

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

December 14, 2023

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, December 14, 2023, 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 Butler, Buel Maness, Jason Rhodes, and Keith Smith.
Absent: Michael Phelps

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 Doug Acred, Utility Director Darryl Green, and Asst CMFO Alicia Holder.

Mayor King called the meeting to order at the appointed time. Alderman Barber gave the invocation, and Alderman Smith 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. Smith asked about line item 48 on page B2, a payment to Brian Holder of \$350.00 for repairs to the red light at Mifflin and Main Street, and asked if this was to repair the timing of the light. Recorder Garland stated that it was to repair flashing lights in all directions on a weekend. Ald. Smith then stated that there were problems with the timing of the lights at the intersection of White and Main and asked if this could be looked at. PWD Scales stated that he spoke with Mr. Holder this morning and he would be looking into that. There being no further questions on the accounts, the meeting continued.

The first item on the agenda was a call for delegations to address the board. There being no delegations, the meeting continued

The next item on the agenda was to consider action to amend the Municipal Zoning Map of Henderson, Tennessee by rezoning tax parcels 5, 6, 7, 8, and 8.03, Chester County Tax Map 45 from R-1 (Low-Density Residential) to B-1 (General Business). Parcels are further described as the north side of Jacks Creek Street from 425 through 505 Jacks Creek Street which are owned by Chester County Board of Education.

1. Public Hearing on the proposed rezoning.
2. Consider the passage of the Ordinance to Rezone.

Building Official Beshires stated that the school board had projects they wanted to do on this property. This zoning would get all the property lines removed making this one property. The Planning Commission met and gave a positive recommendation in the November meeting.

Mayor King opened a public hearing as advertised in the Chester County Independent newspaper. As there were no respondents, Mayor King closed the public hearing.

Ald. Smith asked if they would be tearing down the old restaurant building, currently the Eagles Nest. Building Official Beshires stated that they were and that it was already zoned General Business. After further discussion, a motion was made by Ald. Barber to adopt the ordinance as presented on the first reading, duly 2nd by Ald. Smith. Upon a roll call vote, the following was cast:

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

Absent and not voting: Michael Phelps

Noes: None.

The second reading will take place at the January 2024 meeting.

The next item on the agenda was to consider an Ordinance per the requirements of the Henderson Municipal Code to set the Mayor's Salary for the person who will be elected to the position in August 2024. The mayor's salary can only be adjusted every four years as stipulated by the State Constitution and the City Charter. Ald. Smith had been asked to review this matter and to make a recommendation on the salary for the next elected Mayor. According to the City Charter, the ordinance setting the salary has to be finalized 180 days before the election. Ald. Smith presented a worksheet to the board members showing the methodology used to calculate his recommended salary. The recommended salary is \$89,500.00 annually effective September 1, 2024 and will not change for the four-year term (2024-2028). After further discussion, a motion was made by Ald. Smith to pass the ordinance setting the salary of the City Mayor to \$89,500.00 annually, and leave the Alderman's salary as is currently, on the first reading, duly 2nd by Ald. Maness. Upon a roll call vote, the following was cast:

Ayes: Donna R. Butler, Buel Maness, Jason Rhodes, and Keith Smith.

Noes: None.

Absent and not voting: Michael Phelps

Abstained: Mark A. Barber

The second reading will take place at the January 2024 meeting.

The next item on the agenda was to appoint or re-appoint members to serve on the City Planning Commission, Board of Zoning Appeals, Industrial Development Board, and the City Park Advisory Board. Mayor King is recommending the reappointments of Bill Moore to the PC, Bill Moore to the BZA, Dwain Seaton Sr., and Neal Smith to the IDB. Mr. Joe Pevahouse has asked to come off the IDB (he has served for 60 years), and Mayor King is recommending Ms. Sheila Eckart to replace him. Mayor King is also recommending Michelle Cavaness to the Park Advisory Board. Mayor King has spoken to all the members and they are all willing to serve on the respective boards. A motion was made by Ald. Barber to approve the appointments/re-appointments as recommended by Mayor King, duly 2nd by Ald. Butler. Motion carried.

The next item on the agenda was to discuss the required inspection of the elevated water tanks and the associated costs. UD Green stated we are required to have professional tank inspections every five years and this year is the fifth year. They are getting the inspections scheduled

to be completed as soon as possible to meet state requirements. The estimated cost is \$5,200.00 for four tanks and the water plant clear well. A motion was made by Ald. Butler to approve the cost of the inspection to meet state requirements, duly 2nd by Ald. Smith. Motion carried.

