

**Board of Mayor and Aldermen Meeting
Tuesday, September 21, 2015
Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, September 21, 2015 in the Dyersburg Municipal Court Room at 7:00 p.m. Mayor Holden presided over the meeting. The meeting opened with prayer by Alderman Robert Taylor, Jr. Mayor Holden noted all Aldermen were present. Boy Scout Troop #87 was present for the meeting to earn credits toward merit badges, and Boy Scout Luke Schrader led the courtroom in the Pledge of Allegiance.
- (2) **Approval of Minutes:** The minutes of the September 8, 2015 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:** Mark Grant, Director Dyersburg Emergency Operations presented a request for the Board to participate in a 10 year Interlocal Cooperation Agreement with the Dyer County Emergency Communications District, providing 911 services. The agreement was ratified by a motion for approval from Alderman Bob Kirk, with a second by Alderman Bill Escue. The motion passed by full Board approval.
- (4) **New Business:**

a. Attorney Invoice

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The August 1, 2015 to August 31, 2015 invoice totaled \$ 4,350. Alderman Kevin Chaney made a motion to approve the payment, with a second by Alderman Mike Morgan. The motion passed by full vote.

b. Bids – Greg Williams, Purchasing Agent.

1. REVISION OF PREVIOUSLY APPROVED BID

Department: EOC

Item: Maintenance Agreement

Purpose: Radio Backbone & Dispatch Consoles

Budgeted: Yes – FY 15-16

Notification – None – Sole Source

Recommendation: Award bid to Motorola, ~~\$25,064.64~~ \$25,816.56

(We had not received actual invoice at time of approval)

Recommendation: Mr. Williams recommended awarding the bid to Motorola, at \$25,816.56.

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

2. Department: Street
Item: Repave Hoff Road
Purpose: Repair of Street
Budgeted: Yes – Recent Bond Issue
Notification – State Gazette & Area Plan Rooms
Bids: Ford Construction \$246,020.00

Recommendation: Mr. Williams recommended awarding the bid to Ford Construction, Dyersburg, TN at \$246,020.00.

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 Board approval.

- c. **Street and Sanitation/Finance Committee Meeting – September 9, 2015 – Chairmen Mike Morgan and Kevin Chaney.**

Combined Meeting of the Street and Sanitation / Finance Committees

City of Dyersburg

McIver's Grant Public Library Community Room

Wednesday September 9, 2015 at 9:00am

Members Present: Mayor John Holden, Aldermen Mike Morgan, Bill Escue, Bob Kirk, and Terry Glover.

Staff Present: John Damesworth, Director Sanitation Department, and Greg Williams, City Purchasing Agent.

Others in Attendance: Sara Wolfe and Amelia Wilkes, Dyersburg Garden Club, Peggy Webb, Penny Switzer, and Miriam Hammer, Good Earth Garden Club. Jimmy Tate, Republic Services, and Rob Hurt, 501K Recycling.

The Street and Sanitation / Finance Committees met to hear discussion as requested from Ms. Sara Wolfe on behalf of the Dyersburg Garden Club to bring two companies to discuss recycling information for Dyersburg. Ms. Wolfe introduced Mr. Jimmy Tate, Republic Services, a waste collection company that provides collection recycling and disposal services for residential and commercial customers. Mr. Tate discussed his program and various suggestion options available regarding recycling initiatives possible to the City of Dyersburg.

Following the discussion with Republic Services, Mr. Rob Hurt, 501K Recycling, presented a proposal for various services regarding residential and commercial collection, recycling alternatives, market rates for recycle products, and a program for recycling located at the Dyersburg landfill.

No action was taken by the Committees.

With no further business the meeting adjourned at 10:45 a.m.

Mike Morgan, Chairman, Street and Sanitation

Robert C. Jones, City Recorder

d. Notice of Public Hearings – September 21, 2015.

- 1. Ordinance amending Title 8, Chapter 2 for Dyersburg Municipal Code, entitled Beer, Section 8-205, entitled Inference with Public Health, Safety, and Morals Prohibited.** Mayor Holden announced the call for a public hearing regarding amending the current beer ordinance by deleting the term “private residence” in the third paragraph from the language of the ordinance. Other than the revised language, Section 8-205 is hereby re-adopted in its entirety. This amendment was first noticed at the August 17, 2015 Mayor and Alderman Board meeting. Such Public Hearing was advertised in the State Gazette newspaper on September 2, 2015. It was noted the Public Safety Committee approved the recommendation for the amendment to the full board from their meeting held August 12, 2015.

No statement was presented by the general public at the meeting. Mayor Holden asked for a motion regarding the approval of the amendment as presented before the Board. Alderman Bob Kirk motioned for the approval of the amendment, followed by a second from Alderman Mike Morgan. The motion was

approved by full Board vote, with the exception of Mayor Holden voting “no” to the motion.

2. Adoption of 2015 International Residential Building Code with revisions and the 2009 International Energy Conservation Code.

Mayor Holden announced the call for a public hearing regarding for adoption by the City of the 2015 Residential Building Codes and the 2009 Energy Codes, as noticed in the State Gazette newspaper, and at the meeting of September 8, 2015 Board of Mayor and Aldermen.

