

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

April 14, 2022

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, April 14, 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, Buel Maness, Michael Phelps (arrived late), Jason Rhodes and Keith Smith.

Absent: Donna R. Butler

Also present at the meeting were: City Recorder Jim E. Garland, City Attorney Jerry Spore, Police Captain Ron Stewart, 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 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. A motion was made by Ald. Barber to accept the minutes as presented, duly 2nd by Ald. Rhodes. Motion carried.

Ald. Michael Phelps arrived.

The accumulated accounts were presented for informational purposes. There being no questions on the accounts, the meeting continued.

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

Mayor King stated that the Library Board has requested that the city appoint a board member to serve a term on their board. Ald. Butler has served two terms and the bylaws state she has to rotate off for one term. He is asking for a volunteer by the May meeting to serve at least one term.

Mr. Marles Flowers addressed the board requesting a donation for the Juneteenth Celebration. Mr. Flowers stated that he is coming to the board as a representative of the Juneteenth Festival Committee and he explained that the festival is set for June 17-19, 2022. He explained the meaning of Juneteenth describing it as Jubilee Day/Emancipation Day/Freedom Day and Black Independence Day. This is a Federal Holiday commemorating the end of slavery by marking the day enslaved people in Texas were freed. He is asking the city to donate \$5,000 to assist in the production of the events for the three days. Mayor King asked to wait to make a decision until the May meeting to give the board time to review the end-of-year budget balances.

Mr. Danny Mitchell addressed the board stating that he had asked for gas service to his house on Garland Road last year. He stated that UD Green sent someone out to look at it. Mr. Mitchell stated that he wants it to run down the driveway and that he would trench it and lay conduit so they only had to lay the pipe. The city wants to bore it at a cost to him of \$1,900, running thru the woods on property that he owns but is a separate lot. He stated that he did not see the problem with it running down his driveway.

UD Green stated that typically they do not run down a driveway due to issues that have come up. He stated that he would get with Asst UD Russell to review any available options. After further discussion, UD Green stated that they would review options and discuss with Mr. Mitchell, and report back to the board.

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

The first item on the agenda was to consider action on an ordinance amending the Municipal Zoning Ordinance to rezone 504 Fourth Street (Tender Loving Daycare) from R-2 Residential to I-Institutional.

1. Hold a Public Hearing on the proposed change.
2. Consider the passage of the Ordinance.

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

Mr. and Mrs. Flowers from Tender Loving Child Care stated that the daycare has been in existence since 1994 and has never been properly zoned. They have petitioned the board to get it zoned properly. As there were no more comments from the public, Mayor King closed the public hearing and turned the discussion over to the board.

Building Official Beshires stated that Mrs. Flowers had met with him in February to discuss some plans she was wanting to do at this location. The planning commission reviewed the rezoning request in their March meeting and decided to give a positive recommendation for the rezoning. After further discussion, a motion was made by Ald. Smith 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. Barber. Upon a roll call vote, the following was cast on the first reading:

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

Absent and not voting: Donna R. Butler

Noes: None.

The second reading will take place at the May meeting.

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 grant is for partially grading land at the end of Porter Way that started at 30 acres but somewhere along the way got cut to 20 acres to be only partially graded. The budget was set at \$475,866 and due to increasing costs, the low bid was \$712,000 a difference of \$236,134. The first response is to reject the bids and relook at the project and see how costs can be cut. After further discussion, a motion was made by Ald. Barber to reject the bids received on this project, reduce the project and rebid, duly 2nd by Ald. Smith. Motion carried.

The next item on the agenda was to discuss and consider approval of the Matching Retirement Rate for the 2022-2023 Budget Year. Recorder Garland stated that the rate decreased considerably for the first time in 20 years. The minimum rate for 2022-2023 is 7.01% as shown on F-1 in the packet. Recorder Garland asked for approval on setting the rate at 10% which is 6% less than the current rate. A motion was made by Ald. Smith to approve the recommended rate of 10% as presented, duly 2nd by Ald. Rhodes. Motion carried.

The next item on the agenda was to consider approval of an Audit Contract for the year ending June 30, 2022, with ATA. Recorder Garland stated that each year we have to sign an audit contract for the annual audit. Normally we work with ATA and he has included the fee schedule in the packet. The base rate is increasing by 2.85%. He is expecting a required single audit due to ARP money, which would be an additional fee of \$3,750. A motion was made by Ald. Barber to use ATA for the audit for the year ending June 30, 2022, duly 2nd by Ald. Phelps. Motion carried.

The next item on the agenda was to approve the replacement of the Splash Pad surface at the City Park. Mayor King stated that this had been discussed in the previous budget meeting. Recorder Garland stated that the \$24,275 would come from the undesignated capital fund. A motion was made by Ald. Barber to approve the invoice for AquaSeal Resurfacing, LLC for \$24,475, duly 2nd by Ald. Rhodes. Motion carried.

The next item on the agenda was to review and consider the adoption of a Resolution approving acceptance of the DRA Water Line Grant, approving the local match funds, and approving that the mayor is authorized to sign all necessary documents. Recorder Garland stated that we had passed the resolution to apply for the grant but that another resolution is required to ask for the grant. After further discussion, a motion was made by Ald. Smith to approve the resolution for the acceptance of the DRA Water Line Grant and authorize Mayor King to sign documents, duly 2nd by Ald. Phelps. Upon a roll call vote, the following was cast:

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

Noes: None.

Absent and not voting: Donna R. Butler

Mayor King declared Resolution # 2022-002, as adopted.

The next item on the agenda was to consider approval of the installation of Three-Phase Electric Power to the Fourth Street Sewer Pumping Station site. The amount being charged to the city by Southwest Electric is approximately \$10,500. UD Green stated currently the Fourth street pumping station is a single-phase pump station. Southwest Electric's cost is estimated to be \$35,000 and they will 'eat' all but a third of the amount. A motion was made by Ald. Smith to approve the project as presented, duly 2nd by Ald. Maness. Motion carried.

The next item on the agenda was to discuss the purchase of an Equipment Trailer for the Utility Department. UD Green stated this trailer was in the actual budget this year. He had talked to two vendors with statewide contracts. A vendor in Lebanon, TN may have one available and a vendor in Knoxville stated that it could be 12-14 months from now before they would have one and it was not guaranteed. This trailer will be primarily used to haul the

Minutes – April 14, 2022 (Cont'd)

backhoe, skid steer, and other pieces of equipment. A motion was made by Ald. Barber to authorize the purchase as presented, duly 2nd by Ald. Rhodes. Motion carried.

Any other business:

Recorder Garland stated that the following dates were available for the next budget meetings: April 21st, April 26th, or April 28th. It was agreed that April 28th at 6:00 pm would be the next budget meeting.

Mayor King stated that the utility department would like to sell a trencher that is not being used. UD Green stated that they have a trencher that has been used one time since he has been employed that they would like to get rid of. Recorder Garland stated there were 2 (two) trenchers and a Mack garbage truck that needed to be sold. After further discussion, a motion was made by Ald. Maness to authorize the mayor to approve the selling of surplus equipment going forward with the recommendation of the department head (to email the board of what is selling), duly 2nd by Ald. Barber. Motion carried.

UD Green reminded the board of the scorecard for ARP money. He is looking at priorities of items to be replaced in 5-10 years aligning our needs with TDEC's scorecard.

Fire Chief Lipford stated that the new generator was installed and working.

PW Scales stated that Wade Electric is aware of the red-light issues at White Ave and Mifflin Ave and they would be here in the morning to fix them. He added that he had talked to his contact at Ford Paving and that we are still on the list.

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

Signed: Robert W. King

APPROVED: _____
MAYOR

Signed: Jim E. Garland

ATTEST: _____, CITY RECORDER