

**MINUTES OF THE
HENDERSON CITY COUNCIL
Regular Scheduled Meeting**

November 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 4:30 p.m.

Council members present were Stephen Strong, Reggie Weatherton, Henry Pace, Melissa Morton, and Gina Juarez.

Staff members present were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, Interim City Attorney David Hill, Chief of Police Chad Taylor, Fire Chief Rusty Chote, 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, Planning and Zoning Administrator/Building Official Dennis Williams, Executive Leadership Assistant/HR Specialist Hillary Faulkner, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

EXECUTIVE SESSION:

1. Executive Session to Consult with the interim City Attorney discussing a City Attorney in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Section 071. (Mayor)

Mayor Fullen convened into executive session at 4:31 pm.

2. Reconvene into Regular Session no earlier than 6 p.m. (Mayor)

Mayor Fullen reconvened into regular session at 6:08 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Council Member Henry Pace gave the invocation, Mayor Buzz Fullen led the pledges.

CITIZENS COMMENTS

There were no citizens' comments.

PRESENTATIONS/ANNOUNCEMENTS

3. Issue oath of office to persons duly elected to the following offices by no opposing candidate or application submitted: Council District One, Council Member District Four and Council Member District Five. (Jimerson)

Municipal Court of Record Judge James Holmes issued the Anti-Bribery and Oath to Stephen Strong as Council Member for District 1, Melissa Morton as Council Member for District 4, and Gina Juarez as Council Member for District 5.

4. Appointment of Mayor Pro Tem. (Mayor)

Council Member Henry Pace was appointed the Mayor Pro-Tem.

CONSENT AGENDA

5. Consideration of possible action upon the minutes of the meeting held October 17, 2023. (Jimerson)

6. Consideration and possible action upon street closure for the annual Christmas Tree Lighting and Christmas Parade November 30, 2023 at 6:00 p.m. (Chote/Taylor)

7. Consideration and possible action upon a contract with MPA Fireworks for the Independence Day Fireworks Display to be held on July 6, 2024. (Chote)

8. Consideration and Possible Action upon HEDCO financials for September 2023. (Clary)

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

9. Consideration and possible action upon the appointment of a City Attorney. (Mayor)

Council Member Reggie Weatherton made a motion to appoint Russell Brown as the City Attorney with an effective date of December 1, 2023, duly seconded by Council Member Stephen Strong. The vote was four for and one against, the motion carried.

10. Open a public hearing on the proposed Henderson 2050 Comprehensive Plan. (Mayor)

Mayor Fullen opened a public hearing at 6:18 p.m. on the City of Henderson's 2050 Comprehensive Plan.

Mark Bower with Kimley Horn gave an overview of the past 17 months on the creation of the 2050 Comprehensive Plan.

11. Consideration and action upon closing the public hearing. (Mayor)

Council Member Gina Juarez made a motion to close the public hearing at 6:55 p.m, duly seconded by Council Member Melissa Morton. The vote was unanimous.

12. Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of Ordinance 2023-11-01 on the 2050 Comprehensive Plan. (Hughes/McElfresh)

Council Members had no questions or comments on the first reading of Ordinance 2023-11-01 concerning the 2050 Comprehensive Plan.

13. Consideration and possible action upon Resolution 2023-11-01 nominating Board Members to serve on the RCAD Board of Directors for the 2024-2025 term. (Jimerson)

Mayor Fullen explained the resolution to the Council members stating the normal process for the city is to split the 281 votes allowed by the Appraisal District between the board nominees who reside in the city limits. There are two that live within the city limits of Henderson, Dennis Eby will have 140 votes and Nesha Partin will have 141 votes of the 281 votes allowed to the city.

Council Member Melissa Morton made a motion to approve Resolution 2023-11-01 nomination of board members to serve on the Rusk County Appraisal District (RCAD) board, duly seconded by Council Member Henry Pace. The vote was unanimous.

14. Consideration and possible action upon the reappointment of the Board of Adjustments Members Cecilia Koch, Allen Stanley, and Alton Pryor for a two-year term. (Jimerson)

The Planning and Zoning Coordinator, Billy Hughes, reached out by polling the members to see if they would be interested in serving another two-year term. All three members wanted to continue another term on the Board of Adjustments.

Council Member Gina Juarez made a motion to approve the BOA members listed for another term, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

15. Consideration and possible action upon the re-appointment of Planning and Zoning Members Johnny Walker, Gary Wilson and Chad Boatright. (Jimerson)

The Planning and Zoning Coordinator, Billy Hughes, reached out by polling the members to see if they would be interested in serving another two-year term. All three members wanted to continue another term on the Planning and Zoning Commission.

Council Member Henry Pace made a motion to approve all three members listed to the P and Z Commission, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

16. Consideration and possible action on a revision to Paragon's Scope of work description for the ceiling and lighting proposal at the Central Fire Station. (Holland/Chote)

Neal Holland of Stokes and Associates explained to the Council, Paragon Construction has a contract with the City to provide HVAC construction services at the Central Fire Station as a part of the improvements to the overall upgrade to the building envelope. The living quarters HVAC portion of this work is 95% complete and they will soon begin to work on the administrative side of the building.

In order to re-occupy the living quarter's space by the fire department and emergency services staff, it is necessary that new lay-in ceiling tiles/ grids be installed and the building's lighting be reinstalled. Therefore, I asked Paragon Construction to provide a quote for the ceiling, grid and lighting for the total building. Their total price for this work is \$38,198.16, which is less than \$2,000 more than the original bid.

If approved by the Council, we propose to issue this work to Paragon Construction in the form of a change order to their original contract.

Council Member Reggie Weatherton asked how close the project was to being completed? Neal stated about three weeks, including the holidays.

Council Member Gina Juarez made a motion to approve the new quote, duly seconded by Council Member Melissa Morton. The vote was unanimous.

17. Consideration and possible action regarding a Major Subdivision Plat for the East Texas Regional Business Park located on Tx Loop 571 and State Hwy 323 in the city's ETJ. (Hughes/McElfresh)

Zoning Coordinator Billy Hughes explained a Major Plat application submitted by John Clary, on behalf of HEDCO. Section 3.A. of the City of Henderson's Subdivision Ordinance states "Except as otherwise provided, these regulations apply to all subdivisions of land within both the City Limits and within the City's extraterritorial jurisdiction." And in Section 3.C "...no land may be subdivided or platted through the use of any legal description other than with reference to a plat approved by the City Council in accordance with these regulations."

Council Member Reggie Weatherton made a motion to approve the Major Plat, duly seconded by Council Member Stephen Strong. The vote was unanimous.

DEPARTMENTAL REPORTS:

18. 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 September 2023

L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

Update on the elevator by Neal Holland.

Reggie asked for a copy of the street and infrastructure list.

No other comments or questions from the council.

BOARDS AND COMMISSIONS

Board of Adjustments Minutes

Planning and Zoning Minutes

Cemetery Board Meeting Minutes

Main Street Meeting Minutes

Preservation Minutes

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

ADJOURNMENT

19. Adjourn

Council Member Henry Pace made a motion to adjourn at 7:12 p.m., duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John Fullen, Mayor