

**Board of Mayor and Aldermen Meeting
September 5, 2017
Dyersburg Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Tuesday, September 5, 2017 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 August 28, 2017 meeting. The minutes were approved on a motion by Alderwoman Carolyn Norman, followed by a second from Alderman Robert Taylor, Jr. The minutes were approved with a correction noted by Mayor Holden.
 - (3) **Unfinished Business:** None presented.
- a. **Public Hearing – Ordinance BB675 – An ordinance to amend the Dyersburg Municipal Zoning Map to rezone properties near Court Street & Frank Maynard Road from R-2 (Medium Density Residential) District to B-2 (General Trade and Business) District.**

Mayor John Holden mentioned that the request had gone before the Dyersburg Municipal-Regional Planning Commission, where it was approved and recommended to the city board.

A motion to approve the ordinance as presented before the Board, was made by Alderman Bob Kirk,

Alderman Kirk asked Mayor Holden why the property was requested for rezoning. Mayor Holden recognized Mr. Rusty Norville, Civil Engineering Solutions. Representing the property owner, Mr. Frank Bryant, real estate developer, Mr. Norville explained that Mr. Bryant owned the approximately 100-acre farm from which he would take a smaller amount of 5 acres to be available for development. The majority of the farm would be kept in farmland.

Alderman Kirk questioned the intent of the rezoning request. Mr. Norville responded that the intent was to provide a nice transitional zone from an industrial zone to a residential zone. He stated the developer wants to have all matters in proper order for business development.

After more discussion ended, the motion was seconded by Alderman Kevin Chaney. The motion passed by full Board approval.

b. Resolution 09052017 – Dyersburg, Tennessee for Grant Administrative Services

RESOLUTION

DYERSBURG, TENNESSEE

FOR GRANT ADMINISTRATIVE SERVICES

WHEREAS, the City of Dyersburg, Tennessee has been awarded financial grant assistance as provided under the HOME Program from the Tennessee Housing Development Agency; and

WHEREAS, the Board of Aldermen of the City of Dyersburg, finds it in the City's best interest to secure the assistance of an experienced and qualified grant administrative management services firm to assist in the implementation for the HOME Program grant;

WHEREAS, in compliance with pertinent State regulations, the City has solicited and evaluated statements of qualifications of interested professional grant administrative management firms; and

WHEREAS, the Board of Aldermen has determined that Community Development Partners, LLC has the most appropriate experience, background and qualifications to provide said services.

NOW, THEREFORE BE IT RESOLVED, by the Board of Aldermen of the City of Dyersburg, that Mayor John Holden, and successors in title, be authorized and is hereby directed to enter into a contract with Community Development Partners, LLC to provide grant administrative management services as required to implement the FY 2017 HOME Program Grant.

READ AND ADOPTED this the 5th day of September, 2017, **CITY OF DYERSBURG**

ATTEST:

Robert C. Jones, City Recorder

John Holden, Mayor

A motion to approve the resolutions as presented before the Board, was made by Alderman Mike Morgan, with a second by Alderman Bill Escue. The motion passed by full Board approval.

c. Resolution 09052017A – Dyersburg, Tennessee for Housing Inspection Services

**RESOLUTION
DYERSBURG, TENNESSEE
FOR HOUSING INSPECTION SERVICES**

WHEREAS, the City of Dyersburg, Tennessee has been awarded financial grant assistance as provided under the HOME Program from the Tennessee Housing Development Agency; and

WHEREAS, the Board of Aldermen of the City of Dyersburg, finds it in the City's best interest to secure the assistance of an experienced and qualified housing inspection services firm, also known as Rehabilitation Coordinator, to assist in the implementation for the HOME Program grant;

WHEREAS, in compliance with pertinent State regulations, the City has solicited and evaluated statements of qualifications of interested professional housing inspection firms; and

WHEREAS, the Board of Aldermen has determined that Cauthen & Associates has the most appropriate experience, background and qualifications to provide said services.

NOW, THEREFORE BE IT RESOLVED, by the Board of Aldermen of the City of Dyersburg, that Mayor John Holden, and successors in title, be authorized and is hereby directed to enter into a contract with Cauthen & Associates to provide professional housing inspection services as required to **implement the FY 2017 HOME Program Grant.**

READ AND ADOPTED this the 5th day of September, 2017. CITY OF DYERSBURG.

