

**MINUTES OF REGULAR MEETING  
PIPERTON BOARD OF MAYOR AND COMMISSIONERS  
June 23, 2020, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on June 23, 2020 at 6:00 p.m. at City Hall, with Board members: Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Preston Trotter and Commissioner David Crislip (arriving late). Commissioner Hugh Davis 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, Elizabeth McCommon, John McCarty, Carson Hardwick, Eric Tucker, Frank Fitzgerald, 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:** Elizabeth McCommon 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 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.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of May 19, 2020: Motion to adopt the Minutes of the Regular Session of May 19, 2020

**Action taken:** There were no changes to the Minutes of the Regular Session of May 19, 2020, Commissioner Trotter moved to approve the Minutes of the Regular Session of May 19, 2020, seconded by Vice-Mayor Binkley. 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 we are wrapping up fiscal year 2020, cash positions are healthy as our fund balances across the board, and we will exceed our budget number for sales tax collection, we had the greatest sales tax revenue last month and we are in good shape.

Building Official Tommie Johnson stated during the month of May, there were 66 dwellings under constructions, 60 total permits, 9 permits for new single family dwellings, conducted 198 total inspections and handled 9 code compliance issues.

Public Works Director Bill Kilp commended the Public Works/Utilities staff, for the month of May his staff responded to 44 water and sewer related work orders that included meter sets, meter register issues and leaks, there were 6 street repairs and completed a

couple of drainage projects, grass cutting has started and picked up over 30 bags of litter throughout the city, have installed new signs, there were 317 utility locates, contracted construction services will soon begin for the southern drive entrance on Hwy 196 to the Public Works site, took occupancy of the new facility in May and we are doing some cleanup of the vacated site.

Mayor Coats stated the common open spaces look good with the projects of killing the weeds and fertilizing.

Mr. Kilp stated they are looking at some right-of-way spraying maybe this year to reduce some weed growth.

Vice-Mayor Binkley stated there are 2 spots on Hwy 196 where the water is in the road, out in front of the Church where there is more water running in the road than in the ditch, it doesn't appear to be getting to the ditch.

Mr. Kilp stated there is a section headed to Russell Road that I have reported to TDOT and will continue to notify them and encourage them to get it repaired as quickly as they can.

Fire Chief Reed Bullock stated we did a commercial final inspection on Fayette Trade Center, there were 10 final inspections on homes and issued 15 burn permits, there were no business safety checks for the month due to Covid-19, and there were 33 total calls (31 in the City) with 9 medical calls (29% of total calls for the month) .

Police Chief Phil Hendricks stated during the month of May there were 19 dispatched calls, 5 incidents, 2 arrest reports and 0 vehicle crashes, during May we hired two new officers and in June another Officer will join the department and currently processing 3 additional applicants.

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

**Agenda item 6.** Accessory Structure – Jackie Adair, 1715 Twin Hill Way

City Planner Brett Morgan stated the Planning Commission made a recommendation to the Board to review because of its size, the proposed structure will sit on a 10 acre parcel, the principal structure is 5,200 square feet (s.f.) and the accessory structure measures 1,620 s.f. and that puts it above the 1,200 s.f. threshold required by the Board to review and approve even though it does place it within the 40% of the principal structure recently approved by the Board, this is to be used as a pool house (contains a tv room, kitchen, and a bedroom) and this shall not be habitable, the Planning Commission reviewed the size and materials (same as primary structure) as DRC and approved and recommended to the Board.

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

**Agenda item 7.** Accessory Structure – Eric Tucker, 580 Ballard Rd

Mr. Morgan stated the proposed structure will be on a 79.43 acre parcel at 850 Ballard Road, this structure is over 1200 s.f. but also breaks the 40% requirement that Planning Commission approved and the Board adopted, this structure will be strictly used for storing tractor equipment etc., and in the Zoning Ordinance under 3.3.J, it states exceptions for approval-1. Agricultural related improvement and 2. Proposals for accessory structures on lots/parcels greater than 5 acres can be approved for beyond the normal

approved size, the Planning Commission recommended approval (including DRC approval) to the Board.

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

**Agenda item 8.** First Reading, Ordinance No. 328-20, amending the Master Development Plan of the Madeline Farms CD-O, formerly LaGrange Pointe CD-O; (Ord. No. 81-06 & Ord. No. 95-06)

Mr. Morgan stated this application was made by Frank Fitzgerald and the total site is 269.50 acres and the applicant is requesting to amend the overall Master Development Plan by modifying Phase 2 and Phase 3, Phase 2 will lose 12 lots and Phase 3 will lose 10 lots, overall the loss of 22 lots over the approved Master Development Plan, this also reduces the density to 0.68 DUA and increasing common open space acreage from 50% to 57%, Planning Commission reviewed and with staff recommendation approved it with conditions; the main condition being that the improvements that were supposed to happen in Phase 1 never were completed in that phase that included the entrance to Raleigh LaGrange Road and a dedicated road system that was to connect this property to the west ultimately in the future (as shown on the Major Road Plan), the Planning Commission considered when to require the connection of the road, so one of the conditions that was approved was to connect this road or a payment in lieu when Phase 4 occurs, another request made by the applicant was in the Common Open Space Plan that goes with all CD-O's was to remove the gazebo as a requirement of this development, the Planning Commission did remove the requirement of the gazebo but did emphasize the need of the sports pavilion, the sports field and the connecting walking trails from Phase 1 to Phase 2 and to Phase 3 to be built as it goes and not put off to any future date, as far as the Raleigh LaGrange connection is concerned, the Planning Condition basically tied it to the approval of Phase 3, this must be approved by the City Engineer and by Fayette County, another thing that was required in the previous plan Phase 4 was pushed up against Raleigh LaGrange Road and the original conditions of approval were 120 feet off so they have already made the change but the right of way needs to be shown, and a note regarding payment in lieu on the new Master Development plan, Planning Commission voted to approve with conditions and recommended it to this Board, the plan is to come back and modify Phase 4 to be more consistent with the existing lots but if they don't do that right now the bulk requirements for setbacks need to be changed because the setbacks on the bigger lots have been imposed on the smaller lots, and so the request initially was to go from a 40' front yard setback to a 30' front yard setback, 10' side yard setback to 5' side yard setback, 30' rear yard setback to 20' rear yard setback, and in this Master Plan until they come back for another amendment those bulk requirements need to be changed and memorialized in this new amended plan and so the five conditions that were made: 1) the removal of the gazebo, 2) payment in lieu for the western access street, 3) center connection to the 3<sup>rd</sup> phase of the development, 4) add a third entrance to phase 4 and move it 120' south and 5) modify the common open space plan to reflect the changes that were approved by the Planning Commission.

Commissioner Trotter inquired is the wastewater treatment plant was designed and built with the original number of lots, is that correct?

Mr. McCarty stated yes, 206 lots and went over the plan for phase 4 per the Mayor's request, so we have purchased additional land and our goal is to come in with Phase 4 and stretch it out to encompass this whole area, to provide the same size and style lot that is in Phase 1 & 2, which has been a very desirable product and a good fit for that part of town, it will lower the density but will keep the same number of lots.

**Action taken:** Commission Trotter moved to approve Ordinance No. 328-20 on first reading, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 9.** First Reading, Ordinance No. 329-20, amending the Piperton Business Center Phase 2 Planned Development Overlay (PD-O) Master Development Plan (Ord. No. 93-06, Ord. No. 275-16 & Ord. No. 324-20)

Mr. Morgan stated recently lot 10 of Piperton Business Center Phase 2 PD-O made an application to modify the building setback on this line that is contiguous with I-269 and also the utility easement that was codified under Ordinance No. 324-20 and since then the owner of lot 12 (Mr. Jeffrey Salentine/JS Designs) has requested the same thing so that he can put a metal carport essentially reducing the right of way back to 5' off the line and in discussing this it is apparent that the need was to change all the lots in this phase to have the same building setback and the same utility setback off the highway to make these all consistent in regards to rear sideyard and utility easements being 5', the same process occurred-owners signatures required for Phase 2 & Chickasaw Electric wrote a letter agreeing to the reduction across lots 10-13 so they have now submitted a Master Development Plan now modified that reads lots 10 thru 13, this ordinance will replace the most recent ordinance.

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 329-20 on first reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 10.** Recess-hold Public Hearing concerning Ordinance No. 325-20, amending the Budget for FY 2019-2020, (second amendment)

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

Mr. Steinbach stated this is the second and final amendment for fiscal year 2020, it covers the General Fund (Exhibit A), Water Fund (Exhibit B), Sewer Fund (Exhibit C), Special Revenue Fund consisting of Street Aid and Sanitation (Exhibits D & E), this is largely a reconciliation amendment that cleans up revenue that either exceeded projections or underwhelmed projections and lastly to address specific line items that were under budget or grossly over budget and anything in between as it relates to accounting accrual procedures in reconciling the final budget, the General Fund amendment deals with 18 revenue items and some 30 expenditure items so we are recognizing increased revenues from property taxes of \$35,150.00, \$88,000.00 increase in the Building Permit income, recognizing the loss in our law enforcement-Citation/Traffic Violations of \$170,00.00 due to the pandemic and associated revenue items that track that revenue source and the end result is an amendment to our current budget that is \$29,920.00 less and the bulk of that is our Traffic Violations and missing from this list as I pointed out with regard to the April and May sales tax receipts we did not include that because we gave up projecting after we got that April's sales tax receipt so we are not certain how that is going to end up and that will be rolled into fund balance, with regards to expenditure items we are dealing with

emergency expenditures, expenditures authorized by the City Manager for various departments that addressed issues that were unavoidable and had to be addressed-they are broken across departments, where you see wages for example on the first expenditure item that's largely an accrual item (meaning how the fiscal years overlap), we are on an accrual method so we book those in advance of any cash taking place so they have to be reconciled at the end of the year, won't discuss the smaller items; Admin-Property Due Diligence is related to the Pinckney property because we funded the earnest money payment which will be credited back to the purchase price and out of that due diligence I still need enough money to pay for phase 1 which is underway, environmental study and a survey soon to be underway and a home inspection; Building Dept. Salaries same as with the Court Wages-it is an accrual item; Police Wages-reduction due the loss of several officers and all of the associated expenditure items that are related to that; Fire Dept.-covid supplies which were unbudgeted, Office Expense-minor adjustments, Wages-again related to our accrual method of accounting, Overtime-increase, FICA-slight adjustment, Hospitalization Insurance-decrease for changing classification and the removal of the funded buffer for deductibles and Public Works Wages-underestimated, Copier lease was an unbudgeted item, and the variety of smaller items, the reduction overall is \$44,318.12; Exhibit B (Water Fund) we are dealing with revenues and expenditure items, several items identifying increased revenue streams over a projected revenue totaling \$24,310.00-most of these related to the increase building development activity over the course of the fiscal year; Miscellaneous contains various items related to payment received for damages done to City property and under expenditure items-Data Processing Support Charge-the Board authorized the purchase of the new meter reading software; Material/Supplies/Maintenance contains emergencies and items that had to be address, Water Meters relates to a revenue stream, Insurance-minor adjustment, 12" inch waterline extension (Patrick Dr.) represents the change order the Board authorized subsequent to this budget amendment, Purchase Water Collierville-related to a revenue item, and Emergency Water Infrastructure-addresses major water line infrastructure repairs; Exhibit C (Sewer Fund), these are reconciliation items, Step Tank/Decentralized Revenue increased due to the building development, Centralized Sewer (Rossville) increased related to Piperton Preserve development and moving excess effluent from decentralized plants and discharge into our primary wet well and Expenditure items related to utility associated with the decentralized facilities, Contract Residential Tank Pump, Materials/Supplies/Maintenance related to the number or incidents staff dealt with same thing with Sewer pumps, Exhibit D (Special Revenue Fund-Street Aid)-as with our State Shared Sales Tax revenues down as a result of the pandemic recognizing those reductions across the board and expenditure items-the paving trailer was swapped out for the EXM Mower and some landscaping equipment that Director Kilp felt was better utilization of those resources; Exhibit E (Special Revenue Fund-Sanitation) revenue increases directly related to increased development and residential home growth and the expenditure items are related to those revenue items to our vendor costs and bulk charge for custom pickup per request by residents.

