

**Board of Mayor and Aldermen Meeting  
March 18, 2019  
Dyersburg Municipal Court Room**

(1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, March 18, 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 Ricky Hammond. Mayor Holden noted all Aldermen were present with the exception of Alderman Dennis Moody.

(2) **Approval of Minutes:**

Mayor Holden called for a motion to approve the minutes from the March 4, 2019 meeting. Alderman James Baltimore made a motion to approve the minutes. Alderman Edward Burks seconded the motion. The minutes were approved.

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

(4) **New Business**

**a. Chloe Humphrey – 2017/2018 Audit Review**

Ms. Chloe Humphrey and Mr. Joe Enochs representing Cowart Reece Sargant CPA firm presented the official audit report for 2017/2018. The representatives directed the board to specific page locations within the audit report to better assist the board in reviewing more pertinent information. Significant references included the overall city financial position, internal controls, letters of statements from the auditing team, single audit review of grant activity, management discussion and analysis, and finally the city 's net position. All board members received a complete copy of the Annual Financial Report.

**b. Public Hearing – Beer Permit:**

**Jordan's Grab 'n Go  
DBA: Jordan's Grab 'n Go  
1809 St John Ave  
Dyersburg, TN 38024**

Mayor Holden announced that this was a public hearing for this permit request. Dyersburg Police Chief, Steve Isbell presented information stating that the background investigation of the beer permit applicant showed no reason for the applicant to be denied from obtaining a beer permit for the business. Being this was noticed as a public hearing,

Mayor Holden called for any persons to speak regarding this permit application. No public comment was presented. Mayor Holden entertained a motion for approval of the application. Alderman Ricky Hammond made a motion to approve the application, followed by a second from Alderwoman Vanedda Webb. The motion passed.

**c. Resolution 03182019**

The City Court probation services resolution is as follows:

**Resolution No. 03182019**  
Dyersburg, Tennessee

**WHEREAS**, Dyersburg City Court was asked by the Board of Mayor and Aldermen to provide probation services through their office; and

**WHEREAS**, January 1, 2019 Dyersburg City Court is now responsible for the supervision of all defendants that come through Dyersburg City Court that are placed on probation; and

**WHEREAS**, under state law a supervision fee of no less than 10 dollars a month and no more than 45 dollars a month can be charged, and

**WHEREAS**, Dyersburg City Court will charge a supervision fee of 10 dollars a month for the length of the probationary period. This fee would cover added duties for the clerks including but not limited to taking payments, administering drug screens, coordinating rehabilitation and other supervisory functions: and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Mayor and Alderman of the City of Dyersburg that this resolution 03182019 is adopted on March 18, 2019 for all defendant's that come through the Dyersburg City Court system.

**READ AND ADOPTED THIS THE 18<sup>th</sup> DAY OF March, 2019.**

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John Holden, Mayor

ATTEST:

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Robert C. Jones, City Recorder

Mayor Holden called for a motion to approve the resolution. Alderman James Baltimore motioned for approval, with a second by Alderman Willie Cole. The resolution was approved.

**d. Attorney Invoice**

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The February 1, 2019 – February 28, 2019 invoice totaled \$ 2,412.50. Alderman Willie Cole made a motion to approve the payment, with a second by Alderman Edward Burks. The motion passed.

**e. Bids – Greg Williams.**

1. Department: Airport  
Item: Closure of Runway 16/34  
Purpose: The condition of this cross-wind runway has been deemed very poor by TDOT. There is no available funding assistance for maintenance of cross-wind runways.  
With rehabilitation cost projected to be in excess of a million dollars, we have elected to close this runway.  
Budgeted: Yes – 90/5/5 Grant – Our local share is \$9,723.00  
Notification – State Gazette and direct to 9 vendors  
Bids:
- |                             |              |
|-----------------------------|--------------|
| American Striper            | No Response  |
| Diamond Restorations        | No Response  |
| Guardian Electric Corp.     | No Response  |
| Hydro-Blasting Inc.         | No Response  |
| Marking Impressions,        | No Response  |
| Still-Evans Contracting     | No Response  |
| Ford Construction Co.       | \$203,270.30 |
| Axtell's Pavement Solutions | \$155,940.90 |
| Axtell's Inc.               | \$130,189.40 |

Recommendation: Mr. Williams recommended awarding the bid to Axtell's Inc., Jermyn, PA, at \$130,189.40.

