

**MINUTES OF REGULAR MEETING
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
January 21, 2020, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on January 21, 2020 at 7:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Preston Trotter, and Commissioner David Crislip present. Commissioner Hugh Davis was absent. City Manager Steve Steinbach, Finance Director Maria George, Building Inspector Daniel Hyde, Police Chief Phil Hendricks, Fire Chief Reed Bullock, City Engineer Harvey Matheny, Public Works Director Bill Kilp, Building Inspector Daniel Hyde, and City Recorder Beverly Holloway were present. City Planner Brett Morgan was absent. Debra Joyner (Fayette Falcon), Vicki Hancock, William Meacham, Liz McCommon, Charles McElwee, Tom and Rhonda Newcombe, Danny Germany, John McCarty (Shaw's Creek), Fire Lt. Adam Hursh, Firefighter Michael Weldy, Firefighter Dwayne Cochran, Firefighter Jeff Rice, Officer Ty Wilson, 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 7:00 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 Commissioner Preston Trotter 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 Trotter. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of December 17, 2019: Motion to adopt the Minutes of the Regular Session of December 17, 2019

Action taken: There were no changes to the Minutes of the Regular Session of December 17, 2019, Commissioner Crislip moved to approve the Minutes of the Regular Session of December 17, 2019, seconded by Commissioner Trotter. The Motion received all affirmative votes.

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

City Manager Steve Steinbach stated we are half way through FY 2020, our revenues are tracking where he likes to see them, we are at 55% overall, sales tax has been trending down for the last several months which is somewhat of a concern, Maria does an excellent job in tracking those and he is confident with the new developments on the horizon that we will get back to where we like to see that number, property taxes are starting to inch up and our building permit income has been tremendous which is covering some of the short fall from the sales tax, cash positions are strong, balance sheets across all the funds are very strong, we received an advanced view of our audit from last fiscal year which will be presented to the Board next month, the numbers look great and most important was a positive net position in our enterprise funds which is what the State looks at. Mr. Steinbach introduced the new Public Works Director, Bill Kilp and we are very pleased to have him with us.

Building Inspector Daniel Hyde stated during the month of December, there were 29 total permits with 5 permits for new single family dwellings, conducted 156 total inspections with 9 code compliance contacts.

Commissioner Hugh Davis inquired did the person on Hwy 196 empty the trailers or close them up.

Mr. Hyde stated he thinks they are still full and we are still in the process.

Mr. Steinbach stated the Ordinance recently adopted is in place and we are pursuing taking the landowner to court in Somerville.

Fire Chief Reed Bullock referred to the department's annual report distributed to the Board this month, and stated there was 1 resignation and we filled that position within from our reserves, the majority of the training was done in the fire area with a total of 3104.65 hours of training hours throughout the entire year, the new squad has arrived and will replace the 2008 F450, the national average response time is roughly 5 minutes and within our city-3 minutes and 47 seconds is our average response to arrive on scene with an average of 3 personnel on that, there were 384 calls which is a 33% increase over last year (353 within the City), 41% call are medical,

Mayor Coats inquired if all the fire hydrants have been repaired and functioning.

Chief Bullock stated all hydrants have been maintenance but we are still prioritizing the list for repairs, the major repairs are done and from that we are pulling back and getting the secondary list, and then we will move to pipe issues (hydrants below the grade) and will prioritize and budget for that, we are functioning and during the maintenance we did have some questions on pressure and it did show us where we had a few valves that were closed and all hydrants throughout the city have been fitted with a GPS device which will provide building blocks going forward for water models and for future growth.

Police Chief Phil Hendricks stated during the month of December there were 84 dispatched calls, 3 incidents, 1 arrest reports and 5 vehicle crashes (1 involving deer) and will provide the annual report for his department.

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

Agenda item 6. Recess- hold Public Hearing concerning Ordinance No. 315-19, amending the Budget for FY 2019-2020, (First Amendment) for the City of Piperton

Mr. Steinbach asked the Board to table items 6 & 7 until next month as the biggest component of the amendment relates to the Public Works building.

Action taken: Vice Mayor Binkley moved to table items 6 & 7, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 7. Second Reading, Ordinance No. 315-19, amending the Budget for FY 2019-2020, (First Amendment) for the City of Piperton

Action taken: This item was tabled.

