

**Board of Mayor and Aldermen Meeting**  
**July 2, 2018**  
**Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, July 2, 2018 in the Dyersburg Municipal Court Room at 7:00 p.m. Mayor John Holden presided over the meeting. The meeting opened with prayer by Alderman Kevin Cheney. Mayor Holden noted all Aldermen were present, with the exception of Alderman Bob Kirk. Mayor Holden did note that Alderman Kirk was participating by phone in order to vote on the budget and other items on the agenda. Additionally, Mayor Holden introduced Eagle Scout candidate Franklin Agee. Franklin was in attendance as part of fulfillment of credit experiences working toward completion of his Eagle Scout project.
  
- (2) **Approval of Minutes:**  
  
Mayor Holden called for a motion to approve the minutes from the June 18, 2018 meeting. Alderman Bill Escue made a motion to approve the minutes. Alderman Terry Glover seconded the motion. The minutes were approved.
  
- (3) **Unfinished Business:** None presented.
  
- (4) **New Business**

**a. Bad debt write-off for 2017/2018 – Steve Anderson**

Mr. Anderson recommended the Board approve removing the bad debt line item from the city books of record. This procedure occurs annually. The debt will remain collectable and continue forward. The City retains a collection service to potentially collect bad debt. Some debt is collected by the service each year and deposited into the city account. Mr. Anderson noted the city continues to collect such debt annually and the overall balance has been significantly reduced since his tenure as Treasurer. The amount of the annual debt to be removed this period totals \$32,058.33.

Alderman Kevin Chaney made a motion for approval the Bad Debt Write-Off recommended by the City Treasurer. Alderman Robert Taylor, Jr. seconded the motion. The motion passed by full Board vote.

**b. Local Government Committee Meeting minutes – June 27, 2018 – Chairman Kevin Chaney**

**City of Dyersburg  
Local Government Committee Meeting  
June 27, 2018**

The Local Government Committee met Wednesday, June 27, 2018 at 9:00 a.m. in the second-floor conference room of City Hall.

**Committee Members Present:** Committee Chairman Kevin Chaney, Mayor John Holden, (Terry Glover, and Dennis Moody) were absent.

**Other Aldermen Present:** Mike Morgan, Robert Taylor, Jr., Bob Kirk

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcheson, State Gazette, Steve Isbell, and Thomas Langford, Dyersburg Police Department, Scott Ball, Storm Water and Construction Inspection, Thomas Mullins, Codes Department.

Chairman Kevin Chaney opened the meeting with the following agenda:

**1. ACCESSORY USES AS RELATING TO TRANSIENT VENDORS**

The committee discussed recent issues with transient vendors in the city. The Alderman Board had tabled Ordinance BB 672 - An ordinance of the City of Dyersburg regulating the permitting and operations of Transient Vendors, to include specific fees at the Mayor and Board of Aldermen meeting on March 6, 2017.

Thomas Mullins presented recent complaints regarding transient or mobile vendors in the city. The complaints included:

Noise violation due to music and generators

Right of way violations

Smoke coming from cookers

Food products being sold out of the back of hatch back type car

Accessory equipment left overnight included: Picnic Tables with Umbrellas, Tables, Signs, Tents, Aluminum Awnings, etc., and

Electric cords tied into permanent power

Mr. Mullins noted a specific transient vendor had complained over social media that the City of Dyersburg is mistreating him because the city would not allow him to put up a tent on South Main.

Mr. Mullins stated the current ordinance is vague regulating accessory uses to transient mobile type vendors. Mr. Mullins specifically requested assistance from the committee and the Board regarding addressing citizen complaints, and guidance in the parameters of regulations set for mobile vendor and mobile merchants.

He noted every City has unique and specific ordinances to regulate mobile and transient. He felt the city of Dyersburg should allow the mobile and transient vendors but establish more defined regulations to better govern their operation of business within the city.

He specifically noted the following areas to consider for regulation:

Zoning – Times of Operation – Number of Days – Trailer / Vehicle Types – Locations – Daily, Weekly, Monthly, Yearly – Inspections – Restaurant Separations – Vendor Separations - Toilet Room Requirements - Registrations / Permits – Etc.

In further recommended he committee may want to consider establishing a committee made up of an Alderman, a Downtown Development Board Member, and a Chamber of Commerce Board member to best view the needs of the Citizens of Dyersburg as a whole in this issue.

Mr. Mullins presented sample copies of several cities who have addressed these and other regulation needs. The committee requested Mr. Mullins email copies for regulations and ordinances to the committee for their review to address these issues.

With no further business, the meeting adjourned at 9: 35 a.m.

**c. Finance Committee Budget Hearing Meeting, June 27, 2018 – Chairman Kevin Chaney**

**Finance Committee Budget Hearing Meeting**

**City of Dyersburg**

**June 27, 2018**

**The Finance Committee** met at 10:00 a.m. June 27, 2018 in the City Hall Second Floor conference room.

**Committee Members Present:** Chairman Kevin Chaney, Aldermen Bob Kirk, and Mayor John Holden. Alderman Terry Glover was absent.

**Other Aldermen who attended included:** Aldermen Mike Morgan, Scott Staggs, Robert Taylor, Jr.

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcheson, State Gazette, Steve Isbell, and Thomas Langford, Dyersburg Police Department, Scott Ball, Storm Water and Construction Inspection.

Chairman Chaney called the meetings to order and opened with prayer. Agenda items included the following:

1. Comptroller inquiry of the selection of auditor.

The Board of Mayor and Alderman voted June 4, 2018 to replace the current city financial auditing company Alexander Thompson Arnold with Cowart Reese Sargent PC. Mr. Lannom presented information before the committee addressing concerns extended by the State Office of the Comptroller regarding the city following the prescribed by law process for procurement of auditing services. The discussion noted the following:

Mayor Holden opened the discussion noting that as a result of the Board approving a motion to terminate ATA and retain Cowart Reese and Sargent audit firm at the June 4, 2018 meeting, he received a telephone call from Mr. Bryan Burklin, State Comptroller's office on June 15, 2018 and was asked to send information about the board action regarding the change.

On Monday, June 18, 2018 Mayor Holden received a second telephone call from Mr. Jerry Durham, State Comptroller Office for municipal audits regarding concerns of what appeared to be violation of Tennessee Code Annotated 12-3-1209, the code consisting of contracts for professional services.

Subsequently, Mayor Holden notified city attorney John Lannom to review the city's position in the matter.

Mr. Lannom spoke before the committee noting that he had talked with Mr. Durham. He stated the city appeared to be in violation of TCA code 12-3-1209, and Mr. Durham requested a plan for resolution for compliance with the state. In further conversation with Mr. Durham the following was noted:

- the comptroller received a citizen complaint and press reports of the city's meetings.
- Mr. Lannom was challenged to suggest a fix to the situation, whereby the City might retain compliance with the statute.
- Mr. Lannom suggested the city provide a court reporter and go through a discussion of analysis that the board undertook to see if the requisite knowledge and impressions were present in the minds of the board when they took this action. He further stated requisite knowledge involves the knowledge of the firm Cowart Reese and Sargent - its

professional reputation as a municipal auditor, its reputation as a competent firm, and its reputation as men and women of integrity.

- This plan of resolution would help in resolving the current matter with the Comptroller.

Chairman Chaney stated that in telephone communication on June 26, 2018 with representatives of the Comptroller's Office, Mr. Jason Mumpower, and Mr. Jim Arnette, and Mr. Durham, he was informed there was not any need for correction to a violation of the statute.

There was significant discussion debating all aspects of Mr. Lannom's recommendation to the committee. The committee agreed there was confusion on the expectation from the Comptroller, and to clear up any confusion on what would be required from the comptroller, Chairman Chaney motioned to call a special meeting of the Finance committee and hold a telephone conference with the comptroller, with Lannom present. The motion was seconded by Alderman Bob Kirk. The motion passed. A date for the telephone conference will be arranged.

The agenda also included a review of the 2018-2019 budget proposal. The committee heard from Treasurer Steve Anderson updated information relevant to the Board finalizing recommendations for the approval of the 2018-19 Fiscal budget at the Board of Mayor and Aldermen Meeting July 2, 2018. As additional discussion occurred, no official action was taken; however, it was decided that the committee would resume their discussions at 10:00 a.m. on Friday, June 29, 2018.

With no further business, the committee adjourned at 11:10 a.m.

**d. Finance Committee Meeting minutes – June 29, 2018 – Chairman Kevin Chaney**

**Finance Committee Budget Hearing Meeting**

**City of Dyersburg**

**June 29, 2018**

**The Finance Committee** met at 10:00 a.m. June 29, 2018 in the City Hall Second Floor conference room.

**Committee Members Present:** Chairman Kevin Chaney, Aldermen Bob Kirk, and Mayor John Holden, Alderman Terry Glover.

**Other Aldermen who attended included:** Robert Taylor, Jr.

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcheson, State Gazette, John Lannom, and Becky Dykes, City Attorneys, Steve Isbell

and Thomas Langford, Dyersburg Police Department, Mike Moore, Cemetery, Scott Ball, Storm Water and Construction Inspection, Kenny Lyte, Citizen.

Chairman Chaney called the meeting to order and opened with prayer.

First on the agenda was a conference call placed to the State of Tennessee Office of the Comptroller as dictated by a motion to call a special meeting of the Finance committee and hold a telephone conference with the comptroller to discuss expectations and clarifications regarding a Board action to terminate ATA and retain Cowart Reese and Sargent audit firm at the June 4, 2018 Board meeting.

As a result of the conference call the following was noted:

- Mr. Lannom provided the committee with a copy of the Section 12-3-1209, Tennessee Code Annotated (TCA), and Audit Procurement Guide from the State of Tennessee.
- The committee conferenced called the State Comptroller's Office and spoke with Mr. Jim Arnette.
- Mr. Arnette informed the committee that his office had provided a statement of opinion on the matter which read as follows:

“In accordance with TCA 12-3-1209 the Comptroller's Office believes the Dyersburg Board of Mayor and Aldermen acted appropriately in their selection of external auditor Cowart Reese Sergeant. As are current city auditors Alexander Thompson Arnold, Cowart Reese Sergeant is a licensed CPA firm in the State of Tennessee. Both firms perform audits under contract with our office. Cowart Reese Sergeant performs over fifty audits of local government entities in Tennessee. Therefore, we believe they meet the competence and integrity criteria as found in the statute. The Comptroller's Office also supports and encourages the periodic rotation of auditors. If the Board chooses to pursue any further action regarding this matter, then it will be a local decision.”

- Mr. Arnette stated that was the statement from the Comptroller's Office and they have no further comment in this matter.
- Mayor Holden asked Mr. Arnette if the City may now sign a contractual agreement for services with Cowart Reese Sergeant. Mr. Arnette informed the Mayor that he may sign the contract.

This concluded the conference call.

Next on the agenda, the committee discussed a final review of the 2018-2019 budget proposal. The committee heard from Treasurer Steve Anderson updated information relevant to the Board finalizing recommendations for the approval of the 2018-19 Fiscal budget at the Board of Mayor and Aldermen Meeting July 2, 2018.

At the end of discussion Alderman Bob Kirk motioned to approve the budget as presented with final revisions. Mayor Holden seconded the motion which passed by full committee approval. The 2018-19 Budget will be placed before the full Board July 2, 2018. It was noted the budget

was approved for recommendation without a property tax increase, approved 2% salary increase for staff, capital outlay requests, and small items of equipment. ***The budget will be approved under agenda item (F) following later in the agenda order.***

Also, the committee discussed the current process for contractor utility services connections.

Mayor Holden presented the committee copies of State of Tennessee Public Chapter NO. 1003, an act to amend Tennessee Code Annotated, Title 7, Chapter 34, relative to the disposition of revenue from a natural gas utility system owned by the municipality. The new law requires a resolution for adoption by the city. Mayor Holden motioned to approve a resolution adopting the new law by the Board at the July 2, 2018 regular meeting. Alderman Bob Kirk seconded the motion which passed by full committee approval.

With no further business, the committee adjourned at 10:40 a.m.

- e. Resolution 07022018 – A resolution authorizing revenue from the natural gas utility system to be appropriated to funding chambers of commerce and economic and community organizations for economic development purposes.**

DYERSBURG, TENNESSEE

RESOLUTION NO. 07022018

A RESOLUTION AUTHORIZING REVENUE FROM THE NATURAL GAS UTILITY SYSTEM TO BE APPROPRIATED TO FUNDING CHAMBERS OF COMMERCE AND ECONOMIC AND COMMUNITY ORGANIZATIONS FOR ECONOMIC DEVELOPMENT PURPOSES

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg finds that the rates charged to natural gas utility system customers are fair and equitable; and

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg has determined that the natural gas utility system has sufficient revenue to satisfy all obligations as required by Tennessee Code Annotated, § 7-34-115(a); and

WHEREAS, the State of Tennessee in *Tennessee Code Annotated Section, 7-34-115(a)(2)* authorizes either a municipal utility board with management responsibility for a municipal utility system that is a natural gas utility system or a municipal governing body, if there is no such board, to contribute revenue from the system to fund chambers of commerce and economic and community organizations; and

WHEREAS, the municipal utility board with management responsibility for the natural

gas utility system in the City of Dyersburg desires to contribute revenue from the natural gas utility system to chambers of commerce and economic and community organizations for economic development purposes;

NOW, THEREFORE, BE IT RESOLVED by the City of Dyersburg municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg, Tennessee:

Section 1. Under the authority of Tennessee Code Annotated, § 7-34-115(a)(2), gas utility system revenue is appropriated to funding chambers of commerce and economic and community organizations from the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg for economic development purposes.

Section 2. Pursuant to Tennessee Code Annotated, § 7-34-115(a)(2), customer rates will not be raised to in order to make this contribution, targeting economic development efforts.

Section 4. This resolution shall take effect from and after its final passage, the public welfare requiring it.

***Mayor Holden called for a motion to approve the resolution. Alderman Dennis Moody made a motion for approval. Alderman Bill Escue seconded the motion. The motion passed by full Board vote.***

Passed on: July 2, 1018

SIGNED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Recorder

**f. Public Hearing for Approval of 2018-2019 budget on July 2, 2018 - Ordinance BB680**

Mayor Holden announced that this was a notice of public hearing for approval of the 2018-2019 budget as presented. All Aldermen were presented the complete budget prior to the meeting. The finance committee met on several occasions in May and June 2018 to discuss and provide guidance for budget planning. The Board is required by the State to approve the budget in the form of an ordinance. **Ordinance BB 680** was presented for approval in the form of a motion by Alderman Mike Morgan and seconded by Alderman Kevin Chaney.

