

**MINUTES OF REGULAR MEETING
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
January 19, 2021, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on January 19, 2021 at 6:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Preston Trotter, Commissioner Hugh Davis and Commissioner David Crislip. City Manager Steve Steinbach, Building Inspector/Codes Enforcement Daniel Hyde, 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 and Building Official Tommie Johnson were absent. Vicki Hancock, William Meacham, Elizabeth McCommon, John McCarty, Officer Holloway 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: Fire Chief Reed Bullock led in the opening Prayer and Mayor Coats 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 Preston Trotter. The Motion received all affirmative votes.

New Agenda item 4. Election of Vice-Mayor

Action taken: Mayor Coats nominated Vice-Mayor Mike Binkley to continue in his position, seconded by Commissioner Trotter. There were no other nominations, and the Motion received all affirmative votes.

Agenda item 5. Any changes to the Minutes of the Regular Session of December 15, 2020 and to the Minutes of the Special Called Work Session of December 28, 2020: Motion to adopt the Minutes of the Regular Session of December 15, 2020 and the Minutes of the Special Called Work Session of December 28, 2020

Action taken: There were no changes to the Minutes of the Regular Session of December 15, 2020 and to the Minutes of the Special Called Work Session of December 28, 2020, Commissioner Trotter moved to approve the Minutes of the Regular Session of December 15, 2020 and the Minutes of the Special Called Work Session of December 28, 2020, seconded by Commissioner David Crislip. The Motion received all affirmative votes.

Agenda item 6. Review/approval of Financial Reports, Public Works Report, Building Inspector's Report, Fireman's Report and Police Report

City Manager Steve Steinbach stated as we entered into a new calendar year and the second half of our fiscal year, we are in good shape financially, balance sheets are strong across the board, Court shutdowns have impacted Police revenue, and the General Fund receipts are very strong, sales tax collection is at 91% no explanation for it other than robust construction sales and Dollar General is certainly adding to the coffers.

Building Inspector/Code Enforcement Daniel Hyde (filling in for Building Official Tommie Johnson) stated during the month of December, issued 51 total permits, 11 permits for new single

family dwellings, conducted 157 total inspections and handled 3 code compliance issues and 1 citation issued.

Mayor Coats inquired what are we doing since Court is closed and we can't do anything.

Mr. Hyde stated in the month of December, he placed an ad for 3 weeks to get someone to help us start cleaning up, received response from 2 companies to get bids on each property that we have issues with and will implement the state law until the Courts open back up.

Public Works Director Bill Kilp stated maintenance tasks remain pretty constant for the month of December from previous months, there were around 280 utility locates, Public Works Crew continue to clear the grounds at the Pinckney property, leaves have been removed from the roof to improve drainage and the building was also evaluated by the City's insurance agent, our contracted water valve and sewer line project is almost completed by the Pickering Firm and expect the results this month, we have also begun the evaluation of the elevated water tank study, the street patch program was finished with our inventory and has put it out for bids today-we expect to have a February 9th bid opening and expect the bids to come in under the \$250,000.00 budget and use some of the remaining funds to do some paving repairs and repairs on some of the gravel type streets, I have initiated a conversation with the University of Memphis to discuss ground water issues in Piperton and have also contacted TAUD (Tennessee Area Utility District's) to develop a Utility Operators Apprenticeship program.

Fire Chief Reed Bullock stated there are two reports in your packet, the first is for the month of December, there were 2 commercial permits (Commercial Filter & ThyssenKrupp), 7 residential permits, 4 residential final inspections, there were 25 total calls (23 in the City with over half of those medical), and there were 2 mutual aid calls (1 call north of the City was a house fire, and the 2nd involved a crash at the Rossville Intermodal yard, that involved a very heavy extrication) and did a water supply training with the Rossville Fire Department and we are working on the basic firefighter course here for three Piperton Reserve Firefighters and one Rossville volunteer, next Chief Bullock present a brief summary of the Annual Report for the benefit of all.

Police Chief Phil Hendricks stated during the month of December there were 44 dispatched calls, 4 incidents, 2 arrest report and 2 vehicle crashes and also included is the Annual Report for the department.

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

Agenda item 7. Resolution No. 20-234, adjusting the Letter of Credit posted as security for required improvements to Dollar General on behalf of Susan Cox Development, LLC

City Engineer Harvey Matheny stated this Resolution is to reduce the Letter of Credit that is currently in place with Susan Cox Development LLC for the development of the Dollar General site on Hwy 57 at our eastern corporate boundary, we are currently holding \$157,000.00 as a Letter of Credit/surety for public and private improvements, the vast majority of that amount is for the Hwy 57 widening, restriping, signing, etc and those improvements are in place, that was completed roughly in early July of 2020, and that has been completed to the satisfaction of TDOT and I have confirmed with TDOT that they have accepted those improvements to which they bond that work as well, I have spoken with the Public Works Director and staff recommends that you reduce it down to \$25,000.00 for the remainder of the warranty period for any defects or failures that may occur.

Action taken: Commissioner Hugh Davis moved to approve Resolution No. 20-234 reducing the Letter of Credit from \$157,000.00 to \$25,000.00, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 8. Recess – hold Public Hearing concerning Ordinance No. 334-20, amending the previously approved Master Development Plan for Shaw's Creek CD-O (Ord. No. 87-06; Ord. No. 319-20)

Action taken: Commissioner Trotter moved to recess to hold public hearing, seconded by Commissioner Davis. The Motion received all affirmative votes.

Mr. Matheny (filling in for City Planner Brett Morgan) stated this amendment was recommended by the Planning Commission at their November meeting, see Exhibit D it identifies 4 amendments that were approved previously by the Planning Commission in December 2019 and subsequently approved by the Board of Mayor and Commissioners and subsequent to that the Phase II Development Agreement was brought to the Board and approved but it was never executed so it is void at this point and time, the Developer had concerns about item #3 of those four conditions that were approved back in 2019 which reads "Address erosion control issues to the satisfaction of the City Engineer and the Public Works Director", so that condition was not very well itemized in the outline plan conditions however in the staff report we did identify the three specific areas that needed to be address, the Developer came back to the Planning Commission in November 2020 and basically requested that those three items first of all that we would identify them specifically in the conditions of approval and also to phase those improvement over time so in Exhibit C, item 3 is broken down into three categories to which Mr. Matheny went over the improvements to happen during the phases, so the same three areas of concern are still in play it is just putting more definition to them and providing a plan to correct them over time within the next three phases.

Mayor Coats inquired when is that phase going to start that will repair the sewer area.

Mr. Matheny stated that will be done in conjunction with Phase 2 and we will plan to come back to you next month with the Phase 2 Development Contract which will included that condition of approval to address that drip field, so in terms of time frame they are ready to move it, they are out there doing clearing and earth work now which they are approved to do with a land disturbance permit but those improvements I assume will be in the spring or early summer as weather and ground conditions permit.

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

Agenda item 9. Second Reading, Ordinance No. 334-20, amending the previously approved Master Development Plan for Shaw's Creek CD-O (Ord. No. 87-06; Ord. No. 319-20)

Action taken: Commissioner Trotter moved to approve Ordinance No. 334-20, amending the previously approved Master Development Plan for Shaw's Creek on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 10. Recess – hold Public Hearing concerning Ordinance No. 335-20, amending the previously approved Master Development Plan for Piper Hollow MUPD (Ord. No. 309-19)

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

Mr. Matheny stated this amendment is to incorporate a 3.18 acre lot formerly the Beesinger parcel into the Master Development Plan and as you are aware Phase 1 is under contract and they are actively constructing Phase 1 improvements, the plat has not been recorded, when Phase 1 was designed a portion of this lot which was a 5 acre lot was trimmed off and it created a lot that is 3.18 acres effectively Piper Hollow improvements are planning would create a non-conforming lot at this location, the plan had always been to eventually incorporate this lot into the PD so that the platting of Phase 1 would not create a non-conforming lot so this amendment is to incorporate this lot into the overall development, there are some conditions of approval that affect adding that lot into the development which is primarily related to road improvements along Keough Drive along the frontage of that lot and sewer extension along the frontage of that lot, the Planning Commission had discussion about both of those items and the recommended conditions of approval would state that improvements would be made along the frontage of this lot or payment in lieu of for those improvements and it states they shall be in conjunction with Phase 1 improvements or within 10

years (or the final phase of development, whichever comes first) and very similar to that would be the sewer extension, currently the sewer extension would end at the west of end of the added lot and the condition is that it would be extended to east end of this lot that is being added, Planning Commission decided to put the same provision on it that the extension would be made in conjunction of Phase 1 improvements or within 10 years (or the final phase of the development, whichever comes first) so those items could be reconsidered when the Development Agreement Amendment is brought to you for Phase 1 (it will need to be amended to incorporate this lot) and you may choose at that time to leave the conditions as they are or amended them at that time but those are the recommendations from the Planning Commission at this time.

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

Agenda item 11. Second Reading, Ordinance No. 335-20, amending the previously approved Master Development Plan for Piper Hollow MUPD (Ord. No. 309-19)

Action taken: Commissioner Trotter moved to approve Ordinance No. 335-20 on second reading, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 12. Recess – hold Public Hearing concerning Ordinance No. 333-20, amending the Budget for FY 2020-2021, (Second Amendment) for the City of Piperton

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

Mr. Steinbach stated second reading covers four funds (General Fund-Exhibit A, Water Fund-Exhibit B, Sewer Fund-Exhibit C and Special Revenue [Street Aid]-Exhibit D), the highlights are those items that have been added since the first reading or tweaked on the availability of additional information, beginning with the General Fund there are 29 items with most of those cover the realm of the departments, item 1 and 2) Admin holiday bonus and Payroll taxes-bonuses were approved by the Board, special Covid bonus, and staff is very appreciative of that and the ripple effects of that extend to payroll tax broken down by our departments, item 3) Admin-IDB/City Market & Advertising-increase to expand Christmas decoration at City Hall and the Public Works Building, item 4) Admin-Computer Services-upgrade for Local Government General Ledger Software (adding seats), item 5 and 6) Admin-Insurance and Hospital Insurance-increase due to premium increase and employee deductible being exceeded, item 7) Bldg-Personnel-increase due to employee promotion, item 8, 9, 10, 11 and 12) Bldg- addressing the holiday bonus, the promotion and change in classification and increase due to demands associated with commercial/industrial building development, Item 13,14 and 15) Public Works-addressing the holiday bonus and increase due to overtime demands; includes in-house janitorial services, item 16) Public Works-Office Supplies increase due to underestimated expenses, item 17, 18, 19, and 20-Fire increase associated with increased staff compensation, item 22) Fire-PPE Covid Supplies-Pandemic related expense, item 23) Fire-Office Supplies increase due to underestimated expenses, item 24) Fire-Maintenance covers unexpected repairs (Engine 31 frontend rebuild on right-hand side), item 25- Police Incentive Pay- increase staff compensation, item 26 and 27) Police-Payroll Taxes-includes holiday bonus and the applicable payroll tax, item 28 and 29) Court- address holiday bonus and applicable payroll tax; Water Fund-Exhibit B, item 1) Contract Utility Operator-continuation of contract operator for the balance of Fiscal Year 2021 due to Pandemic, item 2 and 3) Holiday bonus and associated payroll taxes for employees paid out of the Water Fund, 4) Meter Software Support-software upgrade for Local Government Utility Billing Software, item 5) Insurance W/C & Liability increase due to premium increase, item 6) Tractor-this is 1 of 2 Capital Items that are addressed in the Water Fund and the Street Aid Fund, Public Works Director Bill Kilp stated we have three older grass cutting machines (2-Bad Boy Zero Turn purchased in 2016 and a 30 HP New Holland TC 20 tractor purchased in 2014), the maintenance cost is about a \$1,000.00 a year on the Bad Boys and \$2,000.00 on the other one so we are requesting to replace them with 2 new 60" commercial

mowers at a cost of approximately \$10,000.00 each as grass cutting continues to grow and we are also proposing replacing the current tractor that is out of commission with a \$4,800.00 estimated repair cost with a similar horsepower tractor equipped with a front load bucket at a cost of approximately \$20,000.00.

Mayor Coats stated he would like for you and the two Chiefs together and form a maintenance program for the City vehicles and equipment.

Mr. Kilp stated that is on his to-do list so he will know what maintenance cost is and when the replacement schedule is for everything that we have, I tried to keep vehicles for 150,000 miles (10 years) and 15 years for equipment with mowers that are used daily probably 5 years.

Mr. Steinbach stated he wanted to make sure it got in before the cutting season begins, continuing with the Sewer Fund-Exhibit C, item 1) Contract Utility Operator-is split between the Water Fund and the Sewer Fund, item 2 and 3) Holiday Bonus and Payroll taxes applicable to staff whose salaries are paid out of that fund and Special Revenue Fund (Street Aid)-Exhibit D, item 1) Repair/Replace Equipment-increase for unforeseen emergency repairs and item 2) Mower (2)-replacement mowers that Bill just described with a cost for two at \$10,000.00 each for a total of \$20,000.00.

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

Agenda item 13. Second Reading, Ordinance No. 333-20, amending the Budget for FY 2020-2021, (Second Amendment) for the City of Piperton

Action taken: Commissioner Crislip moved to approve Ordinance No. 333-20 on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 14. Any other old/new business, questions or matters from the audience

Vice-Mayor Binkley inquired if anyone has had a chance to go over and look at the Pinckney Property since it has been cleaned up but it really looking nice, the fence has been cleaned and looks nice.

Commissioner Crislip inquired if we could look at getting a Master Gardener to help preserve the right plants and continue to do those things as we go forward, I have friends that are Master Gardeners.

Mayor Coats stated the Vice-Mayor has said something about that as far as the State of Tennessee especially with the trees.

Vice-Mayor Binkley stated some of those trees have to be on the Historical Register.

Chief Bullock stated while visiting with Mr. Pinckney Jr., there maybe 2 or 3 trees in the back of the property that are older historic trees that he pointed out to me and everything else has been planted relatively new inconsideration of the entire structures.

Agenda item 15. Adjournment

Action taken: Commissioner Trotter made a motion to adjourn the meeting, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes and the meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____