

**MINUTES OF REGULAR MEETING OF THE
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
February 21, 2023, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on February 21, 2023 at 6:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner David Crislip, Commissioner Russ Fletcher, and Commissioner Bret Morris present. City Manager Steve Steinbach, Police Chief Phil Hendricks, Fire Chief Reed Bullock, Public Works Director Richard Mills, Finance Director Maria George, City Planner Brett Morgan, City Engineer Harvey Mathey, and City Recorder Beverly Holloway were present. William Meacham, Elizabeth McCommon, Charles McElwee, Vicki Hancock, Carolyn Rhea (Fayette Falcon), Letha Granberry, Walter Priddy, Firefighter Lt. Adam Hursh and et al were present in the audience. Building Official Elizabeth Reed was absent.

Agenda item 1. Call to order, establish quorum

Action taken: Mayor Henry Coats called the meeting to order at 6:00 p.m., and established that a quorum was present.

Agenda item 2. Prayer and Pledge of Allegiance to the American Flag

Action taken: Commissioner Russ Fletcher led in the opening Prayer and Commissioner David Crislip 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 Crislip. The Motion received all affirmative votes.

Mr. Charles McElwee expressed his appreciation to the Board for dedicating the Public Works Building in his name last month.

Agenda item 4. Any changes to the Minutes of the Special Called Work Session of January 11, 2023 and to the Minutes of the Regular Session of January 17, 2023: Motion to adopt the Minutes of the Special Called Work Session of January 11, 2023 and the Minutes of the Regular Session of January 17, 2023

Action taken: There were no changes to the Minutes of the Special Called Work Session of January 11, 2023 and to the Minutes of the Regular Session of January 17, 2023, Commissioner Fletcher moved to approve the Minutes of the Special Called Work Session of January 11, 2023 and to the Minutes of the Regular Session of January 17, 2023, seconded by Commissioner Bret Morris. The Motion received all affirmative votes.

Agenda item 5. Review/approval of Financial Reports, Building Inspector's Report, Public Works Report, Fireman's Report and Police Report

City Manager Steve Steinbach stated the financial reports look great, operating fund statements are strong and acceptable across the various funds, property taxes are almost complete, local sales tax receipts continue to be strong and still running short in building permit income for obvious reason and I think we will have a positive impact on a couple of projects that are in the pipeline and everything else is in accordance with our budget.

Fire Chief Reed Bullock (filling in for Building Official Elizabeth Reed) stated for the month of January we had 39 active homes, 35 total permits were issued, conducted 77 inspections, and handled 14 code compliance issues.

Vice-Mayor Binkley stated I noticed every month that we have a lot of sign removal, what does that pertain to.

Chief Bullock stated we do have advertiser that will stop on the corners and put up their signs for gutter cleaning, painting or selling items and sometimes it is additional signage on business that are out of compliance that were not approved.

Public Works Director Richard Mills stated on storm debris, the crews have started in Meadowlark subdivision, the columns are in for the Piper House and all four support beams are up and support the porch, it is coming along and they are making good progress on the porch and it is looking really good. Fletcher Road did not flood during the heavy rain on Thursday, the repairs done have helped tremendously; and about twice a year, I will have a contractor grade the road and clean the ditches out to maintain it. In this year's budget I had requested two (1/2 ton) service trucks and with the Board's permission I would like take the consolidated budgeted amount and get a 3/4 truck instead that will pull any of their trailers loaded with equipment. The City received a letter from Waste Connections (Garbage Vendor) stating they are going up 5% which is allowed in their contract with the City and next month I will have an increase impact statement for the Garbage Fund and the recommendation to offset that 5% increase. Chickasaw Electric has agreed to move the powerlines that will be going through Piper Park out to Hwy 196 and Stateline Road, I will be meeting with them this Thursday at 9am, and there are about 4 trees that will have to be removed so I will hopefully have cost for next month's Board meeting. The sewer flow going to Rossville from December 27th through January 25, 2023 (29 days) was 1,432,984 gallons which is an average of 49,413.24 gallons per day (61.77% of the allotted 80,000 gallons per month), and as we investigate inflow infiltration and make corrections that number will start decreasing when we have rain. There were 108 Tennessee 811 locates for January, and 103 total work orders with 3 still pending with 4 after-hour emergency call outs.

Fire Chief Reed Bullock stated for the month of January there were 2 commercial permits, 0 residential permits, 3 final inspections, 4 business safety checks, 31 total calls (25 in the City) and 6 mutual aid calls.

Police Chief Phil Hendricks stated in the month of January, there were 44 dispatched calls, 5 incident reports, 0 arrest report and 4 motor vehicle crashes.

