

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

AUGUST 11, 2016

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, August 11, 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 Michael Phelps led the Pledge to the Flag. The following proceedings were entered here-to-wit:

The minutes of the July regular meeting and the July beer board 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. Board members had several questions that pertained to the accounts and each was answered by Recorder Garland or the department head. After all questions on the accounts were sufficiently answered, the meeting continued.

Mayor King asked if anyone wished to address the board, there being none the meeting continued.

The first business item on the agenda was to discuss the engineering report on a possible water main extension for Proctor Road. UD Darryl Green explained that engineer Jim Hilborn of GRW Engineering had studied the situation and based on his calculations the city could serve the area without a pump station by increasing the pressure allowed through the pressure reducing valve (PRV) at Hwy 100 W. UD Green went on to explain that Mr. Hilborn's report included three cost estimates for the project and they are as follows:

1. From existing line on Proctor Road to Goodman Ranch (3,350 feet)-----\$ 53,000
2. From Wilson School to Goodman Ranch (6,500 feet) -----\$ 80,000
3. Complete both #1 and #2 above (Entire Loop) (9,850 feet) -----\$128,000

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Mayor King advised the board that Chester County Mayor Dwain Seaton was able to find a grant opportunity to fund this project. The grant would be through the Delta Regional Authority and would require only a 10% local match and the application deadline is in two weeks. The grant was discussed in depth by the board. The city would be the entity to apply for the grant since the city would be providing the local match. Mayor King recommended applying for enough funds to complete the entire Proctor Road loop. The Southwest Tennessee Development District would be preparing the application and administering the grant.

After due discussion, motion was made by Ald. Farris, duly 2nd by Ald. Maness to pass a proposed Resolution 2016-007 which reads:

RESOLUTION 2016-007
THE CITY OF HENDERSON, TENNESSEE

WHEREAS, the Delta Regional Authority in an effort to assist local governments in meeting the economic and community development needs consistent with the objectives as set forth in the public law: and,

WHEREAS, the City of Henderson, Tennessee acting by and through the Board of Mayor and Alderman proposes to apply for a FY 2016 Delta Regional Authority Grant for funding with the purpose of performing eligible basic infrastructure activities: and,

WHEREAS, under the terms and provisions of the City of Henderson, Tennessee as a recipient is required to designate and appoint a Financial Officer to perform certain duties in the administration of the said grant.

***NOW, THEREFORE, BE IT RESOLVED** by the Board of Mayor and Alderman of Henderson, Tennessee, as follows:*

THAT, Robert W. King, Mayor, is hereby authorized to execute and submit an application with the appropriate assurances to the Delta Regional Authority requesting a Fiscal Year 2016 Delta Regional Authority Grant; and,

THAT, the City of Henderson will be responsible for \$13,315 to be provided for the project from the general water fund; and,

THAT, Jim E. Garland, City Recorder/CMFO, be and is hereby designated and appointed as Financial Officer under the terms and pursuant to the Tennessee Code Annotated, as amended, and to perform on behalf of the City of Henderson, Tennessee, those acts and assume such duties as are consistent with the said position.

Upon a roll call vote the following was cast:

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

Noes: None.

Therefore Mayor King declared the Resolution 2016-007 duly adopted and the DRA Grant application approved.

The Drought Management Plan for the Water Department was presented for consideration. The city is required to adopt a plan due to state regulations. UD Green stated the issues discussed last month concerning the “Fines” were resolved by replacing the word “Fines” with the word “Surcharge”. The plan had been approved by TDEC in its current form. After due discussion, motion was made by Ald. Farris, duly 2nd by Ald. Smith to approve the Drought Management Plan as presented. Mayor King asked for a roll call vote and the following was cast:

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

Noes: None.

Therefore Mayor King declared the Drought Management Plan approved.

Recorder Garland explained that the police department had used drug fund monies to make underage beer buys recently. The funds used needed to be replaced in the drug fund. Motion was made by Ald. Barber, duly 2nd by Ald. Butler to transfer \$150 to the drug fund from the general fund. Motion carried.

Applications for the position of Police Chief had been coming in and after reviewing several of the applications, Mayor King and Recorder Garland felt that the board needed to decide what the salary range would be. This may eliminate some applicants that are expecting a higher salary than the city can afford to pay. This will save both the applicant and the city time and effort during the interview process. This was discussed in great depth. The current range is \$53,839 to \$58,233 annually. Ald. Phelps spoke stating how important this position is in the current situation in our country. He recommended the top pay being \$65,000. Ald. Farris agreed with Ald. Phelps concerning the top pay but wanted to leave the low salary where it currently is. Copies of the pay scales of the city management were passed out to the board members for review. Ald. Butler asked that if we make this change, is the city going to amend all the other positions also. The practice of having the salary of the Police Chief, Fire Chief and the Public Works Director locked together was discussed. Several of the board members felt that it was time to unlock these and to look at each one separately. Recorder Garland reminded the board that this action tonight would in no way change the current pay scales. The salary of a new police chief would not be set until the position was filled by them and then they could discuss if any other changes would be needed.

After considerable discussion, motion was made by Ald. Farris, duly 2nd by Ald. Barber to set the pay scale for police chief between \$53,839 and \$65,000. Motion carried. Recorder Garland was asked to communicate this pay range to all the applicants to determine if they were still interested in the position.

Ald. Smith recommended that the city check into the possibility of making the City Cemetery a "Historic Site" which might make certain grant funds available for preservation. Recorder Garland stated he would research this matter and report back to the board.

Ald. Farris asked PWD Scales about what streets were going to be paved this budget year. PWD Scales stated that he planned on paving S. Cason, patching N. Cason, a section of Old Montezuma around Dusty Lane, a section of Kindra, Third Street from White to Barham and a section of Galbraith from Third to Bluebell. Ald. Farris asked if he had a copy of when all the streets were paved in the past. PWD Scales stated that he did keep a list of the paving completed. Ald. Farris wished to review this information.

Ald. Farris also asked that all city employees, PW, PD and UD to assist in removing all yard sales signs, etc. and pickup up trash to make our town look more presentable. He mentioned some old ribbons that had been on the overhead bridge light poles that had been there for several years. He recently removed these himself.

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Mayor King advised the board that they approved putting GPS Trackers on all remaining vehicles. Unless they want to postpone this project, he would proceed in having this completed. The board members were ready to have this take place.

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

Signed: Robert W. King

APPROVED: _____

MAYOR

ATTEST:

Signed: Jim E. Garland

CITY RECORDER

MINUTES
OF THE
HENDERSON BEER BOARD

AUGUST 11, 2016

The Beer Board of the City of Henderson, Tennessee met in session on Thursday, August 11, 2016 at 7:00 P.M. in the Council Chamber of the City of Henderson City Hall. Present and presiding was Chairman Robert W. (Bobby) King and the following:

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

Absent: None.

There also present were: Attorney Teresa Luna, City Recorder Jim E. Garland and Assistant Police Chief Leon Johnson.

Three permit holders had been summoned to appear before the beer board because they had employees that sold beer to a minor. The following notice was run in the "Chester County Independent" newspaper and notices were mailed to the permit holders by Certified Mail, Return Receipt Requested.

PUBLIC NOTICE

"Notice of Show Cause Hearing"

The City of Henderson Beer Board will hold a "Show Cause" Hearing on Thursday, August 11, 2016 at 7:00 P.M. (immediately following the city board meeting) in the Council Chamber of the Henderson City Hall at 121 Crook Ave.

The following Permit Holder/Business(s) are accused of having an employee(s) that sold Alcoholic Beverages to a Minor(s):

Tammam Naji Alnajjar DBA: Family Market
Permit #80 245 W Main Street

Zippy's, LLC % George Walker
Permit #86 3825 US Hwy 45 North

Robert and Samantha Allen DBA: Oden's Marathon
Permit #87 375 N. Church Ave.

The permit holders should attend and answer charges against them and should show cause why their permits should not be suspended or revoked.

Under regulations of Tennessee Code Annotated and the Henderson Beer Ordinance, Section 8-213, the beer board may offer to the permit holders the option of paying a civil penalty of up to \$1,500.00 for each offense instead of the suspension or revocation of the permit. All interested parties are invited to attend this public hearing.

Henderson Beer Board

Beer Board Minutes – August 11, 2016 (Cont'd)

Officer Jerry Stansell advised the board that on July 15th, that he and CC Sheriff Deputy Steve Davidson performed an operation using an informant under the age of 21 to attempt to purchase beer at all stores located in the city and county. He explained the process he uses in these operations in detail. This operation resulted in the violations occurring at the three locations listed above in the city. The clerks were charged and either pled or were found guilty in General Sessions Court of selling beer to an underage individual.

Mr. Tammam Naji Alnajjar was present representing the Family Market. The Family Market had been cited for this before but it had been over 12 months ago and to be considered a second offense under the code, the violation must be within 12 months. After due discussion and due to the fact that the board had always charged offenders the same penalty, motion was made by Ald. Farris, duly 2nd by Ald. Butler to give Mr. Alnajjar the option of paying a \$1,500 civil penalty or receive a 30 day permit suspension. Motion carried. Mr. Alnajjar chose the civil penalty.

Mrs. Gennie Walker was present representing Zippy's LLC. In staying with the standard policy of the board in the past, motion was made by Ald. Farris, duly 2nd by Ald. Barber to give Mrs. Walker the option of paying a \$1,500 civil penalty or receive a 30 day permit suspension. Motion carried. Mrs. Walker chose the civil penalty.

Mr. Robert Allen was present representing Oden's Marathon. In staying with the standard policy of the board in the past, motion was made by Ald. Butler, duly 2nd by Ald. Maness to give Mr. Allen the option of paying a \$1,500 civil penalty or receive a 30 day permit suspension. Motion carried. Mr. Allen chose the civil penalty.

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

Signed: Robert W. King
APPROVED: _____
CHAIRMAN

ATTEST: _____
Signed: Jim E. Garland
CITY RECORDER