

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN
NOVEMBER 11, 2010

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, November 11, 2010 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 Carter Scales, Building and Zoning Official Brent Beshires, Fire Chief Glenn Bryan and Utility Director Mark Elkins.

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 previous meeting of the city board were presented for approval. There being no questions or corrections, motion was made by Ald. Faulkner, duly 2nd by Ald. Maness 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 asked about the payment to G & C Supply Co. in the amount of \$12,724.42 and wondered about bidding requirements. UD Elkins reported that the payment was for an accumulation of many different small items ordered within a 30 to 40 days period. Bidding this material is difficult because the city had no good way of determining what we need and price fluctuations make the suppliers unwilling to bid items for any length of time. Ald. Faulkner questioned the payment for physicals for fire department members and why we always used Frix Jennings Clinic. Chief Bryan stated that Frix had been used by the department prior to his employment and he had just continued the practice. Recorder Garland stated that several years earlier, all the local doctors were given a chance to quote physicals and Frix Jennings was the low quote. They are still completing physicals for the same cost of \$75.00. This is a very base line physical. Ald. Faulkner asked the chief to check prices at other doctors. There being no other questions concerning the accounts, the meeting continued.

Delegations were called for by Mayor King, there being none, the meeting continued.

The position of Public Works Director was discussed. The board recently interviewed Assistant Public Works Director Carter Scales for the position. Mr. Scales had been serving as Interim PWD since Jerry King left to serve as Chester County Highway Superintendent. Ald.

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Barnes was unable to attend the interview so he was asked if he had any questions for Mr. Scales or the board concerning the interview. Mr. Barnes had no questions. There being no comments or discussion, motion was made by Ald. Farris, duly 2nd by Ald. Faulkner to appoint Carter Scales as Public Works Director. Mayor King asked for a roll call vote on this matter.

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

Noes: None.

Therefore Mayor King declared the motion unanimously passed and he congratulated Mr. Scales on his new position.

Fire Chief Glenn Bryan addressed the board concerning repairs and painting that needed to be completed at the fire department. The fire house is now 10 years old and it had never been painted. The repairs are minor and include sheetrock nail holes, ceiling cracks and one wall that sustained water damage. Last April, Chief Bryan got three quotes on the repair and painting and the prices ranged from \$9,600 to 11,000. With this price, the city would be required to bid the project. Chief Bryan was asking permission to bid the project or have the board members come to the station to review the situation and consider it for bid next month. The funds for this project are not in the current year's budget. Ald. Faulkner recommended that the board review the situation before any decisions were made. Some of the board members felt this project should not be considered until next year's budget.

Mayor King addressed the board stating that the Municipal Code Book had not been updated since 2004. The board had passed a large number of amendments but the actual Code Book had not been updated and thus the copy on the MTAS web site which is linked from the city web site only shows the 2004 edition. The Code Book needs to be updated and Mayor King recommended appointing one member of the board to work with Recorder Garland to review the existing code and make changes and updates as needed. With only one member serving on this project, there are no problems with open meetings or the sunshine law. Once the amended document is completed, the full board would have to ratify the changes. Mayor King recommended that Ald. Farris be assigned this task. Motion by Ald. Smith, duly 2nd by Ald. Faulkner to appoint Ald. Farris and to have the project completed over the next several months. Motion carried.

Mayor King advised that at the end of each year, the term of a member of the Planning Commission (PC) and the Board of Zoning Appeals (BZA) expires. This year the term of Steve Guinn on the PC and Jack Fitts on the BZA expires. Mayor King had spoken with Mr. Guinn and he is willing to serve another term. Mr. Fitts, on the other hand, is ready to retire and let someone else deal with these issues. Mayor King stated that he was open to suggestions for a new member for the BZA position but he would like the person to be a resident of the city since two of the five members were already non-city residents. The final recommendations and appointments would take place at the December meeting.

Mayor King advised the board of the upcoming Christmas Parade on Thursday, December 2nd and that the city would provide a truck again if the board members wanted to ride in the parade.

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Mayor King also reported that he had driven to Franklin yesterday to get the signatures needed for the small amount of property to be used for the traffic signal at Main and Mifflin. The land acquisition would have to be approved by TDOT and then funds would be released to enable the city to go to bid on the project.

Mayor King advised the board that it had come to his attention today that the fire departments Volunteer Salaries appear to be exceeding the budget for the current year. The budgeted amount is \$35,000 for fire calls and training. The normal procedure is to close out the year on November 30th and to pay the volunteers on time during their Christmas Supper. Based on current rough figures, the amount spent on the 11 months ending October 31 is going to exceed the budget slightly. Mayor King stated that when he started reviewing the figures, that it appears that approximately 60% of the fees paid for calls are to the FHU campus. That is a total of \$12,000 of the \$20,000 total calls. The city does bill the actual cost of the volunteer salaries to anyone for the second false call to any one building during a month. FHU has not reimbursed the city since May but only owes about \$1,000 in fees. Mayor King also noted the additional cost for training. He asked what the board wanted to do about the cost overrun if we go till November 30th or does the board want to cut it off on October 31st and deal with it next budget year. The problem of calls to FHU also needed to be discussed and see if the board wanted to consider changing any of the department's policies about false calls. Mayor King stated that this is not a new problem but one that has been under discussion with the two prior fire chiefs and previous boards. Mayor King recommended that maybe a tiered system could be studied. Mayor King also relayed his concern for the liability of having so much equipment and personnel responding to calls, most of which are false calls.

Fire Chief Bryan stated that the system of fire response is working. He was against any tiered response due to not being able to ensure that enough firemen show up. He stated that it was a gamble. He felt that no changes needed to be made. He did state that the funding for the calls is the problem. The policy of billing for the fire response was discussed and possibility of changing to start charging after a certain number of calls in a year instead of per month was discussed. The fire department is mainly funded by property tax and the majority of the calls and expense of the department is being used to serve a tax exempt entity. Ald. Farris did state that the volunteers are still much cheaper than full time personnel. This matter was discussed in great depth by the board members.

After due discussion, motion was made by Farris, duly 2nd by Ald. Barnes to cut off the current year's fire calls and training salaries as of October 31st and to look at the cost during next years budget. Motion carried.

Ald. Keith Smith did state that he would check with FHU to see that the amount due the city is paid.

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

Signed: Robert W. King

APPROVED: _____
MAYOR

Signed: Jim E. Garland

ATTEST: _____
CITY RECORDER