

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

July 13, 2023

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, July 13, 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, Michael Phelps, and Keith Smith.
Absent: Jason Rhodes

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. Ald. Butler stated that she did not have any corrections to the minutes but she did have questions that various department heads and Mayor answered. 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 asked questions on some line items and Recorder Garland, Chief Acred and UD Green were able to clarify them for her. 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 a donation request from the Carl Perkins Center (CPC) to be used to improve their new location. Mayor King stated that he and Ald. Smith had toured the new location. Ald. Smith stated that the new building was going to be a much better facility for the confidentiality and care of the children and families that they serve. The CPC had originally asked for a \$100,000.00 donation from the city. Ald. Butler stated that she had talked to Director Fahs and they discussed a room at the facility that would be dedicated for medical exams. This would be a private entrance at the back of the building and would allow Dr. Lisa Piercey to come to the office to conduct any needed exams. After further discussion, a motion was made by Ald. Smith to approve a donation in the amount of \$40,000.00 to be used primarily for the medical room with invoices to come to Recorder Garland and to come from the general unclassified budget, duly 2nd by Ald. Barber. Motion carried

The next item on the agenda was to consider amending the Municipal Zoning Ordinance text to permit Short Term Rental Units as a use permitted in Institutional Districts with certain restrictions and eliminate insurance requirements and fees on Short Term Rental Units in all districts where they are allowed.

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

Building Official Beshires stated that the board adopted short-term rentals in 2018 in the city for single-family dwellings only. Since that time, there have been requests to allow short-term rentals in the Institutional Districts. The Planning Committee met in June and approved eliminating the \$50.00 fee, eliminating the \$1M insurance requirement, and allowing short-term rentals in the Institutional zone.

Mayor King opened the public hearing. Ms. Sheila Ekert asked about the fee and insurance. Building Official Beshires stated that they must provide proof of insurance. Mayor King closed the public hearing

Ald. Butler asked if a short-term rental was 24 hours to 30 days and Building Official Beshires stated that was correct. The requirement per the ordinance is that they have a business license and a permit with the city so that we know where they are located. After further discussion, a motion was made by Ald. Butler to adopt the ordinance as presented on the first reading, duly 2nd by Ald. Phelps. Upon a roll call vote, the following was cast:

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

Absent and not voting: Jason Rhodes

Noes: None.

The second reading will take place at the next meeting.

The next item on the agenda was to consider amending the Municipal Zoning Map to rezone Tax Parcel 8, Map 046C, Group H which is located on the west side of Newsome Ave from R-2 Residential to B-4 Highway Business.

1. Public Hearing on the proposed zoning change.
2. Consider the passage of the ordinance to rezone the property.

Building Official Beshires stated at the end of May, he received a call from a real estate agent (representing the Thomas family) wanting to know what had to be done to re-zone said property. He explained the process to the agent and the request was submitted and went before the Planning Commission at the June meeting. The lot adjacent to W Main is already B-4. The request is for the lot immediately North. Both lots are owned by the Thomas Family. The Planning Commission approved the change at the June meeting.

Mayor King opened the public hearing. There were no comments. Mayor King closed the public hearing

Ald. Smith – who also sits on the Planning Commission stated that he was against the re-zoning and voted no at the Planning Commission meeting. This is the property at East Main and Newsome Avenue. The Planning Commission had received a negative recommendation from

Shelton Merrill due to the street not being wide enough to sustain traffic and does not have sufficient street parking. After further discussion, a motion was made by Ald. Butler to reject the Planning Commission recommendation, duly 2nd by Ald. Smith. Upon a roll call vote, the following was cast:

Ayes: Donna Butler, Michael Phelps, and Keith Smith.
Noes: Mark A. Barber and Buel Maness.
Absent and not voting: Jason Rhodes

The ordinance was denied. Motion carried.

