

**MINUTES OF THE
HENDERSON CITY COUNCIL
REGULAR COUNCIL MEETING**

January 15, 2019

The City Council met on this date at 6:00 p.m. with Mayor John (Buzz) Fullen presiding. Council Members present included Tommy Goode, Michael Searcy, Henry Pace, Melissa Morton and Steve Higginbotham.

Staff members present included Interim City Manager and Fire Chief Rusty Chote, City Attorney Joe Shumate, Police Chief Chad Taylor, Deputy Police Chief Randall Hudman, Public Services Director Davis Brown, Deputy Public Services Director Kirk Kimbrell, Finance Director Karen Vaughn, City Secretary Cheryl Jimerson, Main Street Coordinator Judy Lewis, Tourism Coordinator Suzanne Cross, Civic Center Coordinator Laura Wilkerson and HEDCO Director John Clary.

INVOCATION AND PLEDGE OF ALLEGIANCE: Council Member Tommy Goode gave the Invocation and Mayor Buzz Fullen led the Pledge of Allegiance.

CITIZENS' COMMENTS:

There were none.

PRESENTATIONS/ANNOUNCEMENTS:

Police Chief Taylor introduced the new Deputy Police Chief Randall Hudman. Interim City Manager Rusty Chote announced rate increases coming up for Waste Connections and SWEPCO/AEP.

CONSENT AGENDA: *Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*

1. Consideration and possible action on the following Minutes:

- ❖ June 12, 2018 - Regular Meeting
- ❖ July 10, 2018 Regular Meeting
- ❖ September 11, 2018 - Regular Meeting
- ❖ September 25, 2018 - Special Meeting
- ❖ October 9, 2018 - Regular Meeting
- ❖ November 13, 2018 - Regular Meeting
- ❖ December 4, 2018 - Regular Meeting
- ❖ January 7, 2019 - Special Meeting
- ❖ January 8, 2019 - Special Meeting
- ❖ January 10, 2019 - Special Meeting

- 2. Consideration and possible action upon HEDCO financials for November 2018. (Clary)**
- 3. Consideration and possible action upon amending ordinance 16-11-14 Smoke Free Zone to allow smoking in private clubs that are located in a commercial single unit structure. (Mayor, Jimerson)**
- 4. Consideration and possible action upon street closures for the Mardi Gras event in February. (Taylor)**
- 5. Consideration and possible action upon amending an agreement with Century 21 listing surplus property known as 113 E. Main for sale. (Chote)**

Mayor Fullen introduced the Consent Agenda. Council Member Steve Higginbotham asked to move item #3 to the Regular Session. Council Member Tommy Goode made a motion to approve the consent agenda with the exception of item #3, duly seconded by Council Member Michael Searcy; the motion passed unanimously.

COUNCIL BUSINESS – REGULAR SESSION:

- 6. Consideration and possible action upon amending ordinance 16-11-14 Smoke Free Zone to allow smoking in private clubs that are located in a commercial single unit structure. (Mayor, Jimerson)**

Interim Community Development Manager Cheryl Jimerson explained that a commercial single unit structure is one structure operated by one entity that does not lease out sections of the structure to other entities. Private Club is an occupant of a building used exclusively for club purposes with membership dues required.

Council Member Steve Higginbotham made a motion to approve amending smoking ordinance 16-11-14 allowing smoking in private clubs in commercial single unit structures, duly seconded by Council Member Henry Pace; the motion passed unanimously.
- 7. Consideration and possible action appointing Mayor Pro-Tem (Mayor)**

Mayor Buzz Fullen nominated Council Member Melissa Morton as Mayor Pro-Tem for the first quarter of the year starting January 2019.

Council Member Steve Higginbotham made a motion to approve Melissa Morton as Mayor Pro-Tem for the first quarter of the year, duly seconded by Council Member Henry Pace. Council Member Melissa Morton abstained from voting; the motion passed.
- 8. Consideration and possible action appointing a Board of Adjustments member for the remainder of the term ending September 1, 2019. (Jimerson)**

Interim Community Development Manager Cheryl Jimerson stated there were three applications submitted from citizens applying to be a member on the Board of Adjustments. She recommended Reginald Weatherton to be the board member filling the remaining term that expires September 1, 2019.

Council Member Tommy Goode made a motion to appoint Reginald Weatherton as the Board Member to fill the remaining term ending September 1, 2019, duly seconded by Melissa Morton; vote was unanimous.
- 9. Consideration and possible action upon Resolution No.19-01-01 for City's 2018-2019 Budget Amendment #3. (Vaughn)**

Finance Director Karen Vaughn stated the Council approved this item to be a budget amendment at last month's Council Meeting. The Resolution for the budget amendment needs to be considered. Council Member Steve Higginbotham made a motion to approve budget amendment #3 adding a part time position for a Chaplin in the Police Department. Council Member Melissa Morton seconded the motion; vote was unanimous.
- 10. Consideration and possible action for endorsement of the Rusk County Agriculture Committee and the Rusk County Soil and Water Conservation Committee recommendation and financial support of the feral hog problem by Ken Hale (Chote)**

Interim City Manager Rusty Chote introduced Ken Hale turning the floor over to him to make his presentation directly to the Council. Ken Hale asked a member of the Agriculture Extension Agency Jamie Suggs to join him with the presentation. Mr. Hale explained the purpose and submitted a proposal to Council for the Rusk County Boar Buster Feral Hog trap. He stated Rusk County has a wild hog problem and he is working with the Agriculture Extension Agency to help find a solution to help control such issues. This item will be on the next agenda for the Commissioners Court to consider with a proposal to them being to help pay for the trap in the amount of \$7,958.00. Mr. Hale's proposal to the City Council is for the city to pay for the data plan for the game camera motion detection service that will alert the member by cell phone that is in charge of monitoring the camera in the amount of about \$120.00 per month.

Council Member Tommy Goode made a motion to approve a two-year term to pay for a data package for the trap; contingent on the Commissioner's Court purchasing said trap, duly seconded by Melissa Morton; vote was unanimous.
- 11. Consideration and possible action for the Southside building and belt press. (Boyd)**

Interim City Manager Rusty Chote stated this is an information item not an action item. There was a fire in the belt press, it went out due to the air tight building but there is a considerable amount of damage to repair. There will be no motion to consider.

12. **Consideration and possible action on the grave digging services from Lee Utzman or Jacson Inc. (Brown)**
Public Services Director Davis Brown explained Jacson Inc. is the only grave digging services approved to be used by the local funeral homes. The Cemetery Association has researched other grave digging services and has asked Council to approve Lee Utzman as an additional option.
Council Member Steve Higginbotham made a motion adding Lee Utzman to a list of grave digging services for the local funeral homes, duly seconded by Council Member Michael Searcy; vote was unanimous.
13. **Consider and possible action of a payment due to Waste Connections for Solid Waste fees. (Vaughn)**
Finance Director Karen Vaughn explained a payment due to Waste Connections due to verbiage within the contract; water accounts vs garbage accounts have caused the City to pay additional fee's to Waste Connections. There will be an amendment to the contract within the near future correcting the verbiage. Council Member Melissa Morton made a motion to make the payment to Waste Connections, duly seconded by Council Member Michael Searcy; vote was unanimous.

DEPARTMENTAL REPORTS:

14. **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. Community Development
 - E. Public Services Department
 - F. Public Utilities
 - G. Finance Department
 - H. Court, Main Street, Tourism/Civic Center
 - I. HEDCO
 - J. City Attorney

All departmental reports were submitted to Council and addressed individually as needed.

EXECUTIVE SESSION:

15. **Executive Session to discuss Consultation with Attorney (Lake Striker Water Agreement), Personnel Matters (City Manager), in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Section 551.071, 551.072.**
Mayor Fullen moved Council into executive session at 6:50 p.m.


REGULAR SESSION:

16. **Reconvene into Regular Session and take any action necessary as a result of the Closed Session.**
Council reconvened into Regular Session at 7:23 p.m.
There was no action to take from Executive Session.

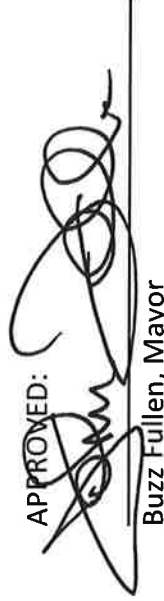
ADJOURNMENT:

17. **Adjourn.**
There being no further business to come before the Council at this time, upon motion by Council Member Melissa Morton, duly seconded by Council Member Michael Searcy; with a unanimous vote of the Council, the meeting was adjourned at 7:24 p.m.

ATTEST:


Cheryl Jjimerson, City Secretary

APPROVED:


Buzz Fullen, Mayor