City Planner Brett Morgan stated we do have a couple of pre-application meetings set up within the next two weeks involving commercial development, one at the end of Hwy 57 where the Yancey Planned Development is and we are also looking at what is considered by the applicant as the submittal for final approval of the Gateway Plaza C-Store, this has been re-subdivided but that subdivision is pending being recorded due to the infrastructure that must be put in place which is subject to the sewer going in under the railroad and other waterline infrastructure, they did submit a preliminary application, a site plan application for approval of the C-Store and they were given preliminary approval with a number of conditions and I perceive another work session on this application. We are looking into securing the locations for all of the Gateway Signage, checking with TDOT on signage within the right-of-way or where we are able to acquire an easement to locate these signs, we have three possibly four different sign companies that will submit a cost estimate per sign for this. The Planning Commission has also approved the Design Guidelines manual which by Ordinance has to be approved by this Body and will be coming to this Body for first reading next month to approve the Design Guidelines Manual. In the future we will be looking into Airbnb regulations and we are looking to hold another special census in 2024.

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

Agenda item 6. Assignment of department oversight responsibilities to Commissioners for the purpose of advising the City Manager and Board on department functions and operations

Mr. Steinbach stated he has received feedback with regards to returning to roles and responsibilities that were previously assigned to the Commissioners, this will give the Commissioners an opportunity for the Commissioners to focus their efforts on specific department functions and based on the feedback in consideration of each of the

Commissioners, I am offering for your consideration and approval of the following: Vice-Mayor Binkley – Public Works, Commissioner David Crislip – Human Resources, Commissioner Bret Morris – Police, Commissioner Russ Fletcher – Fire, their roles are to work with those various departments, to learn them, to integrate themselves into the operation and advocate for them and when appropriate to recommend or propose changes in terms of policy and procedures to the City Manager and the Board for consideration or approval.

Action taken: Commissioner Morris moved to approve the assignment of roles, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 7. Resolution No. 23-264, retaining Peregrine Corporation for utility/sanitation bill preparation and mailing services.

Mr. Mills stated this resolution out sources our utility bills, this will change from a post card to a full sheet billing, we feel it will deliver easier with more information. There will be a cost increase from \$10,189.02 to \$13,319.00 a year and this could start next month.

Mr. Steinbach stated the additional cost will be reflected in the subsequent budget amendment and by your approval, you are essentially agreeing to that increase.

Action taken: Vice-Mayor Binkley moved to approve Resolution No. 23-264, seconded by Commissioner Fletcher. The Motion received all affirmative votes.

Agenda item 8. Resolution No. 23-265, retaining professional engineering firms for American Rescue Plan (ARP) funded projects

Mr. Mills stated this part of the State of Tennessee requirements for the ARP funding, it basically states that the Board is agreeing to enter into a contract with three different engineering firms for three different projects that we have slated for the ARP funding (Cannon & Cannon is for a waterline project down Hwy 196 and Old Stateline, J R Wauford for the design of the retro fit to the wastewater treatment plant and the Pickering Firm for gravity sewer design into Piper Farms).

Action taken: Commissioner Crislip moved to approve Resolution No. 23-265, seconded by Commissioner Morris. The Motion received all affirmative votes.

Agenda item 9. Recess – hold Public Hearing concerning Ordinance No. 366-23, repealing Ordinance No. 194-11 in its entirety and establish/reaffirm the procedure for collection of unpaid fines, etc. of Piperton City Court

Action taken: Vice-Mayor Binkley moved to recess the meeting to hold a public hearing, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Mr. Steinbach stated this Ordinance basically updates our current time period to reflect the change in State statute where before the City had to wait 180 days before it could turn its bad debt over to our collection agency and the new period is 60 days.

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

Agenda item 10. Second Reading, Ordinance No. 366-23, repealing Ordinance No. 194-11 in its entirety and establish/reaffirm the procedure for collection of unpaid fines, etc. of Piperton City Court

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 366-23 on second reading, seconded by Commissioner Morris. The Motion received all affirmative votes.

Agenda item 11. First Reading, Ordinance No. 367-23, amending Article 8 of the Piperton Zoning Ordinance – Provisions governing signs amending the allowable signage for Convenience Stores/Fueling Stations

City Planner, Brett Morgan stated this is an amendment to the sign ordinance essential under Article 8.14.1 (Attached Wall Signs) under G (Restrictions, Exceptions and Clarifications) the following will be added to which Mr. Morgan read for the benefit of all:

6) Convenience Stores/Fueling Stations

- a) Convenience stores shall be allowed one wall sign for each additional business operating within the store's building envelope. The secondary business' sign shall be subordinate in size to that of the principal business.
- b) One branding sign shall be allowed to be affixed to the canopy overhanging fueling pumps. The location, proportions, and colors (including the canopy color) shall be approved by the PC/DRC.
- c) The cumulative sign area of all signs shall comply with the maximum per zone lot allowance prescribed in **Article 8.12.2**.
- d) Industry standard colors (red, green, and amber) shall be allowed for electronic fuel price signs but must be approved by the DRC.

