

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 20th DAY OF SEPTEMBER 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 workshop and regular session with the following:

COUNCILMEMBERS PRESENT: Mayor Brauninger, 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: None

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

WORKSHOP (5:00 P.M.)

- a. Discuss City Hall Project
Aron Kulhavy, City Manager

MAIN SESSION (6:00 p.m.)

CALL TO ORDER (6:00 p.m.)

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

INVOCATION AND PLEDGES - U.S. Flag and Texas Flag: Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.

Mayor Brauninger gave the invocation and led the pledges.

PUBLIC HEARING

- a. Public Hearing on the Tax Year 2022 (FY 2022/2023) Tax Rate for the City of Huntsville.
Steve Ritter, Finance Director

Mayor Brauninger opened a Public Hearing at 6:01 p.m.

Steve Ritter presented information regarding the Tax Year 2022 Tax Rate.
No citizen comments were heard in support of or opposition of the Tax Year 2022 Tax Rate

Mayor Brauninger closed the Public Hearing at 6:02 p.m.

- b. Public Hearing to hear testimony in regards to the 1400 Block of 12th Street, located between Avenue N and O, to be renamed "Patton Street".

Mayor Brauningner opened a Public Hearing at 6:03 p.m.

Armon Irones presented information regarding the 1400 Block of 12th Street, located between Avenue N and O, to be renamed "Patton Street".

No citizen comments were heard in support of or opposition of to rename the city street.

Mayor Brauningner closed the Public Hearing at 6:05 p.m.

- c. Public Hearing to hear testimony in regards to the 1000 Block of Avenue O, located between 10th and 11th Streets, to be renamed "Pease Street".

Mayor Brauningner opened a Public Hearing at 6:05 p.m.

Armon Irones presented information regarding the 1000 Block of Avenue O, located between 10th and 11th Streets, to be renamed "Pease Street".

Tore Fossum spoke in support and no citizen comments were heard in opposition of renaming the city street.

Mayor Brauningner closed the Public Hearing at 6:07 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 approving the Minutes from the September 6, 2022, Regular City Council Meeting.
Kristy Doll, City Secretary
- b. Consider authorizing the City Manager to enter into a contract for printing and mailing services for utility bills and informative inserts.
Steve Ritter, Finance Director
- c. Consider Resolution 2022-24 approving the Walker County Appraisal District acquisition of a building through a lease-purchase agreement as proposed by the District.
Aron Kulhavy, City Manager

Councilmember Daiquiri Beebe made a motion to approve the Consent Agenda items a through c. The motion was seconded by Councilmember Pat Graham. The motion passed 9-0. Yes - Andy Brauningner, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deloris Massey, Jon Strong, Pat Graham, Bert Lyle, Deandra (Dee) Mullins; No – None.

2. STATUTORY AGENDA

- a. Consider approval of Ordinance 2022-24 to adopt the FY 2022/2023 Budget with

all policies, fees, rates, and provisions as referenced therein.
Steve Ritter, Finance Director

Councilmember Daiquiri Beebe made a motion to pass Ordinance 2022-24 to adopt the FY 2022/2023 Budget with all policies, fees, rates, and provisions as referenced therein. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-1.

Roll call vote

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

No: Deandra (Dee) Mullins

- b. Consider approval of Ordinance 2022-25 adopting the Tax Rate and levying taxes for the City of Huntsville for the FY 2022/2023**
Steve Ritter, Finance Director

Councilmember Daiquiri Beebe made a motion to adopt Ordinance 2022-25 adopting the Tax Rate and levying taxes for the City of Huntsville for the FY 2022/2023. This tax rate is effectively a 3.17% increase in the tax rate. (The last sentence in the motion is required under Sec. 26.08 of the Texas Tax Code). The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-1.

Roll call vote

Yes: Vicki McKenzie, Jon Strong, Bert Lyle, Pat Graham, Russell Humphrey, Daiquiri Beebe, Andy Brauninger

No: Deandra (Dee) Mullins, Deloris Massey

- c. Consider ratifying the increased property tax revenues of \$681,900 reflected in the FY 2022/2023 Budget as adopted.**
Steve Ritter, Finance Director

Councilmember Daiquiri Beebe made a motion to ratify the increased property tax revenues of \$681,900 reflected in the FY 2022/2023 Budget as adopted. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-1. Yes - Andy Brauninger, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deloris Massey, Jon Strong, Pat Graham, Bert Lyle; No – Deandra (Dee) Mullins.

- d. First Reading - Consider the adoption of Ordinance 2022-27 changing the name of a segment of Avenue O to "Pease Street".**
Armon Irones, City Planner

First Reading – No action necessary

- e. First Reading - Consider the adoption of Ordinance 2022-28 changing the name of a segment of 12th Street to "Patton Street".**
Armon Irones, City Planner

First Reading – No action necessary

- f. First Reading - Consider Ordinance No. 2022-29 - Decline to approve the change in rates requested by Entergy Texas, Inc. Statement of Intent filed with the City on August 31, 2022**

Leonard Schneider, City Attorney

Councilmember Russell Humphrey made a motion to temporarily suspend the rules of procedure by waiving the two-reading requirement and to Adopt Ordinance No. 2022-29 - DECLINING to approve the proposed Rate Schedule for the Entergy Texas Power Through service. The motion was seconded by Councilmember Bert Lyle. The motion passed 9-0. Yes - Andy Brauninger, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deloris Massey, Jon Strong, Pat Graham, Bert Lyle, Deandra (Dee) Mullins; No – None.

3. CITY COUNCIL/MAYOR/CITY MANAGER

4. REQUESTS FOR CITIZEN PARTICIPATION

(An opportunity for citizens to be heard on any topic and for the City Council to participate in the discussion. **No action will be taken.**)

- a. Citizens requesting to speak about the Huntsville Public Library.**

Speakers on the Agenda speaking about the Public Library included Maureen McIntyre, Lindsey Duncan, Karin Olson, Jade Ellis, John Rhine, Nick Ransford, and Erin Owens.

Speakers requesting to speak on the Public Library by Public Comment Card included Don Gibeaut, Linda McKenzie, Paige Hollingsworth, Phillip Wadley, Scott Logan, Kathy Hazlewood, Trish Bowman, Garrett Craddock, Virginia Miller, Karen Berry, Chuck Miller, Georgie Berry,

Council convened for a short recess at 7:22 p.m. Council reconvened at 7:30 p.m.

David Berry, Terri Coleman, Pam Payne, Zenna Smith, Michael Payne, Dennis Beal, Cheryl Spencer, Kaylea Haass, Tore Fossum, Craig Favorat, Brooke Favorat, Michelle Kern, and Lee Lyons.

- b. John Jafreh - Speaking on fire bug in Huntsville and leadership in Huntsville.**

John Jafreh addressed the Council.

5. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

6. ITEMS OF COMMUNITY INTEREST

Mayor and Council announced items of community interest.

7. 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 the proposed TDCJ 2022 Bat Exclusion Project regarding the TDCJ Cotton Warehouse located in the City of Huntsville.

Leonard Schneider, City Attorney

Daiquiri Beebe, Councilmember Ward 1

- 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

- c. City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.071 to receive legal advice Dallas, Fort Worth, Houston, et al v Disney DTC, LLC, Hulu, LLC and Netflix, Inc, Cause No. DC-22-09128 the 14th District Court of Dallas County

Leonard Schneider, City Attorney

Council convened into Executive Session at 8:26 p.m.

8. RECONVENE

Take action on item discussed in Executive Session, if needed.

Council reconvened from Executive Session into Open Session at 10:06 p.m.

Councilmember Daiquiri Beebe made a motion to direct the City Manager to look into the TDCJ Cotton Warehouse. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 6-3. Yes - Andy Brauninger, Daiquiri Beebe, Vicki McKenzie, Deloris Massey, Jon Strong, Deandra (Dee) Mullins; No – Russell Humphrey, Bert Lyle, Pat Graham

Councilmember Daiquiri Beebe made a motion to authorize the city staff to recommend and to retain the McKool Smith Law Firm to represent the City in litigation against Disney DTC, LLC, Hulu, LLC and Netflix, Inc. The motion was seconded by Councilmember Bert Lyle. The motion passed 9-0. Yes - Andy Brauninger, Russell Humphrey, Daiquiri Beebe, Vicki McKenzie, Deloris Massey, Jon Strong, Pat Graham, Bert Lyle, Deandra (Dee) Mullins; No – None.

ADJOURNMENT

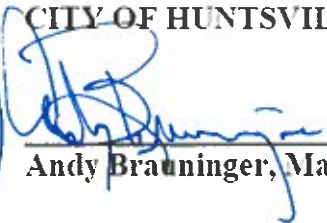
Mayor Brauninger adjourned the meeting without objection at 10:07 p.m.

ATTEST:


Kristy Doll, City Secretary



CITY OF HUNTSVILLE


Andy Brauninger, Mayor