

MINUTES  
OF THE  
BOARD OF MAYOR AND ALDERMEN

December 12<sup>th</sup>, 2024  
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The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, December 12<sup>th</sup>, 2024, at 7:00 P.M. in the Council Chamber of the City of Henderson City Hall. Present and presiding was Mayor Terry F. Bell. City Recorder Jim E. Garland called the roll with the following being present:

Aldermen: Mark A. Barber, Donna R. 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, Public Works Director Carter Scales, Building Official Brent Beshires, Utility Director Darryl Green, Deputy Fire Chief Moore, and Asst. CMFO Alicia Holder.

Mayor Bell called the meeting to order at the appointed time.

Before the normal order of business, Mayor Bell held a commemoration in remembrance of Captain Dennis Cagle. "On December 10, 2009, he responded to a robbery in progress at a local business. He was the first officer on the scene and was shot once in the abdomen upon entering the store. Despite being wounded, Captain Cagle returned fire along with a responding Chester County Deputy and wounded the suspect several times, preventing harm to the citizens of our city. Captain Cagle died three days later as a result from his wound. We will never forget Captain Cagle and desire to honor his heroic service," stated Mayor Bell. Captain Cagle served for 30 years in law enforcement; this is the 15<sup>th</sup> anniversary of his passing.

Alderman Barber 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. Ald. Smith noted that former Mayor King was referenced on page 3 and it should be Mayor Bell. A motion was made by Ald. Barber to accept the minutes as presented with the corrections, duly 2<sup>nd</sup> by Ald. Butler. Motion carried.

The accumulated accounts were presented for informational purposes. Ald. Butler referred to page B-1, line item 24, a payment to Delta Contracting Company for \$158,992.00, and asked how much more would be due on this project. Recorder Garland stated that the dirt work was complete and there is likely another payment due.

Ald. Barber asked about the status of the SWIP's. Recorder Garland stated that it would probably be spring since grass has to be established before the SWIP would be released.

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

The first item on the agenda was a call for delegations to address the board.

1. Recognize Police Officer Danielle Cook

Police Chief Davidson recognized Officer Danielle Cook, recipient of the Tennessee Highway Safety Office's "Child Passenger Safety Seat" award for the eighth district. Mayor Bell also acknowledged Officer Cook not only as a police officer but as a volunteer firefighter and the Fire Chaplain.

There were no further delegations, so the meeting continued.

The next item on the agenda was to consider on the final reading an ordinance amending the Municipal Zoning Map to rezone a lot on the west side of Memorial Ave from B-1 General Business to R-2 Medium Density Residential. Recorder Garland stated that this was the same ordinance that had passed the previous meeting. This is the lot behind The Market. The Planning Commission gave a favorable recommendation at their last meeting. A motion was made by Ald. Barber to adopt Ordinance #574 on the final reading, duly 2<sup>nd</sup> by Ald. Butler. Upon a roll call vote, the following was cast:

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

Noes: None.

Absent and not voting: Michael Phelps

Mayor Bell declared Ordinance #574 as approved on the final reading.

The next item on the agenda was to consider action on an ordinance amending the Municipal Zoning Regulations to change the definition of a Tiny Home and a Substandard Lot of Record.

1. Public Hearing on the proposed amendment.
2. Consider the passage of the ordinance amending the definitions.

Mayor Bell opened the public hearing.

Building Official Beshires stated that a property owner is requesting to put a building on a lot on Fourth Street. The lot is non-conforming (a smaller lot than what is allowed per the regulations to put a home on). The owners would like to build a single-family home or an efficiency apartment for their mother. The lot is 50 feet wide at the street, the middle pinches to about 43 feet, and is 130 feet – 160 feet deep. This is a 6000 square foot lot and they want to put a 575 sq ft house on it. The city regulation requirements state that an 800-foot home is the minimum. They went to the planning commission and requested a smaller home. The Planning Commission approved the request at their November meeting (allowing a substandard lot of record to have a smaller house – less than 800 feet but no smaller than 400 square feet (considered a tiny home)).

Ald. Smith stated that no one can create a substandard lot of records. Building Beshires added that there may be 15 substandard lots within the city.

Ald. Butler is concerned about how that would impact neighbors or if it would create an unsightly cluster being so tight. Building Official Beshires stated that we are still maintaining the setbacks and it still has to be a 'site' built house.

Ald. Rhodes referred to section 1 of the amended ordinance and felt that the definitions were unclear and needed to be rewritten for clarification.

There were no public comments. Mayor Bell closed the public hearing.

After further discussion and due to the lack of a motion, it was decided to table this item until the February meeting to allow sufficient time for the wording of the ordinance to be updated and approved by the Planning Commission.

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. Recorder Garland stated that it is an automatic change from Mayor King to Mayor Bell upon the election of Mayor Bell on the Planning Commission.

Mayor Bell is recommending the reappointments of Marty Watson to the PC, and Patti Pickler to the BZA. Mr. Charles Cavaness has moved out of the City and Planning Region and must come off the BZA. Mayor Bell is recommending Mr. Darryl Thompson as his replacement. Mayor Bell is recommending keeping Tony Hysmith on the IDB. Mayor Bell is also recommending Heather Griffin to be re-appointed to the Park Advisory Board. Mayor Bell is recommending an additional Park Advisory Board Member – Ross Hysmith.

