD OF MAYOR AND COMMISSIONERS  
October 17, 2017, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on October 17, 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 Manager Steve Steinbach, Finance Director Maria George, City Recorder Beverly Holloway, City Engineer Harvey Matheny, City Planner Brett Morgan, Public Works Director Terry Parker, Fire Chief Reed Bullock, and Police Chief Phil Hendricks were also present. Building Official Tommie Johnson was absent. Those present in the audience were Carolyn and Butch Rhea, Charles McElwee, Gwen Brown, William Meacham, Liz McCommon, Mike Medling, Greg Smith, Mike Hoffman, Mark Underwood, Jim Ragon, Fireman Adam Hursh, Police Officer Floyd Hubbard, Bill and Vicki Hancock.

**Agenda item 1.** Call to order, establish quorum.

**Action taken:** Mayor 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:** Mark Underwood 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 Agenda; Motion to adopt Agenda.

**Action taken:** There was a change to the Agenda, with the request to table item #17, Resolution 17-199 until the November meeting and Vice-Mayor Binkley moved to adopt the Agenda with the tabling of item #17, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of September 7, 2017; Motion to adopt the Minutes of the Regular Session of September 7, 2017.

**Action taken:** There were no changes to the Minutes of September 7, 2017 and Vice-Mayor Binkley moved to approve the Minutes of September 7, 2017, seconded by Commissioner Hugh 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.

Mr. Steinbach stated a quarter into the fiscal year 2018, revenues are exceeding estimates and projections at 26%, fund balances are all healthy and the financial position is strong.

Commissioner Trotter stated that local sales tax revenue is quite high, and inquired if that was one month or a carry-over.

Mr. Steinbach stated that is three months, the current month is estimated based on what we projected as we have not received the final numbers from the State and last month was the single highest sales tax receipt in the City's history and this month is typically one of the top three months so we anticipate revenues between \$95,000.00 and \$100,000.00.

Commissioner Trotter mentioned that part of this is an estimate.

Mr. Steinbach stated yes.

Mr. Steinbach, stated that Tommie Johnson (Building Official) is absent and activity appears to be just as strong as it was coming off of a real busy month in August builders were still building/absorbing lots that have been produced and fee income is down and most of that was attributable to Pyramex, with 45 total permits versus 48 in August, with 8 new single family dwelling units, still a strong month.

Mayor Coats stated there are over 40 houses in different stages under construction right now.

Fire Chief Reed Bullock stated there were 9 calls in the City for the month, 4 calls (Mutual Aid) were outside of our jurisdiction, the FEMA grant of the generator was approved with the Federal Government paying 75% and the State paying 12.5% and it is unknown on the eta of those funds and under training, Chief has completed certification as a Fire Investigator, which gives us additional credit at our next ISO grading.

Police Chief Hendricks stated during the month of September there were 48 calls, 5 arrests from warrants from other jurisdictions, and 3 motor vehicle crashes.

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

**Agenda item 6.** Recess; hold Public Hearing concerning Ordinance No. 288-17, amending the Budget for Fiscal Year 2017-2018 (First Amendment)

**Action taken:** Vice-Mayor Binkley moved to recess the regular meeting to hold Public Hearing, seconded by Commissioner Davis. The motion received all affirmative votes.

Mr. Steinbach stated this is the second reading and the public hearing on the first budget amendment for fiscal year 2018, the proposed budget amendment consists of four exhibits that are applicable to the General Fund, the Sewer Fund, the Water Fund and the Street Aid Fund, on the General Fund, Exhibit A, which is the largest amendment portion of the Ordinance, the first item pertains to City Hall Improvements the estimated cost were underestimated originally based on the initial bids that were received and the amended line item is for \$27,000.00 based on feedback received from various contracts staff feels that is sufficient to cover the roof that has been replaced and the subsequent painting and wood repair, the next several items are applicable to the Building Department upon Tommie Johnson return as a full time Building Official, there are adjustments based on his insights and request that staff supports that covers uniforms for identification purposes, trying and testing new software, the purchase of a drafting table along with contract inspection services to assist the Building Official during peak activity periods or to cover during his time off periods and funding for training activities in that Department that were not originally budgeted, and item #6 is recognition of the Project Haven Economic Grant to the Enterprise Fund that amount will be receipted from the State Economic Development monies associated with the Pyramex that will be subsequently transferred to the Sewer Fund to pay for design and construction of the sewer (Note at cutoff time staff was alerted to the fact that the City was successful in securing the Delta Regional Authority Grant-DRA, which is another \$200,000.00 which will help reduce the \$180,000.00 local match as we apply the funds from the DRA grant however it is staff's understanding that the money will not be available until after the first of the year but will be good timing with regard to where staff hopes we will be in terms of construction), items 7-12 reconciliation of original budget line items to reflect Tommie's position as a full time employee, items 13-16 are add-ons based recent occurrences, increasing for contract inspections for required inspections not prepaid by the developer, increasing for additional training

requirements/opportunities for Board members/staff, increasing for increased cost for publishing required public notices for public hearings/bids, and increasing to cover reimbursable expenses associated with audit services; on Exhibit B - Sewer Fund, with line items for correcting a keystroke error in the Budget for \$15,000.00 not \$1,500.00, adding on-going hourly services for utility rate consultant, reflecting new appropriation transfer with regards to Project Haven and with the successful DRA grant staff anticipates that amount will be considerably lower and recognizing the fees associated with the Rossville Sewer Connection project that is now completed that were budgeted last year but for services that got carried over and we cannot accrue on a budgeting basis so that money is posted and proposed as part of this new fiscal year budget, on Exhibit C - Water Fund, this recognizing a recommended amendment to provide for on-going hourly rate services for our utility rate consultant, on Exhibit D – Street Aid Fund, increasing the line item due to unexpected issues with the traffic signal devices at SR 385 and Hwy 196.

**Action taken:** Commissioner Davis moved to reconvene the regular meeting, seconded by Commissioner Taylor. The Motion received all affirmative votes.

**Agenda item 7.** Second Reading, Ordinance No. 288-17, amending the Budget for Fiscal Year 2017-2018, (First Amendment)

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance 288-17 on the second reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 8.** Recess; hold Public Hearing concerning Ordinance No. 292-17, amending the Official Zoning Map of the City of Piperton by rezoning 55.31 acres of Property for R-C (Rural Conservation) to B-2 (Minor Planned Commercial) and O (Office), with the establishment of a Planned Development Overlay (PD-O) District and including an associated Master Development Plan for a proposed planned development project known as Piperton Hills Commercial

**Action taken:** Vice-Mayor Binkley moved to recess the regular meeting to hold Public Hearing, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Brett Morgan, City Planner, stated on August 22<sup>nd</sup> the Planning Commission voted unanimously to recommend to this body approval of the rezoning of 55.31 acres from R-C zoning district north of Hwy 72 and just south of Hwy 196, and any rezoning application has to meet certain justification according to the State of Tennessee and the justifications for rezoning include a change in the area or some kind of distress not of your own making and this application uses as its justification – a change in the area, the rezoning that is being requested is a PD-O and using the B-2 Minor Planned Commercial and O Office as the underlying districts for this application, and also as part of the justification, the Major Road Plan for the City shows Piperton Hills Parkway that bisects this property which will put three major roads going through this property and makes this prime for commercial development for the City, there are 15 commercial lots and each one of these lots will have to stand on their own as far as bulk regulations are concerned and there are several major considerations for this development for rezoning purposes, Piperton Hills Parkway was originally approved as a rural cross section and staff has requested from the applicant that they revise this to be an urban section that will be three lanes traveling in both directions with a median including turn lanes to be used within that median area as necessary and the second major consideration is utilities, staff did ask of the applicant to make sure that each of these roads have adequate streetscapes so the interior roads will have a minimum of 10 foot required

streetscapes with sidewalks and that Piperton Hills Parkway and Hwy 196 will have a minimum of 20 foot streetscapes with the appropriate sidewalks and utility strips.

Harvey Matheny, City Engineer, stated the water to this site will be an extension of our existing water system that is along Hwy 72 coming down to the MCR property and the design engineer is still working out how that extension will be brought to the site and there is a condition that with each new phase of development there will have to be a water analysis done to make sure that single feed is going to be sufficient to serve whatever is proposed and when that becomes insufficient then there will be a requirement that they extend water along 196 up to the existing system which is at Russell Road (that is currently where the City's system ends as you come south) and as far as sewer you may recall our preference was to modify our agreement with Marshall County and allow some of this property on the northside of Hwy 72 to flow south into Marshall County but the indication staff recently received from their Board is that they were not open to that request so the alternative that is proposed is to have all of the lots to this development flow by conventional gravity sewer to a lift station in the northwest corner of the site and pumped along the route and ultimately to an extension of a gravity system which would come down through Piperton Hills to this point and flow to the north, this is currently proposed and again is still trying to be worked out with this being gravity all the way up to the existing gravity system which is in place but has not been accepted and approved by the City yet but that would flow north for it to be pumped into our existing system along the highway so that is generally the plan for sewerage the property which is quite extensive with decisions that have to be made.

Commissioner Davis inquired if any of that was in the ground.

Mr. Matheny stated no, the only part in the ground is the part that goes to Hwy 57.

Mr. Morgan stated the Planning Commission approved this with conditions contained in the packet with most being standard except for the two discussed in detail.

Commissioner Trotter inquired if we have a definite no from Marshall County and not under discussion.

Mr. Matheny stated he doesn't know if we have that in writing but verbally we have a no.

Mayor Coats inquired if the force main would go away.

Greg Smith, Piperton Hills Commercial, stated yes, parts of the force main would be abandoned at the time the gravity sewer is in place.

Mr. Morgan stated the applicant has addressed every comment or concern that staff has made and there is no outstanding issue with this application.

**Action taken:** Commissioner Taylor moved to reconvene the regular meeting, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 9.** Second Reading, Ordinance No. 292-17, amending the Official Zoning Map of the City of Piperton by rezoning 55.31 acres of Property for R-C (Rural Conservation) to B-2 (Minor Planned Commercial) and O (Office), with the establishment of a Planned Development Overlay (PD-O) District and including an associated Master Development Plan for a proposed planned development project known as Piperton Hills Commercial

**Action taken:** Commissioner Taylor moved to approve Ordinance No. 292-17, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 10:** First Reading, Ordinance No. 291-17, amending the Official Zoning Map of the City of Piperton by rezoning 51.24 acres of property from R-C (Rural Conservation) to M-1 (Light Industrial), B-3 (Major Planned Commercial) and O (Office),

with the establishment of a Planned Development Overlay (PD-O) District, and including an associated Master Development Plan for a proposed planned development project known as Glenn Farms Corporate Park

Mr. Morgan stated on September 12th the Planning Commission voted unanimously to recommend to this body approval of the rezoning of 51.24 acres with conditions from R-C (Rural Conservation) to M-1 (Light Industrial), B-3 (Major Planned Commercial), and O (Office Districts) with PD-O (Planned Development Overlay) and the justification is significant changes in the area with I-269 and the future extension of Shelby Drive on the north side of the parcel making this area demographically different from strictly residential zoning and rezoning is consistent with the City's land use goals for the I-269 corridor and with this application there are also three major roads that will effect this area; Shelby Drive extension, I-269, eventually Hwy 72 and the proposed Mann Drive connection, the plan has actually 6 lots which will be accessed from Shelby Drive and Mann Drive with an internal collector cul-de-sac and each lots is allowed the maximum of 99,000 square feet and the uses that are allowed within this are such that they will be mixed and will not be a deterrent to the residential subdivision to the east or the current subdivision that is south of there, Mr. Morgan discussed the proposed alignment of Mann Drive.

Commissioner Davis inquired if the houses on Blue Gray Circle would be impacted.

Mayor Coats stated eventually they will be, but most of the houses have already been sold to the applicant (possible 13 out of 21) and this will remain a subdivision until such time that everything is done and moved forwarded, there will be a buffer along the residential area.

Mr. Morgan stated the Mayor has been working with the residents to assure them that this would be looked at in such a way that would protect them as the development goes across not only through mixing the uses with appropriate uses but requiring a buffer and the applicant has agreed with the buffer line and has agreed to put in another buffer line as well and if and when the rest of the lots go away and it is rezoned then the second buffer would also go away and the area where the gas easement is would be a non-disturbance area with preservation of the natural area and discussed the Mann Drive connection and a traffic plan dealing with the impact of future development to which the applicant has agreed to.

Mr. Matheny stated the applicant proposed to connect to the City water system near the northwest corner of Meadowlark Subdivision and with each development that comes along staff will assess the water pressure and flow to make sure it is sufficient and if not there will have to be an additional connection to Hwy 72 or perhaps another feed from Collierville at the County line which would involve the installation of another master meter for that service and for sewer, there will be a gravity system from the Pyramex site to a lift station on the Living Hope Church site and this site will be serviced by a pump and pumping up to that system on Keough Road.

Mr. Morgan stated in the packet are a list of the conditions that the Planning Commission approved and all have been addressed by the applicant although there is some tweaking with the exact wording of some of this within the outline plan document but the applicant has been willing to do what has been requested of them by staff.

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 291-17 on first reading with all the conditions, seconded by Commissioner Taylor. The Motion received all affirmative votes.

**Agenda Item 11:** Recess; hold Public Hearing concerning Ordinance No. 289-17, to amend Title 15, Chapter 5 of the Piperton Municipal Code by amending Handicap Parking

**Action taken:** Vice-Mayor Binkley moved to recess the regular meeting to hold a Public Hearing, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Police Chief Phil Hendricks stated this is to amend Title 15, Chapter 5 to reinsert Handicap Parking that was inadvertently omitted.

**Action taken:** Commissioner Davis moved to reconvene the regular meeting, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 12:** Second Reading, Ordinance No. 289-17, to amend Title 15, Chapter 5 of the Piperton Municipal Code by amending Handicap Parking

**Action taken:** Commissioner Trotter moved to adopt Ordinance No. 289-17 on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 13:** First Reading, Ordinance No. 285-17, repealing Ordinance No. 211-12 in it's entirely, and to adjust residential/commercial decentralized sewer rate

Mr. Steinbach stated that Ordinance 285-17 and subsequent associative Ordinances 286-17 & 287-17 are related in part of the process to update our fee schedule based on the rate study, the first part of that process was to address the centralized rates for what will be our pioneering customers in Piperton Preserve subsequent to that 285-17 addresses decentralized rates per the recommendation from our rate consultant for our decentralized customers and our commercial customers, the caveat for this is the rate adjustment is proposed to not go into effect until the first of the year and give ample time to alert our customer base to that fact and let them know why this is justified and the final piece is the fee ordinance that addresses all of the City's fees will be updated to reflect all of these changes should the Board decide to approve all of these.

Mayor Coats stated he has met with Ridgewood Grove and the Lakes of Greenbrier to inform them and has a couple more to meet with on the rate increase.

**Action taken:** Commissioner Trotter moved to approve Ordinance No. 285-17 on first reading, seconded by Commissioner Taylor. The Motion received all affirmative votes.

**Agenda item 14:** First Reading, Ordinance No. 286-17, repealing Ordinance No. 85-06 in its entirety, and adopting decentralized sewer design and construction standards for the City of Piperton

Mr. Steinbach stated this is the decentralized fee standard that is associated with the technology when it first came on board had fees associated with that and staff is revising that document to remove or extract any fee references that are no longer applicable.

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 286-17 on first reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 15:** First Reading, Ordinance No. 287-17, amending Ordinance No. 269-16 to amend decentralized sewer service rates for property located outside the City of Piperton's corporate limits but within the City's urban growth area (UGA)

Mr. Steinbach stated this is the decentralized fee standard that is applicable to a future customer base within the City's UGA out on Fisherville Road.

**Action Taken:** Commissioner Trotter moved to approve Ordinance No. 287-17 on first reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

**Agenda item 16:** Resolution No. 17-197, repealing Resolution No. 16-185 in its entirety and establishing an amended City Deferred Compensation Policy

Mr. Steinbach stated this Resolution identifies and confirms what is already in place and subsequent to the Board's approval as part of the Budget to increase the contributing amount to 2% to have this document accompany the Budget every fiscal year so the Board recognizes that and adjusts accordingly upward or downward, and we are in the process of going through the actuarial study with the State to look at and get a sense of what the defined benefit (traditional pension) would be for the employees, so this Resolution identifies Tennessee Consolidated Retirement System as the plan replacing what was previously the Nationwide Plan and confirms the 2% that is already in place

**Action Taken:** Commissioner Taylor moved to approve Resolution No. 17-197, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 17:** Resolution No. 17-199, repealing Municipal Resolution No. 12-136 designating the city Building Official as a Special Code enforcement Officer; and enacting a new policy relating to the same

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

**Agenda item 18:** Painting Bid Approval/Recommendation

Terry Parker, Public Works Director stated at last month's meeting, the Board accepted the bids for painting/roofing, staff did re-advertise based on State guidelines however staff only received one bid which was over the budgeted amount so staff would like to break it up into different elements such as pressure washing, painting and wood repair to get contractors for each one of those separate jobs and to remain under \$10,000.00 so staff will not have to advertise again, so staff recommends rejecting the bid receive at this time.

**Action taken:** Commissioner Trotter moved to reject the current bid, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Mayor Coats stated the new roof went on last week.

**Agenda item 19:** Any other old/new business, questions or matters from the audience.

Vicki Hancock inquired who is responsible for the Shelby Drive extension on the Glenn Farms development.

Mayor Coats stated the developer will be and as the phases develop they will finish out the Drive on their property and it's a 4 lane divided Drive.

**Agenda item 20:** Adjournment.

Action taken: Commissioner Trotter moved for adjournment, seconded by Commissioner Davis. The Motion received all affirmative votes and the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

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