Mayor Holden asked the Board for any discussion, and Alderman Taylor asked if the City could complete a walkway from Martin Luther King Drive to Isaac Hayes Drive along Upper Finley Road, which Alderman Taylor mentioned in a prior meeting on May 21, 2018.



Mayor Holden acknowledged that the request had been brought up in a prior Board meeting, but to the Mayor's knowledge it was never discussed at the budget meetings.

Mayor Holden noted that if there was money left in the approved capital projects area of the budget, then he would inquire about funds for the request.

Alderman Taylor stated that he felt the city could do the project.

Mayor Holden further stated that if the city can afford to do it, and the Board approves it, then the project may be funded. He said the discussion would be under a street committee meeting to find out exactly the distance required, property acquisition, etc. At the end of discussion, the Board voted, passing the motion by full Board vote.

**g. Notice of Public Hearing – July 16, 2018 – An ordinance amending the text of the  
Dyersburg Municipal Zoning Ordinance by adopting standards for Micro-Breweries  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE TEXT OF THE DYERSBURG MUNICIPAL ZONING  
ORDINANCE BY ADOPTING STANDARDS FOR MICRO-BREWERIES.**

WHEREAS, Section 13-7-201 through 13-7-210 of the Tennessee Code Annotated empowered the City to enact the Dyersburg Municipal Zoning Ordinance and provide for its administration, enforcement; and

WHEREAS, the Board of Mayor and Alderman deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance; and

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has reviewed said proposed amendments and recommends such amendments to the Dyersburg Board of Mayor and Alderman; and

WHEREAS, the Board of Alderman has given due public notice of hearings on said amendments and has held public hearings; and

WHEREAS, all the requirements of Section 13-7-201 through 13-7-210 of Tennessee Code Annotated, with the regard to the amendment of a Municipal Zoning Ordinance by the Planning Commission and subsequent action of the Board of Mayor and Alderman have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF DYERSBURG, TENNESSEE:

SECTION 1. The text of the Dyersburg Municipal Zoning Ordinance be revised by adding the following language to **ARTICLE III, Definitions**:

**Micro-Brewery**: a retail commercial use where no more than 25% of its products are sold for off-site sales and distribution.

SECTION 2. The text of the Dyersburg Municipal Zoning Ordinance be revised by adding the following language to **ARTICLE XXIII, V. Standards for Micro-Breweries**:

**V. Standards for Micro-Breweries**

Micro-Breweries are allowed within all Business Districts where retail sales are permitted. Not more than 25% percent of products that are manufactured/produced on-site and within an enclosed building may be sold for off-site sales and/or distribution.

SECTION 3. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage, THE PUBLIC WELFARE REQUIRING IT.

Date of the First Reading: June 18, 2018

Date of the Second Reading and Public Hearing: July 2, 2018

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Mayor

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City Recorder

- h. Notice of Public Hearing – July 16, 2018 – An ordinance amending the Dyersburg Municipal Zoning Map by rezoning property located near 2030 Upper Finley Road (Brian Hatch property) from R-3 (high density residential) district to B-2 (general trade and services) district.**

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE DYERSBURG MUNICIPAL ZONING MAP BY REZONING PROPERTY LOCATED NEAR 2030 UPPER FINLEY ROAD (BRIAN HATCH PROPERTY) FROM R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO B-2 (GENERAL TRADE AND SERVICES) DISTRICT.**

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-201 and 13-7-202 a zoning ordinance and map have been adopted for the City of Dyersburg; and,

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has recommended that the following property be reclassified from its current zoning designation to the proposed zoning designation and,

WHEREAS, a public hearing was held before Dyersburg Board of Mayor and Aldermen pursuant to section 13-7-203, Tennessee Code Annotated, the time and place of which was published with fifteen days advance notice; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN  
OF THE CITY OF DYERSBURG:

**SECTION 1.** That the following described property be rezoned to B-2 (General Trade and Services) District:

**Parcels 88.00, 89.00, and 90.00 on Dyer County Tax Map 0087.**

Beginning at a point, said point being the southwestern most corner of Parcel 89.00 on Dyer County Tax Map 087 and the northern right of way of Upper Finley Road; thence moving in a northwesterly direction along the northern right of way of Upper Finley Road to a point, said point being the intersection of the northern right of way of Upper Finley Road and the southwestern most corner of Parcel 89.00; thence moving in a northeasterly, then northwesterly, then southwesterly, then northwesterly, then northwesterly direction along the western boundary of Parcel 89.00 to a point, said point being the northwestern most corner of Parcel 89.00; thence moving in an easterly direction along the northern boundary of Parcel 89.00 to a point, said point being the northeastern most corner of Parcel 89.00; thence moving in an southerly direction along the western boundary of Parcel 89.00 to the point of beginning.

**SECTION 2.** BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after third and final reading, THE PUBLIC WELFARE REQUIRING IT.

June 18, 2018

Passed First Reading

\_\_\_\_\_

Mayor

July 2, 2018

Passed Second Reading

City Recorder

Mayor Holden called for a motion to approve the (2) preceding ordinances in one motion for public hearing at the July 16, 2018 Board of Mayor and Aldermen meeting. Alderman Dennis Moody made a motion for approval of the public notice of the (2) ordinances. Alderman Scott Staggs seconded the motion. The motion passed by full Board vote.

- i. Notice of Public Hearing – July 16, 2018 – An ordinance amending the Dyersburg Municipal Zoning Map by rezoning property located near the intersection of East Tickle Street and Speedway Avenue (Kate Dykes property) from R-2 (medium density residential) district to H-M (hospital-medical) district. (Kate Dykes has withdrawn her request)**

Mayor Holden announced that Ms. Dykes has withdrawn her request for the property rezoning. Therefore, no vote was required on the proposed ordinance. Additionally, Mayor Holden provided a copy of Ms. Dykes request for her withdrawal.

- j. Bids – Greg Williams**

*At Mayor Holden's recommendation and for convenience of approval, the Board agreed to vote simultaneously on bid recommendations 1-11 made by Mr. Williams. Th bids are open orders on the 2018-19 budget.*

Department: Water Plant / Wastewater Plant / Recreation  
Item: 120,000 gallons of Liquid Chlorine Bleach  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes  
Notification – State Gazette, direct to 4 vendors

Bids:	The Dycho Company	No Response
	Brenntag Mid-South	\$128,400.00
	Vertex Chemical	\$105,600.00
	Harcros Chemicals	\$ 92,400.00

Recommendation: Mr. Williams recommended awarding the bid to Harcros Chemical Co., Memphis, TN at \$92,400.00.

- 2. Department: Water Distribution  
Item: Open Purchase Order  
Purpose: Water Meters & Meter Parts  
Budgeted: Yes – FY 18-19  
Notification: None – Sole Distributor for Standardized Meter (Badger)

Recommendation: Mr. Williams recommended awarding the bid to National Meter & Automation, Nashville, TN, at \$30,000.00.

3. Department: Street  
Item: 225 tons of Cold Mix Asphalt  
Purpose: Pothole Repair – FY 18-19  
Budgeted: Yes  
Notification – None – Sole Source of Supply for this formulation

Recommendation: Mr. Williams recommended awarding the bid to Arrow Paving Company, Lexington, TN, at \$30,000.00.

4. Department: E.O.C.  
Item: Open Purchase Order – FY 18-19  
Purpose: Repairs, equipment transfers, and new installations for all city departments  
Budgeted: Yes  
Notification – None – Only local certified repair facility for Motorola

Recommendation: Mr. Williams recommended awarding the bid to West TN Communications, Dyersburg, TN at \$20,000.00.

