

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN
OCTOBER 13, 2016

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, October 13, 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. City Recorder Jim E. 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: City Attorney Jerry Spore, City Recorder Jim E. Garland, Assistant Police Chief Leon Johnson, Public Works Director Carter Scales, Fire Chief Glenn Bryan, Building Official Brent Beshires and Utility Director Darryl Green.

Mayor King called the meeting to order at the appointed time. Alderman Mark Barber gave the invocation and Alderman Buel Maness led the Pledge to the Flag. The following proceedings were entered here-to-wit:

The minutes of the September regular meeting were presented for approval. Ald. Smith mentioned a correction needed on Page 1, the last sentence in which the word “book” should be “books”. With no other corrections to the minutes, motion was made by Ald. Barber, duly 2nd by Ald. Maness to approve the minutes as corrected. Motion carried.

The accumulated accounts were presented for informational purposes. Ald. Smith questioned the credit card payment on Recorder Garland’s account. The explanation only listed “Maintenance, Supplies and Training”. Recorder Garland explained that the largest portion of the bill (about \$3,500) was for a replacement ejection cylinder for a sanitation truck. The city did not have a charge account with the company and the fastest way to get the cylinder shipped was to prepay for it with a credit card. Ald. Butler questioned the payment to Martin Paving for paving of streets in the amount of \$72,465.64. She asked how much more paving would be completed in the current year budget. PWD Scales explained this was the majority of the paving planned during the budget year and he had no other paving projects planned at this time. Recorder Garland stated that any balance of funds left for paving could be reevaluated in the spring and see if enough funds were available to complete any other projects. There being no other questions, the meeting continued.

Mayor King asked if anyone in the audience wished to address the board.

Mayor King advised the board and the audience that the city did receive the Delta Regional Authority (DRA) Grant for the water main extension on Proctor Road. The amount of the grant was \$138,000. There were only three DRA Grants awarded in the state.

A group of residents representing The Gleaner's House which is located at 121 N. Washington Ave was present at the meeting. Mr. Troy Kilzer Sr addressed the board as spokesman for the group pertaining to a couple of concerns they have. The first pertained to the buildings next door. The buildings are owned by Clayton Bank and Trust and are severely dilapidated. The large plate glass windows on the front of the buildings are barely hanging in their frames. They are concerned that if a child or an adult were to bump or push on the glass, it could fall out, break and cause a serious injury. Prior to the meeting, they had discussed this with Mr. Tate Gann of Clayton Bank who was present at the meeting and he ensured them that he would resolve this issue. Mr. Kilzer asked if the city had actually condemned the structures. Building and Zoning Official Brent Beshires stated that the city had requested that Clayton Bank address the buildings and either repair or demolish them but the city had not formally "condemned" them. The group as well as Mr. Gann was asking for a deadline on removing the buildings. This was discussed by the city board. Ald. Farris spoke passionately about this matter and stated that it was a shame that Mr. Clayton has allowed this dangerous eyesore to persist this long without rectifying the situation. Motion was made by Ald. Farris, duly 2nd by Ald. Butler to give Clayton Bank forty-five (45) days to begin demolition of the building. Motion carried.

Mr. Kilzer stated their other concern was about safety along the rear of the building on North Ave. Vehicles travel at an excessive speed and come over the hill at the Methodist Church and vehicles that are either turning into or backing out of the rear drive of the Gleaners House are in grave danger of being hit. He admitted that this issue is going to be difficult to address and he did not know the answer. Several items were considered to help improve the situation including reduced speed limits, warning lights and signage and rumble strips. No formal action was taken but the city would study possible options and report back a recommendation.

Mr. Xue Lin of 766 Mason Ave addressed the board pertaining to chickens and ducks. He had received a visit from a Police Officer informing him that he was in violation of a city ordinance by keeping chickens and ducks in his back yard. Mr. Lin stated that in his solid fenced back yard he has 3 ducks and 10 chickens. Chickens and ducks are considered good by Chinese culture and home raised chicken eggs are better for you than store bought ones. He stated that his poultry are never out of the rear yard. Building Official Beshires explained that Mr. Lin is located in an R-1 zone and poultry is not allowed in this zone by the Zoning Regulations. The regulations were discussed by the board and the board was unwilling to change the regulations at the current time. After considerable discussion, board members gave Mr. Lin 15 days to remove the animals from the city limits. Mr. Lin stated that he would conform and did not want to get a citation.

Ald. Farris spoke that the city police needed to deal with such ordinance violations and that they would be held accountable if they did not.

The next item to be considered was the passage of an Ordinance (#496) amending the Henderson Municipal Zoning Ordinance by Adopting Design Review Guidelines for the Downtown (B-2) Central Business District on the final reading. Mayor King opened the meeting for a public hearing on the proposed ordinance. Said public hearing was duly advertised in the "Chester County Independent" newspaper. This Ordinance finalizes and places the regulations in the Zoning Ordinance to give them legal standing. Building and Zoning Official Brent Beshires explained the regulations. There being no public comments, Mayor King closed the public hearing.

Motion was made by Ald. Farris, duly 2nd by Ald. Smith to pass the Ordinance on the second/final reading. Upon a roll call vote, 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 Ordinance #496 duly passed on the final reading and the Downtown Design Review Guidelines approved.

Recorder Garland advised the board that the issue of Health Insurance continues to become more difficult to deal with. He stated that he appreciated the board's approval last month to spend up to \$575 per employee per month for health insurance. Mr. Garland explained that beginning January 2016, the state began offering a new plan that is a High Deductible HSA Plan but due to late information the city did not push employees to this plan and the city did not make any donation to the HSA. This plan has become more popular statewide with cities and counties with many making donations to the HSA to help the employees with the higher deductibles. Recorder Garland asked the board to approve a donation of \$1,800 (\$450 quarterly) for any employee who wishes to participate in the High Deductible HSA Plan. The city would still be out no more than the \$575 per month for these employees counting their premium and the donation to the HSA. After due discussion, motion was made by Ald. Farris, duly 2nd Ald. Butler to donate \$450 quarterly to the HSA for those employees choosing this plan. Motion carried.

Recorder Garland advised the board that the city and county have ended up owning several properties due to delinquent tax sales. Even though these properties were sold for delinquent taxes, one or more years of taxes may have become due on them before the property actually transferred to the city/county name and therefore becoming tax exempt. He asked the board to approve authorizing him to delete all property taxes on these properties that are currently owned or will be owned in the future. This prevents these taxes being turned over for collection in Chancery Court and costing the city additional money in court and attorney fees. Motion was made by Ald. Butler, duly 2nd by Ald. Maness to authorize Recorder Garland to delete these taxes as outlined above. Motion carried.

Fire Chief Glenn Bryan advised the board that the 1977 Ford Truck did not sell on GovDeals for the Reserve Amount. Chief Bryan stated that Henderson County Fire Department was willing to purchase the truck for \$1,500 which was the reserve amount. Motion was made by Ald. Farris, duly 2nd by Ald. Barber to sell the truck to Henderson Co. FD for \$1,500. Motion carried.

PWD Carter Scales advised the board of an issue with one of the solar powered flashing lights at S. Mifflin and Mill. It had to be removed for repairs or replacement. He also advised the board that the department had purchased a used pavement roller which was in the current year's budget.

UD Darryl Green advised the board that he had spoken with some of the residents of Proctor Road and he let them know that the city received the grant on the water main. He would proceed with the project as soon as the grant would allow.

Mayor King advised the board that during the major fire at the County Recycling Center on Talley Store Road, our fire department staff responded professionally and performed well during

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this difficult event. He wanted to make sure the staff was advised of the city's appreciation of their efforts.

City Attorney Jerry Spore advised the board that SWHRA was using the City Industrial Development Board (IDB) to issue \$1.3 Million in bonds to pay off the city for the loan on their administration building on White Ave as well as debt on their food preparation facility on West Main. First Tennessee Bank will be providing the funds. There will not be a need for any PILOT due to the fact they are already a tax exempt entity.

Ald. Smith also commended the fire department. He also asked about the roof project on the building at 60 Record Drive. Recorder Garland stated that they were still trying to get a quote on replacing the metal roofing vs. laying membrane material over the existing roofing where the city could determine which route would be the best take. Bids would have to be taken for this project.

Ald. Farris stated that he was on site of the fire and the fire department did an outstanding job. He wanted to explore the possibility of the City Fire Department being the first responders to this facility in the future.

Mayor King advised the board that the city did receive a \$500,000 CDBG grant for Housing Rehab but it will only be applied to a target area on N. Franklin Ave. There were approximately 12 homes in the target area.

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

Signed: Robert W. King

APPROVED: _____

MAYOR

ATTEST:

Signed: Jim E. Garland

CITY RECORDER