

**Board of Mayor and Aldermen Meeting
June 6, 2016
Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, June 6, 2016 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.
- (2) **Approval of Minutes:** The minutes of the May 16, 2016 meeting were approved on a motion by Alderwoman Carolyn Norman, followed by a second from Alderman Robert Taylor, Jr. The motion passed approving the minutes.
- (3) **Unfinished Business:** None presented.
- (4) **New Business:**

a. Public Hearing – Beer Permit

Dryject of Tennessee, LLC

DBA Dyersburg Municipal Golf Course

920 Golf Course Road

Dyersburg, TN 38024

Mayor Holden announced notice of public hearing on this permit request. Police Chief Steve Isbell presented information stating that there did not appear 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 person present wishing to speak regarding this permit application. No public comment was presented. Mayor Holden entertained a motion for approval of the application. Alderman Bob Kirk moved to approve the application, followed by a second from Alderman Terry Glover. The motion passed by full Board vote.

- b. Notice of Public Hearing – June 6, 2016 – A RESOLUTION TO ANNEX TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON RADIO ROAD.**

RESOLUTION 06062016

AN RESOLUTION TO ANNEX TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON RADIO ROAD (OWNED BY DR. KENNETH BRUNSON)

WHEREAS, a public hearing before this body was held on Monday, the 6th day of June, 2016, pursuant to a notice thereof published in the State Gazette on May 17, 2016; and,

WHEREAS, it now appears that the prosperity of this City and of the territory herein described will be materially retarded and the safety and welfare of the inhabitants and property thereof is endangered if such territory is not annexed; and,

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents the property owners thereof and this City as a whole; and,

WHEREAS, a Plan of Service for this area was adopted by resolution on June 6, 2016 as required by Section 6-51-102, Tennessee Code Annotated and notice thereof published in the State Gazette on the 17th day of May, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Alderman of the City of Dyersburg, Tennessee:

Section 1. Pursuant to authority conferred by Sections 6-51-101 to 6-51-123, Tennessee Code Annotated, there is hereby annexed to the City of Dyersburg, Tennessee and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries:

Parcel 5.04 on Dyer County Tax Map 074.

Beginning at a point, said point being the intersection of the current corporate limits of Dyersburg, TN and the northern right of way of Radio Road; thence moving in a westerly direction along the northern right of way of Radio Road to a point, said point being the intersection of the northern right of way of Radio Road and a northerly projected line from the northwestern most corner of Parcel 5.04 on Dyer County Tax Map 074; thence moving in a southerly direction along said projected line to a point, said point being the northwestern most corner of Parcel 5.04; thence continuing in a southerly direction along the western boundary of Parcel 5.04 to a point, said point being the southwestern most corner of Parcel 5.04; thence moving in a northeasterly direction along the southern boundary of Parcel 5.04 to a point, said point being the intersection of the current corporate limits of Dyersburg, TN and the southeastern most

corner of Parcel 5.04; thence moving in a northerly direction along the current corporate limits of Dyersburg, TN to the point of beginning.

Section 2. This Resolution shall become effective thirty days from and after its passage, the public welfare requiring it.

1st Reading: **May 16, 2016**

2nd Reading: **June 6, 2016**

Date published in local newspaper: **May 17, 2016**

Date of Public Hearing: **June 6, 2016**

Mayor

June 6, 2016

Date

Attest: City Recorder

June 6, 2016

Date

Mayor Holden called for any public comment to the resolution. No comment was made. A motion to approve the resolution as presented before the Board was made by Alderman Kevin Chaney, with a second by Alderman Robert Taylor, Jr With no further discussion the motion passed by full Board vote.

