

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

May 12, 2022

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, May 12, 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 Maness gave the invocation and Alderman Butler 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. Barber to accept the minutes as presented, duly 2nd by Ald. Butler. Motion carried.

The accumulated accounts were presented for informational purposes. Ald. Butler referred to page B2, line item 83, payment to Walker's Trailer Sales for \$25,089.29, and asked UD Green if this was the 20-ton trailer that was recently requested. UD Green stated that it was and they got lucky that there was one in stock when they went to purchase it. Ald. Butler then referred to page B2, line item 62, payment to R Jones Underground for \$64,228.00, and asked UD Green to explain the payment. UD Green stated that every year they budget 12k to 15k feet of gas extension to be completed. We have a miscellaneous contract with R Jones Underground and they had some downtime while waiting on other projects so they completed the gas extension on Deanburg Road, Buck Lane, and Cain Road. 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.

Project Graduation delegation:

Caroline Rodgers, the Senior Class President at Chester County High School, the class reporter, and a student council member were present. Ms. Rodgers stated that graduation was on May 16 and project graduation will be held the same night. Due to unforeseen circumstances, they got a late start on their fundraisers and have come to the board to ask for a donation to help provide a safe, drug-free night of fun for the graduating class. Mayor King stated that they budget \$500.00 each year for this cause and typically the police department will match the \$500.00. A motion was made by Ald. Smith to approve the \$500.00 donation for project graduation, duly 2nd by Ald. Butler. Motion carried. The total amount to be donated to Project Graduation for 2022 is \$1000.00 (\$500.00 each from the city and police department).

Savannah Gilbert - Chester County Library:

Ms. Savannah Gilbert addressed the board stating that Ald. Butler has served on their board for two terms and per the bylaws, a new library board member needs to be appointed. The new member will serve a three-year term with a two-term max. They are a non-voting member. They meet every other month on the third Thursday for about an hour. Mayor King recommended Ald. Jason Rhodes to serve on the library board. A motion was made by Ald. Barber to appoint Ald. Rhodes as the new library board member, duly 2nd by Ald. Butler. Motion carried.

Request for donation for the Juneteenth Celebration:

Mayor King stated that at the last board meeting, Mr. Marles Flowers had requested a donation for the Juneteenth celebration for \$5000.00 and that it was to be discussed at the budget meeting before a decision could be made. Ald. Maness asked Mr. Flowers how much was recommended and Mr. Flowers stated that the request was for \$5000.00. Mr. Flowers gave a handout to each board member and spoke at length about how Oasis CDC, a 501(3)C, the non-profit organization served the community. Ald. Smith stated that this was being requested at the end of a budget year so funds are slim. He stated that they had \$1000.00 in the budget that they could donate for the 2022 Juneteenth celebration which is also the same amount the county was able to donate. A motion was made by Ald. Smith to donate \$1000.00 from undesignated funds for the 2022 Juneteenth celebration, duly 2nd by Ald. Phelps. Ald. Maness then asked if there were more funds available to donate and Recorder Garland stated that there was more money in the undesignated fund but that is the starting amount for the upcoming year. Ald. Barber then stated that the board had asked Mr. Flowers to provide a more detailed budget and asked if he had the requested information. Mr. Flowers stated that he had failed to bring the information but the budget was more than \$10,000. Ald. Butler asked if there was a possibility to donate \$1500.00 and Mayor King stated that she could amend the motion and it would have to be 2nd. A motion was made by Ald. Butler to amend the motion on the table to donate \$1500.00 for the Juneteenth celebration, duly 2nd by Ald. Maness. Ald. Smith then stated that he felt they had stretched the budget to \$1000.00. Typically, a one-day event is capped at \$500.00 so he feels that his amount is generous. Ald. Butler clarified that this was a three-day event. Upon a roll call vote on the amended amount of \$1500.00, the following was cast:

Ayes: Donna R Butler and Buel Maness

Noes: Michael Phelps, Mark Barber, Keith Smith, and Jason Rhodes

The amended motion failed. The original motion was then voted on and all board members were in favor of the \$1000.00 donation. Motion carried.

