

**MINUTES OF REGULAR MEETING
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
May 19, 2020, 7:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on May 19, 2020 at 7:00 p.m. at the Public Works Building, 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, Finance Director Maria George, Building Official Tommie Johnson, Police Chief Phil Hendricks, Fire Chief Reed Bullock, City Engineer Harvey Matheny, City Planner Brett Morgan, Public Works Director Bill Kilp, and City Recorder Beverly Holloway were present. Vicki Hancock, William Meacham, John McCarty, Fire Lt. Adam Hursh, Firefighter Jeff Rice, 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: Mayor Coats 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 change to the Agenda with the addition of Piper Hollow-Extension to Approved Development Agreement as item #7, Vice-Mayor Mike Binkley moved to adopt the Agenda with the that one change, seconded by Commissioner Hugh Davis. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of April 21, 2020: Motion to adopt the Minutes of the Regular Session of April 21, 2020

Action taken: There were no changes to the Minutes of the Regular Session of April 21, 2020, Commissioner David Crislip moved to approve the Minutes of the Regular Session of April 21, 2020, seconded by Commissioner Hugh Davis. 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 did get an email with the updated sales tax but even with that we are going to fall short on our sales tax and several other items but we are blessed with continued strong cash positions, balance sheets are good across the various funds with the exception of the police operating fund but we are in good shape.

Building Official Tommie Johnson stated during the month of April, there were 62 active homes under constructions, 38 total permits, 5 permits for new single family dwellings, conducted 171 total inspections and handled 22 code compliance issues.

Public Works Director Bill Kilp commended the Public Works/Utilities staff, for the month of April his staff responded to 15 sewer related work orders that included 3 pump-

outs of septic tanks, 44 water system work orders for water related maintenance and repairs that also included setting meters & leaks, there were 7 street repairs, 6 sign repairs and grass cutting has started, had 237 utility locates, we are working on the water line lowering project on Hwy 196, Chickasaw Electric has installed the lights at Poplar Acres at Hwy 196 and Windbrook at Hwy 57, hopes to occupy the Public Works building at the beginning of next month.

Mayor Coats stated they will be replacing the 6 inch line with a 12 inch line while lowering that line.

Fire Chief Reed Bullock stated there were 4 permits, 5 rough-in inspections, 6 final inspections and issued 8 burn permits, there were 20 total calls (18 in the City) and the call volume is down.

Police Chief Phil Hendricks stated during the month of April there were 17 dispatched calls, 0 incidents, 0 arrest reports and 0 vehicle crashes and across the board with the exception of commercial alarms everything is down compared to this time last year, hired two new officers and trying to get two more during the month of June.

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

Agenda item 6. Recommendation concerning reduction of Letter of Credit – Fayette Trade Center

City Engineering Harvey Matheny stated the developer for Fayette Trade Center has requested a reduction in their letter of credit, currently we are holding a Letter of Credit for \$100,000.00 and in your staff report there is itemization of the public improvement and other required improvements such as landscaping and their percent completion and based on the value of what is left to be completed which is primarily Milton Drive improvements (left turn lane on Milton Dr.) but based on that evaluation they have requested reducing down to \$30,000.00 and staff agrees with that request and they anticipate completion in late June 2020.

Action taken: Commissioner Davis moved to approve the Letter of Credit reduction from \$100,000.00 to \$30,000.00, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 7. Piper Hollow – Extension to Approved Development Agreement

Mr. Matheny stated this is a request by the developer of Piper Hollow Phase 1 to extend their contract, approval was granted from the Board in February and the contract states they have 15 days to provide the Letter of Credit, surety and insurance certificates and they have been in contact with staff during that time and they have experienced some difficulties probably related to Covid-19 dealing with lenders and other agencies so they have requested an extension of their contract until June 30, 2020 for payment of fees, providing surety and delivery of insurance certificates, staff recommends the requested extension and will have 15 days subsequent to that to provide their information.

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

Agenda item 8. Recess-hold Public Hearing concerning Ordinance No. 324-20, amending the Piperton Business Center Phase 2 Planned Development Overlay (PD-O) Master Development Plan

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

City Planner Brett Morgan stated this is a request for an amendment to the Master Development Plan for Piperton Business Center Phase 2 PD-O, Bruce Yancey is the applicant of Lot 10 and is requesting the approval of a setback and utility easement variance for the location of a 27,000 square foot accessory structure, the variance would allow the structure to encroach into the existing 25' setback and 15' utility easement to 5' off the property line, the amendment to the PD-O's bulk regulations specific to lot 10 is require, the Planning Commission approved and recommended to the Board to amend the plan with conditions, the amendment applies to lot 10 only, all owners of the PD-O had to give their approval and sign off on it, a letter from Chickasaw Electric agreeing to the reduction of the utility easement.

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

Agenda item 9. Second Reading, Ordinance No. 324-20, amending the Piperton Business Center Phase 2 Planned Development Overlay (PD-O) Master Development Plan

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 324-20 on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 10. Recess-hold Public Hearing concerning Ordinance No. 320-20, amending certain portions of the text in the Piperton Zoning Ordinance: Article 2-Definitions, Article 3-General Provisions related to Self-Contained Mobile Food Truck Operations

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

Mr. Morgan stated this Ordinance addressed the regulations pertaining to Mobile Food Trucks, it deals with permitting process, places where they can operate and safety issues.

Mr. Meacham inquired who will enforce this ordinance.

Mr. Morgan stated the permitting process and the safety issued will be handled by the Fire Chief.

Commissioner Davis stated under enforcement, it does stated the provisions of this chapter shall be enforced by any police officer, code enforcement official or any other duly authorized official of the City of Piperton.

Chief Bullock went over safety regulation required by NFPA as well as the 2018 International Fire Code and must comply with Fayette County Health Department regulations.

Mr. Morgan stated there will be a specific application form and will have to set up the fee schedule structure, the Planning Commission did approve and recommended it to the Board.

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

Agenda item 11. Second Reading, Ordinance No. 320-20, amending certain portions of the text in the Piperton Zoning Ordinance: Article 2-Definitions, Article 3-General Provisions related to Self-Contained Mobile Food Truck Operations

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 320-20 on second reading, seconded by Commissioner Crislip, The Motion received all affirmative votes.

Agenda item 12. Recess – hold Public Hearing concerning Ordinance No. 322-20, amending certain portions of the text amending in the Piperton Zoning Ordinance: Article 7-Provision governing manufacturing districts-amendments to bulk regulations for M-1, M-2 and M-3 districts

Action taken: Commissioner Davis moved to recess, seconded by Vice-Mayor Binkley.

Mr. Morgan stated this is to reduce the required lot size in our manufacturing districts when there is the availability of centralized sewer, this amends the text of those districts and the minimum size is reduced to 1 acre provided there is centralized sewer available.

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

Agenda item 13. Second Reading, Ordinance No. 322-20, amending certain portions of the text amending in the Piperton Zoning Ordinance: Article 7-Provisions governing manufacturing districts-amendments to bulk regulations for M-1, M-2 and M-3 districts

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 322-20 on second reading, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 14. Recess – Public Hearing concerning Ordinance No. 323-20, amending section 1-101 of the Piperton Municipal Code Book pertaining to the meeting time for the Board of Mayor and Commissioners

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

Mayor Coats stated this will change the time from 7pm to 6pm.

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

Agenda item 15. Second Reading, Ordinance No. 323-20 amending section 1-101 of the Piperton Municipal Code Book pertaining to the meeting time for the Board of Mayor and Commissioners

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 323-20, on second reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 16. Consideration of Bids/Awarding of Bids re: Concrete Water Table and Drive Entrance off of Hwy 196 (the Public Works South Entrance Drive)

Mr. Kilp stated on April 29th sealed bids were received for the construction of a concrete water table, this is a lower drive apron into the Public Works complex off of Hwy 196, originally we were going to have a culvert crossing at the sanitary force main, this was too shallow and wasn't able to be constructed, plans were drawn and bid out, we received two bids from B & C Construction and R& R Construction of which B & C was the low bidder, staff recommends awarding to B & C Construction in the amount of \$29,500.00 and the second bid was \$41,500.00, the purpose for this is to bring in heavy construction equipment that way instead of coming in the parking lot and there will be a fence there.

Mr. Steinbach stated the winning bid is still in excess of the estimate the Board approved as part of the Budget amendment and this is an item we are including as part of the Governor's Grant, we hope to have it funded as Piperton has been allotted \$70,000.00 plus and this will be reflected in a budget amendment, there are grading considerations too and we have to get this done.

Action taken: Vice-Mayor Binkley moved to approve the \$29,500.00 bid, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 17. Approval of expenditure for emergency waterline repair (Hwy 196) and subsequent FY 2020 Budget Amendment

Mr. Kilp stated two weeks ago TDOT was in Piperton doing a bridge repair and made me aware the 6" water line was exposed as it crossed a drainage ditch on South Hwy 196 and is surrounded by tree debris that seem to be protecting it but once the debris is removed the pipe is more vulnerable to damage and an emergency repair, I am working with Madden Phillips Construction to do the emergency repairs, TDOT has approved this project and 120 feet of 12" ductile iron steel pipe will replace the 6" pvc pipe, all State permits have been obtained and work is expected to started Monday, May 18, the cost of this project is about \$45,000.00 and a budget amendment will be recommended to cover the construction costs.

Action taken: Vice-Mayor Binkley moved to approve the emergency expenditure for the water line of approximately \$45,000.00, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 18. Resolution No. 20-222, Governor's Local Government Support Grant

Mr. Steinbach stated Piperton will receive \$70,429 to be used for items dealing with existing facilities, capital improvements (paving) and the rest of the items are primarily related to infrastructure (hardware, technology) for the various departments to communicate to one another via the internet.

Chief Bullock stated this Resolution covers multiple projects which are broken down into 6 projects (3 in Capital Maintenance category & 3 in Information Technology) and went over the project breakdown items for the benefit of the Board.

Action taken: Commissioner Davis moved to approve Resolution No. 20-222, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 19. Resolution No. 20-223, Nomination of 2009 Ford Crown Victoria for disposal of sale as surplus public property.

Action taken: Vice-Mayor Binkley moved to approve Resolution No. 20-223, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 20. FY 2021 – Presentation of Projected Revenues and Preliminary Expenditures

Mr. Steinbach stated the City Charter requires that the City Manager presents to the Board each year an explanation of revenues and projected expenditures, we have determined a base line for what our revenue picture looks like and would like consideration of a work session the week of June 1st to discuss the budget, the first reading of the budget is proposed on June 9th and a final reading on June 23rd, on the General Fund Revenue we are projecting an overall decrease of \$132,774.00, the enterprise funds we are projecting an increase of \$1,088.06, we still expect to meet our budget and we will continue to see a hit to certain revenue streams but is optimistic and will be strong in the third and fourth quarters, reviewed the 2021 estimates for General Fund revenues, due to strong property tax collection staff is forecasting an increase in General Taxes of a \$100,000.00 and that includes a flat forecast for sales tax and that is a conservative projection, the Dollar General Store is moving swiftly to completion, we are budgeting the same as last year, in State Shared Taxes-forecasting a reduction of \$18,000.00, Permits/Fees-forecasting a reduction of \$17,000.00, Fines/Forfeits-with the addition of new officers staff is forecasting a reduction of \$120,000.00, Miscellaneous Revenues-forecasting an increase, on the Enterprise fund; Water Revenues and Sewer Revenues-projecting considerable increases, have halted our cutoff process during the current pandemic and are anticipating increases in revenue streams of \$60,000.00 in Water and \$16,000.00 in sewer for a total increase of \$ 75,875.00, and as part of the effort to reduce the dependency on the General Fund staff is proposing to increase the percentage of salary for our public works/utility personnel who are currently paid in the General Fund and our Enterprises Fund Operations is now able to endure a greater burden of the personnel cost, in Sanitation-projecting an increase of \$18,000.00 even with the annual increase from our vendor and there is no need to pass it on to the residents at this time and the projected increase in the revenue stream is related to an increase in the number of customers, State Street Aid is related to State revenue (Gas Tax) projecting a decrease, and the Drug Fund is money we don't budget for, so the total revenue of all sources projected is \$4,445,203.70, that is an increase of \$ 88,760.70 but if you take out the Grant \$70,429.00 we are actually a little lower than what budgeted for last year, basically the personnel expenditures are going to be the highest expenditures and the salary expenditure for the coming year is projected at 2.1 million dollars that is inclusive of 2 new positions for Public Works, a full time Building Inspector position (Elizabeth Reed) in the Building Department (Mr. Steinbach and Commissioner Davis commended Elizabeth Reed) and proposing 3% raises for staff along with a couple of salary adjustments to make, (Mr. Steinbach commended Gerald Dixon and Anthony Harville) and when you add in our operational expenses to our salary requirements the total personnel and operating expenses are roughly 3.4 million dollars, an objective review of our revenues compared with that tells staff we

are in a position to cover our liabilities, even with the pandemic, would like to discuss the increase that I will be proposing to the Board for next fiscal year in our property tax, we are in good shape but in order to grow our organization and base it on the stream of revenue that is going to be consistent and we can project on and I think it will be necessary that we engage in an incremental increase in property tax and that is how I would recommend to the Board, we have increasing obligation primarily in our growing infrastructure and it is our responsibility to maintain it'

Agenda item 21. Any other old/new business, questions or matters from the audience

Mayor Coats stated to Mr. Kilp, your group did a great job on the drainage issue on Keough Road and looks like a professional job.

Mr. Matheny brought a matter before the Board, we have had discussion over the last several months with Threesco LLC (developing entity behind the Power & Tel development on Keough Dr.) and there is a small odd shaped parcel of land between their property and the interstate, it is about .9 acres and has a 100 foot wide MLG&W easement going through the middle of it and it is City-owned property and it is a piece of property that Threesco has expressed interest in acquiring it, at this point I think it is uncertain as to whether it is best for them to acquire it or for it to be lease, they have submitted an informal request on this which is before you now along with two other attachments and on the third page you will see their proposal which is to do some light grading on the site but they would propose to dress it up, clean it up and extend their walking trail on it.

Mr. Steinbach gave the history of this parcel and while the transfer of public property back to the private market place can be a difficult endeavor, I can see no particular need for this particular property and would support getting it back on the private tax rolls, there would have to be an appraisal and bidding process perhaps and my suggestion is we look at a long term land lease and if they deal with it the parcel will continue to be an eyesore right at the entrance of our community, so staff is asking for the Board's input and support in pursuing an option to either sell the property or investigate a means to lease long-term for \$1.00 a year that will enable them to improve the property.

Commissioner Davis inquired what we did on the back side on Hwy 196 in Greenbrier, did we ever transfer any of that property to residents.

Mr. Steinbach stated we didn't, that would require unanimous consent of an entity that didn't exist at the time, and there was no HOA to convey it to.

Mayor Coats stated his preference would be to sell it if we could.

Mr. Steinbach stated he will discuss with the City Attorney and get back with the Board.

Mr. Morgan stated it is essentially a gateway property to the City, we may want to think about whether or not you lease it that you want an easement to remain there for some kind of gate way signage or something.

Mr. Steinbach stated when it first came up to maintain a blanket easement over it for any utility type purpose.

Mr. Matheny stated that has been conveyed to them in the discussion.

Vice-Mayor Binkley inquired on the time frame for the expansion of Keough right there.

Mr. Matheny stated TDOT is actually moving along with the project, it will probably be next summer.

Mayor Coats inquired about Hwy 57 improvements where Dollar General is going to be.

Mr. Matheny stated that is part of the Dollar General Development plan and they have an agreement with TDOT to widen it.

The Board gave approval for staff to look into the options for Threesco's request.

Agenda item 22. 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 8:22 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____