

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

May 17, 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: Mayor Protem Henry Pace 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 Police Chief Randall Hudman, Fire Chief Rusty Chote, Director of Operations Davis Brown, Public Utilities Director Randy Boyd, Public Services Director Kirk Kimbrell, Animal Center Director Chrissa Pool, Finance Director Karen Arnall, Zoning Administrator Billy Hughes, 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 thanked Mayor Protem Henry Pace for stepping in and running the last Council Meeting.

CONSENT AGENDA:

1. Consideration and possible action upon the minutes of: (Jimerson)
 - April 19, 2022 – Regular Council Meeting
2. Consideration and possible action upon HEDCO financials of March 2022. (Clary)
3. Consideration and possible action upon request of Juneteenth Committee for approval for Juneteenth Parade route and on duty officers for escort and direct traffic and activities scheduled for June 18, 2022, at Yates Park. (Taylor/Chote)

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

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4. Consideration and possible action upon awarding a bid proposal submitted for the West Loop 571 Water system improvements. (Holland/Brown)

Neal Holland with Stokes and Associates stated there was a bid opening held May 16 for a 12” main to be installed on Loop 571. There were five (5) bids received with the low bidder being John Wright Construction for \$329,336.00. Stokes and Associates recommends Council approve John Wright Construction for the project.

Council Member Melissa Morton made a motion approving John Wright Construction for the project, duly seconded by Council Member Michael Searcy; vote was unanimous.

5. Consideration and possible action upon awarding a bid proposal for the 2022 Master Street improvement project. (Holland/Brown)

Neal Holland with Stokes and Associates stated there was a bid opening held May 16 for ten (10) streets on the 2022 Master Street Program. There were three (3) bids received with the low bidder being Rayford Truck and Tractor with corrections to a slight miscalculation from the original bid opening, the project total cost for \$867,392.25. Stokes and Associates recommends Council approve Rayford Truck and Tractor for the project.

Council Member Melissa Morton made a motion approving John Wright Construction for the project, duly seconded by Council Member Henry Pace; vote was unanimous.

6. Consideration and Possible action upon approving the recommendation of the Selection Review Committee to award by Resolution 2022-05-01 for administrative services in conjunction with the submittal of an application for funding through the 2022 Hazard Mitigation Grant Program for DR-4485 COVID-19 Pandemic to provide application preparation, project administration, and project-related management services, if awarded. (Abercrombie/Jimerson)

City Manager Jay Abercrombie stated the results from the four (4) Committee Officers are on the spread sheet provided to Council. Two (2) bids were submitted for the Management Services Grant Works and Traylor and Associates. The score from the committee reflects the high score going to Traylor and Associates.

Council Member Henry Pace made a motion to award the administrative services for this grant to Traylor and Associates, duly seconded by Council Member Michael Searcy; vote was unanimous.

7. Consideration and possible action upon approving the recommendation of the Selection Review Committee to award by Resolution 2022-05-02 for engineering services in conjunction with the submittal of an application for funding through the 2022 Hazard Mitigation Grant Program for DR-4485 COVID-19 Pandemic to provide application preparation and project implementation, if awarded.

City Manager Jay Abercrombie stated the results from the four (4) Committee Officers are on the spread sheet provided to Council. Two (2) bids were submitted for the Engineering Services LJA Engineering and Stokes and Associates. The score from the committee reflects the high score going to Stokes and Associates.

Council Member Michael Searcy made a motion to award the engineering services for this grant to Stokes and Associates, duly seconded by Council Member Wes Breitenberg; vote was unanimous.

8. Consideration upon the second reading of Ordinance 2022-04-07 amending the Zoning Map on a property located at 1112 Longview Drive from M1 to an IS Zone. **(Hughes/McElfresh)**.

Zoning and Board of Adjustments Coordinator Billy Hughes asked Council for consideration and approval of a recommendation from the Planning and Zoning Commission to amend to the Henderson Zoning Map, changing the current zoning of a property from Multi-Family 1 (M1) to Institutional (IS). This property is located at 1112 Longview Dr. and is owned by the International Outreach House of Prayer.

Council Member Wes Breitenberg made a motion to approve the second reading of said ordinance, duly seconded by Council Member Michael Searcy; vote was unanimous.

9. Consideration upon the second reading of Ordinance 2022-04-08 amending the Zoning of properties located on Whippoorwill Street from R1 to a Planned Development. **(Hughes/McElfresh)**

Zoning and Board of Adjustments Coordinator Billy Hughes asked Council to consider and approve a recommendation from the Planning and Zoning Commission to amend to the Henderson Zoning Map, changing the current zoning of two (2) properties from the Low-density Single Family Residential (R1) zone to a Planned Development (PD) zoned district.

Council Member Henry Pace made a motion approving the second reading of said ordinance, duly seconded by Council Member Melissa Morton; vote was unanimous.

10. Consideration and possible action upon a recommendation from the Planning and Zoning Commission selecting an appropriate zone for the voluntary annexation for CenterPoint property located at 1900 W. Loop 571. **(Hughes/McElfresh)**

Zoning and Board of Adjustments Coordinator Billy Hughes stated a recommendation of this property from the Planning and Zoning Commission is the General Commercial (C2) district, if approved our staff believes it may encourage other businesses and developers to consider locating their businesses on Loop 571.

Council Member Melissa Morton made a motion to approve the recommendation from the P&Z Commission, duly seconded by Council Member Henry Pace; vote was unanimous.

11. Consideration upon the second reading of Ordinance 2022-04-05 on a voluntary annexation for CenterPoint Energy INC. on a property located at 1900 W. Loop 571. **(Jimerson)**

City Secretary Cheryl Jimerson stated CenterPoint Energy Inc. submitted a petition and application requesting volunteer annexation of 10.61 acres. The 10.61-acre tract touches the municipal boundaries on the west side of the Southwest Industrial Park located on Frisco Street. The first public hearing was held at the March 22, 2022, Council Meeting. The second public hearing and first reading of an annexation ordinance for said property was at the April 19, 2022, Council Meeting. Ordinance 2022-04-05 has been completed adding the approved Zoning of General Commercial (C2) into said ordinance.

Council Member Melissa Morton made a motion approving said ordinance, duly seconded by Council Member Michael Searcy; vote was unanimous.

12. Consideration and possible action upon a recommendation from the Planning and Zoning Commission for an amendment to the Special Exception Uses adding Duplexes, Triplexes, and fourplexes to Article 2 Sections 2.09, 2.11, and 2.13 of the City of Henderson's Zoning Ordinance.

Zoning and Board of Adjustments Coordinator Billy Hughes stated staff recommends council consider approving a recommendation from the Planning and Zoning Commission for an amendment to the Special Exception Uses for Article 2 Sections 2.09, 2.11, & 2.13 of the City of Henderson's Zoning Ordinances adding Triplexes, Duplexes, and fourplexes to the R2, R3, and R4 zones.

Council Member Henry Pace made a motion approving a recommendation from the Zoning Commission on this item, duly seconded by Council Member Melissa Morton; vote was unanimous.

13. Consideration upon the first reading of ordinance 2022-05-09 for an amendment to the Special Exception Uses adding Duplexes, Triplexes, and fourplexes to Article 2 Sections 2.09, 2.11, & 2.13 of the City of Henderson's Zoning Ordinances.

(Hughes/McElfresh)

Zoning and Board of Adjustments Coordinator Billy Hughes stated prior to 2017 there was an ordinance (#09-06-07) that allowed duplexes to be built in the R2, R3, & R4 zoned districts by Special Exception Use permit. This ordinance, we believe, was mistakenly omitted from the current zoning ordinances that were adopted in 2017. We have amended the old ordinance by adding triplexes and fourplexes to the new proposed ordinance.

There were no comments or changes made to said ordinance from Council Members.

14. Consideration and possible action upon a recommendation from the Planning and Zoning Commission for an amendment to the Henderson Zoning Map for a property located at 2006 Jacksonville Drive from a Residential Zone (R2) to a Commercial Zone (C2).

(Hughes/McElfresh)

City Manager Jay Abercrombie stated there are unanswered questions with the application and recommended Council table this item. Council Member Michael Searcy made a motion to table this item, duly seconded by Council Member Gina Juarez; vote was unanimous.

15. Consideration upon the first reading of Ordinance 2022-05-10 for an amendment to the Henderson Zoning Map for a property located at 2006 Jacksonville Dr. to change the zone from an R2 Zone to a C2 Zone. **(Hughes/McElfresh)**

Again, Jay stated this item would also need to be tabled due to unanswered questions.

Council Member Gina Juarez made a motion to table this item, duly seconded by Council Member Wes Breitenberg; vote was unanimous.

16. Consideration and possible action upon a recommendation from the Planning and Zoning Commission for an amendment to the Henderson Zoning Map for eight (8) properties owned by the First Baptist Church changing the zoning from a Residential (R2) zone to an Institutional (IS) zone. **(Hughes/McElfresh)**

Zoning and Board of Adjustments Coordinator Billy Hughes stated the item above needs to be corrected; there are 9 properties owned by the Church. These 9 properties are in a Single Family Residential (R2) Zone and are all in one block. Staff recommends the properties be zoned Institutional (IS) by the request of the First Baptist Church.

Council Member Henry Pace made a motion approving the recommendation from the Zoning Commission to rezone these lots to Institutional, duly seconded by Council Member Michael Searcy; vote was unanimous.

17. Consideration upon the first reading of Ordinance 2022-05-11 for an amendment to the Henderson Zoning Map for eight (8) properties owned by the First Baptist Church changing the zone from R2 to IS zone. **(Hughes/McElfresh)**

Zoning and Board of Adjustments Coordinator Billy Hughes again, stated the item above needs to be corrected; there are 9 properties with descriptions written into said ordinance.

There were no comments or changes made to said ordinance from Council Members.

18. Consideration and possible action upon Resolution 2022-05-03 for Grant #4535401 on an application for PY23 to receive three (3) TxWarn radios. **(Taylor)**

Police Chief Chad Taylor stated this grant would allow the department to purchase three (3) more very needed radios.

Council Member Michael Searcy made a motion to approve said resolution for the three (3) radios, duly seconded by Council Member Wes Breitenberg; vote was unanimous.

19. Consideration and possible action upon Resolution 2022-05-04 for Grant #4539101 on an application for PY23 for the purchase of a Community Outreach vehicle. **(Taylor)**

Police Chief Chad Taylor stated this is a partial grant of (\$25,000.00) to assist in the purchase of a Community Outreach vehicle.

Council Member Michael Searcy made a motion to approve said resolution on particle funding for a Community Outreach vehicle, duly seconded by Council Member Henry Pace; vote was unanimous.

DEPARTMENTAL REPORTS:

20. 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

There were no questions or comments from Mayor or Council.

BOARDS AND COMMISSIONS

Board of Adjustments Minutes of April 12 and May 10, 2022.
Planning and Zoning Minutes of April 12 and May 10, 2022.
Cemetery Board Meeting Minutes of February 23, 2022 (last quarterly meeting).
Main Street Minutes of April 26, 2022
Preservation Committee Minutes of Not ready at this time

There were no questions or comments from Mayor or Council

EXECUTIVE SESSION:

21.Executive Session to Consult with City Attorney discussing, real property located at 113 E. Main, 400, 402 and 404 W. Main Street in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 072.
Mayor Fullen adjourned into executive session at 6:41 p.m.


REGULAR SESSION:

22.Reconvene into Regular Session and take any action necessary as a result of the Closed Session.
Mayor Fullen reconvened into regular session at 7:08 p.m. with no action from executive session.

ADJOURNMENT

23. Motion to adjourn.
Council Member Michael Searcy made a motion to adjourn at 7:08 p.m., duly seconded by Council Member Henry Pace; vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


John Fullen, Mayor