The next item on the agenda was to discuss and consider purchasing gas materials for the 2024 construction season. UD Green stated that there is a line item in the budget for distribution mains for \$110,000.00 and they have only spent approximately \$5,000.00. He is proposing that based on a material priority list they purchase materials to have on hand. He received three quotes for 8,000 feet of 2-inch SDR11 with tracer wire. The low quote was for \$10,960.00 from Core and Main Memphis. A motion was made by Ald. Barber to approve the low quote from Core and Main for \$10,960.00, duly 2nd, by Ald. Rhodes. Motion carried.

Any other Business:

Mayor King stated that he received a letter from the Community Development Block Grant and we have been approved for \$419,995.00 to purchase a new pumper truck in the fire department.

Mayor King then stated that he had talked to several cities regarding the number of liquor stores that are allowed: Trenton limits to three, Savannah limits to four, McKenzie has no limit, Selmer has no limit, Lexington has no limit, and Bolivar has no limit. Henderson currently has no limit. This was a report back to the board from a previous meeting. Any change to the limit would have to be made through an ordinance change.

UD Green stated that well #8 is out of service and the estimated cost to repair is \$19,215.00. He is asking for approval to repair well #8. After further discussion, a motion was made by Ald. Butler to approve the repair, duly 2nd by Ald, Rhodes. Motion carried.

UD Green stated there is a generator at the water plant that started leaking coolant and the cost of repair is unknown at this time. Thompson Machinery will repair the generator and will try to get it back in service as soon as possible.

UD Green stated that they received completed the comprehensive sanitary survey from the Department of Environmental Conservation which they do every two to three years. They reviewed several things in the water department, including policy and procedures and we received a score of 99 out of 100.

Fire Chief Acred stated that regarding the CDBG, he wanted to recognize the work that the volunteer did to assist in getting the grant – going door to door to get signatures.

Chief Acred stated that they had applied for a 0% match grant for hoses and cameras. This is a Tennessee-only grant and he is hopeful of getting approved.

Chief Acred stated that January 24th opens the new FEMA grant period. He is asking the board for direction on how to move forward. He is applying for equipment replacement. He can also apply for an apparatus so he would like to apply for a smaller ladder truck. This would have a 5% match so for a million-dollar truck the city would be out \$50,000.00 if approved.

UD Green stated the meter reader truck was totaled in a recent accident and we received a \$34,700.00 insurance check. A replacement Maverick at Lonnie Cobb can be purchased on state contract for under \$30,000.00. The plan is to move forward with the purchase since we received more from the totaled truck.

Minutes – December 14, 2023 (Cont'd)

Asst. CMFO Holder reminded the board of Jeff Gaddy's retirement breakfast on December 19th at 10:00. He is retiring after 35 years of service.

Ald. Smith asked Recorder Garland for an update on the Moten Drive discussion/request from last month's meeting. Recorder Garland stated that the June 1986 minutes reflect that Moten Drive was on a list of streets for tar and chip resurfacing, and again in 1994 in the minutes PWD Jerry King asked to hot mix Moten Drive. He was unable to find anything in the minutes stating that Moten Drive was changed to a city street. After further discussion, a motion was made by Ald. Smith to have the mayor get a survey completed to determine if any right of way existed for the street, duly 2nd by Ald. Butler. Motion carried.

Ald. Smith wished everyone a Merry Christmas.

Ald. Maness stated he wanted to bring up a question that he had been asked regarding the voting. How can we reinstate that a property owner in the city can vote in the city elections? Currently, only residents can vote in the city elections. Mayor King stated that it would require a charter amendment, therefore; it would have to get 2/3 votes from the city council then it goes to the general assembly at the state level to be voted on. The House would then vote on it, the Senate votes on it, and then it comes back for the board to vote on it. It can also be put on a referendum for the voters to vote on.

The election commission was told by the State that they would have to have a separate database for these votes and they would only be mail-in votes. The previous cost was estimated at \$10,000.00 (\$100 per vote). The Board at that time denied the motion.

Mayor King suggested putting this on the ballot and letting the voters decide if nonresident property owners should be allowed to vote in the city elections.

Ald. Smith stated that he is curious about what the cost to do this would be now.

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

Signed: Robert W. King

APPROVED: _____
MAYOR

Signed: Jim E. Garland

ATTEST: _____, CITY RECORDER