

MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 4th DAY OF AUGUST 2020, 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: Daiquiri Beebe, Blake Irving, Russell Humphrey, Dee Howard Mullins, Bert Lyle, Joe P. Rodriguez, Andy Brauning, Clyde D. Loll, Mari Montgomery

COUNCILMEMBERS ABSENT: None

OFFICERS PRESENT: Brenda Poe, City Secretary; Leonard Schneider, City Attorney

MAIN SESSION [6:00 P.M.]

CALL TO ORDER – Mayor Brauning 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.

Councilmember Clyde Loll gave the invocation and Mayor Brauning led the pledges.

PROCLAMATION – Mayor Brauning presented a proclamation to CommUNITY ALLiance for Huntsville in support of a day of prayer for Huntsville ISD.

1. PUBLIC HEARING

- a. Public hearing to hear comments on the City’s intent to submit a grant application to the U.S. Department of Justice for the FY 2020 Local Edward Byrne Memorial Justice Assistance Grant (JAG) Program.**

The public hearing was opened at 6:06 p.m. Grants Manager Kristie Hadnot presented a narrative on the program. The public hearing was closed at 6:13 p.m.

- b. Public hearing to hear comments on consideration of the Conditional Use Permit Application for a “Public Utility” service center to be located on property located at 1014 13th Street.**

The public hearing was opened at 6:13 p.m. Planner Leigha Larkins presented the history of the application. Jonathan Jonathon McClellan, AT&T Director External and Legislative Affairs, gave a presentation on behalf of AT&T. Citizen Thomas Leeper spoke in opposition of the permit. The public hearing was closed at 7:17 p.m.

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 July 21, 2020. [Brenda Poe, City Secretary]**
- b. Consider authorizing the City Manager to apply for the U.S. Department of Justice – 2020 Local Edward Byrne Memorial Justice Assistance Grant (JAG) Program, enter in to an Interlocal Agreement with Walker County and adopt Resolution 2020-25 in support of the same. [Kristie Hadnot, Grants Manager]**

Mayor Pro Tem Rodriguez made a motion to approve the consent agenda; the motion was seconded by Councilmember Howard. The motion was adopted, 9-0.

3. STATUTORY AGENDA

- a. **SECOND READING - Consider adopting Ordinance 2020-35 amending the Huntsville Code of Ordinances, specifically Chapter 12, Buildings and Building Regulations to provide requirements for the control of surface water run-off, second reading. [Kevin Byal, Director of Development Services / Building Official]**

Mayor Pro Tem Rodriguez made a motion to approve Ordinance 2020-35 amending the Huntsville Code of Ordinances, specifically Chapter 12, Buildings and Building Regulations to provide requirements for the control of surface water run-off; the motion was seconded by Councilmember Montgomery. Charlie Corbell spoke in favor of the code change. The motion was adopted, 9-0.

- b. **SECOND READING - Consider a request to change the name of Gospel Hill Road to William H. Jones, Sr. Road and adopt Ordinance Number 2020-34, second reading. [Leigha Larkins, Planner]**

Mayor Pro Tem Rodriguez made a motion to deny the request to change the name of Gospel Hill Road to William H. Jones, Sr. Road and deny the adoption of Ordinance 2020-34; the motion was seconded by Councilmember Howard. Blake Irving signed a conflict of interest on the item and left the chambers. Deborah Gilbert spoke against. Jasmine Williams spoke in favor. Brendon Kelly spoke against. Alice M Kelly spoke against. Patra Hayes spoke against. Milford Hawkins spoke against. Mary L Bradford spoke against. Janis Bradford spoke in favor as the petitioner. Roberta Williams spoke against. The motion to deny was adopted, 9-0.

- c. **Consider approving the Conditional Use Permit Application for a “Public Utility” service center to be placed on property located at 1014 13th Street. [Leigha Larkins, Planner]**

Mayor Brauning made a motion to postpone the agenda item until August 18, 2020; the motion was seconded by Councilmember Montgomery. The motion failed, 3-6, with Councilmembers Humphrey, Beebe, Rodriguez, Montgomery, Irving and Loll voting against. Mayor Pro Tem Rodriguez made a motion to approve the Conditional Use Permit Application #04-2019 allowing a Public Utility service center to be placed on property located at 1014 13th Street with conditions as recommended by the Planning Commission; Councilmember Montgomery seconded. Councilmember Montgomery amended the motion to include noise levels do not exceed current City Ordinance; the motion was seconded by Councilmember Humphrey. The motion to amend passed, 6-3, with Councilmembers Howard, Lyle and Loll voting against. The main motion passed, 5-4 with Councilmembers Howard, Lyle, Irving and Loll voting against.

- d. **FIRST READING - Consider Ordinance 2020-36 for the dis-annexation of approximately 391.487 acres of land, situated in the Hillary M. Crabb League, Abstract No. 15, Walker County, Texas, and being all of Parcel 3, Parcel 15, Parcel 16 and Parcel 19 as further described in the attached exhibit A-2, first reading.**

Councilmember Beebe made a motion to suspend the two reading requirements of section 4.12 of the Charter and approve Ordinance 2020-36 for the dis-annexation of approximately 391.487 acres of land, situated in the Hillary M. Crabb League, Abstract No. 15, Walker County, Texas, and being all of Parcel 3, Parcel 15, Parcel 16 and Parcel 19 as further described in the attached exhibit A-2; the motion was seconded by Mayor Pro Tem Rodriguez. The motion was adopted, 9-0.

- e. **Consider Resolution No. 2020-24 authorizing the City Manager and/or his designee to execute development agreements pursuant to Chapter 43 of the Local Government Code for the dis-annexation of approximately 391.487 acres of land situated in the Hillary M. Crabb League, Abstract No. 15, Walker County, Texas and approximately 266.94 acres of land situated in the Lewis Cox League, Abstract No. 13, Walker County, Texas.**

Councilmember Rodriguez made a motion to authorize the City Manager and/or his designee to execute development agreements pursuant to Chapter 43 of the Local Government Code for the dis-annexation of approximately 391.487 acres of land located in the Hillary M. Crabb League, Abstract No. 15, Walker County, Texas and approximately 266.94 acres of land situated in the Lewis Cox League, Abstract No. 13, Walker County, Texas; the motion was seconded by Councilmember Lyle. The motion was adopted, 9-0.

- f. **FIRST READING - Consider authorizing the City Manager and/or his designee to enter in to an interlocal agreement for professional services with Walker County Hospital District to administer a COVID-19 Community Testing Program for residents of the City of Huntsville, first reading. [Tammy Gann, Director of Economic Development / Special Projects and Kristie Hadnot, Grants Manager]**

Councilmember Montgomery made a motion to suspend the two reading requirements of section 4.12 of the Charter; the motion was seconded by Councilmember Lyle. The motion passed, 9-0. Councilmember Montgomery made a motion to authorize the City Manager to enter into an interlocal agreement for professional services with Walker County Hospital District to administer a COVID-19 Community Testing Program for the residents of the City of Huntsville; the motion was seconded by Councilmember Howard. The motion was adopted, 9-0.

- g. **Consider approval of announcing the City Council's intention to adopt a maximum property tax rate of \$0.3341 per \$100 valuation for the City's 2020 – 2021 Fiscal Year (Tax Year 2020). [Steve Ritter, Finance Director]**

Mayor Pro Tem Rodriguez made a motion to approve announcing the City Council's intention to adopt a tax rate in compliance with the Texas State Truth and Taxation laws not to exceed \$0.3341 per \$100 valuation for the City's 2020-2021 fiscal year tax year 2020; the motion was seconded by Councilmember Loll. The motion was adopted, 9-0 with a roll call vote. All members of the Council voted in favor.

4. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY

- a. **Consider pay increase for City Council to \$100 per meeting and approve Ordinance 2020-36 37 ordering a special election to amend the City Charter regarding councilmember pay. [Dee Howard, At-large Position 2 Councilmember]**

Councilmember Howard made a motion to approve a pay increase for City Council to \$100 per meeting and approve Ordinance 2020-37 ordering a special election to amend the City Charter regarding councilmember pay; the motion was seconded by Councilmember Irving. The motion failed, 3-6 with Mayor Brauning, Councilmember Humphrey, Beebe, Rodriguez, Lyle and Loll voting against.

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.

- a. Allan Rushing would like to speak about his experience with corrupt HPD officers.
b. Armatus Reintegration Program would like to introduce themselves and their organization.

Neither requestor was present.

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 Mayor announced the Walker County Office of Emergency Management is continuing to provide Mobile COVID-19 tests in August. The dates include Tuesdays, Aug. 11th, 18th, and 25th. The free tests are performed at the Walker County Fairgrounds. You do not have to be symptomatic to test. A valid ID is required at check-in. They will begin at 8 a.m. and end at 4 p.m. Please do your part #HomeSweetHuntsville to slow the spread of this virus.

Montgomery made a statement about COVID-19 numbers in the City of Huntsville and how Huntsville ISD was moving forward. She also read a statement about Black Lives Matter.

8. EXECUTIVE SESSION

a. City Council will meet in Executive Session pursuant to Texas Government Code Section 551.087 - deliberation regarding economic development negotiation, in reference to Project Lego.

The Council convened into Executive Session at 8:49 p.m.

9. Reconvene

The Council reconvened at 9:27 p.m.

ADJOURNMENT

Mayor Brauninger adjourned the meeting without objection at 9:27 p.m.

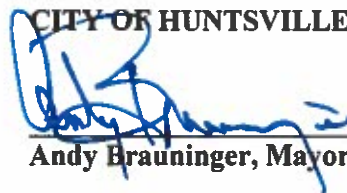
Brenda Poe, City Secretary

ATTEST:



Brenda Poe, City Secretary

CITY OF HUNTSVILLE



Andy Brauninger, Mayor