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

**Agenda item 11.** Second Reading, Ordinance No. 325-20, amending the Budget for FY 2019-2020, (second amendment)

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 325-20 on second reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

**Agenda item 12.** Recess – hold Public Hearing concerning Ordinance No. 326-20, adopting the annual Operating Budget and Tax Rate for Fiscal Year beginning July 1, 2020 and ending June 30, 2021

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

Mr. Steinbach stated the projections year over year are broken down by our General Taxation (Property Tax and Sales Tax) and so year over year we have projected an increase of almost \$20,000.00 based on our assessment, State Shared taxes-projecting a reduction, Permits/Fees-projecting a reduction, Fines/Forfeits-projecting an increase, Miscellaneous Revenue-we don't budget operating expenses but note the Governor's Grant is listed and that \$70,429.00 will address the expenditures in the budget that we have locked in such as the roadway entry into Public Works, a host of infrastructure and security needs; under other revenue (loan proceeds, etc) as directed by the State is the amount for the Pinckney property so the bottom line is an increase in General Fund Revenue of \$38,260.70 which may vary depending on sales tax receipts and fines/forfeits. Enterprise Fund (Water and Sewer Revenues)-Water will increase, the sewer revenue has a \$21,650.00 transfer which was used last year to balance a capital item that results in a distortion of a revenue stream and if you take that \$21,650.00 which is an accounting item we are positive across the board in Water and Sewer, and we are looking for increased revenue between \$50,000.00 and \$75,000.00 for Water and Sewer operations and that will go to paying for personnel expenditures because we are shifting the burden from General Fund into our Enterprise Fund; our Special Revenue Fund consists of Sanitation, Street Aid and Drug Fund, those will grow across the board, Street Aid has a decrease, those funds are related to the distribution on a per capita basis from the State and Drug Fund-we are not projecting too much in so far as revenues, and we are proposing our expenditure budget based on these revenue sources, feels like we are in a very good position moving forward but it is incumbent upon the Board as we get into budget discussion next year that we start looking at our property tax so that we put ourselves in a better position to address city wide efforts dealing with street paving, maybe trail development for the first time outside of the neighborhoods themselves. Expenditures-(passed out a summary sheet to the Board) what this document does is shows the year over year budgets on a comparative basis for operating expenses and capital items by department, it addresses where the increases in expenditures are coming from and finally at the end of the page it addressed what we project as revenues hopefully over expenditures which we are this year to the sum of \$164,005.00, the increase in our expenditures in Personnel are due to the addition of 2 part-time Public Works/Utilities Laborers and a full-time building clerk; there are (3%) raises across the board and salary adjustments to a few key personnel based on promotions and merit raises within our Public Works/Utility Department and within the Building Department, Health Insurance-2.9% increase in premiums, Retirement benefits-2.5% for FY 2020 (that is unchanged but it's quite likely that I return to the Board mid-year to increase our deferred compensation. Departments-Administrative \$81,275.00 increase but the bulk of that (\$74,000.00) is debt service for the purchase of the Pinckney property so the true increase

is effectively nominal, operating expenses has been kept to a minimum and that number will reflect increases in personnel cost, Fire shows a slight decrease, Police Dept shows an increase, Court is nominal, Public Works has an increase reflecting the increase in 2 part-time laborers, Building & Codes reflects the increase of a full-time clerk and the reclassification of Elizabeth's position, Water and Sewer show increases due to moving more of the percentage burden for personnel salaries out of General Fund and into the Enterprise Fund, Street Fund reflects a reduction in proposed expenditures because the State has reduced our revenue stream, Garbage Fund has a slight increase due to increased customer base, and projected revenues for FY 2021 by fund totaling \$3,787,284.00 against proposed operating expenditures leaving us with a net gain of \$164,005.00; Capital Budget FY2021 (Fund Balance Appropriations)-Admin consists of upgrades to regulatory documents, General Fund transfer to Street Aid Fund (annual road repairs/paving), Pinckney property due diligence, master plan architecture-Pinckney property, employee 10 yr. recognition/bonus (\$500.00 + FICA), Capital- Admin consists of computer replacements, computer infrastructure hardware (server, etc.), alarm system, purchase of the Pinckney property (1.3 Million); Fire Dept-(Fund Appropriations) consists of turnouts to replace out of date gear, initial station outfitting for new hire, Capital-Fire consists of fire hose replacement per replacement schedule, dual bank mobile radio (Engine 32), powerhawk auto crib-it, Q-rae 4 gas meter, maintenance C-31 tires; Police Dept (Fund Appropriations) no proposed expenditures, Capital-Police no proposed expenditures; Court (Fund Appropriations) increased our annual allotment for attorney appeals and no capital items; Public Works (Fund Appropriations) consists of personal equipment, re-provisioning equipment (tools), Capital-Public Works consists of new Public Works Building (Construction carryover from last year of \$150,000.00 that hasn't been expended) & still waiting to finalize site improvements, city entrance monuments (designs/signage), heavy duty shelving in the shop area; Building (Fund Appropriations) is our annual allotment of \$3,000.00 for demolition and lot clean-up, Capital-Building consists of office renovation, computer/Surface Pro for Inspector, and new vehicle for Inspector; Water (Fund Appropriations) consists of water plant preliminary design, emergency water Infrastructure repairs and water tank assessment (\$5,000.00), Capital-Water consists of a utility truck; Sewer (Fund Appropriations) consists of contract residential tank pumping (annual maintenance), annual decentralized plants grass mowing contract, decommissioning Lakes of Greenbrier, Ridgewood and Twin Lakes Decentralized Plants, WWTP maintenance, re-surface gravel drive to WWTP, Capital-Sewer consists of sewer pumps replacement (homes), and SCADA monitoring system for Living Hope and Ballard Road pump stations; Capital-Street consisting of street lights installation, annual road repair/paving, culvert replacement, street striping, grounds/right-of-way maintenance (herbicide), landscape equipment (misc item replacement-blower, edger, and pole saw); Capital-Drug Fund-no capital/fund appropriations FY 2021. The formal budget consists of Exhibit A (summary of all revenues and expenditures and reconciles those at the bottom of the page along with our employee staffing) and in accordance with our budget we are in the black, Exhibit B (detailed) it is a part of our budget and has our projected departments, these include our General Administration-broke down into two sections that includes the Board of Mayor and Commissions and our Planning Commission along with the staff that serves the Planning Commission (City Engineer, GIS Mapping and City Planner) and pointed out a decrease overall in operating expenses of \$7,760.00 and the one larger

