

**Board of Mayor and Aldermen Meeting
August 20, 2018
Dyersburg Municipal Court Room**

(1) **Call to Order:** The Board of Mayor and Aldermen met in regular session on Monday, August 20, 2018 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 Scott Staggs. Mayor Holden noted all Aldermen were present.

(2) **Approval of Minutes:**

Mayor Holden called for a motion to approve the minutes from the August 6, 2018 meeting. Alderman Bill Escue made a motion to approve the minutes. Alderman Terry Glover seconded the motion. The minutes were approved.

(3) **Unfinished Business:** None presented.

(4) **New Business**

a. Notice of Public Hearing – September 4, 2018 – An ordinance amending Dyersburg Municipal Code 18-307 (2)(I) titled “Regulation of Sewer Use” to update local limits.

Mayor Holden stated a notice to the public for a public hearing on September 4, 2018 for an ordinance amending Dyersburg Municipal Code 18-307 (2)(I) titled “Regulation of Sewer Use” to update local limits.

b. Notice of Public Hearing – September 4, 2018 – An ordinance amending Dyersburg Municipal Code 18-307 (1)(C) titled “Regulation of Sewer Use” to revise PH upper limit to 12.0.

Mayor Holden stated a notice to the public for a public hearing on September 4, 2018 for an ordinance amending Dyersburg Municipal Code 18-307 (1)(C) titled “Regulation of Sewer Use” to revise PH upper limit to 12.0.

c. Notice of Public Hearing – September 4, 2018 – An ordinance to amend the municipal zoning map of the City of Dyersburg by deleting said map and adopting a revised municipal zoning map.

Mayor Holden stated a notice to the public for a public hearing on September 4, 2018 for an ordinance amending the municipal zoning map of the City of Dyersburg by deleting said map and adopting a revised municipal zoning map. Mayor Holden called for a motion to approve all notices to the public.

Alderman Bob Kirk motioned for approval, and Alderman Bill Escue seconded the motion. The motion passed by full Board vote.

d. Resolution 08202018 – A resolution authorizing the City of Dyersburg, Tennessee to participate in the TML Risk Management Pool “Safety Partners” Loss Control Matching Grant Program.

Resolution 08202018 authorizing the City of Dyersburg, Tennessee to participate in the TML Risk Management Pool “Safety Partners” Loss Control Matching Grant Program.

Mayor Holden noted the city participates in this grant each year, and called for a motion to for approval.

Alderman Kevin Chaney motioned for approval, and Alderman Dennis Moody seconded the motion. The motion passed by full Board vote.

e. Resolution 08202018A – Initial resolution authorizing the incurrence of indebtedness by the City of Dyersburg, Tennessee, of not to exceed \$4,600,000, by the execution with the public building authority of the City of Clarksville, Tennessee, of a loan agreement to provide funding for public works projects and to fund the incidental and necessary expenses related thereto.

Mayor Holden introduced Resolution 08202018A, an initial resolution authorizing the incurrence of indebtedness by the City of Dyersburg, Tennessee, of not to exceed \$4,600,000, by the execution with the public building authority of the City of Clarksville, Tennessee, of a loan agreement to provide funding for public works projects and to fund the incidental and necessary expenses related thereto, and

f. Resolution 08202018B – Resolution authorizing a loan pursuant to a loan agreement between the City of Dyersburg, Tennessee, and the public building authority of the City of Clarksville, Tennessee, in the principal amount of not to exceed \$4,600,000; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such public building authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; consenting to the assignment of the City’s obligation under such loan agreement; and, certain other matters.

Mayor Holden called for approval of both Resolutions.

Alderman Bob Kirk motioned for approval, and Alderman Mike Morgan seconded the motion. The motion passed by full Board vote.

g. Attorney Invoice

Mayor Holden presented an invoice from the City Attorney’s office to be approved for payment. The July 1, 2018 – July 31, 2018 invoice totaled \$ 2,362.50. Alderman Mike Morgan made a motion to approve the payment, with a second by Alderman Kevin Chaney. The motion passed by full Board approval.

h. Bids – Greg Williams

Department: EOC

Item: Replace main circuit boards in (9) emergency warning sirens

Purpose: Needed to allow software upgrade

Budgeted: Yes

Notification – State Gazette, Direct to 3 vendors

| | | |
|-------|---------------------------|-------------|
| Bids: | Integrated Communications | No Response |
| | Capitol Electronics | \$23,379.00 |
| | West TN Communications | \$15,589.35 |

Recommendation: Mr. Williams recommended awarding the bid to West TN Communications, Dyersburg, TN at \$15,589.35.

Alderman Dennis Moody motioned to approve as recommended. Alderman Kevin Chaney seconded the motion, which was unanimously approved by the Board.

- 2. Department: Solid Waste
Item: Landfill Compactor
Purpose: Compact garbage to maximize landfill cell life
Budgeted: Yes
Notification – State Gazette, Direct to 3 vendors
Bids: Century Equipment No Response
 Stribling Equipment No Response
 Thompson Machinery \$437,382.24

Recommendation: Mr. Williams recommended awarding the bid to Thompson Machinery, Jackson, TN, at \$437,382.24.

Alderman Terry Glover motioned to approve as recommended. Alderman Mike Morgan seconded the motion, which was unanimously approved by the Board.

- 3. Department: Street
Item: Kubota M6-141 Tractor
Purpose: Replace 2009 tractor with failing engine used for mowing
Budgeted: No – This purchase can possibly be funded by bond issue by savings under budgeted cost for other equipment. If not, budget may have to be amended.

Notification – None – Used equipment

Bids: Used equipment requires comparable market values.

The following comps were found:

\$86,065.00 2017 Kubota M6-141 w/ 1 hour

\$85,499.00 2016 Kubota M6-141 new

\$82,899.00 2017 Kubota M6-141 w/ 241 hours

This tractor \$79,000 2016 Kubota M6-141 w/ 100 hours

In addition, First Choice has offered \$17,000 trade-in of our tractor. This results in a net purchase cost of \$62,000. Cost to replace engine was quoted at \$20,000.

Recommendation: Mr. Williams recommended approving purchase from First Choice Farm & Lawn, Dyersburg, TN at \$62,000.

Alderman Kevin Chaney motioned to approve as recommended. Alderman Mike Morgan seconded the motion, which was unanimously approved by the Board.

Reports from Aldermen:

Aldermen Bob Kirk: Asked about the status of discussions with parties interested in buying the McDowell Center. Mayor Holden stated the city had been requested and provided on two separate occasions appraisals of the McDowell Center. Mayor Holden stated there had been no response, therefore, when the city received another request this summer, the city decided not to spend any more money to do another appraisal. Mayor Holden noted the value of the facility is approximately \$1.5 million. He further noted that he understood there is an individual in the community that has inquired about purchasing the facility. He stated he wasn't aware of any discussions at the present time.

Alderman Bill Escue: mentioned the mosquitos in the City and asked if the mosquito truck has been running. Mayor Holden stated the truck has run every night spraying in various neighborhoods in Dyersburg.

Alderman Terry Glover: No report.

Alderman Kevin Chaney: No report.

Alderman Mike Morgan: No report.

Alderman Dennis Moody: No report.

Alderman Scott Staggs: No report.

Alderman Robert Taylor, Jr: identified several lots in the City that needed to be mowed. Mayor Holden responded that Alderman Taylor had made prior contact with him about the lots

and noted the lots have been mowed once or twice, and he would follow up on their recent activity.

Alderman Taylor also said he received a call from a citizen about work conducted by the City on Grant Street, noting a culvert had been installed and appeared to be caving in.

Mayor Holden said he would contact Street Department and Water/ Sewer superintendent Mike McCulloch.

Additionally, Alderman Taylor announced that there would be a community meeting held in Future City Thursday at 5 p.m. with Rudy Collins, TDEC Regional Manager, and his team concerning the dust and odor concerns. He invited the aldermen and mayor to attend.

Communications from the Mayor: No report.

With no further business, the meeting adjourned at 7: 16 p.m.

John Holden, Mayor

Robert C. Jones, City Recorder

RESOLUTION NO _____

INITIAL RESOLUTION AUTHORIZING THE INCURRENCE OF INDEBTEDNESS BY THE CITY OF DYERSBURG, TENNESSEE, OF NOT TO EXCEED \$4,600,000, BY THE EXECUTION WITH THE PUBLIC BUILDING AUTHORITY OF THE CITY OF CLARKSVILLE, TENNESSEE, OF A LOAN AGREEMENT TO PROVIDE FUNDING FOR PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

WHEREAS, it is necessary and in the public interest of the City of Dyersburg, Tennessee (the "Municipality" or the "City"), to incur indebtedness (the "Indebtedness"), through the execution with The Public Building Authority of the City of Clarksville, Tennessee (the "Authority"), of a loan agreement (a "Loan Agreement"), for the purpose of financing public works projects as hereinafter more fully described.

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

SECTION 1. For the purpose of financing all or a portion of the costs of public works projects, consisting of street, road, sidewalk, and parking lot improvements, including paving, the acquisition of equipment and vehicles for various departments of the City, upgrading the radio system, renovation, improvement, and equipping of various municipal buildings, renovation, improvement, and equipping of park and recreational facilities, including but not limited to, the swimming pool, the splash pad, the pavilion, playground, and safety surface, the acquisition of all other property real and personal, appurtenant thereto or connected with such work, and to pay legal, fiscal, administrative, and engineering costs, reimbursement for expenditures related to the foregoing, and to pay costs incident to incurring the Indebtedness (collectively, the "Project"), the Municipality is hereby authorized to incur Indebtedness in the amount of not to exceed Four Million Six Hundred Thousand Dollars (\$4,600,000), for the financing of the Project through the execution of a Loan Agreement with the Authority. The rate of interest payable pursuant to the provisions of a Loan Agreement shall be a variable rate, which rate shall not exceed the maximum rate of interest permitted under the laws of the State of Tennessee.

SECTION 2. The indebtedness evidenced by the Loan Agreement shall be payable from funds of the Municipality legally available therefor and to the extent necessary from ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the Municipality, without limitation as to time, rate, and amount and for the punctual payment of said principal of, and interest on, the Loan Agreement, the full faith and credit of the Municipality will be irrevocably pledged.

SECTION 3. The Loan Agreement shall be executed pursuant to the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended (the "Act"), and Title 12, Chapter 10, Tennessee Code Annotated, as amended.

SECTION 4. After the adoption of this Resolution, the City Recorder is directed to cause this Resolution, with the notice prescribed by the Act, to be published in full once in a newspaper published and having general circulation in the Municipality.

SECTION 5. This Resolution shall take effect from and after its adoption, the welfare of the Municipality requiring it.

Adopted and approved this 20th day of August, 2018.

Mayor

Attest:

City Recorder

NOTICE

The foregoing Resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition, signed by at least ten percent (10%) of the registered voters of the City of Dyersburg, Tennessee, shall have been filed with the City Recorder of the City of Dyersburg, Tennessee, protesting the incurrence of the Indebtedness by the execution of the Loan Agreement, such Loan Agreement will be executed, as proposed.

STATE OF TENNESSEE)
COUNTY OF DYER)

I, Robert Jones, hereby certify that I am the duly qualified and acting City Recorder of the City of Dyersburg, Tennessee (the "Municipality"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of a resolution excerpted from the minutes of the meeting of the Board of Mayor and Aldermen (the "Board"), of said Municipality held on August 20, 2018; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct, and complete transcript from said original record insofar as said original record relates, to, among other matters, the incurring of indebtedness in the amount of not to exceed \$4,600,000 by said Municipality; (4) that the actions by said Board including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and, (5) that a quorum of the members of said Board was present and acting throughout said meeting.

WITNESS my official signature and the seal of said Municipality this 20th of August, 2018.

