

Minutes of the Board of Mayor and Aldermen  
City of Dyersburg  
October 6, 2008

The Board of Mayor and Aldermen met in called session on Monday, October 6, 2008 in the municipal courtroom at 7 p.m.

Mayor John Holden presided with all Aldermen present except Freeman Dudley.

The minutes of the September 15, 2008 and September 23, 2008 meeting were approved on a motion by Aldermen Williams and Norman.

Public Hearing Called

The Board called four public hearings to be held on November 3, 2008. The hearings are as follows: Beer Ordinance amendment; Vicious Dog Ordinance amendment; alley closing between 136 and 200 West Tickle Street; alley closing Rawles to Rucker.

Public Hearing – Amend Dyersburg Zoning Ordinance Flood Hazard Ordinance and Adopt FEMA maps Ordinance BB-599

City Planner Gleyn Twilla explained the federal requirement that the City adopt the FIRM maps dated October 16, 2008 and a new model Flood Hazard Ordinance to be submitted to FEMA no later than October 16, 2008. He stated that he understood the Board's concerns about the new computer flood model not accurately reflecting conditions on the ground. However amendments to the maps can only be made after exhaustive engineering studies. The City has requested to be placed on the list for future engineering assessments. If the City fails to adopt the ordinance and maps, citizens would be denied flood insurance and property loans could not be made.

The Flood Hazard Ordinance and maps were adopted on a motion by Aldermen Williams and Chaney.

Resolution 100608A Court Square Phase II Enhancement Grant

Main Street Director Steve Guttery and consultant Lynn Manning explained the TDOT grant requested for a \$1.2 million grant with the City's share of the 80/20 match being \$240,000. The grant will do streetscape improvements to the merchant side of the square.

The following resolution was approved on a motion by Aldermen Kirk and Norman.

**RESOLUTION 100608A**

**CITY OF DYERSBURG, TN**

WHEREAS, the Tennessee Department of Transportation has responsibility for the administration of the Tennessee Department of Transportation-Transportation Enhancement Program (TEP) which is designed to assist communities in their efforts to enhance transportation concerns.

WHEREAS, the City of Dyersburg, acting by and through its Board of Alderman proposes to apply for TEP funds for the purpose of performing eligible transportation enhancement activities that will benefit the majority of the residents of the City of Dyersburg.

WHEREAS, the City of Dyersburg will provide local financial support in conjunction with the TEP funds to complete the project; and

WHEREAS, the City of Dyersburg, as a recipient is required to designate and appoint a Financial Officer to perform certain duties in the administration of said grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderman of the City of Dyersburg as follows:

THAT, Mayor John Holden is hereby authorized to execute and submit an application with appropriate assurances to the State of Tennessee, Department of Transportation, requesting Fiscal Year 2009 TEP funds for the 2009 City of Dyersburg Downtown Enhancement Project.

THAT, the City of Dyersburg will be responsible for the local cash/match toward the project to be provided in full by the general account; and

THAT, Mayor John Holden be and is hereby designated and appointed as Financial Officer and to perform on behalf of the City of Dyersburg, Tennessee, those acts and assume such duties as are consistent with said position.

READ AND ADOPTED this the 6<sup>th</sup> day of October, 2008.

Resolutions 100608B and 100608C Identity Theft Policy

Mr. Twilla presented two identity theft policies to be adopted to insure City compliance with all state and federal regulations. Resolution 100608B is the model policy of the Tennessee Association of Utility Districts and is specifically designed for the needs of utility services and collection. Resolution 100608C is the MTAS model policy and it provides for the type of security and sensitive information issues found in City departments like police, fire, courts and personnel.

Both resolutions were adopted on a motion by Aldermen Williams and McCreight. The resolutions are as follows.

**Resolution Number 100608B**

City of Dyersburg, Tennessee  
A Resolution Adopting an Identity Theft Policy

WHEREAS, The Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, Those rules become effective November 1, 2008, and require municipal utilities to implement an identity theft program and policy, and

WHEREAS, The City of Dyersburg has determined that the model policy from the Tennessee Association of Utility Districts dated August 31, 2008 is in the best interest of the municipality and its citizens. NOW, THEREFORE,

BE IT RESOLVED by the City of Dyersburg that the following is hereby approved:

Model Policy from the Tennessee Association of Utility Districts dates August 31, 2008

Resolved this 6<sup>th</sup> day of October in the year 2008.

**Resolution Number 100608C**

City of Dyersburg, Tennessee  
A Resolution Adopting an Identity Theft Policy

WHEREAS, The Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, Those rules become effective November 1, 2008, and require certain departments to implement an identity theft program and policy, and

WHEREAS, The City of Dyersburg has determined that the model policy from MTAS dated September, 2008 is in the best interest of the municipality and its citizens. NOW, THEREFORE,

BE IT RESOLVED by the City of Dyersburg that the following is hereby approved:

Model Policy from MTAS dated September, 2008

Resolved this 6<sup>th</sup> day of October in the year 2008.

## Bids

The following bid was approved on a motion by Aldermen Kirk and Chaney:

Department: Gas department  
Item: ¾ ton Pickup w/ Utility Bed  
Purpose: To replace 1997 Truck w/ Utility Bed  
Budgeted: \$26,000  
Notification – State Gazette, Direct to 4 dealers  
Bids: Rick Hill Nissan                      No Response  
      Delta Chevrolet                      No Response  
      United Dodge                        No Bid  
      Tim Castellaw Ford                      \$24,728.04

(No TN State Contract)

Recommend bid be awarded to Tim Castellaw Ford, Dyersburg, \$24,728.04.

Alderman Walker expressed his concern that there was only one bid response.

## Public Safety Committee Report

Chairman Bob Kirk reported on the meeting of September 18, 2008. The Committee discussed methods to establish direct contact between city and county law enforcement officers. Dyersburg Electric System Engineer Robert Smith explained the need to determine future signalization at the Troy, Gordon, Watkins, Oak intersections due to the old equipment being obsolete. The Committee recommended to the full Board that the beer ordinance be amended to reduce the required setbacks for “off premises” beer sales for 300 feet to 150 feet. Amendments to the Vicious Dog Ordinance were sent to the full board.

On a motion by Alderman Kirk and Norman, the Board approved a recruitment pay scale for police and fire that will allow the departments to be competitive on salaries.

Alderman Kirk and Walker asked the Board to remove the traffic light from Troy at Watkins and Troy at Oak. Alderman Kirk read portions of a 1995 TDOT letter stating that the traffic signals were too close to the light at Gordon Street.

Alderman Norman, Moody, Chaney, and Williams spoke in favor of maintaining the traffic signals. The Board discussed project cost and safety issues. Citizens speaking in favor of the traffic signals were Jim Houston, Dr. Peter Brown, Bill Jordan, Edward Burks and Dr. Randy Prince.

The Board approved the replacement of the obsolete signals with new equipment utilizing camera for traffic control and with a unified control panel at Troy and Gordon on a motion by Williams and Norman. On roll call vote of 6 to 2, with Alderman Kirk and Walker voting no, the Board passed the motion.

## Water, Sewer and Gas Committee Report

Chairman Lewis Norman reported on the meeting of September 30, 2008. All water and gas meters will have electronic read outs by the end of November. Sewer flow is being monitored to determine infiltration. Natural gas rates are expected to be less than the previous winter.

On a motion by Aldermen Norman and Moody a bid for construction of utility extension to the northeast side of Millsfield Highway at Interstate 155 was awarded to Natural Gas Piping for \$340,152.09.

## Finance Committee Report

Chairman Lewis Norman reported on the meeting of October 1, 2008. The Committee recommended the Courthouse Square Grant resolution and the identity theft policy resolutions to the full board. Sales tax for the third quarter of 2008 compared to 2007 was up as follows: 3.70%; 12.72 % August; 10.07% September.

## Reports

Alderman Williams commented on the success of the recycling bins. Mayor Holden reported that 8 tons had been collected to date.

Alderman Walker thanked Alderman Chaney for asking that property owner phone numbers be placed on rent receipts for purpose of utility connection. He questioned why the Human Society sales pit bulls for \$75 and all other dogs for \$40. He stated that the efforts to improve law enforcement communications is moving forward.

Alderman Moody commended everyone who helped with the Community Cancer Benefit.

Mayor Holden stated that limbs and debris picked up after Hurricane Ike have totaled 381 tons. He asked everyone to support the October 18 farewell for the National Guard unit activated and leaving October 27, 2008 for training at Fort Dix, New Jersey.

The meeting adjourned at 7:55 p.m.

---

John Holden, Mayor

---

Gleyn T. Twilla, City Recorder