Mayor King asked Mr. Flowers to stay to discuss the rezoning of 440 Fourth Street. Building Official Beshires stated that Ms. Sylvia Flowers had met with him requesting a rezoning of the stated property to Institutional. The planning commission met on March 2nd, 2022, and the request to rezone 440 Fourth Street was tabled until more information could be gathered from the neighbors. On April 28th Ms. Flowers provided a signed petition from the neighbors. This was received too late to present at the planning commission meeting but they did review it under old business on the May 4th, 2022 meeting. The planning commission denied the request due to needing further information from neighbors who were not happy with what was happening on the property. Ms. Flowers met with Building Official Beshires today and he gave her options for any next steps to continue. They would either need to come back to the planning commission or appeal the decision to the mayor and board of alderman. This was not added to the agenda due to the missed time for advertising in the paper. Mayor King stated that Mr. Flowers would have to present

a formal letter for the appeal and then a public hearing would need to happen for feedback from the community. There has to be a fifteen-day notice given for the public notice.

There being no further delegations, the board proceeded with the regular agenda items.

The first item on the agenda was to consider the final reading on an ordinance amending the Municipal Zoning Ordinance to rezone 504 Fourth Street (Tender Loving Daycare) from R-2 Residential to I-Institutional. Mayor King stated that the first reading was approved at the last meeting. A motion was made by Ald. Butler to approve Ord. #547, amending the Municipal Zoning Ordinance to rezone 504 Fourth Street (Tender Loving Daycare) from R-2 Residential to I-Institutional, duly 2nd by Ald. Smith. Upon a roll call vote, the following was cast on the second/final reading:

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

Noes: None.

Mayor King declared Ordinance #547, as approved on the second/final reading.

Mr. Flowers thanked the board and asked for information regarding representation on the board. Mayor King stated that it was an at-large election since the inception of the Charter in 1901. Mr. Flowers stated that he would be pushing each of them for more diverse representation on the board.

The next item on the agenda was to discuss and consider bids received on the Industrial Park Site Development Grant-Phase II Grading Project. Recorder Garland stated that the engineer had to cut out an amount of dirt which made the site smaller which in turn cut the amount of area that is being cleared. The low bidder is Triple H Backhoe, LLC for \$487,000.00. At the last meeting, the board agreed to approve any overage. The city match will be \$66,440.00 which was originally \$55,556.00. A motion was made by Ald. Smith to accept the low bid of \$487,000.00 from Triple H Backhoe, LLC, which will require the city match of \$66,440.00 which is approximately \$11,000.00 more than anticipated, duly 2nd by Ald. Barber. Motion carried.

The next item on the agenda was to discuss and consider the passage of the 2022-2023 City Budget and Tax Rate Ordinance on the first reading. Recorder Garland stated that a couple of changes were made at the last budget meeting (training for CDL drivers and the Juneteenth celebration). He noted that the city tax rate was estimated at \$0.8789 per \$100 of the assessed value and could be adjusted when the certified tax rate is received from the State. A motion was made by Ald. Barber to approve the 2022-2023 City Budget and Tax Rate Ordinance on the first reading, duly 2nd by Ald. Butler. Upon a roll call vote, the following was cast:

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

Noes: None.

The second/final reading and a public hearing will be in the June meeting.

The next item on the agenda was to discuss and consider the passage of an ordinance approving expenditures of the American Rescue Plan (ARP) funds on the first reading. Recorder

Garland stated that since this was new, he felt it was better to keep it separated. All the expenditures are detailed in the ordinance. There is a reserve amount of \$122,800.00 that has not been designated. After further discussion, a motion was made by Ald. Butler to approve an ordinance approving the expenditures of the ARP funds on the first reading, duly 2nd by Ald. Smith. Upon a roll call vote, the following was cast:

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

Noes: None.

The second/final reading and a public hearing will be in the June meeting.