Mayor Bell has spoken to all the members and they are all willing to serve on the respective boards. A motion was made by Ald. Smith to approve the appointments/re-appointments as recommended by Mayor Bell, duly 2<sup>nd</sup> by Ald. Butler. Motion carried.

The next item on the agenda was to consider adoption of a Resolution accepting a Delta Regional Authority (DRA) Water Main Grant in the amount of \$259,755.74. UD Green stated that this project will improve fire protection and services along the Magic Valley area. This will add three fire hydrants and do away with 2-inch substandard lines. The match is \$44,686.50 for a total estimated cost of \$304,442.24. A motion was made by Ald. Barber to approve the DRA Water Main Grant Resolution, 2024-010, duly 2<sup>nd</sup> by Ald. Butler. Upon a roll call vote, the following was cast:

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

Noes: None.

Absent and not voting: Michael Phelps

Mayor Bell declared Resolution 2024-010 as adopted.

The next item on the agenda was to consider hiring Wold Architects and Engineers to handle necessary tasks related to replacing the metal roofing and siding, etc. on the Utility Operations Building at 60 Record Drive. UD Green stated that there is a lot of corrosion on the metal. The grading has been changed since they moved in and installation is exposed. The guttering system was substandard to start with. He wants to get the building back to good/safe condition. The engineers will work up specs so bidders will bid on the same things. After further discussion, a motion was made by Ald. Butler to approve the amount of \$16,000.00 for the planning and engineering costs for Wold Architects and Engineers, duly 2<sup>nd</sup> by Ald. Maness. Motion carried.

The next item on the agenda was to consider a Resolution approving PE Partners' (the city's insurance carrier) Cyber Grant Application. Recorder Garland stated he has been working with Kevin Baily – GIS Technician on the grant. It is a 50/50 grant for \$2,000.00. The plan is to purchase extra equipment for the wireless network here at City Hall to provide better security, move access points, and buy hardware. A motion was made by Ald. Barber to approve Resolution #2024-011, a resolution authorizing the City of Henderson to participate in the Public

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Entity Partners Cyber Grant matching grant program, duly 2<sup>nd</sup> by Ald. Smith. Upon a roll call vote, the following was cast:

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

Noes: None.

Absent and not voting: Michael Phelps

Mayor Bell declared Resolution No. 2024-011 to be duly adopted.

Any other Business:

Mayor Bell stated that we have a one-year contract with Jaden Cupples with the option to renew for the mowing and landscaping of the city cemeteries. Mr. Cupples contacted Recorder Garland to extend the contract another year per the contract. The mowing is \$750.00/mowing. A motion was made by Ald. Maness to extend the contract, duly 2<sup>nd</sup> by Ald. Smith. Motion carried.

Ald. Barber asked for a Park Project update. Park Superintendent Eric Miller stated that the playground concrete has been poured, and they are doing site work for the new bathroom. The playground pieces are here. Recorder Garland noted that there would be a delay in the restroom facility due to lead time.

Police Chief Davidson stated that they are auctioning seized vehicles on December 21<sup>st</sup> through Mayco Auctions. The biggest Christmas with a cop is scheduled for December 16<sup>th</sup>. Merry Christmas!

Deputy Fire Chief Moore stated we are on schedule for the new pumper to arrive in mid-January. Lieutenant David Novak retired after 35 years with the volunteer fire department. The new training room is being named in his honor.

UD Green stated that currently when they get a request for a new gas service they use a 275 meter. The 'on demand' water heaters require a higher volume. He needs to purchase 15 of the 415 meters for \$7,991.55. Any meter larger than 275 is paid for by the homeowner. This will increase their inventory so they have some on hand before needed. Ald. Barber approved the purchase of the larger meters, duly 2<sup>nd</sup> by Ald. Maness. Motion carried.

UD Green also stated the water line replacement on Bear Creek South was completed. The new line was installed and there has been a reduction in 200-230 thousand gallons of water daily.

Building Official Beshires wished everyone a safe and Happy Christmas.

PWD Scales stated that the light at Steed Street is fixed. The codes for the siren activation are corrected. Mayor Bell asked him to review the lights at the intersection at Mifflin and Main.

Recorder Garland wished everyone a Merry Christmas.

Mayor Bell stated that we had one employee get injured on the job recently and is recovering well. He thanked HR Clerk Kirkpatrick Smith for her work on the parties.

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Asst CMFO Holder wished everyone a Merry Christmas and a Happy New Year.

Ald Barber wished everyone a Merry Christmas and a Happy New Year.

Ald. Smith asked about the status of the CDBG air packs. Recorder Garland stated that they have sent the request but have not received a response as of yet.

Ald. Smith then asked about the walkabout at the old FirstBank North Branch and getting an engineer for the outside upgrades that were discussed. To get a plan in place for budgeting reasons. He wished everyone a Merry Christmas and a Happy New Year.

Ald. Butler wished everyone a Merry Christmas and stated how proud she was of Officer Cook.

Ald. Rhodes wished everyone a safe and Merry Christmas.

Ald. Maness wished everyone a safe and Merry Christmas.

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: Terry F. Bell

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

Signed: Jim E. Garland

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