

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 19th DAY OF DECEMBER 2023, AT THE HUNTSVILLE PUBLIC LIBRARY, LOCATED AT 1219 13th STREET, 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 Humphrey, Mayor Pro Tem McKenzie, Councilmember Ward 1 Fossum, Councilmember At-Large Position 2 Denman, Councilmember Ward 2 Cox, Councilmember Ward 3 Antwine, Councilmember At-Large Position 4 Graham, Councilmember Ward 4 Strong.

COUNCILMEMBERS ABSENT: Councilmember At-Large Position 1 Lyle

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

WORKSHOP (5:00 p.m.)

Mayor Humphrey called the meeting to order at 5:00 p.m.

- a. Overview of Public Improvement Districts (PIDs), Municipal Utility Districts (MUDs), and Development Agreements.

Aron Kulhavy, City Manager

Kevin Byal, Director of Development Services

Mayor Humphrey adjourned the meeting without objection at 5:17 p.m.

Councilmember Ward 3 Antwine arrived at 5:52 p.m.

MAIN SESSION (6:00 p.m.)

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

Mayor Humphrey 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 Humphrey gave the invocation and led the pledges.

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 December 5, 2023, Regular City Council Meeting.**
Kristy Doll, City Secretary
- b. **Consider adoption of Ordinance 2023-30 to amend the Budget for FY 23-24 amending the Schedule of Fees and Charges.**
Kathlie Jeng-Bulloch, City Engineer
Kevin Byal, Director of Development Services
- c. **Consider adoption of Ordinance 2023-31 to amend the budget for FY 23-24 and/or CIP Project budgets.**
Steve Ritter, Finance Director

Consent agenda item 1c was moved from the Consent Agenda to the Statutory Agenda for discussion.

- d. **Consider temporarily suspending the Rules of Procedure Section 3.01 requiring a regular City Council meeting on the first Tuesday of the month for the January 2, 2024, Regular City Council meeting.**
Kristy Doll, City Secretary
- e. **Consider approval for the purchase of In-Car Video Systems for Police vehicles.**
Darryle Slaven, Police Chief
- f. **Consider authorizing the City Manager to award the construction contract for the CIP FY22-23 Storm Sewer Line Replacement Construction Project ID # 22-10-36 crossing University Avenue between 15th Street and Bearkat Street.**
Kathlie Jeng-Bulloch, City Engineer
- g. **Consider renewal of Industrial User (IU) Discharge Permit 0100 for Gardner Glass Products, Incorporated/Dreamwalls for a period of five years.**
Brent Sherrod, Public Works Director

Public comment was heard in opposition of Agenda Item 1.c. from Cheryl Spencer.

Council requested Agenda Item 1.c. be moved from Consent Agenda to the Statutory Agenda. Councilmember Vicki McKenzie made a motion to approve the Consent Agenda, items a, b, d, e, f, and g. The motion was seconded by Councilmember Pat Graham. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; No – None

2. STATUTORY AGENDA

- 1. c. **Consider adoption of Ordinance 2023-31 to amend the budget for FY 23-24 and/or CIP Project budgets.**
Steve Ritter, Finance Director

Councilmember Vicki McKenzie made a motion to amend the budget for FY 23-24 and/or CIP Project budgets. The motion was seconded by Councilmember Pat Graham. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; No - None

- a. **Consider authorizing the City Manager to execute the first Amendment to "the Reserves of Huntsville", PID # 1, Development Agreement, an agreement by and between PHD-Huntsville 34, L.P., a Texas limited partnership, and the City of Huntsville.**

Kevin Byal, Director of Development Services

Councilmember Vicki McKenzie made a motion to authorize the City Manager to execute the first Amendment to the Reserves of Huntsville, PID #1, Development Agreement, by and between PHD – Huntsville 34, L.P., a Texas limited partnership, and the City of Huntsville. The motion was seconded by Councilmember Tore Fossum. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; No – None

- b. **Consider approving resolution No. 2023-15: A resolution consenting to the creation of a Municipal Utility District to be known as Huntsville Municipal Utility District No. 2.**

Kevin Byal, Director of Development Services

Councilmember Tore Fossum made a motion to approve Resolution No. 2023-15: A resolution consenting to the creation of a Municipal Utility District to be known as Huntsville Municipal Utility District No. 2. The motion was seconded by Councilmember Vicki McKenzie. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; No – None

- c. **Consider authorizing the City Manager to enter into a Development Agreement with Forestar (USA) Real Estate Group, Inc., for the development of an approximately 226.5-acre development for a single-family master planned community in the City's Extra Territorial Jurisdiction.**

Kevin Byal, Director of Development Services

Councilmember Vicki McKenzie made a motion to authorize the City Manager to enter into a Development Agreement with Forestar (USA) Real Estate Group, Inc., for the development of an approximately 226.5-acre development for a single-family master planned community in the City's Extra Territorial Jurisdiction. The motion was seconded by Councilmember Tore Fossum. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; No – None

- d. **Consider authorizing the City Manager to enter into a development agreement with Watson-Cordone Development Group for the construction of Pine Shadows extension from Hickory to Interstate Highway 45 North Frontage Road.**

Aron Kulhavy, City Manager

Councilmember Anissa Antwine made a motion to consider authorizing the City Manager to enter into a development agreement with Watson-Cordone Development Group for the construction of Pine Shadows extension from Hickory to Interstate Highway 45 North Frontage Road. The motion was seconded by Councilmember Tore Fossum. Prior to the Mayor stating the motion and presenting it to the Council, Councilmember Jon Strong requested to substitute the motion without objection to the Alternate 2 motion as presented. Councilmember Jon Strong moved to approve the agreement with an amendment to cap the reimbursement for the drainage portion of the project and moved to authorize the City Manager to enter into a development agreement with Watson-Cordone Development Group for the construction of Pine Shadows extension from Hickory to Interstate Highway 45 North Frontage Road capping the reimbursement of the drainage structure at \$420,000. The motion was seconded by Councilmember Tore Fossum. Mayor Humphrey called for the vote for the Alternate 2 motion made by Councilmember Jon Strong. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; No – None

3. CITY COUNCIL/MAYOR/CITY MANAGER

a. Consider Ordinance No. 2023-29 Adopting the Charter Amendments and incorporating the adopted amendments into a singular form.

Kristy Doll, City Secretary

Councilmember Vicki McKenzie made a motion to approve Ordinance No. 2023-29, adopting the Charter Amendments and incorporating the adopted amendments into a singular form. The motion was seconded by Councilmember Karen Denman. The motion passed 8-0. Yes - Russell Humphrey, Karen Denman, Vicki McKenzie, Jon Strong, Anissa Antwine, Tore Fossum, Pat Graham, Casey Cox; 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 Cause No. 2230703, City of Huntsville vs. Architects Design Group/ADG, Inc. in the 278th District Court, Walker County, Texas.

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 authorizing the release of 2,029.01 acres, parcel numbers 12735 and 12700, as requested by Joseph Adams, from the City of Huntsville Extra Territorial Jurisdiction (ETJ) pursuant to Senate Bill 2038 enacted during the 88th Texas Legislative Session and current legal action filed by other Cities.

Leonard Schneider, City Attorney

- c. **City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, Section 551.074 – Personnel Matters: regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager Aron Kulhavy.
Pat Graham, Councilmember At-Large Position 4
Karen Denman, Councilmember At-Large Position 2
Tore Fossum, Councilmember Ward 1**

City Council convened in closed session at 6:29 p.m.

Tore Fossum, Councilmember Ward 1, left at 9:21 p.m.

7. RECONVENE

City Council reconvened from Executive Session into Open Session at 9:23 p.m.

ADJOURNMENT

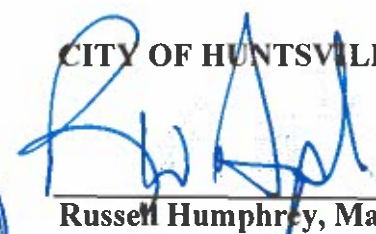
Mayor Humphrey adjourned the meeting without objection at 9:23 p.m.

ATTEST:


Kristy Doll, City Secretary



CITY OF HUNTSVILLE


Russell Humphrey, Mayor