

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

(1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, October 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 James Baltimore. Mayor Holden noted all members of the Board were present.

(2) **Approval of Minutes:**

Mayor Holden called for a motion to approve the minutes from the September 16, 2019 meeting. Alderman Wille Cole made a motion to approve the minutes. Alderman James Baltimore seconded the motion. The minutes were approved.

(3) **Unfinished Business:**

(4) **New Business**

- a. **Notice of Public Hearing – October 21, 2019 - Amending the current Beer Ordinance (Title 8, Ch. 2 of the Dyersburg Municipal Code) by replacing it with the proposed ordinance which was considered and approved by the Local Government Committee on Wednesday, October 2, 2019. The proposed ordinance would update the definition of “beer”, address permitting for breweries with tasting rooms, allow temporary “special event” permits, and address distance requirements for licensed establishments.**
- b. **Notice of Public Hearing – October 21, 2019 - Amending the current Excavations and Cuts Ordinance (Title 16, Ch. 2 of the Dyersburg Municipal Code) by adding the proposed revisions which were considered and approved by the Local Government Committee on Wednesday, October 2, 2019. The proposed revisions expand the reach of the current ordinance to include curbs, sidewalks, and public rights-of-way; modify permit application requirements; and address the manner of excavating and restoring said rights-of-way.**

Mayor Holden called for a motion to approve the both proposed ordinances for public hearing. Alderwoman Mary Claire Hopper motioned to approve, followed by a second from Alderman Ricky Hammond. The motion was approved for public hearing.

- c. **Public Hearing – BB694 – An ordinance amending the Dyersburg Municipal Zoning Map by rezoning property located on Phillips Street, Tibbs Street and Harrell Avenue (CM Partners Dyersburg, LLC Property) from B-2 (general trade and services) district to R-3 (high density residential) district.**

Mayor Holden called for a motion to approve the proposed ordinance for public hearing. Alderman James Baltimore motioned to approve the ordinance, followed by a second from Alderman Willie Cole. The motion was approved by full Board vote.

d. Cemetery Committee Meeting minutes – September 19, 2019 – Chairwoman Meghan Gilbert

Cemetery Committee Meeting

City of Dyersburg

September 19, 2019

The Cemetery Committee met Thursday, September 19, 2019 at 9:00 a.m. in the City Hall Conference Room.

Members Present Included: Mayor John Holden, Alderwoman Meghan Gilbert, Dennis Moody, and James Baltimore.

Other Alderman/Alderwomen Present: Ricky Hammond, Edward Burks.

Staff Present: David Fowlkes, Cemetery Director, Steve Anderson, Treasurer, Greg Williams, Purchasing, Scott Ball, Stormwater and Construction Inspector.

Others Present: Brandon Hutcheson, State Gazette, Richard Hill, Jim Horner.

Mayor John Holden opened the meeting by informing the committee of the need to elect a Chairman. A motion was made by Alderman Dennis Moody nominating Alderwoman Meghan Gilbert as Chairwoman. The motion was seconded by Mayor Holden. The motion was voted on and passed unanimously, electing Alderwoman Gilbert as Chairwoman. Following the election of the new Chairwoman the meeting was opened to discussion. The committee heard discussion and actions taken in the following order:

1. Indigent burial policies.

Chairwoman Gilbert recognized Mr. Horner and Mr. Hill who petitioned the committee to review its current policies regarding indigent burials. Mr. Horner expressed concern over veteran indigent burials not having what he felt were proper grave markers. Both he and Mr. Hill stated that local veteran organizations would be financially responsible for markers at grave sites in the City Cemetery, where all indigent burials occur. They noted the current policy appears to not provide for markers for the grave sites.

Mr. Fowlkes stated the cost incurred by the City for opening and closing a grave is \$800.00. Markers are not provided. Burials only occur during working hours on weekdays.

Mayor Holden noted the current indigent burial policy had been created in 1998 and never revised. The policy included agreements with the City and the County and partial cooperation among the local community funeral businesses. Mayor Holden stated that the City has not received any contribution from the county since he took office. He stated there are costs for opening and closing the graves, and typically simple caskets are provided by the local funeral homes. He said the City often may experience significant difficulty in completing the required legal and notice of next-of-kin requirements.

Following discussion, Chairwoman Gilbert motioned for the committee to review and revise the 1998 Indigent Burial policy to include clarification between the City and Dyer County, provide for the cost of a concrete marker pad, and provide for a release from harm liability statement. The motion was seconded by Alderman James Baltimore, and unanimously passed by the committee.

Mayor Holden called for a motion to review and revise the 1998 Indigent Burial policy to include clarification between the City and Dyer County, provide for the cost of a concrete marker pad, and provide for a release from harm liability statement.

Alderman Ricky Hammond motioned to approve the motion from the Committee, followed by a second from Alderwoman Marry Claire Hopper. The motion was approved.

2. Mr. Fowlkes provided a photo taken of a grave headstone at Fairview Cemetery. The headstone was significantly adorned with a variety of tribute décor to such a degree that the cemetery staff could not properly maintain the ground around the stone without disturbing the objects. Additionally, he noted that in some grave stone locations grass is being sprayed around the stones, which causes ground erosion and damages the integrity of the concrete pads and the headstones. He stated the cemetery does not repair pads or stones. This is done by the headstone companies which are privately hired. The committee agreed to continue to enforce the established maintenance policies, and determined it would be beneficial raise the level of public awareness by advertising the maintenance polices and guidelines on the City's social media outlets, newspaper, etc., for public information.
3. Mr. Fowlkes informed the committee that during the fall leaf collection, staff will blow leaves to the cemeteries road sides for the Street Department to remove through vacuum mulching.
4. Mr. Fowlkes stated the cemetery needs to acquire a new or used tractor with a front loader bucket that has a 4wd transmission. He noted when work is required during rainy periods, the current 2wd tractor may become significantly stuck in wet ground requiring the Street Department to assist in its removal. Additionally, the current tractor does not

have a front loader bucket which is essential to ground operations. Mr. Fowlkes was advised by the committee to search for a front loader bucket availability for the 30-year-old tractor, as a possible alternative to the purchase of a new tractor.

5. Mr. Ball discussed a review by the Engineering Department of properties surrounding Fairview Cemetery that may serve as potential cemetery expansion sites. He noted all properties reviewed appear to be available without any problematic areas noted. He recommended the Committee consider publishing a request for proposal to landscape companies that have design expertise in cemetery design and expansion. Mayor Holden motioned for approval to request for proposal for the cemetery expansion and recommended design. Alderman James Baltimore seconded the motion which was approved by the full Committee.

Mayor Holden called for a motion for proposal request for the cemetery expansion and recommended design.

Alderman Dennis Moody motioned to approve the request for proposal for the cemetery expansion and recommended design. Alderwoman Vanedda Webb seconded the motion which was approved by the full Board.

6. Mr. Fowlkes presented a photo of a weather damaged window in front of the Cemetery Office. He was asked to complete an estimate of the repair for repair of the window.
7. Chairwoman Gilbert requested the Committee consider the creation of a “pet cemetery” in the design proposal of the cemetery expansion.

With no further business presented before the Committee, adjournment was at 10:00 a.m.

- e. **Local Government Committee Meeting minutes – October 2, 2019 – Chairwoman Mary Claire Hopper**

City of Dyersburg

Local Government Committee Meeting

October 2, 2019

The Local Government Committee met Wednesday, October 2, 2019 at 8:00 a.m. at the McIver’s Grant Public Library.

Committee Members Present: Mayor Holden John Holden, James Baltimore, Mary Claire Hopper, and Vanedda Webb.

Other Aldermen Present: Edward Burks, Willie Cole, Meghan Gilbert, Ricky Hammond.

Staff and Others Present: Steve Anderson, Treasurer, Greg Williams, Purchasing Agent, Brandon Hutcheson, State Gazette, Scott Ball, Storm Water and Construction Inspection, Steve Isbell, Dyersburg Police Department, Thomas Mullins, Codes Department, Mike McCulloch, Water and Street Departments, Scott Haight, Frederick Culver, City Attorneys, John Uitendaal, Dyer County Commissioner and Dyersburg Gun Club President.

Chairwoman Hopper opened the meeting to discuss the following agenda:

1. Revised Beer Ordinance

Scott Haight presented the history of the current ordinance, and discussed the proposed ordinance revisions for consideration by the committee. The committee discussed the pros and cons of the ordinance revisions. At the end of discussion, the committee approved the revision for presentation to the full Board, on a motion by Alderwoman Webb, and a second by **Alderwoman Hopper. Alderman Baltimore voted in opposition.**

Mayor Holden noted this item from the minutes had been approved earlier in the meeting under New Business A.

2. Gun Club Lease and Ordinance

John Uitendaal spoke before the committee regarding the lease between the club and the City of Dyersburg. He noted that he felt the lease to be well prepared and acceptable.

He requested that the lease include noting that the Dyersburg Gun Club has been at its current location since 1965.

Mayor Holden noted that the new lease agreement will assist the Gun Club in future applications for applicable grant funding to enhance the club and its operation.

Alderman James Baltimore motioned to approve the lease with a second from Alderwoman Webb. The motion passed unanimously.

Mayor Holden called for a motion to approve the new lease agreement with the Dyersburg Gun Club. Alderwoman Mary Claire Hopper motioned to approve the agreement, followed by a second from Alderman Edward Burks. The motion was approved.

3. Rights of Way Management Ordinance

Mayor Holden presented historical reasons for the purpose of the ordinance, and how the ordinance would make it mandatory for anyone who bores within the City of Dyersburg to come into City Hall and get a permit. Mayor Holden noted the following as serious concerns for the City:

- Contractors come into the community unbeknownst to the city to bore, lay cable, pipe, fiber, etc.,
- The City does not become aware of their presence and construction activity until the contractor's damage the City's utility lines, and

- The City is often times is encumbered to recoup some funds from various companies who have caused damage in the City.

