

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN
DECEMBER 8, 2016

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, December 8, 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,
and Keith Smith
Absent: Michael Phelps.

There also present at the meeting were: City Attorney Jerry Spore, City Recorder Jim E. Garland, Police Chief Wilton Cleveland, 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 Keith Smith gave the invocation and Alderman Johny Farris led the Pledge to the Flag. The following proceedings were entered here-to-wit:

The minutes of the November regular meeting were presented for approval. Recorder Garland advised of a typographical error on page 2 where "his" should be "this". There being no other corrections to the minutes, motion was made by Ald. Smith, duly 2nd by Ald. Barber to approve the minutes as corrected. Motion carried.

The accumulated accounts were presented for informational purposes. Recorder Garland advised the board of two errors on the accounts. The first being #44 (Fuelman) had no amount. This is a monthly amount paid for fuel for all departments that is approximately \$3,800. The second error was #55 (Mid-South Equipment) which had an incorrect amount. The correct amount is \$148.39. Ald. Butler questioned the payment #58 (Neel Schaffer) asking if that was a final payment. Recorder Garland explained that this was an ongoing project and the payment was a partial payment for their services. She also asked about two expenditures for repairs on leaf equipment. PWD Scales explained this was for repairs needed to keep the machines running. Ald. Smith mentioned that the city finalized the purchase of a trencher from Lexington Utilities. UD Green explained the purchase and described the machine. The trencher only had 49 hours on it. There being no other questions, the meeting continued.

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

Mr. Robert Holmes addressed the board wishing to thank UD Darryl Green and the employees of the Utility Department for their hard work in repairing the water service at the Henderson Plaza on East Main Street. The service line between the main and the meter set failed and was leaking somewhere under the street. The department excavated on each side of the

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roadway and had a new service line bored under the street. Mr. Holmes also thanked the Fire Department for installing smoke detectors in his rental properties.

Mr. Holmes also asked that the board look at a possible improvement to the end of North Ave where it intersects with White Ave. The outdated design allows some dangerous situations with the traffic. He explained his issues in detail and made suggestions for improvements.

There being no other delegations to speak to the board, the meeting continued.

Mr. Mike Hewitt of Alexander, Thompson and Arnold was present at the meeting to discuss the results of the annual audit for the year ending June 30, 2016. The staff and board members had been presented a copy of the audit prior to the meeting thus having a chance to review the document. Mr. Hewitt stated that instead of flipping through 90 pages of an audit, he had prepared a short presentation summarizing the report. He went through the presentation explaining the reasons for having an audit. He stated that the audit did not have any "Audit Findings". Mr. Hewitt explained the highlights of the audit in his presentation. He made note that the city had a decrease in General Fund Balance for two years in a row which is something the city needed to watch to make sure it did not continue.

The budget year revenue and expenditures had the following effects on the governmental fund balances:

FUND	Increase (Decrease)	Ending Balance
General Fund -----	(\$143,784)	\$1,794,327
Drug Fund -----	(\$ 8,835)	\$ 61,478
State Street Aid -----	\$ 84,198	\$ 174,639
Sanitation Fund -----	(\$ 52,125)	\$ 197,095
General Debt Service Fund -----	(\$ 59,837)	\$ 88,621

The Utility Department posted the following net income (loss) for the year.

Water Department -----	\$174,807
Sewer Department -----	\$ 20,751
Gas Department -----	\$319,792

Mr. Hewitt commended Recorder Garland and the entire city hall staff for their performance. There were no questions from the board and Mr. Hewitt was thanked for his service.

The next item on the agenda was to consider an ordinance amending Title 8, Chapter 1 of the Municipal Code to allow Package Liquor Stores under certain regulations. This is a result of the fact that Package Stores were approved at a Referendum during the November election. The city held a public meeting on November 29th to discuss this matter. The meeting was attended by members of the city board, Mayor King, Recorder Garland, Building and Zoning Official Brent Beshires, Police Chief Cleveland, City Attorney Jerry Spore, MTAS Consultant David Angerer as well as several members of the community. The items that the city could control were discussed and a draft ordinance was presented. With the suggestions made at that meeting, the draft ordinance was amended by Attorney Spore and Recorder Garland. Recorder Garland explained a few of the items that the ordinance would and would not restrict including: 1) 1,000 foot from a church, school, etc. 2) the number of stores is not limited, 3) 70% of the front between 3 and 8 feet is to be glass, and 4) no security bars. The ordinance would only be considered on the first reading tonight.

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After due discussion, motion was made by Ald. Butler, duly 2nd by Ald. Farris to pass the ordinance as presented on the first reading. Upon a roll call vote the following was cast:

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

Noes: None

Absent and Not Voting: Michael Phelps.

Therefore Mayor King declared the ordinance passed on the first reading and that the second/final reading would take place at the January meeting.

The next item to be considered was a related matter in considering an amendment to the Henderson Municipal Zoning Ordinance to allow Package Liquor Stores as a Use Permitted in a B-1 General Business and B-4 Highway Business Districts. Building and Zoning Official Beshires addressed the board concerning this matter explaining that currently Package Stores are not allowed in any district therefore this amendment needed to take place. The Henderson Planning Commission had reviewed and approved this amendment.

After due discussion, motion was made by Ald. Farris, duly 2nd by Ald. Smith to pass the ordinance amending the Uses Permitted in the B-1 and B-4 districts to allow for Package Liquor Stores on the first reading. Upon a roll call vote the following was cast:

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

Noes: None

Absent and Not Voting: Michael Phelps.

Therefore Mayor King declared the ordinance passed on the first reading. The required public hearing and the second/final reading would take place at the January meeting.

The next item on the agenda was to consider bids for installation of gas lines on a per unit price. UD Green explained that the bid notice had been advertised but due to some issues the bid date was extended and an addendum made to the bid documents. The bids are now due late next week. The bid would guarantee a contractor a minimum of \$50,000 of work but the total work may exceed \$100,000 based on the projects the city was planning. He asked for permission to allow Mayor King and him to award the contract. Motion was made by Farris, duly 2nd by Ald. Butler to allow Mayor King and UD Green to award the contract for gas extensions. Motion carried.

UD Green advised the board he needed to purchase an Odorant Tester to ensure an adequate amount of odorant is being disbursed into our natural gas lines. The cost of the tester is \$4,800. Motion was made by Ald. Farris, duly 2nd by Ald. Butler to approve the purchase. Motion carried.

Mayor King advised that there was final round of Energy Grants available. The city had not received any of these funds to date. The county is applying for funds to update the HVAC Unit at the Public Safety Building. The city was considering applying for a 50% grant to apply for the replacement of the HVAC units at City Hall. The current units are approximately 17 years old and are beginning to fail. This may be an option to replacing all the units at a lower cost. Mayor King would bring back more details at a later meeting.

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PWD Scales advised the board the Warning Siren on Premier Way needed repair and parts had been ordered. The siren currently will sound but will not rotate. He also advised that Terry Cone recently retired after 30 years of service and that Ricky Pickett was retiring due to health reasons.

Mayor King advised the board that the terms of Craig Casey on the Planning Commission, John L. Welch on the Board of Zoning Appeals and Milton Sewell on the Industrial Development Board were expiring at the end of the year. A detailed report of the membership on each of the boards was included in the member's packets. Mayor King recommended the reappointment of the three members above to another term on their respective boards. Motion was made by Ald. Butler, duly 2nd by Ald. Smith to approve Mayor's King's recommendation and reappoint Mr. Casey, Mr. Welch and Mr. Sewell. Motion carried.

UD Green updated the board on the Proctor Road project stating that the engineer was completing the design and they hoped to go to bid sometime in January. He also advised that the new permits for the wastewater lagoon had been approved. He also stated that he planned to have bids on a mini-excavator for consideration at the January meeting. This piece of equipment was included in the budget.

Ald. Smith asked about the process of SWHRA using the IDB to issue bonds and as part of that process pay off the note they have with the city on their facility. Attorney Spore stated the bonds closed and the city was paid off on November 30th. The IDB will hold title to the property until the bonds are paid off.

Mayor King reminded the board of the third SOAR Meeting on Monday, December 12th at 6:00 PM in the City Hall classroom.

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

Signed: Robert W. King

APPROVED: _____

MAYOR

ATTEST:

Signed: Jim E Garland

CITY RECORDER