

**Board of Mayor and Aldermen Meeting
November 5, 2018
Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, November 5, 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 Chaney. Mayor Holden noted all Aldermen were present.

- (2) **Approval of Minutes:**

Mayor Holden called for a motion to approve the minutes from the October 15, 2018 meeting. Alderman Bill Escue made a motion to approve the minutes. Alderman Robert Taylor, Jr. seconded the motion. The minutes were approved.

- (3) **Unfinished Business:** None presented.

- (4) **New Business**

a. Public Hearing – November 5, 2018 – An ordinance to amend the text of the Dyersburg Municipal Zoning Ordinance to adopt standards for indoor sport shooting ranges.

Mayor Holden noticed the public of a second reading of a proposed text amendment to the Dyersburg Municipal Zoning Ordinance to adopt standards for indoor sport shooting ranges. The proposed ordinance is as follows:

ORDINANCE BB 686

AN ORDINANCE TO AMEND THE TEXT OF THE DYERSBURG MUNICIPAL ZONING ORDINANCE TO ADOPT STANDARDS FOR INDOOR SPORT SHOOTING RANGES;

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

WHEREAS, the Dyersburg Planning Commission has reviewed said proposed zoning amendment pursuant to Sections 13-7-203 and 13-7-204 of the *Tennessee Code Annotated* and recommends such amendment to the Dyersburg Board of Mayor and Aldermen; and,

WHEREAS, the Dyersburg Board of Mayor and Aldermen has given due public notice on said amendment and has held public hearing; and,

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

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

SECTION 1. That the following language be added to Article XXIII, GENERAL PROVISIONS:

Section W. Indoor Sport Shooting Range Regulations

The purpose of these facilities is to safely train individuals in the handling of firearms in an urban setting with minimal impact to adjacent properties.

1. An indoor sport shooting range must be located in a building with a minimum of 5,000 square feet.
2. The structure housing an indoor sport shooting range shall be a minimum of 200 feet from the boundary of any residentially zoned district, and located only within the zoning districts: PB – M1 – M2 – M3
3. Such facilities shall comply with setback regulations of the zoning district in which it is located.
4. All firing lanes must be designed with firing lines that restrict down range access from shooters and targets that can be moved toward the shooter mechanically. Safety Rules must be posted at all times. Ranges must have clear and adequate accident protocol plans in place.
5. All facilities shall comply with the Anti-Noise Regulations found in the City of Dyersburg Municipal Ordinance Number 11-302, and specifically no noise from firearms shall be audible at the property lines during business hours.
6. An indoor sport shooting range shall comply with all federal and state regulations pertaining to firearms and shooting ranges.
7. The developer/owner shall provide 1 and ½ (1.5) parking spaces per firing lane, required handicap accessible spaces, plus one (1) additional space for each employee.

Secondary Retail space shall comply with required parking provisions within the Zoning Ordinance.

8. A site plan shall be required.
9. In addition to the site plan, the developer/owner shall submit a safety plan and a sound abatement plan. The developer/owner shall submit plans detail lead exposure, control, and disposal. The Dyersburg Planning Commission may require additional fencing, buffering, baffles, or may deny the request if the site plan does not or cannot meet the above-mentioned purposes, standards and requirements, or if other significant health and safety issues are present.

SECTION 2. That the following language shall be added to Article IV, DEFINITIONS:

Indoor Sport Shooting Range: The use of a structure for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions.

SECTION 3. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after second and final reading, this ordinance shall take effect from and after its passage, the welfare of the city requiring it.”

October 15, 2018
Passed First Reading

Mayor

November 5, 2018
Passed Second Reading

City Recorder

Mayor Holden called for approval of the second reading the proposed ordinance.

Alderman Bob Kirk motioned for approval of the ordinance. Alderman Kevin Chaney seconded the motion which was passed by the full Board.

b. Street & Sanitation Committee Meeting minutes – October 18, 2018 – Chairman Mike Morgan

Street/Sanitation Committee Meeting

City of Dyersburg

October 18, 2018

The Street/Sanitation Committee met Tuesday, October 18, 2018 at 9:00 a.m. at the McIver's Grant Public Library in the community conference room.

Members Present Included: Mayor John Holden, Bill Escue, Kevin Chaney, and Committee Chairman Mike Morgan.

Other Alderman Board Members: Terry Glover, Scott Staggs, Robert Taylor, Jr.

Staff and Others Present: Greg Williams, Purchasing, Brandon Hutcheson, State Gazette, Scott Ball, Storm Water and Construction Inspector, Tiffany Heard, City Engineer, Mike McCulloch, Street and Water Superintendent, and citizens from the community.

