

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

February 15, 2022

The City Council met on this date at 6:00 p.m. with Mayor John (Buzz) Fullen presiding. Council Members present included Wes Breitenberg, Henry Pace, Michael Searcy, and Melissa Morton. Gina Juarez was not able to attend.

INVOCATION AND PLEDGE OF ALLEGIANCE: Mt. Hebron Baptist Church Pastor Tony Zinnah gave the Invocation and Mayor Fullen led the Pledges.

Staff members that joined the Council Meeting were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Joe Shumate, Police Chief Chad Taylor, Fire Chief Rusty Chote, Public Utilities Director Randy Boyd, Director of Operations Davis Brown, Parks Director Kirk Kimbrell, Finance Director Karen Arnall, Community Development Manager Billy Hughes, Communications and Marketing Coordinator Phedra Johnson, Executive Leadership Assistant and H.R. Specialist Hillary Faulkner, and HEDCO Director John Clary.

CITIZENS COMMENTS

There were none.

PRESENTATIONS/ANNOUNCEMENTS

Mayor Fullen read and presented a proclamation and key to the city to Mr. Earl Gipson for over ten years of volunteering as a community servant.

CONSENT AGENDA

1. Consideration and possible action upon minutes of: (Jimerson)
January 18, 2022 – Regular Council Meeting
2. Consideration and possible action upon HEDCO Financials of December 2021. (Clary)
3. Consideration and possible action upon an annual Statement of Compliance for Motel 6 tax abatement.
4. Consideration and possible action upon an annual Statement of Compliance for 101 S. Marshall tax abatement.
5. Consideration and possible action upon an annual Statement of Compliance for Eastern Fuels tax abatement.
6. Consideration and possible action upon street closure for the Choir Booster Club 5K Run Fund raiser.

Council Member Melissa Morton made a motion approving the consent agenda items, duly seconded by Council Member Henry Pace. Vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION:

7. Consideration upon the second reading of Ordinance 2022-01-01 amending the text in Article 2 Section 2.31 of the Henderson Zoning Ordinance adding “Club or Lodge” to the list of Special Exception Uses. (Hughes)
Community Development Manager stated, The Planning and Zoning Commission met on December 14, 2021 to consider an application submitted by Charlie Floyd on behalf of VFW Post 8525. Mr. Floyd is requesting that “Clubs or Lodge” be added to the Special Exception Uses for the Low Intensity Industrial (I1) zone.
Council Member Wes Breitenberg made a motion to approve second reading of Ordinance 2022-01-01 as written, duly seconded by Council Member Michael Searcy. Vote was unanimous.
8. Consideration upon the second reading of Ordinance 2022-01-02 amending the Henderson Zoning Map, changing the zoning of four lots that are currently zoned Urban Commercial (UC) and one lot zoned Local Commercial (C1) to a Medium Density Single Family Residential (R2) zone. (Hughes)
Community Development Manager Billy Hughes recommended Council approve the change to the zoning map allowing for two residential structures to be built within this neighborhood.
Council Member Melissa Morton made a motion approving the second reading of Ordinance 2022-01-02 amending the Henderson Zoning Ordinance, duly seconded by Council Member Michael Searcy. Vote was unanimous.
9. Consideration upon on a first reading of Ordinance 2022-02-03, a recommendation from the Planning and Zoning Commission to amend the Henderson Zoning Map, changing the zone from General Commercial District (C2) to Manufactured Home District (R4) located on the east side of Oliver Street between Pope Street and Martin Luther King Jr. Drive. (Hughes)
Community Development Manager Billy Hughes stated the properties that are included in this request are currently zoned C2 with the zoning district line running through the back yard property lines of the eight subject properties. If this request to rezone these properties is approved, the vacant lots on this street could be used for single family residences.
There was no discussions upon making any changes to the first reading of Ordinance 2022-02-03 from Council.
10. Consideration and possible action upon Resolution 2022-02-01 executing the Texas Subdivision and Special District Election and release form for an opioid settlement. (Abercrombie)
Staff recommends for Council to approve the Special Release Form for another pharmaceutical company called ENDO/Par on the Opioid Settlement. This will be another company added to Resolution 2021-10-05 Council adopted October 2021. By participating in this settlement agreement, the City of Henderson relinquishes any future right to file claims against these companies and ENDO/Par for the opioid crisis.
Council Member Melissa Morton made a motion to approve executing the release form for an additional company to be added to the opioid settlement, duly seconded by Council Member Wes Breitenberg. Vote was unanimous.
11. Consideration and discussion upon the first reading of Ordinance 2022-02-04 removing the one-way street during certain time of the day from Lion Street. (Taylor)

Chief Taylor stated Lion Street was made into a one-way street between the hours of 6:30 AM - 8:30 AM and 2:30 PM – 4:30 PM in 2016 in effort to make the street safer for students and parents arriving and leaving the school, during the construction of the new middle school. Since that time there was a new entrance from Ruby Street constructed, which has made Lion Street less congested. HISD is now asking to remove the one-way status. There were no discussions upon making changes to the first reading of ordinance 2022-02-04 from Council.

12. Consideration and possible action upon the appointment of Scott Droddy to the Planning and Zoning Commission. (Jimerson/Mayor)

The Planning and Zoning Commission has three members whose terms expired December 1, 2021; they have all agreed to serve another term. Those members are William Garmon who has been on the board since 1995 and Chad Boatwright who has been on the board since 2013. Michael Marshall, who has served since 2010, has decided to step down from the Planning and Zoning Commission after 11 years of service.

City Secretary Cheryl Jimerson stated the interview board made up of the Mayor, Mayor Pro-Tem, City Manager and Department Manager interviewed four citizens for the open position on this board and unanimously recommends Scott Droddy to fill this position and the re-appointment of the other board members listed above.

Council Member Henry Pace made a motion for the new appointment of Scott Droddy and re-appointment of citizens listed above, duly seconded by Council Member Michael Searcy. Vote was unanimous.

13. Consideration and possible action upon the appointment of Maria Murillo to the Housing Board. (Jimerson/Mayor)

The Housing Board has three members whose term expired January 2022. Yuli Elizondo and Jesus Reyes have agreed to serve another term on the board. There is a vacancy for the other board member places. The interview board made up of the members listed in item 12 above interviewed four citizens for the open position on this board and unanimously recommends the appointment for the vacant position to be Maria Murillo.

Council Member Michael Searcy made a motion to approve the new appointment of Maria Murillo and re-appointment of the citizens listed above, duly seconded by Council Member Henry Pace. Vote was unanimous.

14. Consideration and possible action upon the appointment of Elidia Ramirez to the Cemetery Board. (Jimerson/Mayor)

City Secretary Cheryl Jimerson stated the interview board made up of the Mayor, Mayor Pro-Tem, City Manager and Department Manager interviewed four citizens for the open position on this board and unanimously recommends Elidia Ramirez to fill this position.

Council Member Michael Searcy made a motion appointing Elidia Ramirez to the Cemetery Board for a two-year term, duly seconded by Council Member Henry Pace. Vote was unanimous.

DEPARTMENTAL REPORTS:

15. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports. There were no questions on any of the reports.

A. City Manager stated the reimplementation of placing Davis Brown back to the Director of Operations and Kirk Kimbrell into the Public Services Director positions has taken place, with the Parks and Recreation position to remain open for now. Jay also updated Council on the Advisory Board that will need to be created to start the Comprehensive Plan process; he asked that interested parties apply through the City Secretary to be on this Board.

B. Fire Department

C. Police Department

D. Animal Center

E. Community Development

F. Public Services Department

G. Parks and Recreation

H. Public Utilities

I. Finance Department

J. City Secretary

K. Communications and Marketing

L. HEDCO

EXECUTIVE SESSION:

City Manager nor City Attorney had updates on the items listed for executive session and asked the item be dropped from the agenda.

16. Executive Session to consult with City Attorney discussing real property located at 300 W. Main, 400 W. Main and Streets in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Section 072.

ADJOURNMENT:

There being no further business to come before Council at this time, upon a motion by Council Member Michael Searcy, duly seconded by Council Member Henry Pace; with a unanimous vote of the Council, the meeting was adjourned at 7:28 p.m.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John (Buzz) Fullen Mayor