5. Department: Police Department  
Item: Open Purchase Order – FY 18-19  
Purpose: Patrol Uniforms  
Budgeted: Yes  
Notification: None – Will be purchased through BuyBoard (National Purchasing Cooperative)

Recommendation: Mr. Williams recommended awarding the bid to Gall's, Chicago, IL, at \$26,000.00.

6. Department: Street Department  
Item: Open P.O. for FY 18-19  
Purpose: Concrete for various projects requiring less than 20 yds.  
Budgeted: Yes  
Notification – State Gazette, direct to 3 vendors  
Bids:

<u>Qty.</u>	<u>BT Redi-mix</u>	<u>Fowlkes Concrete</u>	<u>Southern Concrete</u>
1.00-1.50 yds	\$114.00	\$145.00	\$225.00
1.75-2.50 yds	\$114.00	\$135.00	\$225.00
2.75-3.75 yds	\$114.00	\$127.00	\$225.00
4 yds and over	\$114.00	\$115.00	\$150.00

Recommendation: Mr. Williams recommended awarding the bid to BT Redi-mix, Dyersburg, TN at \$20,000.00.

7. Department: Solid Waste Management  
Item: Tires for Route & Dumpster Trucks  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes  
Notification – State Gazette, direct to 4 vendors
- |       |                     |             |
|-------|---------------------|-------------|
| Bids: | Tucker Tire         | No Response |
|       | Love’s Travel Stops | No Response |
|       | T Enterprises       | \$17,564.00 |

Recommendation: Mr. Williams recommended awarding the bid to T Enterprises, Dyersburg, TN at \$17,564.00.

8. Department: Water Plant  
Item: Lab Supplies  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes  
Notification – None – Sole Source for supplies used

Recommendation: Mr. Williams recommended awarding the bid to Idexx Laboratories, Westbrook, ME, at \$25,000.00.

9. Department: Police  
Item: Patrol Pursuit Tires  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes  
Notification – State Gazette, direct to 3 vendors
- |       |                        |             |
|-------|------------------------|-------------|
| Bids: | Tucker Tire            | No Response |
|       | Lake Rd Service Center | \$15,922.80 |
|       | T Enterprises          | \$15,790.00 |

Recommendation: Mr. Williams recommended awarding the bid to T Enterprises, at \$15,790.00.

10. Department: Codes Department / E.O.C.  
Item: MyGov Annual Software Maintenance  
Purpose: Software for 311 services  
Budgeted: Yes  
Notification – None – Proprietary Product

Recommendation: Mr. Williams recommended awarding the bid to MyGov, Ada, OK, at \$21,600.00.

11. Department: Street Department  
Item: 250 Tons of Highway Salt  
Purpose: Deicing Streets – FY 18-19  
Budgeted: Yes  
Notification – None - State Contract

Recommendation: Mr. Williams recommended awarding the bid to Cargill, Inc., at \$20,615.00.

Mayor Holden asked for a motion for approval of bids 1-11. Alderman Mike Morgan made a motion to approve the bids as presented, followed by a second from Alderman Bill Escue. The motion passed by full Board vote.

12. Department: Airport  
Item: Rehabilitation of Ramp Area  
Purpose: Repair failed asphalt  
Budgeted: Yes – 95%/5% TDOT Grant w/ Local match = \$54,933.00  
Notification: State Gazette  
Plan Holders: Harold Coffey Construction  
Builders Exchange  
West TN Plan Room  
Construct Connect  
Remac, Inc.  
Ford Construction  
American Stripers
- |       |                            |              |
|-------|----------------------------|--------------|
| Bids: | Harold Coffey Construction | \$966,767.31 |
|       | Ford Construction          | \$891,662.20 |

Recommendation: Mr. Williams recommended awarding the bid to Ford Construction, Dyersburg, TN at \$891,662.20. Mayor Holden asked for a motion for approval of the bid. Alderman Dennis Moody made a motion to approve the bid as presented, followed by a second from Alderman Mike Morgan. The motion passed by full Board vote.

### **Reports from Aldermen:**

**Aldermen Bob Kirk:** No report.

**Alderman Bill Escue:** Congratulated and encouraged Franklin Agee in his acquisition of his Eagle Scout Award. He noted that the award would benefit Franklin in his future career.

**Alderman Terry Glover:** Stated that he missed several committee meetings last week due to being out of town and that he had met with the appropriate city staff to review the information he missed from the meetings.

**Alderman Kevin Chaney:** No report.



**Alderman Mike Morgan:** Thanked the Board of Mayor and Aldermen, Steve Anderson and his staff, for the work engaged by all for the completion of the 2018-19 Fiscal city budget. He noted the budget was completed without a tax increase and was approved on time.

**Alderman Dennis Moody:** No report.

**Alderman Scott Staggs:** Wished all a Happy Fourth of July.

**Alderman Robert Taylor, Jr:** Noted that he had had calls from citizens on Bowen Lane regarding the on-going odor and dust associated with the nearby grain elevator along Highway 51 Bypass South. He asked the Mayor if there had been any progress toward resolving the issue. Mayor Holden stated that the Board had discussed the issues numerous times. He noted that the city had and continues to work with Mr. Rudy Collins with TDEC on the issue. Mayor Holden asked Alderman Taylor if he had contacted Mr. Collins directly as recommended by the Mayor. Alderman Taylor said that he had communicated with Mr. Collins who indicated that he would sit down and have a talk with the elevator representatives. Alderman Taylor stated he felt the city needed to call a meeting with the community. Mayor Holden mentioned that he would be more than happy to reach out to Collins the next day (Tuesday).

**Communications from the Mayor:**

In addition to the Mayor and Board approving the 2018-19 the Mayor added the following noteworthy budget actions:

- Salary increase of 2% for all employees
- Property tax rate will remain the same at \$2.37, (NO tax increase)
- Continuation of the City's self-insured health care plan with NO increase in premiums for employees for the 12th consecutive year
- \$2.0 million appropriated for street paving

Prior to adjournment Mayor Holden thanked Steve Anderson and staff, the Board, and all department heads for working together to finalize the budget. He also noted that the City of Dyersburg was recognized as a top 25 giving company (No. 17) through the United Way of West Tennessee. He thanked those who participated for their contributions.

With no further business, the meeting adjourned at 7: 35 p.m.

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John Holden, Mayor

---

Robert C. Jones, City Recorder

**Board of Mayor and Aldermen Meeting  
June 18, 2018  
Dyersburg Municipal Court Room**

(5) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, July 2, 2018 in the Dyersburg Municipal Court Room at 7:00 p.m. Mayor John Holden presided over the meeting. The meeting opened with prayer by Alderman Kevin Cheney. Mayor Holden noted all Aldermen were present, with the exception of Alderman Bob Kirk. Mayor Holden did note that Alderman Kirk did request to vote by mobile telephone call to approve the budget when presented within the agenda. Additionally, Mayor Holden introduced Eagle Scout candidate Franklin Agee. Mr. Agee was in attendance as part of fulfillment of credit experiences working toward completion of his Eagle Scout project.

(6) **Approval of Minutes:**

Mayor Holden called for a motion to approve the minutes from the June 18, 2018 meeting. Alderman Bill Escue made a motion to approve the minutes. Alderman Terry Glover seconded the motion. The minutes were approved.

(7) **Unfinished Business:** None presented.

(8) **New Business**

**a. Bad debt write-off for 2017/2018 – Steve Anderson**

Mr. Anderson recommended the Board approve removing the bad debt line item from the city books of record. This procedure occurs annually. The debt will remain collectable and continue forward. The City retains a collection service to potentially collect bad debt. Some debt is collected by the service each year and deposited into the city account. Mr. Anderson noted the city continues to collect such debt annually and the overall balance has been significantly reduced since his tenure as Treasurer. The amount of the annual debt to be removed this period totals \$32,058.33.

Alderman Kevin Chaney made a motion for approval the Bad Debt Write-Off recommended by the City Treasurer. Alderman Robert Taylor, Jr. seconded the motion. The motion passed by full Board vote.

**b. Local Government Committee Meeting minutes – June 27, 2018 – Chairman Kevin Chaney**

**City of Dyersburg  
Local Government Committee Meeting  
June 27, 2018**

The Local Government Committee met Wednesday, June 27, 2018 at 9:00 a.m. in the second-floor conference room of City Hall.

**Committee Members Present:** Committee Chairman Kevin Chaney, Mayor John Holden, (Terry Glover, and Dennis Moody) were absent.

**Other Aldermen Present:** Mike Morgan, Robert Taylor, Jr., Bob Kirk

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcheson, State Gazette, Steve Isbell, and Thomas Langford, Dyersburg Police Department, Scott Ball, Storm Water and Construction Inspection, Thomas Mullins, Codes Department.

Chairman Kevin Chaney opened the meeting with the following agenda:

2. ACCESSORY USES AS RELATING TO TRANSIENT VENDORS

The committee discussed recent issues with transient vendors in the city. The Alderman Board had tabled Ordinance BB 672 - An ordinance of the City of Dyersburg regulating the permitting and operations of Transient Vendors, to include specific fees at the Mayor and Board of Aldermen meeting on March 6, 2017.

Thomas Mullins presented recent complaints regarding transient or mobile vendors in the city. The complaints included:

Noise violation due to music and generators

Right of way violations

Smoke coming from cookers

Food products being sold out of the back of hatch back type car

Accessory equipment left overnight included: Picnic Tables with Umbrellas, Tables, Signs, Tents, Aluminum Awnings, etc., and

Electric cords tied into permanent power

Mr. Mullins noted a specific transient vendor had complained over social media that the City of Dyersburg is mistreating him because the city would not allow him to put up a tent on South Main.

Mr. Mullins stated the current ordinance is vague regulating accessory uses to transient mobile type vendors. Mr. Mullins specifically requested assistance from the committee and the Board regarding addressing citizen complaints, and guidance in the parameters of regulations set for mobile vendor and mobile merchants.

He noted every City has unique and specific ordinances to regulate mobile and transient. He felt the city of Dyersburg should allow the mobile and transient vendors but establish more defined regulations to better govern their operation of business within the city.

He specifically noted the following areas to consider for regulation:

Zoning – Times of Operation – Number of Days – Trailer / Vehicle Types – Locations – Daily, Weekly, Monthly, Yearly – Inspections – Restaurant Separations – Vendor Separations - Toilet Room Requirements - Registrations / Permits – Etc.

In further recommended he committee may want to consider establishing a committee made up of an Alderman, a Downtown Development Board Member, and a Chamber of Commerce Board member to best view the needs of the Citizens of Dyersburg as a whole in this issue.

Mr. Mullins presented sample copies of several cities who have addressed these and other regulation needs. The committee requested Mr. Mullins email copies for regulations and ordinances to the committee for their review to address these issues.

With no further business, the meeting adjourned at 9: 35 a.m.

**c. Finance Committee Budget Hearing Meeting, June 27, 2018 – Chairman Kevin Chaney**

**Finance Committee Budget Hearing Meeting**

**City of Dyersburg**

**June 27, 2018**

**The Finance Committee** met at 10:00 a.m. June 27, 2018 in the City Hall Second Floor conference room.

**Committee Members Present:** Chairman Kevin Chaney, Aldermen Bob Kirk, and Mayor John Holden. Alderman Terry Glover was absent.

**Other Aldermen who attended included:** Aldermen Mike Morgan, Scott Staggs, Robert Taylor, Jr.

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcherson, State Gazette, Steve Isbell, and Thomas Langford, Dyersburg Police Department, Scott Ball, Storm Water and Construction Inspection.

Chairman Chaney called the meetings to order and opened with prayer. Agenda items included the following:

2. Comptroller inquiry of the selection of auditor.

The Board of Mayor and Alderman voted June 4, 2018 to replace the current city financial auditing company Alexander Thompson Arnold with Cowart Reese Sargent PC. Mr. Lannom presented information before the committee addressing concerns extended by the State Office of the Comptroller regarding the city following the prescribed by law process for procurement of auditing services. The discussion noted the following:

Mayor Holden opened the discussion noting that as a result of the Board approving a motion to terminate ATA and retain Cowart Reese and Sargent audit firm at the June 4, 2018 meeting, he received a telephone call from Mr. Bryan Burklin, State Comptroller's office on June 15, 2018 and was asked to send information about the board action regarding the change.

On Monday, June 18, 2018 Mayor Holden received a second telephone call from Mr. Jerry Durham, State Comptroller Office for municipal audits regarding concerns of what appeared to be violation of Tennessee Code Annotated 12-3-1209, the code consisting of contracts for professional services.

Subsequently, Mayor Holden notified city attorney John Lannom to review the city's position in the matter.

Mr. Lannom spoke before the committee noting that he had talked with Mr. Durham. He stated the city appeared to be in violation of TCA code 12-3-1209, and Mr. Durham requested a plan for resolution for compliance with the state. In further conversation with Mr. Durham the following was noted:

- the comptroller received a citizen complaint and press reports of the city's meetings.

- Mr. Lannom was challenged to suggest a fix to the situation, whereby the City might retain compliance with the statute.
- Mr. Lannom suggested the city provide a court reporter and go through a discussion of analysis that the board undertook to see if the requisite knowledge and impressions were present in the minds of the board when they took this action. He further stated requisite knowledge involves the knowledge of the firm Cowart Reese and Sargent - its professional reputation as a municipal auditor, its reputation as a competent firm, and its reputation as men and women of integrity.
- This plan of resolution would help in resolving the current matter with the Comptroller.

Chairman Chaney stated that in telephone communication on June 26, 2018 with representatives of the Comptroller's Office, Mr. Jason Mumpower, and Mr. Jim Arnette, and Mr. Durham, he was informed there was not any need for correction to a violation of the statute.

There was significant discussion debating all aspects of Mr. Lannom's recommendation to the committee. The committee agreed there was confusion on the expectation from the Comptroller, and to clear up any confusion on what would be required from the comptroller, Chairman Chaney motioned to call a special meeting of the Finance committee and hold a telephone conference with the comptroller, with Lannom present. The motion was seconded by Alderman Bob Kirk. The motion passed. A date for the telephone conference will be arranged.

The agenda also included a review of the 2018-2019 budget proposal. The committee heard from Treasurer Steve Anderson updated information relevant to the Board finalizing recommendations for the approval of the 2018-19 Fiscal budget at the Board of Mayor and Aldermen Meeting July 2, 2018. As additional discussion occurred, no official action was taken; however, it was decided that the committee would resume their discussions at 10:00 a.m. on Friday, June 29, 2018.

With no further business, the committee adjourned at 11:10 a.m.

**d. Finance Committee Meeting minutes – June 29, 2018 – Chairman Kevin Chaney**

**Finance Committee Budget Hearing Meeting**

**City of Dyersburg**

**June 29, 2018**

**The Finance Committee** met at 10:00 a.m. June 29, 2018 in the City Hall Second Floor conference room.

**Committee Members Present:** Chairman Kevin Chaney, Aldermen Bob Kirk, and Mayor John Holden, Alderman Terry Glover.

**Other Aldermen who attended included:** Robert Taylor, Jr.

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcheson, State Gazette, John Lannom, and Becky Dykes, City Attorneys, Steve Isbell and Thomas Langford, Dyersburg Police Department, Mike Moore, Cemetery, Scott Ball, Storm Water and Construction Inspection, Kenny Lyte, Citizen.

Chairman Chaney called the meeting to order and opened with prayer.

First on the agenda was a conference call placed to the State of Tennessee Office of the Comptroller as dictated by a motion to call a special meeting of the Finance committee and hold a telephone conference with the comptroller to discuss expectations and clarifications regarding a Board action to terminate ATA and retain Cowart Reese and Sargent audit firm at the June 4, 2018 Board meeting.

As a result of the conference call the following was noted:

- Mr. Lannom provided the committee with a copy of the Section 12-3-1209, Tennessee Code Annotated (TCA), and Audit Procurement Guide from the State of Tennessee.
- The committee conferenced called the State Comptroller's Office and spoke with Mr. Jim Arnette.
- Mr. Arnette informed the committee that his office had provided a statement of opinion on the matter which read as follows:

“In accordance with TCA 12-3-1209 the Comptroller's Office believes the Dyersburg Board of Mayor and Aldermen acted appropriately in their selection of external auditor Cowart Reese Sergeant. As are current city auditors Alexander Thompson Arnold, Cowart Reese Sergeant is a licensed CPA firm in the State of Tennessee. Both firms perform audits under contract with our office. Cowart Reese Sergeant performs over fifty audits of local government entities in Tennessee. Therefore, we believe they meet the competence and integrity criteria as found in the statute. The Comptroller's Office also supports and encourages the periodic rotation of auditors. If the Board chooses to pursue any further action regarding this matter, then it will be a local decision.”

- Mr. Arnette stated that was the statement from the Comptroller's Office and they have no further comment in this matter.
- Mayor Holden asked Mr. Arnette if the City may now sign a contractual agreement for services with Cowart Reese Sergeant. Mr. Arnette informed the Mayor that he may sign the contract.

This concluded the conference call.

Next on the agenda, the committee discussed a final review of the 2018-2019 budget proposal. The committee heard from Treasurer Steve Anderson updated information relevant to the Board finalizing recommendations for the approval of the 2018-19 Fiscal budget at the Board of Mayor and Aldermen Meeting July 2, 2018.

At the end of discussion Alderman Bob Kirk motioned to approve the budget as presented with final revisions. Mayor Holden seconded the motion which passed by full committee approval. The 2018-19 Budget will be placed before the full Board July 2, 2018. It was noted the budget was approved for recommendation without a property tax increase, approved 2% salary increase for staff, capital outlay requests, and small items of equipment. ***The budget will be approved under agenda item (F) following later in the agenda order.***

Also, the committee discussed the current process for contractor utility services connections.

Mayor Holden presented the committee copies of State of Tennessee Public Chapter NO. 1003, an act to amend Tennessee Code Annotated, Title 7, Chapter 34, relative to the disposition of revenue from a natural gas utility system owned by the municipality. The new law requires a resolution for adoption by the city. Mayor Holden motioned to approve a resolution adopting the new law by the Board at the July 2, 2018 regular meeting. Alderman Bob Kirk seconded the motion which passed by full committee approval.

With no further business, the committee adjourned at 10:40 a.m.

- e. Resolution 07022018 – A resolution authorizing revenue from the natural gas utility system to be appropriated to funding chambers of commerce and economic and community organizations for economic development purposes.**

DYERSBURG, TENNESSEE

RESOLUTION NO. 07022018

A RESOLUTION AUTHORIZING REVENUE FROM THE NATURAL GAS UTILITY SYSTEM TO BE APPROPRIATED TO FUNDING CHAMBERS OF COMMERCE AND ECONOMIC AND COMMUNITY ORGANIZATIONS FOR ECONOMIC DEVELOPMENT PURPOSES

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg finds that the rates charged to natural gas utility system customers are fair and equitable; and

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg has determined that the natural gas utility system has sufficient revenue to satisfy all obligations as required by Tennessee Code Annotated, § 7-34-115(a); and



WHEREAS, the State of Tennessee in *Tennessee Code Annotated Section, 7-34-115(a)(2)* authorizes either a municipal utility board with management responsibility for a municipal utility system that is a natural gas utility system or a municipal governing body, if there is no such board, to contribute revenue from the system to fund chambers of commerce and economic and community organizations; and

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg desires to contribute revenue from the natural gas utility system to chambers of commerce and economic and community organizations for economic development purposes;

NOW, THEREFORE, BE IT RESOLVED by the City of Dyersburg municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg, Tennessee:

Section 1. Under the authority of Tennessee Code Annotated, § 7-34-115(a)(2), gas utility system revenue is appropriated to funding chambers of commerce and economic and community organizations from the municipal utility board with management responsibility for the natural gas utility system in the City of Dyersburg for economic development purposes.

Section 2. Pursuant to Tennessee Code Annotated, § 7-34-115(a)(2), customer rates will not be raised to in order to make this contribution, targeting economic development efforts.

Section 4. This resolution shall take effect from and after its final passage, the public welfare requiring it.

***Mayor Holden called for a motion to approve the resolution. Alderman Dennis Moody made a motion for approval. Alderman Bill Escue seconded the motion. The motion passed by full Board vote.***

Passed on: July 2, 1018

SIGNED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Recorder

**f. Public Hearing for Approval of 2018-2019 budget on July 2, 2018 - Ordinance BB680**

Mayor Holden announced that this was a notice of public hearing for approval of the

2018-2019 budget as presented. All Aldermen were presented the complete budget prior to the meeting. The finance committee met on several occasions in May and June 2018 to discuss and provide guidance for budget planning. The Board is required by the State to approve the budget in the form of an ordinance. **Ordinance BB 680** was presented for approval in the form of a motion by Alderman Mike Morgan and seconded by Alderman Kevin Chaney.

Mayor Holden asked the Board for any discussion, and Alderman Taylor asked if the City could complete a walkway from Martin Luther King Drive to Isaac Hayes Drive along Upper Finley Road, which Alderman Taylor mentioned in a prior meeting on May 21, 2018.

Mayor Holden acknowledged that the request had been brought up in a prior Board meeting, but to the Mayor's knowledge it was never discussed at the budget meetings.

Mayor Holden noted that if there was money left in the approved capital projects area of the budget, then he would inquire about funds for the request.

Alderman Taylor stated that he felt the city could do the project.

Mayor Holden further stated that if the city can afford to do it, and the Board approves it, then the project may be funded. He said the discussion would be under a street committee meeting to find out exactly the distance required, property acquisition, etc. At the end of discussion, the Board voted, passing the motion by full Board vote.

