

**MINUTES OF REGULAR MEETING
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
February 23, 2021, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on February 23, 2021 at 6:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Preston Trotter, and Commissioner David Crislip. Commissioner Hugh Davis was absent. City Manager Steve Steinbach, Building Official Tommie Johnson, Police Chief Phil Hendricks, Fire Chief Reed Bullock, City Engineer Harvey Matheny, Finance Director Maria George, Public Works Director Bill Kilp, and City Recorder Beverly Holloway were present. City Planner Brett Morgan was absent. Vicki Hancock, William Meacham, Linda Coffman, John Duke, Officer Washington, Officer Spencer, Lt. Adam Hursh and et al were present in the audience.

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 David Crislip 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Action taken: There was a changes to the Agenda with the removal of item 7, the applicant has requested the item to be withdrawn and there are no other changes, Vice-Mayor Mike Binkley moved to adopt the agenda with the removal of item 7, seconded by Commissioner Preston Trotter. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of January 19, 2021 and to: Motion to adopt the Minutes of the Regular Session of January 19, 2021

Action taken: There were no changes to the Minutes of the Regular Session of January 19, 2021, Commissioner Trotter moved to approve the Minutes of the Regular Session of January 19, 2021, seconded by Commissioner Crislip. The Motion received all affirmative votes.

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

City Manager Steve Steinbach stated 58% is the number that I am looking for and based on that our revenue and receipts are ahead and sales tax hit another record this last month, most of the significant revenue items are tracking above and there has been some decrease in our citation revenue due to the pandemic, our balance sheet continues to be strong across our funds and our cash positions are strong.

Building Official Tommie Johnson stated during the month of January, issued 42 total permits, 3 permits for new single family dwellings, conducted 179 total inspections and handled 13 code compliance issues.

Fire Chief Reed Bullock stated for the month of January, there were 10 residential permits, 8 residential final inspections, there were 18 total calls (15 in the City) and 1 animal rescue north of Raleigh LaGrange, and 3 of our Reserves finished their Firefighter Basic 64 Hour class and their live burn and three of our Firefighters including Lt. Hursh attended a CPR Instructor Course and there was a new hire filling a vacancy in the department.

Police Chief Phil Hendricks stated during the month of January there were 43 dispatched calls, 2 incidents, 1 arrest report and 3 vehicle crashes.

Public Works Director Bill Kilp stated Public Works/Utilities responded to the typical street, drainage, water, sewer, utility locations, we received the structural report on the Pinckney House identifying some foundation repairs which we will put up for bids hopefully sometime next month, staff has completed the street patch program inventory and will present the bids later tonight, the University of Memphis submitted a groundwater analysis study and will be submitting to staff for review when complete for future groundwater usage, and we are continuing to work with TAUD (Tennessee Area Utility District) to develop a Utility Operators Apprenticeship program.

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

Agenda item 6. Shaw's Creek Ph 2 Development Contract

City Engineer, Harvey Matheny stated this is the development contract for Shaw's Creek Phase 2, which consists of 18 single family residential lots approximately 17.98 acres and last year this went to the Planning Commission a couple of times to amend conditions of approval and most recently at the November 2020 Planning Commission meeting and has gone through Board approval process on the CD-O amendments with the second reading in January 2021, fees are summarized on page 21 of the contract and the developer is ready to start, and the CD-O amendments are listed at the bottom of page 25 and on page 26 which consist of changes to some of the agreements to offsite improvements needed outside of Phase 2 for stabilization of some eroded areas, repairs to the drip field and those have been agreed to but agreed to on phase basis which is described on item 3 page 25 (Master Plan Amendment Conditions).

Action taken: Commissioner Trotter moved to approve the Shaw's Creek Ph 2 Development Contract, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 7. First Reading, Ordinance No. 336-21 amending the Official Zoning Map of the City of Piperton by rezoning form B-2 (Minor Planned Commercial) to PD-O Planned Development Overlay with B-2, B-3, & O base zoning, zoning a total of 9.23 acres of property (Map 164 Parcels 113.07, 113.08, 113.03 & 113.06) known as Piperton Business Park PD-O

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

Agenda item 8. Presentation of the FY 2020 Audit/Ms. Linda Coffman

Linda Coffman, Linda's Accounting Firm, gave an overview of the 2020 audit report, stating none of the departments went over budget and the department heads maintained and operated within the budget, the City's tax rate is significantly low compared to other cities, she hasn't seen any city with a tax rate less than 1.25%, by increasing it would help the City grow and will contribute to the revenues, and identified a couple of deficiencies regarding internal control which corrective action was taken and commended staff.

Agenda item 9. FY 2021 Audit Engagement Proposal (Linda's Accounting Firm)

Mr. Steinbach stated recommended that the Board consider her firm to prepare and complete the audit for FY 2021.

Action taken: Commissioner Trotter moved to approve the engagement Proposal for FY 2021, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 10. Consideration of Bids/Awarding of Bid re: FY 2021 Street Patch and Pavement

Public Works Director Bill Kilp stated on February 9th sealed bids were received for the fiscal year 2021 Street Patch and Pavement Repair projects, the bid document identified additional patch location that may be added as the contract is completed, exact quantities will be calculated when final tonnage is put down, the estimated quantities of asphalt and cement treated base were identified in the bid specifications, bids were evaluated based on the best and lowest priced bid for

these quantities identified in the bid, 6 bids were received, the highest bid was \$160,665.00 and the lowest and best bid was from Madden Phillips for \$109,707.00, municipal bids like this can be increased or decreased up to somewhere around 25% so I am proposing that I look at increasing this bid by no more than that because that is the limit that is allowed and we have to have the flexibility because once we start making the repairs and we need to add another foot on this patch or we need to go another three inches to stabilize the road then more materials maybe needed, and 25% of the bid is \$27,426.00 which would bring the low bid up to \$137,130.00 so my proposal is not to exceed that amount, funds are available in the Public Works State Street Aid Fund and the money in this fund are used for gravel street repairs and other street related projects, so it is recommended this bid be awarded to Madden Phillips Construction and there are 75 days allotted in this bid contract and they expect to begin sometime in March.

Action taken: Commissioner Trotter moved to approve the awarding of the paving contract to Madden Phillips for the \$109,707.00 and we authorize an increase of an additional \$27,426.00 or 25% as needed to complete the project, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 11. Greenbrier Walking Trail – Discussion regarding new Capital Improvement

Mr. Matheny stated this item is discussion item only regarding a new Capital Project for your consideration, there is an exhibit included in your packet that shows where the trail connection points would be, the trail would go on along the southside of Keough basically from Greenbrier Lakes Blvd. westward to Parkview, it is about 1300 linear feet and this would be proposed as a 6 foot wide asphalt trail and would need a couple of culverts for drainage conveyance, there is estimated cost of approximately \$50,000.00 which includes cost for survey, design and construction administration and inspections and this depends on the bid price which we have given a pretty broad range of \$20.00 to \$30.00 per linear foot.

Mayor Coats stated Keough is one of the busiest street we have beside the major highways and this is a safety issue we need to address, there are people that walk from all the subdivisions and they are always getting out in this little stretch and then go back in the subdivision and as long as they are in the subdivisions they are pretty safe but we have all types of contractors trucks flying down Keough and we have even reduced the speed limit down to 35 and we have another subdivision that will be coming in soon just beyond this that will use Keough for travel so to me it is a safety issue and we need to address it.

Vice-Mayor Binkley stated how will this tie in to overall walking trails of Greenbrier?

Mayor Coats stated this is completely separate and won't tie into Greenbrier.

Commissioner Trotter stated this raises a good point about the safety issue but as I look at this I was concerned about the fact that it is inconsistent with what we have done in all the other subdivisions, and in the other subdivisions we required the developer to install the walking trails and they have been owned and maintained by the homeowners associations, if this is part of an overall larger plan for putting in walking trails I can see it but my concern is we would be asking residents that never come near this area to help pay the cost and then he inquired to Mr. Steinbach if there are any funds in Parkland Savings for Greenbrier to which Mr. Steinbach stated there are fee in lieu of funds for Keough Road along the entirety of the stretch but in the bigger picture and notwithstanding the Mayor's vocalized concerns because I too have seen the residents out on Keough Road, ultimately as it pertains to this unique roadway, I don't see similarity in the other subdivisions in so far as for example Windbrook and or Twin Lakes, they are pretty isolated from the peripheral arterial roads meaning I am not familiar with pedestrian traffic on Hwy 57 to get through and around the neighborhood so this is a unique situation since this is not a state route and it is going to be improved at some point, the bigger plan in terms of capital improvements along this entire stretch from the County Line all the way east is to increase the width of the road and as part of that perhaps complete street improvements where you have bike lanes if the Board wishes to consider and then sidewalks ultimately, and at some point we are going to have to look at a wider

network of trail connections similar to what Collierville has done with its Greenbelt trails, and to answer the question yes, we do have fees reserved that were fee in lieu of collections and those have to be expended in the area which they are collected and what I would like to do as part of this project is to have a proposal for professional services first before the Board says yes let's do it to see what is involved, I am not certain this shouldn't be expanded to the trailhead that Vice-Mayor Binkley just noted it is a small section and would be additional dollars but this would allow people who are out on Keough on the westside of Hwy 196 who are walking to be able to permit them to quickly get on the safety of a designated trail head, I view this more as a sidewalk than I do as a private amenity applicable just to Greenbrier just because it is on the perimeter and would have no problem as City Manager to recommend the use of those funds to address to this portion of the roadway but would want to expand the professional services as we look at the survey and design to look and see what we would need to have for not just the trail but additional laneage when it becomes necessary, it may be time to revisit the Green Belt initiative, they would like to expand that all the way to Rossville, further discussion ensued and a recommendation to hold a future work session.

Agenda item 12. Resolution No. 21-235, Comcast Franchise Agreement

Mr. Steinbach stated this agreement is a non-exclusive franchise agreement, meaning it doesn't prevent competitors from providing the same services, the term is for 10 years and the compensation level is 5% of the gross receipts which is the maximum permitted by State and Federal Laws, and all of the providers are protected by telecommunication act, there are provisions that were added based on a conversation with the City Attorney that states "The Company shall provide the Franchising Authority advanced notice of trimming activities in residential areas, except where such trimming is required to avoid the risk of imminent damage to the Cable System" and another issue is the subcontractors of these vendors who tear up the residents yard without accountability that is something else we need to take care of so I recommend its adoption.

Action taken: Commissioner Trotter moved to adopt Resolution No.21-235 Comcast Franchise Agreement, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

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

Mayor Coats stated we only have 250 residents signed up for our news flash and we need to improve that and I have been receiving call, texts and emails regarding garbage pickups and all kind of question that we have answered on our website but it is not getting through like it should, so I would like for everybody to think about how we can get the word out better, there was a complaint it is not easy to sign up and I will have Reed and Marcy look at that, we are going to try to do something in the Piperton Pulse and on the back of the water bills.

Commissioner Trotter suggested something written to everyone like the Piperton Pulse would be good with specific instructions on how you get into the website and sign up.

Vicki Hancock stated she recently signed up and I think what they are saying is complicated is you have to pick all the things you want notification from which areas you want to be notified individually and that is probably why they said it was too much trouble and everyone should know by now to go to the website to figure out what is going on.

Agenda item 14. Adjournment

Action taken: Vice-Mayor Binkley made a motion to adjourn the meeting, seconded by Commissioner Crislip. The Motion received all affirmative votes and the meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____