- c. **Notice of Public Hearing – June 6, 2016 – AN ORDINANCE TO ZONE TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON RADIO ROAD P-B (PLANNED BUSINESS) DISTRICT.**

ORDINANCE BB 653

AN ORDINANCE TO ZONE TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON RADIO ROAD (OWNED BY DR. KENNETH BRUNSON) P-B (PLANNED BUSINESS) DISTRICT

WHEREAS, Sections 13-7-201 through 13-7-212 of the Tennessee Code Annotated empowered the City of Dyersburg to enact the Dyersburg Zoning Ordinance and zone all properties in the City or annexed into the City; and,

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and of this City as a whole; and,

WHEREAS, the Dyersburg Municipal / Regional Planning Commission has reviewed said proposed zoning amendment pursuant to Sections 13-7-203 and 13-7-204 of the Tennessee Code Annotated and recommends such amendment to the Dyersburg Board of Mayor and Alderman; and,

WHEREAS, the Dyersburg Board of Mayor and Alderman has given due public notice of hearings on said amendment and has held a public hearing; and,

WHEREAS, all the requirements of Section 13-7-201 through 13-7-212 of the Tennessee Code Annotated, with regard to the amendment of the Dyersburg Zoning Map by the Planning Commission and subsequent action of the Board of Mayor and Alderman of the City of Dyersburg have been met.

Section 1. NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Alderman of the City of Dyersburg, Tennessee, that the following property be zoned P-B (Planned Business) District:

Parcel 5.04 on Dyer County Tax Map 074.

Beginning at a point, said point being the intersection of the current corporate limits of Dyersburg, TN and the northern right of way of Radio Road; thence moving in a westerly direction along the northern right of way of Radio Road to a point, said point being the intersection of the northern right of way of Radio Road and a northerly projected line from the northwestern most corner of Parcel 5.04 on Dyer County Tax Map 074; thence moving in a southerly direction along said projected line to a point,

said point being the northwestern most corner of Parcel 5.04; thence continuing in a southerly direction along the western boundary of Parcel 5.04 to a point, said point being the southwestern most corner of Parcel 5.04; thence moving in a northeasterly direction along the southern boundary of Parcel 5.04 to a point, said point being the intersection of the current corporate limits of Dyersburg, TN and the southeastern most corner of Parcel 5.04; thence moving in a northerly direction along the current corporate limits of Dyersburg, TN to the point of beginning.

Section 2. This Ordinance shall become effective thirty days from and after its passage, the public welfare requiring it.

1st Reading: **May 16, 2016**

2nd Reading: **June 6, 2016**

Date published in local newspaper: **May 17, 2016**

Date of Public Hearing: **June 6, 2016**

Mayor

Date

Attest: City Recorder

Date

Mayor Holden called for any public comment to the ordinance. No comment was made. A motion to approve the resolution as presented before the Board was made by Alderman Kevin Chaney, with a second by Alderman Mike Morgan. With no further discussion the motion passed by full Board vote.

- d. **Notice of Public Hearing – June 6, 2016 – A RESOLUTION ADOPTING A PLAN OF SERVICE FOR AREA TO BE ANNEXED INTO THE CITY OF DYERSBURG, TENNESSEE: PROPERTY LOCATED ON RADIO ROAD.**

RESOLUTION 06062016A

A RESOLUTION ADOPTING A PLAN OF SERVICE FOR AREA TO BE ANNEXED INTO THE CITY OF DYERSBURG, TENNESSEE: PROPERTY LOCATED ON RADIO ROAD (OWNED BY DR. KENNETH BRUNSON)

WHEREAS, *Tennessee Code Annotated* 6-51-102 requires that a plan of service be adopted by the governing body of a city prior to annexing an area; and,

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has recommended that the following Plan of Service for the annexation of an area located on Radio Road (Dr. Kenneth Brunson).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF DYERSBURG, TENNESSEE:

SECTION 1. Pursuant to Tennessee Code Annotated Section 6-51-102, there is hereby adopted for the proposed annexation area the following Plan of Service:

A. Police

- (1) Patrolling, radio responses to calls, and other routine police service, using present personnel and equipment, will be provided on the effective date of annexation.
- (2) No additional personnel or equipment will be added during the first year after the effective date of annexation, but as the area develops, additional personnel and equipment will be expanded as needed.
- (3) Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need

therefore is established by appropriate study and traffic standards.

B. Fire

- (1) Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.
- (2) No additional personnel or equipment will be added during the first year after effective date of annexation, but with the growth and development of the area additional personnel and equipment will be expanded as needed.

C. Water

- (1) Water for domestic, commercial, and industrial use will be provided at the rates presently charged by the City of Dyersburg, on the effective date of annexation, and thereafter from new lines as extended by developers as development occurs in accordance with current city policy.
- (2) Water for fire protection will be available immediately following annexation and from new lines as extended in accordance with current city policy.