The next item on the agenda was to discuss and approve the City Employee's Health Insurance matching rate effective Jan 1st. A report detailing the employee/employer insurance cost was presented to the board. Recorder Garland stated that typically each year the employee health insurance goes up and for calendar 2024 the aggregate increase is between 5-8%. We have been able to fund 90% of the employee-only best plan since 2008. He is proposing that for the plan year starting Jan 1, 2024, the employee portion be set at 10% with the city to pay the balance of 90% based on single coverage of the most expensive plan (Preferred PPO). For coverage starting Jan 1, 2024, the city portion will be \$745 per month per employee. A motion was made by Ald. Butler to approve the matching rate of 90% of the total cost of \$745 per month for calendar 2024, duly 2nd by Ald. Barber. Motion carried.

The next item on the agenda was to discuss and approve the Henderson Police Department's Written Drone Policy. This policy is required by the city's liability and property insurance company. Chief Davidson stated they had received a sample policy from the vendor and another agency. They combined and tweaked it for our needs. A motion was made by Ald. Barber to approve the drone policy as presented, duly 2nd by Ald. Phelps. Motion carried.

The next item on the agenda was to discuss the proposed Fire Department Standard Operating Procedures (SOPs). Approval of these SOPs will be scheduled for the August meeting of the board. Recorder Garland stated that this item was being moved to give everyone more time to review.

The next item on the agenda was to discuss and consider bids received on the furniture needed for the new training rooms at city hall. Recorder Garland stated that we had two bidders. He recommends we accept a proposal from the low bidder JD Distributors in the amount of \$45,092.40. JD Dist. Had three options that were all lower than the next bidder. The vendor is supposed to bring samples for review. He is asking that Mayor King be given the authority to approve the purchase once the samples are reviewed. A motion was made by Ald. Smith to give Mayor King the authority to accept the low bid of \$45,092.40 from JD Distributors upon approval of the tables and chairs, duly 2nd by Ald. Barber. Motion carried.

The next item on the agenda was to consider bids received for materials and paving services for the Public Works Department. PWD Scales stated that Arrow Paving had the low bid for the milling and paving last year but Marting Paving has the low bid for the milling this year. Recorder Garland stated that it would be too hard to split milling with one vendor and paving with the other. PWD Scales stated that Michael Franks had the only bid for culverts. He asked the board to approve the bids for the materials as outlined.

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33C Rock Gravel -----	Wayne Co Rock-----	\$ 19.14 per ton
57C Washed Rock-----	Wayne Co Rock-----	\$ 22.14 per ton
Red Chert Gravel -----	Shaw Concrete -----	\$ 20.00 per ton
Gabion Rip Rap-----	Wayne Co. Rock -----	\$ 22.14 per ton
Machine Rip Rap -----	Wayne Co. Rock-----	\$ 21.14 per ton
Red Fill Sand-----	Shaw Concrete Inc -----	\$ 300.00 per load
Hot Mix Asphalt-----	Arrow Paving-----	\$ 143.00 per ton
Asphalt Binder-----	Arrow Paving -----	\$ 143.00 per ton
Cold Mix Asphalt-----	Arrow Paving-----	\$ 102.50 per ton
Asphalt Milling-----	Arrow Paving-----	\$ 10.00 per sq yd
Machine Rip-Rap Stone-	Wayne Co. Rock-----	\$ 22.14 per ton

Shaw Concrete was the only bidder for Red Fill Sand
Arrow Paving was the only bidder for Cold Mix Asphalt

A motion was made by Ald. Barber to approve the recommended low bidders on each of the materials with the exception of the bid going to Arrow Paving for the milling, as outlined above, duly 2nd by Ald. Phelps. Motion carried.

The next item on the agenda was to consider a Resolution to approve the application for a Public Entity Partners (the city’s insurance carrier) Safety Partners Grant for two sets of turn-out gear for the Fire Department. The program has a 50% local match with a maximum grant amount is \$2,000. The grant money, which is based on our annual premium, must be used for employee safety equipment each year. This year the plan for the funds will be to purchase items for the fire department. A motion was made by Ald. Smith to approve Resolution #2023-008, a resolution authorizing the City of Henderson to participate in the Public Entity Partners “Safety Partners” matching grant program, 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, and Keith Smith.
- Noes: None.
- Absent and not voting: Jason Rhodes

Mayor King declared Resolution No. 2023-008 to be duly adopted.

