

Huntsville, Alabama

*308 Fountain Circle
Huntsville, AL 35801*



Meeting Minutes - Final

Thursday, May 25, 2023

5:30 PM

CITY COUNCIL CHAMBERS

City Council Regular Meeting

*President John Meredith
Councilmember Jennie Robinson
Councilmember Bill Kling
Councilmember Devyn Keith
Councilmember David Little*

*Tommy Battle, Mayor
John Hamilton, City Administrator
Trey Riley, City Attorney
Shaundrika Edwards, City Clerk*

REGULAR MEETING OF THE CITY COUNCIL

The above item is approved as submitted

CALL TO ORDER

Present: John Meredith, Jennie Robinson, Bill Kling, Devyn Keith, and David Little

1. INVOCATION

Offered by: Ragab Abdelmoneim, Imam with the Huntsville Islamic Center

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember David Little

3. APPROVAL OF THE AGENDA

Councilmember Kling moved to approve the action, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Meredith, Robinson, Kling, Keith, and Little

Nay: None

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

- a. [2023-325](#) Minutes of Regular Meeting of the City Council held May 11, 2023 (Minutes Received)

The above item is approved as submitted.

- b. [2023-353](#) Minutes of Special Session of the City Council held May 22, 2023 (Minutes Received)

The above item is approved as submitted.

5. MAYOR: SPECIAL RECOGNITIONS**6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS**

Special Recognitions

Resolutions for Approval and Presentation

Resolutions for Approval Only

- a. [2023-326](#) Resolution honoring Mrs. Opal Meek for her selfless dedication to the community and her ongoing service to the City of Huntsville.
Resolution No. 23-430

Sponsors: Keith

Attachments: [Resolution honoring Opal Meek](#)

Councilmember Keith moved to approve the Resolution, which motion was duly seconded by Councilmember Robinson. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Meredith, Robinson, Kling, Keith, and Little

Nay: None

7. ANNOUNCEMENTS AND PRESENTATIONS

- a. [2023-327](#) Presentation by United Cerebral Palsy.

Sponsors: Finance

Presentation by United Cerebral Palsy of Huntsville & Tennessee Valley, Cheryl Smith, CEO

- b. [2023-328](#) Presentation by Thrive Alabama.

Sponsors: Finance

Presentation by Mary Elizabeth Marr, CEO, Thrive Alabama

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

9. PUBLIC HEARINGS TO BE HELD

- a. [2023-319](#) Public hearing on the rezoning of 116.92 acres of land lying on the west and east side of Memorial Parkway and north of Industrial Drive from Light Industry District to Highway Business C-4 and Neighborhood Business C-1 Districts; and the consideration of an Ordinance pertaining to the same. (Set April 13, 2023 Regular Council Meeting)
Ordinance No. 23-268

Sponsors: Planning

Attachments: [North Memorial Pkway Rezoning](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Keith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Meredith, Robinson, Keith, and Little

Nay: None

- b. [2023-318](#) Public hearing on the zoning of 1.96 acres of land lying on the east of Wall Triana Blvd. and south of McCrary Rd. to Residence 2-A District; and the consideration of an Ordinance pertaining to the same. (Set April 13, 2023 Regular Council Meeting)
Ordinance No. 23-270
- Sponsors:** Planning
- Attachments:** [Vaughn Zoning](#)
- Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Keith, and Little
- Nay:** None
- c. [2023-320](#) Public hearing on the zoning of 3.44 acres of land lying on the north side of US Hwy 72 W and east of Old Railroad Bed Road to Highway Business C-4 District; and the consideration of an Ordinance pertaining to the same. (Set April 13, 2023 Regular Council Meeting)
Ordinance No. 23-272
- Sponsors:** Planning
- Attachments:** [Copper Line Zoning](#)
- Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Kling. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Keith, and Little
- Nay:** None
- d. [2023-321](#) Public hearing on the rezoning of 7.29 acres of land lying on the north side of Bradford Drive and east of Wynn Drive from Research Park District to Research Park 2 District; and the consideration of an Ordinance pertaining to the same. (Set April 13, 2023 Regular Council Meeting)
Ordinance No. 23-274
- Sponsors:** Planning
- Attachments:** [Bradford Drive Rezoning](#)
- Councilmember Kling moved to approve the Ordinance, which motion was duly seconded by Councilmember Keith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Kling, Keith, and Little
- Nay:** None
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10. PUBLIC HEARINGS TO BE SET**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

Mayor Battle appointed Jeff Gronberg to the Research Park Board for a term beginning May 25, 2023 and ending July 22, 2030.

Mayor Battle reappointed Dr. David Branham to the Board of Zoning Adjustment for a term ending March 9, 2026.

Mayor Battle reappointed Randy Schrimsher to the Von Braun Center Board of Control for a term ending August 27, 2028.

13. COUNCILMEMBER COMMENTS

Councilmember Jennie Robinson

Councilmember Bill Kling

Councilmember Devyn Keith

Councilmember David Little

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

- a. [2023-329](#) Resolution authorizing expenditures for payment.
Resolution No. 23-431

Sponsors: Finance Committee

Attachments: [Expenditures - Complete](#)

Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by President Meredith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Meredith, Robinson, Kling, Keith, and Little

Nay: None

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. [2023-323](#) Resolution appointing Patricia King to the Bingo Review Committee to fill a vacancy due to the resignation of Fred Rodrigue for the remainder of a two (2) year term to expire April 8, 2024. (Nominated May 11, 2023, Regular Council Meeting)
Resolution No. 23-432

Sponsors: Keith

Attachments: [P. King appointment Bingo Committee .docx](#)

Councilmember Keith moved to approve the Resolution, which motion was duly seconded by President Meredith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Meredith, Robinson, Keith, and Little

Nay: Kling

16. BOARD APPOINTMENT NOMINATIONS

- a. [2023-354](#) Resolution to reappoint Joanna White to the Alabama Constitution Village and Historic Huntsville Depot Board, Place 3 (her current seat), for a three (3) year term to expire June 26, 2026. (Nominated May 25, 2023, Regular Council Meeting)
Resolution No. 23-465

Sponsors: Robinson

Attachments: [J. White Constitution Village Reappointment](#)

The above item is referred as submitted to the City Council Regular Meeting due back on 6/8/2023.

- b. [2023-355](#) Resolution to appoint Briseida Ruelas to the Community Development Citizens Advisory Council, Place 10, to the seat previously held by Anita LaTorre-Elliott for a three (3) year term to expire April 14, 2026. (Nominated May 25, 2023, Regular Council Meeting)
Resolution No. 23-466

Sponsors: Meredith

Attachments: [B. Ruelas appointment Community Development CAC](#)

The above item is referred as submitted to the City Council Regular Meeting

17. HUNTSVILLE UTILITIES ITEMS**18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS**

Vacation of Easements

Vacation of Rights-of-Way

Deeds of Acceptance

19. UNFINISHED BUSINESS ITEMS FOR ACTION

- a. [2023-311](#) Ordinance declaring certain property as surplus and no longer needed for a municipal purpose and authorizing the Mayor to enter into a Lease Agreement between the City of Huntsville, Alabama, and Barracuda Restaurant, LLC. (Introduced May 11, 2023, Regular Council Meeting)
Ordinance No. 23-424
- Sponsors:** Urban Development
- Attachments:** [Barracuda Lease Agr Complete.pdf](#)
- Public Speaker: Rebecca Carsten
- Councilmember Meredith moved to approve the Ordinance, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Keith, and Little
- Nay:** Kling
- b. [2023-312](#) Ordinance annexing 1.00 acres of land lying on the south side of Taylor Lane and east of Wade Road. (Introduced May 11, 2023, Regular Council Meeting)
Ordinance No. 23-425
- Sponsors:** Planning
- Attachments:** [Brewer Annexation](#)
- Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Kling, Keith, and Little
- Nay:** None
- c. [2023-313](#) Ordinance changing the name of a portion of Meridian Street to Lewters Way. (Introduced May 11, 2023, Regular Council Meeting)
Ordinance No. 23-426
- Sponsors:** Planning
- Attachments:** [Lewters Way Street Renaming Complete.pdf](#)
- Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Kling, Keith, and Little
- Nay:** None

- d. [2023-314](#) Ordinance declaring property surplus and no longer needed for municipal purpose. (Introduced May 11, 2023, Regular Council Meeting)
Ordinance No. 23-427

Sponsors: City Clerk

Attachments: [MARS.SurplusProperty.Complete.pdf](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Meredith, Robinson, Kling, Keith, and Little

Nay: None

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. Consent Items are as follows: A, B, D, E, H-M, P, Q, S-U.

A motion was made to approve the Consent Agenda. The motion carried by the following vote:

Aye: Meredith, Robinson, Kling, Keith, and Little

Nay: None

- a. [2023-332](#) Resolution authorizing travel expenses.
Resolution No. 23-433

Sponsors: Finance

Attachments: [Travel Resolution Complete](#)

This New Business for Consideration or Action was approved.

- b. [2023-333](#) Resolution authorizing the acceptance of donations.
Resolution No. 23-434

Sponsors: Finance

Attachments: [Donations Complete](#)

This New Business for Consideration or Action was approved.