D. Sewer

A sanitary sewer lift station is located at the intersection of Radio road and Hwy 78. The extension of sanitary sewer lines parallel to Radio road will be the responsibility of the developers.

E. Natural Gas

The necessary natural gas lines will be installed on undeveloped property by developers as development occurs according to current city policies. Gas is currently available to existing property owners.

F. Refuse Collection

The same regular refuse collection services now provided within the city will be extended to the annexed areas after 30 days of the effective date of annexation.

G. Streets

Annexation of approximately 630 feet of street right of way will be required by this annexation. The City will provide the following services to City streets of the annexed area:

- (1) Emergency maintenance of streets. (repair of hazardous chuck holes, measures necessary for traffic flow, etc.)
- (2) Routine maintenance, on the same basis as in the present city.
- (3) Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as need therefore is determined by the governing body, will be accomplished under current policies of the city.

H. Inspection Services

Inspection services are currently provided by the city. Code Enforcement will begin in the annexed areas on the effective date of annexation.

I. Planning and Zoning

The planning and zoning jurisdiction of the city will extend to the annexed areas on the effective date of annexation. City planning will thereafter encompass the annexed areas. The area will be zoned P-B (Planned Business) District

J. Street Lighting

Street lights will be installed by developers as development occurs in accordance with standards currently prevailing in the existing city policies.

K. Recreation

Residents of the annexed areas may use all existing recreational facilities, parks, etc. on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

L. Miscellaneous

- (1) Street name signs where needed will be installed as new streets are opened in the annexed area.

SECTION 2. This Resolution shall be effective from and after its adoption.

ADOPTED this 6th day of June, 2016.

Mayor

City Recorder

Mayor Holden called for any public comment to the resolution. No comment was made. A motion to approve the resolution as presented before the Board was made by Alderman Robert Taylor, Jr., with a second by Alderwoman Carolyn Norman. With no further discussion the motion passed by full Board vote.

- e. **Notice of Public Hearing – June 6, 2016 – AN ORDINANCE TO AMEND THE DYERSBURG MUNICIPAL ZONING MAP TO REZONE PROPERTIES NEAR HILLCREST AVE. AND PARKVIEW ST. FROM R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO HM (HOSPITAL-MEDICAL) DISTRICT.**

ORDINANCE BB 654

AN ORDINANCE TO AMEND THE DYERSBURG MUNICIPAL ZONING MAP TO REZONE PROPERTIES NEAR HILLCREST AVE. AND PARKVIEW ST. FROM R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO HM (HOSPITAL - MEDICAL) DISTRICT

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-201 and 13-7-202 a zoning ordinance and map have been adopted for the City of Dyersburg; and,

WHEREAS, the Dyersburg Municipal-Regional Planning Commission has recommended that the following property be reclassified from its current zoning designation to the proposed zoning designation and,

WHEREAS, a public hearing was held before Dyersburg Board of Mayor and Aldermen pursuant to section 13-7-203, Tennessee Code Annotated, the time and place of which was published with fifteen days advance notice; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF DYERSBURG:

SECTION 1. That the following described properties be rezoned from R-3 (High Density Residential) District to H-M (Hospital-Medical) District:

Parcels 22.00 and 23.00 on Dyer County Tax Map 88K, Group F.

Beginning at a point, said point being northwestern-most corner of Parcel 23.00 on Dyer County Tax Map 88K, Group F and the eastern right of way of Hillcrest

NJPA Information

FAQ - Can my public agency use NJPA contracts without issuing our own solicitation?

Yes, in most states and local jurisdictions, though it is the responsibility of individual members to make the determination. All NJPA contracts have been competitively solicited nationally, reviewed, evaluated by committee and recommended to the NJPA Board of Directors for award in accordance with Minnesota public purchasing and contracting rules, guidelines and regulations applicable to NJPA. Each solicitation is issued on behalf of NJPA and current and potential NJPA members nationwide. Each RFP advises all responders that NJPA most desires and invites a vendor whom can sell and service participating member agencies in all fifty states and, optionally, provinces and territories of Canada. All RFP respondents understand that these contracts will be under consideration for use by government, education and non-profit member agencies throughout the United States.

TENN. CODE ANN. §12-3-1205. Cooperative purchasing agreements.