The next item on the agenda was to receive an update on the current Site Development Grant (SDG) closeout and approve the application for another DSG to continue grading the site. Recorder Garland stated the project at the Industrial Site at the end of Porter Way has been completed. They have a new round of Site Development Grants this fall. A letter of intent is due in August, the application will be due in September and we should know in December if the grant is approved. He would like to get enough money to get the site finished, we are only halfway there. The first thing to do is a post-survey to do the plan for the new site development at a cost of \$4,600.00 for topography. Assuming it is a 90/10 grant and will be requesting \$500,000 (\$50,000 local match that is not budgeted). A motion was made by Ald. Barber to move forward with the survey and letter of intent as discussed, duly 2nd by Ald. Smith. Motion carried.

The next item on the agenda was to consider going to bid on the Rebecca Drive water main project. UD Green stated we had been approached by Farmer’s Co-op to allow them to build an additional storage facility behind the current location. They had looked at fire protection

requirements and determined that 800 feet of 8-inch pipe for two fire hydrants and a tap off the existing main would be needed. All projects like this must go thru engineering and be approved by TDEC which has been completed. He is ready to advertise and get bids for the project. A motion was made by Ald. Smith to allow UD Green to move forward with the bid process for the Rebecca Drive project, duly 2nd by Ald. Maness. Motion carried.

The next item on the agenda was to consider the purchase of five (5) fire hydrant assemblies to be used to replace damaged hydrants. UD Green stated that there are a lot of hydrants that are hard to operate and getting enough age on them that parts are becoming hard to get. They are testing hydrants now and would like to get a supply on hand. The cost is going to be approximately \$13,000 for five (5) hydrants. A motion was made by Ald. Smith to allow UD Green to purchase the hydrants, duly 2nd by Ald. Maness. Motion carried.

The next item on the agenda was to consider approving the necessary expense related to the conversion of the wastewater treatment at the lagoons to peracetic acid. UD Green stated that the disinfecting process now is to use chlorine bleach and then use a de-chlorination process. To change to peracetic acid disinfectant, the state (Department of Environmental Conservation) will require a pilot study. There are other utility departments using peracetic acid and they would lease us the equipment to complete the study. His goal is to get this implemented as quickly as possible as there is a cost savings on the chemicals. A motion was made by Ald. Butler to move forward with the project, duly 2nd by Ald. Maness. Motion carried.

Any other Business:

1. Consider allowing departments to order/purchase equipment included in the ARP Budget.

Mayor King stated that last month, they allowed the Police Department to order two vehicles. Recorder Garland stated that the Fire Department has turn-out gear and five (5) SCBAs, the UT/PW Department have an air compressor between them, and a utility vehicle for the City Park. A motion was made by Ald. Barber to allow the department heads to move forward with the purchases if within budget, duly 2nd by Ald. Phelps. Motion carried.

UD Green wanted to let the board know that there was a contractor who was installing fiberoptic for a telecommunication company that hit a service line and put a significant hole in it causing a gas leak. This was not reported and when his team dug it up, it was wrapped in tape. This could have turned into a deadly situation and he would like to pursue it as such

PWD Scales stated that they will be milling Braden and Bolton Streets. They will be paving Norchester and from Simmons over to 100 and Wilson School Road and doing overlays on Simmons.

Recorder Garland stated that he gave each member a copy of a letter that was addressed to the mayor and board of alderman from the comptroller stating that the 2023-2024 budget had been approved.

Ald. Phelps stated that he was very proud of the board and of the leaders of the city and hopes to continue serving with them in the future.

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Ald. Smith stated that he saw on the final utility budget report a slight profit in the sewer line item and wanted to know if it would stand. Recorder Garland stated that it would change due to adjustments from the state and comptroller.

Mayor King stated that they would be doing a punch list with the contractor tomorrow and the renovation project is close to being closed.

Ms. Sheila Eckert stated that it was a privilege for her to be able to sit in on the meetings and commended the board for mutual respect.

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

APPROVED: _____
Signed: Robert W. King
MAYOR

ATTEST: _____, CITY RECORDER
Signed: Jim E. Garland