City Recorder

(SEAL)

RESOLUTION NO _____

RESOLUTION AUTHORIZING A LOAN PURSUANT TO A LOAN AGREEMENT BETWEEN THE CITY OF DYERSBURG, TENNESSEE, AND THE PUBLIC BUILDING AUTHORITY OF THE CITY OF CLARKSVILLE, TENNESSEE, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,600,000; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH LOAN AGREEMENT AND OTHER DOCUMENTS RELATING TO SAID LOAN; APPROVING THE ISSUANCE OF A BOND BY SUCH PUBLIC BUILDING AUTHORITY; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID LOAN AND THE PAYMENT OF SUCH INDEBTEDNESS; CONSENTING TO THE ASSIGNMENT OF THE CITY'S OBLIGATION UNDER SUCH LOAN AGREEMENT; AND, CERTAIN OTHER MATTERS

WHEREAS, the Board of Mayor and Aldermen (the "Board"), of the City of Dyersburg, Tennessee (the "Municipality" or the "City"), has determined that it is necessary to finance the costs of certain "public works projects", as defined in Title 9, Chapter 21, Tennessee Code Annotated, as from time to time amended and supplemented, consisting of street, road, sidewalk, and parking lot improvements, including paving, the acquisition of equipment and vehicles for various departments of the City, upgrading the radio system, renovation, improvement, and equipping of various municipal buildings, renovation, improvement, and equipping of park and recreational facilities, including but not limited to, the swimming pool, the splash pad, the pavilion, playground, and safety surface, the acquisition of all other property real and personal, appurtenant thereto or connected with such work, and to pay legal, fiscal, administrative, and engineering costs, reimbursement for expenditures related to the foregoing, and to pay costs incident to the issuance of the Bond and the loan of the proceeds thereof to the City (collectively, the "Project"), by obtaining a loan from The Public Building Authority of the City of Clarksville, Tennessee (the "Authority");

WHEREAS, it has been determined by the Board of the Municipality to be in the best interests of the Municipality to finance the Project through The Tennessee Municipal Bond Fund variable rate loan program;

WHEREAS, the Municipality is authorized by Title 9, Chapter 21, Tennessee Code Annotated, as amended, to borrow funds and incur indebtedness for the purpose of financing the Project;

WHEREAS, the Authority has been established pursuant to the provisions of Title 12, Chapter 10, Tennessee Code Annotated, as amended (the "Act"), and is authorized pursuant to the provisions of the Act to issue its bonds from time to time, in one more series, and to loan the proceeds thereof to the Municipality for the above described purposes;

WHEREAS, in order to effectuate the program, the Issuer has authorized and approved by its Resolution, adopted March 12, 2018, the issuance of its Local Government Loan Program Bonds, in an aggregate principal amount not to exceed \$300,000,000;

WHEREAS, the Authority will issue its Variable Rate Local Government Loan Program Bond, Series 2018 (City of Dyersburg Loan) (the "Bond"), in the principal amount of not to exceed Four Million Six Hundred Thousand Dollars (\$4,600,000), and loan the proceeds thereof to the Municipality pursuant to the provisions of a Loan Agreement, by and among the Municipality, the Authority, and the Purchaser, as hereinafter defined, to be dated the date of issuance and delivery (the "Loan Agreement");

WHEREAS, the Board of the Municipality adopted on the date hereof an Initial Resolution authorizing the borrowing of funds and the incurring of indebtedness for the purpose of financing the Project in the amount of not to exceed \$4,600,000, and the City Recorder of the City has been instructed to publish such Initial Resolution together with the Notice required by Section 9-21-206 of Tennessee Code Annotated, as amended, in a local newspaper in the City;

WHEREAS, the indebtedness evidenced by the Loan Agreement shall be payable from any and all funds of the Municipality legally available therefor, including, but not necessarily limited to, ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the Municipality, without limitation as to time, rate, and amount and for the punctual payment of said principal of, premium, if any, and interest on, the Loan Agreement, the full faith and credit of the Municipality will be irrevocably pledged; and,

WHEREAS, the Bond is to be secured by and contain such terms and provisions as set forth in (i) that certain Indenture of Trust (the "Indenture"), by and between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"), and (ii) that certain Bond Purchase Agreement, to be entered into between the Authority and the purchaser of the Bond (the "Purchaser").

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

Section 1. Approval of the Loan. (a) For the purpose of providing funds to finance the Project and to pay costs incident to the issuance and sale of the Bond and the loan of the proceeds thereof to the Municipality, the loan to the Municipality from the Authority is hereby authorized in the principal amount of not to exceed \$4,600,000 and the Municipality is hereby authorized to borrow such funds from the Authority.

(b) The Bond to be issued by the Authority shall bear interest at a variable rate, such variable rate to be based on the Securities Industry and Financial Markets Association Rate ("SIFMA"), plus an initial purchasing bank spread of one hundred five basis points (1.05%), plus any additional fees, all as provided in the Indenture and Loan Agreement; provided, however, that such rate shall not exceed the maximum rate of interest permitted under the laws of the State of Tennessee. The Mayor and City Recorder are authorized to enter into the Loan Agreement. The Municipality shall make payments of interest and principal in the amounts and on the dates set forth in the Loan Agreement from the sources and funds described herein and in the Loan Agreement. The Loan Agreement shall be for a term of twelve years. The final amortization of principal amounts of the loan evidenced by the Loan Agreement may be established by the Mayor and the Purchaser of the Bond, at the time of the sale of the Bond and the execution and delivery of the Loan Agreement, as shall be determined to be in the best interests of the Municipality.

(c) **The Board of the City understands and is aware that the Purchaser has the option to put the Bond for purchase to the Authority during the term of the Loan (the "Put Option"), at certain intervals upon not less than one hundred eighty days' written notice to the Authority, the Tennessee Municipal Bond Fund, as administrator, and the City.**

The Board is aware of the risks and benefits associated with the Loan and the Put Option. The Board finds that the repayment structure of the Loan (including the Put Option) is in the public interest of the City.

The Board further agrees that it is willing to pay additional issuance costs associated with the refunding of the Loan and related Bond in the event the Put Option is exercised by the Purchaser. In the event that the Put Option is exercised by the Purchaser, and the City is unable to pay the Loan amount in full on such date and no subsequent holder can be determined, the Board commits to refund the Loan in the following manner:

(x) **the Board shall submit a plan of refunding to the Comptroller or Comptroller's designee;**

(y) the final maturity of the refunding debt obligation will not extend beyond the final maturity of the original Loan; and,

(z) the debt service structure of the refunding debt obligation will be substantially similar to or more declining than the debt structure of the original Loan.

The Board has not retained an independent municipal advisor in connection with the Loan. The Board understands and acknowledges that the Purchaser does not owe a fiduciary duty to the City and that the Purchaser is acting for its own business and commercial interests. The Board has consulted with such advisors and experts as it deems appropriate before the consideration and adoption of this Resolution.

Section 2. Approval of Loan Agreement. The form, terms, and provisions of the Loan Agreement are in the best interest of the Municipality and are hereby approved and the Board hereby authorizes the Mayor and the City Recorder of the Municipality to execute and deliver such Loan Agreement, such Loan Agreement to be in substantially the form of the Loan Agreement presented to this meeting, the execution of such Loan Agreement by the Mayor and the City Recorder to evidence their approval of any and all changes to such Loan Agreement, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement. The Municipality further agrees to comply with, and to enable the Authority to comply with, all covenants and requirements contained in the Indenture and the Bond Purchase Agreement.

Section 3. Fulfillment of Obligations. The Board of the Municipality is authorized and directed to fulfill all obligations of the Municipality under the terms of the Loan Agreement.

Section 4. Tax Levy. There shall be levied and collected in the same manner as other ad valorem taxes of the Municipality on all taxable property within the corporate limits of the Municipality without limitation as to time, rate, or amount, to the extent necessary in the event funds of the Municipality legally available to pay the indebtedness evidenced by the Loan Agreement are insufficient, a tax sufficient to pay when due the amounts payable under the Loan Agreement, as and when they become due, and to pay any expenses of maintaining and operating the Project required to be paid by the Municipality under the terms and provisions of the Loan Agreement. For the prompt payment of the Loan Agreement, both principal and interest, as the same shall become due, the full faith and credit of the Municipality are irrevocably pledged.

Section 5. Approval of Bond, Indenture, and Bond Purchase Agreement. For the purpose of providing funds to make the loan to the Municipality evidenced by the Loan Agreement, as provided herein and in the Loan Agreement, and to pay legal, fiscal, and administrative costs incident thereto, including costs incident to the issuance and sale of the Bond related to the Loan Agreement, the issuance and sale of the Bond by the Authority in connection with the Loan Agreement is hereby approved. The Municipality further approves the execution and delivery of the Indenture and the Bond Purchase Agreement by the Authority in connection with the issuance of the Bond.

Section 6. Disposition of Proceeds. The proceeds from the sale of the Bond shall be paid, from time to time, to the official of the Municipality designated by law as the custodian of the funds of the Municipality, upon submission of a requisition for such funds by the Municipality to the Trustee, in accordance with the terms of the Indenture and Loan Agreement. Such proceeds shall be disbursed from time to time solely to finance the costs of the Project and to pay costs of issuance incurred in connection with the issuance of the Bond and the loan of the proceeds thereof to the Municipality.

Section 7. Consent to Assignment. The Municipality hereby consents to the assignment of all of the Authority's right, title, and interest in and to the Loan Agreement to the Trustee as security for the Bond to which such Loan Agreement relates, except for certain reserved rights of the Authority.

Section 8. Reimbursement Provisions. The Municipality may have made or may hereafter make expenditures with respect to the Project from a source of funds other than proceeds of the loan from the Authority under the Loan Agreement, such expenditures occurring prior to the execution and delivery of the Loan Agreement. The Municipality reasonably expects that it will reimburse such original expenditures with proceeds of the loan from the Municipality made pursuant to the Loan Agreement to the extent permissible under Treasury Regulation 1.150-2.

Section 9. Arbitrage Certification. The Municipality recognizes that the Purchaser and owner of the Bond will have accepted it on, and paid therefor a price which reflects the understanding that interest thereon is excludable from gross income for purposes of federal income taxation under laws in force on the date of delivery of the Bond. In this connection, the Municipality agrees that it shall take no action which may cause the interest on said Bond to be included in gross income for federal income taxation. It is the reasonable expectation of the Board of the Municipality that the proceeds of the Bond will not be used in a manner which will cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code, and to this end the said proceeds of the Bond and other related funds established for the purposes herein set out shall be used and spent expeditiously for the purposes described herein. The Board further covenants and represents that in the event it shall be required by Section 148(f) of the Code to pay any investment proceeds of the Bond to the United States government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Bond from becoming taxable. The Mayor and City Recorder, or either of them, are authorized and directed to make such certifications in this regard in connection with the sale of the Bond as either or both shall deem appropriate, and such certifications shall constitute a representation and certification of the Municipality.

Section 10. Miscellaneous Acts. The Mayor, the City Recorder, the City Treasurer, the City Attorney, and all other appropriate officials of the Municipality are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, and deliver all such documents, instruments, and certifications, in connection with the execution of the Loan Agreement and the issuance of the Bond by the Authority, in addition to those acts, things, documents, instruments, and certifications hereinbefore authorized and approved, as may in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution; or any of the documents herein authorized and approved.

Section 11. Captions. The captions or headings in this Resolution are for convenience only and shall in no way define, limit, or describe the scope or intent of any provision hereof.

Section 12. Severability. Should any provision or provisions of this Resolution be declared invalid or unenforceable in any respect by final decree of any court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, ordinance, or provisions shall not affect the remaining provisions of such Resolution.

Section 13. Repeal of Conflicting Resolutions. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 14. Effective Date. This Resolution shall take effect upon its adoption, the welfare of the Municipality requiring it.

Adopted and approved this 20th day of August, 2018.

Mayor

Attest:

City Recorder