

Board of Mayor and Aldermen  
City of Dyersburg  
January 7, 2008

The Board of Mayor and Aldermen met in regular session on Monday, January 7, 2008 in the municipal courtroom at 7 p.m.

Mayor John Holden presided with all Aldermen present.

The meeting opened with the "Pledge of Allegiance to the Flag" and prayer by Alderman Bob Kirk.

The minutes of the December 3, 2007 meeting were approved on a motion by Aldermen Kirk and Williams.

Public Hearing – Beer Permit – Applebee's

On a motion by Aldermen Kirk and Norman, a beer permit was approved for Applebee's Restaurants West, LLC at 2700 Lake Road with permit holder Applebee's Neighborhood Bar and Grill general manager Sherry D. Cox.

Public Hearing – Beer Permit – Panama Food Market

On a motion by Aldermen McCright and Williams, a beer permit was approved for Panama Food Market at 550 Roberts Avenue with permit holder Khalid H. Gabor.

Public Hearing – Beer Permit – Neighborhood Market and Deli

Police Chief Terry Ledbetter informed the Board that one applicant on the permit request; Mr. Nader A. Asad had been the subject of a FBI investigation in an attempt to make a straw purchase of a business. No charges were filed or pending. The Chief stated that the permit applicants met the minimums standards under the beer ordinance.

On a motion by Aldermen Kirk and Norman, a beer permit was approved for Neighborhood Market and Deli at 100 Gordon Street with permit holders Fadia Mohammed Khraiweh and Nader A. Asad.

Bids

The following bids were approved on the recommendation of Purchasing Agent Greg Williams:

Department: E.O.C.  
Item: (4) Dispatcher Consoles  
Purpose: To upgrade existing fixtures  
Budgeted: No – 100% of cost to be reimbursed by E911 Board  
Notification: None – Federal GSA Contract  
Bids: Wright Line \$57,900.00

Recommend bid be awarded to Wright Line, Memphis, \$57,900.00  
Motion by Aldermen Norman and Williams

Department: E.O.C.  
Item: Open P.O. for Routine Radio Repairs  
Purpose: Repairs, equipment transfers, and new installations  
for all City departments  
Budgeted: Yes  
Notification: None – Only local certified repair facility  
Bids: West TN Communications \$17,000.00

Recommend bid be awarded to West TN Communications, Dyersburg \$17,000.00  
Motion by Aldermen Kirk and Williams

City Attorney Invoice

The City Attorney invoice for November 1, 2007 through November 30, 2007 in the amount of \$15,270.78 was approved on a motion by Aldermen McCright and Chaney.

Cable Committee Report

Chairman Freeman Dudley reported on the meeting of December 13, 2007. Mr. Jim Duck of CableOne explained that the rate increase in January 2008 was the first increase in 2 years and was due to cable channel fees, fuel costs, and higher operations costs.

Water, Sewer and Gas Committee Report

Chairman Lewis Norman reported on the January 7, 2008 meeting with representatives of Constellation. After comprehensive staff review, contract review by legal counsel and the presentation to the Committee, it was recommended to the City Board to restructure gas rates and to enter into a contract with MuniGas. The contract for 10 years with a 10-year automatic renewal would create a discount rate per gas unit that is currently 80 cents per unit. The proposal is to pass the savings along to residential customers and to use it to balance rates for industrial customers so that industrial sales customers and industrial transport clients will pay the same overall cost per unit of gas. The proposal will make it easier for transport only industrial customers to return to the City as full service sales customers.

On a motion by Aldermen Norman and Chaney, the City Board by unanimous roll call vote adopted the following resolution and rate restructure for gas:

**RESOLUTION NO. 010708  
AUTHORIZING GAS PURCHASE CONTRACT**

**WHEREAS**, the City of LaGrange (the “*Sponsor*”) and its instrumentality, the Municipal Gas Acquisition and Supply Corporation (“*MuniGas*”), have offered to sell natural gas to one or more municipalities pursuant to a joint purchasing program at prices substantially below prevailing market prices;

**WHEREAS**, the City of DYERSBURG, TN (the “*City*”) desires to purchase gas on such terms to reduce the cost of operating its gas utility system, for the benefit of system customers; and

**WHEREAS**, the City currently purchases its gas requirements from CONSTELLATION NEW ENERGY GAS (the “*Supplier*”) and desires to amend that agreement to enable the City to purchase gas pursuant to such program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYERSBUERG, TN THAT:**

1. The terms of the Purchase Contract with the Sponsor and MuniGas, a Participant Addendum with MuniGas and BP Energy Company, and a Supplier Addendum with the Supplier and BP Energy Company, each attached hereto, are hereby approved as presented.
2. The Mayor of the City is authorized to execute and deliver such Purchase Contract and Supplier Addendum, with such changes thereto not affecting the essential terms thereof as the Mayor may approve, in the name and as the act and deed of the City.
3. The Sponsor is authorized to purchase gas on behalf of the City solely in accordance with the terms of such Purchase Contract and Supplier Addendum, as required to deliver gas in the amounts and on the terms to be purchased by the City under such Purchase Contract from and after its execution.
4. The Mayor and other officers of the City are authorized to take any and all action required to observe and perform the obligations of the City under such Purchase Contract and Supplier Addendum from and after its execution.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of January, 2008.

This included amending the 2007-2008 Fee Schedule for gas as follows:

Unit Rate will remain the same for all users except for the following changes:

Industrial – Firm	\$ 1.51	to	\$ 1.00
Industrial – Interruptible	\$ 1.30	to	\$ 1.00
Transport	\$ .75	to	\$ 1.00

Base Rate will remain the same for City government and transport all other users will be changes as follows:

Residential - City	\$ 2.50	to	\$ 5.00
Residential – County	\$ 2.75	to	\$ 5.00
Small Commercial - City	\$ 2.50	to	\$ 7.50
Small Commercial – County	\$ 2.75	to	\$ 7.50
Large Commercial – City	\$20.00	to	\$50.00
Large Commercial – County	\$22.00	to	\$50.00
Industrial – Firm	\$20.00	to	\$50.00
Industrial – Interruptible	\$20.00	to	\$50.00

Miscellaneous

Alderman Williams expressed disgust for individuals who vandalized the old City Cemetery on East Court Street. The Mayor announced that Crimestoppers is offering a reward.

Alderman Dudley challenged Board members to donate \$100 each to help increase the reward offered by Crimestoppers.

Alderman McCright was told that the safety committee will address any questions about the dog ordinance.

John Damesworth told the Board that once a week backdoor pickup of household garbage begins on Monday, January 14. The routes and schedules are posted on the City Website, flyers are being distributed, City Watch will alert citizens and any questions can be addressed to Public Works.

Mayor Holden announced a meeting January 15 at 10 a.m. to review the 2006-2007 year audit.

The meeting adjourned at 7:27 p.m.

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John Holden, Mayor

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Gleyn T. Twilla, City Recorder