

**MINUTES OF REGULAR MEETING OF THE
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
July 20, 2021, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on July 20, 2021 at 6:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Hugh Davis and Commissioner David Crislip. Commissioner Preston Trotter was absent. City Manager Steve Steinbach, Police Chief Phil Hendricks, Fire Chief Reed Bullock, Finance Director Maria George, Public Works Director Richard Mills, Building Official Tommie Johnson, City Planner Brett Morgan and City Recorder Beverly Holloway were present. City Engineer Harvey Matheny was absent. Vicki Hancock, William Meacham, Liz McCommon, Mike Russell, Debra Joyner (Fayette Falcon) 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: Mrs. Liz McCommon 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 David Crislip. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Special Called Work Session of June 14, 2021, the Minutes of the Regular Session of June 15, 2021 and to the Minutes of the Special Called Session of June 29, 2021: Motion to adopt the Minutes of the Special Called Work Session of June 14, 2021, the Minutes of the Regular Session of June 15, 2021 and to the Minutes of the Special Called Session of June 29, 2021

Action taken: There were no changes to the Minutes of the Special Called Work Session of June 14, 2021, the Minutes of the Regular Session of June 15, 2021 and to the Minutes of the Special Called Session of June 29, 2021, Vice-Mayor Binkley moved to approve the Minutes of the Special Called Work Session of June 14, 2021, the Minutes of the Regular Session of June 15, 2021 and to the Minutes of the Special Called Session of June 29, 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 the report before you reflects the final month of fiscal year 2021, the financial statements reflect the amendments approved as part of the third budget amendment and the numbers are essentially reconciled and drawing your attention to the sales tax revenue which is a record at \$2,046,794.33, and total revenue collections are \$3.9 million which is also a record, the rest of the expenditures have been reconciled as part of the budget amendment, cash position continued to grow with over \$5 million dollars in General Fund and Enterprise Fund Savings, and the end of fiscal year balance statements across the funds show healthy balances in each of the operating funds.

Building Official Tommie Johnson stated during the month of June, we have 65 active single family dwellings under construction, issued 35 total permits with 3 for new single dwellings, conducted 178 total inspections and handled 27 code compliance contacts.

Mayor Coats stated Thomas Tucker has started and is moving forward.

Mr. Johnson stated he is dealing with the mud in street and sign issues, he seems to be doing a good job and he seems to like it.

Public Works Director Richard Mills stated I am still waiting on Kevin Poe (structural engineer) for the design on the front porch of the Piper (Pinckney) Property to remove the columns so the bees can be removed, the wastewater treatment plant had four engineering groups submit RFQ's (request for qualifications), Mr. Steinbach, Mr. Kilp, Commissioner Trotter and myself reviewed the RFQ's and we felt that JR Wauford is the best suited firm for the work and would like permission from the Board to move forward on this, Green & Safe (Cory Hale) was hired to do a safety inspection at the WWTP, Mr. Hale has been to the plant and I am awaiting the report and I am hopeful to have it by the end of the week, on Thursday, July 15th TDEC came and did an inspection of some of our decentralized treatment plants, it went very well and I have got to complement Anthony Harville on a great job, he was very informative and answered all of their questions, the street lights for Mann Drive have been installed during the week of July 5th, I started having meetings with John Fox (Utility Manager in Collierville) regarding our water contract on July 12th and from 5/25 to 6/28 (34 days) the wastewater flow going to Rossville was 1,206,872 gallons, that is an average of 35,496 gallons per day and that is 44.37% of the allotment of 80,000 gallons.

Mayor Coats inquired when will you start inspecting and going through the plants, and is Twin Lakes first.

Mr. Mills stated it will be Twin Lakes first and I hope to start that next week.

Action taken: Commissioner Hugh Davis moved to accept the RFQ from JR Wauford and Company for the Wastewater Treatment Plant for Public Works, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Fire Chief Reed Bullock stated the report before you has both the month of June and a snap shot of the first six months of the year and for the month of June everything is fairly average with inspections and calls, permits are a little down and on the last sheet of the report you will notice we were on I-269 with 3 motor vehicle crashes and 2 grass fires and will continue to keep a close track of when we are on I-269. Also Chief Bullock gave an update on Circle K's situation.

