

MINUTES OF THE
HENDERSON CITY COUNCIL
REGULAR SCHEDULED MEETING

June 20, 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, City Attorney Joe Shumate, Chief of Police Chad Taylor, Deputy Fire Chief Sonny Ybarra, Director of Operations Davis Brown, Director of Public Services Kirk Kimbrell, Director of Utilities Randy Boyd, Finance Director Karen Arnall, Community Development Manager Cliff McElfresh, Zoning Coordinator Billy Hughes, Civic Center Manager Stephanie Kimbrell, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Community Development Manager Cliff McElfresh gave the invocation, Council Member Henry Pace led the Pledges.

CITIZENS COMMENTS

None

PRESENTATIONS/ANNOUNCEMENTS

Deputy Fire Chief Sonny Ybarra gave a brief summary on the training of Henderson Fire Department firefighters (HFD) teaming up with, Saddlers and (ERS) Emergency Response Center. Twelve Firefighters had hazmat and rescue training that are now certified. They also participated with Longview in a four-hour drill, competing in different skill set competitions.

CONSENT AGENDA

Council Member Melissa Morton asked them to pull item 4 into the regular session; the Mayor Fullen made note of this moving item 4 to the regular business section.

1. Consideration and possible action upon the minutes of the May 16 Regular Council Meeting. (Jimerson)
2. Consideration and possible action upon HEDCO financials from the month of April, 2023. (Clary)
3. Consideration and possible action on approval of street closures W. Fordall to HWY 64, Sand St. to W. Fordall and Lake Forest Parkway for the Freedom Festival on July 4, 2023, from 5 p.m. until 11:30 p.m. (Taylor/Chote)
4. Consideration and possible action upon the engagement letter to contract for auditing services with Gollob, Morgan, Peddy, CPA for the fiscal year ending September 30, 2023. (Arnall)

Council Member Henry Pace made a motion to approve the balance of the consent agenda, duly seconded by Council Member Wes Breitenberg. The vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION

4. Council Member Reggie Weatherton made a motion to approve item 4, duly seconded by Council Member Henry Pace. The vote was four for, with Council Member Melissa Morton abstaining.
5. Consideration and possible action on accepting 2022 Master Street Improvements Program Contract 010-2124 as complete, authorizing final payment to the contractor, and setting a warranty date. (Brown)

Director of Operations Davis Brown recommended the Council accepting the 2022 Master Street Improvements Program Contract 010-2124 as complete, accepting Change Order #1, authorizing final payment to the contractor, and setting a one year warranty date, effective June 20, 2023.

Council Member Melissa Morton made a motion to approve the contract as complete, accepting change order #1, authorizing final payment and setting a one year warranty date effective June 20, 2023, duly seconded by Council Member Gina Juarez. The vote was unanimous.

Mayor Fullen asked how many streets did that include? Davis stated 11. Mayor, is there anything in the planning stages for the next street contract? Davis stated there is an evaluation that will take place and then he will be asking for more funds to continue with the re-construction of streets. There are approximately another 5 million needed to have all the streets in Henderson re-constructed, other than a few concrete streets.

Council Member Melissa Morton asked if he had an idea how many streets were left to be re-constructed. Davis said he thought about 60.

Council Member Reggie Weatherton asked how old the infrastructure is on Bell Street. Randy could give you a more accurate date. The infrastructure will be evaluated before the street is replaced.

6. Consideration and possible action upon a deed of donation from the City of Henderson to HEDCO for a 0.45 ROW located on Frisco Street. (Abercrombie/Jimerson)

John explained the sliver of property .45 acres is a right of way the City owns for a proposed street relocation that was not or never will be relocated.

Council Member Henry Pace made a motion to approve the donation of said ROW to HEDCO. Duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

7. Consideration and action upon the second reading of Ordinance 2023-04-05 renaming Pope Street to Bob Allen Way. (Hughes/McElfresh)

Zoning Coordinator Billy Hughes reiterated the renaming of a portion of Pope Street as Bob Allen Way, recommending the Council approve this second reading of the ordinance.

Council Member RW made a motion to approve the second reading of ordinance 2023-04-05, duly seconded by Council Member Melissa Morton. The vote was unanimous.

8. Consideration and possible action upon Resolution 2023-06-01 establishing the City of Henderson Property Assessed Clean Energy (PACE) Program. (Jimerson/Abercrombie)

Mayor Fullen stated this item needs to be struck from this agenda.

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

HEDCO Director John Clary explained the Secretary of State asked that we revise the HEDCO Certificate of Formation to include a statement that the corporation is being formed by a conversion. Therefore, an addendum needed to be added to this resolution.

Council member Wes Breitenberg made a motion to approve the Resolution Addendum, duly seconded by Council Member Gina Juarez. The vote was unanimous.

10. Consideration and possible action upon a recommendation of appointments to the Main Street Board and the Henderson Landmark Preservation Committee. (S. Kimbrell)

Civic Center Manager Stephanie Kimbrell stated Resolution # 2023-05-02 (approved at the May 16th meeting) declares the same 7 members serve a dual role on both the Committee and Board, but shall act independently. Stephanie made a recommendation for Council approval to the members as listed:

Leon Harris - term expires 6/1/27 and fourth June 1st thereafter

Gearheart, Downtown Business & Property Owner - term expires 6/1/27 and fourth June 1st thereafter

Bonnie Geddie, Chamber of Commerce representation - term expires 6/1/27 and fourth June 1st thereafter

Brant Bane, Downtown Property Owner - term expires 6/1/26 and fourth June 1st thereafter

Kelly Bumgardner, Downtown Business & Property Owner - term expires 6/1/26 and fourth June 1st thereafter

Michael Loosier, Downtown Business & Property Owner - term expires 6/1/26 and fourth June 1st thereafter

Misty Evans, Downtown Business Owner - term expires 6/1/26 and fourth June 1st thereafter

Council Member Melissa Morton made a motion to approve the members and terms as listed, duly seconded by Council Member Wes Breitenberg. The vote was unanimous.

11. Consideration on an ordinance to abandon a portion of an undeveloped alley on Peach Street.

Zoning Coordinator Billy Hughes asked Council to consider the first reading of ordinance 2023-06-06 abandoning part of an alley that lies between Lots 5& 6 in Block 12/186 and Lots 11 & 12 Block 12/186 in the Miszner Addition of the City of Henderson, Rusk County, Texas. The proposed portion of this alley is not beneficial to the City of Henderson nor are there any future plans to revitalize this portion of this alley or utilize it for any infrastructure.

Council had no questions or comments on the first reading of Ordinance 2023-06-06.

12. Consideration and possible action upon scheduling a Budget Workshop and Special Meeting for July 7, 2023 at 3:00 p.m. (Abercrombie)

The budget calendar dates had the budget workshop scheduled for 3 p.m. before this Regular Council Meeting. Staff needed to push the workshop out a bit to make sure there was adequate time to bring a balanced budget to the Council for consideration. He asked the Council to consider scheduling a Budget Workshop for July 6 at 3:p.m.

Council Member Reggie Weatherton made a motion scheduling a budget hearing on July 6th at 3:00 p.m., duly seconded by Council Member Gina Juarez. The vote was unanimous.

DEPARTMENTAL REPORTS:

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

Council had no questions or comments on the monthly reports.

A. City Manager

B. Fire Department

C. Police Department

D. Animal Center

E. Community Development

F. Public Services/Parks and Recreation Department

G. Public Utilities

H. Finance Department

I. City Secretary

J. Communications and Marketing

K. HEDCO

L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

BOARDS AND COMMISSIONS

Council had no questions or comments on the Board meeting minutes.

Board of Adjustments Minutes of May 6, 2023 meeting.

Planning and Zoning did not meet in May.

Cemetery Board next meeting is scheduled for August 16, 2023.

Main Street Meeting Minutes from May 23, 2023.

Preservation Board did not meet in May.

EXECUTIVE SESSION

Mayor Fullen stated there were no updates to the items in the executive session and struck them from the agenda.

14. Executive Session to consult with the City Attorney discussing real property located in the 1800 Block of HWY 64 West in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 071 and 072.

REGULAR SESSION

15. Reconvene into Regular Session and take action necessary as a result of the Closed Session.

ADJOURNMENT

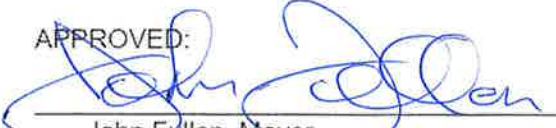
16. Adjourn

Council Member Melissa Morton made a motion to adjourn at 6:27 p.m., duly seconded by Council Member Gina Juarez. The vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John Fullen, Mayor