Mayor Holden called for a motion to approve the recommendation. Alderman Edward Burks motioned for approval, with a second by Alderman Ricky Hammond. The bid was approved.

**f. Public Safety Committee Minutes.**

**Public Safety Committee Meeting**

**City of Dyersburg**

**March 13, 2019**

The Public Safety Committee met Wednesday, March 13, 2019 at 11:00 a.m. at the Professional Development Center.

**Members Present Included:** Mayor John Holden, Ricky Hammond, Vanedda Webb, Willie Cole.

**Other Alderman Board Members:** Meghan Gilbert, Edward Burks.

**Staff and Others Present:** Brandon Hutcheson, State Gazette, Dyersburg Police Department, Greg Williams, Purchasing, Steve Anderson, Treasurer, Debbie Ware City Municipal Court Administration Brett Sipes and Rusty Blalock, Fire Department, Steve Isbell, Dyersburg Police Department, Gloria Spence, EOC.

Mayor Holden convened the committee to elect a chairman and to discuss the city court probation services

Mayor Holden opened the floor for a nomination for committee chairperson. Alderman Ricky Hammond nominated Alderwoman Vanedda Webb. No other nominations were made and Mayor Holden called for approval of the nomination. Alderman Hammond made a motion for approval of Alderwoman Webb. The motion was seconded by Alderman Willie Cole. Alderwoman Webb was elected committee chair.

Following the election of Alderwoman Webb, the floor was open to discuss city court probation services.

Debbie Ware presented the following:

- The ultimate goal for in-house city probation services is to provide a more efficient and faster means for those on probation to complete their probation period by reducing the cost to the individual.
- The in-house city probation service will replace West State Corrections, a private probation service contractor.

From the discussion, Alderman Cole motioned to approve the request to authorize Dyersburg City Court to charge a supervision fee for all probation defendants of 10 dollars a month for the length of the probationary period. This fee would cover added duties for the clerks including but not limited to taking payments, administering drug screens, coordinating rehabilitation and other supervisory functions.

Alderman Hammond seconded the motion which was approved by the committee and will be presented at the Mayor and Board of Aldermen for Board approval.

***Mayor Holden noted the resolution was approved under agenda item b.***

In other on non-agenda business the committee discussed:

- Citizen questions concerning Dyer County inmate labor usage at a private residence,
- Announcement and endorsement of the upcoming May 4, 2019 Mission Blitz event,
- Request for increased presence in the Evansville community.

No actions were taken on the on-agenda items. Alderwoman Webb and Alderman Hammond both commented that they had followed up with the Sheriff's office whom was not aware of the citizen concern.

**f. Finance Committee Meeting minutes.**

**Finance Committee Budget Hearing Meeting**

**City of Dyersburg**

**March 14, 2019**

**The Finance Committee** met at 2:00 p.m. March 14, 2019 in the Conference Room at McIver's Grant Public Library.

**Committee Members Present:** Mayor John Holden, Edward Burks, Vanedda Webb, and Dennis Moody.

**Other Aldermen who attended included:** James Baltimore, Mary Claire Hopper, Wille Cole, Meghan Gilbert

**Staff and Others Present:** Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcherson, State Gazette. Police Chief Steve Isbell, Scott Ball, Stormwater/Construction Inspection, Scott Haight and John Lannom, City Attorneys, David Hayes, Industrial Development Board.

Mayor Holden convened the committee to elect a chairman and to discuss the following agenda items:

- **Proposed Retail Development**
- **2017 / 2018 AUDIT**
- **Upcoming 2018 / 2019 Audit**

Mayor Holden opened the floor for a nomination for committee chairperson. On a motion by Alderwoman Vanedda Webb, and a second from Alderman Dennis Moody, Alderman Edward Burks was nominated and voted to serve as Chairman of the committee.

Following the election of the chairman, the floor was open to discuss the agenda items.

David Hayes of the Industrial Development Board [IDB] presented information and plans regarding the construction of a retail sales complex. The project is currently called the “Commons”. The developer is requesting the city and the county assist the project development in applying for TIF (Tax Increment Financing). If approved by the Aldermen Board, the city will experience the following advantages of the current “green belted” agricultural use property that currently provides only \$397.00 annually in total taxes.

- the proposed shopping complex would be built between Dairy Queen and Triple T Tire along the Highway 51 Bypass, across from Dyersburg High School, stretching over to Parr Avenue.
- there will be (1) access entrance/exit at each street location
- the complex would be built on 22 acres of property currently being used as farmland
- the retail space is estimated to be approximately 108,000 sq. ft., including space for parking and 3 out parcels
- approval of the project will create greater long-term tax revenue from the farmland, create retail tax values, and attract more retail
- funding the development project will be provided by a variety of financial sources
- the primary TIF financier will be First Citizens National Bank
- TIF is allowed under the Tennessee statute, and the first time Dyersburg and Dyer County have utilized this type of financing method
- TIF is becoming more common across the state and especially in West Tennessee
- from discussions with the developer it appears that a high percentage of potential retail occupants have made either verbal or written intentions to commit to occupancy
- the primary use of the TIF funds will be spent on property preparation
- the TIF would be paid over a 15-year period
- at the end of the TIF, the city and county would distribute the annual property tax as follows: City: \$158,512.00; County: \$176,904.00
- the developer would pay full tax to the city and county, and in turn, the city and county governments would then pay the TIF payments to the IDB. The IDB would then pay the note to the bank
- it is the understanding of the IDB that if the TIF financing is not approved the developer will seek another community

#### The Project Budget

Land and Site Development	\$4,450,000.00
Building Cost	\$10,030,000.00
<b>Total Budget</b>	<b>\$14,480,000.00</b>

Source of Funds

TIF Financing	\$2,990,000.00
Bank Financing	\$10,010,000.00
Developers	\$1,480,000.00
<b>Total Funding</b>	<b>\$14,480,000.00</b>

Mayor Holden noted that after attending a retail academy training program by the state, he discovered that TIF financing is critical and encouraged for retail development, and in order to remain competitive for retail recruitment and growth, the community should participate in the TIF process.

Mr. Lannom noted that the time-frame for city and county approval was of high importance. The Local Government Committee for the County was presented the information on Wednesday, March 13, 2019, and approved the project for presentation to the full County Legislative Body.

Mayor Holden motioned to proceed forward with the TIF program, provided after the IDB meeting, the parties are ready to move forward, and the IDB attend the Board of Mayor and Aldermen meeting on April 1 at 7 p.m. Alderwoman Webb seconded the motion. All members of the committee voted in favor for recommendation to the full board.

***Mayor Holden called for a motion to approve the recommendation. Alderman James Baltimore motioned for approval, with a second by Alderman Willie Cole. The motion passed.***

**2017-2018 Current Fiscal Year Audit**

Steve Anderson provided an update on the 2017-2018 audit, noting the 2017-18 audit has been completed, with a final copy submitted to Mr. Joe Enoch's office on Wednesday March 13, 2019. It is his understanding the auditors will present the audit to the board at the next board meeting on March 18, 2019.

He further noted that the only finding was concerning the Insurance Reserve Fund. He stated, "The only finding in the audit was we expended more than we budgeted in the Insurance Reserve Fund, and we can't control it – it's based on insurance claims. We always try to amend the budgets in June if we think we're going to go over, but the issue with that is that claims for June aren't paid until July and sometimes August. At the end of May we look like we're going to be okay, but a lot of claims don't come in until June and we don't know about it until July or August, and we can't go back and amend the budget."

**2018-2019 Upcoming Audit**

Lastly, the committee discussed the upcoming fiscal 2018-2019 audit. Alderwoman Vanedda Webb proposed the committee "request formal proposals from accounting firms who are able to perform governmental audits for the city over the next 3 years with the understanding that the

audit is due by a certain date, which may be dependent upon the audit conducted for Dyersburg Electric System and Dyersburg City Schools, however, be completed no more than 30 days after receiving the final audit from either of the 2 aforementioned entities. She asked for those to be submitted in the form of a sealed proposal.”

The committee discussed the understanding that the city has no authority to tell the City Schools or the Dyersburg Electric System when they must submit their audits by a certain date.

Alderwoman Webb noted that city audit depends upon the completion of both audits, and a date is needed. She noted further that it becomes an impossible task for the auditors to meet a prescribed date without all audits completed. Alderman Dennis Moody agreed that the city cannot set a date due to the timing of completion of each of the audits.

After further discussion, Alderwoman Webb motioned to reconvene in 2 weeks (March 28, 2019) to discuss the upcoming 2018-2019 fiscal audit and to consider proposals, to be drafted by Steve Anderson and Greg Williams, seeking accounting firms to do the audit for the city for the next 3 years with a definite deadline. The motion was seconded by Alderman Moody, and approved by full committee.

***Alderman Burks made a motion to approve the recommendation from the committee. Alderwoman Mary Claire Hopper motioned for approval, with a second by Alderwoman Vanedda Webb. The motion was approved.***

Alderman Moody asked if the city should place a stipulation to review the overall work performance of the selected auditor after each year.

Greg Williams noted that city mowing contracts included stipulations such as a 1-year contract with two 1-year extensions.

Alderwoman Webb amended her motion to include a 1-year contract with two 1-year extensions.

Having a motion and a second the committee voted to approve the motion.

Additionally, Alderwoman Webb motioned to have the committee formally communicate with the city school board expressing the city board’s concern of the timeliness of the school system’s audit, with an explanation as to why their audit has been late. Alderman Edward Burks seconded the motion.

Mayor Holden offered to write a letter to the Dyersburg City Schools superintendent on behalf of Board of Mayor and Aldermen expressing those concerns. Alderwoman Webb amended her motion to include the letter, and the motion was approved by the committee.

***Alderman Burks made a motion to approve the recommendation. Alderman Ricky Hammond motioned for approval, with a second by Alderman Willie Cole. The motion was approved and included the amendment to the original motion.***



**g. Street and Sanitation Committee Meeting.**

**Street/Sanitation Committee Meeting**

**City of Dyersburg**

**March 15, 2019**

The Street/Sanitation Committee met Friday, March 15, 2019 at 9:00 a.m. in the Conference Room at City Hall.

**Members Present Included:** Mayor John Holden, Mary Claire Hopper, Ricky Hammond, James Baltimore.

**Other Alderman Board Members:** Wille Cole, Edward Burks, Meghan Gilbert

**Staff and Others Present:** Greg Williams, Purchasing, Brandon Hutcheson, State Gazette, Scott Ball, Storm Water and Construction Inspector, Greg Wilson, Sanitation Department, Mike McCulloch, Street and Water Superintendent, Steve Anderson, Treasurer, Thomas Mullins, Codes Department, and Jannifer Ross and Larry Walk, citizens from the community.

Mayor Holden convened the committee to elect a chairman, discuss citizens' concerns as presented, and committee thoughts regarding a recent community tour by the Aldermen Board.

Mayor Holden opened the floor for a nomination for committee chairperson. With a motion by Alderman James Baltimore, and a second by Alderman Ricky Hammond, Mary Claire Hopper was elected Chairwoman for the committee.

Following the election of Chairwoman Hopper, the floor was open to receive and discuss citizens' concerns before the committee and implications to a recent community bus tour by the Aldermen Board and other city officials.

Citizens Jannifer Ross and Larry Walk presented concerns over standing water and drainage issues on property located behind their homes. The property in question is a city alley way. At the prior request Ms. Ross, the alley way property has been cleaned of trees and other debris over the past year by the city street department; however, the standing water from heavy rains continues to be a problem for both residents. Ms. Ross has explored through private contractor the potential to dig a trench on her vacant lot to help elevate the water from behind her property by diverting water to the road side ditch in front of her home. She asked if the city could provide this trenching. Mayor Holden stated that the city was not allowed to work on private property due to a state law. The committee informed both residents that the city would continue to monitor the problem, maintain the alley from debris, and assist both or any residents whose property adjoins the alley with assistance to potentially acquire the alley property. Mr. Mullins noted there is a guideline for alley acquisition and would assist as requested.

In other discussion, the committee discussed a recent community tour and observation results. Chairwoman Hopper expressed her desire to see the city be proactive in community clean-up rather than reactive.