Police Chief Phil Hendricks stated during the month of June there were 36 dispatched calls, 3 incident reports, 3 arrest reports and 3 motor vehicle crash reports, the calls, incident reports and arrest reports are tracking close to where we were this time last year with vehicle crashes up and this week Officer Gillenwater started and will attend the Memphis Training Academy beginning August 2nd and is scheduled to graduate on November 29th.

Commissioner Davis inquired on residential alarms, there were 12 for the month, are people on vacation or is this the normal to which Chief Hendricks replied they are down from last year over all with commercial alarms having a jump.

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

Agenda item 6. Resolution No. 21-238, repealing Resolution No. 19-212 in its entirety and establishing an amended City Deferred Compensation Contribution Policy

Mr. Steinbach stated this is the annual memorialization of the Deferred Compensation rate as reflected and approved in the fiscal year 2022 budget that was increased to 3.5% for the employees through this fiscal year and it is always subject to change at the will of the Board, staff asks for your approval.

Action taken: Vice-Mayor Binkley moved to approve Resolution No. 21-238, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 7. Recess – hold Public Hearing concerning Ordinance No. 340-21, amending the text of the Piperton Zoning Ordinance to amend Article 3.3 – Accessory Buildings (or Structures) and uses

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

City Planner Brett Morgan stated last month this Ordinance came before you on first reading, this ordinance was approved and recommended by the Planning Commission on May 11, 2021 after long consideration of allowing accessory residential in the City, this is based on numerous inquiries that we have had from citizens that are current and from perspective citizens as whether or not this kind of use is allowed in residential so the Planning Commission took up considering this about a year ago and these changes to Article 3.3- Accessory Buildings is the outcome, it basically changes or adds Accessory Residential as a permitted accessory structure in Article 3.3.A, under 3.3.G Accessory Use is reworded to put the exception for Accessory Residential and then a permit required was added under 3.3.J for Accessory Residential and then we added a complete section under 3.3.L and that is the conditions for having Accessory Residential, these conditions could be basically boiled down into two areas: making sure that any accessory residential is connected in a secondary way to the principal structure that is on a lot and in no way letting this residential structure be considerable in size or in scope a primary structure and then the other main part is the conditions that prevents these residential uses from being rental type uses and there are 13 conditions.

Mayor Coats inquired about item 13 under 3.3.L, I know it is not applicable now but will we have to revisit this if we change our sewer pay structure.

Mr. Morgan stated I don't believe so because it will be the same.

Mr. Steinbach stated he is assuming that a designated accessory residential structure will still comply with the overall number of permitted accessory structures.

Mr. Morgan stated yes, it must comply will all applicable provisions of Article 3.3 regulating accessory structures, it still has to be within that 40% that is for 1.5 to 5 acre lots and then 30% accessory allowed a square foot for less than that.

Mr. Steinbach stated I see additional efforts that will be necessitated on staff's part with regard to deed restrictions which reflects Collierville's basis so we are going to be asked for evidence of a deed restriction precluding separate sale and/or leased or rented.

Mr. Morgan stated Planning Commission went over that in length and wanted to keep those restrictions in.

Mr. Steinbach inquired of Building Official Tommie Johnson for any comments.

Mr. Johnson stated he supports this, I think everything that they have addressed is what we need so we can allow it and still maintain control.

Commissioner Davis inquired who is responsible for deed restriction.

Mr. Morgan stated the resident would have to have their deed restricted and then provide proof of that to us before permitting for a declared residential accessory structure.

Commissioner Crislip inquired if it would be one bill for water and electric.

Mr. Morgan stated yes sir and specifically one driveway.

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

Agenda item 8. Second Reading, Ordinance No. 340-21, amending the text of the Piperton Zoning Ordinance to amend Article 3.3 – Accessory Buildings (or Structures) and uses

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 340-21 on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 9. First Reading, Ordinance No. 339.21, amending the text of the Piperton Zoning Ordinance to amend Article 8, Provisions Governing Signs

Mr. Morgan stated this is also something we have been looking at for a while especially in regards to both Federal and State requirement for content neutrality when it comes to signage and so on April 13, 2021 the Planning Commission did approve these changes and recommended it to this Board as an amendment to the sign ordinance, no longer can cities decide what is actually on the sign but we can still control how many signs, the size of signs and where they are located and so we wanted to clean up the language of this ordinance to remove any allusion to specifying content, the Planning Commission added recently to allow an additional 32 square feet for a multi-tenant commercial building for a complex sign and the one multi-tenant commercial we have here would like to do a complex sign and the Planning Commission sees no reason why additional signage should not be allowed and we also removed references to the wrong building code specified, there are references to campaign signs and the length of how long they can remain and we also cleaned up some grammatical mistakes that were in the ordinance.

Action taken: Commissioner Crislip moved to approve Ordinance No. 339-21 on first reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 10. First Reading, Ordinance No. 343-21, amending the text of the Piperton Zoning Ordinance to amend Article 5, Provisions Governing Residential Districts

Mr. Morgan stated the Planning Commission looked at this on July 13, 2021 and it regards the R-1 district mainly; there are two things that are being requested to amend in this article-one is to correct the wording that was previously switched in 2016 back to the original wording but the primary amendment is to increase the density of R-1 from .5 units to the acre to .67 units to the acre essentially allowing a 3 acre lot to be subdivided rather than a minimum 4 acre lot which is what we have now, the minimum 1 acre still stands and the minimum width still stands and so the lot sizes will not change really significantly it just allows more lot for every 10 acres.

Mr. Steinbach stated under the City's streamlined regulatory system we encourage planned developments so that both parties have the opportunity to negotiate on the design and the development itself, basically what the City has is two conventional districts which is an R-C which is a minimum 5 acre lot and no one is doing that for a profit, that is a holding zone designation reflective of most of the rural areas that have not been developed and when the City rescinded its previous R-1 it did so with the intent to remove conventional lot block type subdivisions but wanted to make sure there were provisions for pocket areas primarily for families that wanted to subdivide larger parcels or tracts for other family members therein lies the maximum of 10 acres, we didn't want the R-1 conventional division designation to abuse larger areas so aside from the house cleaning item that was previously describe and now with the advent of sewer availability we want sewer customers so prior to the second reading we will sit down and dig into the density equation more and then there are provisions in there regarding all municipal services and we will probably look at that from all available public services.

Action taken: Commissioner Davis moved to accept Ordinance No. 343-21 on first reading, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 11. First Reading, Ordinance No. 344-21, amending the Official Zoning Map of the City of Piperton by rezoning from R-C (Rural Conservation) to R-1 (Low Density

Residential) zoning a total of 3.04 acres of property (Parcel 183 008.00) known as the Dunn Schoolhouse Property

Mr. Morgan stated on Keough Road there is 3.04 acres of land owned by Mike Russell known as the Dunn Schoolhouse and it is currently zoned R-C, and to be able to keep the schoolhouse in place we need to be able to allow the subdivision and to rezone this to R-1 which allows this to be subdivided and to maintain the lot in which the schoolhouse can still exist so Mr. Russell made the application for this pending potential future purchasers that may want to subdivide it.

Commissioner Davis stated because of where the schoolhouse sits what kind of subdividing can be done, it's like the school is the focal point right in the middle.

Mr. Morgan stated they will have to do the minimum 150 foot wide lot on the west side which they are allowed to have in the R-1 and by adding the sideyard setbacks to each the schoolhouse still falls within the building setback of the second lot so you can still have two buildable lots.

Vice-Mayor Binkley stated it would be a two acre lot and a one acre lot to which Mr. Morgan stated basically.

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 344-21 on first reading, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 12. Any other old/new business, questions or matters from the audience

Mr. Meacham stated you talked about the wastewater plant, is this the one that Mr. Adair built and we are trying to get it up to our standards?

Mayor Coats stated yes.

Mr. Steinbach stated he will send an email out to learn the Boards availability for an Attorney meeting due to litigation items that you need to be updated and made aware of and he also forgot to mention the fact that we received \$36,728.00 from the State and will recognize that on the first amendment.

Agenda item 13. Adjournment

Action taken: Vice-Mayor Binkley made a motion to adjourn the meeting, seconded by Commissioner Davis. The Motion received all affirmative votes and the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____