John Holden, Mayor

ATTEST:

Robert C. Jones, City Recorder

A motion to approve the resolutions as presented before the Board, was made by Alderman Dennis Moody, with a second by Alderman Bill Escue. The motion passed by full Board approval.

d. Street & Sanitation Committee Meeting minutes – August 28, 2017 – Chairman Mike Morgan

Alderman Mike Morgan presented the minutes before the Board as follows:

Street/Sanitation Committee Meeting

City of Dyersburg

August 28, 2017

The Street/Sanitation Committee met Monday, August 28, 2017 at 9:00 a.m. in the City Hall second floor conference room.

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

Other Alderman Board Members: Bob Kirk, Terry Glover.

Staff and Others Present: John Damesworth, Street and Sanitation, Greg Williams, Purchasing, Brandon Hutcheson, State Gazette, Mike McCulloch, Street and Water Department Superintendent, Steve Anderson, Treasurer, Scott Ball, Storm Water and Construction Inspector, Community Citizens.

The meeting opened with prayer. Chairman Mike Morgan stated the following items for were presented for discussion:

1. Rolling Meadows Storm Water Drainage.

Mr. Lynn Welch read and presented a 72-person signature petition to the committee to assist the neighborhood with storm water drainage. The petition specifically noted various dates where the water drainage was of significant proportions. Mr. Welch noted on August 14, 2017 he and other residents experienced water backing out of the drainage culverts and runoff ditches during a 45-minute flash flood event. Mr. Welch expressed a solution to the problem would be to modify and correct the existing 1600 feet of concrete culvert installed many years ago for storm water runoff. Also, he and other residents attending the meeting described various drainage locations that become blocked with debris.

Scott Ball stated that TDEC did not allow future, new concrete applications, and removal of the existing pipe structure would only accelerate more water flow and flooding during flash flood events. He further noted that he had no knowledge of any engineering study of the drainage in the area of concern. He suggested a survey and engineering study would be appropriate to determine any solutions to the problems.

Alderman Kevin Chaney motioned to have the city engineer complete an analysis for the committee to make appropriate recommendations. The motion was seconded by Alderman Bill Escue. The motion passed.

Mayor Holden entertained a motion from the committee as recommended in the minutes. Alderman Mike Morgan motioned to have the city engineer complete an analysis for the committee to make appropriate recommendations. The motion was seconded by Alderman Robert Taylor, Jr. The motion passed by full Board vote.

2. Discussion of the recently constructed Dyersburg Landfill Cell.

It was presented that the city has constructed a new landfill cell at the Dyersburg Landfill. At the conclusion of the project, the bid contractor, Coffey Construction Company, has made a payment claim to the city for reimbursement for additional payment to the line item Earthwork in the construction bid document.

Scott Ball noted all earthwork funds were covered under the original agreed upon contract. Leo Arnold with the law firm of Ashley & Arnold sent a letter to the city on behalf of Coffey Construction requesting additional payment for services. The city responded by letter to Leo Arnold, attorney for Coffey Construction, offering to pay an additional \$195,292.50. To date,

there has been no response from Coffey Construction regarding the offer from the City of Dyersburg. On or around August 22, 2017 Hal Coffey met with Scott Ball at Dyersburg Public Works Department and requested an additional amount of \$45,000 for more excavation of 12,000 cubic yards at \$3.75 per cubic yard. Mr. Ball did not agree to this request, as per his letter to Hal Coffey dated August 23, 2017. A copy of this letter was provided to the committee members.

Alderman Chaney expressed his concern to allow this process to continue further and perhaps the city should concede to the additional contractor work cost request. Mayor Holden expressed his disagreement to this request. After some debate, the committee agreed to schedule another committee meeting with Coffey Construction and the City Engineer to resolve this matter.

The committee scheduled to meet on Thursday, August 31, 2017 at 3 p.m.

No actions were taken by the Committee and the meeting adjourned at 10:45 a.m.

Alderman Mike Morgan, Chairman

Robert C. Jones, City Recorder

**e. Street & Sanitation Committee Meeting minutes – August 31, 2017 –
Chairman Mike Morgan**

Alderman Mike Morgan presented the following minutes before the Board:

Street/Sanitation Committee Meeting

City of Dyersburg

August 31, 2017

The Street/Sanitation Committee met Thursday, August 31, 2017 at 3:00 p.m. in the City Hall second floor conference room.

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

Other Alderman Board Members: Bob Kirk, Terry Glover.

Staff and Others Present: John Damesworth, Street and Sanitation, Greg Williams, Purchasing, Brandon Hutcheson, State Gazette, Mike McCulloch, Street and Water Department

Superintendent, Steve Anderson, Treasurer, Scott Ball, Storm Water and Construction Inspector, Tiffany Heard, City Engineer, Hal Coffey, Coffey Construction.

Prior to the start of the meeting Mayor Holden hand delivered a letter to Mr. Hal Coffey rescinding the original letter from SSR Engineering on behalf of the City, dated August 11, 2017, offering to pay Coffey Construction \$195,292.50. In the hand delivered letter dated August 31, 2017, Mayor Holden stated, “the City does hereby rescind and withdraw all of its prior offers of settlement regarding this project, including the offer of \$195,292.50 set forth in the August 11, 2017 letter from Ms. Heard.”

Mayor Holden provided the committee a copy of the letter.

Chairman Mike Morgan the meeting opened with prayer. Mayor Holden informed the committee of the contents of the hand delivered letter to Mr. Coffee. He noted the letter contents rescinding the original letter from SSR Engineering on behalf of the City, dated August 11, 2017, offering to pay Coffey Construction \$195,292.50. Mayor Holden’s letter stated that the City did not receive any response to the August 11, 2017 letter from the city engineer, which conveyed the City’s offer to pay Coffey Construction \$195,292.50 in settlement for all outstanding claims for the Landfill Expansion Project. Based upon the no response from Coffey Construction, and, in light of the additional request for \$45,000.00, and the committee’s desire to discuss the matter, the slate should be wiped clean in order to facilitate our continuing discussion of these claims.

Chairman Mike Morgan stated the following was presented for discussion:

Follow-up discussion of the of the committee meeting of August 28, 2017 to discuss construction issues of the newly completed Dyersburg Landfill Cell.

Chairman Morgan reviewed a timeline of completion of the city’s constructed landfill cell at the Dyersburg Landfill. Coffey Construction Company was awarded the bid for the contract. After the completion of the contracted work, Mr. Hal Coffey made a payment claim to the city for reimbursement for additional payment to the line item Earthwork in the construction bid document.

Tiffany Heard noted all earthwork funds were covered under the original agreed upon contract. Leo Arnold with the law firm of Ashley & Arnold sent a letter to the city on behalf of Coffey Construction requesting additional payment for excavation services. The city responded by letter to Leo Arnold, attorney for Coffey Construction, offering to pay an additional \$195,292.50. To date, there has been no response from Coffey Construction regarding the offer from the City of Dyersburg.

On or around August 22, 2017, Mr. Hal Coffey met with Scott Ball at Dyersburg Public Works Department and requested an additional amount of \$45,000 for more excavation of 12,000 cubic yards at \$3.75 per cubic yard. Mr. Ball did not agree to this request, as per his letter to Hal Coffey dated August 23, 2017. A copy of this letter was provided to the committee members at the August 28, 2017 meeting.

In continuing discussion, the city engineer, noted the contractor completed the work provided for in the bid contract. The contractor was paid for all work completed. To date the contractor did not provide a formal change order for any excavations.

The committee and Coffey Construction engaged in considerable debate and testimony that included:

- earthwork line item,
- clay liner,
- Coffey Construction survey vs. engineering survey calculation data of on-site, extra clay supply, and
- pre-and post-bid meeting discussion of extra clay access.

Mayor Holden stated that he had spoken with the competing bid contractors who told him the earthwork line item was extensively discussed in the pre-bid meetings, leaving no misunderstanding as to the specifics of the contract, and any need for more clay liner material.

At the conclusion of the meeting, no action was taken by the committee. Coffey Construction stated they would need more time to consider the current status of their request.

The meeting adjourned at 3:55 p.m.