The next item on the agenda was to consider the adoption of a Resolution adopting the City of Henderson Parks and Recreation 12-Year Master Plan. Ald. Barber (chairman of the park board) stated that all board members have received a copy of the master plan that was prepared by A2H. It is required to have this plan in place to apply for grants. The feedback from surveys and public town hall meetings is included in the handout. The master plan is good thru 2034 which covers multiple grant cycles. Recorder Garland stated that the park board will need to meet fairly quickly to determine how best to apply for upcoming grants. After further discussion, a motion was made by Ald. Barber to adopt resolution #2022-003 adopting the City of Henderson Parks and Recreation 12-year Master Plan, duly 2nd by Ald. Butler. Upon a roll call vote, the following was cast:

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

Noes: None.

Mayor King declared Resolution #2022-003 as adopted.

The last item on the agenda was to review and consider the adoption of a Resolution concerning a FY 2022 Small Cities Block Grant (CDBG) Child Care Creation grant to authorize, execute and submit an application with the appropriate assurances to the State of Tennessee's Department of Economic and Community Development, Child Care Creation Grant Program, for funds on behalf of Keestone Academy to complete the necessary eligible activities for the Keestone Academy. Recorder Garland stated that this is a new grant program that results from ARP funds that CDBG has not had available previously. The grant is administered thru Southwest TN Development District. They received and vetted applications from childcare facilities in the eight (8) county region and determined who qualified. The city and/or the county have to be the conduit for the distribution of the funds. There were two (2) daycares in Henderson that applied and were approved for funds. The county has taken Tender Loving Daycare to manage funds which leaves the city to manage Keestone Academy funds. A motion was made by Ald. Barber to approve Resolution #2022-004, a resolution for childcare on CDBG, duly 2nd by Ald. Phelps. Upon a roll call vote, the following was cast:

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

Noes: None.

Mayor King declared Resolution #2022-004 as adopted.

Any other business:

Police Chief Davidson stated that the 2022 Chester County High School graduating seniors will do their senior walk down Main Street on Monday, May 16th at 9:00. The police department will escort them for safety measures. He also stated that he has received notice that the truck they ordered is at the dealership.

Building Official Beshires stated that the two (2) houses on Harmon Street have been demolished. A bill will be coming soon for the work and Mayor King stated that they will send notice to the county to pay their half.

UD Green congratulated his team for their part in having the best tasting water in a contest by Tennessee Utility Association, Region 11 for 2022. The contestants were from nine (9) counties (Tipton, Shelby, Haywood, Fayette, Hardeman, Madison, Chester, McNairy, and Henderson) and also included Jackson Energy Authority. The city won the contest and has the best-tasting water.

Mayor King went to the county commission meeting asking for them to allow the city to apply for the TDEC Grant money. The county commission approved the request. Recorder Garland stated that an engineer has been selected. They will be narrowing down the projects and he will be working diligently to have the application to the state by July/August 2022.

Fire Chief Lipford is asking for approval to order more turnout gear for next year. He has been told that it is taking 16 to 24 weeks for orders to be completed. A motion was made by Ald. Barber to approve the purchase for turnout gear, duly 2nd by Ald. Butler. Motion carried.

PW Scales stated that Ford Paving had started paving on Garland Road, Old Jackson Road, part of Hill Ave, and Mill Street. Ald. Butler asked when the next paving would be. Mayor King stated that this will finish up for this budget year. Recorder Garland stated that due to prices continuing to increase, he did not think vendors would want to bid further out than six months.

Recorder Garland then stated that natural gas pricing has increased 187% over the last year. The rate is going up and down daily. Our price locks in three days prior to the end of the month for the following month. Gas will continue to be high for the rest of the year.

Ald. Smith stated that he had noticed the parking lines on Front Street have faded and requested they be re-painted. He stated that he felt it was junky down the street and felt a need to have garbage cans down the street.

There being no other business, a motion was made by Ald. Barber to adjourn, duly 2nd by Ald. Phelps. Motion carried.

Signed: Robert W. King

APPROVED: _____
MAYOR

Signed: Jim E. Garland

ATTEST: _____, CITY RECORDER