

**Board of Mayor and Aldermen Meeting
January 7, 2019
Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, January 7, 2019 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 Dennis Moody. Mayor Holden noted all Aldermen were present, with the exception of Aldermen Kevin Chaney, Mike Morgan, and Robert Taylor, Jr.

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

Mayor Holden called for a motion to approve the minutes from the December 3, 2018 meeting. Alderman Dennis Moody made a motion to approve the minutes. Alderman Scott Staggs seconded the motion. The minutes were approved.

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

- (4) **New Business**

a. Attorney Invoice

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The November 1, 2018 – November 30, 2018 invoice totaled \$ 4,481.25. Alderman Bob Kirk made a motion to approve the payment, with a second by Alderman Bill Escue. The motion passed by full Board approval.

In additional discussion, Alderman Bob Kirk opened discussion involving the most recent meeting in November 2018 between the City and representatives of the operators of the McDowell Center (Keystone- lessee) regarding a potential purchase of the property. Mayor Holden noted that the November meeting was the second meeting of discussion with Keystone, and that no further interest had been exhibited by Keystone as a potential purchaser of the property.

b. Notice of Public Hearing – January 21, 2019 – An ordinance amending the Dyersburg Municipal Zoning map by rezoning property located near 427 Fairbanks Road (Clarence Carthen property) from M-2 (medium industrial) district to B-2 (general trade and services) district.

Mayor Holden presented an ordinance recommendation from the Regional Municipal Planning Commission calling for a motion to approve the ordinance for public hearing.

Alderman Dennis Moody motioned for approval, followed by a second from Alderman Terry Glover. The motion was approved and will be presented for public hearing January 22, 2019.

c. Bids – Greg Williams, Purchasing

No bids were presented.

d. Authorization of Mayor’s Tender of Municipal Trusts and Property to Newly Elected Board (Exhibit No.1 attached)

Mayor Holden presented a Resolution Authorization (Exhibit 1) before the Board as follows:

Exhibit 1

RESOLUTION AUTHORIZING MAYOR’S TENDER OF MUNICIPAL TRUSTS AND PROPERTY TO NEW BOARD OF MAYOR AND ALDERMEN

WHEREAS, this 7th day of January, 2019, the Board of Mayor and Aldermen of the City of Dyersburg, elected from the General Election of November 2018, will be formerly instituted by sworn oath administered in accordance with the City’s Charter;

WHEREAS, said Charter requires the formal tender of the City’s Trusts and Property to the newly elected Board of Mayor and Aldermen by the outgoing Board at the first meeting of said new Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Dyersburg elected during the General Election of 2014, that Mayor John Holden shall be and is hereby authorized and directed this date to tender all right, power and authority in and to the City’s Trusts and Property to the Board of Mayor and Aldermen of the City elected during the General Election of 2018.

RESOLVED THIS 7TH DAY OF JANUARY, 2019.

John Holden, Mayor

City of Dyersburg

On a motion by Alderman Terry Glover, and a second by Alderman Bob Kirk the motion passed by unanimous vote.

(8) Communications from retiring Board Members

The retiring Board of Alderman and Mayor generally thanked one another for the privilege of working together, and the citizens who elected them and for the opportunity to have served the community over the last four years. All wished each the best in the new year and in future endeavors. Finally, they offered support to the newly elected Board of Aldermen.

Each Alderman presented final comments as follows:

Alderman Bob Kirk: asked the about the current status of the City of Dyersburg audit.

City Treasurer Steve Anderson came before the Board and mentioned a draft copy of the Dyersburg City School System's audit had been received.

"The draft copy should be the final copy unless they have changes in their review," said Anderson. "It's enough for me to get the information I need to write our audit, but I'm still waiting on information from our auditors to finish up on it."

Alderman Kirk stated he thought the audit should have been completed by December 1, 2018. (The Board of Mayor and Aldermen approved Cowart Reese Sargent to replace Alexander Thompson Arnold during the June 4, 2018 meeting with a 5-4 vote in favor of the change. Alderman Kirk mentioned he was told by Joe Enoch of the Cowart Reese Sargent firm the audit would be completed by Dec. 1, 2018).

"Is there some reason they couldn't get it in on time?" asked Alderman Kirk.

"The Pension Plan is one of the big things," responded Steve Anderson. "I think they may be underestimated what it was going to take to do this audit. The Pension Plan, as far as I know, is the major holdup for them."