(b) (1) Notwithstanding any other law to the contrary, any municipality county, utility district, or other local government of the state may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any goods, supplies, services, or equipment with one (1) or more other governmental entities outside this state, to the extent the laws of the other state permit the joint exercise of purchasing authority, in accordance with an agreement entered into between or among the participants; provided, such goods, supplies, services, or equipment were procured in a manner that constitutes competitive bidding and were advertised, evaluated, and awarded by a governmental entity and made available for use by other governmental entities.

Mr. Greg Williams recommended the bid be awarded to Dickson County Equipment Co, Dickson, TN, at \$106,600.00

A motion to approve the recommendation as presented before the Board was made by Alderman Mike Morgan, with a second by Alderwoman Carolyn Norman. The motion passed by full Board vote.

2. Department: City Hall
Item: HVAC System for downstairs
Purpose: Replace 20 year old system that has failed
Budgeted: No

Notification – None – Emergency quotes received to restore A/C downstairs.

			<u>Install date</u>	<u>Full Warranty</u>
Bids:	Windle HVAC	\$22,751.00	6/14/16	10 years
	Billy Rogers Plumbing	\$17,647.00	<u>6/09/16</u>	1 year
	Rice Electric	\$17,485.00	6/15/16	1 year

Mr. Greg Williams recommended the bid be awarded to Billy Rogers Plumbing, Dyersburg, TN, at \$17,647.00, due to quick install date.

A motion to approve the recommendation as presented before the Board was made by Alderman Kevin Chaney, with a second by Alderman Bill Escue. The motion passed by full Board vote.

g. Appointment to Personnel Merit Board by Governing Body of the City of Dyersburg.

Mayor Holden stated the need following reappointment to the City of Dyersburg Personnel Merit Board. Mayor Holden entertained a motion for the reappointment Mr. Lewis Norman to the Personnel Merit Board. Mayor Holden motioned for the appointment approval, with a second by Alderman Mike Morgan. The motion was passed by full Board vote.

h. Reappointment of Dr. Dwight Hedge to the Dyersburg Electric Power Board.

A motion to approve the reappointment was made by Alderman Dennis Moody, with a second by Alderman Terry Glover. The motion passed by full Board vote.

i. Finance Committee Budget Hearing Meetings – May 31, 2016 & June 2, 2016

Finance Committee Budget Hearing Meeting

City of Dyersburg

Tuesday, May 31, 2016

The Finance Committee met at 9:30 a.m. on Tuesday, May 31, 2016 in the City Hall Second Floor Conference Room.

Committee Members Present: Mayor John Holden, Chairman Kevin Chaney, and Aldermen Terry Glover, and Bob Kirk.

Other attendees: Alderman Mike Morgan, Alderwoman Carolyn Norman, Steve Anderson, Greg Williams, Tommy Gibbons, Steve Isbell, Mark Grant, Mike Moore, Kristen Dycus, State Gazette reporter, Scott Ball, Thomas Mullins, Mike McCulloch, Mark Moody, Rodger Dudley, and Mr. and Ms. Hendren.

Chairman Chaney called the meeting to order. Ms. Hendren presented her request before the Committee asking the City to rescind its decision to discontinue mowing the north side of her property located on the corner of East Court and Everett Avenue. Ms. Hendren provided pictures of the location. She was recently notified by the City's property maintenance program regarding her grass along her ditch exceeded growth limits. Ms. Hendren stated the City had mowed the property since the City had improved the size of the ditch. Additionally, she stated the embankment created by the dredging had made the grassy area difficult to properly maintain. She stated the City should reimburse her for damage to the property and the ditch. She noted that the property next to the ditch required heavy machinery to make it conducive to mowing, and the City should incur the expense.

The Committee was provided photos of the property and they were informed by the City Street Superintendent Ms. Hendren not only owned the ditch, but property on each side of the ditch. The Committee stated there were many miles of property with similar or exact issues involving surface water draining through City or private ditches. Also, the City is required to maintain natural flow of such ditches.

Ms. Hendren stated she would prefer to have the City place culverts into the ditch at the City's expense.

Chairman Chaney concluded the discussion with a commitment to Ms. Hendren to have the committee go to the property to review the site for final recommendation.

Next on the agenda Mr. Steve Anderson provided a copy of the proposed department 2016-17 budgets. These included: Communications (EOC), Airport, Cemetery, Codes Enforcement, Police, Gas, and Meter Reading Departments. Each department supervisor presented their proposal before the Committee.

No action was taken on the proposed budgets, and the Committee scheduled to hold their review of other department budgets on Thursday, June 2, 2016, at 9:30 a.m.

With no further business the Committee adjourned at 11:30 a.m.

The Finance Committee met at 9:30 a.m. on **Thursday, June 2, 2016** in the City Hall Second Floor Conference Room.

Committee Members Present: Mayor John Holden, Chairman Kevin Chaney, and Aldermen Terry Glover, and Bob Kirk.

Other attendees: Alderman Mike Morgan, Alderwoman Carolyn Norman, Steve Anderson, Greg Williams, Kristen Dycus, and Mike Smith, State Gazette reporter, Tiffany Heard, Scott Ball, Andy Baker, Mike McCulloch, Mike Goff, Jeff Moore, John Damesworth.

Chairman Chaney called the meeting to order. Mr. Steve Anderson provided a copy of the proposed department 2016-17 budgets. These included: Water/Sewer, Wastewater, Storm water, Engineering, Street, Solid Waste, and Recreation Departments. Each department supervisor presented their proposal before the Committee.

As a result of the Street Department presentation, Street Department superintendent, Mike McCulloch requested the purchase of a replacement tractor and mowing accessory, because a tractor unit was damaged beyond repair in an accident. The budget had been submitted prior to the equipment accident and therefore had not been originally included in the proposal. The requested new equipment would replace the previous equipment. The cost would be reduced to the City, because the tractor was insured and the insurance paid approximately \$40,000.00. The City is currently attempting to use other rental equipment that is funded under the insurance policy. However, the insurance for rental is scheduled to terminate. Mr. McCulloch stated he had located new replacement equipment from a vendor under the State of Tennessee contract program. He stated the price was the best he could locate in the region. The Committee agreed the purchase was necessary and needed as soon as the equipment was available. Mr. McCulloch stated the product was currently available for immediate purchase and delivery. Alderman Bob Kirk motioned to authorize Greg Williams, Purchasing Agent, to validate the vendor as a participant in the State of Tennessee contract program, in order to buy without the City having to undergo a bid process. Mr. Williams was further authorized to bid the equipment should the vendor not be a participant in the State contract program. The motion was seconded by Alderman Terry Glover, and passed by full committee vote. The minutes and motion recommendation will be made before the full Board of Mayor and Aldermen/Alderwoman at the Monday, June 6, 2016 Board meeting.

The Committee will reconvene again in the Month of June 2016 to work toward finalizing the proposed 2016-2017 budget to be presented before the full Board of Mayor and Aldermen/Alderwoman.

With no further business the Committee adjourned at 11:30 a.m.

Kevin Chaney, Chairman

Robert C. Jones, City Recorder

Report from Alderman and Alderwomen:

Aldermen Bob Kirk: Introduced his grandson Jackson Kirk from Memphis, Tennessee.

Alderman Bill Escue: No report.

Alderman Terry Glover: Complimented the Utility Collections staff at City Hall for their good customer service in assisting his grandson with his utility service.

Alderman Kevin Chaney: No report.

Alderwoman Mike Morgan: Noted a customer complaint as the automatic telephone voice message answering before the customary hours of closing. He state that he also called the City Hall telephone number and received the same response. Mayor Holden stated staff would follow up with the testing the service. Additionally, Alderman Morgan announced an upcoming music festival on June 25, 2016 at the Dyer County Fairgrounds.

Alderman Dennis Moody: Asked the Mayor when Okeena pool would open. Mayor Holden stated that according to Andy Baked, Recreation Department Director, the pool would be open on Tuesday (tomorrow).

Alderwoman Carolyn Norman: No report.

Alderman Robert Taylor, Jr: No report.

Communications from the Mayor:

- Announced the next Finance Committee budget meeting on June 7, 2016 at 9:30 a.m. in the second floor conference room at City Hall.
- Announced the upcoming public auction of City owned real estate properties on June 23, 2016, at 5:30 p.m. in the City Court Room.

With no further business the meeting adjourned at 7:26 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder