

MINUTES OF THE
HENDERSON CITY COUNCIL

July 25, 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 6:01 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, Fire Chief Rusty Chote, Director of Public Services Kirk Kimbrell, Finance Director Karen Arnall, Animal Center Director Charissa Pool, Community Development Manager Cliff McElfresh, Zoning Coordinator Billy Hughes, 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:

Council Member Reggie Weatherton gave the invocation, Mayor Fullen led the Pledges.

CITIZENS COMMENTS

There were no citizen comments.

PRESENTATIONS/ANNOUNCEMENTS

Karen Ellis with PSI introduced Jordan, our project manager. He gave an update on where they are at on the city's projects.

The lighting has been replaced, started April 23 and finished in June 23. Pressure monitoring and leak detection nodes started March 22 and finished March 23. The water meters installation started April 23 meter completion date is projected to be in August 23.

CONSENT AGENDA

1. Consideration of possible action upon the minutes of June 20th Regular Council Meeting and the July 6th Special Meeting and Budget Workshop. (Jimerson)

2. Consideration and possible action upon HEDCO financials from the month of May, 2023 (Clary)

Council Member Gina Juarez stated the July 6th minutes needed heading corrections from the Regular Council Meeting to Special Council Meeting and Budget Workshop.

Council Member Henry Pace made a motion to approve the consent agenda with the correction to the July 6 minutes, duly seconded by Council Member Melissa Morton. The vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION

3. Consideration and possible action upon Resolution 2023-07-02 making emergency repairs to the Central Fire Department Roof. (Chote/Holland)

The project was identified as an emergency because of the damage to the roof from the hailstorm and water damage to the attic area and ceiling grid. The roof leaks and condensation from the air conditioning duct work has caused the current insulation and ceiling grid to sustain water damage. This has been an ongoing issue for some time, but the problem has escalated since the hailstorm. The staff are concerned regarding the potential hazards that this could cause.

The current construction cost for the project is \$73,000. As long as construction costs remain close to what was

estimated, staff plan to file for the roof replacement on insurance due to the hail damage and proceed with construction as soon as possible upon receipt of plans and permits.

Council Member Gina Juarez made a motion to approve Resolution 2023-07-02 for the emergency roof repair on the Central Fire Station, duly seconded by Council Member Melissa Morton. The vote was unanimous.

4. Consideration and possible action upon Resolution 2023-07-03 making emergency repairs to the Central Fire Department ceiling and attic. (Chote/Holland))

Mayor Fullen stated there were some questions about item 4. This item will be tabled until questions are answered.

5. Consideration and possible action upon a Volunteer Paid Time Off (VTO) Policy. (Abercrombie/Faulkner)

City Manager Jay Abercrombie explained this policy to the Council, giving two full days of paid time off for employees to volunteer at non-profit organizations. If approved, this will go into effect October 1 with four hours prorated, and will expire December 31, 2023. Every January each full-time employee will be credited with 16 hours into the Volunteer Time Off (VTO) account that will not roll over after December 31 of each calendar year.

Council Member Reggie Weatherton asked where the area would be where employees could volunteer for the city and county? Jay stated when the policy was being created, thoughts referred to more local events. Fire Chief Rusty Chote made a suggestion to the youth live stock show. Executive Leadership Assistant/HR Specialist Hillary Faulkner stated there are a few employees that volunteer outside the country. Jay stated that is true. Local food banks, churches, etc.

Council Member Wes Breitenberg asked what the approval process would be? City Manager Jay stated, by submitting an approval form to the department director, then it goes to the administration department for final approval, the same as any other scheduled time off, the dual approval system.

Council Member Gina Juarez made a motion to approve the Volunteer Paid Time Off (VTO) Policy, duly seconded by Council Member Henry Pace. The vote was unanimous.

6. Consideration and possible action scheduling Regular Council Meetings for August 8, August 22, September 5 and September 12, 2023. (Jimerson)

City Secretary Cheryl Jimerson made a recommendation for Council members to move and schedule additional Regular Scheduled Council Meetings during August and September, to comply with the legal notice postings on Budget and Tax Rate requirements.

Council Member Mellisa Morton made a motion to approve scheduling regular council meetings for August 8, August 22, September 5, and September 12, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

7. Consideration and possible action upon entering into a Joint Agreement with Rusk County Elections Department to run the Municipal Election November 7, 2023. (Jimerson)

City Secretary Cheryl Jimerson stated this item is a formality in the election process. Staff is presenting acceptance of a contract for the November Election with Rusk County Elections Administrator.

Council Member Henry Pace made a motion to approve a Joint Agreement with Rusk County Elections Department to run the November 7, 2023 election, duly seconded by Council Member Wes Breitenberg. The vote was unanimous.

8. Consideration and possible action upon Resolution 2023-07-01 Intent to establish the City of Henderson Property Assessed Clean Energy (PACE) Program and setting a public hearing date on August 22nd at 6:00 p.m.. (Jimerson)

City Secretary Cheryl Jimerson recommended the Council approve the resolution of intent to establish the Property Assessed Clean Energy Program (PACE) program for the City of Henderson and set a public hearing date of August 22nd at 6:00 p.m.

- Here is the list of local governments the Texas PACE Authority (TPA) serves.

<https://www.texaspaceauthority.org/service-areas>. Each has its own web page. The Texas PACE Authority is a 501(c)(3) nonprofit that administers PACE programs as a public service and at no cost to local government and with no impact on city resources.

Council Member Melissa Morton made a motion to approve Resolution 2023-07-01 with the intent of establishing a Property Assessed Clean Energy Program and setting a public hearing date on August 22, 2023 at 6 p.m., duly seconded by Council Member Henry Pace. The vote was unanimous.

9. Consideration and possible action upon Re-plat #2 of the HEDCO-FRISCO STREET Subdivision. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes explained, at the council meeting held on December 20, 2022, a minor plat was approved for this property. However, a small triangle of land located on the front of the property was not included in this re-plat. It was discovered that this small piece of property was still owned by the City and required the donation of the land from the City to HEDCO and this re-plat so lots 2 and 3 will have road frontage on North Frisco.

Council Member Reggie Weatherton made a motion to approve the HEDCO-Frisco Street Subdivision Re-plat #2, duly seconded by Council Member Wes Breitenberg. The vote was unanimous.

10. Consideration and possible action upon the second reading of Ordinance 2023-06-06 regarding the abandonment of a portion of an undeveloped alley in the 1000 block of Peach Street. (Hughes/McElfresh)
Planning and Zoning Coordinator Billy Hughes recommended that Council approve the second reading of an ordinance regarding the abandonment of this alley. Consideration and possible action regarding the second reading of an ordinance abandoning part of an undeveloped alley between Lot 11 & 12 of Block 12/186 and Lot 3&4 of Block 12/186 of the City of Henderson, Rusk County.
It has been requested in writing for this section of the alley to be abandoned by all adjacent property owners.

Council Member Reggie Weatherton made a motion approving the second reading of said Ordinance 2023-06-06, duly seconded by Council Member Henry Pace. The vote was unanimous.

11. Consideration and possible action upon a minor plat for property located at the 1000 Blk of Peach Street. (Hughes/McElfresh)
Planning and Zoning Billy Hughes recommended Council approve a Minor Plat application submitted by RJ Alexander that would combine Lots 11 and 12, Block 12/186 in the Miszner Addition and a 6' x 100' portion of the abandoned alley in the City of Henderson.

Council Member Wes Breitenberg made a motion to approve a minor re-plat of the 1000 block of Peach Street, duly seconded by Council Member Gina Juarez. The vote was unanimous.

12. Consideration and possible action to approve HEDCO Type A and Type B Budget Amendments 2023-2024.
Mayor Fullen made a correction to the budget. The amendment is for the 2022-2023 budget.

HEDCO Director John Clary went over the budget amendments with the Council answering any questions they may have had.

Council Member Melissa Morton asks what is considered a high demand job? John stated that the East Texas Workforce creates a list of what is considered a high demand job for the Grant Board. He doesn't know how they determine what they are. It is a Workforce formula.

Council Member Melissa Morton made a motion to approve HEDCO Type A and Type B budget amendments for the 2022-2023 budgets, 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.

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

Sales Tax Revenue May, 2023

L. Director of Operations

Civic Center

Main Street/Tourism

Council Member Reggie Weatherton asked if there was a priority list of streets for the next phase of repairs/reconstruction. If so, can he get a copy of it?

City Manager Jay Abercrombie stated yes there is a list, it was created for the 2022 street bond. The list may need to be reprioritized for the next phase due to weather and higher traffic volumes in different areas of the city. He will send the list out to the Council.

Council Member Weatherton also wanted to thank Public Services Director Kirk Kimbrell for answering his call about an issue the other day. Great job Kirk.

Municipal Court

The council had no questions or comments on the Board meeting minutes.

BOARDS AND COMMISSIONS

Board of Adjustments Minutes of the June 13, 2023 meeting.

Planning and Zoning Minutes. There was no meeting in June.

Cemetery Board Meeting Minutes. There was no meeting in June.

Main Street Meeting Minutes- None at this time.

Preservation Minutes - None at this time.

ADJOURNMENT

14. Adjourn

Council Member Reggie Weatherton made a motion to adjourn at 6:40 p.m., duly seconded by Council Member Henry Pace. The vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John Fullen, Mayor