Mr. Anderson also noted the firm has asked for a one-month extension, which would allow the firm to have it completed by January 31, 2019.

Alderman Kirk did not seek re-election as alderman having completed 51 years of service.

He expressed his appreciation to those in attendance at the meeting. He thanked his family and friends for allowing him to serve the community for 51 years.

"I encourage you new members to vote with confidence, conviction, independence, common sense, and integrity," said Kirk. "These principals will serve you and this community well."

He encouraged new members to ask questions and never fail to recognize the many city employees with wages, benefits, and a pat on the back.

Alderman Kirk quoted the Jaycees service creed stating, "Service to humanity is the best work of life. You [new board members] have found a wonderful way to serve humanity by being on this board."

Upon completion of his final address as an alderman, Mr. Kirk received a standing ovation from those present.

Alderman Bill Escue: who did not seek re-election, mentioned it was an honor to serve the citizens of Dyersburg. He added he enjoyed working with all of the department heads, and that his time as an alderman has been a great learning experience. He also congratulated the new board members. Alderman Escue also congratulated Alderman Kirk for his service.

Alderman Terry Glover: who also did not run for re-election, stated he has been blessed to work with the fellow board members over the years.

"When I look at the crowd here and look at who's up here, I see former students," said Glover. "It's great that I got to know what was happening. My purpose originally was to pay back to Dyersburg for what they've given me and my family. I have totally been blessed. Thank you for the opportunity." He also encouraged the new members to get to know the city's department heads.

Alderman Kevin Chaney: Not present

Alderman Mike Morgan: Not present

Alderman Dennis Moody: *Comments reserved at the end of the meeting.*

Alderman Scott Staggs: who was appointed in January 2018 following the resignation of Carolyn Norman, mentioned he felt a calling to serve his city.

"I love this city with all of my heart," said Staggs. "I've loved getting to know these guys, and I piggyback off of what they said about meeting the department heads. I know with the people coming in, we have a lot of fine people to represent this city."

Alderman Robert Taylor Jr.: Not present

(9) Presentation of Certificates of Election by Mayor John Holden

Mayor Holden presented the official election certificates of record from the Dyer County Election Commission confirming the election to office for members of the Mayor and Board of Alderman in the 2018 General Election.

**(10) Administration of Oath of Office to New Board Members by Judge Dean Dedmon
(Exhibit No.2 attached)**

Following is a sample of the document used by the City of Dyersburg Judge Dean Dedmon officially executing the following Administration of the Oath of Office to the Mayor and new Members of the Aldermen Board:

Exhibit 2
OATH OF OFFICE
STATE OF TENNESSEE
COUNTY OF DYER
CITY OF DYERSBURG

I do solemnly swear or affirm to faithfully discharge all duties of the office of (Mayor – Aldermen), and to support the Constitution of Tennessee and of the United States, and that I have no contract, agreement, or understanding with anyone at any time, to vote for any particular person for any office to be filled by this Board.

Mayor

Alderman

Alderman

Alderman

Alderman

Alderman

Alderman

Alderman

Alderman

Sworn to and subscribed before me this 7th day of January, 2019.

Judge Dean Dedmon
Dyersburg City Judge

**(11) Administration of Oath of Office to Mayor John Holden by Judge Dean Dedmon
(Exhibit No. 2a attached)**

Following is a sample of the document used by City of Dyersburg Judge Dean Dedmon officially executing the following Administration of the Oath of Office to Mayor John Holden:

Exhibit 2a

**OATH OF OFFICE
STATE OF TENNESSEE
COUNTY OF DYER
CITY OF DYERSBURG**

I do solemnly swear the I will fully support the Constitution of the United States and the Constitution of the State of Tennessee, and that I will well and truly serve the corporation of Dyersburg as Mayor to which office I have been elected and the duties of which I am about to assume, and that I will endeavor to the best of my ability to perform all duties relative to or connected with such office.

John Holden, Mayor

Sworn to and subscribed before me this 7th day of January, 2019.

Judge Dean Dedmon
Dyersburg City Judge

(12) Tender of Municipal Trusts and Property to Newly Elected Board – Mayor John Holden (Exhibit No. 3 attached)

Mayor Holden presented the following Tender of Municipal Trusts and Property to the newly elected Board in Exhibit 3:

Exhibit 3

MAYOR HOLDEN’S TENDER OF CITY’S TRUSTS AND PROPERTY TO NEW BOARD OF MAYOR AND ALDERMEN

Mayor Holden:

Pursuant to Resolution of the Board of Mayor and Aldermen of the City of Dyersburg elected during the General Election of 2014, and Section 5 of the City’s Charter, I, John Holden, do hereby tender all right, power and authority in and to the City’s Trusts and Property to the Board of Mayor and Aldermen of the City elected during the General Election of 2018.

Thank you.

John Holden, Mayor

Mayor Holden called for Board for approval. On a motion by Alderman Dennis Moody, with second by Alderman James Baltimore the motion passed by unanimous vote.

(13) New Business – Mayor Holden

a. Appointment of Corporate Officers (Exhibit No. 4 attached)

Mayor Holden read the provisions for appointment of corporate officers as required by the City Charter:

Exhibit 4

APPOINTMENT OF CORPORATE OFFICERS

Chapter 6 of the City Charter provides that the newly elected Board of Mayor and Aldermen shall, at its first meeting or as soon thereafter as practicable, “... elect a Recorder and Treasurer who shall serve as officers of this Corporation.” “The Recorder and Treasurer shall not be a member of the Board of Mayor and Aldermen of the City of Dyersburg.”

John Holden, Mayor

On a motion by Mayor John Holden, and a second by Alderman Willie Cole the Board voted and approved the recommendation of Mayor Holden to reappoint Steve T. Anderson as Treasurer, and Robert C. Jones as Recorder.

b. Adoption of First Citizens National Bank Banking Resolution, Security Bank Banking Resolution and Simmons Bank Banking Resolution (Exhibits 5, 6 and 7 attached)

Exhibit 5

RESOLUTION OF BOARD OF MAYOR AND ALDERMEN
AUTHORIZING BANKING ACCOUNTS AT
FIRST CITIZENS NATIONAL BANK

RESOLVED, that the banking accounts hereinafter described shall and are hereby authorized to be established and maintained by the City of Dyersburg ("City") at First Citizens National Bank of Dyersburg ("Bank") in the name and for the use of the City, and that monies, checks or other funds of the City be deposited in said accounts. Further, until otherwise notified in writing, the Bank be and it is hereby authorized to make payments from the funds of the City on deposit in said accounts, through draft, check or other instrument or form of payment of the City executed by any two (2) of the following corporate officers, whom the Bank may rely upon as duly authorized and entitled to take any and all actions with respect to such account, to wit:

Mayor – John Holden
Treasurer – Steve Anderson
Recorder – Robert C. Jones

The bank accounts authorized by this Resolution are the following (13 accounts):

Account Name

City of Dyersburg General Fund

Community Development Fund

Water & Sewer Fund

Payroll Account

THDA Housing Rehab

Utility Depository Account

Insurance Reserve Fund

TIP Fund

Communication Service Fund

Dyersburg City Court

Emergency Warning System

City Court Bond

CDBG – NDR Retainage Escrow

RESOLVED FURTHER, that the Bank is authorized to receive for deposit or collection any item purporting to be endorsed in the name of the City, and that all checks, drafts, notes or other negotiable papers or electronic payments endorsed, signed or authorized by the foregoing persons on behalf of the City, including checks or other instruments or forms of payment drawn to cash or to individual order of any officer or employee of the City, shall be honored and paid by Bank, without need to inquire as to whether the same be drawn or required for the City's business or benefit, and all such payments shall be charged to City's accounts;

RESOLVED FURTHER, that any and all acts and things done heretofore or hereafter pursuant to the authority of this Resolution by the Bank or by the officers of the City be and the same are hereby fully ratified and approved, and that this Resolution shall continue in full force and effect until written notice of revocation, duly signed in the name of the City by Mayor and Recorder thereof and, if required, duly sealed shall have been received by the Bank; and

RESOLVED FURTHER, that a certified true and correct copy of the foregoing Resolution, or a form of any resolution similar thereto, may be presented to the Bank as evidence of the authority of the appropriate officers of the City to establish the City's account and to execute, on behalf of the City, an Account Agreement and such other agreements, documents and instruments as may be required by the Bank at any time.

WHEREFORE, the foregoing Resolution of the Board of Mayor and Aldermen of the City of Dyersburg Authorizing Banking Accounts at First Citizens National Bank has been duly adopted by said Board at its meeting held January 7, 2019.

