

MINUTES OF THE
HENDERSON CITY COUNCIL
Regular Scheduled Meeting

December 19, 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 Stephen Strong, Reggie Weatherton, Henry Pace, Melissa Morton, and Gina Juarez.

Staff members present were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Russell Brown, 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, Animal Center Director Charissa Pool, Planning and Zoning Administrator/Building Official Dennis Williams, Zoning Coordinator Billy Hughes, Health Officer Wes Breitenberg, Civic Center Manager Stephanie Kimbrell, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

CITIZENS COMMENTS

Don Crites brought to the city's attention a property known as 103 W. Lakeview Dr. having code violations. The property has been abandoned and a hazard for quite some time. He started a petition to bring it before the Council hoping something could be done about it. Mr. Crites had not contacted the Code Enforcement Department with a complaint nor submitted the petition to anyone in the city.

Mayor Fullen asked the Community Development Department to check on this property.

PRESENTATIONS/ANNOUNCEMENTS

There were no presentations.

CONSENT AGENDA

1. Consideration of possible action upon the minutes of November 21, 2023.

2. Consideration and Possible Action upon HEDCO financials for the month of October 2023.

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

COUNCIL BUSINESS – REGULAR SESSION

3. Consideration and possible action upon a retainer agreement for Russell Brown as the City Attorney and Prosecutor for legal services to the City of Henderson. (Abercrombie)

City Manager Jay Abercrombie stated at the November meeting that the Council appointed Russell Brown as the City Attorney effective December 1, 2023. Russell Brown has submitted a contract for the City of Henderson to pay six thousand dollars a month as the City Attorney and the prosecutor for legal services. This is one thousand dollars more than we were paying the previous City Attorney from the last raise agreed upon in 2018.

Council Member Stephen Strong made a motion to approve the contract presented by Russell Brown, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

4. Consideration and possible action regarding approving a contract with Wildfire Truck & Equipment Sales for Brush Truck bed and accessories for a supplied chassis. (Chote)

Fire Chief Rusty Chote asked the Council to consider authorizing Wildfire Truck & Equipment Sales to proceed with the building of a brush truck bed and fitting out a supplied chassis for a new brush truck for the Henderson Fire Department. The Rusk County Emergency Services District (RCESD) donated a new 5500 Ram chassis to the Henderson Fire Department in August 2023. The new brush truck will be used for wildfire and other emergency calls for both the City of Henderson and Rusk County.

Council Member Melissa Morton made a motion to approve the contract for a new brush truck bed and accessories for the Fire Department, duly seconded by Council Member Gina Juarez. The vote was unanimous.

5. Consideration and possible action upon a Memorandum of Understanding (MOU) Agreement with Carlisle ISD and the Henderson Civic Center. (S.Kimbrell)

This agreement is made to establish Henderson Civic Center as a shelter site location and terms of use in the event of an evacuation of Carlisle students and staff.

Carlisle Superintendent Josh Johnson reached out to look at area Rusk County facilities their district might utilize if they needed a reunification site for various emergencies for Carlisle ISD. Rusk County Expo Center is their Option 1. Henderson Civic Center will be their Option 2.

Council Member Reggie Weatherton made a motion to approve the agreement with Carlisle ISD, duly seconded by Council Member Gina Juarez. The vote was unanimous.

6. Consideration and possible action on the second reading of the ordinance regarding the 2050 Comprehensive Plan. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes gave a synopsis of the 2050 Comprehensive Plan to council. The city contracted with Kimley Horn on March 22, 2022 to lead the city in discussions and development of a comprehensive plan for the city's future growth and development. A committee of citizens, stakeholders and business owners was formed to advise the city council and residents the direction they believed the city should be going in for the next 20 to 30 years. Public hearings, workshops, an open house at city hall as well as setting up a booth at the Syrup Festival. All to get input, opinions and information from citizens and area residents on their vision of Henderson 20 years from now.

Kimley Horn used the information and data to guide them as they developed the new 2050 Comprehensive Plan for the City of Henderson.

Council Member Henry Pace made a motion approving Ordinance 2023-11-01 as listed in this item, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

7. Consideration and possible action upon a Minor Plat Application submitted for a property located at 111 S. Mill St. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes asked council to consider a Minor Plat application submitted by Collin Miley on behalf of Derrell Tucker and Lizbeth Garcia-Tucker. The subject property is located at 111 S. Mill St. The Tuckers already own one of the lots and recently purchased the vacant lot next to it. The vacant lot is too small for the owners to make any improvements to it under the current zoning requirements, so they are requesting to combine the two lots. Mr. Collin Miley, a registered surveyor, has surveyed and prepared a new plat combining Lots 8 and 9 of Block 109A located on S. Mill St. The new property will meet all current requirements.

Council Member Melissa Morton made a motion to approve said minor plat, duly seconded by Council Member Gina Juarez. The vote was unanimous.

8. Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of Ordinance 2023-12-01, regarding a request to re-zone a property from R1 to I1. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes explained to council, the Planning and Zoning Commission and our staff recommend that council approve an amendment to the Official Zoning Map that will give the owners the opportunity to include this adjoining property in their existing commercial property. The subject property is described as:

All Lot 14 Blk 658, of the TT Gammage Survey, Parcel #66

LSG Partners recently purchased this property that adjoins their property located at 502 Kilgore Drive. The property had an old substandard structure on it that was torn down and the lot cleared. Mr. Sam Jones, owner of LSG Partners, is requesting that this property be re-zoned to I1 so that he may fence it in and include this property as a part of his existing lay down yard for his business.

Council had no questions or comments on the first reading of Ordinance 2023-12-01.

9. Consideration and possible action on a Minor Plat application submitted by Bane Investment Holdings LLC. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes and staff recommended approval of a Minor Plat application in order to re-plat approximately 209 undeveloped lots contained in 17-18 Blocks of land in the Crimcrest Addition into two (2) lots consisting of 46.13 acres combined.

Council Member Henry Pace made a motion to approve a Minor Plat of the Crimcrest Addition, duly seconded by Council Member Reggie Weatherston. The vote was unanimous.

10. Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of Ordinance 2023-12-2, regarding a request to re-zone a property from R3 to M2. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes and the Planning and Zoning Commission recommended the City Council consider the first reading of Ordinance 2023-12-2, to amend the Zoning Map for the City of Henderson, changing the zone designation of a property that is currently zoned High Density Single Family Residential (R3) to a Multi-Family (M2) zoned district. This property is located on North Evenside and North Whippoorwill Ave. The property is described as: Lot 1 9.611 Acres, BIH Addition of the F N Brooks Survey in Henderson, Texas. City Sec Cheryl Jimerson asked the ordinance number be corrected from 2023-12-2 to 2023-12-02 for the 2nd reading.

Council had no questions or comments on the first reading of Ordinance 2023-12-02.

11. Consideration and possible action upon a recommendation to the Interview Committee from the Main Street Board on the appointment of Brooke Dover of Campfire Coffee Shop as a Main Street and Preservation Board Member. (Jimerson)

The interview Committee consisted of Mayor Fullen, Mayor Pro tem Henry Pace and City Secretary Cheryl Jimerson. There were three applications submitted and recommended by the Main Street Board; Cyndi Walker, Ryan Ellis, and Brooke Dover.

There was a unanimous vote to recommend Brooke Dover to the City Council as the new board member for the Main Street and preservation Boards.

Council Member Melissa Morton made a motion to approve Brooke Dover as the new board member, duly seconded by Council Member Gina Juarez. The vote was unanimous.

DEPARTMENTAL REPORTS:

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

A. City Manager

B. Fire Department

Fire Chief Rusty Chote mentioned earlier in the meeting that the firefighters would move from Old City Hall back into the living quarters of Central Fire Station right after Christmas.

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 October 2023
- L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

Council Member Reggie Weatherton made a point to tell the Public Services Director Randy Boyd, thank you.

The council had no questions or comments on the monthly reports.

BOARDS AND COMMISSIONS

Board of Adjustments Minutes

Planning and Zoning Minutes from the November 14 Meeting.

Cemetery Board Meeting Minutes

Main Street Meeting Minutes

Preservation Minutes

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

EXECUTIVE SESSION:

There was a no executive session.

REGULAR SESSION:

ADJOURNMENT

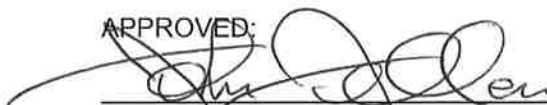
- 13. Adjourn

Council Member Gina Juarez made a motion to adjourn at 6:28 p.m., duly seconded by Council Member Melissa Morton. The vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John Fullen, Mayor