

MINUTES OF THE
HENDERSON CITY COUNCIL
REGULAR RESCHEDULED MEETING

August 23, 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, Michael Searcy, Henry Pace, Melissa Morton and Gina Juarez.

INVOCATION AND PLEDGE OF ALLEGIANCE: Pastor David Chambers of the New Life Church gave the invocation and Mayor Fullen led the Pledges.

Staff Members present for the meeting were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Joe Shumate, Police Chief Chad Taylor, Deputy Fire Chief Sonny Ybarra, Director of Operations Davis Brown, Director of Utilities Randy Boyd, Director of Public Services Kirk Kimbrell, Animal Center Director Chrissa Pool, Finance Director Karen Arnall, Planning and Zoning Coordinator Billy Hughes, Community Development Manager Cliff McElfresh, Executive Leadership Assistant/HR Specialist Hillary Faulkner, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

CITIZEN COMMENTS:

There were none.

PRESENTATIONS/ANNOUNCEMENTS:

Mayor Fullen presented a certificate of appreciation to one of the youngest volunteers he knows of to date, Josiah Moland.

CONSENT AGENDA:

1. Consideration and possible action upon minutes of: **(Jimerson)**
July 21, 2022 – Regular Council Meeting
August 9, 2022 – Budget Workshop

2. Consideration and possible action upon HEDCO Financials May 2022. **(Clary)**

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

REGULAR SESSION:

3. Open a public hearing on the City of Henderson proposed 2022-23 budget. **(Mayor)**
No comments from citizens or council members.

4. Motion to close the budget public hearing
Council Member Henry Pace made a motion closing the public hearing, duly seconded by Council Member Michael Searcy. Vote was unanimous.

5. Open a public hearing on the 2022-23 tax rate. **(Mayor)**
A citizen asked with the 30% appraisal increase, how much of an increase is it to the city property taxes? Finance Director Karen Arnall stated approximately \$350,000, the tax rate went down almost one cent. There were other discussions upon the tax rate.
The proposed 2022-2023 tax rate .541828 per \$100 of assessed value is a decrease of .09872 from last year's tax rate.

6. Motion to close the tax rate public hearing. **(Mayor)**
Council Member Melissa Morton made a motion to close the public hearing, duly seconded by Council Member Henry Pace. Vote was unanimous.

7. Consideration and possible action upon a Chapter 312 tax abatement agreement for West Fraser Wood Products Inc. located in the reinvestment zone known as the Henderson Industrial Park. **(Abercrombie)**

HEDCO Director John Clary gave an overall summary of this project being in the works over the past couple years. John stated Raymod Mitchell with West Fraser and Stacy Wages with Ernest & Young Consulting Group is here if Council has any questions, they could help answer them, there were no questions.

Council Member Wes Breitenberg made a motion approving the tax abatement agreement, duly seconded by Council Member Michael Searcy adding to the motion "contingent upon the West Fraser Board approval". Vote was unanimous.

8. Consideration and possible action upon a bid opening through HEDCO on Street and Drainage bids for East Texas Regional Business Park. **(Holland)**
Neal Holland with Stokes and Associates explained the bids came in higher than expected. We could reduce some of the cost if there were a few changes made on the proposed development of streets, some proposed lots, and changing the concrete dam to a rock dam utilizing some of the boulders that have been uncovered during the preparation of the surface. Neal made a recommendation to Council to award the bid to Rayford's Truck and Tractor out of Marshall, with an overall bid of \$3,407,273.
Council Member Michael Searcy made a motion awarding Rayford's Truck and Tractor the contract, duly seconded by Council Member Melissa Morton. Vote was unanimous.
9. Consideration and possible action upon HEDCO 2022-23 program of work. **(Clary)**
HEDCO Director John Clary explained the program of work highlighting the big-ticket items for the Business Park and asked Council if there were any questions, there were none.
Council Member Michael Searcy made a motion approving the program of work, duly seconded by Council Member Wes Breitenberg. Vote was unanimous.
10. Consideration and possible action upon HEDCO 2022-23 Budget. **(Clary)**
HEDCO Director John Clary asked Council if there were any questions, he could answer them about the 2022-2023 budget presented. There were no questions.
Council Member Melissa Morton made a motion to approve the HEDCO budget, duly seconded by Council Member Henry Pace. Vote was unanimous.
11. Consideration and possible action upon an amendment to Ordinance 2022-08-12 updating the Water Conservation Plan for all customers served by the City of Henderson Water Supply. **(Boyd)**
Director of Utilities Randy Boyd explained to Council that updating the Water Conservation Plan is required every 5 years by TCEQ and the Texas Water Development Board.
There were no questions or discussion by Council for this first reading of said ordinance.
12. Consideration and action upon the second reading of Ordinance 2022-08-11 that would amend the Zoning Map for the City of Henderson changing the current zoning of a property from Institutional (IS) to High Density Single Family Residential (R3). This property is located at 200 Morningside Ave. **(Hughes/McElfresh)**
Billy Hughes Planning and Zoning Coordinator gave a synopsis on this second reading of said ordinance.
Council Member Melissa Morton made a motion approving the second reading of said ordinance, duly seconded by Council Member Michael Searcy. Vote was unanimous.
13. Consideration and possible action upon a minor plat subdividing one parcel into two located at 200 Morningside. **(Hughes/McElfresh)**
Billy Hughes Planning and Zoning Coordinator stated the parcel has two structures that both will become primary structures, therefore the parcel will be divided into two lots if approved by Council. Council person Gina Juarez asked about the third building that sets on the lot, Billy explained at some point in the past that building, and lot had already been separated into a stand-alone parcel.
Council Member Melissa Morton made a motion approving the subdivision of said minor plat, duly seconded by Council Member Gina Juarez. Vote was unanimous.
14. Consideration and possible action upon a minor plat combining two parcels into one located at 305-307 Johnson Drive. **(Hughes/McElfresh)**
Billy Hughes Planning and Zoning Coordinator explained the property owners purchased part of a parcel from an adjoining parcel. The plans are to combine the lots with plans to build an accessory building on it.
Council Member Gina Juarez made a motion to approve combining lots of said minor plat, duly seconded by Council Member Henry Pace. Vote was unanimous.
15. Consideration and possible action upon the second reading of Ordinance 2022-08-10, a No Parking ordinance between Richardson Drive and the dead end of S. Van Buren Street. **(Abercrombie)**

City Manager Jay Abercrombie stated, during construction of the new multi-family complex on S. Van Buren there were concerns of visitors of the residents parking on the street. This could possibly block emergency vehicles at the Emergency Services District located across the street from the multi-family complex from leaving on emergency calls. Therefore, for the safety of everyone, S. Van Buren from Richardson to the dead end of S. Van Buren be designated as "No Parking" on either side of the street.

Council Member Melissa Morton made a motion approving the No Parking Ordinance, duly seconded by Council Member Gina Juarez. Vote was unanimous.

16. Consideration and possible action upon a Resolution 2022-08-03 for the sale of 113 E. Main Street. **(Abercrombie)**
City Manager Jay Abercrombie stated at the July 19 council meeting Council authorized the City Manager to execute a contract for the sale of 113 E. Main Street (*known as the old John Foster building*). This is the resolution needed by the title company for closing documents.
Council Member Henry Pace made a motion approving the resolution, duly seconded by Council Member Michael Searcy. Vote was unanimous.

DEPARTMENTAL REPORTS:

17. 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
- M. Director of Operations
 - 1) Civic Center
 - 2) Main Street/Tourism
 - 3) Municipal Court

BOARDS AND COMMISSIONS

- Board of Adjustments Minutes of July 12, 2022.
- Planning and Zoning Minutes of July 12, 2022. (not available yet)
- Cemetery Board Meeting Minutes of August 24, 2022. (not available yet)
- Main Street Minutes of June 28, 2022.
- Preservation Committee Minutes of August 1, 2022.

EXECUTIVE SESSION:

18. Executive Session to Consult with City Attorney discussing real property located at 400, 402 and 404 W. Main Street. Economic Development Agreement in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 072.

Mayor Fullen convened into executive session at 6:56 p.m.

REGULAR SESSION:

19. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.


Mayor Fullen Reconvened into regular session at 7:22 p.m.

ADJOURNMENT


20. Motion to adjourn.

Council Member Michael Searcy made a motion to adjourn at 7:23 p.m., duly seconded by Council Member Gina Juarez. Vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John Fullen, Mayor