CERTIFICATION

The undersigned, Steve Anderson, the duly appointed and authorized Treasurer of the City of Dyersburg, does hereby certify and affirm that the foregoing Resolution Authorizing Banking Accounts at First Citizens National Bank was duly adopted by the Board of Mayor and Aldermen of the City of Dyersburg at its lawfully convened public session held January 7, 2019.

Exhibit 6

RESOLUTION OF BOARD OF MAYOR AND ALDERMEN
AUTHORIZING BANKING ACCOUNTS AT
SECURITY BANK

RESOLVED, that the banking accounts hereinafter described shall and are hereby authorized to be established and maintained by the City of Dyersburg (“City”) at Security Bank (“Bank”) in the name and for the use of the City, and that monies, checks or other funds of the City be deposited in said accounts. Further, until otherwise notified in writing, the Bank be and it is hereby authorized to make payments from the funds of the City on deposit in said accounts, through draft, check or other instrument or form of payment of the City executed by any two (2) of the following corporate officers, whom the Bank may rely upon as duly authorized and entitled to take any and all actions with respect to such account, to wit:

Mayor – John Holden
Treasurer – Steve Anderson
Recorder – Robert C. Jones

The bank accounts authorized by this Resolution are the following (2 accounts):

Account Name

Intergovernmental Service Fund - Utility Depository Account

Intergovernmental Service Fund - Operating Account

RESOLVED FURTHER, that the Bank is authorized to receive for deposit or collection any item purporting to be endorsed in the name of the City, and that all checks, drafts, notes or other negotiable papers or electronic payments endorsed, signed or authorized by the foregoing persons on behalf of the City, including checks or other instruments or forms of payment drawn to cash or to individual order of any officer or employee of the City, shall be honored and paid by Bank, without need to inquire as to whether the same be drawn or required for the City’s business or benefit, and all such payments shall be charged to City’s accounts;

RESOLVED FURTHER, that any and all acts and things done heretofore or hereafter pursuant to the authority of this Resolution by the Bank or by the officers of the City be and the same are hereby fully ratified and approved, and that this Resolution shall continue in full force and effect until written notice of revocation, duly signed in the name of the City by Mayor and Recorder thereof and, if required, duly sealed shall have been received by the Bank; and

RESOLVED FURTHER, that a certified true and correct copy of the foregoing Resolution, or a form of any resolution similar thereto, may be presented to the Bank as evidence of the authority of the appropriate officers of the City to establish the City’s account and to

execute, on behalf of the City, an Account Agreement and such other agreements, documents and instruments as may be required by the Bank at any time.

WHEREFORE, the foregoing Resolution of the Board of Mayor and Aldermen of the City of Dyersburg Authorizing Banking Accounts at Security Bank has been duly adopted by said Board at its meeting held January 7, 2019.

CERTIFICATION

The undersigned, Steve Anderson, the duly appointed and authorized Treasurer of the City of Dyersburg, does hereby certify and affirm that the foregoing Resolution Authorizing Banking Accounts at Security Bank was duly adopted by the Board of Mayor and Aldermen of the City of Dyersburg at its lawfully convened public session held January 7, 2019.

Exhibit 7

RESOLUTION OF BOARD OF MAYOR AND ALDERMEN AUTHORIZING BANKING ACCOUNTS AT SIMMONS BANK

RESOLVED, that the banking accounts hereinafter described shall and are hereby authorized to be established and maintained by the City of Dyersburg ("City") at Simmons Bank in the name and for the use of the City, and that monies, checks or other funds of the City be deposited in said accounts. Further, until otherwise notified in writing, the Bank be and it is hereby authorized to make payments from the funds of the City on deposit in said accounts, through draft, check or other instrument or form of payment of the City executed by any two (2) of the following corporate officers, whom the Bank may rely upon as duly authorized and entitled to take any and all actions with respect to such account, to wit:

Mayor – John Holden
Treasurer – Steve Anderson
Recorder – Robert C. Jones

The bank accounts authorized by this Resolution are the following (5 accounts):

