

**MINUTES OF REGULAR SESSION
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
November 21, 2017, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on November 21, 2017, at 7:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Hugh Davis, and Commissioner Preston Trotter present. Commissioner Neil Taylor, City Planner Brett Morgan, Fire Chief Reed Bullock were absent. City Manager Steve Steinbach, Finance Director Maria George, City Recorder Beverly Holloway, City Engineer Harvey Matheny, Building Official Tommie Johnson, Public Works Director Terry Parker, and Police Chief Phil Hendricks were also present. Those present in the audience were Carolyn and Butch Rhea, Cynthia Johnson, Charles McElwee, William Meacham, Mike Hoffman, Brenda Solomito Basar, Mark Underwood, Randy Foster, Fireman Tyler Cates, Fireman Trevor Danis, Police Officer Jeff Norton, 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 Commissioner Hugh Davis Jr. 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 add a new item #17, Resolution 17-202 (Delta Regional Authority) and Vice-Mayor Mike Binkley moved to adopt the Agenda with the addition of Resolution 17-202, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of October 17, 2017; Motion to adopt the Minutes of the Regular Session of October 17, 2017.

Action taken: There were no changes to the Minutes of October 17, 2017 and Commissioner Preston Trotter moved to approve the Minutes of October 17, 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.

City Manager Steve Steinbach stated four months into the fiscal year 2018, revenues sources are tracking ahead of schedule of the budgeted forecast number and cash positions are strong.

Building Official Tommie Johnson stated for the month of October there were 46 total permits with 4 permits for single family dwellings, conducted 203 inspections, 5 code compliance issues and revenues are up for this year as well as the number of inspections.

Mayor Coats stated the Vesta Home Show will be in Piperton next year at Piperton Preserve.

Mr. Steinbach stated Chief Bullock is out tonight and there were 22 calls for the month of October.

Mayor Coats stated Cousins had a kitchen fire and the sprinklers did their job along with the Fire Department's quick response time and they were only closed about 30 minutes.

Police Chief Hendricks stated during the month of October there were 75 calls, 5 incident reports, 3 arrest reports and 6 motor vehicle crashes.

Action taken: Vice-Mayor Binkley moved to approve all reports, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 6. Recess; hold Public Hearing concerning 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

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

Mr. Steinbach stated City Engineer Harvey Matheny will give an overview and the applicant's representatives are present.

City Engineer Harvey Matheny stated the application is for a 51.24 acre site located along the eastside of I-269 (State Route 385), south of the future Shelby Drive extension and west of Meadowlark Subdivision, staff has worked with the applicant to discuss services for the development-both roadway access which will be provided by the extension of Shelby Drive and full improvements to Shelby Drive, provisions and conditions in the approval for the future extension of Mann Drive to the south which will be outside of this PD-O, utilities for water access to the site will be off an existing water line coming from Keough down to Meadowlark Subdivision so that waterline extension would come along Shelby Drive to the site to serve the development, sewer facilities would be via a pump station along the west side of the property and pumped to the north to Keough Road where the installation of a sewer system that will be under construction soon and also the internal drainage and detention as required by City regulations.

Mayor Coats inquired on the Shelby Drive extension, are we requiring street lights or has that been broached yet.

Mr. Matheny stated he believes that is a requirement.

Mayor Coats stated if not it should be and wants to go with standard temperature and LED's like staff has started putting up around the City.

Mr. Matheny stated in your report there are the conditions of approval and also attached is the conditions of approval from the September Planning Commission and there is some redundancy in the conditions and staff will work with the applicant to clean that up and there is a modification to the cross section of Mann Drive that was noted by the Planning Commission and there were other conditions relative to the secondary access to the development at some point where the Fire Department and the traffic generated by the development dictate a secondary access so there were a few items that the Planning Commission specifically added and staff will work with the applicant to make sure the conditions are clean and the applicant agrees with all conditions and staff recommends approval.

Mr. Matheny went over the buffer area as per Commissioner Davis' request.

Brenda Solomito Basar (Solomito Land Planning) stated we are in agreement with all the conditions and will work with staff to clean up duplications and make sure all necessary items are captured, and has been approved for a 7 lot subdivision site on the

Collierville side and it will be a continuation with the same type of uses and has a user ready to go for the Piperton side that will generate employment and revenue.

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

Agenda item 7. Second 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

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

Agenda item 8. Recess; hold Public Hearing concerning Ordinance No. 285-17, repealing Ordinance No. 211-12 in its entirety and to adjust residential/commercial decentralized sewer rate

Action taken: Commissioner Trotter 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 all related to the master water and sewer rate study that the City had engaged Rate Studies Inc. to complete and there were various recommendations related to ensuring that our enterprise funds remained in the black primarily dealing with the depreciation expenses associated with all the infrastructure that is going in the ground and this Ordinance indicated the current rate structures and below those are the recommended proposed rates which are designed to equalize the decentralized sewer rates.

Mayor Coats stated it's basically going up \$5.00 on residential and going up \$14.75 on commercial.

Commissioner Davis stated this is the first increase we have had since we've had decentralized sewer.

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

Agenda item 9. Second Reading, Ordinance No. 285-17, repealing Ordinance No. 211-12 in its entirety and to adjust residential/commercial decentralized sewer rate

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 285-17 on second reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 10: Recess; hold Public Hearing concerning Ordinance No. 286-17, repealing Ordinance 85-06, in its entirety, and adopting decentralized sewer design and construction standards for the City of Piperton

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

Mr. Steinbach stated this is not a fee adjustment per say but it is related to the technical specifications and construction standards the City developed years ago for its decentralized technically which is still applicable and this document previously included

included a fee structure related to that and staff has gone through and removed the fee structure language from this document and is returning it to a pure technical manual.

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

Agenda Item 11: Second Reading, Ordinance No. 286-17, repealing Ordinance 85-06, in its entirety, and adopting decentralized sewer design and construction standards for the City of Piperton

Action taken: Commissioner Trotter moved to approve Ordinance No. 286-17 on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 12: Recess; hold Public Hearing concerning 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)

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.

Mr. Steinbach stated this related to the previous discussion and is the sister Ordinance No 285-17 with decentralized and is applicable to areas outside of the municipal corporate boundaries but within the City's designated urban growth area (UGA) and specifically this was developed for Provenance which is a project that has been proposed for some time and has gone through several iterations with the County and this recognized the same rate that we have for our customers within the City.

Commissioner Davis inquired if the non-residential fee is monthly.

Mr. Steinbach stated yes.

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

Agenda item 13: Second 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)

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

Agenda item 14: 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

Mr. Steinbach stated this is a Resolution to designate or expand the Special Police Officer status to employees and when this Resolution was initially adopted by the Board it was not applicable because we only had a Building Official and under most municipal corporation charters and codes the Building Official is the individual charged with a variety of responsibilities namely issuing citations for violations to the municipal code such as dealing with grass, junk, signage etc., the way the law is written it recognizes the Building Official's authority as the sole individual to issue written citations and while reviewing this previously, staff came to conclusion that with new employees we have hired such as a Code Enforcement Official who is not specifically tasked with that authority to issue citations as well as the Fire Chief who has received his Fire Inspector designation so he has a similar status so this Resolution expands the authority

that is gifted to the Building Official to the other code enforcement individuals and staff recommends approval.

Commissioner Trotter inquired if this was reviewed by the City Attorney.

Mr. Steinbach stated this has gone through several iterations, the MTAS consultant prepared it initially, Gerald Lawson, the City Attorney and Tommie Johnson, Building Official have both reviewed and it addressed the applicable supporting State statues regarding special police authority designation.

Commissioner Trotter stated he likes the modifications and it makes it less confrontational at the site.

Action taken: Vice-Mayor Binkley moved to approve Resolution No. 17-199, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 15: First Reading, Ordinance No. 290-17, repealing Ordinance No. 269-16 in its entirety, and revising/adopting various fees for the City of Pipeston

Mr. Steinbach stated this is related to all the utility fees that staff just described and Ordinance No. 290-17 reflects the City's current comprehensive fee schedule addressing not only utility fees but fees related to Public Works, Building and Development, the high-lighted items in this document now capture all of the modifications that staff has requested associated with our centralized and decentralized fee.

Action Taken: Vice-Mayor Binkley moved to approve Ordinance No. 290-17 on first reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 16: Resolution No. 17-201, authorizing the Mayor to enter into a first addendum to the Development Agreement with Pyramex Safety Products, LLC, dated August 15, 2017

Mr. Steinbach stated the Board entered into a development agreement with Pyramex Safety Products LLC to ensure performance of specific improvements associated with their site improvement project which is currently on-going, the project is the procuring cause for the Project Haven Tennessee Fast Track Grant and as part of that grant the City is required to post monies associated with the sewer extension project but also as a part of that project the City was able to secure largely through Harvey Matheny (the City Engineer) efforts on getting Keough Road improved at a substantial cost savings to Pyramex who would have been burdened with this improvements, so the requirement provides that the local match of \$65,600.00 to be posted now or placed in escrow and so staff decided the proper course was to enter into an addendum where by their match will be moved from our liability account to the State's escrow account which will be used to address final asphalt surfacing, this Resolution reflects the addendum that will enable the City upon their approval to move a portion of their \$260,000.00 performance surety to the State's escrow account and acknowledged Collierville's participation also in securing the right of ways on their side of the line.

Mr. Matheny stated Keough would be a full three lanes along the Pyramex frontage and then taper back to the two lane.

Action Taken: Vice-Mayor Binkley moved to approve Resolution No. 17-201, seconded by Commissioner Trotter. The Motion received all affirmative votes.

New Agenda item 17: Resolution No. 17-202, acceptance and administering of the Delta Regional Authority (DRA) grant

Mr. Steinbach stated the City secured a \$200,000.00 grant from Delta Regional Authority to assist with the sewer extension project, the portion of the project that related

to the gravity sewer and a Resolution is required as part of the acceptance package that the Mayor will be asked to execute and the execution approval of this Resolution when added to the rest of the documentation necessary to secure the grant will enable staff to move forward.

Commissioner Trotter inquired on the amount of \$194,000.00.

Mr. Steinbach stated MAAG receives \$6,000.00 for doing their part.

Action taken: Commissioner Trotter moved to approve Resolution No. 17-202, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 18: Any other old/new business, questions or matters from the audience.
There was none.

Agenda item 19: Adjournment.

Action taken: Vice-Mayor Binkley moved for adjournment, seconded by Commissioner Davis. The Motion received all affirmative votes and the meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____