The meeting opened with prayer. The committee convened to continue discussion of the recommendations of a city engineering study of the drainage concerns for Woodside Lane and Hwy 104 east located in the Rolling Meadows subdivision. At the October 9, 2018 committee meeting, it was recommended to meet with the city engineer to re-discuss the engineering study further in an attempt to address questions and concerns for all of those involved. No committee action was taken at that time.

The drainage issue discussion has been a concern for some Rolling Meadows residents and adjacent farm property owners. Residents petitioned the city for assistance to the drainage concerns at a Street Committee meeting on August 28, 2017. At that time the committee agreed to commission an engineering study of the issue and determine options for assisting residents' concerns.

From that study the committee accepted the results from the engineering study and approved the project to go out for bid. The bid price came in at approximately \$178,900 to do the drainage improvements that was recommended in the engineering study.

City engineer Tiffany Heard explained the study results and re-confirmed the recommendations of the study. Ms. Heard noted that the engineer's office had explored a recommendation made at the last Street Committee meeting by an adjacent farm land owner concerning this issue. She noted the overall cost of that recommendation to the solution would exceed approximately \$400,000.00. It would require significant earthwork, paving, driveway removal and re-construction, and long-term maintenance by the city to list a few of the major aspects of such a project. The engineer further explained a major problem with the entire drainage area was the lack of natural slope. In the event of a significant rainfall over a short period of time, the drainage slows down increasing the time the water is retained within the current drainage system.

Landowner Michael Simmons discussed his issues with his home location and the significant rain water runoff that affects his property. He noted his property essentially serves as the detention area for the drainage location. Without intervention, he feels his home will continue to catch runoff water and become of less value.

Mayor Holden opened up discussion regarding if Mr. Simmons had any interest in selling his property to the city. Mr. Simmons stated that he may be interested in the idea. He felt his home was worth at least \$140,000.00.

Alderman Bill Escue stated that the problem the city was attempting to address was specifically with the issues surrounding Mr. Simon's home, while attempting to not create any other drainage problems with other properties in the area. Alderman Chaney stated that there were many similar issues throughout the city, due to older development practices that did not provide for development guidelines for building and construction established currently. He acknowledged that the city would have to address each issue uniquely.

At the end of this discussion, Chairman Mike Morgan motioned for the committee to proceed with the initial project solution presented by the engineer, and to proceed with the formal conclusion to the bid procedure as presented at an approximate cost of \$180,000.00. Alderman Kevin Chaney seconded the motion. The motion passed will be presented before the full Board.

From the recommendation of the committee reading, Alderman Morgan motioned for the Board to approve as presented. Alderman Bill Escue seconded the motion which was approved by the full Board.

In other discussion, Alderman Chaney requested a meeting of the Finance Committee to discuss some citizen concerns regarding the pension plan, and loans for industry. He said a meeting of the Finance Committee may best allow him clarification into the matters. Mayor Holden informed the committee that he just received a letter from the State Comptroller's Office regarding these subjects, and that he will share the letter with the Board for their information. Mayor Holden stated the Finance Committee could meet on Monday November 5, 2018.

Additionally, Scott Ball discussed an update regarding the activity for street paving. He noted that an advertisement for bid notification and RFP submission will appear in the Sunday State Gazette newspaper. Bid opening is scheduled for November 1, 2018. Results from the bid openings will be available for the next scheduled Board meetings in November.

Finally, Mayor Holden told the committee that the outdated downtown Christmas decorative lights had been sold on an approved government auction website netting approximately \$3,600.00. He wanted the six of the eight Aldermen in attendance to be aware that he would like to donate the proceeds to the Downtown Dyersburg Development Association to assist them in purchasing new winter season lights for the downtown square. The proposed donation will be presented before the Finance Committee.

With no further business the Committee adjourned at 9:55 a.m.

Mayor Holden called for a motion from the Board to approve the donation from the selling of the old ornaments to the Downtown Association in the amount of \$3,600.00. The motion was made by Alderman Kevin Chaney and seconded by Alderman Mike Morgan. The motion passed.

c. Bids – Greg Williams, Purchasing

1. Department: Street
 Item: Various Street Paving
 Purpose: Street Improvements
 Budgeted: Bond Issue - \$2 Million
 Notification – State Gazette, Area Plan Rooms
 Bids: Ford Construction \$1,544,613.00
 For street list approved at last meeting by the Mayor and Aldermen

It was noted in discussion that the balance of \$455,387.00 of funding may be used for paving additional streets, not included on the original list for paving by the Aldermen at the October 15, 2018 Mayor and Board of Aldermen meeting, utilizing the bid quantity prices.

Mr. Williams recommended awarding the bid to Ford Construction, Dyersburg, TN at \$1,544,613.00. Alderman Bob Kirk motioned for approval of the recommendation. Alderman Kevin Chaney seconded the motion which passed by full board vote.