ORDINANCE NO. 642

AN ORDINANCE of the **CITY OF DYERSBURG** adopting the 2015 edition of the *International Residential Code*, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the **CITY OF DYERSBURG**; providing for the issuance of permits and collection of fees therefor; repealing the referenced 2006 International Residential Code, known as an associated code, within **ORDINANCE** No. BB-605 of the **CITY OF DYERSBURG** and all other ordinances or parts of laws in conflict therewith.

The **BOARD OF MAYOR AND ALDERMEN** of the **CITY OF DYERSBURG** does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the **DYERSBURG CODE ENFORCEMENT** of **CITY OF DYERSBURG**, being marked and designated as the *International Residential Code*, 2015 edition, including Appendix Chapters **A, B, C, D, E, G, H, J, N, P**, as published by the International Code Council, be and is hereby adopted as the Residential Code of the **CITY OF DYERSBURG**, in the State of **TENNESSEE** for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the **DYERSBURG CODE ENFORCEMENT** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Chapter 3, Section R313, Automatic Fire Sprinkler Systems (Removed) per State of Tennessee Legislation TCA 68-120-101 (8)

Chapter 11, Energy Efficiency, (Removed) Replaced with 2009 International Energy Conservation Code

Chapter 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, Electrical (Removed) State Adopted Electrical Code shall apply

Section 3. The **2006 INTERNATIONAL RESIDENTIAL CODE** and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The **CITY OF DYERSBURG** hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the **CITY OF DYERSBURG RECORDER** is hereby ordered and directed to cause this legislation to be published.

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **JANUARY 1, 2016.**

First reading: 17th day of August, 2015.

Second reading: 21st day of September, 2015.

Mayor

City Recorder

Ordinance NO. 643

An ordinance of the **City of Dyersburg** adopting the 2009 edition of the *International Energy Conservation Code*, regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems in the **City of Dyersburg**; providing for the issuance of permits and collection of fees therefor; repealing the referenced 2006 International Energy Conservation Code, known as an associated code, within Ordinance No. BB-605 of the **City of Dyersburg** and all other ordinances and parts of the ordinances in conflict therewith.

The Board of Mayor and Aldermen of the **City of Dyersburg** does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Dyersburg Code Enforcement of **City of Dyersburg**, being marked and designated as the *International Energy Conservation Code*, 2009 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the **City of Dyersburg**, in the State of **Tennessee** for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the **City of Dyersburg** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised: Any additions, insertions, deletions and or changes of the 2009 International Energy Conservation Code adopted by the State of Tennessee shall apply.

Section 3. The **2006 International Energy Conservation Code** and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The **City of Dyersburg** hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Energy Conservation Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the **City of Dyersburg Recorder** is hereby ordered and directed to cause this ordinance to be published.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2016.

First reading: 17th day of August, 2015.

Second reading: 21st day of September, 2015.

Mayor

City Recorder

No statement was presented by the general public at the meeting. Mayor Holden asked for a motion to approve the adoption of the Codes as presented before the Board. Alderman Bill Escue motioned for the adoption of the Codes, followed by a second from Alderman Dennis Moody. The motion was approved by full Board vote.

Report from Alderman and Alderwomen:

Aldermen Bob Kirk: Asked Alderman Moody about the future continuation of the TVA Fuel Charge to customers. Alderman Moody informed the Board that the charge would probably continue. The charge originates from TVA and the cost is determined from month to month by TVA.

Alderman Bill Escue: No report.

Alderman Terry Glover: No report.

Alderman Kevin Chaney: Informed the Board of a recent telephone call requesting a white dividing line to be extended to the middle school on Millsfield Highway. Also, a request for limbs to be trimmed on McArthur Street.

Alderman Mike Morgan: No report.

Alderman Dennis Moody: Questioned an inordinate number of continuous yard sales in the City. Mayor Holden stated that each residence was allowed one permit every six months.

Alderwoman Carolyn Norman: No report.

Alderman Robert Taylor Jr.: Expressed concerns over some items not being picked up at curbside, excessive number of stray cats, and kids throwing rocks on Forrest Street. Mayor Holden responded by stating that the Sanitation department had been instructed to follow the specific ordinance for curbside pickup. The rock throwing complaints should be reported to the Dyersburg Police Department. The Dyersburg/Dyer County Humane Society may have live traps available for cats, as they do not capture stray cats, only dogs.

Communications from the Mayor:

Mayor Holden announced the following:

- Library Appreciation Luncheon from 11:00 a.m. to 1:00 p.m. Tuesday, September 22, 2015 at the McIver's Grant Library.
- Codes Department activity report for the month of August 2015.
- Dyersburg Main Street Fall Festival, Saturday, September 26, 2015, all day event at the Farmers Market.
- Street and Sanitation Committee meeting called for Wednesday, September 23, 2015 at 9:00 a.m.

- Dyersburg recently received the Keep Tennessee Beautiful, Most Comprehensive Clean-Up Award of Excellence.
- Dyersburg awarded a \$2,000.00 safety grant, a DPD bulletproof vest grant for 18 vests at \$42,000.00, and a JAG grant totaling 13,438.00.

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

John Holden, Mayor

Robert C. Jones, City Recorder