MINUTES OF THE
HENDERSON CITY COUNCIL
REGULAR COUNCIL MEETING

May 12, 2020

The City Council met on this date at 6:00 p.m. with Mayor John (Buzz) Fullen presiding. Council Members present included Tommy Goode, Henry Pace, and Steve Higginbotham. Joining the meeting virtually were Melissa Morton and Michael Searcy.

Staff members present included City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Joe Shumate and Communications and Marketing Letti Goodrich. Joining the meeting virtually were Police Chief Chad Taylor, Fire Chief Rusty Chote, Public Services Director Davis Brown, Community Development Manager Billy Hughes, Director of Finance Karen Arnall, Communications and, Animal Center Director Charissa Pool and HEDCO Director John Clary.

INVOCATION AND PLEDGE OF ALLEGIANCE: Mayor Fullen gave the Invocation and Council Member Henry Pace led the Pledges.

CITIZENS'COMMENTS NON-AGENDA ITEMS:
There were none.

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There were none.

PRESENTATION'S:
James Pike with the Emergency Management Operations Updated Council on the latest numbers of Covid 19 cases. The state of Texas has 1,179 new cases and 33 deaths we are holding very steady with these numbers. Rusk County is doing very good, for almost a week now we are at 41 confirmed cases, 24 recovered cases and 1 death. There are no reported cases in the long-term care facilities, prisons or manufacturing plants. There is not a vaccine or medication to cure or prevent Covid 19 yet. Citizens have had very good leadership keeping them informed on good hygiene and social distancing; this must continue while gradually opening the businesses back up to the public.

Neal Holland with Stokes and Associates updated Council on the street bond projects. Phase three will be going out for bid very soon, phase two is almost complete and phase one will be ready to close out at the June Council meeting.

CONSENT AGENDA: *Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*

1. Consideration and possible action on the following Minutes: (Jimerson)

- ❖ April 14, 2020 – Regular Council Meeting

Council Member Steve Higginbotham made to a motion to approve the consent agenda item, duly seconded by Council Member Henry Pace; vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION:

2. Consideration and possible action upon an ordinance moving the City Council Meeting from the second Tuesday to the third Tuesday of each month. (Abercrombie)

City Manager Jay Abercrombie recommended Council move the meeting to the third Tuesday to prevent rescheduling the meetings during spring break and budget preparation months. This will also allow the City and School Board members to attend each other's meetings when needed.
Council Member Michael Searcy made a motion to approve the first reading of Ordinance 2020-05-42 moving Council meetings to the third Tuesday of each month; duly seconded by Council Member Tommy Goode, vote was unanimous.

3. Consideration and possible action amending the Christus Trinity Clinic professional services agreement. City Manager Jay Abercrombie stated the amendment adds the verbiage; *Physician Assistant or Nurse Practitioner to provide service to employees as well as the Physicians.* (Abercrombie)

City Manager Jay Abercrombie recommended Council approve the amendment allowing city employees to see a physician assistants or Nurse Practitioners when necessary.
Council Member Tommy Goode made a motion to approve the amendment to the Christus Trinity Clinic agreement; duly seconded by Council Member Steve Higginbotham, vote was unanimous.

4. Consideration and possible action lowering the cash bond amounts on producing wells as stated in ordinance 11-06-07. (Jimerson)

Dianne Sumrall with Sabine Oil and Gas (*previously known as NFR*) explained their company has multiple wells in the city limits with two cash bonds totaling $100,000 and four surety bonds totaling $100,000. They are requesting the city place a cap on the total bond amounts for a single business or allow Surety bonds in place of cash bonds per well.
City Secretary Cheryl Jimerson stated ordinance 11-06-07 does not allow Council to approve less than the minimum amount of a $50,000 cash bond per well, nor does it allow Council to let a company place a surety bond in place of a cash bond. She recommended Council change the existing Oil and Gas Ordinance 11-06-07 to reflect whatever they decide to do for Sabine Oil and Gas.
City Attorney Joe Shumate agreed and stated his recommendation would be to table items 4, 5 and 6, meet in executive session next month and discuss options for Oil and Gas Company Bonds.
Council Member Steve Higginbotham made a motion to table items 4, 5 and 6; duly seconded by Council Member Michael Searcy, vote was unanimous.

5. Consideration and possible action upon an application from Sabine Oil and Gas for the Strong-Crim #1 Well to be located approximately 1,000 feet from Industrial Drive in the 800 block on the existing Strong 2 Well pad. (Jimerson)

6. Consideration and possible action upon an application from Sabine Oil and Gas for the Strong-Crim #2 Well to be located approximately 1,000 feet from Industrial Drive in the 800 block on the existing Strong 2 Well pad. (Jimerson)

7. Consideration and possible action on a petition from HEDCO to annex property into the city limits known as Lots 2 and 3 Block 1050 of the HEDCO Frisco Street Plat and set two dates for Public Hearings.
City Secretary Cheryl Jimerson recommended Council approve the petition of HEDCO and set two public hearing dates to annex said property into the city limits. (Jimerson)
Council Member Michael Searcy made a motion to approve the petition from HEDCO and set two public hearings, one for each of the next two Council meetings; duly seconded by Council Member Henry Pace, vote was unanimous.

8. **Departmental Reports**
HEDCO Director John Clary stated their next month's meeting will be held at the Civic Center. The last piece of property HEDCO owned on Taylor drive has been sold to Donnie Powers. John also mentioned HEDCO's stimulus program had ended with a total match paid out of $34,000 for a total of $68,000 in food purchase from 39 restaurants by 39 businesses. Pro-Hydronics Company located on HWY 64 has purchased the old Anderson Hickey Building on Industrial Drive and will be moved into it in June.
There were no questions on other departmental reports.

EXECUTIVE SESSION:

There were no items to discuss in executive session.

ADJOURNMENT:

9. Adjourn.

There being no further business to come before Council at this time, upon a motion by Council Member Steve Higginbotham, duly seconded by Council Member Henry Pace; with a unanimous vote of the Council, the meeting was adjourned at 7:00 p.m.

APPROVED:

Buzz Fullen, Mayor

ATTEST:

Cheryl Jimerson, City Secretary