

**Board of Mayor and Aldermen Meeting
Monday May 16, 2016
Dyersburg Municipal Court Room**

- (1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, May 16, 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.
- (2) **Approval of Minutes:** The minutes of the May 2, 2016 meeting were approved on a motion by Alderman Mike Morgan, followed by a second from Alderman Robert Taylor Jr. The motion passed approving the minutes.
- (3) **Unfinished Business:** None presented.
- (4) **New Business:**
 - a. **Notice of Public Hearing – June 6, 2016 – A RESOLUTION TO ANNEX TERRITORIES WEST OF THE DYERSBURG CORPORATE LIMITS: PROPERTY LOCATED ON RADIO ROAD,**
 - b. **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, and**
 - c. **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.**

A motion to approve the resolutions and ordinance for public hearing as presented before the Board was made by Alderman Bob Kirk, with a second by Alderman Kevin Chaney. With no further discussion the motion passed by full Board vote.
 - d. **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.**

A motion to approve the ordinance for public hearing as presented before the Board was made by Alderwoman Carolyn Norman, with a second by Alderman Kevin Chaney. With no further discussion the motion passed by full Board vote.

- e. **Public Hearing – May 16, 2016 – ORDINANCE BB649 - AN ORDINANCE TO AMEND THE DYERSBURG MUNICIPAL ZONING MAP TO REZONE PROPERTIES NEAR LAKE ROAD AND CONNELL AVENUE AND FINLEY STREET FROM B-3 (CENTRAL BUSINESS) AND B-2 (GENERAL TRADE AND BUSINESS) TO R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT**

ORDINANCE BB649

AN ORDINANCE TO AMEND THE DYERSBURG MUNICIPAL ZONING MAP TO REZONE PROPERTIES NEAR LAKE ROAD AND CONNELL AVENUE AND FINLEY STREET FROM B-3 (CENTRAL BUSINESS) AND B-2 (GENERAL TRADE AND BUSINESS) TO R-2 (MEDIUM DENSITY RESIDENTIAL) 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 B-3 (Central Business) District and B-2 (General Trade and Business) district to R-2 (Medium Density Residential) district:

Parcels 40.00, 41.00, 42.00, 43.00, 44.00, 45.00, 46.00, 47.00, 48.00, and 49.00 on Dyer County Tax Map 099B, Group B.

Beginning at a point, said point being northwestern most corner of Parcel 49.00 on Dyer County Tax Map 099B, Group B and the northwestern most corner of the existing B-3 district on the Official Dyersburg Zoning Map, adopted May 23, 2014, thence moving in an easterly direction along the northern boundary of the B-3 district to a point, said point being the intersection of said district and the northwestern corner of Parcel 40.00 Dyer County Tax Map 099B, Group B; thence continuing in an easterly direction along the northern boundary of Parcel 40.00 to a point, said point being the northeastern most corner of Parcel 40.00 and the western right of way of Lake Road; thence moving in a southerly direction along the western right of way of Lake Road to a point, said point being the intersection of the western right of way of Lake Road and the northern right of way of Finley Street; thence moving in a westerly direction along the northern right of way of Finley Street to a point, said point being the intersection of the northern right of way of Finley Street and the southwestern most corner of the existing B-3 district; thence moving in a northerly then easterly, then northerly direction along the boundary of the existing B-3 district to the point of beginning.

SECTION 2. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after third and final reading, THE PUBLIC WELFARE REQUIRING IT.

1st Reading: **April 18, 2016** 2nd Reading: **May 16, 2016**

Public Notice Date: **April 21, 2016**

Mayor: _____

Attest: _____

City Recorder

A motion to approve the resolution for public hearing as presented before the Board was made by Alderman Bob Kirk, with a second by Alderman Robert Taylor, Jr. With no further discussion the motion passed by full Board vote.

- f. **Public Hearing – May 16, 2016 – ORDINANCE BB650 - AN ORDINANCE TO AMEND THE DYERSBURG MUNICIPAL ZONING MAP TO REZONE PROPERTIES NEAR HARRELL AVENUE AND PHILLIPS STREET FROM M-2 (MEDIUM INDUSTRIAL) TO B-2 (GENERAL TRADE AND BUSINESS) DISTRICT.**

ORDINANCE BB650

AN ORDINANCE TO AMEND THE DYERSBURG MUNICIPAL ZONING MAP TO REZONE PROPERTIES NEAR HARRELL AVENUE AND PHILLIPS STREET FROM M-2 (MEDIUM INDUSTRIAL) TO B-2 (GENERAL TRADE AND BUSINESS) 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 M-2 (Medium Industrial) District to B-2 (General Trade and Business):

Parcels 14.00, 14.01, 14.02, 17.00, 18.00, 19.00 on Dyer County Tax Map 088M, Group J.