And also effected under Article 8.14.2 (Detached Signs) under G (Restrictions, Exceptions, and Clarifications), Mr. Morgan read the additional changes:

4) *Changeable Copy Signs (Automatic)* – Changeable copy signs (automatic) shall be subject to the additional restrictions:

- i) The electronic message shall use an amber (off-white) color against a constant, solid black color. ***Text Added:*** Industry standard colors (red, green, and amber) shall be allowed for electronic fuel price signs but must be approved by the DRC.

Mr. Morgan stated these are the recommendations of the Planning Commission to this Board for amendments to the sign ordinance.

Action taken: Commissioner Fletcher moved to approve Ordinance No. 367-23 on first reading, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 12. First Reading, Ordinance No. 368-23, amending Article 3 of the Piperton Zoning Ordinance – General Provisions amending the requirements for Accessory Residential

Mr. Morgan stated this is an amendment to the accessory residential ordinance that was approved last year regarding the use of accessory buildings to be a habitable structure and so the amendment is to add or change the language to Article 3.3.L under number 8, we are striking "Proof of deed restrictions to this effect shall be provided prior to the issuance of building permits" and under item 9 we are striking "Proof of deed restrictions to this effect shall be provided prior to the issuance of building permits". We are adding the following:

- 14. Owner of the principal structure shall complete, sign, and date the City of Piperton Accessory Residential Affidavit which states the "residence is to serve as a residential, not rental, accommodation limited to **family members, household employees, caretakers, and caregivers only**, and will not be used for any purpose for which I, any member of my family, or any other person, group, or enterprise, of whatever description, would receive any compensation of any kind whatsoever from anyone." The completed Affidavit shall be recorded with the property deed.

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 368-23 on first reading, seconded by Commissioner Morris. The Motion received all affirmative votes.

Agenda item 13. Approval/awarding of Bid for 12-inch sanitary sewer extension/18-inch jack & bore

Mr. Mills stated on February 15th bids were opened, there were 2 bids received: Memphis Road Boring Company at \$177,811.00 and D & E Construction Company at \$311,446.00. My recommendation is to approve the lowest bidder for this project.

Mayor Coats stated only \$100,000.00 was budgeted so if approved a budget amendment will be necessary.

Action taken: Commissioner Morris moved to approve the lowest bid of \$177,811.00 for Memphis Road Boring Company, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 14. Fayette County Growth Plan Discussion

Mr. Morgan stated because of the impact of Blue Oval we are looking to revise our Urban Growth Boundaries to which Mr. Morgan showed the current map and a projection of what we are planning to include our growth area. This map will have to be submitted along with the projected population and infrastructure needs to the Coordinating Committee. This will go before the Planning Commission for approval and recommendation to the Board on March 14th all cities and the county has to approve all changes and this requires two public hearings held on this.

Agenda item 15. Development Contract Renewal Request – Lake of Greenbrier, Phase 3

City Engineer, Harvey Matheny stated a letter has been received from Beruk Properties requesting a thirty (30) day extension to the development approved at the December meeting of the Board. This extension will allow the bank to finalize the Letter of Credit.

Action taken: Commissioner Crislip moved to approve Beruk Properties a 30-day extension for Lakes of Greenbrier Phase 3, seconded by Commissioner Fletcher. The Motion received all affirmative votes.

Agenda item 16. Resolution No. 23-266, to authorize the City of Piperton, Tennessee to enter into an agreement with the Houston-Galveston Area Council (H-GAC) for the contracting of goods and services

Chief Bullock stated this is for purchases of large ticket items, we utilize state contracts however state contracts doesn't always have all the items we need to purchase. Several years ago, we joined Sourcewell who meets the State's guidelines but they don't have all the things that we use, so this is another large purchasing cooperative to join so we can get a better deal on items we wish to purchase.

Action taken: Vice-Mayor Binkley moved to approve Resolution No. 23-266, seconded by Commissioner Fletcher. The Motion receive all affirmative votes.

Agenda item 17. Any other old/new business, questions or matters from the audience

There was none.

Agenda item 18. Adjournment

Action taken: Commissioner Fletcher made a motion to adjourn the meeting, seconded by Commissioner Morris. The Motion received all affirmative votes and the meeting was adjourned at 6:56 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____