Mayor Holden distributed copies of **ORDINANCE NO. BB-671 AN ORDINANCE AMENDING TITLE 17 OF THE DYERSBURG MUNICIPAL CODE, ENTITLED REFUSE AND TRASH DISPOSAL**, 2018 totals of all code enforcement activities and actions involving property maintenance violations, photographs of curbside violations, and community information advertisements for citizens. Mayor Holden noted this issue has been long-standing concern for the city, but some improvements have been noted since the ordinance was last amended. Mayor Holden and Mr. Mullins discussed the evolution of the city services for management of improper waste disposal for the committee's knowledge. Mr. Mullins further presented a department position statement as follows:

“We believe the February Community Bus Tour was a success. The tour allowed community leaders to see firsthand the problems that our department faces on a daily basis. Many participants were shocked at the condition of certain areas of our community.

Since that tour, we have received many pledges of support from these and other Community Leaders. Unfortunately, at this time, our department has limited resources. I need to be very clear, the Codes Department staff will give you 110% effort, however we cannot resolve a problem of this magnitude on our own. The solution to this problem has many working pieces and without the full cooperation of other City Departments, Elected Officials and our Community Leaders, the results you seek, are not achievable.

At the last City Board of Mayor and Alderperson meeting, it was made clear, many are ready to do away with the blight and sub-standard housing within our community.

We are currently implementing plans to achieve what you have requested. We have met with the Street, Sanitation and Police Department Supervisors, asking for their assistance. The City Attorneys are currently working on ways to improve our Violation Compliance Process and an additional Code Enforcement Officer will be joining our department within the next few weeks. In order to see substantial results, major changes need to be made. Some of these changes would include:

- Implementing a Mandatory Rental Property Registry
- Changes in our Violation Notification Process
- Tenant and Property Owner Accountability
- Increased Court Fees
- Additional Methods of Collecting Fines including Liens and other Legal Actions
- Street by Street, Neighborhood Blight Surveys
- Concentrate our Enforcement Efforts within Phased Areas
- Hold Rental Property Owners Accountable for Properties as with any other business

Blight is a Mutating Virus within many communities throughout our Country. The cure for this virus must continue to change until the result you seek have been achieved. The City of Dyersburg is a Great Community to live in and we need to ensure it stays that way for our Children and their Children.”

Thomas Mullins explained the entire procedures that the Codes, Street, and Sanitation Departments implement to address the current violations for curbside. He further presented a prepared written statement of recommended strategies to address these curbside violation issues. Major points of clean-up strategy he presented were to change the department policy from just “complaint only” to include proactive and routine observations of targeted areas. He proposed community clean-up in designated phases, starting with the Dyersburg “Milltown” community. He further informed the committee that the codes department was in the process of hiring a full-time staff specifically to address curbside issues.

Mr. Mullins informed the committee that his office had been working with the city attorney to re-examine the current ordinance and ways to improve the efficiency of the city and better address the curbside violations.

It was suggested by the committee that perhaps changes in court fees and fines should be reviewed. Mayor Holden noted fee schedule changes may occur during budget deliberations in May-June 2019.

Alderman Baltimore stated that as the committee and the board reviews court fees, the city should use caution to not place too much burden on “poor” citizens.

Alderwoman Hooper motioned for the city to contact the city attorney office for assistance in reducing unnecessary city time and effort in addressing property maintenance violations, and reducing and streamlining timelines and procedures. Alderman Ricky Hammond seconded the motion which was approved by the committee.

*Alderwoman Hopper made a motion to approve the recommendation from the committee. Mary Claire Hopper motioned for approval, with a second by Alderman Willie Cole. The motion was approved.*

#### **Reports from the Aldermen Board:**

**Alderman James Baltimore:** no report.

**Alderman Edward Burks:** no report.

**Alderman Wille Cole:** no report.

**Alderwoman Meghan Gilbert:** no report.

**Alderman Ricky Hammond:** no report.

**Alderwoman Mary Claire Hopper:** no report.

**Alderman Dennis Moody:** Absent.

**Alderwoman Vanedda Webb:** no report.

**Communications from the Mayor:**

- Thanked Treasurer Steve Anderson and his staff for their exceptional work in completing the 2017-18 Annual Financial Report Audit.
- Recognized that the city is participating in a significant number of grants. He noted that it is very significant that there were no findings in the audit. Mayor Holden stated that all of the grants require an enormous amount of time and paper work. He thanked the city staff involved in grants for their hard work.

With no further business, the meeting adjourned at 7:47 p.m.

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John Holden, Mayor

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Robert C. Jones, City Recorder