

**MINUTES OF THE
HENDERSON CITY COUNCIL
REGULAR RESCHEDULED COUNCIL MEETING**

June 16, 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, Michael Searcy, Henry Pace, Melissa Morton and Steve Higginbotham.

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, Animal Center Director Charissa Pool and HEDCO Director John Clary.

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

CITIZENS' COMMENTS NON-AGENDA ITEMS:

There were none.

CITIZENS' COMMENTS AGENDA ITEMS:

There were none.

PRESENTATION'S:

Mayor Buzz Fullen announced there will be no 4th of July Parade and City Manager Jay Abercrombie announced there will only be a firework show at Lake Forest Park and recommended all spectators to stay in their vehicles.

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)
 - ❖ May 12, 2020 – Regular Council Meeting
2. Consideration and possible action upon the second reading of an ordinance No.2020-05-42 moving the Council Meeting date from the second Tuesday to the third Tuesday each month. (Abercrombie)
3. Consideration and possible action on HEDCO financials from March, April and May 2020. (Clary)
4. Consideration and possible action on re-appointment of three Main Street Advisory Board members, Susan Camazine, C.J. Warnar and Tammy Hillin whose terms expire June 1, 2020. (Lewis/Jimerson)
5. Consideration and possible action upon re-appointment of three Civic Center Advisory Committee Members. (Wilkerson/Jimerson)
6. Consideration and possible action on approval of street closure on W. Fordall for Independence Day Celebration July 4, 2020. (Taylor/Chote)
7. Consideration and possible action upon the engagement letter to contract for auditing services with Gollob, Morgan, Peddy, CPA for fiscal year ending September 30, 2020. (Vaughn)

Council Member Steve Higginbotham made to a motion to approve the consent agenda items, duly seconded by Council Member Melissa Morton; vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION:

8. Consideration and possible action for final payment, set warranty date and close phase one of the street bond project. (Holland/Brown)

Neal Holland with Stokes and Associates stated repairs to some of the streets in phase one of the street program has now passed all inspections and made a recommendation Council make final payment, set a warranty date and close out phase 1 of the street bond project.

Council Member Melissa Morton made a motion to make the final payment of \$82,349.34 (*retainage on project*), set warranty date of May 15, 2021 closing out phase one of the street bond project; duly seconded by Council Member Henry Pace, vote was unanimous.

9. Consideration and possible action lowering the bond amounts on producing wells as stated in Ordinance 11-06-07; tabled from the May 12th meeting. (Jimerson)

City Secretary Cheryl Jimerson stated Sabine Oil and Gas has paid both \$50,000 cash bonds to drill two wells on the existing Strong 2 well pad, (*items 10 and 11*). She stated there will be no action to take on this item.

10. Consider and act upon application of Sabine Oil and Gas, for Strong-Crim #1 Well to be located at approximately 1,000 feet from Industrial Drive in the 800 block on the existing Strong 2 Well pad; tabled from the May 12th meeting (Jimerson)

City Secretary Cheryl Jimerson stated all cash bonds, permit and inspection fees have been paid in full recommending Council approve the drilling of Strong-Crim #1 well.

Council Member Steve Higginbotham made a motion to approve the drilling of well #1, duly seconded by Council Member Michael Searcy; vote was unanimous.

11. Consider and act upon application of Sabine Oil and Gas, for Strong-Crim #2 Well to be located at approximately 1,000 feet from Industrial Drive in the 800 block on the existing Strong 2 Well pad; tabled from the May 12th meeting (Jimerson)

City Secretary Cheryl Jimerson stated all cash bonds, permit and inspection fees have been paid in full recommending Council approve the drilling of Strong-Crim #2 well.

Council Member Michael Searcy made a motion to approve the drilling of well #2, duly seconded by Council Member Melissa Morton; vote was unanimous.

12. Consideration and possible action upon a Right of Way (ROW) Agreement with Sabine Oil and Gas. (**Abercrombie**)

City Manager Jay Abercrombie stated the ROW is for the area on the north property line of Lakewood Cemetery. This area is the wooded part of the tract and will not affect any future expansion of the cemetery. Sabine Oil and Gas has submitted payment of \$200 per rod (27.82 rods in length) at a total of \$5,564 for the ROW if approved by Council.

Council Member Melissa Morton made a motion to approve said ROW agreement; duly seconded by Council Member Henry Pace; vote was unanimous.

13. Mayor Fullen opened the first public hearing on a petition for HEDCO to annex property into the city limits known as Lots 2 and 3 of Block 1050 Southwest Industrial Park located on Frisco Street. There were no comments for this public hearing

14. Close the first public hearing on a petition for HEDCO to annex property into the city limits known as Lots 2 and 3 of Block 1050 Southwest Industrial Park located on Frisco Street.

Council Member Michael Searcy made a motion to close the public hearing, duly seconded by Council Member Melissa Morton; vote was unanimous.

15. Consideration and action upon a recommendation from the Henderson Economic Development Corporation (HEDCO) Board to purchase Alford property off 323 outside the loop. (Clary)
Director of HEDCO John Clary recommended City Council approve the purchase of property outside the city limits for HEDCO. The property is located off the northeast corner of Loop 571 and FM 323 known as the Alford Dairy Farm that consist of +/- 225 acres. HEDCO Board and County Commissioners have already approved the purchase for a new business park to possibly be called Northwest Industrial Park.

Council Member Michael Searcy made a motion to approve said purchase of property, duly seconded by Council Member Henry Pace; vote was unanimous.

16. Consideration and possible action upon Ordinance 2020-06-43 to sell part of an undeveloped street that would have been known as Katherine Street. (Hughes)

Community Development Manager Billy Hughes recommended Council approve the first reading of Ordinance 2020-06-43 to sell part of an undeveloped Street between Lot 10 Block 6/65 and Lots 1 and 2 Block 4/60 Tipps of the J. Smith A-709 Survey. Jose Elizondo owns parcel number 56003 located at the end of the undeveloped street; he has had it appraised, surveyed and ready to purchase said property at fair market value from the City of Henderson.

Council Member Melissa Morton made a motion to sell said part of an undeveloped street, duly seconded by Council Member Steve Higginbotham; vote was unanimous.

17. Consideration and possible action upon a Minor plat subdividing the property located at 313 N. Harriett Street. (Hughes)

Community Development Manager Billy Hughes recommended Council approve a minor plat subdividing 313 N. Harriette Street. The subdivision of said property will meet all the Zoning requirements for the R-2 Zone. There are plans to build a residential structure on the empty lot.

Council Member Michael Searcy made a motion to approve the subdivision of said lot, duly seconded by Council Member Henry Pace; vote was unanimous.

18. **Departmental Reports**

City Manager Jay Abercrombie gave an update on the number of Covid 19 testing results for Rusk County. There are 161 positive cases, 66 of these cases were from Bradshaw State Jail, 41 recovered and 2 deaths. Jay also stated that on a good note Sales tax was up 16 %

Council Member Steve Higginbotham asked if Bradshaw State Jail is taking any inmates in at this time? Mayor Fullen stated no, they are on lockdown.

Council Member Steve Higginbotham asked the Public Services Director Davis Brown if he could look at and possibly repair part of a sidewalk between Suddenlink and Henderson Federal Savings parking on N. High Street. He also asked if the road for the entrance to the Henderson Baseball Field could be patched? Neal Holland replied he would see if it could be placed on phase two of the street bond project.

Davis will look into both of these requests.

Council Member Michael Searcy asked if railing could be put up where the handicapped ramp is, on the corner of E. Main and S. Marshall streets intersection (at Kelly B's)?

Davis Brown said he would have a crew put up the hand rails as soon as they have finished at the park.

EXECUTIVE SESSION:

19. Mayor Fullen convened into executive session to discuss Personnel Matters (Parks and Recreation Director). Consult with attorney in the creation of an Administrative position. Consult with City Attorney discussing litigations; in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 071 and 074 at 6:51 p.m.

20. Mayor Fullen reconvened into regular session at 7:41 p.m. and asked Council for action on items discussed in executive session.

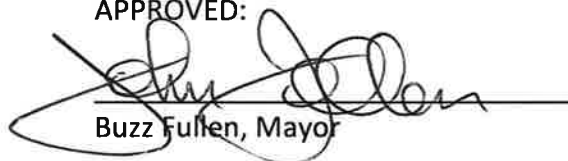
Council Member Michael Searcy made a motion to approve hiring a Parks and Recreation Director, duly seconded by Council Member Steve Higginbotham; vote was unanimous.

ADJOURNMENT:

21. Adjourn.

There being no further business to come before Council at this time, upon a motion by Council Member Tommy Goode, duly seconded by Council Member Henry Pace; with a unanimous vote of the Council, the meeting was adjourned at 7:43 p.m.

APPROVED:


Buzz Fullen, Mayor

ATTEST:


Cheryl Jimerson, City Secretary