

**MINUTES FROM THE HUNTSVILLE CITY COUNCIL REGULAR MEETING HELD ON THE 21<sup>ST</sup> DAY OF JULY 2020, IN THE CITY HALL, LOCATED AT 1212 AVENUE M, IN THE CITY OF HUNTSVILLE, COUNTY OF WALKER, TEXAS, AT 6:00 P.M.**

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

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

**COUNCILMEMBERS ABSENT:** Bert Lyle

**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 Brauning called the meeting to order at 6:02 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 Blake Irving gave the invocation and Mayor Brauning led the pledges.

Mayor Brauning moved Citizen Participation to the first of the meeting.

**1. 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 7, 2020. [Brenda Poe, City Secretary]
- b. Consider adoption of Ordinance 2020-31 calling for November 3, 2020, general election for the purpose of electing four (4) at-large Councilmembers, single reading required; and consider approving the 2020 Joint Election Agreement and Elections Services Contract with Walker County for the November 3, 2020 election. [Brenda Poe, City Secretary]
- c. Consider accepting donation of property located at Lot 5, Block 46, Section 4 Elkin's Lake Subdivision to the City of Huntsville. [Aron Kulhavy, City Manager]

Councilmember Loll made a motion to approve the consent agenda; the motion was seconded by Councilmember Beebe. The motion was adopted, 8-0.

**2. STATUTORY AGENDA**

- a. **FIRST 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, first reading. [Kevin Byal, Director of Development Services / Building Official]**

Councilmember Beebe made a motion to waive the second reading per Section 4.12 of the City Charter; the motion was seconded by Councilmember Humphrey. The motion failed 5-3 with Councilmember Mullins, Mayor Pro Tem Rodriguez, and Mayor Andy Brauning voting against. The motion failed the two-third vote per City Attorney Schneider.

Charlie Corbel spoke in support of the code amendment as a resident. Nida Pickens spoke in support of the amendment as a member of the architectural committee for Elkins Lake.

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

First reading, no action taken.

Janis Bradford, daughter of William Henry Jones Sr., talked about why she felt the name change was appropriate.

**3. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY**

- a. FIRST READING - Consider Ordinance 2020-32 for the dis-annexation of approximately 266.94 acres located between FM 1791 and State Highway 30 and known as “Parcel 4” in the attached exhibit, first reading. [Aron Kulhavy, City Manager]**

Councilmember Montgomery made a motion to suspend the two-reading requirement of Section 4.12 of the City Charter and approve the dis-annexation approximately 266.94 acres located between FM 1974 and State Highway 30 and known as “Parcel 4” in the attached exhibit; the motion was seconded by Mayor Pro Tem Rodriguez. The motion was approved, 8-0.

- b. FIRST READING - Consider Ordinance 2020-33 for the dis-annexation of approximately 15.674 acres located on the south side of State Highway 75 North, near the intersection of State Highway 75 North and Wire Road, and known as “Parcels 7A, 8 and 9” in the attached exhibit A-1, first reading. [Aron Kulhavy, City Manager]**

Councilmember Rodriguez made a motion to suspend the two-reading requirement of Section 4.12 of the City Charter and approve the dis-annexation approximately 15.674 acres located on the south side of State Highway 75 North, near the intersection of State Highway 75 North and Wire Road, and known as “Parcels 7A, 8 and 9” in the attached exhibit A-1; the motion was seconded by Councilmember Montgomery. The motion was approved, 8-0.

**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. Crystal Brown spoke about the City of Huntsville’s response to the rumors of threat against the Sam Houston Statue.**

City Manager read a statement.

- b. Carolyn Moore spoke about the city’s response to and handling of the hoax regarding the Sam Houston Statue.**  
**c. Nia Williams spoke about the city’s negligent response to a Facebook post that they took as fact in regard to the “threat” to the Sam Houston Statue.**  
**d. Heather Robbins did not attend.**  
**e. Crystal Diaz did not attend.**  
**f. Jeff Lane chose not to speak.**

Pat Graham spoke in support of the City’s actions.

- g. Amanda Louie spoke about the city manager’s statement lending legitimacy to an unfounded rumor which brought dozens of armed wanna-be vigilantes to our town who did not social distance or wear masks but who visited our local establishments, possibly spreading COVID in town.**

Deborah McTigue spoke in support of the City.

**5. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA**

None

**6. 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 supporting the Texas Department of Emergency Management and the military operating the Mobile COVID-19 Test Collection site from 9 am to 6 pm tomorrow, July 22-23 and 29-30, at the Walker County Fairgrounds. You do not have to be symptomatic to test, however you must register at [txcovidtest.org](http://txcovidtest.org) or call 512-883-2400. A valid ID is required at check-in. He also reminded the public to file for City Council elections in November.

Councilmember Montgomery read a statement about COVID-19.

**7. 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]**

Council addressed item 6a, due to outside legal counsel at 7:15 p.m. Council reconvened at 7:22 p.m.

**ADJOURNMENT**

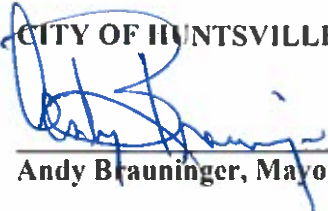
Mayor Brauningger adjourned the meeting without objection at 7:23 p.m.

Brenda Poe, City Secretary

ATTEST:

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Brenda Poe, City Secretary

CITY OF HUNTSVILLE



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Andy Brauningger, Mayor



## CITY COUNCIL AGENDA

8/4/20

Agenda Item: 2b

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**Item/Subject:** 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.

**Initiating Department/Presenter:** Finance

**Presenter:** Kristie Hadnot, Grants Manager

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**Recommended Motion:** Move to authorize 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.

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**Strategic Initiative:** Goal #7 - Public Safety - Provide safety and security for all citizens.

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**Discussion:** The JAG Program has been available to law enforcement agencies for a number of years. Both, the City of Huntsville and Walker County have received and benefited from the JAG Program awards for several years with different annual allocation amounts.

For FY 2020, the City of Huntsville was directly allocated \$10,412. Under the U.S. Department of Justice (DOJ), Walker County was identified as a disparate jurisdiction. JAG legislation requires that disparate jurisdictions identified in a geographical grouping to remain partners with the local jurisdictions receiving funds and to be a signatory on a required Memorandum of Understanding or Interlocal Agreement.

On July 20, 2020, the Walker County Commissioner's Court approved entering in to an Interlocal Agreement with the City of Huntsville for a portion of the 2020 JAG Program funds. The allocated funds will be used jointly by City of Huntsville and Walker County for the purchase of equipment for use by law enforcement, with the allocated amount to be divided equally between the entities. There are no matching funds required for this grant.

The Huntsville Police Department plans to use their portion of the funds to purchase a new handheld radio, a Dell laptop with software, and a Body-Worn Camera. Walker County has expressed plans to use their portion of the funds to purchase Motorola Digital Portable Radio for the Sheriff's Department.

A condition of applying for this grant requires that a public hearing to be held to receive comments on the program and for the utilization of funds being allocated for the City of Huntsville's portion. After the public hearing, Council may approve, deny, or remand the request back to Staff for modification if desired.

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**Previous Council Action:** No previous Council action has been taken on this particular item.

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**Financial Implications:**

**Item is not budgeted:** If the grant is awarded, a budget amendment will be brought to Council.