

MINUTES  
OF THE  
BOARD OF MAYOR AND ALDERMEN  
MAY 14, 2009  
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The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, May 14, 2009 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 and the following:

Aldermen: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner,  
Buel Maness, Michael Phelps and Keith Smith.  
Absent: None

There also present were: City Attorney Jerry Spore, City Recorder Jim E. Garland, Police Chief Tommy Davis, Public Works Director Jerry King, Building and Zoning Official Brent Beshires, Utility Director Mark Elkins and Fire Chief Glenn Bryan.

Alderman Keith Smith 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 previous meeting were presented for approval. There being no questions or corrections, motion was made by Ald. Smith, duly 2<sup>nd</sup> by Ald. Phelps to approve the minutes as prepared. Motion carried.

The accumulated accounts were presented for informational purposes and the board was asked if they had any questions concerning the accounts. Ald. Smith questioned the two payments to STEMC for electric services; Recorder Garland explained that due to the meeting dates the electric bills for two months were included on the accounts. Ald. Faulkner questioned the payment to Rowland Monuments and asked if the previous contract mower of the cemetery was going to reimburse the city; Recorder Garland explained that they had paid a portion of the amount and the city attorney was taking over the matter to try to get the remaining amount. There being no other questions concerning the accounts, the meeting continued.

Delegations were called for by Mayor King.

Ms. Mary Heizen of the Hardeman County Community Health Center addressed the board. They operate the Henderson Health Center out of the former Medical Building located at the corner of North and Hart Streets and had met with Mayor King and expressed an interest in obtaining a lot in the city industrial park to construct a new facility. They were interested in a 1 acre parcel on the east side of Industrial Drive close to the water tank. Recorder Garland had prepared a map showing the proposed lot, said lot being 135' wide and 325' deep. Ms. Heizen stated that they were going to have a 4,000 square foot modular building erected on the lot. The building would have the brick front and brick foundation that is required in park. TLM and Associates are providing the design service on the building. Ms. Heizen provided an elevation

view of the building noting that the change had been made from drivit to brick after learning of the restrictions and she also provided a copy of the floor plan of the building. The clinic does provide service to low income patients and they were applying for the funds to build the building under a grant. The Center was offering \$37,400 for the 1 acre lot and hoped to close by Sept 1, 2009 with \$1,000 being offered as earnest money. The closing would be contingent upon them receiving the grant for construction. The board discussed the present zoning of the lot which is M-1 Light Industrial. The clinic is not a use permitted in this zone. The zoning next to the lot is B-4 Highway Business and the city was going to request to the Planning Commission that the property be rezoned to B-4. The entire area was being used more for commercial instead of manufacturing. After due discussion, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Maness to agree to sell the one acre as proposed to Henderson Co. Health Center for \$37,400 contingent upon the grant for the building and the rezoning of property to B-4. Motion carried.

The next item for consideration was taking action on proposed rezoning of property located at 307 White Ave and 163 Second Street from R-1 Single Family Residential to I Institutional. The property is owned by Freed-Hardeman University. Ald. Keith Smith recused himself from any discussion or voting of this matter due to the fact he is employed by FHU. Mayor King opened the meeting for a public hearing. The hearing was duly advertised in the "Chester County Independent" newspaper. Building Official Beshires explained that this rezoning request was made by FHU and included the Hardeman House which had been used for many years by the University and the Church for activities. The home at 163 Second was being proposed for overflow classroom space for the arts complex. The planning commission recommended the proposed rezoning. There being no public comment, Mayor King closed the public hearing.

Motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. by Ald. Faulkner to pass the ordinance to rezone the property located at 307 White and 163 Second from R-1 to I on the first reading. Upon a roll call vote the following was cast:

Ayes: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner, Buel Maness,  
and Michael Phelps.

Noes: None.

Abstained and Not Voting: Keith Smith.

With the vote not being unanimous, final consideration can not take place until the next meeting of the board.

As discussed at the last meeting of the board, the bids received on the city park restrooms/concession stand facility were much higher than anticipated. Mayor King stated that the city met with the low bidder Eddie Mathews and cut off the concession stand and made substantial changes in the restroom facility. After the changes, the estimated cost of the restroom is \$35,000 with the grant paying for \$30,000 and the city funding the remaining \$5,000. Mayor King explained that the city was going to be the contractor and pay for all the subcontractors. This will keep the amount paid to each subcontractor under the \$10,000 bid limit. Some things will be done by the city including the painting, etc. After due discussion, motion by Ald. Farris, duly 2<sup>nd</sup> by Smith to complete the project and appropriate the additional \$5,000. Motion carried.

There being no other business, motion by Ald. Barnes, duly 2<sup>nd</sup> by Ald. Faulkner to adjourn. Motion carried.

Signed: Robert W. King

APPROVED: \_\_\_\_\_

MAYOR

Signed: Jim E. Garland

ATTEST: \_\_\_\_\_

CITY RECORDER

MINUTES  
OF THE  
HENDERSON BEER BOARD

MAY 14, 2009

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The Beer Board of the City of Henderson, Tennessee met in regular session on Thursday, May 14, 2009 at 7:00 P.M. immediately following the regular meeting of the City Board in the Council Chamber of the City of Henderson City Hall. There present and presiding, was Robert W. King, Chairman and the following:

Members: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner,  
Buel Maness, Michael Phelps and Keith Smith.

Absent: None

There also present were: City Attorney Jerry Spore, City Recorder Jim E. Garland and Police Chief Tommy Davis.

The only item on the agenda was an application for the retail sale of packaged beer by Sidney L. Allen Sr, DBA: Oden's BP at 375 North Church Ave. Mr. Allen was present at the meeting. Chief Davis reported that the results of the background of Mr. Allen did not result in any matter that would affect his ability to obtain a beer permit.

There being no other questions, motion by Ald. Farris, duly 2<sup>nd</sup> by Ald. Faulkner to grant the Beer Permit. Motion carried.

There being no other business, motion by Ald. Smith, duly 2<sup>nd</sup> by Ald. Faulkner, the meeting be adjourned. Motion carried

Signed: Robert W. King

APPROVED: \_\_\_\_\_

CHAIRMAN

Signed: Jim E. Garland

ATTEST: \_\_\_\_\_

CITY RECORDER