

**MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD TELEPHONICALLY ON THE 19<sup>th</sup> DAY OF MAY 2020, AT 6:00 P.M.**

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**The Council met in a telephonic session with the following:**

**COUNCILMEMBERS PRESENT:** Andy Brauninger, Daiquiri Beebe, Blake Irving, Russell Humphrey, Dee Howard Mullins, Joe P. Rodriguez, Mari Montgomery, Clyde D. Loll, Bert Lyle

**COUNCILMEMBERS ABSENT:** None

**OFFICERS PRESENT:** Aron Kulhavy, City Manager; Brenda Poe, City Secretary; Leonard Schneider, City Attorney

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**MAIN SESSION [6:00 P.M.]**

**CALL TO ORDER – Mayor Brauninger called the meeting to order at 6:00 p.m.**

**City Secretary Brenda Poe read the following statement:** “This meeting of the Huntsville City Council is being conducted by telephonic conferencing as allowed by the Governor’s Order to suspend certain portions of the Open Meetings Act. The public is requested to not make any comments until invited by the Mayor then please do not speak over each other. The public, council and staff are requested to make sure there is no background noise and to try to participate from a quiet area. When roll call is made each council member is asked to announce by stating your name. It is requested each staff member identify themselves by name before speaking. When the Mayor allows comments from the public it is requested the person speaking state their name for the record. This meeting is being recorded and made available to the public on our website and Facebook page.”

**The City Secretary conducted a roll call for attendance.**

**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 Bert Lyle gave the invocation. Mayor Brauninger led the pledges and welcomed Councilmember Lyle to the City Council.

**1. PROCLAMATION – Public Works Week read by Mayor while video of Public Works Divisions was played.**

**2. CONSENT AGENDA**

**Public Comments will be called for by the presiding officer 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. Approve the minutes of the City Council meeting held on May 5, 2020. [Brenda Poe, City Secretary]**
- b. Consider a motion authorizing the City Manager to approve the annual purchase of various automotive parts and equipment used in repair of City vehicles from NAPA Auto Parts, Huntsville. [Brent S. Sherrod, P.E., Director of Public Works]**
- c. Consider a motion authorizing the City Manager to award a supply contract bid to Walker County Hardware for hardware and associated supply items. [Steve Ritter, Finance Director]**
- d. Consider approval of BuyBoard Contract #555-18 for the rehabilitation and relining of twenty (20) manholes in the NB Davidson Watershed. [Brent S. Sherrod, P.E., Director of Public Works]**
- e. Consider adoption of Ordinance 2020-26 to amend the budget for FY 19-20 and/or CIP Project budgets. [Steve Ritter, Finance Director]**

Councilmember Montgomery made a motion to approve the consent agenda; the motion was seconded by Councilmember Loll. The motion was adopted, 9-0.

### 3. STATUTORY AGENDA

- a. Consider authorizing the City Manager to award the construction for FY 2018-2019 Miscellaneous Waterline Replacement Project (No. 19-10-06). [Y. S. “Ram” Ramachandra, City Engineer]

First Reading, no action taken.

- b. Consider authorizing the City Manager to award the construction contract for Sam Houston Avenue and Ave J Waterline Replacement Project (No. 19-10-06.1). [Y. S. “Ram” Ramachandra, City Engineer]

Councilmember Rodriquez made a motion to authorize the City Manager to award the construction contract in the amount of \$156,105 to Underground Construction Solutions for the construction of Sam Houston Avenue and Ave J Waterline Replacement Project (No. 19-10-06.1); the motion was seconded by Councilmember Montgomery. The motion was adopted, 9-0.

### 4. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY

- a. Consider authorizing the City Manager to enter into an amendment to the Chapter 380 Agreement with Weatherford U.S., L.P. [Aron Kulhavy, City Manager]

Councilmember Rodriquez made a motion to authorize the City Manager to enter into an amendment to the Chapter 380 Agreement with Weatherford U.S., L.P.; the motion was seconded by Councilmember Humphrey. The motion was adopted, 9-0.

- b. Consider a citizen participation request from Marianito Bitara for removal of a tree at the Wynne Home, 1428 11th Street. [Aron Kulhavy, City Manager]

Mr. Bitara spoke about the dangers of the tree limit over his property line and requested Council take action.

Councilmember Beebe made a motion to direct the City Manager to remove the tree; the motion was seconded by Councilmember Irving. Councilmember Beebe amended her motion authorize solve the problem regarding the tree at the Wynne Home whether it be removing the branch or cutting the tree whichever is the best appropriate solution; Councilmember Irving seconded the amendment. The motion was adopted, 9-0.

### 5. 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.

Requests submitted were handled as agenda items.

### 6. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

None

### 7. ITEMS OF COMMUNITY INTEREST

(Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff, for which no action will be discussed or taken.)

The City Secretary announced that the City was following directives issues by the Governor’s office. For hours of operations at any City facility, call 936-291-5400. Follow updates, pay bills and conduct business online at HuntsvilleTX.gov as well as on all social media – Facebook, Instagram, Twitter, and Nextdoor.

**8. EXECUTIVE SESSION**

- a. **City Council will convene in closed session as authorized by Texas Government Code, Chapter 551, 551.071 to receive legal advice on the annexation of Area E and the annexation of areas "A" thru "G" and lawsuits filed in Cause No. 1929442, Billingsley, et al v City of Huntsville, regarding said annexation. [Leonard Schneider, City Attorney]**

The Council adjourned to Executive Session at 7:09 p.m.

**9. RECONVENE**

The Council reconvened at 7:26 p.m.

Mayor Pro Tem Rodriguez moved to approve the settlement offer by the Strong Law Firm clients and authorize City Attorney and attorney John Hightower to complete the settlement documents and present to the City Council on June 2, the motion was seconded by Councilmember Humphrey. The motion was adopted, 9-0.

**ADJOURNMENT**

Mayor Brauninger adjourned the meeting without objection at 7:27 p.m.

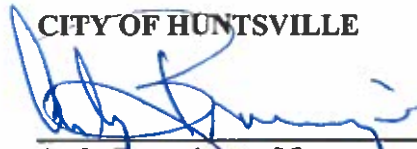
Brenda Poe, City Secretary

ATTEST:



Brenda Poe, City Secretary

CITY OF HUNTSVILLE



Andy Brauninger, Mayor