increase proposed for the first time is the hiring of an IT professional and that is offset by decrease legal expenses and moving insurance and workman's comp from Building Dept over to there and the fund balance at the bottom of the page is reflected in the document just covered; Building and Codes shows the increase in personnel cost due to the addition of a permit clerk and an increase in compensation for Elizabeth Reed (new Building Inspector), operating expenses have increased primarily because of the moving of the workmen's comp from General Admin over to their own department and the rest is related to training, Public Works shows increased personnel cost related to the addition of 2 part-time laborers, in terms of operating expenses the burden is primarily related to the new building and reduced expense because we are no longer renting the trailer, has broken out the fleets for water, sewer and Public Works so we can see what we are paying for vehicles whose primary task load is related to those various departments and total operating expenses of \$4,636.00 for the fiscal year; Fire Dept. personnel cost are increased slightly, overtime is increased, has pledged to Chief within 30 to 60 days after the adoption of the Budget that we would sit down with the Board and address their salary scale with a likely budget amendment to address that other than there is a reduction in operation expenses of \$4,109.88; Police Dept. increase of \$59,990.00 with a sum total of \$79,233.00 is a bit deceiving with all the yellow if comparing year over year with what we started fiscal year 2020, the increase would only be about \$10,000.00 but with the depleted staff that reduced the expenditures across the board in the Police Dept., with a reduction in operating expenses of \$8,237.00 and no proposed capital expenditures; Municipal Court increases related to personnel adjustments for staff with operating expenses flat year over year and capital expenses related to the legal fees; Water Fund and Sewer funds show increased personnel cost due to the increase of percentage that are burdening those funds, overall operating expenses have gone down; and Special Revenue Funds (State Street Aid, Sanitation, Drug Fund) Street Aid reflects a reduction in operating expenses in recognition of the reduced revenue from the State Street Aid distribution, Sanitation-we don't budget operating expenses just fund balance appropriations and did increase slightly our storm pickup, Drug Fund-no capital expenses proposed for FY 2021 and Exhibit C (Schedule of Proposed Long Term Debt for 2020-2021) is a place holder for debt service required by the State for \$1.3 million for a future City Hall.

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

**Agenda item 13.** Second Reading, Ordinance No. 326-20, adopting the annual Operating Budget and Tax Rate for Fiscal Year beginning July 1, 2020 and ending June 30, 2021

**Action taken:** Vice-Mayor Binkley moved to approve Ordinance No. 326-20 on second reading, seconded by Commissioner Trotter. The Motion received all affirmative votes.

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

Mr. Steinbach recognized Bev Holloway for her 10 years of service.

**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 7:44 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: \_\_\_\_\_ date: \_\_\_\_\_