Account Name

School System Debt Service

Solid Waste Management Fund

Capital Projects Fund

Gas Fund

Intergovernmental Service Fund – Utility Depository

RESOLVED FURTHER, that the Bank is authorized to receive for deposit or collection any item purporting to be endorsed in the name of the City, and that all checks, drafts, notes or other negotiable papers or electronic payments endorsed, signed or authorized by the foregoing persons on behalf of the City, including checks or other instruments or forms of payment drawn to cash or to individual order of any officer or employee of the City, shall be honored and paid by Bank, without need to inquire as to whether the same be drawn or required for the City's business or benefit, and all such payments shall be charged to City's accounts;

RESOLVED FURTHER, that any and all acts and things done heretofore or hereafter pursuant to the authority of this Resolution by the Bank or by the officers of the City be and the same are hereby fully ratified and approved, and that this Resolution shall continue in full force and effect until written notice of revocation, duly signed in the name of the City by Mayor and Recorder thereof and, if required, duly sealed shall have been received by the Bank; and

RESOLVED FURTHER, that a certified true and correct copy of the foregoing Resolution, or a form of any resolution similar thereto, may be presented to the Bank as evidence of the authority of the appropriate officers of the City to establish the City's account and to execute, on behalf of the City, an Account Agreement and such other agreements, documents and instruments as may be required by the Bank at any time.

WHEREFORE, the foregoing Resolution of the Board of Mayor and Aldermen of the City of Dyersburg Authorizing Banking Accounts at Simmons Bank has been duly adopted by said Board at its meeting held January 7, 2019.

CERTIFICATION

The undersigned, Steve Anderson, the duly appointed and authorized Treasurer of the City of Dyersburg, does hereby certify and affirm that the foregoing Resolution Authorizing Banking Accounts at Simmons Bank was duly adopted by the Board of Mayor and Aldermen of the City of Dyersburg at its lawfully convened public session held January 7, 2019.

Steve Anderson, Treasurer
City of Dyersburg

At the conclusion of the presentation of the resolutions found in Exhibits 5,6, and 7, Mayor Holden called for a motion for approval of the resolutions. Alderman Ricky Hammond motioned for approval, with a second stated by Alderman James Baltimore. The motion passed approving all three resolutions.

c. Reappointment of Alderman Dennis Moody to the Dyersburg Electric Power Board for a term of four years coinciding with his duly elected Alderman seat

Mayor Holden called for the reappointment of Alderman Dennis Moody to serve on the Dyersburg Electric Power Board for a term of four years coinciding with his duly elected Alderman seat. On a motion by Alderman James Baltimore, and a second by Alderwoman Vanedda Webb, Alderman Dennis Moody was unanimously approved.

(14) Report from Aldermen Board

Alderman James Baltimore: thanked all who came to the Board meeting, and the voters who elected him to office. He especially thanked Scott Staggs as a worthy opponent in the 2018 Aldermen election. He thanked his wife of 50 years and his family for their support in his election. He recognized retiring Alderman Bo Kirk for his years of service while serving as an Alderman.

Alderman Edward Burks: expressed his appreciation of the outgoing Board of Aldermen and especially Alderman Bob Kirk for his dedication to the City. He extended his gratitude to the voters for electing him to office.

Alderman Wille Cole: noted that it was a pleasure and honor to be a member of the new Board of Aldermen, thanked the voters for his election and his wife and family for their support. He noted he looked forward to serving the citizens of the city.

Alderwoman Meghan Gilbert: expressed gratitude for the voters who elected her, and to her husband for his support in the election. She stated her intentions to work hard for the city and the citizens.

Alderman Ricky Hammond: thanked his predecessor Alderman Terry Glover for his service to his respective ward, the past Board, and to Alderman Bob Kirk for his long service to the city. He noted that he looked forward to working for the city.

Alderwoman Mary Claire Hopper: thanked her family, friends and voters of Ward 5 for her election to the Aldermen Board, and the former Board for their service.

Alderman Dennis Moody: thanked all for his support over the past years of his service on the Board. He stated he looked forward to working with the new Board.

Alderwoman Vanedda Webb: stated her gratitude for the opportunity to serve. She stated she hopes to serve the voters well. She thanked her family for allowing her to serve and she looks forward to her service.

Communications from the Mayor:

- Thanked the previous board members. He thanked Alderman Kirk for his many years of service, his children for their continued support, love, and commitment. He added all of the city's department heads were present and added, "We have a wonderful group of people we work with. They do a great job for the city and have a lot of experience." He added he looks forward to serving with the new board.

With no further business, the meeting adjourned at 7:40 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder