

**Board of Mayor and Aldermen Meeting
July 16, 2018
Dyersburg Municipal Court Room**

(1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, July 16, 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 Mike Morgan. Mayor Holden noted all Aldermen were present.

(2) **Approval of Minutes:**

Mayor Holden called for a motion to approve the minutes from the June 2, 2018 meeting. Alderman Kevin Chaney made a motion to approve the minutes. Alderman Scott Staggs seconded the motion. The minutes were approved.

(3) **Unfinished Business:** Dyersburg Police chief, Steve Isbell provided the board with a five-day period report of DPD response to community service calls and other crime activity during the week of July 4, 2018. Additionally, he presented statistical comparisons with previous years dating back to 2015.

(4) **New Business**

a. **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. BB 681

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

Date of final Reading: July 16, 2018

Mayor

City Recorder

Thomas Mullins, Dyersburg City Codes Department, provided answers to several questions from board members regarding the ordinance. He specifically noted the ordinance related to zoning and that it had no effect on the current beet ordinance, and that the Planning Commission had approved the ordinance to not restrict the location of micro-brewery businesses to a specific zone location.

At the end of discussion, Mayor Holden called for a motion to approve the ordinance. Alderman Mike Morgan made a motion for approval of Ordinance BB 681 as presented. Alderman Bill Escue seconded the motion. The motion passed by full Board vote.

- b. 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 BB 682

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.

July 2, 2018

Passed First Reading

Mayor

July 16, 2018

Passed Second Reading

City Recorder

At the end of discussion, Mayor Holden called for a motion to approve the ordinance. Alderman Bob Kirk made a motion for approval of Ordinance BB 682 as presented. Alderman Kevin Chaney seconded the motion. Mr. Craig Barren, Barren Surveying, was asked to provide for any questions from the board. Mr. Barren stated the development project would be the development of an approximately 55 lot subdivision in the proposed B-2 zone. Following the explanation of the development of the property, the board approved the ordinance by full board vote.

c. Reappointment of Walt Bradshaw to the Dyersburg Electric Power Board

Mayor Holden announced his recommendation for the reappointment of Mr. Walt Bradshaw to the Dyersburg electric Power board for a 4-year term. Alderman Bob Kirk motioned to approved the reappointment of Mr. Bradshaw. Alderman Dennis Moody seconded the motion which was unanimously approved by the Board.

d. Attorney Invoice

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The June 1, 2018 to June 30, 2018 invoice totaled \$4,612.50. Alderman Mike Morgan made a

motion to approve the payment, with a second by Alderman Dennis Moody. The motion was approved.

e. Bids – Greg Williams

1. Department: Solid Waste - Landfill

Item: CAT D6TLGP Bull Dozer

Purpose: Replace 2006 Dozer

Budgeted: \$350,000

Notification: None – TN State Contract

Bids: Thompson Machinery \$347,029.40

*CAT is the only manufacturer of a high-track dozer. This is important, as this keeps the final drive out of the garbage.

Thompson already had one on order, so delivery could possibly be in 4 weeks.

Recommendation: Mr. Williams recommended awarding the bid to Thompson Machinery, Jackson, TN at \$347,029.40. Alderman Kevin Chaney motioned to approve as recommended. Alderman Terry Glover seconded the motion, which was unanimously approved by the Board.

Reports from Aldermen:

Aldermen Bob Kirk: stated the board of Mayor and Aldermen extended their condolences and prayers at the recent loss of his father.

Alderman Bill Escue: no report.

Alderman Terry Glover: no report.

Alderman Kevin Chaney: no report.

Alderman Mike Morgan: thanked the city and the board for their support during the time of the loss of his father.

Alderman Dennis Moody: no report.

Alderman Scott Staggs: no report.

Alderman Robert Taylor, Jr: reported storm damaged trees and power lines needing service. Mayor Holden asked the locations, and Alderman Taylor responded that he would get addresses for him.

Communications from the Mayor: no report.

With no further business, the meeting adjourned at 7: 15 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder