

**Board of Mayor and Aldermen Meeting
December 19, 2016
Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, December 19, 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 Mike Morgan. Mayor Holden noted all Aldermen were present, with the exception of Alderwoman Carolyn Norman.
 - (2) **Approval of Minutes:** The minutes of the December 5, 2016 meeting were approved on a motion by Alderman Kevin Chaney, followed by a second from Alderman Terry Glover. The motion passed approving the minutes.
 - (3) **Unfinished Business:** From inquiry from the December 5, 2016 Board meeting regarding changing the set time for the regular Board meetings, Mayor Holden informed the Board of the 1978 Municipal Code which established the meeting time set at 7:00 p.m. He informed the Board that if the Board desired to change the time an ordinance would be required to make a change. He noted the need to examine the schedule for City Court, and determine a time change that would not interfere with their schedule. He stated the court proceedings usually ended around 5 or 5:30 p.m. The Board meeting could be potentially scheduled around 5:30 or 6:00 p.m. The Board asked the Mayor to proceed forward with determining the time options for this potential change.
 - (4) **New Business:** None presented.
- a. **Notice of Public Hearing – December 19, 2016 – Request from Craig Barron to appeal a rezoning request that was denied by the Dyersburg Regional Planning Commission on November 10, 2016.**

Mayor Holden reminded the Board that the request was denied by the Planning Commission, and was tabled in an initial appeal before the Board at the December 5, 2016 meeting.

Mayor Holden noted that this was a public meeting and invited any one to come before the Board with comment.

Alderman Bob Kirk inquired as to the specific differences between the M1 and M2 zone. Mr. Thomas Mullins of the Codes Enforcement office provided information as to the key differences and similarities of the two zone classifications.

Next to comment was city attorney John Lannom. He presented various opinions for the Board to consider as they make their decision in voting on the appeal. He specifically discussed the history of the Board supporting the decisions made by the Planning Commission, uniquely citing the Commission's prior decisions in recent years to deny rezoning appeals by property owners owning property within the M1 zone next to the property under current appeal. Those appeals were noted to be recognized as historically important in non- prejudicial decision making, and protecting the City, County and State investments in the area considered the north industrial park. Mr. Lannom talked about the significant undertaking of the Board when the board makes a decision that is inconsistent with the decisions made by the Planning Commission in this appeal.

In further discussion, Alderman Dennis Moody expressed his concern for the lack of attendance at the meeting by those representing the appeal. He also noted the lack of significant differences between the M1 and M2 zones.

Alderman Kevin Chaney then made a motion to table the request until Mr. Craig Barron could attend the meeting, which was seconded by Alderman Dennis Moody. The motion passed.

Mayor Holden was asked by Alderman Kirk if the appeal had to be noticed again to the public, noting the number of times this had been done. Mayor Holden stated that this would be the third time, and the city would need to follow the same legal process as have been followed for previous public notice.

b. Attorney Invoice

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The November 1, 2016 – November 31, 2016 invoice totaled \$16,162.50. Alderman Bob Kirk made a motion to approve the payment, with a second by Alderman Robert Taylor, Jr. The motion passed by full Board approval.

c. Bids – Greg Williams.

1. Department: Police

Item: (37) Tasers, holsters, batteries, cartridges

Purpose: To replace older units

Budgeted: \$15,000

Notification – None – Sole Source of Supply

Bids: Taser International \$45,681.68

This is a special trade-up program offer that allows us to be invoiced over 5 years, includes an extended 5 year warranty & offers a discount for (37) of our current Tasers.

Year 1 \$ 6,609.68
Year 2 \$ 9,768.00
Year 3 \$ 9,768.00
Year 4 \$ 9,768.00
Year 5 \$ 9,768.00
Total \$45,681.68

Mr. Williams recommended awarding the bid to Taser International, at \$45,681.68. A motion to approve the recommendation as presented before the Board was made by Alderman Bob Kirk, with a second by Alderman Bill Escue. The motion passed by full approval.

2. Department: Wastewater Treatment

Item: Repair of 1997 Ford 8970 Tractor
Purpose: Disposal of bio solids from treatment plant
Budgeted: No – Repair & Maintenance
Notification – None – Actual extent of repair unknown
Estimate from J & P Machine \$25,035.93

Mr. Williams recommended awarding the bid to J & P Machine, Dyersburg, TN at \$25,035.93. It was noted the repair will ideally extend the life of the equipment for approximately 12 to 18 months and serve as a functioning and operable trade in equipment for a new and larger tractor in a future budget. The current equipment is approximately 20 years old. A motion to approve the recommendation as presented before the Board was made by Alderman Robert Taylor, Jr, with a second by Alderman Mike Morgan. The motion passed by full approval.

Report from Alderman and Alderwomen:

Aldermen Bob Kirk: No report.

Alderman Bill Escue: Wished everyone a healthy and happy holiday.

Alderman Terry Glover: Wished all a Merry Christmas and to remember the reason for the season.

Alderman Kevin Chaney: No report.

Alderman Mike Morgan: Wished all a Merry Christmas.

Alderman Dennis Moody: Wished all a Merry Christmas.

Alderman Carolyn Norman: Not present.

Alderman Robert Taylor, Jr: No report.

Communications from the Mayor:

- Distributed copies of the city engineer's report for November, 2016.
- Recognized the passing of Mr. Johnny Gardner, and Ms. Ann Kirk and their families.
- Asked for thoughts and prayers for former city employee Ms. Jenny Spence whom is in failing health.

With no further business, the meeting adjourned at 7:45 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder