

**MINUTES OF REGULAR MEETING
PIPERTON BOARD OF MAYOR AND COMMISSIONERS
August 18, 2020, 6:00 P.M.**

The Piperton Board of Mayor and Commissioners met in regular session on August 18, 2020 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, Finance Director Maria George, Building Official Tommie Johnson, Police Chief Phil Hendricks, Fire Chief Reed Bullock, City Engineer Harvey Matheny, Public Works Director Bill Kilp, and City Recorder Beverly Holloway were present. City Planner Brett Morgan was absent. Vicki Hancock, Elizabeth McCommon, William Meacham, 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: Commissioner Hugh Davis 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 David Crislip. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of July 21, 2020 and the Minutes of the Work Session of July 30, 2020: Motion to adopt the Minutes of the Regular Session of July 21, 2020 and the Minutes of the Work Session of July 30, 2020

Action taken: There were no changes to the Minutes of the Regular Session of July 21, 2020 and the Work Session of July 30, 2020, Commissioner Trotter moved to approve the Minutes of the Regular Session of July 21, 2020 and the Minutes of the July 30, 2020 Work Session, seconded by Commissioner Davis. 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 have yet to close the books for FY 2020, balances in all funds continues to be strong and we have swept additional dollars over to General Fund Savings and will have those numbers for our current funds and revenues when we close out the books.

Building Official Tommie Johnson stated during the month of July, there were 60 active new single family dwellings under constructions, 40 total permits, 8 permits for new single family dwellings, conducted 197 total inspections and handled 13 code compliance issues.

Public Works Director Bill Kilp stated for the month of July we had a few more water main breaks and sewer issues than we did in the previous month, we had a few less utility locates, there were 2 after hour sewer related work orders, 28 work orders during normal work schedule and 57 water related work orders, there were various street repairs and litter

collection throughout the City and we are busy cutting grass at 16 different sites which is pretty much an everyday task, Public Works hired our second part time employee last month, his name is Bolton Gayden and is doing a fine job, TDOT began the bridge repair project on Hwy 196 north, traffic is being diverted to one lane with a red light controlling access, and construction is supposed to be complete in October 2021.

Mayor Coats inquired about a street light at Ballard and Hawthorne, when is it being installed.

Mr. Kilp stated yes sir, has contacted Chickasaw Electric about this.

Vice-Mayor Binkley inquired what utilities we mark and is it just out of the street and do those request come from Tennessee 1 call.

Mr. Kilp stated just water and sewer, it's marked in the right of way and it does go through 1-call.

Fire Chief Reed Bullock stated we had 6 residential permits, 9 rough in inspections, and 8 final inspections, there were 22 total calls (21 in the City), on I-269 any rains we have if they happen at rush hour, you find us generally at the 7.2 mile marker where we are seeing crashes repeatedly with the afternoon rains, Lt. Hursh completed his Hazardous Materials Incident Commander Class and obtained National Certification, Firefighter/EMT Diamante Jones resigned from full time status as he has been accepted into Physician's Assistant School at Bethel University in Nashville and has hired a replacement that started this weekend, and a resident that we responded to a vehicle crash into the home was very generous and the Fire Department has received a \$500.00 donation and would like to give acknowledgement and acceptance of the donation.

Police Chief Phil Hendricks stated during the month of July there were 35 dispatched calls, 1 incidents, 1 arrest reports and 2 vehicle crashes.

Mayor Coats inquired if the Department had a full capacity.

Chief Hendricks stated yes sir.

Commissioner Trotter inquired how many is that.

Chief Hendricks stated 8 total sir.

Commissioner Crislip requested that to go on the website about full staff.

Mayor Coats stated that is a good idea and we were at zero officers on patrol and they did an excellent job of finding some good recruits and we are back in full force.

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

New Agenda item 6. Development Agreement – Madeline Farms, Phase 2

City Engineer Harvey Matheny stated you have in your packet the development contract with Madeline Farms Development Co., Inc. for Madeline Farms, Phase 2, this is a 35 lot single-family residential development which would be immediately south of Madeline Farms, Phase 1A and 1B, so they will extend the existing streets to the south and they would move around and connect back to the road coming down on the east side of the property, also includes a pond on the south side of the site which is primarily for the material they need to raise some of the lots up that are on the south side of the property, the fees are summarized on page 21 and bringing your attention to the water connection fee which is noted as a zero payment that is explained at the top of page 12, in 2006 the developer paid water tap fees for 175 lots and that contribution went toward the water tower construction primarily so they have credits for up to 175 lots and I believe this brings them up to a total of 101 lots with an outstanding credit for 74 additional lots in future phases and other fees are summarized on page 21.

Commissioner Trotter stated on page 18, it talks about a fair amount of public space and I am assuming that would be the responsibility of Home Owners Association, is the right?

Mr. Matheny stated all the common open space whether it be medians or around the pond, the future park area in future phases which will be to the south of that cul-de-sac on the west side are all the responsibility of the Home Owners Association to maintain.

Commissioner Davis inquired if there had been any other discussion about having to cut the hill on the road.

Mr. Matheny stated he believes Phase 3 is when that will be addressed.

Mr. Matheny stated the plan development conditions of approval were amended as part of this, they reduced the number of lots by a smaller number, they removed the requirement for the gazebo and there were conditions added to that amended PD that dealt with the road (Raleigh LaGrange) with those necessary geometric improvements.

Action taken: Commissioner Crislip moved to approve the Madeline Farms, Phase 2 Development Agreement, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 7. Consideration of Bid/Awarding of Bid re: Greenbrier and Ridgewood Grove Decentralized Wastewater Treatment Plants Decommissioning

Mr. Matheny stated on August 12th, bids were received for this project, two bids were received and the low bid was from Encor, LLC for \$49,500.00, this project would enable us to take the Ridgewood Grove Decentralized Treatment Plant and the Lakes of Greenbrier Decentralized Treatment Plant off line and thus remove some of the maintenance involving the things that are associated with those wastewater plants and take that flow from those two subdivisions to our centralized sewer at two different locations: (1) Ridgewood Grove the flow would be reversed and go west on Keough Rd and discharge into the manhole basically right at I-269 on the southside of Keough, which does flow to our pumping station which flows to Rossville's treatment plant.

Mayor Coats inquired where does that line go now, to Living Hope, so we have got to extend that line into a manhole.

Mr. Matheny stated Living Hope is the end of the line and then it pumps back to the east, reverse flow and goes about 800 feet to that discharge point to that manhole that I just describe, and there are some minor improvement within Ridgewood Grove to make hydraulics work effectively and efficiently, the Lakes of Greenbrier decommissioning is much easier, it's really taking the line that now goes to the wastewater plant and redirecting it to the pump station that was put in with Piperton Preserve, Phase 2.

Mayor Coats inquired if we have resolved most of our problems with water getting into the system by raising the lids and resealing the lids.

Mr. Kilp stated on the infiltration, somewhat and I am working with staff trying to elevate the rims of the manhole lids but we still have some that are somewhat submerged and we do get some infiltration but it is pretty common on most sewer systems.

Mayor Coats stated it will be more important than ever when we start sending it to the main system.

Mr. Kilp stated it is continual maintenance management skill and time consuming.

Mayor Coats stated we can probably hit that harder during the winter time because we won't have as many people mowing, wants to make sure that is buttoned up so we won't be sending excess flow for no reason.

Commissioner Davis inquired if decommissioning meant dismantled.

Mr. Matheny stated at this point in time the goal is just to take the flow off of those decentralized systems and take it to our centralized system and in the future there may be some reuse of those facilities pumps etc.

Mr. Kilp stated Provenance is a subdivision that hasn't started building homes yet but does have a decentralized (step) system and there are some controls and some equipment in that system that need to be either replaced or repaired so we will take the parts from the ones we take out of service to do that and that should help us some.

Mayor Coats inquired if the tanks will eventually be removed.

Mr. Matheny stated those tanks could potentially be excavated and reused certainly but we haven't really dug in to that possibly yet.

Mayor Coats stated our future plans are to do something with that land (a park or whatever) and so I assume we would remove them.

Mr. Steinbach stated he views this as phase 1 and phase 2 will be having a conversation with the Board about repurposing these facilities, some of them could be parks and some of them maybe better utilized for redevelopment.

Commissioner Trotter inquired will the capacity of the lift station at Living Hope need to be changed or is it ok.

Mr. Matheny stated there are 2 different lift stations in play here, the flow that is going to the west in front of Living Hope that goes to a pump station which has ample capacity for quite some time and the only thing on it right now is Pyramex so that station has a lot of excess capacity and the Lakes of Greenbrier flow is going to the pump station that is adjacent to our decentralized plant and at this time does not need to be enlarged, I will say this that pump station is a temporary station because as soon as that 24 inch interceptor is live and I understand we are getting within a few weeks of testing it and getting that activated, it will probably be a future CIP project perhaps to take that pump station offline and have it flow directly into that 24 inch interceptor, when they designed that pump station for Piperton Preserve they did check to make sure the interceptor was deep enough so that we could gravity flow over to it and so instead of enlarging the station I would recommend that we get rid of it.

Action taken: Commissioner Davis moved to approve Encor as the contractor for decommissioning Ridgewood Grove and Lakes of Greenbrier Decentralized WWTP, seconded by Commissioner Trotter. The Motion received all affirmative votes.

Agenda item 8. First Reading, Ordinance No. 327-20, repealing and amending portions of Ordinance No. 310-19 (2018 International Building Code) pertaining to Seismic Requirements

Mr. Johnson stated last month I introduced to you the Engineer (Julie Furr) that we retained service of to assist us with this, in October 2019 we adopted the 2018 set of codes and most of the communities around us have as yet to upgrade their codes a lot of them are still operating under 2012 so a lot of the builders in the City feel like they are at a disadvantage because of that, some have approached the Mayor and we have met with some of them some months ago and we are trying to help so that our department is not so much higher than what is required around them but at the same time maintain a level of safety that we want for our community and so this amendment to what we adopted is giving us the opportunity to take a look at the code and give them alternative ways whereby they can still build a safe product and comply with code and give them a little relief as well, so we are amending section R301.2.2.1.1 "Alternative determination of seismic design category" will allow them to change from the category possibly D₀ possibly to a C as far as the seismic is concerned and that will make a tremendous amount of difference in the

design as far as seismic goes and some of the figures and sections that are mentioned in there I will try to put it in laymen's terms is basically what you will be allowed to do is that if a developer or a builder does a geotechnical study to show that the soil is stable then you will get some relief on what is required for seismic and in some instances with the commercial builders that do this all the time because they use the IBC instead of the IRC if that is determining the category could be reduced from a D to possibly to a C but still we will have to deal with the wind and so there is other language in here helps with that, it talks about a Table R602.10.3(3) that is the brace requirement table that we use now but that table identifies category C and category D₀, and then it references R603.9.2 and that is the table that addresses the wind and what you deal with there on the slope of the roof and also wind speed against the slope of the roof and the building height and so those would be the tables that would be used and whenever you are dealing with the code you always use which ever one is stricter and so builders will be allowed to do a study on their lot or whole subdivision to determine if the seismic design can be lowered but they still have to meet the requirements of the wind.

Mayor Coats stated they will basically be able to take a certain area and do a certain amount of holes whether it is a lot or a subdivision and the test will determine what category that land falls into, we are automatically rated D but if we can drop down to C that will alleviate a lot of their requirements from seismic and Tommie is meeting with the Builders next Thursday.

Action taken: Vice-Mayor Binkley moved to approve Ordinance No. 327-20 on first reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 9. First Reading, Ordinance No. 330-20, amending the Budget for FY 2020-2021, (First Amendment) for the City of Piperton

Mr. Steinbach stated this is the first amendment for FY 2021, a lot of this will be place holders in anticipation of final reconciliation prior to the second reading in September, the budget amendment consists of proposed revisions and/or amendments to the General Fund (Exhibit A), the Water Fund (Exhibit B), and the Sewer Fund (Exhibit C), and regarding Admin-personnel the proposal is to convert the part-time administrative assistant to a full-time position for budgeting purposes and the associated line items (2-4) included payroll taxes, deferred comp, medical and dental, the next 5 line items (5-9) are expenditures related to the Governor's Grant which was received and this budget amendment identifies these as new line items and these are the items that we had provided for as part of the application, item 10-Admin Website Maintenance, there was slight increase in our hosting services for the website, item 11- added the Pinckney Property Purchase that was budgeted for the \$1.3 million dollar acquisition costs along with anticipated debt service and will discuss with the next item-the Resolution for the Capital Outlay Note, the next several items (12-15) & (18-22) are related to personnel for both the Fire Department and the Public Works Department, I did not support amending salaries across the board for these 2 departments prior to the adoption of the budget because of our time crunch and felt like it necessitated a conversation about that obviously with the amendment to the Police Department salary scale and wanting to be fair and equitable, I have charged both department heads with preparing an overview in defense of the request and when that is available we will convene the Board in a work session and have that conversation so these are place holders for both the Public Works personnel and the Fire Department, item 16 reflects the Public Works Building proposed change order related to site construction, I authorized an emergency expenditure for the application of sod in lieu of seed which was included in the original budget but we were getting to much erosion that

was going in the streets-given the Governor's Grant covered the driveway, I felt like it was a reasonable expenditure and it certainly stabilized the site and hopes to have a completed facility very soon, item 17-drainage improvements, we had anticipated amending our budget in this fiscal year, we didn't do it in advance because staff along with the Mayor's input were prioritizing drainage improvements, two items that were presented were for drainage improvements at Keough and Green Tree, there is also a sharing of costs for a drainage improvement in Twin Lakes which I do support as a property owner desires to capture and increase a drainage line and Harvey and Bill have determined that the increase in that diameter of that pipe is and will serve a public purpose, these are major drainage improvements and will have the amount items broken out for the Board; Exhibit B/Water Fund-replacing the current clerk and budgeting for an additional clerk and Exhibit C/Sewer Fund- because the clerk positions are funded out of water and sewer (75% out of water and 25% in sewer), the same position is reflected in both at a lesser amount that it impacts and lastly with the decommissioning that we spoke of earlier you will see what was budgeted, the \$7,275.00 transferred over to Ridgewood and even with the transfer we are \$4,500.00 short of making that bid number so the proposal is to increase that line item by \$4,500.00.

Action taken: Commissioner Trotter moved to approve Ordinance No. 330-20 on first reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 10. Resolution No. 20-228, Twelve-Year Capital Outlay Note (Pinckney Property)

Mr. Steinbach stated under State law you can't amortize a Capital Outlay Note for longer than 12 years, anything longer than that requires the municipal entity to go to the market with debt bonds, there are very significant fees associated with that and the State Comptroller's Office has to approve any debt issued by the City including a Capital Outlay Note, the Resolution before you is a form document sent to us by the Comptroller's office and the representative in the Comptroller's office indicated to me that the Board could approve this in its draft form which we are presenting to you this evening, we actually have taken receipt of 3 quotes from the Tennessee Municipal Bond Fund, Landmark Bank and the Bank of Fayette County which are included at the back of the document, the rates were 2.84% from the Tennessee Municipal Bond Fund, 3.37% from Landmark Bank and 2.15% from the Bank of Fayette County, the budget when we did the projections had an amortization schedule of 20 years at 2% which had our annual debt service burden at roughly \$79,000.00 a year and to make that number work on a 12 year Capital Outlay note would have us borrowing \$850,000.00 dollars and anything in excess of that could put our debt service burden over a \$100,000.00 and according to our Debt Policy Manual, we are permitted to issue debt that doesn't exceed 6% for General Fund or a \$1,000.00 per capita which works out to \$160,000.00 or \$170,000.00 so when we initially discussed this endeavor we talked about two scenarios-paying cash for the property or financing it, obviously we have sufficient funds by any metric in our General Fund Savings just to write a check, the approval of this debt is cumbersome for a variety of reasons under State law we have to retain bond counsel even for this particular debt issuance of \$1.3 million dollars, at some point in the City's evolution we will be going to market for debt for example a Water Plant (\$3 to \$5 million dollar endeavors), construction of a City Hall and I would like to reconvene the Board in another work session to talk through this and see what the best opportunity is going to be for us, again you are in the enviable position that you have the cash to write a check for and be done with it and not pay additional fees and the flip side is that in doing so you reduce your capital General Fund Savings to with other obligations we

have in this fiscal year to \$1.8 or \$1.9 million dollars, I would advocate approving the Resolution which basically documents for the record the extent of the debt, the term of the debt and recognizes the receipt of the quotes on the interest rate, the Board will be in the position to either rescind or amend the Resolution prior to our obligation to close on this property, one of the issues is that the property owner wanted to close in 30 days but I asked for 90 but we got 60 with a 30 day extension which we are in the middle of now so that will expire sometime at the first of September and we will have 30 days after that to close, again I advocate for the Board's adoption of it knowing that we will have the opportunity to reconsider this at the September meeting prior to our actually closing on the debt.

Action taken: Vice-Mayor Binkley moved to approve Resolution 20-228, Twelve-Year Capital Outlay Note on the Pinckney Property, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 11. First Reading, Ordinance No. 321-20, amending certain portions of the text in the Piperton Zoning Ordinance: Article 14 – Conservation Design Overlay (CD-O) – Amendments to density allowance when served by public sanitary sewer system

Mr. Steinbach stated as part of the City's streamline regulatory approach, the plan is to always direct our development community into planned developments so that we are able to negotiate the best amenities for any particular development, for residential that is primarily our Conservation Design Overlay, we have two a CD-O and a mixed use development, to date the Conservation Design Overlay Ordinance was developed prior to the advent of sewer and so the density threshold is very low, its 0.5 unit per acre with bonuses and we amended it to increase that to 1 unit per acre but now that we have sewer infrastructure you have to pay the depreciation for that and you want to be as efficient with that infrastructure as possible so what this does is amend our current CD-O, we will have two different classifications (Rural and Urban), the Rural will be for proposed Conservation Design Overlay developments for which there is no access to sewer that would be the north side of the river, on the north side of the river we don't anticipate centralized sewer to be available anytime soon so it is quite likely we may have proposals for additional decentralized developments and the CD-O also provides for opportunity where there is no sewer at all and with the Urban CD-O as contemplated in this Ordinance which the Planning Commission has approved, the Urban CD-O would provide a density of 2.0 units to the acre which is a traditional suburban density with an increase up to 2.5 units and right now we have the mixed use design planned development which Piperton Preserve is the example and we have density thresholds of 3 to 5 units to the acre so this fills the middle ground, and with this amendment we will be able to adequately address our needs which is increase density to pay for our sewer and also the desires of the development community which is always seeking greater density, this document accomplishes that and it also address requirements for sewer through the City Engineer's assistance and input, we are now requiring accommodations for future centralized sewer.

Mr. Matheny stated Mr. Kilp provided significant input on this as well, so if a developer comes in and wants to put in a decentralized treatment system north of the river where they don't have centralized sewer, there needs to be some advanced planning for that system effectively to be a temporary system, it may be long term temporary but we would like either those systems to be eventually collected into a centralized sewer system and even pump across to our wastewater plant or perhaps a smaller package treatment plant north of the river but any new decentralized sewer system needs to be some design and additional infrastructure put in place at the time so that eventually that can come

offline, one thing that is important for this we have a master sewer plan for everything south of the river, we have the backbone of the collection system that everything is going to feed into and we don't have a master plan north of the river and that would be very beneficial for not only for staff but for the developers looking for opportunities to the north so that is something we would recommend at some point and time.

Action taken: Commissioner Trotter moved to approve Ordinance No. 321-20 on first reading, seconded by Commissioner Davis. The Motion received all affirmative votes.

Agenda item 12. Any other old/new business, questions or matters from the audience
There was none.

Agenda item 13. Adjournment

Action taken: Vice-Mayor Binkley made a motion to adjourn the meeting, seconded by Commissioner Trotter. The Motion received all affirmative votes and the meeting was adjourned at 7:08 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____