



City of Dayton

399 First Avenue, P O Box 226, Dayton, Tennessee 37321
Phone: 423-775-1817 Fax: 423-775-8404

May 30, 2024

Dear Councilman:

RE: Agenda
Monday, June 3, 2024
Dayton Municipal Building

Meeting to Start 5 Minutes after Dayton City School Board Meeting Adjourns

1. Call to Order
2. Roll Call by Recorder
3. Reading and Approval of Minutes of Previous Meetings
 - A. May 6, 2024
 - B. May 23, 2024
4. Public Comment*

***The public comment period shall be limited to 30 minutes. A sign-up sheet for public comment will be available 30 minutes prior to each applicable meeting and will be closed and removed at the start of the meeting. If you wish to address the City Council, you must indicate which agenda item you wish to provide comment. Only those members of the public that have signed the sign-up sheet prior to the start of the meeting will be permitted to address the City Council. PUBLIC COMMENTS ARE LIMITED TO AGENDA ITEMS ONLY. Members of the public wishing to address an item NOT on the agenda must first contact the City Manager or other appropriate city official who will determine whether or not such item should be placed on the agenda.**

Public comments shall be taken in the order in which the sign-up is listed. Members of the public wishing to address the City Council shall be limited to 3 minutes. However, if there are more people wishing to address the City Council than can be heard in the 30 minutes public comment period and in order to hear opposing views, the City Council by motion can limit each speaker to 2 minutes and/or require the public to limit the number of speakers addressing the City Council on the same subject and expressing the same viewpoint. All members of the public signing up for comment shall be required to review the rules of procedure for public comment.

The City Council reserves the right to temporarily suspend these rules of procedure upon a motion, second and majority vote of the City Council.

5. Communications from the Mayor
6. Reports from the City Manager, City Recorder, Councilmen, Committees and Other Officers.
7. OLD BUSINESS:
 - A. Consideration of Ordinance #701, Ordinance to Amend Title 12, Building, Utility & Housing Codes of the Municipal Code of the City of Dayton, Tennessee, Second Reading.
 - B. Consideration of Boat Dock.
 - C. Consideration of Water & Sewer Leak Protection Insurance.
8. NEW BUSINESS:
 - A. Consideration of Consent Agenda:
 1. Consideration of Invoices from W. A. Kendall and Company, LLC. for Tree Trimming, Electric Department – Totaling \$48,546.15.
 2. Consideration of Invoice from NISC for April 2024 Recurring Invoices totaling in the amount of \$14,531.01.

3. Consideration of Pay Estimate #9 from Service Electric, Transmission Line (EDA Project), Electric Department, in the amount of \$187,854.98 plus an additional \$9,887.10 for Retainage.
 4. Consideration of Invoice from Rhea County Finance, 2023/2024 Rhea County Sharable Reappraisal Cost in the amount of \$38,735.74.
 5. Consideration of Pay Estimate #23 from Reeves Young LLC, Wastewater Treatment Plant Project in the amount of \$429,665.24 plus an additional \$22,613.96 for Retainage.
 6. Consideration of Invoice from J R Wauford & Company, Wastewater Treatment Plant Project in the amount of \$25,000.
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- B. Consideration of Request from Rhea Heritage Preservation Foundation to Close Streets during Scopes Trial Festival, July 12-13, 2024.
 - C. Consideration of Ordinance #705, Ordinance to Rezone Property on Hickory Street from R-2, Medium Density Residential, to C-2, General Commercial, First Reading.
 - D. Consideration of Resolution #062024-01, A Resolution to Approve the Purchase of Two Fast Charges for the Electric Department VIA A Cooperative Purchasing Agreement.
 - E. Consideration of Transformer Repair, Sunbelt Solomon, Electric Department.
 - F. Consideration of Property Damage Settlement.
 - G. Consideration of Agreement & Addendum to Agreement with Upland Design Group, Inc. on Renovations to Dept. of Human Services Building.
 - H. Consideration of Permission to Apply for 50/50 Tech Grant for Clyde W. Roddy Library.

- I. Consideration of Call for Public Hearing, An Ordinance to Amend Title 18, Water & Sewer, Chapter 1, Water, Section 18-107, Connection Charges; Chapter 2, Sewer, Section 18-207, Connection Charges, Gravity Flow Sewer Line; and Chapter 7, Low Pressure Sewer Extensions Inside & Outside the City Limits of Dayton.
- J. Consideration of Create Positions:
 - Water Dept.
 - Street, Parks & Recreation
 - Payroll Clerk
- K. Consideration of Flock Camera System, Police Dept.
- L. Consideration of MTAS Water & Sewer Rate Study.
- M. Consideration of Any and All Matters Pertaining to PILOT Amendments for Nokian Tyres.
- N. Consideration of Budget Amendments:
 - 1. General Fund, Parks & Recreation Donation.
- O. Consideration of Budget Adjustments since May Meeting.

