

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

May 18, 2021

The City Council met on this date at 5:30 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 at workshop included City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Joe Shumate, Police Chief Chad Taylor, HR Specialist and Leadership Assistant Hillary Falkner, and Communications Coordinator Phedra Johnson

INVOCATION AND PLEDGE OF ALLEGIANCE: Calvary Baptist Church Pastor Luke Brown gave the Invocation and Mayor Fullen led the Pledges.

Mayor Fullen call the Workshop to order at 5:30 p.m.

The Interview Committee (Mayor Fullen, Mayor Pro-tem Melissa Morton and City Secretary Cheryl Jimerson) reported how well the interview process went with 4 of 7 applicants interviewed. One withdrew application, one did not return call or email to be interviewed and Bonnie Geddie was not interviewed but was considered due to the Ordinance specifying a Chamber employee shall be on the committee. The four interviewed were John Dulin (knowledge of historical architecture, history of Henderson and member of the Historical Committee) Kelly Bumgardner (Realtor and property owner), Brant Bain (Realtor and property owner), and Joe Koch (Realtor and knowledge of historical architecture).

Recommendation from the interview committee for the 7 members of the Historic Landmark Preservation Committee is the reappointment of Art Rousseau and Carole Young for a two-year term with Kelly Bumgardner and Joe Koch as new members for a two-year term. Reappointment of Judy Sewel for a one-year term and new members Brant Bain and Bonnie Geddie for a one-year term.

Council Member Michael Searcy made a motion to close the workshop at 5:49 p.m. and recess until 6 p.m. for the Regular Scheduled Council Meeting, duly seconded by Council Member Steve Higginbotham; vote was unanimous.

Mayor Fullen called the City Council to order at 6:00 p.m.

Staff members that joined the Council Meeting were Fire Chief Rusty Chote, Director of Public Services Davis Brown, Director of Public Utilities Randy Boyd, Director of Finance Karen Arnall, Parks and Recreational Director Kirk Kimbrell, Community Development Manager Billy Hughes, Community/Outreach Training Lieutenant Charles Helton and HEDCO Director John Clary.

CITIZENS' COMMENTS NON-AGENDA ITEMS:

There were none.

CITIZENS' COMMENTS AGENDA ITEMS:

There were none.

PRESENTATIONS/ANNOUNCEMENTS:

City Manager Jay Abercrombie spoke on behalf of Trey Segura (not able to be at the meeting in person) thanking the City and Main Street Board Members for a successful first-time Hot Rod Rebellion car show event specific to automobiles from earlier than 1960.

CONSENT AGENDA

1. Consideration and possible action on the following Minutes: **(Jimerson)**
 - ❖ April 20, 2021- Workshop and Regular Meeting
2. Consideration and possible action on HEDCO financials from April 2021. **(Clary)**

Council Member Steve Higginbotham made a motion to approve the consent agenda; duly seconded by Council Member Michael Searcy; vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION:

3. Open a Public Hearing for citizen comments upon a reinvestment zone for Henderson Industrial Park. Mayor Fullen opened the public hearing at 6:08 p.m. City Secretary Cheryl Jimerson stated the reinvestment zone is being considered to help speed up the process for any business that may want to make capital improvements and create jobs in this area, that would be asking for a tax abatement.

Citizens asked if there would be an abatement for large equipment purchases? HEDCO Director John Clary stated the abatement policy currently in place needs to be updated. He and the City Manager will be working toward getting it in place. City Manager Jay Abercrombie stated there is not a projected date to have the policy completed but the City is working on it. Another citizen asked if there would be a listing available for the businesses that would be eligible for the abatement. HEDCO Director John Clary stated, the abatement is not just limited to this area, any business owner that wants to make capital improvements can meet with city officials with a plan requesting an abatement. If approved the property would need to be declared a reinvestment zone then the abatement granted. The city is just trying to get one step of this process in place so a business can move at the speed of business. City Secretary Cheryl Jimerson stated types of abatements are also available for new housing subdivisions not just capital improvements to businesses.

One citizen wanted to make a comment to the city officials stating he thought the city had handled this past year very well trying to keep the businesses operating. Other places were shutting down facilities when Henderson was trying to keep as much as possible open and operating.

4. Close Public Hearing
Council Member Melissa Morton made a motion to close the public hearing, duly seconded by Council Member Tommy Goode; vote was unanimous to close the public hearing at 6:22 p.m.
5. Consideration and possible action upon a reinvestment zone Ordinance 2021-05-01 for Henderson Industrial Park. (Jimerson/Hughes)
Council Member Steve Higginbotham made a motion to approved the first reading of Ordinance 2021-05-01 creating a reinvestment zone for the Henderson Industrial Park, duly seconded by Council Member Melissa Morton; vote was unanimous.
6. Consideration and possible action upon Ordinance 2021-05-02 amending the establishment of the Henderson Landmark Preservation Committee. **(Jimerson)**
City Secretary Cheryl Jimerson stated ordinance 2021-05-02 amending ordinance 88-4-14 by removing Section 5 (a) 1,2, and 3, the committees are no longer in existence, section 5 (c) changing the meeting from quarterly to monthly, and section 5 (d) removing Rusk County Tourism Department as an ex-officio member for they are no longer in existence either. Cheryl stated she would like to see the new ordinance cleaned up and all the updates compiled into one clean ordinance. City Attorney Joe Shumate agreed.
Council Member Melissa Morton made a motion to approve the first reading of ordinance 2022-05-02 with modifications bringing in all sections from original ordinance 88-4-14, Duly seconded by Council Member Henry Pace; vote was unanimous.
7. Consideration and possible action upon ordinance 2021-05-03 amending establishing criteria for the historical district. **(Jimerson)**
City Secretary Cheryl Jimerson stated criteria for Council to consider needs section (d) removed, if permit is denied requestor can appeal to City Council. This ordinance also needs all the criteria placed within the new ordinance. City Attorney Joe Shumate agreed.
Council Member Michael Searcy made a motion to approve the first reading of ordinance 2021-05-03 with modifications bringing all sections over from the original ordinance 88-10-35, duly seconded by Council Member Melissa Morton; vote was unanimous.
8. Consideration and possible action upon a recommendation of an appointment of two new members and the reappointment of other members for the Henderson Landmark Preservation Committee. **(Jimerson)**
Council Member Michael Searcy made a motion reappointing members Art Rouseau and Carole Young for a two-year term and two new members Joe Kock and Kelly Bumgardner to a two-year term for the Henderson Landmark Preservation Committee. With the reappointment of Judy Sewel for a one-year term and two new members Brant Bain and Bonnie Geddie for a one-year term to the Committee, duly seconded by Council Member Steve Higginbotham; vote was unanimous.
9. Consideration and possible action upon an agreement with the Henderson Boys Baseball Association for use of athletic field at the Sports Complex. **(Abercrombie)**
City Manager Jay Abercrombie asked Council to strike items 9 and 10 from the agenda due to waiting on a title search to be completed on the properties.
Mayor Fullen stated items 9 and 10 are duly struck from the agenda, vote was unanimous.
10. Consideration and possible action upon an agreement with the Henderson Girls Softball Association for use of athletic field at the Sports Complex. **(Abercrombie)**
See item 9 and 10 struck from the agenda on #9

11. Consideration and possible action upon the second reading of an Ordinance creating the City of Henderson Municipal Court of Record. **(Abercrombie/Jimerson)**
Council Member Michael Searcy made a motion to approve the second reading of ordinance 2021-04-02 changing the City of Henderson’s Municipal Court to a Court of Record with the changes made in revision 3, duly seconded by Council Member Melissa Morton; vote was unanimous.

12. Consideration and possible action upon a second reading of ordinance 2021-04-03 on a text amendment to the Zoning Ordinance by recommendation of the Planning and Zoning Commission. **(Hughes)**
Council Member Michael Searcy made a motion to approve the second reading of ordinance 2021-04-03 on a text amendment to the zoning ordinance, duly seconded by Tommy Goode; vote was unanimous.

13. Consideration and possible action authorizing the City Manager to enter into an agreement with ClearGov for transparency, budgeting and track capital projects software. **(Abercrombie)**
Staff recommends Council to approve the contract with ClearGov for services which will include preparing budget documents and tracking capital projects presented in each department’s annual strategic plan.
Council Member Melissa Morton made a motion authorizing the City Manager to enter into an agreement with ClearGov, duly seconded by Council Member Michael Searcy; vote was unanimous.

14. Consideration and possible action authorizing the City of Henderson to issue requests for proposal (RFP) for administration services on a Comprehensive Plan. **(Abercrombie)**
City Manager Jay Abercrombie stated The City Council of the City of Henderson desires to participate in a full Comprehensive Plan for the City. This plan will be a 20–30-year plan to be used as a guide for land use, public facilities, and many other aspects of our City’s future development. This type of plan produces a large scope of work that is outside the skill set of City staff. The City should use a consultant group to lead the discussion and development of the plan. This Request for Proposal (RFP) would start the process of selecting said consultant for the project. The RFP document will be finalized, and notices of open bid will be given. Once the RFPs are received and submitted, staff will come back to Council to award the bid and contract to the firm chosen.
Council Member Steve Higginbotham made a motion authorizing the City Manager to issue RFP for Administration Services for a Comprehensive Plan, duly seconded by Council Member Michael Searcy; vote was unanimous.

15. Consideration and possible action upon a work order change for phase two of the East Side Sewer main project. **(Boyd/Holland)**
Public Utilities Director asked Council to table this item due to the work order not having a firm dollar amount to provide to Council.
Council Member Michael Searcy made a motion to table this item to wait on a firm dollar figure for the work order change, duly seconded by Council Member Melissa Morton; vote was unanimous.

DEPARTMENTAL REPORTS

16. 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 Department
 - G. Parks and Recreation Department
 - H. Public Utilities
 - I. Finance Department
 - J. City Secretary
 - K. Communications and Marketing
 - L. HEDCO

BOARDS AND COMMISSIONS

Board of Adjustments minutes of April 6

Planning and Zoning minutes of April 6

Cemetery Board-none scheduled at this time.

Main Street- next meeting April 27

Preservation Board – there have not been any applications come before the Board since March 1, 2021

EXECUTIVE SESSION:

17. Executive Session to Consult with City Attorney discussing litigations, real property located on W. Fordall and 113 E. Main, City Manager annual review and employment agreement; in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 071, 072 073 and 074.
Mayor Fullen convened to executive session at 6:55 p.m.

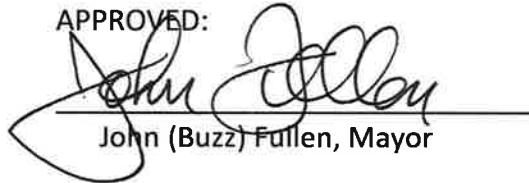
REGULAR SESSION:

18. Mayor Fullen Reconvene into Regular Session at 6:55 p.m. stating there was no action to take from executive session.

ADJOURNMENT:

19. Adjourn.
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 6:56 p.m.

APPROVED:



John (Buzz) Fullen, Mayor

ATTEST:



Cheryl Jimerson, City Secretary