2. Department: Cemetery
 Item: Mini-Excavator & Trailer
 Purpose: Dig graves
 Budgeted: \$50,000 Excavator & \$7,000 Trailer
 Notification – State Gazette, Direct to 6 vendors
- | | <u>Excavator</u> | <u>Make</u> | <u>Trailer</u> |
|---------------------------|------------------|-------------|----------------|
| Bids: Stribling Equipment | No Response | | No Response |
| Century Equipment | No Bid | | No Bid |
| United Equipment | Incomplete | | |
| Thompson Machinery | \$52,731.15 | CAT | \$5,636.36 |
| Williams Equipment | \$50,319.52 | Bobcat | \$8,800.00 |
| First Choice Farm & Lawn | \$43,000.00 | Kubota | \$5,500.00 |

The award recommendation for Item #2 was revised from initial notification to Board members, due to identifying differences in the dimensions of the Kubota and the Bobcat excavators. The tail swing turning diameter of the Kubota is 98” as compared to the Bobcat tail swing turning diameter of 76”. This difference of nearly 2 feet is very significant when operating in tight confines between headstones. Therefore, the bid revision is recommended to the best bid, rather than the lowest bid.

Mr. Williams recommended awarding the bid to Williams Equipment, Jackson, TN at \$50,319.52, and award the trailer bid to First Choice Farm & Lawn, Dyersburg, \$5,500.00 Alderman Mike Morgan motioned for approval of the recommendation. Alderman Dennis Moody seconded the motion which passed by full board vote.

3. Department: Wastewater
Item: (7) Roofs
Purpose: Replace leaking roofs at Wastewater Plant
Budgeted: \$226,000
Notification – State Gazette and area Plan Rooms
- | | | |
|-------|--------------------------|--------------|
| Bids: | Teamcraft Roofing | No Response |
| | Bfour Roofing | \$270,034.00 |
| | Quality Roof Contractors | \$201,050.00 |
| | Frazier Roofing | \$196,221.00 |

Mr. Williams recommended awarding the bid to Frazier Roofing, Dyersburg, TN at \$196,221.00. Alderman Scott Staggs motioned for approval of the recommendation. Alderman Dennis Moody seconded the motion which passed by full board vote.

4. Department: City Hall
Item: Paving
Purpose: Repave parking lot
Budgeted: \$45,000
Notification – State Gazette, Direct to 3 vendors
- | | | |
|-------|-------------------|-------------|
| Bids: | Martin Paving | No Response |
| | Union City Paving | No Bid |
| | Ford Construction | \$43,424.25 |

Mr. Williams recommended awarding the bid to Ford Construction, Dyersburg, TN at \$43,424.25. Alderman Kevin Chaney motioned for approval of the recommendation. Alderman Terry Glover seconded the motion which passed by full board vote.

5. Department: Police
Item: (16) Police Pursuit SUVs
Purpose: Replace older units
Budgeted: Bond Issue - \$555,000
Drug Fund - \$944
Notification – State Gazette, Direct to 4 vendors
- | | | |
|-------|--------------------------|---|
| Bids: | Freeland Automotive | No Response |
| | Landers Ford | No Response |
| | TT of Murfreesboro | \$35,461.00 each – Ford Explorer Police SUV |
| | Tim Castellaw Automotive | \$34,746.50 each – Dodge Durango Police SUV |

Mr. Williams recommended awarding the bid to Tim Castellaw Automotive, Dyersburg, TN at \$555,944.00. Alderman Bob Kirk motioned for approval of the recommendation. Alderman Scott Staggs seconded the motion which passed by full board vote.

Reports from Aldermen:

Aldermen Bob Kirk: complimented receiving the first quarter financial report from the city treasurer's office.

Alderman Bill Escue: wished all candidates good luck in the Tuesday, November 6, 2018 election.

Alderman Terry Glover: thanked Mike McCulloch and Chad Williams of the Street Department for their good work in the demolition of a house near the Bruce recreation complex. He noted the work made the area much cleaner looking.

Aldermen Kevin Chaney: no report.

Mike Morgan: no report.

Alderman Dennis Moody: reminded citizens to vote on Tuesday, and thanked all for the prayers, visits, and concerns shown to him and his family during the recent loss of his mother.

Alderman Scott Staggs: reminded the public about the success of the Dyersburg Trojan Football team in the playoff games. He noted there will be the next round of playoff Friday night, November 9, 2018 at Dyersburg. He encouraged the public to attend.

Robert Taylor, Jr: no report.

Communications from the Mayor:

- Provided the Aldermen with copies of the Codes Enforcement activity report for the past month, and
- Notified the public of the annual fall/winter leaf clean up schedule that runs from November 5, 2018 through January 31, 2019.

With no further business, the meeting adjourned at 7:23 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder