

MINUTES OF THE
HENDERSON CITY COUNCIL
REGULAR SCHEDULED MEETING

March 21, 2023

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

Mayor Fullen called the meeting to order at 6 p.m.

Council members present were Wes Breitenberg, Reggie Weatherton, Henry Pace, Melissa Morton, and Gina Juarez.

Staff members present were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, Chief of Police Chad Taylor, Deputy Fire Chief Sonny Yarbrough, Director of Operations Davis Brown, Director of Public Services Kirk Kimbrell, Director of Utilities Randy Boyd, Finance Director Karen Arnall, Animal Center Director Charissa Pool, Community Development Manager Cliff McElfresh, Zoning Coordinator Billy Hughes, Health Inspector Rebecca Wilkerson, Civic Center Manager Stephanie Kimbrell, Executive Leadership Assistant/HR Specialist Hillary Faulkner, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The Cub Scouts led the Pledges and recited the Cub Scouts Oath, Council Member Reggie Weatherton gave the invocation.

CITIZENS COMMENTS

There were no citizen comments.

PRESENTATIONS/ANNOUNCEMENTS

1. The Boy Scouts are making a presentation before Council members.

2. Annual Audit Presentation by Gollob Morgan Peddy, PC

Finance Director Karen Arnall stated the City of Henderson contracts with Gollob, Morgan and Peddy PC to provide annual audits of all funds. Kaern turned the floor over to Kevin Cashin with Gollab, Morgan and Peddy PC. Kevin summarized the audit, asking the Council to turn to pages 1, 6, 7, 81, 83, and 88 of the audit explaining them in detail. Kevin asked if there were any questions the Council might have. If so, he would be happy to answer them. There were no questions at that time.

3. Sexual Assault Awareness Month Proclamation.

Mayor Fullen proclaimed the month of April as SAAM, reading the proclamation.

Mayor Fullen proclaimed April 1, 2023 as the official clean-up day in conjunction with DMWT, reading the proclamation.

CONSENT AGENDA

4. Consideration of possible action upon the minutes of February 21, 2023. (Jimerson)

5. Consideration and possible action on HEDCO financials from January 2023. (Clary)

6. Consideration and possible action upon the City's Discrimination Policy. (Faulkner)

7. Consideration and possible action upon the City's Antifraud Policy (Faulkner)

Council Member Henry Pace made a motion to approve the consent agenda, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION

8. Open a Public hearing upon the voluntary annexation application of 25.119 acres into the city limits located at 1702 Industrial Drive owned by HEDCO. (Jimerson)

Mayor Fullen opened a public at 6:21 p.m.

There were no comments from the public or council.

9. Close Public Hearing.

Mayor Fullen closed the public hearing at 6:23 p.m.

10. Consideration and possible action upon Resolution 2023-03-01 for amendment #1 to the 2022-2023 budget.(Arnall)

Finance Director Karen Arnall explained the proposed amendment to council. She stated this is to amend the 2022-2023 budget for items ordered but not yet received or projects started but not yet completed in 2022. These items or projects will be received and most likely completed in 2023. Exceptions could be the Eastside Sewermain Project and projects funded with the American Rescue Plan Funds. The budget amendment recommended to the Council addresses needed changes to the 2022-2023 budget affecting the following funds: General Fund, Street/Drainage Fund, General Construction Fund, Water/Sewer Construction Fund and 2018 Bond Series Fund.

Council Member Mellissa Morton made a motion to approve Resolution 2023-03-01 for amendment #1 to the 2022-2023 budget, duly seconded by Council Member Henry Pace. The vote was unanimous.

11. Consideration and possible action upon Police Officer Salary adjustments. (Taylor)

Police Chief Chad Taylor recommended the Council approve salary adjustments within the Police Department as laid out within the spreadsheet.

Council Member Reggie Weatherton asked the Chief how the surrounding city salaries compare to Henderson. Chief Taylor stated they will be more comparable with the scale proposed before the Council today.

Council Member Gina Juarez made a motion to approve said salary adjustments according to the scale presented, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

12. Consideration and possible action upon a minor plat submitted by Lee Smart for the property located at 500 Cleaver Street. (Hughes/McElfresh)

Zoning Coordinator Billy Hughes recommended Council approval of a minor plat that will change the property lines on two adjoining lots for the property located at 500 Cleaver Street.

Council Member Henry Pace made a motion to approve a minor plat as submitted for the property located at 500 Cleaver Street, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

13. Consideration and possible action upon a minor plat submitted by Bane Investment Holdings (BIH) for the property known as part of the Crimcrest Addition located between Whippoorwill and Mockingbird Streets. This property is located in Council District 3. (Hughes/McElfresh)

Zoning Coordinator Billy Hughes recommended approval of a minor plat application submitted by BIH for a large piece of land in the Crimcrest Addition off N. Evenside. The re-plat consists of 209 small undeveloped lots to be combined into two lots. Lot 1 will consist of 9.611 acres and Lot 2 will be 36.525 acres, which will be named BIH Addition if approved.

Council Member Henry Pace made a motion to approve a minor plat as submitted for the property known as the Crimcrest Addition located between Whippoorwill and Mockingbird Streets, duly seconded by Council Member Gina Juarez. The vote was unanimous.

14. Consideration and possible action upon a minor plat submitted by Cory Brooks on behalf of BNW Ventures in conjunction with Brian and Kelle Marcott for the property located on the corner of HWY 259 and FM 782. This property is located in Council District 1.(Hughes/McElfresh)

Zoning Coordinator Billy Hughes recommended Council approve a minor plat submitted by Cory Brooks on behalf of BNW Ventures in conjunction with Brian and Kelle Marcott for the property located on the corner of HWY 259 and FM 782.

Council Member Wes Brietenberg made a motion to approve a minor plat as submitted for the property located on the corner of HWY 259 and FM 782, duly seconded by Council Member Henry Pace. The vote was unanimous.

15. Consideration and possible action upon the recommendation from the Planning and Zoning Commission to amend the City of Henderson's Zoning Map. The first reading of Ordinance 2023-03-01 changes the current zoning of a property from a Medium Density Multi-Family (M2) zone to a General Commercial (C2) zone. These properties are located on the corner of Kilgore Drive (HWY 259) and Millville Drive (FM 782). This property is in Council District 1. (Hughes/McElfresh)

Zoning Coordinator Billy Hughes recommended Council consider the first reading of Ordinance 2023-03-01 which changes the current zoning of a property from a Medium Density Multi-Family (M2) zone to a General Commercial (C2) zone. These properties are located on the corner of Kilgore Drive (HWY 259) and Millville Drive (FM 782).

There were no comments from council on any changes that needed to be made on the first reading of said ordinance.

16. Consideration and possible action upon the recommendation from the Planning and Zoning Commission to amend the City of Henderson's Zoning Map. Ordinance 2023-03-02 changes the current zoning of a property from a Planned Development (PD) to a General Commercial (C2) zone. This property is located at 100 Zied Blvd. (Huhges/McElfresh)

Zoning Coordinator Billy Hughes recommended the Council consider the property located at 100 Zeid Blvd. It is currently zoned as a Planned Development (PD). Our staff request that Council consider the first reading of an ordinance that would re-zone this property to General Commercial (C2).

There were no comments from council on any changes that needed to be made on the first reading of said ordinance.

17. Consideration and action upon Resolution No 2023-03-02 authorizing and approving the filing of the Certificate of Formation for Henderosn Economic Development Corporation as a Type B economic development corporation and all the documents related thereto. (Clary)

HEDCO Director John Clary stated the next 3 items are in conjunction with the November 2, 2021 Election Measure to change HEDCO from a Type A to a Type B Corporation.

Council member Henry Pace made a motion to approve Resolution 2023-03-02 for a Certificate of Formation for HEDCO, duly seconded by Council Member Melissa Morton. The vote was unanimous.

18. Consideration and action on Resolution 2023-03-03 authorizing and approving a Plan of Conversion converting Henderson Economic Development Corporation to a Type B economic development corporation. (Clary)

Council member Melissa Morton made a motion to approve Resolution 2023-03-03 authorizing and approving a Plan of Conversion for HEDCO, duly seconded by Council Member Wes Breitenberg. The vote was unanimous.

19. Consideration and action on Resolution 2023-03-04 authorizing the execution and filing of a Certificate of Conversion of Henderson Economic Development Corporation changing the entity from a Type A to a Type B economic development corporation. (Clary)

Council Member Reggie Weatherton made a motion to approve Resolution 2023-03-04 authorizing the execution and filing the Certificate of Conversion for HEDCO, duly seconded by Council Member Henry Pace. The vote was unanimous.

DEPARTMENTAL REPORTS:

20. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.

A. City Manager

B. Fire Department

C. Police Department

D. Animal Center

E. Community Development

F. Public Services, Parks and Recreation Departments

Council Member Wes Breitenberg asked how the fiber installation was going. Public Works Director Kirk Kimbrell stated there had been a few breaks in service lines even with the employees marking where the lines are. Wes stated there had been complications communicating to the crews installing the fiber. Council members all agreed they had been called about the crews tearing up yards. City Manager Jay Abercrombie stated to the Council " You have been really good at relaying the addresses to us where there seemed to have been problems". Keep relaying those addresses to us and we will communicate them back to Sparklight and Frontier.

G. Public Utilities

H. Finance Department

I. City Secretary

J. Communications and Marketing

K. HEDCO

L. Director of Operations

Civic Center

Main Street/Tourism (the March report will reflect the short time in Feb when Kaitlin had returned to work)

Municipal Court

BOARDS AND COMMISSIONS

Board of Adjustments Minutes. There was not a January meeting (no minutes).

Planning and Zoning Minutes

A. Minutes of the January 10, 2023 meeting.

Cemetery Board Meeting Minutes of the next quarterly meeting will be April 19, 2023.

Main Street Meeting Minutes

Preservation Minutes. There was no meeting held in February.

There were no comments or questions about the Board meeting minutes.

ADJOURNMENT

21. Adjourn

Council Member Melissa Morton made a motion to adjourn at 6:55 p.m., duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

ATTEST:

APPROVED:

Cheryl Jimerson, City Secretary

John Fullen, Mayor