Agenda item 8. Resolution No. 20-216, a resolution of the Board of Mayor and Commissioners of Piperton, Tennessee, affirms "*In God We Trust*" as the official motto of the United States and supports the display of the National Motto in all city owned buildings, schools and on all marked first responder vehicles

Commissioner Davis stated not everybody is a believer and there are atheists among us too so we have to be careful, I can support putting it on anything you want to put it on, but I think it is offensive to put it on a police car, and inquired if "to serve and protect" is on anything, some Cities do that and that's what police do is "serve and protect" and ask Chief Hendricks how he felt.

Chief Hendricks stated I don't have a problem with it, sir and I don't have a problem with it going on the vehicles.

Mayor Coats stated if the Police Department doesn't want to put it on there, it is their option, and the same with the firefighters, I have already talked with Chief Bullock and he is already for the idea.

Commissioner Davis said if it makes people feel stronger that is fine, I am a Christian and I have been one all of my life but thinks that is a little much to do on police cars.

Rhonda Newcombe (resident) stated I don't think anyone is going to be happy that a police officer is writing them a ticket regardless of what is on their cars but I think they would appreciate having it on there if they are there to save their life.

Action taken: Commissioner Crislip moved to approve Resolution No. 20-216, seconded by Commissioner Trotter. The Motion received four affirmative votes with Commissioner Davis opposed. Motion passes.

Agenda item 9. Resolution No. 20-217, a resolution to release and cancel letter of credit #8629802 dated April 18, 2019, issued by the Bank of Fayette County, in the amount of \$25,000.00, for Piperton Preserve Phase 1 on behalf of RusDun Farms, Inc.

Harvey Matheny (City Engineer) stated Phase 1 contract was approved approximately four years ago, all homes are built, there maybe 1 or 2 lots remaining but the surface asphalt was put down well over a year ago, sidewalks are in place, and per the development agreement the developer is eligible for release of the remaining letter of credit.

Vice-Mayor Binkley inquired it is past the warranty and no issues I assume.

Mr. Matheny stated it is, the last issues that staff was aware of where some minor drainage concerns across the northwest or southwest corner where there were issues with the water draining across the pavement, believes that has been addressed and doesn't know of any other issues in that phase.

Commissioner Trotter inquired if there was a water leak issue or sewer line issue.

Mr. Matheny stated that was not in Phase 1 but in Phase 2 and I believe that has been addressed.

Action taken: Commissioner Trotter moved to approve Resolution No. 20-217, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 10. Resolution No. 20-218, a resolution to release and cancel letter of credit #85329402 dated January 9, 2019, issued by the Bank of Fayette County, in the amount of \$15,000.00, for Piperton Preserve Phase 2 on behalf of RusDun Farms, Inc.

Mr. Matheny stated Piperton Preserve Phase 2 is east of the boulevard, all surface asphalt and sidewalks are in place in Phase 2, staff doesn't know of any outstanding issues so staff recommends release of the letter of credit and it is past the warranty period.

Action taken: Vice-Mayor Binkley moved to approve Resolution No. 20-218, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 11. Resolution No. 20-219, a resolution to adjust the development security amount from \$250,000.00 to \$ 125,000.00 for Glenn Farms Phase 1, on behalf of Whitten Bend Investors, LP

Mr. Matheny stated the building for Crown Equipment is up but it is not occupied yet, the Shelby Drive improvements except for surface asphalt are in place, the Glenn Farms Cove is in place except for surface asphalt, the pump sewer lines are in place, the pump station is in place and the pump is not operational yet as they are waiting on

Chickasaw to finish their part of the project so the remaining items of public infrastructure would be surface asphalt and sidewalks on the public streets those will wait for some time, and they have the water connection down Shelby Drive to the building but the loop system down to Hwy 72 is in progress and should be completed within a couple of weeks so staff believes the \$125,000.00 letter of credit that we will continue to hold is adequate to protect the City's interest.

Commissioner Trotter inquired if the remaining \$125,000.00 is enough to cover the warranty for what is already installed plus what hasn't been installed.

Mr. Matheny stated it is sufficient and when they come back to ask for that to be reduce we will take in to consideration what type of latten defects or failures we might anticipate but it is sufficient.

Action taken: Commissioner Trotter moved to approve Resolution No. 20-219, seconded by Vice-Mayor Binkley, The Motion received all affirmative votes.

Agenda item 12. Consideration of Bid/Bid Award – Ridgewood Grove – Drainage Improvements

Mr. Matheny stated this item was discussed at the last meeting, we took bids on a project to install a drainpipe along the north property line of this vacant parcel, currently the flow comes under the road with the culvert and flows down the north property line of this property and then it generally goes at an angle through this wood area toward this culvert crossing, the project is to pick up the water near this corner and take it directly east and discharge it into this existing road side swale so it ends up at the same point but takes the flow going at a diagonal across this lot and reroutes it and as you recall we had desired to get a public easement along Mr. Sepko's north property line to which he has spent a lot of money and put a lot of personal effort into, put in some rip-rap and stabilized the swale across his property line but it is showing some signs of stress and believes he will have to continue to maintain it but at this point in time it is in good shape, staff had approached Mr. Sepko about getting the public easement, he had certain conditions to which the City agreed to those conditions with some minor modifications and just before the last meeting he decided not to grant that public easement so at this point in time we don't have a public easement across this property, there would be a public easement along this drainpipe that we are installing so that has been part of the hold up, so for your consideration tonight is to determine if you are comfortable with having water come through a public culvert under the road and discharging into a private swale then go into a public drainpipe over to our right of way, it is designed and bid and ready for construction, part of this project involves some re-grading at the discharge point to smooth it out and get the water to flow properly into the swale. The low bid was Encor, LLC at \$27,000.00, this is a rebid of this project once before and all the bids were considerably higher so we changed some specs/material to try to reduce the cost.

Action taken: Commissioner Trotter moved to accept/award the bid from Encor, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 13. First Reading, Ordinance No. 319-20, amending previously approved Master Development Plan/CD-O of Shaw's Creek (Ord 87-06)

Mr. Matheny stated Shaw's Creek CD-O is currently approved for 80 lots in Phase 1 and 1A and most of the lots have been developed and there are still some vacant lots, the proposal is to amend the CD-O in a few different ways, one of the amendments is to change Phase 2 which was originally planned to be on the east side of the creek and the applicant would like to change the phasing plan and make Phase 2 the area just west of the existing Phase 1 development and the previous Phase 2 would

become Phase 4 of the development, and another request is to remove the requirement for the walking trail previously approved and one of the stipulations for that to be considered was to obtain the approval of the homeowner's association and the approval letter is in the Board's packet agreeing to release that requirement from the CD-O with the condition that all of the common open space on the westside of the creek be platted and dedicated to the homeowners association and the developer has agreed to that and staff would require a re-platting of Phase 1 to incorporate that common area and two other items the City has required as part of this amendment that the developer would have to address some erosion concerns in phase 1 along the north side of the street where the creek comes under the road and there is another area that is beginning to become an issue it is the discharge from the end of a cul-de-sac into the creek so staff would like that to be stabilized and lastly in the drip field area for the decentralized sewer system, there is a significant amount of flow coming off of the development going through the drip field and so staff has asked that this water be picked up and rerouted directly down into the creek to take the burden and the moisture off the drip field.

Mayor Coats inquired if that would be rerouted inside or outside of our fence.

Mr. Matheny didn't have an answer so the Mayor inquired of Mr. McCarty (representing Shaw's Creek).

John McCarty stated we have not survey that area but more than likely it will be on the outside, we don't need to be operating near your drip field lines.

Mr. Matheny stated we also would require that this wash area within the drip field area be top grassed appropriately to mitigate the erosion that is occurring now.

Commissioner Trotter inquired if there were any changes to the number of lots.

Mr. Matheny stated there is no change in load destiny so it is just a change in phasing and there is a requirement for a construction access road.

Mayor Coats stated there should be a stipulation that they repair the east-west road when phase 2 and 3 are complete.

Mr. McCarty stated that will be in the development agreement for Phase II.

Mr. Matheny stated the Phase II development agreement will included the items you discussed (the construction access road and other requirements for maintenance and repair).

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 319-20 on first 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

Commissioner Davis stated he will be forwarding some research that was done through Memphis Area Association of Governments, Mt. Hebrew Church (right side of Keough) has been sold but it is a part of Piperton history dating back to 1876 and we know the RusDun family owns the two room school on the north side of Keough, so he would like to forward the pictures so they are placed in the City archives to preserve it, the cemetery is not going anywhere and it has been here since 1875 or 1876 so we do have a little bit of history around here and we should try to preserve it as best we can.

Mayor Coats stated we might want to periodically add to the website and start going through some of the history that would be interesting.

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 7:43 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____