Beginning at a point, said point being the intersection of the centerlines of Harrell Avenue and Phillips Street; thence moving in westerly direction along the centerlines of Phillips Street to a point, said point being the intersection of the centerline of Phillips Street and a southerly projected line from the southwestern most corner of Parcel 14.01 on Dyer County Tax Map 088M, Group J; thence moving in a northerly direction along said projected line to a point, said point being the southwestern corner of Parcel 14.01; thence continuing in a northerly direction along the western boundary of Parcel 14.01 to a point, said point being the northwestern most corner of Parcel 14.01; thence continuing in a northerly

WHEREAS, the Dyersburg Board of Mayor and Alderman deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance; and

WHEREAS, the Dyersburg Municipal/Regional Planning Commission has reviewed said proposed amendments pursuant to Sections 13-7-203 and 13-7-204 of the Tennessee Code Annotated and recommends such amendments 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 amendments and has held public hearings; and

WHEREAS, all the requirements of Section 13-7-201 through 13-7-210 of the Tennessee Code Annotated, with the regard to the amendment of a zoning ordinance by the Planning Commission and subsequent action of the Dyersburg Board of Mayor and Alderman have been met.

NOW, THEREFORE, BE IT ORDAINED by the City of Dyersburg, Tennessee that the text of the Dyersburg Zoning Ordinance be revised by amending Article IX and replacing it with the following:

ARTICLE IX

R-1A-C (MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL/CONDO) DISTRICT

Section A. Purpose.

To permit single family dwellings and condos on lots of not less than 7,500 square feet in area, and other selected uses in the R-1A-C district.

Section B. Uses Permitted.

1. Single family dwellings;
2. Single-Family Attached Dwellings (Zero Lot Line Condos)
3. Manufactured Residential Dwellings, as defined in Article III and subject to the provisions of Article XXIV, Section M. of this Ordinance.
4. Parks, recreation, golf courses and country clubs;
5. Public buildings and churches;
6. Utility wire and pipelines, railroad and street rights-of-way;
7. Home occupations;

8. Temporary construction buildings;
9. Schools;
10. Accessory buildings;
11. Agricultural uses, but not to include any type of processing;
12. Identification signs;
13. Real estate signs.

Section C. Uses Permissible on Appeal.

None.

Section D. Uses Prohibited.

Any use not specifically permitted in Section B. above.

Section E. Minimum lot regulations.

1. Lot Area:
 - a. Single-family Detached Dwellings 7,500 square feet
 - b. Attached Dwellings 7,500 square feet for the first dwelling unit plus 2,000 square feet for each additional unit.
 - c. Single Family Attached (individual lot) 5,000 square feet
2. Lot Width: 60 feet at the front building line
3. Building Line Setbacks:
 - a. Front Street Line 30 feet
 - b. Side Yard Line (non-attached side) 10 feet

- c. Side Street Line 22.5 feet
- d. Rear Yard Line 30 feet

Section F. Height Regulations Maximum.

Three stories and/or 35 feet in height.

Section G. Parking and Loading Space Regulations.

Adequate off-street loading and parking space shall be required for permitted uses accordance with Article XXIV, Section B.

Section H. Site Plan Review Requirements.

Prior to the issuance of a building permit for the construction of any Single-Family Attached Dwellings (Zero Lot Line Condos), a site plan which is in full compliance with site plan review requirements as set forth in Article XXIV Section O, of the Dyersburg Zoning Ordinance shall be reviewed and approved by the Dyersburg Municipal-Regional Planning Commission or its designated agent(s). Any modification of said site plan required by the Dyersburg Municipal-Regional Planning Commission or its designated agent shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the City of Dyersburg.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately the public welfare so requiring it.

1st Reading: **April 18, 2016** 2nd Reading: **May 16, 2016**

Public Notice Date: **April 21, 2016**

Mayor

City Recorder

A motion to approve the ordinance as presented before the Board was made by Alderman Bob Kirk, with a second by Alderwoman Carolyn Norman. With no further discussion the motion passed by full Board vote.

- h. Public Hearing – May 16, 2016 – ORDINANCE BB652 - AN ORDINANCE TO ESTABLISH THOMAS AVENUE AS A ONE- WAY STREET**

ORDINANCE NO BB652

AN ORDINANCE TO ESTBALISH THOMAS AVENUE AS A ONE-WAY STREET.

WHEREAS, the Dyersburg Board of Mayor and Aldermen, after due investigation and consideration has determined that Thomas Avenue in the City of Dyersburg shall be converted to a one-way street; and,

WHEREAS, the Board of Mayor and Aldermen has held a public hearing regarding this ordinance with 15 days' notice; and,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Dyersburg, Tennessee:

SECTION 1. That the entire length of Thomas Avenue be established as a one-way street with traffic allowed to move North to South only.

SECTION 2. That appropriate signage advising motorist that Thomas Avenue shall be a one-way street shall be posted.

SECTION 3. BE IT FURTHER ORDAINED, that this Ordinance shall become effective upon final reading and publication in a newspaper of general circulation, the public welfare so requiring it.

Approved and adopted by the Board of Mayor and Aldermen, Dyersburg, Tennessee.

1st Reading: **April 18, 2016** 2nd Reading: **May 16, 2016**

Public Notice Date: **April 21, 2016**

Mayor: _____

Attest: _____

A motion to approve the ordinance as presented before the Board was made by Alderwoman Carolyn Norman, with a second by Alderman Robert Taylor, Jr. With no further discussion the motion passed by full Board vote.

j. Attorney Invoice.

Mayor Holden presented an invoice from the City Attorney's office to be approved for payment. The April 1, 2016 to April 30, 2016 invoice totaled \$3,825.00. Alderman Mike Morgan made a motion to approve the payment, with a second by Alderman Kevin Chaney. The motion passed by full vote.

i. Bids – Greg Williams, Purchasing Agent.

1. Department: Water Plant

Item: Rebuild pump

Purpose: Repair pump at Bruce floodgate

Budgeted: No – Repair & maintenance item

Notification – Emergency Repair

Bids: Industrial Maintenance & Engineering \$26,800.00

Recommendation: Mr. Williams recommended awarding the bid to Industrial Maintenance & Engineering, Nashville, TN at \$26,800.00.

Alderman Bob Kirk questioned why this purchase did not go through committee for approval. After significant discussion a motion to approve the recommendation 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 majority vote. Alderman Kevin Chaney voted against the motion.

Report from Alderman and Alderwomen:

Aldermen Bob Kirk: Noted he had read the State of Tennessee sales tax collections to date was up 8.4% over the same period as compared to the previous year. He asked how this resulted for the City receipts from the State. Mayor Holden deferred to Mr. Steve Anderson, City Treasurer, to answer his question. Mr. Anderson stated he would not be able to provide a report at the meeting, but would research the information and provide him with up to date information as soon as possible.

Additionally, Mr. Kirk asked Mayor Holden if Okeena would be open by Memorial Day. Mayor Holden stated that it was his understanding that it would be. Mayor Holden noted that crews had been working on the pool since shortly after the bid was awarded. Mayor Holden stated the City was taking applications for lifeguarding. Mr. Kirk asked if we normally opened by Memorial Day, and Mayor Holden confirmed we normally open by then. Mr. Kirk stated he had a lot of people who wanted to swim on Memorial Day.

Alderman Bill Escue: No report.

Alderman Terry Glover: No report.

Alderman Kevin Chaney: Cautioned the general public about a telephone scam claiming to be the IRS.

Alderman Mike Morgan: Commented on the quality assistance of the Dyer County prisoner trustees in helping the Street Department to pick up a significant amount of street side waste and debris.

Alderman Dennis Moody: Cautioned citizens about blowing grass clippings into the streets and into storm drains. He further noted the need to speed up the City process to address overgrown lots. Mr. Thomas Mullins, Codes Enforcement Director, provided updated information regarding the City's efforts to reduce time and effort in addressing the issue. He noted various aspects of the enforcement had been modified to address this issue.

Alderman Carolyn Norman: No report.

Alderman Robert Taylor, Jr: No report.

Communications from the Mayor:

- Announced this week as National Public Works Week. He noted that a recognition luncheon will be provided for the Public Works employees at the City this Friday, May 20, 2016 at the Dyersburg Activity Center from 11-1:00 p.m.
- Announced a proclamation of May 15, 2016, as Peace Officers Memorial Day and May 15 through May 21, 2016, as Police Week. All Americans are requested to observe these events with appropriate ceremonies and activities.

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

John Holden, Mayor

Robert C. Jones, City Recorder