

John Meredith, Council President
Jennie Robinson, Councilmember
Bill Kling, Councilmember
Frances Akridge, Councilmember
Devyn Keith, Councilmember



Tommy Battle, Mayor
John Hamilton, City Administrator
Trey Riley, City Attorney
Ken Benion, Clerk-Treasurer

CITY COUNCIL CHAMBERS

5:30 PM

Thursday, October 27, 2022

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

1. INVOCATION

Offered by: Dr. Sonny Hatcher, Chaplain with Huntsville Public Safety Chaplains

2. PLEDGE OF ALLEGIANCE

Led by: Council Member Jennie Robinson

3. APPROVAL OF THE AGENDA

4. APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S)

- a. [2022-0915](#) Minutes of the Special Session of the City of Huntsville held August 26, 2022. (Minutes Received)
Sponsors: Clerk-Treasurer
- b. [2022-0916](#) Minutes of the Special Session of the City of Huntsville held September 26, 2022. (Minutes Received)
Sponsors: Clerk-Treasurer
- c. [2022-0917](#) Minutes of Regular Meeting of the City Council held October 13, 2022. (Minutes Received)
Sponsors: Clerk-Treasurer

5. MAYOR: SPECIAL RECOGNITIONS

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

Special Recognitions

- a. [2022-0918](#) Presentation honoring the Huntsville Police Department's Peer Support System for faithfully offering support and resources to reduce risks to Officers' well-being and to improve job satisfaction and service to the community.
Sponsors: Akridge

Resolutions for Approval and Presentation**Resolutions for Approval Only**

- b. [2022-0919](#) Resolution honoring the Mayfair Church of Christ for their ongoing commitment to the Urban Tree Canopy and well-being of the Community.
Resolution No. 22-848

Sponsors: Akridge

Attachments: [Mayfair Church](#)

7. **ANNOUNCEMENTS AND PRESENTATIONS**

8. **MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE**

9. **PUBLIC HEARINGS TO BE HELD**

- a. [2022-0920](#) Public hearing in order to hear, consider, and act upon all objections or protests, if any, for removal of a nuisance at 235 Victory Ln NE, Huntsville, AL.; and consideration of a Resolution ordering abatement of said nuisance located at 235 Victory Ln NE, Huntsville, AL. (Set October 13, 2022, Regular Council Meeting)
Resolution No. 22-849

Sponsors: Community Development

Attachments: [235 Victory Ln NE - ABATEMENT OF PUBLIC NUISANCE 10272022.pdf](#)

- b. [2022-0745](#) Public hearing on the rezoning of 71.55 acres of land lying on the south of Martin Luther King, Jr. Hwy and east and west of Pulaski Pike from Planned Industrial District to Highway Business C-4 District and Residence 2 District; and consideration of Ordinance 22-669, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-669

Sponsors: Planning

Attachments: [Bragg Stanley Rezoning](#)

- c. [2022-0746](#) Public hearing on the zoning of 12.60 acres of land lying on the west of Research Park Blvd and north of Old Monrovia Rd. to Highway Business C-4 District; and consideration of Ordinance No. 22-671, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-671

Sponsors: Planning

Attachments: [Langford Zoning](#)

- d. [2022-0747](#) Public hearing on the zoning of 0.84 acres of land lying on the west of McMullen Rd. and north of Mountain Preserve Blvd. to Residence 2 District; and consideration of Ordinance No. 22-673, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-673
Sponsors: Planning
Attachments: [Crystal Creek Zoning](#)
- e. [2022-0748](#) Public hearing on the rezoning of 2.34 acres of land lying on the southwest of Brinell Rd. and northwest of Haysland Rd from Residence 2 District to Residence 2-B District; and consideration of Ordinance No. 22-675 pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-675
Sponsors: Planning
Attachments: [The Park at Hays Farm Rezoning](#)
- f. [2022-0749](#) Public hearing on the rezoning of 6.03 acres of land lying on the west of Memorial Pkwy SW and north of Southpark Blvd. from Light Industry District to Residence 2 District and Highway Business C-4 District; and consideration of Ordinance No. 22-677 pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-677
Sponsors: Planning
Attachments: [Norwood Estates Rezoning](#)
- g. [2022-0750](#) Public hearing on the rezoning of 2.47 acres of land lying on the west of US Hwy 231/431 and north of Countess Rd from Residence 2 District to Highway Business C-4 District; and consideration of Ordinance No. 22-679, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-679
Sponsors: Planning
Attachments: [Northern Hills Rezoning](#)
- h. [2022-0751](#) Public hearing on the rezoning of 153.00 acres of land lying on the south of Hwy 72 West and west of Holladay Blvd. from Highway Business C-4 District to Residence 2 District; and consideration of Ordinance No. 22-681, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-681
Sponsors: Planning
Attachments: [Hwy 72 W Rezoning](#)

- i. [2022-0914](#) Public hearing on amending the approved General Development Plan of Crown Creek Planned Development - Housing District, LUI 56, to revise the secondary front yard setback requirement; and consideration of Ordinance No. 22-683, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-683
Sponsors: Planning
Attachments: [Crown Creek PDH Amendment 08-2022](#)
- j. [2022-0753](#) Public hearing on amending Zoning Ordinance Article 24 - Highway Business C-4 District Regulations, Subsection 24.2.1 - Multiple Family Dwellings and Subsection 24.2.5 - Multiple Family Dwelling within Opportunity Zones, and Article 73 - Supplementary Regulations and Modifications, Section 73.13 - Multiple Family Dwellings (Apartment Buildings), to add that the Maximum number of structures shall be limited to four (4) structures per acre; and consideration of Ordinance No. 22-685, pertaining to the same. (Set September 8, 2022, Regular Council Meeting)
Ordinance No. 22-685
Sponsors: Planning
Attachments: [Apartment Structure Density ZO Amend](#)
- k. [2022-0754](#) Public hearing on the vacation of an alleyway in the Pierre Addition to Viduta and Nolen Avenue. (Set September 8, 2022, Regular Council Meeting)
Sponsors: Planning
Attachments: [Viduta ROW Vac setting public hearing complete.pdf](#)
[Viduta ROW Vac ord Complete.pdf](#)
- l. [2022-0755](#) Public hearing on the vacation of a right-of-way for Lot 20 in the Wakefield Subdivision. (Set September 8, 2022, Regular Council Meeting)
Sponsors: Planning
Attachments: [Johnson ROW Setting Public Hearing.pdf](#)
[Johnson ROW Vacation Complete.pdf](#)
- m. [2022-0825](#) Public Hearing on the vacation of a right-of-way in MidCity Subdivision Phase 6, along MidCity Drive. (Set September 22, 2022, Regular Council Meeting)
Sponsors: Legal
Attachments: [MidCity ROW Vacation Complete.pdf](#)

10. PUBLIC HEARINGS TO BE SET

- a. [2022-0921](#) Resolution to set a public hearing on the vacation of a right-of-way in Old Town Subdivision, along Clinton Avenue and Monroe Street; and introduction of a Resolution consenting to, and introduction of an Ordinance vacating the right-of-way pertaining to the same. (Set December 1, 2022, Regular Council Meeting)
Resolution No. 22-850
Resolution No. 22-851
Ordinance No. 22-852

Sponsors: Planning

Attachments: [Old Town ROW Vacation Complete.pdf](#)

11. AGENDA RELATED PUBLIC COMMENTS

This portion of the meeting is reserved for persons wishing to address the Council on matters relating to the specific content of items on the meeting agenda. You may sign up to speak on the Public Comments Roster prior to the meeting. When called, approach the microphone and state your name, home address and city of residence. Each speaker may address the Council for three minutes. Speakers shall refrain from entering into a dialogue with Council Members or City staff and from making comments regarding the good name and character of any individual.

12. MAYOR COMMENTS**13. COUNCILMEMBER COMMENTS**

Councilmember Bill Kling

Councilmember Devyn Keith

Councilmember Frances Akridge

Councilmember Jennie Robinson

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

- a. [2022-0922](#) Resolution authorizing expenditures for payment.
Resolution No. 22-853

Sponsors: Finance Committee

Attachments: [Expenditures - Complete](#)

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. [2022-0874](#) Resolution appointing Kelsey Smith to the Huntsville Ice Skating Complex Board of Control, Position 5, to the seat previously held by Jan Davis for a three (3) year term to expire November 21, 2025. (Nominated October 13, 2022, Regular Council Meeting)
Resolution No. 22-854
Sponsors: Robinson
Attachments: [K. Smith Appointment Ice Skating Complex](#)
- b. [2022-0875](#) Resolution appointing Thomas Holliday to the Huntsville Ice Skating Complex Board of Control, Position 1, to the seat previously held by Dr. Tyler Kirby for a three (3) year term to expire November 21, 2025. (Nominated October 13, 2022, Regular Council Meeting)
Resolution No. 22-855
Sponsors: Keith
- c. [2022-0913](#) Resolution appointing Richard Godwin to the Community Development Citizens Advisory Council, Place 12, to fill a vacancy due to the resignation of Thomas McAdams for the remainder of a vacant three (3) year term to expire April 14, 2023. (Nominated October 13, 2022, Regular Council Meeting)
Resolution No. 22-856
Sponsors: Kling

16. BOARD APPOINTMENT NOMINATIONS

- a. [2022-0923](#) Nomination to appoint Tom Estes to the Huntsville Tennis Center Board of Control, Place 4, to the seat previously held by Scott Harriman for a three (3) year term to expire November 28, 2025.
Sponsors: Kling

17. HUNTSVILLE UTILITIES ITEMS

- a. [2022-0924](#) Resolution authorizing the Mayor to enter into an agreement between The Marshall County Gas District, a Corporation, hereinafter referred to as (DISTRICT) and City of Huntsville (Utilities: Gas).
Resolution No. 22-857
Sponsors: Huntsville Utilities
Attachments: [CC Marshall County.Presentation 102622](#)

18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS**Vacation of Easements****Vacation of Rights-of-Way**

- a. [2022-0925](#) Resolution consenting to the vacation of an alleyway in the Pierre Addition to Viduta and Nolen Avenue. (Introduced September 8, 2022, Regular Council Meeting)
Resolution No. 22-687
Sponsors: Planning
Attachments: [Viduta ROW res after Public Hearing.pdf](#)
- b. [2022-0926](#) Ordinance vacating the alleyway in the Pierre Addition to Viduta and Nolen Avenue. (Introduced September 8, 2022, Regular Council Meeting)
Ordinance No. 22-688
Attachments: [Viduta ROW Ord.pdf](#)
- c. [2022-0927](#) Resolution consenting to the vacation of a right-of-way for Lot 20 in the Wakefield Subdivision. (Introduced September 8, 2022, Regular Council Meeting)
Resolution No. 22-690
Sponsors: Planning
Attachments: [Johnson Consenting Res.pdf](#)
- d. [2022-0928](#) Ordinance vacating a right-of-way for Lot 20 in the Wakefield Subdivision. (Introduced September 8, 2022, Regular Council Meeting)
Ordinance No. 22-691
Attachments: [Johnson ROW Ord.pdf](#)
- e. [2022-0929](#) Resolution consenting to the vacation of a right-of-way in MidCity Subdivision Phase 6, along MidCity Drive. (Set September 22, 2022, Regular Council Meeting.
Resolution No. 22-747
Sponsors: Planning
Attachments: [MidCity ROW Consenting.pdf](#)
- f. [2022-0930](#) Ordinance vacating a right-of-way in MidCity Subdivision Phase 6, along MidCity Drive. (set September 22, 2022, Regular Council Meeting.
Ordinance No. 22-748
Attachments: [MidCity ROW Ord.pdf](#)

Deeds of Acceptance**19. UNFINISHED BUSINESS ITEMS FOR ACTION**

- a. [2022-0910](#) Ordinance to dedicate certain property adjacent to the Huntsville Police Department Shooting Range as a Utility and Drainage Easement for cellular service. (Introduced October 13, 2022, Regular Council Meeting)
Ordinance No. 22-845
Sponsors: ITS
Attachments: [Shooting Range ease Dedication Complete.pdf](#)
- b. [2022-0911](#) Ordinance authorizing the operation of medical cannabis dispensing sites in the city limits.
Ordinance No. 22-846
Sponsors: Administration
Attachments: [Medical Cannabis Complete.pdf](#)

20. NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION

These items will be approved in one motion unless any member of the Council wishes to remove an item for discussion. The reading of each item will be waived unless a Councilmember requests otherwise.

- a. [2022-0931](#) Resolution authorizing travel expenses.
Resolution No. 22-858
Sponsors: Finance
Attachments: [Travel Compete](#)
- b. [2022-0932](#) Resolution authorizing the acceptance of donations.
Resolution No. 22-859
Sponsors: Finance
Attachments: [Donations-Complete](#)
- c. [2022-0933](#) Ordinance amending Budget Ordinance No. 22-736, by changing appropriated funding for various departments and funds.
Ordinance No. 22-860
Sponsors: Finance
Attachments: [Budget Amendment Complete](#)

- d. [2022-0934](#) Resolution authorizing the Mayor to enter into agreements with the low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance.
Resolution No. 22-861
Sponsors: Finance
Attachments: [Procurement Complete](#)
 [Procurement Summary](#)
- e. [2022-0935](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the lowest responsible bidder, SJ&L General Contractors, LLC for the provision of services for the Resurfacing of Residential Streets FY2023 Phase 1 project.
Resolution No. 22-862
Sponsors: Public Works
Attachments: [SJ & L General Contractors, LLC-Complete](#)
- f. [2022-0936](#) Resolution authorizing the Mayor to enter into a Landlord's Consent to Encumber and Estoppel Certificate among the City of Huntsville, Pinnacle Bank, and High Point Huntsville, LLC.
Resolution No. 22-863
Sponsors: Urban Development
Attachments: [High Point Estoppel Complete.pdf](#)
- g. [2022-0937](#) Resolution authorizing the Mayor to enter into a Joint Funding Agreement between the City of Huntsville and the U.S. Geological Survey for Water Resource Investigations.
Resolution No. 22-864
Sponsors: Engineering
Attachments: [US Geological Survey Joint Funding Agrmt complete.pdf](#)
- h. [2022-0938](#) Resolution authorizing the Mayor to enter into a contract between the City of Huntsville and the low bidder, Lambert Contracting, L.L.C., for Governors Drive Median Landscaping & Pedestrian Improvements (Mill Creek Action Activity), Base Bid and Option #1, Project No. 71-22-SP27.
Resolution No. 22-865
Sponsors: Engineering
Attachments: [Lambert Governors Drive Median Landscaping & Pedestrian Improvements \(Mill Creek Action Activity\) complet.pdf](#)

- i. [2022-0939](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the State of Alabama Department of Transportation for Grading and/or Landscaping on Right-of-Way for Governors Drive Median Landscaping & Pedestrian Improvements (Mill Creek Action Activity).
Resolution No. 22-866
Sponsors: Engineering
Attachments: [ALDOT Grading and/or Landscaping on ROW for Governors Drive Median Landscaping & Pedestrian Improvements \(Mill Creek Action Activity\) complete.pdf](#)
- j. [2022-0940](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the State of Alabama Department of Transportation for The Accommodation of Utility Facilities on Public Right-of-Way for Governors Drive Median Landscaping & Pedestrian Improvements (Mill Creek Action Activity).
Resolution No. 22-867
Sponsors: Engineering
Attachments: [ALDOT The Accommodation of Utility Facilities on Public Right-of-Way for Governors Drive Median Landscaping & Pedestrian Improvements \(Mill Creek Action Activity\) complete.pdf](#)
- k. [2022-0941](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the State of Alabama Department of Transportation for The Cooperative Maintenance of Public Right-of-Way for Governors Drive Median Landscaping & Pedestrian Improvements (Mill Creek Action Activity).
Resolution No. 22-868
Sponsors: Engineering
Attachments: [ALDOT The Cooperative Maintenance of Public ROW for Governors Drive Median Landscaping & Pedestrian Improvements \(Mill Creek Action Activity\) complete.pdf](#)
- l. [2022-0942](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and GTEC Corporation for engineering services for the Raymond Jones Community Center.
Resolution No. 22-869
Sponsors: General Services
Attachments: [COMPLETE-GTEC-RaymondJonesCMT-Engineer Contract.pdf](#)

- m. [2022-0943](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and William M. Boehme and Associates for architectural services for the John Hunt Park Recreation Center.
Resolution No. 22-870

 Sponsors: General Services
 Attachments: [Complete-JHPRecCenter.pdf](#)
- n. [2022-0944](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and KPS Group for architectural services for Sandra Moon Phase 4.
Resolution No. 22-871

 Sponsors: General Services
 Attachments: [Complete KPS-SandraMoon4.pdf](#)
- o. [2022-0945](#) Resolution authorizing the Mayor to enter into a Limited Standard Agreement between the City of Huntsville and Barge Design Solutions, Inc. for the Big Spring Park Retaining Wall Evaluation.
Resolution No. 22-872

 Sponsors: General Services
 Attachments: [Complete-BW Engineer Contract.pdf](#)
- p. [2022-0946](#) Resolution authorizing the Mayor to enter into a Memorandum of Understanding between the North Alabama Drug Task Force, the Alabama Law Enforcement Agency, the Madison County District Attorney, the Madison County Sheriff's Department, the City of Madison, the Federal Bureau of Investigation, and the City of Huntsville.
Resolution No. 22-873

 Sponsors: Police
 Attachments: [NADTF MOU Complete.pdf](#)
- q. [2022-0947](#) Resolution authorizing the Mayor to execute Modification No. 3 to the Agreement between the City of Huntsville, Alabama and First Stop, Inc. for the use of CDBG-CV funds.
Resolution No. 22-874

 Sponsors: Community Development
 Attachments: [First Stop CDBG-CV Mod 3 complete](#)

- r. [2022-0948](#) Resolution authorizing the Mayor to enter into an agreement with the Alabama Historical Commission identified as: Federal Subgrant Agreement; United States Department of Interior National Park Service; Program Title: Historic Preservation Fund Grants-in-aid; CFDA Number 15.904; Grant Number AL-22-10020 regarding the Whitesburg Estates National Register Nomination Resolution No. 22-875

 Sponsors: Planning
 Attachments: [Whitesburg Estates National Register Nomination Agreement](#)
- s. [2022-0949](#) Resolution authorizing the Mayor to enter into a grant agreement with the Alabama Historical Commission identified as: Federal Subgrant Agreement; United States Department of Interior National Park Service; Program Title: Historic Preservation Fund Grants-in-aid; CFDA Number 15.904; Grant Number AL-22-10019 regarding the Survey of Terry Heights Phase 1 Resolution No. 22-876

 Sponsors: Planning
 Attachments: [Terry Heights Phase 1 Survey Grant Agreement](#)
- t. [2022-0950](#) Resolution authorizing City Attorney to settle the case of Vanessa Davis v. City of Huntsville (47-CV-2022-900146.00) Resolution No. 22-877

 Sponsors: Legal
 Attachments: [Davis Settlement.pdf](#)
- u. [2022-0951](#) Resolution authorizing City Attorney to settle the case of Donald Felix Vann (Civil Case No. 47-CV-2021-901268.00) Resolution No. 22-878

 Sponsors: Legal
 Attachments: [Vann Settlement.pdf](#)
- v. [2022-0952](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Odessa Sales-Robinson. Resolution No. 22-879

 Sponsors: Engineering
 Attachments: [Odessa Sales-Robinson Special Contract complete.docx.pdf](#)
- w. [2022-0953](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Dennis Thompson (Traffic Engineering). Resolution No. 22-880

 Sponsors: Traffic Engineering
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- x. [2022-0954](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Jon Hoffman (Traffic Engineering).
Resolution No. 22-881

 Sponsors: Traffic Engineering

 Attachments: [Complete Item](#)
- y. [2022-0957](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Hyland Software, Inc. for the Hyland OnBase software upgrade.
Resolution No. 22-883

 Sponsors: ITS

 Attachments: [Hyland Complete.pdf](#)

21. NEW BUSINESS ITEMS FOR INTRODUCTION

- a. [2022-0955](#) Introduction of an Ordinance declaring certain property surplus and to be disposed of per Agreement with Managed Asset Recovery Services.
Ordinance No. 22-882

 Sponsors: ITS

 Attachments: [Complete Disposal ITS MARS11-10-22.pdf](#)

22. SECOND ROSTER PUBLIC COMMENTS

This portion of the meeting is reserved for persons wishing to address the Council on matters relating to City business whether or not such items are on the meeting agenda. You may sign up to speak on the Second Public Comments Roster prior to or during the meeting. When called, approach the microphone and state your name, home address and city of residence. Each speaker may address the Council for three minutes. Speakers shall refrain from entering into a dialogue with Council Members or City staff and from making comments regarding the good name and character of any individual.

23. ADJOURNMENT

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