

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

APRIL 14, 2016

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, April 14, 2016 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. Recorder Garland called the roll with the following being present:

Aldermen: Mark A. Barber, Donna R. Butler, Johny R. Farris, Buel Maness,
Michael Phelps and Keith Smith

Absent: None.

There also present at the meeting were: Attorney Teresa Luna, City Recorder Jim E. Garland, Assistant Police Chief Leon Johnson, Public Works Director Carter Scales, Assistant Fire Chief Greg Lipford, Building Official Brent Beshires and Utility Director Darryl Green.

Mayor King called the meeting to order at the appointed time. Alderman Buel Maness gave the invocation and Alderman Keith 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. With no corrections to the minutes, motion was made by Ald. Smith, duly 2nd by Ald. Barber to approve the minutes as presented. Motion carried.

The accumulated accounts were presented for informational purposes. Ald. Smith questioned the payment on the aerial fire truck. Recorder Garland explained that the semi-annual payment was for the debt service payment to USDA for the loan taken out to purchase the aerial fire truck. Ald. Butler discussed the payment for the elevator repair and noted that the elevator seemed to be operating slower than normal. Recorder Garland stated that the elevator is slower but the repair company guaranteed the elevator to be safe. Ald. Butler also questioned some street signs purchases. PWD Scales explained that these were some new signs for downtown and also some replacement signs. Ald. Butler also questioned the purchase of beaver traps. Sewer Operator Tonya Patterson stated that they had removed six beaver dams around the north lagoon and that an employee was attempting to trap the beavers to resolve the problem. There being no other questions on the accounts, the meeting continued.

Mayor King asked if anyone wished to address the board.

Ms. Margaret Hooper of 501 Anderson Circle addressed the board about an issue in the neighborhood about a dilapidated dwelling at 500 Anderson Circle. The house is in a state of disrepair, an open front shed that is full of items has collapsed and there is an old travel trailer at the site. The house is now vacant since the owner rented and moved to the house next door. The situation is bringing the property values down. She understands that the owner was issued a citation

to appear in city court pertaining to the situation. Ms. Hooper states that the owners have a dog they keep in the house and only go over there to feed and water the dog but the dog is never out of the house. Ms. Hooper presented a petition asking for the city resolve this matter containing seventeen names. Ms. Hooper feels the house needs to be condemned and demolished.

Building Official Brent Beshires agreed with Ms. Hooper concerning the situation of the structure/property. He explained that multiple letters have been sent to this owner, many were for mowing but the last one in November 2015 included accumulation of trash, etc. He also said a citation was issued for them to appear in City Court on April 20th. The possibility of the city staff being able to enter the home for an inspection was discussed. This matter was discussed in great detail and while the board wanted to give City Court the time to act on the pending multiple charges for “Violation of City Ordinance”, they assured Ms. Hooper that the city would move forward on any action the city could take to rectify the situation.

Mrs. Emily Johnson, Director of the Henderson/Chester County Chamber of Commerce addressed the board about a grant opportunity through the Economic and Community Development for Tourism. The grant is available to Cities and Counties for up to \$50,000 with a 70% grant, 30% local match. Mrs. Johnson was asking for the city to fund the local share of a \$7,500 grant (local \$2,250) to install “way finding” signage around town. The signs would direct visitors to public facilities and would not contain any private businesses. Ms. Johnson provided some examples of the signage and stated the proposed locations of the signs. The grant awards will be made on June 1st. After due discussion, motion was made by Ald. Smith, duly 2nd by Ald. Farris to apply for this ECD Tourism Grant. Motion carried.

Mayor King mentioned the statistics he recently received that reflected a large increase in hits on our city website. This shows increased interest in our community. Mayor King stated that the city and the chamber had partnered by hiring the Bramblett Group to promote Henderson as a Gig City. Mrs. Johnson also advised the board of the recent attention Henderson and Chester County is receiving from Economic Development. The Director of ECD mentioned at the USDA Conference that Henderson was a “Rural Renaissance” and the videographers were coming to town to film Henderson for the opening of the Governor’s Conference in the fall. Mrs. Johnson also mentioned the article in “Broadband” Magazine. She stated that things are happening due to years of work between the city, county and chamber and she thanked the city for their ongoing support.

A resolution approving the submittal of a Local Parks and Recreation Fund (LPRF) Grant for walking trail lighting at the Gene Record Memorial Park was presented for consideration. The total amount of the proposed project was \$300,000 with the local match being 50% or \$150,000. Recorder Garland explained that the Park Advisory Board had met for three public hearings and did an online survey to determine the project. The overwhelming most recommended project was to light the walking trail. The city met with A2H Engineering and received an estimate on the project. Ald. Barber, a member of the Park Advisory Board went into more detail on the project selection process. Ald. Smith stated he had attended some of the public hearings and he supported the project but his only concern was the lack of flexibility of cutting the project back if the project cost runs over. If the city asks for a certain number of lights, then they must install them even if the project runs over budget. Recorder Garland stated that it was stressed to A2H Engineering that the city could not afford to go over budget. The city rather be under budget and leave some funds unclaimed than to risk going over and having to fund 100% of the overrun. The engineers took this into account when figuring their estimated construction cost. The resolution to approve the grant application was presented as follows:

RESOLUTION NO: 2016-003

**RESOLUTION AUTHORIZING
THE SUBMISSION OF A
LOCAL PARKS AND RECREATIONS GRANT (LPRF)
APPLICATION FOR
THE CITY OF HENDERSON, TENNESSEE**

WHEREAS, the Board of Mayor and Alderman of the City of Henderson, Tennessee have committed to assist in preserving, developing and assuring accessibility to all citizens of the City of present and future generations quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation; and,

WHEREAS, said public officials have determined a Local Parks and Recreation Fund (LPRF) grant application should be submitted to the State of Tennessee, Department of Environment and Conservation, Recreation Educational Services Division (RES) for park renovations that consist of the installation of a recreational trail lighting at Gene Record Memorial Park, and;

WHEREAS, the City of Henderson in submitting an LPRF grant application in the amount of \$ 150,000.00, agrees to provide 50% of the total project costs. Total project costs equal \$ 300,000.00; and,

WHEREAS, the matching funds for this project equal to \$150,000.00 will be provided by the City of Henderson's general fund.

NOW, THEREFORE BE IT RESOLVED BY the Board of Mayor and Alderman of the City of Henderson, meeting this the 14th day of April 2016, that the Mayor of Henderson, is hereby authorized to make and sign an application for the Local Parks and Recreation Fund (LPRF) and enter into any and all necessary agreements and assurances to consummate the application.

READ, ADOPTED, AND APPROVED IN OPEN PUBLIC MEETING THIS 14th DAY OF APRIL, 2016.

After due discussion, motion was made by Ald. Farris, duly 2nd by Ald. Smith to adopt Resolution No. 2016-003 as presented and apply for the LPRF Grant. Upon a roll call vote, the following was cast:

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

Noes: None.

Therefore Mayor King declared Resolution No. 2016-003 duly adopted and the application approved.

Bids were received on the installation of a water main bore under US Hwy 45 North in Magic Valley. UD Darryl Green explained the need for the project stating the bore would require a 20" casing pipe for a 12" water main, fire hydrant and a stub out in each direction (north and south). As discussed for several years there has been a lack of fire hydrants on the west side of Hwy 45. The bids are as follows:

1. R. Jones Underground ----- \$ 72,417.80
2. C & S Construction ----- \$ 72,640.00
3. Ronald Franks Construction ----- \$ 92,836.51

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The low bidder of R. Jones Underground was recommended by Jim Hilborn of GRW Engineering as well as UD Green. The city and UD Green had both worked with R. Jones on many jobs in the past. Motion was made by Ald. Farris, duly 2nd by Ald. Barber to approve the recommendation and accept the low bid of R. Jones Underground and to complete the project as soon as time allows. Motion carried.

Mayor King advised that he had met with FHU about improvements they plan on making to a parking lot just west of Cason Ave and north of Scott Hall. Currently Smith Street runs from Cason Ave to S. Washington Ave. Mayor King recommended allowing FHU to close Smith Street where it hits their parking lot. This would prevent university students from overflowing out of this parking lot into the city parking lot. It would also allow FHU to gain more parking spaces in their improved lot. A map of the proposed lot was presented to the members of the board. As part of this project, FHU was going to curb up Cason thus allowing the city to repave without milling the street down. Ald. Smith recommended that a sidewalk be installed on this section of Cason Ave which is not shown on the map. He suggested the city be willing to pour the sidewalk to improve safety. Mayor King was to get with FHU to discuss the sidewalk in more detail.

Motion was made by Ald. Farris, duly 2nd by Ald. Butler to approve closing Smith Street at where it joins FHU and to allow Mayor King to work out the details with FHU. Motion carried.

A budget meeting was set for Monday, April 25th at 6:00 PM for the preliminary discussion of the city general budget.

Ald. Farris advised the board that Chester County native Roger A. Page would be sworn in by Governor Bill Haslam as a member of the Tennessee Supreme Court in Mifflin on the 25th at 2:00 PM. The public is invited to attend the ceremony.

Mayor King had been contacted by NEO Products President Tom Frye asking if the city would consider lowering the lease payment on the city owned building at 60 Record Drive. Currently their operation there had ceased and would not resume until August. The board did not feel that NEO's shutdown should affect the terms of the lease. No motion was made to change the lease amount.

Mayor King stated he had been contacted by Southwest Electric pertaining to the road that goes beside the water plant and on down to Mill Street. Southwest deeds call for ownership of this area as being part of the property purchased from the railroad in approximately 1982. They were wishing to close the street, install a fence and use the area for a yard to store their poles and equipment. This property also contains the railroad spur that was used for many years. The road has been open for over 50 years and has been paved by the city on more than one occasion through the years. This matter was discussed by the board. The attorney spoke stating that the city does have a prescriptive easement for the road and can prevent Southwest from closing it. After due discussion, motion was made by Ald. Farris, duly 2nd by Ald. Butler to not allow Southwest Electric to close the street. Motion carried.

Mayor King advised the board that Amber Green with CC Solid Waste was applying for a grant for 96 gallon blue recycling cans along with McNairy County. The city would receive up to 1,000 containers. If we accept these cans, the city would have to install a can tipper on one of our garbage trucks to dump these containers. The city would then not offer the blue bags thus saving money. The deadline for the grant application was tomorrow. This was discussed by the board.

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Motion was made by Ald. Butler, duly 2nd by Ald. Barber to participate in the program and accept the recycle containers. Motion carried.

Recorder Garland addressed the board asking for guidance on the issue of backyard chickens. At the last meeting this matter was discussed but the board members wanted to think on it before making a decision. Recorder Garland just needed to know if they would like to recommend that he prepare an ordinance to allow backyard chickens or to not allow backyard chickens. After considerable discussion the consensus of the board members was to draft an ordinance to not allow backyard chickens in the city. Recorder Garland stated he would try to have the ordinance ready for the next meeting.

Mayor King advised the board that they needed to meet immediately after adjournment in an Executive Session downstairs with Attorney Luna on a pending legal matter.

PWD Scales advised the board he was planning on proceeding with the concrete drainage way behind city hall that had been planned some time ago. This overflow drain should keep the basement of city hall from flooding in the future. He also advised the board that the city had purchased a used 2004 bucket truck for \$47,000 and should have it within about two weeks. PWD Scales also made the board aware he was planning on completing some restriping of some of the streets in town.

UD Green advised the board that the sewer department was in the process of repairing a sewer main along White Ave. Jackson Energy Authority was assisting the city with equipment on the repair.

Assistant Police Chief Johnson advised the board that most of the impound cars had been sold and he wished to use the money to purchase some equipment. The equipment included entry shields, gas masks as well as other equipment. He stated he would cut his list down to the amount of funds received on the vehicles. Motion by Ald. Barber, duly 2nd by Ald. Phelps to allow the police department to order equipment up to the amount received on the impounded cars. Motion carried.

Ald. Barber asked about the Downtown Regulations as it pertained to signage. He mentioned the sandwich board from City Drug that gets placed over the shrubs in the bump out. He asked that they be informed that the sign needed to be moved to meet the regulations. Other signs were also discussed. Ald. Farris stated that the police department was going to have to step up and enforce the city ordinance. Brent cannot write citations. He stated that all departments have got to buy into the betterment of our town. Ald. Smith mentioned a couple of junk cars that need to be dealt with on a lot at the corner of Mifflin and Second. He also wanted to start an Operation Clean Sweep to allow city crews to pick up any and all junk and garbage a couple times a year.

Ald. Smith also wanted to congratulate Mayor King, Ald. Phelps, Ald. Farris, and Ald. Maness on their not having any competition for their positions in the fall election thereby effectively retaining their positions.

Ald. Farris advised that he had been hearing some rumblings coming out of the police department about some personnel changes that have been made. Of the four sergeants, one had

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been moved into an investigative position and one investigator had been moved back on a shift. Assistant Chief Johnson advised that they had made no changes in the department but did state they did assign a sergeant to investigate drugs. Ald. Farris stated that there appeared to be dissatisfaction in the ranks that needed to be addressed before the situation boils over.

The improvements needed to the firing range were discussed. The Police Department and the CC Sheriff's Department were planning to work together on the needed improvements. A budget would be discussed in the upcoming budget meetings.

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

Signed: Robert W. King

APPROVED: _____

MAYOR

ATTEST:

Signed: Jim E. Garland

CITY RECORDER