**g. Notice of Public Hearing – July 16, 2018 – An ordinance amending the text of the Dyersburg Municipal Zoning Ordinance by adopting standards for Micro-Breweries**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE TEXT OF THE DYERSBURG MUNICIPAL ZONING ORDINANCE BY ADOPTING STANDARDS FOR MICRO-BREWERIES.**

WHEREAS, Section 13-7-201 through 13-7-210 of the Tennessee Code Annotated empowered the City to enact the Dyersburg Municipal Zoning Ordinance and provide for its administration, enforcement; and

WHEREAS, the Board of Mayor and Alderman deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance; and

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has reviewed said proposed amendments and recommends such amendments to the Dyersburg Board of Mayor and Alderman; and

WHEREAS, the Board of Alderman has given due public notice of hearings on said amendments and has held public hearings; and

WHEREAS, all the requirements of Section 13-7-201 through 13-7-210 of Tennessee Code Annotated, with the regard to the amendment of a Municipal Zoning Ordinance by the Planning Commission and subsequent action of the Board of Mayor and Alderman have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF DYERSBURG, TENNESSEE:

SECTION 1. The text of the Dyersburg Municipal Zoning Ordinance be revised by adding the following language to **ARTICLE III, Definitions**:

**Micro-Brewery**: a retail commercial use where no more than 25% of its products are sold for off-site sales and distribution.

SECTION 2. The text of the Dyersburg Municipal Zoning Ordinance be revised by adding the following language to **ARTICLE XXIII, V. Standards for Micro-Breweries**:

**V. Standards for Micro-Breweries**

Micro-Breweries are allowed within all Business Districts where retail sales are permitted. Not more than 25% percent of products that are manufactured/produced on-site and within an enclosed building may be sold for off-site sales and/or distribution.

SECTION 3. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage, THE PUBLIC WELFARE REQUIRING IT.

Date of the First Reading: June 18, 2018

Date of the Second Reading and Public Hearing: July 2, 2018

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Mayor

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City Recorder

- h. Notice of Public Hearing – July 16, 2018 – An ordinance amending the Dyersburg Municipal Zoning Map by rezoning property located near 2030 Upper Finley Road (Brian Hatch property) from R-3 (high density residential) district to B-2 (general trade and services) district.**

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE DYERSBURG MUNICIPAL ZONING MAP BY REZONING PROPERTY LOCATED NEAR 2030 UPPER FINLEY ROAD (BRIAN HATCH PROPERTY) FROM R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO B-2 (GENERAL TRADE AND SERVICES) DISTRICT.**

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-201 and 13-7-202 a zoning ordinance and map have been adopted for the City of Dyersburg; and,

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has recommended that the following property be reclassified from its current zoning designation to the proposed zoning designation and,

WHEREAS, a public hearing was held before Dyersburg Board of Mayor and Aldermen pursuant to section 13-7-203, Tennessee Code Annotated, the time and place of which was published with fifteen days advance notice; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF DYERSBURG:

**SECTION 1.** That the following described property be rezoned to B-2 (General Trade and Services) District:

**Parcels 88.00, 89.00, and 90.00 on Dyer County Tax Map 0087.**

Beginning at a point, said point being the southwestern most corner of Parcel 89.00 on Dyer County Tax Map 087 and the northern right of way of Upper Finley Road; thence moving in a northwesterly direction along the northern right of way of Upper Finley Road to a point, said point being the intersection of the northern right of way of Upper Finley Road and the southwestern most corner of Parcel 89.00; thence moving in a northeasterly, then northwesterly, then southwesterly, then northwesterly, then northwesterly direction along the western boundary of Parcel 89.00 to a point, said point being the northwestern most corner of Parcel 89.00; thence moving in an easterly direction along the northern boundary of Parcel 89.00 to a point, said point being the northeastern most corner of Parcel 89.00; thence moving in an southerly direction along the western boundary of Parcel 89.00 to the point of beginning.

**SECTION 2.** BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after third and final reading, THE PUBLIC WELFARE REQUIRING IT.

June 18, 2018

Passed First Reading

\_\_\_\_\_  
Mayor

July 2, 2018

Passed Second Reading

\_\_\_\_\_  
City Recorder

Mayor Holden called for a motion to approve the (2) preceding ordinances in one motion for public hearing at the July 16, 2018 Board of Mayor and Aldermen meeting. Alderman Dennis Moody made a motion for approval of the public notice of the (2) ordinances. Alderman Scott Staggs seconded the motion. The motion passed by full Board vote.

- i. Notice of Public Hearing – July 16, 2018 – An ordinance amending the Dyersburg Municipal Zoning Map by rezoning property located near the intersection of East Tickle Street and Speedway Avenue (Kate Dykes property) from R-2 (medium density residential) district to H-M (hospital-medical) district. (Kate Dykes has withdrawn her request)**

Mayor Holden announced that Ms. Dykes has withdrawn her request for the property rezoning. Therefore, no vote was required on the proposed ordinance. Additionally, Mayor Holden provided a copy of Ms. Dykes request for her withdrawal.

- j. Bids – Greg Williams**

*At Mayor Holden's recommendation and for convenience of approval, the Board agreed to vote simultaneously on bid recommendations 1-11 made by Mr. Williams. Th bids are open orders on the 2018-19 budget.*

Department: Water Plant / Wastewater Plant / Recreation

Item: 120,000 gallons of Liquid Chlorine Bleach

Purpose: Open P.O. for FY 18-19

Budgeted: Yes

Notification – State Gazette, direct to 4 vendors

Bids:	The Dycho Company	No Response
	Brenntag Mid-South	\$128,400.00
	Vertex Chemical	\$105,600.00
	Harcros Chemicals	\$ 92,400.00

Recommendation: Mr. Williams recommended awarding the bid to Harcros Chemical Co., Memphis, TN at \$92,400.00.

2. Department: Water Distribution  
Item: Open Purchase Order  
Purpose: Water Meters & Meter Parts  
Budgeted: Yes – FY 18-19  
Notification: None – Sole Distributor for Standardized Meter (Badger)

Recommendation: Mr. Williams recommended awarding the bid to National Meter & Automation, Nashville, TN, at \$30,000.00.

3. Department: Street  
Item: 225 tons of Cold Mix Asphalt  
Purpose: Pothole Repair – FY 18-19  
Budgeted: Yes  
Notification – None – Sole Source of Supply for this formulation

Recommendation: Mr. Williams recommended awarding the bid to Arrow Paving Company, Lexington, TN, at \$30,000.00.

4. Department: E.O.C.  
Item: Open Purchase Order – FY 18-19  
Purpose: Repairs, equipment transfers, and new installations for all city departments  
Budgeted: Yes  
Notification – None – Only local certified repair facility for Motorola

Recommendation: Mr. Williams recommended awarding the bid to West TN Communications, Dyersburg, TN at \$20,000.00.

5. Department: Police Department  
Item: Open Purchase Order – FY 18-19  
Purpose: Patrol Uniforms  
Budgeted: Yes  
Notification: None – Will be purchased through BuyBoard (National Purchasing Cooperative)

Recommendation: Mr. Williams recommended awarding the bid to Gall's, Chicago, IL, at \$26,000.00.

6. Department: Street Department  
Item: Open P.O. for FY 18-19  
Purpose: Concrete for various projects requiring less than 20 yds.  
Budgeted: Yes

Notification – State Gazette, direct to 3 vendors

Bids:

Qty.	BT Redi-mix	Fowlkes Concrete	Southern Concrete
1.00-1.50 yds	\$114.00	\$145.00	\$225.00
1.75-2.50 yds	\$114.00	\$135.00	\$225.00
2.75-3.75 yds	\$114.00	\$127.00	\$225.00
4 yds and over	\$114.00	\$115.00	\$150.00

Recommendation: Mr. Williams recommended awarding the bid to BT Redi-mix, Dyersburg, TN at \$20,000.00.

7. Department: Solid Waste Management  
Item: Tires for Route & Dumpster Trucks  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes

Notification – State Gazette, direct to 4 vendors

Bids:	Tucker Tire	No Response
	Love's Travel Stops	No Response
	T Enterprises	\$17,564.00

Recommendation: Mr. Williams recommended awarding the bid to T Enterprises, Dyersburg, TN at \$17,564.00.

8. Department: Water Plant  
Item: Lab Supplies  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes  
Notification – None – Sole Source for supplies used

Recommendation: Mr. Williams recommended awarding the bid to Idexx Laboratories, Westbrook, ME, at \$25,000.00.

9. Department: Police  
Item: Patrol Pursuit Tires  
Purpose: Open P.O. for FY 18-19  
Budgeted: Yes  
Notification – State Gazette, direct to 3 vendors
- |       |                        |             |
|-------|------------------------|-------------|
| Bids: | Tucker Tire            | No Response |
|       | Lake Rd Service Center | \$15,922.80 |
|       | T Enterprises          | \$15,790.00 |

Recommendation: Mr. Williams recommended awarding the bid to T Enterprises, at \$15,790.00.

10. Department: Codes Department / E.O.C.



Item: MyGov Annual Software Maintenance  
Purpose: Software for 311 services  
Budgeted: Yes  
Notification – None – Proprietary Product

Recommendation: Mr. Williams recommended awarding the bid to MyGov, Ada, OK, at \$21,600.00.

11. Department: Street Department  
Item: 250 Tons of Highway Salt  
Purpose: Deicing Streets – FY 18-19  
Budgeted: Yes  
Notification – None - State Contract

Recommendation: Mr. Williams recommended awarding the bid to Cargill, Inc., at \$20,615.00.

Mayor Holden asked for a motion for approval of bids 1-11. Alderman Mike Morgan made a motion to approve the bids as presented, followed by a second from Alderman Bill Escue. The motion passed by full Board vote.

12. Department: Airport  
Item: Rehabilitation of Ramp Area  
Purpose: Repair failed asphalt  
Budgeted: Yes – 95%/5% TDOT Grant w/ Local match = \$54,933.00  
Notification: State Gazette  
Plan Holders: Harold Coffey Construction  
Builders Exchange  
West TN Plan Room  
Construct Connect  
Remac, Inc.  
Ford Construction  
American Stripers
- |       |                            |              |
|-------|----------------------------|--------------|
| Bids: | Harold Coffey Construction | \$966,767.31 |
|       | Ford Construction          | \$891,662.20 |

Recommendation: Mr. Williams recommended awarding the bid to Ford Construction, Dyersburg, TN at \$891,662.20. Mayor Holden asked for a motion for approval of the bid. Alderman Dennis Moody made a motion to approve the bid as presented, followed by a second from Alderman Mike Morgan. The motion passed by full Board vote.

### **Reports from Aldermen:**

**Aldermen Bob Kirk:** Not present during this portion of the meeting.

**Alderman Bill Escue:** Congratulated and encouraged Franklin Agee in his acquisition of his Eagle Scout Award. He noted that the award would benefit Mr. Agee in his future career.

**Alderman Terry Glover:** Stated that he missed several committee meetings last week due to being out of town and that he had met with the appropriate city staff to review the information he missed from the meetings.

**Alderman Kevin Chaney:** No report.

**Alderman Mike Morgan:** Thanked the Board of Mayor and Aldermen, Steve Anderson and his staff, for the work engaged by all for the completion of the 2018-19 Fiscal city budget. He noted the budget was completed without a tax increase and was approved on time.

**Alderman Dennis Moody:** No report.

**Alderman Scott Staggs:** Wished all a Happy Fourth of July.

**Alderman Robert Taylor, Jr:** Noted that he had had calls from citizens on Bowen Lane regarding the on-going odor and dust associated with the nearby grain elevator along Highway 51 Bypass South. He asked the Mayor if there had been any progress toward resolving the issue. Mayor Holden stated that the Board had discussed the issues numerous times. He noted that the city had and continues to work with Mr. Rudy Collins with TDEC on the issue. He further stated he had been made aware that the elevator company had received letters from TDEC about certain violations since the concerns were earlier brought before the Board. Mayor Holden asked Alderman Taylor if he had contacted Mr. Collins directly as recommended by the Mayor. Alderman Taylor said that he had communicated with Mr. Collins who indicated that he would sit down and have a talk with the elevator representatives. Alderman Taylor stated he felt the city needed to call a meeting with the community. Mayor Holden mentioned that he would be more than happy to reach out to Collins the next day (Tuesday).

### **Communications from the Mayor:**

In addition to the Mayor and Board approving the 2018-19 the Mayor added the following noteworthy budget actions:

- Salary increase of 2% for all employees
- Property tax rate will remain the same at \$2.37, (NO tax increase)
- Continuation of the City's self-insured health care plan with NO increase in premiums for employees for the 12th consecutive year
- \$2.0 million appropriated for street paving
- Water and sewer rates, gas rates, and refuse rates will remain the same

- Permit fees and user fees remain basically the same with one exception on the deposit for a construction meter
- Various Capital Outlay Requests for several City Departments approved
- Emergency Warning fee increased from \$1.50 to \$3.00

Additionally, the Mayor expounded upon several other budget and employee related benefits:

“First, the Health Care coverage for employees. The City Board along with Sue Teague work extremely hard to keep health care premiums to a minimum and with your help in staying healthy, exercising, annual check-ups, eating right and taking care of yourself, we are able to do that. The premiums for employees are as follows and have not been increased in 12 years and are as follows:

- Single - \$15.00 weekly
- Employee and children - \$30.00 weekly
- Employee and spouse - \$35.00 weekly
- Family coverage - \$45.00 weekly

The yearly deductible continues to be \$500 with a maximum out of pocket of \$1500. I doubt there is any Health Care plan around that is as good as the City of Dyersburg. Please continue to take care of yourself and help us maintain our great insurance”.

“Secondly, we celebrated June as National Safety Month with a swimming party with food and door prizes last Thursday June 28, 2018 at the Dyersburg Activity Center. We had a good turnout and every city employee received a door prize. We wanted to celebrate our success and thank the city employees for their help in reducing our Worker’s Comp Claims from \$361,582 to \$99,582 during the previous year’s reporting periods. Please continue to work safe and be careful especially during these hot humid days”.

Thirdly, next Tuesday, July 10, 2018 at 10:00 a. m., our newest addition to the City of Dyersburg Industrial Park will hold a grand opening. Frazier Industrial has completed their 175,000 sq. ft. state of the art facility and will become fully operational this summer. With the grand opening of this newest manufacturer, it reminds me how fortunate and blessed we are to have a multitude of industries and other businesses that provide employment opportunities for our citizens. In fact, our unemployment rate in 2011 was 13.6%, since then, and in every consecutive year, the unemployment rate has continued to decline to a near historic low of 4.7% in 2017. Year to date thru May 2018 our unemployment rate is 4.5%”.

Prior to adjournment Mayor Holden thanked Steve Anderson and staff, the Board, and all department heads for working together to finalize the budget. He also noted that the City of

Dyersburg was recognized as a top 25 giving company (No. 17) through the United Way of West Tennessee. He thanked those who participated for their contributions.

With no further business, the meeting adjourned at 7: 35 p.m.

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John Holden, Mayor

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Robert C. Jones, City Recorder