Alderman Mike Morgan, Chairman

Robert C. Jones, City Recorder

f. Recreation Committee / Finance Committee Meeting minutes – August 31, 2017 – Chairmen Terry Glover & Kevin Chaney

Alderman Terry Glover presented the following minutes before the Board:

Recreation Committee and Finance Committees Meeting

City of Dyersburg

August 31, 2017

The Recreation and the Finance Committees met Thursday, August 31, 2017 at 4:00 p.m. in the Dyersburg City Hall second floor conference room.

Committee Members Present Included: Mayor John Holden, Terry Glover, Dennis Moody, Carolyn Norman, Bob Kirk, and Kevin Chaney.

Other Alderman Board Members: Mike Morgan.

Staff and Others Present: Andy Baker, Parks and Recreation, Brandon Hutchison, State Gazette, Greg Williams, Purchasing Agent, Steve Anderson, Treasurer, Scott Ball Storm Water and Construction Inspector, Tiffany Heard, City Engineer.

Recreation Chairman, Terry Glover opened the meeting with prayer, that was followed by a discussion of replacing the roof surface and HVAC equipment at the Dyersburg Activity Center main building.

Greg Williams updated the committee of the overall cost, structural analysis due the age and deterioration of the roof, and HVAC equipment replacement due to age. He noted that due a March 2017 storm the city received significant city-wide storm damage to roofs and other aspects of city structures. The city filed a loss claim with the city insurance which has resulted in a claim payment. The immediate repairs, tree removal, and clean up was performed in March, which was the previous fiscal budget. The proceeds received during the current year will allow the city to completely replace the roof and all HVAC equipment. Bid was advertised and the only one vendor (Frazier roofing) picked up plans. Their bid for replacing the roof is \$168,621.00. To replace the aging HVAC equipment a change order cost will include \$38,000.00 (subcontracted to Billy Rogers heating and Air Company). Total cost for the project is \$206,621.00. Mr. Williams recommended the committee approve the bid proposal and changed order. Mr. Williams noted that once the Board makes final approval, then the contractor will order the equipment and the project could begin in two weeks, with a completion time possibly in mid to late October 2017.

Chairman Terry Glover motioned to accept the recommendation as presented. Alderman Dennis Moody seconded the motion which passed, and will be presented before the Board of Mayor and Aldermen.

Mayor Holden entertained a motion from the committee as recommended in the minutes. Alderman Terry Glover motioned to accept the recommendation as presented. The motion was seconded by Alderman Bob Kirk. The motion passed by full Board vote.

In further business, the committees discussed a potential Dyersburg Dog Park project for Dyersburg. Mayor Holden provided an overview of the proposed park. No action was taken. Chairman Glover noted the city will need to involve the Recreation Department with future planning for the Dog Park and the National Disaster Resiliency Grant procedures and policies.

With no further business, the meeting adjourned at 4:20 p.m.

g. Bids – Greg Williams.

The bid was presented and voted upon during the reading of the Recreation committee minutes.

Reports from Alderman and Alderwomen:

Aldermen Bob Kirk: mentioned that he had received calls on Tuesday afternoon regarding Tennessee Highway Patrol officers being in downtown Dyersburg.

He noted it appeared the THP were issuing citations for violations of seatbelts usage.

He stated that he assumed the THP felt the city was either overwhelmed with needs, or did not have adequate resources to be issuing citations. Alderman Kirk suggested Mayor Holden or the DPD Chief Steve Isbell write the colonel of THP, and tell him how much the city appreciates the assistance in helping the city enforce safety laws and ordinances. Mayor Holden stated that a letter on behalf of Alderman Kirk will be sent to the Colonel of the THP and the State Gazette expressing appreciation.

Alderman Bill Escue: No report.

Alderman Terry Glover: No report.

Alderman Kevin Chaney: No report.

Alderman Mike Morgan: Alderman Morgan mentioned when he visited Somerville, South Carolina, he observed property that was to be rezoned with signs posted explaining when the property would be rezoned and to what zoning classification. He asked if this would be appropriate for the city to provide this information.

Thomas Mullins of Codes Enforcement was asked to respond to the idea and question. Mr. Mullins stated the idea was good and described an approach to complying with the request.

Alderman Dennis Moody: No report.

Alderman Carolyn Norman: No report.

Alderman Robert Taylor, Jr: No report.

Communications from the Mayor: No report.

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

John Holden, Mayor

Robert C. Jones, City Recorder