9. Other Business

10. Adjournment

Sincerely,



David Shinn,
City Manager

Dayton City Council
Date: June 3, 2024
Time: 6:06 PM

The meeting was called to order by Mayor Hurley Marsh.

City Recorder L. Michelle Horton called the roll with the following being present: Councilman Bobby Doss, Councilman Bill Graham, Mayor Hurley Marsh, Vice Mayor Steve Randolph, and Councilman Caleb Yawn.

Mayor Marsh called for Agenda Item 3 – Reading and Approval of Minutes of Previous Meetings

- A. May 6, 2024
- B. May 23, 2024

May 6, 2024:

Vice Mayor Randolph moved to approve the May 6, 2024 Regular Meeting minutes as presented. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

May 23, 2024:

Vice Mayor Randolph moved to approve the May 23, 2024 special called meeting minutes as presented. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 4 – Request from Citizens

NONE.

Mayor Marsh called for Agenda Item 5 – Communications from the Mayor

NONE.

Mayor Marsh called for Agenda Item 6 – Reports from the City Manager, City Recorder, Councilmen, Committees and Other Officers.

NONE.

Mayor Marsh called for Agenda Item 7A – OLD BUSINESS – Consideration of Ordinance #701, Ordinance to Amend Title 12, Building, Utility & Housing Codes of the Municipal Code of the City of Dayton, Tennessee, Second Reading.

Vice Mayor Randolph moved to approve Ordinance #701, Ordinance to Amend Title 12, Building, Utility & Housing Codes of the Municipal Code of the City of Dayton, Tennessee, Second Reading. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 7B – OLD BUSINESS – Consideration of Boat Dock.

City Manager David Shinn said the contract has been completed and is ready for approval.

Vice Mayor Randolph moved to approve the Concessionaire Agreement and allowing City Manager and City Attorney to negotiate and input the beginning and termination dates. Motion seconded by Councilman Yawn.

Councilman Doss asked about the equipment in there now.

City Manager Shinn said it should be out by next Thursday and 3 pieces have been purchased by the new tenant.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

City Manager Shinn said we have one slip rented and may have another application. He is asking to reduce the rent to \$80 per month to attract more renters. He said we don't offer many amenities, no electricity, fuel etc.

Vice Mayor Randolph moved to approve reducing the rates to \$80 per month for Boat Dock Rental. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 7C – OLD BUSINESS – Consideration of Water & Sewer Leak Protection Insurance.

City Manager Shinn said Servline can provide rate customers who only have water and not sewer. It would be \$1.47 for water only customers and \$2.75 for customers with Water & Sewer. He said Councilman Yawn told him about a company in Crossville called Water Leak Relief. Their prices are a little steeper, but they don't have an opt-out option. He said we will need to do the fee for leak protection and the administration fee by ordinance since it will be no opt out.

Vice Mayor Randolph moved to approve getting information, provided services, and contracts from both companies for review. Motion seconded by Councilman Doss.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8A – NEW BUSINESS - Consideration of Consent Agenda:

1. Consideration of Invoices from W.A. Kendall and Company, LLC. for Tree Trimming, Electric Department – Totaling \$48,546.15.
2. Consideration of Invoice from NISC for April 2024 Recurring Invoices totaling in the amount of \$14,531.01.
3. Consideration of Pay Estimate #9 from Service Electric, Transmission Line (EDA Project), Electric Department, in the amount of \$187,854.98 plus an additional \$9,887.10 for Retainage.
4. Consideration of Invoice from Rhea County Finance, 2023/2024 Rhea County Sharable Reappraisal Cost in the amount of \$38,735.74.
5. Consideration of Pay Estimate #23 from Reeves Young LLC, Wastewater Treatment Plant Project in the amount of \$429,665.24 plus an additional \$22,613.96 for Retainage.
6. Consideration of Invoice from J R Wauford & Company, Wastewater Treatment Plant Project in the amount of \$25,000.

Vice Mayor Randolph moved to approve the Consent Agenda excepting #5 as presented. Motion seconded by Councilman Yawn.

Councilman Doss asked if we get a report of where W A Kendall is working. Electric Department General Manager Steve Clift said Chris Hickman checks on them and knows where they are. He said we can request them to put the location back on the invoice.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Vice Mayor Randolph moved to approve item 5 Pay Estimate #23 from Reeves Young LLC, Wastewater Treatment Plant Project in the amount of \$429,665.24 plus an additional \$22,613.96 for Retainage, but no approval of rain days or contractual adjustments. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Agenda Item 8B - NEW BUSINESS – Consideration of Request from Rhea Heritage Preservation Foundation to Close Streets during Scopes Trial Festival, July 12-13, 2024.

Court Street - Friday July 12th 4 Pm until 4 PM July 13th
2nd Avenue between Market and Court from 9 AM- 4 PM July 13th

Vice Mayor Randolph moved to approve the Request from Rhea Heritage Preservation Foundation to Close Streets during Scopes Trial Festival, July 12-13, 2024 subject to indemnity agreement and insurance. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8C - NEW BUSINESS - Consideration of Ordinance #705, Ordinance to Rezone Property on Hickory Street from R-2, Medium Density Residential, to C-2, General Commercial, First Reading.

Vice Mayor Randolph moved to approve Ordinance #705, Ordinance to Rezone Property on Hickory Street from R-2, Medium Density Residential, to C-2, General Commercial, First Reading. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8D – NEW BUSINESS – Consideration of Resolution #062024-01, A Resolution to Approve the Purchase of Two Fast Chargers for the Electric Department VIA A Cooperative Purchasing Agreement.

Vice Mayor Randolph moved to approve Resolution #062024-01, A Resolution to Approve the Purchase of Two Fast Chargers for the Electric Department VIA A Cooperative Purchasing Agreement. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8E - NEW BUSINESS - Consideration of Transformer Repair, Sunbelt Solomon, Electric Department.

Electric Department General Manager Clift said it will come with a 3 year warranty.

Councilman Yawn moved to approve the Transformer Repair, Sunbelt Solomon, Electric Department for \$35,705 on an emergency basis. Motion seconded by Vice Mayor Randolph.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8F - NEW BUSINESS - Consideration of Property Damage Settlement.

City Attorney Susan Arnold said we had someone who damaged a utility pole and the insurance they had was limited. The insurance company has portioned out between us and the other car that was damaged. They are offering to settle for \$266.74 less than our original estimate.

Vice Mayor Randolph moved to accept the settlement agreement and release prepared by City Attorney in the amount of \$2,580.46. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item G – NEW BUSINESS – Consideration of Agreement & Addendum to Agreement with Upland Design Group, Inc. on Renovations to Dept. of Human Resources Building.

Vice Mayor Randolph said they are charging \$14,000 for architectural design to do minor renovations. He said he is opposed to this cost. We aren't obligated to have an architect to go in and draw this out for us. We are obligated to the repairs, but not the architect drawings.

City Attorney Arnold said there is no requirement on this, but there is for Children's Services.

Vice Mayor Randolph said we could get a second opinion on this.

City Manager Shinn said we are 3 years into this and they are pestering us to begin. He said their costs would include specs and bidding it out.

Vice Mayor Randolph moved to approve the agreement and addendum with Upland Design, Inc. for \$14,000. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8H - NEW BUSINESS - Consideration of Permission to Apply for 50/50 Tech Grant for Clyde W. Roddy Library.

Vice Mayor Randolph moved to approve applying for 50/50 Tech Grant for Clyde W. Roddy Library. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Vice Mayor Randolph called for Agenda Item 8I - NEW BUSINESS – Consideration of Call for Public Hearing, An Ordinance to Amend Title 18, Water & Sewer, Chapter 1, Water, Section 18-107, Connection Charges; Chapter 2, Sewer, Section 18-207, Connection Charges, Gravity Flow Sewer Line; and Chapter 7, Low Pressure Sewer Extensions Inside & Outside the City Limits of Dayton.

Vice Mayor Randolph moved to hold a Public Hearing at July 1st at 5:30 PM on Ordinance to Amend Title 18, Water & Sewer, Chapter 1, Water, Section 18-107, Connection Charges; Chapter 2, Sewer, Section 18-207, Connection Charges, Gravity Flow Sewer Line; and Chapter 7, Low Pressure Sewer Extensions Inside & Outside the City Limits of Dayton. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8J – NEW BUSINESS – Consideration of Create Positions:

- Water Dept.
- Street, Parks & Recreation
- Payroll Clerk

City Manager Shinn said we are requesting to create a Foreman position for the Water Department.

Vice Mayor Randolph moved to approve creating a Foreman position in the Water Department. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

City Manager Shinn said we are asking to create an admin position to be split between Streets and Parks & Recreation.

Vice Mayor Randolph moved to approve creating an admin position to be split between Streets and Parks & Recreation. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

City Manager Shinn said we asking to create a Payroll Clerk position to separate it out from Human Resources. He said they will take on other duties aside from payroll.

Vice Mayor Randolph moved to approve creating a Payroll Clerk position. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8K – NEW BUSINESS – Consideration of Flock Camera System, Police Dept.

City Manager Shinn said this will be for the Police Department and Parks & Recreation for Pendergrass Park and parking lot. He said we will not be owning the cameras, but will have access to the video. We will also have access to other Flock camera system videos for the Police Department.

Vice Mayor Randolph moved to approve the Flock Camera System subject to changes by City Attorney. Motion seconded by Councilman Doss.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8L – NEW BUSINESS – Consideration of MTAS Water & Sewer Rate Study.

City Manager Shinn said they contacted MTAS and they have sent a contract, but there is a fee. The fee is capped at \$5,000.

Councilman Yawn moved to approve a Rate Study for Water & Sewer by MTAS. Motion seconded by Vice Mayor Randolph.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8M –NEW BUSINESS – Consideration of Any and All Matters Pertaining to PILOT Amendments for Nokian Tyres.

Vice Mayor Randolph moved to approve the Resolution to make Certain Findings Relating to Production Line and Warehouse Projects Being Undertaken by Nokian Tyres U.S. Operations LLC and to Authorize the Mayor to Consent to a First Amendment to Agreement for Payments in Lieu of Ad Valorem Taxes. Motion seconded by Councilman Yawn.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8N – NEW BUSINESS – Consideration of Budget Amendments:

1. General Fund, Parks & Recreation Donation



2023-2024
Budget Adjustment / Amendment
list one department per adjustment

Effective Date: 5/8/2024

Fund	Department	Object	Decrease in Expenses	Decrease in Revenues
			Increase in Revenues	Increase in Expenses
110	36730.1	Donation for Private Source	\$1,825.	
110	44400	941.2 Parks & Recreation Memory Bench - Donation		\$1,825.
Column Total			\$1,825.	\$1,825.

Reason for request:
Donation for Memory Bench

Requested by:
 Requestor's Signature: _____ Date: _____
 City Recorder's Signature: _____ Date: _____
 City Manager's Signature: _____ Date: _____

Posted into G/L by: _____ Date entered: _____

Vice Mayor Randolph moved to approve the General Fund, Parks & Recreation Amendment as presented. Motion seconded by Councilman Yawn.

VOTE:
 DOSS, AYE GRAHAM, AYE MARSH, AYE
 RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Mayor Marsh called for Agenda Item 8O – NEW BUSINESS – Consideration of Budget Adjustments since May Meeting.



BUDGET ADJUSTMENT
list one department per budget adjustment

Effective Date: 5/6/2024

ACCOUNT NUMBER			Increase in expenses Decrease in revenues	Decrease in expenses Increase in revenues
fund	department	object	Debit	Credit
110	42200	345	6391 \$6,391.00	
110	42200	392	502 \$500.00	
110	42200	939	2215 \$2,215.05	
110	42200	262	\$375.00	
110	42200	245		\$1,000.00
110	42200	148		216 \$216.05
110	42200	331		\$3,300.00
110	42200	329		\$337.00
110	42200	511		4690 \$4,629.39
110				
110				
110				
Column Total			9483 \$9,481.44	9483 \$9,481.44

Reason for request _____

Balancing overage line items _____

Requested by: Justin Jackson

Requestor's Signature: _____

Date: 5/6/24

City Recorder's Signature: _____

Date: 5-6-24

City Manager's Signature: _____

Date: _____

Posted into G/L by: Donna Daugherty

Date entered: 5-6-2024

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

City Recorder Horton asked for permission to close ICS accounts for Industrial Park Fund. She said she asked if IDB can pay their full amount due to General Fund.

Vice Mayor Randolph moved to approve closing the Industrial Park Fund ICS account. Motion seconded by Councilman Yawn.

VOTE:


DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

Vice Mayor Randolph moved to approve payment of the Invoice from W.A. Kendall in the amount of \$12,397.21. Motion seconded by Councilman Doss.

VOTE:

DOSS, AYE GRAHAM, AYE MARSH, AYE
RANDOLPH, AYE YAWN, AYE MOTION CARRIED.

There being no additional business to come before the City Council, Mayor Marsh adjourned the meeting at 7:09 PM.



MAYOR HURLEY MARSH



CITY RECORDER L. MICHELLE HORTON