

**MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 1st DAY OF AUGUST 2023, AT THE HUNTSVILLE PUBLIC LIBRARY, LOCATED AT 1219 13th STREET, IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS, AT 5:30 P.M.**

**The Council met in regular session with the following:**

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

**COUNCILMEMBERS ABSENT:**

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

**MAIN SESSION (5:30 p.m.)**

**CALL TO ORDER (5:30 p.m.)**

Mayor Brauninger called the meeting to order at 5:30 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.***

Councilmember Lyle gave the invocation and Mayor Brauninger led the pledges.

**PUBLIC HEARING**

- a. **Public Hearing to receive comments on amendments to Chapter 24, Land Development, of the Code of Ordinances of the City of Huntsville, Texas to adopt the updated Development Code and Zoning Map of the City of Huntsville, Texas.**

**Kevin Byal, Director of Development Services**

Mayor Brauninger opened the Public Hearing at 5:33 p.m.

Kevin Byal, Director of Development Services, gave a presentation on the proposed amendments to Chapter 24, Land Development, of the Code of Ordinances. Kevin identified the current zoning districts and the proposed zoning districts.

The Mayor called for citizen comments in support of amendments to the Development Code. Comments in support of the amendments were heard from the following:

Ben Bius - support, oppose and neutral  
Walter Berner

Citizen comments in opposition of the amendments were heard from the following:

Marion Wagamon, Don Martinez, William Green, William Piper, Johanna Ullrich, and Thomas Leeper.

Kevin Byal responded to some of the citizens question and concerns.

The Mayor called for last call for citizen comments and the following citizens spoke but did not complete a comment card:

George Russell

The Mayor called for last call for citizen comments again and the following citizens spoke but did not complete a comment card:

Lucas Petraush, Chris Tyson, Unidentified speaker (did not give his name), Eric Johnston, and Ray Tijerina.

The Mayor called for last call for citizen comments again and closed the Public Hearing at 6:37 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 July 18, 2023, Regular City Council Meeting.**

**Kristy Doll, City Secretary**

- b. Consider authorizing the City Manager to approve an invoice for Fire Station #1 roof replacement.**

**Sam Maslel, Assistant City Manager**

- c. Consider authorizing the City Manager to award the purchase of a Radicon/AH 3-245P Gearbox, WEG Motor and ABB Variable Frequency Drive (VFD), for the Robinson Creek Wastewater Treatment Plant.**

**Brent Sherrod, Public Works Director**

- d. Consider Amended Ordinance No. 2023-17 - Ordering a Municipal Special Election to be held on the 7th day of November 2023 for the purpose of voting on the adoption or rejection of proposed Charter Amendments.**

**Kristy Doll, City Secretary**

Councilmember Bert Lyle made a motion to approve the Consent Agenda, items a. through d. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-0. Yes - Andy Brauning, Russell Humphrey, Bert Lyle, Karen Denman, Jon Strong, Vicki McKenzie, Deloris Massey, Pat Graham; No - None

**2. STATUTORY AGENDA**

- a. **First Reading - Consider adoption of Ordinance 2023-18, amending Chapter 24, Land Development, of the Code of Ordinances of the City of Huntsville, Texas to adopt the updated Development Code of the City of Huntsville, Texas. Kevin Byal, Director of Development Services**

First Reading, no action taken.

- b. **Consider approval of announcing the City Council's intention to adopt a tax rate in compliance with the Texas State's Truth in Taxation laws; a rate not to exceed \$0.3425 per \$100 valuation for the City's 2023 – 2024 Fiscal Year (Tax Year 2023). Roll call vote required. Steve Ritter, Finance Director**

Councilmember Vicki McKenzie made a motion to approve the City Council's intention to adopt a tax rate in compliance with the Texas State's Truth in Taxation laws; a rate not to exceed \$0.3425 per \$100 valuation for the City's 2023 – 2024 Fiscal Year (Tax Year 2023). The motion was seconded by Councilmember Pat Graham. The motion passed 8-0.

**Roll call vote.**

Yes: Andy Brauning, Russell Humphrey, Bert Lyle, Karen Denman, Jon Strong, Vicki McKenzie, Deloris Massey, Pat Graham

No: None

- c. **First Reading - Consider Ordinance No. 2023-19 - Authorizing the settlement of the proposed fuel reconciliation of Entergy Texas, Inc. Leonard Schneider, City Attorney**

Councilmember Russell Humphrey made a motion to temporarily suspend the rules of procedure by waiving the two-reading requirement and adopting Ordinance No. 2023-19 authorizing the settlement of the proposed fuel reconciliation of Entergy Texas, Inc. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-0. Yes - Andy Brauning, Russell Humphrey, Bert Lyle, Karen Denman, Jon Strong, Vicki McKenzie, Deloris Massey, Pat Graham; No - None

**3. CITY COUNCIL/MAYOR/CITY MANAGER**

**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 the City of**

**Houston v State of Texas lawsuit to declare HB 2127 unconstitutional.  
Leonard Schneider, City Attorney**

City Council convened in closed session at 6:46 p.m.

**7. RECONVENE**

Council reconvened from Executive Session into Open Session at 7:00 p.m.

**ADJOURNMENT**

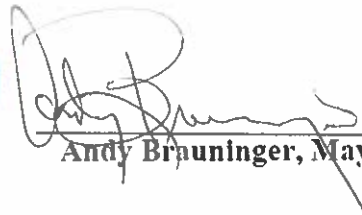
Mayor Brauninger adjourned the meeting without objection at 7:00 p.m.

**ATTEST:**

**CITY OF HUNTSVILLE**

  
Kristy Doll, City Secretary



  
Andy Brauninger, Mayor