

**Board of Mayor and Aldermen Meeting
Monday, February 18, 2013
Municipal Building - Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, February 18, 2013; in the Municipal Building Court Room at 7:00 p.m. Mayor John Holden presided. The meeting opened with prayer by Alderman Bart Williams. Mayor Holden noted all Aldermen were present.
- (2) **Approval of Minutes:** Minutes of the February 4, 2013 meeting were approved on a motion by Alderman Bart Williams, followed by a second from Alderman Robert Taylor, Jr. The motion passed approving the minutes.
- (3) **Unfinished Business:** None presented.
- (4) **New Business:**

a. Attorney Invoice– January 1, 2013-January 31, 2013.

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The January 1, 2013 to January 31, 2012 invoice totaled \$11,629.75. Alderman Bob Kirk made a motion to approve the payment, with a second by Alderman Bart Williams. The motion passed by full Board approval.

**b. Public Hearing – Beer Permit – Robbie's Karaoke Lounge II
Daryl Holder
1140 Highway 51 Bypass S
Dyersburg, TN 38024**

Mayor Holden announced that this was a notice of public hearing on this permit request. Police Chief Art Heun presented information stating that there did not seem to be anything found in the background investigation for this beer permit that would show the applicant unworthy of 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 Kevin Chaney moved to approve the application, followed by a second from Alderman Bob Kirk. The motion passed by full Board vote.

c. Public Hearing – Powell Transportation – Application for taxi cab service.

The above applicant has requested a Taxicab Franchise license which would allow Ms. Powell to operate a taxicab business. The business will be located at 1205 East Court Street in Dyersburg, Tennessee. Mayor Holden announced that this was a notice of

public hearing on this permit request. Police Chief Art Heun presented information stating that there did not seem to be anything found in the background investigation for this permit that would show the applicant unworthy of obtaining a 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 acknowledged the presence of Ms. Powell as owner and operator. Mayor Holden entertained a motion for approval of the application. Alderman Robert Taylor Jr. moved to approve the application, followed by a second from Alderwoman Jewell Horner. The motion passed by full Board vote.

d. Public Notice – Solicitation of Public Comment regarding Sewer Use Ordinance – Mike Goff

Mr. Mike Goff, Sewer Treatment Superintendent, presented information regarding public notice and solicitation of a granted, preliminary approval of an update to the Dyersburg Sewer Use Ordinance. This ordinance update contains Industrial Pretreatment Local Limits and Enforcement Response Guide Table. This information is available for review and inspection to all interested citizens in Dyersburg City Hall during normal business hours from March 1, 2013 until March 31, 2013. Additionally, Mr. Goff said there will be an announcement in the State Gazette beginning on Feb. 24, 2013.

e. Public Safety Committee Meeting Minutes – February 13, 2013- Bob Kirk, Chairman.

Alderman Bob Kirk presented the minutes of the February 13, 2013 meeting whose main order of business involved discussing The City's potential contract with the Dyersburg Regional Medical Center on the dispatching of BLS services. After significant discussion of the contract details, Alderman Bob Kirk motioned to approve the Dyersburg Regional Medical Center contract with the City of Dyersburg as presented before the Board. The motion was seconded by Robert Taylor Jr. Upon approval of the motion the Board discussed a concern brought forth by Alderwoman Jewell Horner. The concern involved point number (10) in the agreement that Dyersburg could not assign any portion of the agreement without the consent of Dyersburg Ambulatory Corporation, and it did not have a clause for the reverse. Alderman Dennis Moody agreed with Alderwoman Horner while adding such proper agreement may have prevented contractual issues and protected the City in the dispute with the Airport.

Alderwoman Horner made note that the agreement could not easily be terminated because it required notice to be given by Jan. 1 of the year the agreement was to be terminated. Alderwoman Horner stated that the City would be taking on an increased liability involving an extensive and long termination period.

This question was presented by Alderwoman Horner to Mr. Mark Grant, EOC Director, concerning failure by Dyersburg Ambulatory Corporation to provide proper services, thus increasing the City's liability.

Mr. Grant stated the City's responsibility was to dispatch the service unit, and failure to do so would create a liability for the City. He further stated the Dyersburg Ambulatory Corporation is liable as to when they arrive.

Mr. Grant stated that any terms of incorporating language that would not allow the Dyersburg Ambulatory Corporation to assign any portion of the agreement would require the opinion of the City attorney, Mr. John Lannom.

Alderwoman Horner made a motion that the agreement be approved with language inserted so that Dyersburg Ambulatory Corporation could not assign any portion of the agreement. Mayor John Holden requested that the Board vote on the original motion. The Board voted and approved the motion. Following the first vote, Alderman Moody seconded Alderwoman Horner's change motion, and the Board unanimously approved Alderwoman Horner's change motion.

f. Bids – Greg Williams, Purchasing Agent.

1. Department: Computer Operations
Item: Microsoft Operating Software Update
Purpose: Upgrade to supported version
Budgeted: \$24,000
Notification – None
Bids: Local Government Corp \$19,390.00

Recommendation: Mr. Williams recommended awarding the bid to Local Government Corp., Columbia, TN at \$19,390.00. A motion to approve the recommendation as presented before the Board was made by Alderman Kevin Chaney, with a second by Alderwoman Jewell Horner. The motion passed by full Board approval.

2. Department: Airport
Item: 16' Tri-deck Finish Mower
Purpose: Replace older mower
Budgeted: 75/25 TDOT Grant
Notification – State Gazette, Direct to 3 vendors
Bids: Century Equipment No Bid
 TN Tractor \$16,327.22
 First Choice Farm & Lawn \$13,450.00

Recommendation: Mr. Williams recommended awarding the bid to First Choice Farm & Lawn, Dyersburg, at \$13,450.00. A motion to approve the recommendation as presented before the Board was made by Alderman Dennis Moody, with a second by Alderman Bart Williams. The motion passed by full Board approval.

Report from Alderman and Alderwomen:

Alderman Bob Kirk: Commented on the increase in Cable One rates. He noted that in an email from Mayor Holden Cable One intends to have an increase of the video rate by \$4 per month and the Digital Value Pack by \$2 per month effective with the March 2013 billing period.

Alderman Bart Williams: noted in accordance with City ordinances citizens should secure trash in proper receptacles. He had observed an inordinate amount of trash debris around the City.

Alderman Terry Glover: No report.

Alderman Kevin Chaney: No report.

Alderwoman Jewell Horner: No report.

Alderman Dennis Moody: No report.

Alderwoman Joan Wyatt: No report.

Alderman Robert Taylor, Jr.: Complimented the Street Department for their continued efforts to clean piled household refuse. He asked about TV and other electronics. Mayor Holden informed the Board those items could not be placed in the landfill, but citizens may contact Mr., Daniel Cobb, with the Dyer County Litter Program for proper disposal.

Communications from the Mayor: Reminded the Board of a Finance Committee meeting to be held at 10:00 a.m. in City Hall.

With no further business the meeting adjourned at 7:25 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder