

MINUTES  
OF THE  
BOARD OF MAYOR AND ALDERMEN

February 10, 2022  
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The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, February 10, 2022 at 7:00 P.M. in the Council Chamber of the City of Henderson City Hall. Present and presiding was Mayor Robert W. (Bobby) King. City Recorder Jim E. Garland called the roll with the following being present:

Aldermen: Mark A. Barber, Donna R. Butler, Buel Maness, Michael Phelps, Jason Rhodes and Keith Smith.

Also present at the meeting were: City Recorder Jim E. Garland, City Attorney Jerry Spore, Police Chief Gary Davidson, Building Official Brent Beshires, Public Works Director Carter Scales, Fire Chief Greg Lipford, Utility Director Darryl Green, and Assistant CMFO Alicia Holder.

Mayor King called the meeting to order at the appointed time. Alderman Smith gave the invocation and Alderman Rhodes led the Pledge to the Flag. The following proceedings were entered here-to-wit:

The minutes of the previous regular meeting were presented for approval. A motion was made by Ald. Smith to accept the minutes as presented, duly 2<sup>nd</sup> by Ald. Barber. Motion carried.

The accumulated accounts were presented for informational purposes. Ald. Butler referred to page B2, line item 70, payment to Simmons Lumber Company, and asked about the dog pound garden hose mender for \$102.98. Recorder Garland stated that it was a garden hose and a hose mender and due to the cold weather, they have to have the best hose to keep from freezing. She then asked about line item 83 on the same page, payment to TLM Associates for \$8,875.23. Recorder Garland stated that the \$1,048.02 was a draw on the multi-modal crosswalk project and the \$7,827.21 is for the Site Development Grant awaiting state approvals on different aspects of the project.

Ald. Smith referred to page B2, line item 72, payment to Southwest TN Development District for \$12,742, final payment on the RTP Nature Trail Grant, and asked if we had received any of the money back. Recorder Garland stated that once again we were waiting on the state for reimbursement to complete the project.

There being no further questions on the accounts, the meeting continued.

The next item on the agenda was a call for delegations to address the board. There being no delegations, the board proceeded with the regular agenda items.

The first item on the agenda was to hold a Public Hearing to discuss the FY2022 Community Development Block Grant application process. During the hearing, community needs will be identified and how CDBG funds can be used to address them.

Mayor King called a public hearing as advertised in the Chester County Independent newspaper.

Mayor King asked Melissa Davis with Southwest Development District to address the board and audience. Ms. Davis stated that she was here to talk about two grant programs that are currently available. The first one is a regular CDBG that is offered thru HUD that helps with housing rehabilitation projects, water and/or sewer projects, community infrastructure and community revitalization, and public health and safety. The Henderson Fire Department has been in contact with her about a fire truck they want to purchase using the CDBG funds. She stated they had to go thru the public hearing as part of the process before funding would be granted. A requirement is that everyone in attendance this evening completes a sign-in sheet. A community livability grant is available for up to \$420K – this is the one the fire department is interested in for purchasing a new fire truck. A target area survey is required for this grant as it is based on low to moderate-income. The grant match for the city is 15%. Applications are due April 15<sup>th</sup>. She asked if anyone had a project they wanted to talk about and there was no response.

The next item on the agenda was to discuss the CDBG Child Care Creation Grant Program funded by a grant through the Southwest TN Development District. Child Care Center Director(s)/Owners were encouraged to attend. Ms. Davis stated that since this grant was going thru the CDBG, a requirement of the grant is that it had to be heard at a public hearing. Applications had been available online and thru the mayor's offices. This is for in-home or facility daycares either licensed or in the pre-licensure program. These applications go thru DHS so those are required stipulations. They had extended the deadline to February 4<sup>th</sup> and received 13 applications from the development district's 8 (eight) county region for \$2.2M but only \$950K is available. They are going to help as many as possible. They received two applications from Henderson 1) Keestone Academy and 2) Tender Loving Daycare. The funds can be used for equipment, to renovate the existing structure (enclose garage/build a ramp/redo playground, or upgrade a kitchen at a facility). Letters will go to the applicants by March 4<sup>th</sup> letting them know if awarded or not, then she will turn in applications to the state so likely will be May or June 2022 before funds are released. There is no match on the grant. The funds will go to the city and then the city will disburse to the daycare centers while following the cities procurement procedures. There were no more questions for Ms. Davis so she left the floor.

Ms. Sylvia Brown-Flowers asked what the qualifications were for the CDBG grant thru HUD to rehab a home. Recorder Garland stated that the home had to be in a 51% low to moderate-income area. Anyone who qualified would complete an application. The applications would be scored and the available funds would be reviewed to assess what could be given to each approved application. The funds are granted from the top until there are no funds left. Since he has been in office, Mayor King stated that the city had completed three home rehab projects.

Mayor King closed the public hearing.

The next item on the agenda was to discuss and consider reinstating COVID Leave for City Employees. HR Clerk Kirkpatrick Smith addressed the board stating that the Federal Government had enacted the Families First Coronavirus Response Act (FFCRA) that required employers to pay sick leave of up to 80-hours to employees who needed to take leave for certain coronavirus reasons which ended on Dec 31, 2020. The city board chose to extend that leave thru June 30, 2021. After that time, employees had to use accrued sick leave (or other time off (vacation or banked holidays)) to be paid for the time away from work due to COVID19. Other employees were generous and donated vacation hours to several of the employees who did not have enough leave time on the books to get a full paycheck.

We are asking the Board to consider allowing current employees the same benefit that was offered previously. Up to 80-hours (96-hours for the Fire Department) off with pay without having to use sick leave, vacation, or banked holiday time. If an employee used the Emergency Paid Sick Leave (EPSL) in full previously, they are not eligible for any more EPSL. If an employee used part of the 80 hours, they will be eligible to use the balance as needed. We are asking to make this retroactive to July 1, 2021 and adjustments will be made to correct the time off balances. Ald. Butler asked if an employee that had donated vacation, will have that vacation time adjusted back to them. Recorder Garland stated that we plan to get those adjustments made. A motion was made by Ald. Butler to extend the EPSL thru June 30, 2022, retro back to July 1, 2021 and to make adjustments back to the appropriate employees, duly 2<sup>nd</sup> by Ald. Phelps. Motion carried. Ald. Phelps added that this is affecting a lot of employees in the workforce and suggested that we all get in contact with our State Senators/Representatives to look at this issue as a whole. Mayor King added that the city has seen the most cases in our workforce in the last 45 days but the work continued to get completed.

The next item on the agenda was to discuss and consider a recommended change in the Police Department rank structure. Chief Davidson stated that as discussed in a previous work session, he would like to add a captain position to his department. This captain position will oversee the investigating division to include narcotics, property seizures, and the evidence vault of the police department. If approved, he would like to move Sergeant Hardy to Captain. That vacated sergeant position would not be replaced. A motion was made by Ald. Butler to approve the re-structured rank and position change, duly 2<sup>nd</sup> by Ald. Smith. Motion carried.

The next item on the agenda was to discuss and consider accepting bids on the mowing of the City Cemeteries. Recorder Garland addressed the board stating that each year, the city takes bids from landscaping companies for the mowing of the city cemeteries (one on North Church and the Dean cemetery on Baughn Extended). He included a draft contract in the packet. He is asking to go to bid and have the bids collected and presented to the board at the next regular meeting for selection. Ald. Smith notated that the 1099-Misc on page H-3 would need to be corrected to 1099-NEC. After further discussion, a motion was made by Ald. Barber to open the bid process for the 2022 mowing season of the city cemeteries, duly 2<sup>nd</sup> by Ald. Smith. Motion carried.

The next item on the agenda was to consider purchasing two composite samplers for the East and South Lagoons at a cost of approximately \$7,000 each. UD Green stated the new permits have new parameters for the samplers. The grab samplers must now be composite samplers or flow proportional. The only way to accomplish this is to have a programmable sampler that takes a certain volume at certain intervals. A motion was made by Ald. Smith to allow the purchase of the two composite samplers from Teledyne Isco, duly 2<sup>nd</sup> by Ald. Barber. Motion carried.

The next item on the agenda was to hear a report from the Utility Department on recent mail delivery delays and how it affected utility bill delivery. The report will include steps taken by the utility department to address this issue. Asst. CMFO Holder stated that in her 12 years of employment with the utility department, this January was her worst month of employment. She and her team have had to endure name-calling and constant phone calls from customers who did not receive their bills timely. It is the customer's responsibility to inquire about their balance before the due date and there are several options available to get that information. There is a link on the city website and a phone number to get the balance.

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The most efficient way to know and pay the bill is to sign up for Budget Billing and set up a bank draft. Budget billing averages a year's worth of bills to get an average that can be automatically drafted at no charge. There is no additional charge to set up bank drafts. They are currently working on an additional option of E-Billing where the bill is emailed to a customer-provided email address.

They run two billing cycles and once the file is sent to the printer, the bills are mailed the next day. Due to the mail delay in January, she has worked on getting the billing cycles moved back a couple more days to allow for the additional mail time. They also posted penalties two days later than normal in January which caused penalty adjustments of \$5,649 which is normally \$500-\$600. A notice was posted on social media and printed in the local paper stating the available options to get balances.

Any other business:

UD Green is asking the board to allow him to purchase 3000 feet of 2-inch polyethylene gas piping for \$4,140. This will be used to run gas down Homestead. The gas pipe is in short supply so he is also wanting to keep some stock on hand. Ald. Smith made the motion to allow UD Green to purchase the pipe, duly 2<sup>nd</sup> by Ald. Barber. Motion Carried.

UD Green added that Steve Wyatt with MTAS had sent an email asking utility departments to comment on the material shortages and how it is affecting projects from lead time to completion. They are saying that HTP pipe or anything plastic is backlogged from 4-40 weeks. This is challenging in completing projects for everyone.

Fire Chief Lipford stated that he had written a letter to the board members regarding his delay in getting his required classes as stated upon his promotion to Fire Chief. He stated that he got behind due to his workload and is asking for additional time to get the classes completed. Ald. Butler thanked him for the letter and stated that the board members would review and discuss options for him and get back with him at a later time. After further discussion, it was decided to discuss at the upcoming budget meetings.

Fire Chief Lipford added that the generator that was ordered back in July 2021 was being shipped on April 26, 2022.

PWD Scales stated that the shop's vehicle lift had been received and installed. The flail mower is showing as shipped. Mayor King asked again about the paving and wanted to be sure PWD Scales was staying in contact with the paving company.

Recorder Garland stated that he had been notified via email that the city has been awarded some Federal funds thru TDOT/STBG. The amount is \$95k and can be used for street lighting. With the board's approval, he would like to meet with Barry Alexander to discuss street lighting options and come back with recommendations. The funds have to be obligated by September but with supply chain issues, he would like to get moving quickly.

Recorder Garland stated that budget meetings needed to be set and suggested March 1<sup>st</sup> or March 17<sup>th</sup> or both nights to split the time to be able to get through all the departments. To meet at 5:00 pm in the classroom. The dates were set while all members were present.

Ald. Barber asked if there was any update on the hotel project. Mayor King stated that it was moving forward but slowly. Recorder Garland stated that our engineer and their engineer were supposed to be getting together to discuss the project.

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Ald. Smith asked for a project update for sewer issues at the dorm at Main and White. UD Green stated that repairs that his team could complete were done and that the liner for the pipe was being shipped on February 28<sup>th</sup>.

Ald. Smith then stated that the gas situation was looking better since it got cold. Recorder Garland stated that it was better but we were not making a lot of money as of yet. Rates were back at floor this month.

Ald. Barber added that there was a public input meeting in the classroom on February 15<sup>th</sup> at 6:00 pm for input on the Master Park Plan and encouraged everyone to attend.

Ald. Butler asked if the Well had been tapped off and cleaned up. UD Green stated that they were working steadily to get it completed.

Ald. Butler stated that she appreciated the work the UT team did in handling the issues and meeting the needs of the customers.

There being no other business, a motion was made by Ald. Barber to adjourn, duly 2<sup>nd</sup> by Ald. Butler. Motion carried.

Signed: Robert W. King

APPROVED: \_\_\_\_\_

MAYOR

Signed: Jim E. Garland

ATTEST: \_\_\_\_\_, CITY RECORDER