

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 1st DAY OF NOVEMBER 2022, IN THE CITY HALL, LOCATED AT 1212 AVENUE M, IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS, AT 6:00 P.M.

The Council met in a regular session with the following:

COUNCILMEMBERS PRESENT: Mayor Pro Tem Humphrey, Councilmember Ward 1 Beebe, Councilmember At-Large Position 1 Lyle, Councilmember At-Large Position 2 Mullins, Councilmember Ward 3 Massey, Councilmember At-Large Position 3 McKenzie, Councilmember Ward 4 Strong, Councilmember At-Large Position 4 Graham

COUNCILMEMBERS ABSENT: Mayor Brauninger

OFFICERS PRESENT: Aron Kulhavy, City Manager; Kristy Doll, City Secretary, Leonard Schneider, City Attorney

MAIN SESSION (6:00 p.m.)

CALL TO ORDER

Mayor Brauninger called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGES

Councilmember Lyle gave the invocation and pledges were led by Mayor Pro Tem Humphrey.

PUBLIC HEARING

- a. **Conduct a public hearing for a proposed Development District Map amendment request to change the district from Neighborhood Conservation (NC) to Management (M).**
Armon Irones, City Planner

Mayor Pro Tem Humphrey opened the Public Hearing at 6:03 p.m.

Applicant Ben Bius presented for the Development District.

No citizen comments were heard in support of or in opposition of the amendment request to change the Development District Map.

Mayor Pro Tem Humphrey closed the Public Hearing at 6:24 p.m.

1. CONSENT AGENDA

The presiding officer will call for public comments before action is taken on these items. (Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of

Council.)

- a. **Consider Authorizing the City Manager to award the purchase of Solid Waste Residential Collection Containers (Carts).**
Brent Sherrod, Public Works Director
- b. **Consider a proposal for Additional Engineering Services Including Design, Construction management and Inspection for IH 45 Segment 2B Utility Relocations**
Kathlie Jeng-Bulloch, City Engineer
- c. **Consider authorizing the Mayor to abandon and release Water Line Easements situated on property of Elion Management, LLC, located at 500 State Highway 19.**
Kathlie Jeng-Bulloch, City Engineer
- d. **Consider authorizing the City Manager to enter into an agreement with Tyler Technologies for their time & attendance software ("Executime") and timeclocks.**
Steve Ritter, Finance Director
- e. **Second Reading - Consider the adoption of ordinance 2022-30 amending the Development Code of the City of Huntsville, Texas Article 12 "Development Review and Approval Procedure" and Article 13 "Administration".**
Kevin Byal, Director of Development Services

Mayor Pro Tem Humphrey requested 1.f. be moved from the Consent Agenda and be discussed on the Statutory Agenda.

Councilmember Daiquiri Beebe made a motion to approve the Consent Agenda, Items a through e. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-0. Yes - Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deandra (Dee) Mullins, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

2. STATUTORY AGENDA

Consent Agenda item 1.f. was moved from the Consent Agenda to the Statutory Agenda for consideration.

- 1.f. Second Reading - Consider the adoption of ordinance 2022-31 amending the Huntsville Code of Ordinances, Chapter 12 "BUILDING AND BUILDING REGULATIONS".**
Kevin Byal, Director of Development Services

Councilmember Daiquiri Beebe made a motion to approve the adoption of ordinance 2022-31 amending the Huntsville Code of Ordinances, Chapter 12 "BUILDING AND BUILDING REGULATIONS". The motion was seconded by Councilmember Bert Lyle.

The motion passed 8-0. Yes - Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deandra (Dee) Mullins, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

- a. Consider authorizing the City Manager and staff to move forward with additional City Hall project financing via issuing the remaining \$4,000,000 of the 2016 Proposition 2 approved bonds and approving Ordinance 2022-35 to amend the FY 2022 - 23 annual budget and the CIP budget.**
Steve Ritter, Finance Director

Councilmember Daiquiri Beebe made a motion to authorize the City Manager and staff to move forward with additional City Hall project financing via issuing the remaining \$4,000,000 of the 2016 Proposition 2 approved bonds and approving Ordinance 2022-35 to amend the FY 2022 - 23 annual budget and the CIP budget. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 7-1.

Roll call vote

Yes: Daiquiri Beebe, Bert Lyle, Deloris Massey, Vicki McKenzie, Jon Strong, Pat Graham, Russell Humphrey

No: Deandra (Dee) Mullins

- b. Consider Resolution No. 2022-29 to approve the retention of the law firms Mckool Smith, P.C., Ashcroft Sutton Reyes, LLC and Korein Tillery LLC to represent the City in litigation against Netflix, Inc., Hulu LLC, Disney DTC LLC and other video service providers.**
Leonard Schneider, City Attorney

Councilmember Daiquiri Beebe made a motion to approve Resolution No. 2022 - 29 to approve the retention of the law firms Mckool Smith, P.C., Ashcroft Sutton Reyes, LLC and Korein Tillery LLC to represent the City in litigation against Netflix, Inc., Hulu LLC, Disney DTC LLC and other video service providers.. The motion was seconded by Councilmember Pat Graham. The motion passed 8-0. Yes - Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deandra (Dee) Mullins, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

- c. First Reading - Consider Ordinance No. 2022-36 Amending Ordinances; (1) Ord Of 6-9-1970; (2) Ordinance No. 80-20; and (3) Ordinance No. 95-24, That Established The Library Board for the City of Huntsville requiring the publication of this Ordinance; providing for a severability clause; repealing Ordinances in conflict with this Ordinance; providing for a penalty; making other provisions and findings thereto; and declaring an effective date.**
Leonard Schneider, City Attorney

Councilmember Daiquiri Beebe made a motion to temporarily suspend the two-reading requirement and Adopt Ordinance No. 2022-36, with amendments in Sections 2(c), 4(b) and 4(d), of Exhibit B; amending the Ordinances; (1) Ord Of 6-9-1970; (2) Ordinance No. 80-20; and (3) Ordinance No. 95-24, That Established The Library Board for the City of Huntsville

requiring the publication of this Ordinance; providing for a severability clause; repealing Ordinances in conflict with this Ordinance; providing for a penalty; making other provisions and findings thereto; and declaring an effective date. The motion was seconded by Councilmember Strong. The motion passed 8-0. Yes - Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deandra (Dee) Mullins, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

3. CITY COUNCIL/MAYOR/CITY MANAGER

- a. Consider the appointments to the City of Huntsville Boards and Commissions for expired terms or vacant board positions.**

Russell Humphrey, Mayor Pro Tem

Mayor Pro Tem made a motion to appoint/reappoint the Board and Commission members as presented.

Appoint Amanda Withers to the Airport Advisory Board to seat #4

Reappoint Eddene Smith to the Cemetery Advisory Board to seat #10

Reappoint Joe Boaz to the Cemetery Advisory Board to seat #7.

Council affirmed appointments 8-0 Yes - Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deandra (Dee) Mullins, Pat Graham, Bert Lyle, Deloris Massey, Jon Strong; No – None

4. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

5. ITEMS OF COMMUNITY INTEREST

Mayor and Council announced items of community interest.

6. EXECUTIVE SESSION

- a. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice on Cybersecurity Incident.**

Leonard Schneider, City Attorney

- b. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice on Library Policies and Employee Handbook for the City of Huntsville.**

Leonard Schneider, City Attorney

Council convened into Executive Session at 6:48 p.m.

7. RECONVENE

Take action on item discussed in executive session, if needed.

Council reconvened from Executive Session into Open Session at 7:31 p.m.

ADJOURNMENT

Mayor Pro Tem Humphrey adjourned the meeting without objection at 7:31 p.m.

ATTEST:



CITY OF HUNTSVILLE

Kristy Doll, City Secretary

Andy Brauning, Mayor