Mayor Holden noted the new ordinance would be mandatory and require contractors to provide some information to the City such as: contractor license information, the purpose of their construction, and to make them aware of their financial responsibility for any damages incurred during the course of their work. A permit for their construction activity would be required.

At the conclusion of discussion, Alderwoman Hopper motioned to approve the ordinance with a second from Alderman James Baltimore. The motion passed unanimously by the committee.

Mayor Holden noted this item from the minutes had been approved earlier in the meeting under New Business B.

With no further business, the meeting adjourned at 8:40 a.m.

f. Bids – Greg Williams, Purchasing Agent

The following bid was pre-approved in the overall approval of the 2019-2020 City budget by the Board of Mayor and Aldermen. The following were awarded:

1. Department: Jennie Bell School
Item: Demolition of Building
Budgeted: \$150,000
Notification – State Gazette & 2 Plan Rooms
Bids: Complete Demolition Services \$283,690.00
Modern Day Wrecking \$238,000.00
Goolsby General Contractors \$133,669.30

Bid was awarded to Goolsby General Contractors, Blytheville, AR for \$133,669.30

Further note:

- The City & Contractor are finalizing executing the contract.
- The Contractor will have 45 days to complete demolition after Notice to Proceed.
- The Blue Cross / Blue Shield Healthy Place grant has been submitted for the development of a walking trail.
- Announcement of grant awards is expected in first quarter of 2020.

Reports from the Aldermen Board:

Alderman James Baltimore: mentioned he had been asked about the transient vendor ordinance, which was approved by the board on May 6 and to be revisited in 6 months.

Alderman Hammond mentioned that it has been close to the 6-month date, and Thomas Mullins of the City's Codes Enforcement Department has some information pertaining to transient vendors. Alderman Hammond further noted that he was under the impression that Thomas Mullins could be at the next Board meeting to discuss any questions the Board may have.

Also, Alderman Baltimore invited everyone to his new church opening in Humboldt, Tennessee.

Alderman Edward Burks: mentioned the City in 2018 had Noresco perform a study to see about possible energy savings and did not sign a contract with Noresco.

Alderman Burks noted that Mr. Brian Stone of Noresco came to a Finance Committee meeting in June 2019, and presented information to the committee. He noted that the committee has agreed to discuss the issue at a later time. Alderman Burks noted that Mr. Stone had contacted several Board members to have a meeting. He asked Mayor Holden if it would be beneficial to meet with someone from Dyersburg Electric to discuss some possible energy savings before the committee meets with Brian Stone, or should the committee meet prior to meeting with DES? Mayor Holden stated it was a decision for the committee. Alderman Burks asked Mayor Holden to contact DES and set up a meeting with the Finance Committee to discuss any possible savings. Mayor Holden said he would contact DES.

Alderman Wille Cole: mentioned he sent a photo of tires that were in need of being collected in the West Gate community to a City department head.

He was quoted as saying, "We used to have a bin there to put tires in. I spoke to the county, and they were the ones to operate it and they moved it". "We still have tires on that property that they own. Is there any other program or policy in place for the removal of those tires?"

Mayor Holden noted the City does not have any program for tire disposal, and it is the responsibility of the county to pick up tires. He added that he was unaware as to why the tire trailer has been moved. He stated that would be a question for the county representative Mr. John Pleasant. Mayor Holden further noted that based upon the county plans the city may be able to engage in a collaborative effort.

Alderman Cole also thanked Thomas Mullins for his assistance in a Codes Enforcement related issue.

Alderwoman Meghan Gilbert: asked if it was possible to have Board meeting document packets emailed. Mayor Holden noted he would find out if that is possible.

Alderman Ricky Hammond: inquired about the timeline of the BlueCross/BlueShield grant for the proposed walking trail at the current Jennie Bell location. Mayor Holden referred back to the bid sheet provided by Greg Williams, which notes the announcement of the grant awards is expected to occur in the first quarter of 2020.

Alderwoman Mary Claire Hopper: expressed her interest of a Finance Committee meeting to be scheduled to discuss energy savings with DES and the Noresco company.

Alderman Dennis Moody: No report.

Alderwoman Vanedda Webb: echoed her interest of having a Finance Committee meeting to discuss energy savings. Additionally, she thanked Dyersburg Police Chief Steve Isbell, the men and women of the Dyersburg Police Department as well as all local law enforcement agencies, and emergency response units for their response to the threat that occurred two weeks ago at Dyersburg High School.

Communications from the Mayor:

- Mayor Holden thanked Chief Isbell and the men and women of the Police Department for their emergency response to the threat that occurred two weeks ago at Dyersburg High School.
- He also distributed to the Board the Codes Enforcement Report for September 2019.

With no further business, the meeting adjourned at 7:20 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder