

**MINUTES OF THE RESCHEDULED REGULAR MEETING OF THE
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
July 18, 2023, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in a rescheduled regular session on June 27, 2023 at 6:00 p.m. at City Hall, with Board members: Vice-Mayor Mike Binkley, Commissioner David Crislip, Commissioner Russ Fletcher, and Commissioner Bret Morris present. Mayor Henry Coats was absent. City Manager Steve Steinbach, Police Deputy Chief Jonathan Roney, Fire Chief Reed Bullock, Finance Director Maria George, Public Works Director Richard Mills, Building Official Elizabeth Reed, City Planner Brett Morgan and City Recorder Beverly Holloway were present. City Engineer Harvey Matheny was absent. Elizabeth McCommon, Carolyn Rhea (Fayette Falcon), Officer Scruggs, and et al were present in the audience.

Agenda item 1. Call to order, establish quorum

Action taken: Vice-Mayor Mike Binkley called the meeting to order at 6:00 p.m., and established that a quorum was present. Mayor Coats is absent.

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

Action taken: Fire Chief Reed Bullock 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, Commissioner Russ Fletcher moved to adopt the agenda, seconded by Commissioner Bret Morris. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Special Called Meeting of June 13, 2023, and to the Minutes of the Rescheduled Regular Session of June 27, 2023: Motion to adopt the Minutes of the Special Called Meeting of June 13, 2023, and the Minutes of the Rescheduled Regular Session of June 27, 2023

Action taken: There were no changes to the Minutes of the Special Called Meeting of June 13, 2023, and the Minutes of the Rescheduled Regular Session of June 27, 2023, Commissioner Crislip moved to approve the Minutes of the Special Called Meeting of June 13, 2023 and the Minutes of the Rescheduled Regular Session of June 27, 2023, seconded by Commissioner 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, Police Report and Development Report

City Manager Steve Steinbach stated we are still in the process of closing out fiscal year 2023. Cash positions are very strong and getting stronger. The financial statements illustrate zeroed out accounts on those that we have cleared and we will not show new revenue against those until we clear the books.

Building Official Elizabeth Reed stated we are seeing an upward trend in permits and revenue. There are currently 24 homes under construction with 2 new single family permits issued, issued 34 total permits for the month of June, conducted 141 inspections, and handled 20 code compliance issues (15 were for grass). Our Code Compliance officer, Mr. Tucker, has successfully passed his certification for a Level 1 TDEC erosion prevention and sediment control officer. Jackie Smalley has passed her residential plumbing inspector exam so we have a new plumbing inspector.

Public Works Director Richard Mills stated on July 6th, crews repaired a water main leak on Wright Road and reinstalled two (2) new service connections. The June 26th storms caused large trees to come down, crews started removing storm debris within an hour after the storm came through. It literally took four hours from the new bridges on Hwy 196 to get to Raleigh LaGrange. Mr. Mills thanked Chief Bullock and Deputy Chief Roney for their help at that time. The brush truck arrival has been pushed to the middle of August. Warren Construction is moving along very quickly on the Piper house renovations. The sewer flow going to Rossville for June was 1,716,700 gallons for 5/25/23 to 6/26/23 (32 days). That is an average of 53,646.88 gallons per day (67.06% of the allotted 80,000 gallons per day). There were 97 Tennessee 811 line locates. There were 122 total work orders with 6 still pending (that does not include storm debris) with 19 hours of after hour call outs.

Vice-Mayor Binkley inquired on the increase of affluent.

Mr. Mills stated I am fairly certain that all of the boring that took place over in Piperton Preserve, we are just now seeing some of the effects of that at the pump station in Greenbrier. During rain, we are starting to get muddy water so we will start to find these locations. I have spoken with one contractor today that has a sewer camera, I will look into renting one and we will start dye testing in that area. When they bore though it may not show up for years then all of a sudden you get a sink hole in your yard and we know something is going on in that part of the region.

Police Deputy Chief Roney stated in the month of June, there were 45 dispatched calls, 5 incident reports, 2 arrest reports and 7 motor vehicle crashes. There were 4 interviews held with potential candidates. They were extended job offers which they accepted so hopefully we will have 5 new police officers here at the end of the month. So, we will be back to a full complement with full coverage.

Fire Chief Reed Bullock stated during the month of June, permit inspections were down, 6 business safety checks, there were 55 total calls (51 in the city). There were a lot of medical calls (19), 6 motor vehicle crashes and 7 trees down. Chief showed the Board the new Lucas device that was donated in memory of a loved one to the department. This is the 3.1 version that works with the EleGard, this does automatic CPR. We will be working with the new medical director in Fayette County to get protocols approved so we can put this into service. I had budgeted \$90,000.00 for a brush utility truck and \$70,000.00 for outfitting it. I have a proposal from Safe Industries which is purchasing through the North Carolina's Sheriffs Association. We don't have to do any pre-approvals. The total of those two budgeted line items amounts is \$160,000.00 and I have a price of \$159,070.00 to purchase the whole package of those items if that is approved.

Mr. Steinbach stated this is pending City Attorney review and approval of the cooperative to ensure compliance. I don't anticipate an issue and It is within budget.

Action taken: Commissioner Morris moved to approve the purchase of the brush truck and the outfitting, seconded by Commissioner Fletcher. The Motion received all affirmative votes.

City Planner Brett Morgan stated we received application from Tuscan Iron. They are seeking a Planned Development Overlay for a lot at the intersection of Hwy 72 and Milton Drive, right next to the Expeditor's building. They are hoping to break ground this fall if possible. Previous application that has received their final approval but are in some stage of getting comments back to staff regarding their civil set is the Gateway Plaza-Lot 1A (C-Store). They do owe us their staging plan which we include how they are cleaning up the lots that do not have anyone there now. And as part of that staging plan an explanation on how the lots that are occupied will be serviced since some have to come in the drive that essentially goes through the concrete plant. Glenn Farms lot 2 was also approved and we are finalizing the construction documents. Heavy Machines, which is located in Piperton Business Center, is through with their approvals. They have a few things that they owe us with regards to signage and a few other

things. They should be ready to begin construction soon. Yancey Self-Storage has its approval but has yet to submit their final DRC package to us. And as soon as that package comes in and goes before the DRC, they will have all of their approvals in place. Ameriflo (located at the end of Williard Cove) has received their final approvals and staff is reviewing the final civil set of documents to make sure all the markups are done. When that is done the City Engineer will sign off and they can begin construction. We continue to have interest in commercial development up Hwy 72, Piperton Business Center, Hwy 57 but those are too preliminary to begin talking about. Continuing to work on our mapping efforts and still entertaining bids from signage companies for our gateway signage. A lot still going on, not very much residential is going on at this time.

Action taken: Commissioner Crislip moved to approve all reports, seconded by Commissioner Morris. The Motion received all affirmative votes.

Agenda item 6: Resolution No. 23-275, consideration of reducing the letter of credit posted as security for required improvements to Madeline Farms, Phase 1 – on behalf of LaGrange Pointe Development Company

Mr. Mills (filling in for City Engineer Harvey Matheny) stated in 2018, the original letter of credit was reduced from \$573,000.00 to \$150,000.00. Mr. Matheny's recommendation is to reduce to \$ 20,000.00 to cover the value of remaining improvements.

Action taken: Commissioner Morris moved to approve Resolution No. 23-275, seconded by Commissioner Fletcher. The Motion received all affirmative votes.

Agenda item 7. Resolution No. 23-276, consideration of reducing the letter of credit posted as security for required improvements to Madeline Farms, Phase 2 – on behalf of Madeline Farms Development Company, Inc.

Mr. Mills (filling in for City Engineer Harvey Matheny) stated currently the letter of credit is \$100,000.00. It was not reduced after the plat was recorded so Mr. Matheny's recommendation is to reduce it from \$100,000.00 to \$20,000.00 to cover the value of remaining improvements.

Action taken: Commissioner Fletcher moved to approve Resolution 23-276, seconded by Commissioner Morris. The Motion received all affirmative votes.

Agenda item 8. Recess – hold Public Hearing concerning Ordinance No. 376-23, amending the Piperton Zoning Ordinance including portions of Article 2 – Definitions, Article 3 – General Provisions, Article 8 – Provisions Governing Signs, Article 17 – Mixed Use Planned Development District (MUPD), and Table 4 – Land Use Chart

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

Mr. Morgan stated this is an ordinance basically to do some housekeeping that is needed for some code enforcement issues by changing the previous language (Southern Standard Building Code) to the current code enforcement language (International Code Council Family of Codes). This is the bulk of the changes. Also, for code we are adding language regarding swimming pools fences per the request of the building department by requiring people to adequately secure their swimming pool areas. Lastly, we are adding some information to the Land Use Chart. Article 17 of the Zoning Ordinance is about Mixed Use Planned Development and we are adding language for the code enforcement language. And also, we are adding an additional table to the land use chart. Piperton Preserve's Master Plan shows quadraplex but according to Article 17 there was no mechanism for the Planning Commission to rightfully review that type of development. This chart allows for single family attached duplexes, quadraplexes and townhomes to be a "by right" use if it is approved as a part of a Master

Development Plan. We want to also make sure the elevations for those would come in as a part of the Design Review process. There were no comments from the audience.

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

Agenda item 9. Second Reading, Ordinance No. 376-23, amending the Piperton Zoning Ordinance including portions of Article 2 – Definitions, Article 3 – General Provisions, Article 8 – Provisions Governing Signs, Article 17 – Mixed Use Planned Development District (MUPD), and Table 4 – Land Use Chart

Action taken: Commissioner Fletcher moved to approve Ordinance No. 376-23 on second reading, seconded by Commissioner Morris. The Motion received all affirmative votes.

Agenda item 10. Consideration of due diligence/inspection findings and approval of land acquisition for future fire/police complex (Poplar Acres and Hwy 57)

Mr. Steinbach stated last year the Board approved as part of its budget an acquisition of approximately 7.2 acres located at the northeast intersection of Hwy 57 and Poplar Acres. The property was put under contract on May 9th, we negotiated a 60-day due diligence period with a 30-day extension. The due diligence consists of an Alta survey, a phase 1 environmental audit, and a geotechnical analysis of the soils, to assess the ability of the site to facilitate the construction of a significant instructional structure. That data has been distributed to the Board members. There was nothing in the environmental audit that suggest further exploration was necessary. The geotechnical provided for a reasonable structural compression rate and the Alta came back with no findings of additional incumbrances on the title or physical property that we weren't already aware about. I did direct the City Attorney to extend our due diligence period until August because the contract provides for your approval of the purchase. I didn't want to burden the Board during our budget hearings. However. I am going to ask for the Board's approval to move forward with the closing or at least scheduling based on our findings. Chief Bullock presented an overview that serves as a defense of the selection of the property that is in front of you.

Chief Bullock stated this area is close to the intersection of Hwy 196 and Hwy 57 and gives us the access to I-269 to get to the southern portions of the city on the west. This parcel was chosen based on a study completed by MTAS. This gives us multiple accesses to the city without crossing railroad tracks. This can serve for police, fire and our emergency services.

Mr. Steinbach stated I have accessed the pros and cons, and given Chief's assessment of this; I am in agreement with Chief that this will satisfy the City's needs and with that we respectfully ask for your approval to move toward closing the property.

Action taken: Commissioner Fletcher moved to approve the purchase, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 11. Any other unfinished/new business, questions or matters from the audience
There was none.

Agenda item 12. Adjournment

Action taken: Commissioner Morris made a motion to adjourn the meeting, seconded by Commissioner Fletcher. The Motion received all affirmative votes and the meeting was adjourned at 6:34 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____