- c. [2023-334](#) 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. 23-435

 Sponsors: Finance

 Attachments: [Resolution Procurement Summary](#)

 Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by Councilmember Little. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

 Aye: Meredith, Robinson, Kling, Keith, and Little

 Nay: None
- d. [2023-335](#) Ordinance amending Budget Ordinance No. 22-736, by changing appropriated funding for various departments and funds.
Ordinance No. 23-436

 Sponsors: Finance

 Attachments: [Budget Amendment Complete](#)

 This New Business for Consideration or Action was approved.
- e. [2023-336](#) Ordinance approving appropriations, goods, or services for District 1 Council Improvement Funds.
Ordinance No. 23-437

 Sponsors: City Council

 Attachments: [District I Council Improvement Complete](#)

 This New Business for Consideration or Action was approved.
- f. [2023-169](#) Resolution authorizing the Mayor to enter into a Real Estate Agreement between the City of Huntsville and Blue Origin Alabama, LLC, for the sale of approximately 14.83 acres of property located in Cummings Research Park.
Resolution No. 23-438

 Sponsors: Urban Development

 Attachments: [Blue Origin RE Sales Complete.pdf](#)

 Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by Councilmember Kling. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:

 Aye: Meredith, Robinson, Kling, Keith, and Little

 Nay: None

- g. [2023-337](#) Resolution authorizing the Mayor to enter into a Real Estate Contract by and between the City of Huntsville and S & S North Development, LLC.
Resolution No. 23-439
Sponsors: Urban Development
Attachments: [S&S Complete.pdf](#)
Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by President Meredith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
Aye: Meredith, Robinson, Kling, Keith, and Little
Nay: None
- h. [2023-338](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Garver, L.L.C., for On-Call Construction Administration Services for Various Construction Projects, Project No. 71-23-SP21.
Resolution No. 23-440
Sponsors: Engineering
Attachments: [Garver OnCall CA Various Const Projects COMPLETE.pdf](#)
This New Business for Consideration or Action was approved.
- i. [2023-339](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Barge Design Solutions, Inc., for Monroe Road Improvements, Project No. 71-21-RD02.
Resolution No. 23-441
Sponsors: Engineering
Attachments: [Barge Design Modi Monroe Rd Impr.](#)
This New Business for Consideration or Action was approved.
- j. [2023-340](#) Resolution authorizing the Mayor to enter into a Contract between the City of Huntsville, Alabama and McCord Construction, Inc., for Periodic Bid for Sanitary Sewer Jack and Bore Items-2023, Project No. 71-23-SP18.
Resolution No. 23-442
Sponsors: Water Pollution
Attachments: [Periodic Bid for Sanitary Sewer Jack and Bore.doc.pdf](#)
This New Business for Consideration or Action was approved.

- k. [2023-341](#) Resolution authorizing the Mayor to enter into a Contract between the City of Huntsville, Alabama and McCord Construction, Inc., for Periodic Bid for Sanitary Sewer Directional Drilling Items-2023, Project No. 71-23-SP19. Resolution No. 23-443
- Sponsors:** Water Pollution
- Attachments:** [Per. Bid for Sanitary Sewer Drilling Items 2023 - complete](#)
- This New Business for Consideration or Action was approved.
- l. [2023-342](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Garver, L.L.C. for WPC 2023 Process Improvements On-Call Engineering Services, Project No. 71-23-SP22. Resolution No. 23-444
- Sponsors:** Water Pollution
- Attachments:** [2023 Process Impr On-Call Engineering Svcs Complete](#)
- This New Business for Consideration or Action was approved.
- m. [2023-343](#) Resolution authorizing the Mayor to execute Change Order No. 1 to the Fixed Price Agreement between the City of Huntsville and Consolidated Construction Company services for the Huntsville Transit Transfer Station. Resolution No. 23-445
- Sponsors:** General Services
- Attachments:** [COMPLETE-CO1-CCC-TransferStation.pdf](#)
- This New Business for Consideration or Action was approved.
- n. [2023-344](#) Resolution authorizing the Mayor to execute Modification No. 2 to the Lease Agreement between the City of Huntsville, Alabama and NSH Nextco, LLC. Resolution No. 23-446
- Sponsors:** Administration
- Attachments:** [Nextco Complete](#)
- Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by Councilmember Kling. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Kling, Keith, and Little
- Nay:** None

- o. [2023-345](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Simtech Solutions, Inc., for Professional Services & Tools to Support the Homeless Outreach Activities.
Resolution No. 23-447
- Sponsors:** Community Development
- Attachments:** [Simtech Solutions Show the Way Agreement complete](#)
- Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by President Meredith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Kling, Keith, and Little
- Nay:** None
- p. [2023-346](#) Resolution authorizing City Attorney to settle the claim of H.S. Parks.
Resolution No. 23-448
- Sponsors:** Legal
- Attachments:** [H.S. Parks Resolution.pdf](#)
- This New Business for Consideration or Action was approved.
- q. [2023-347](#) Resolution authorizing City Attorney to settle the claim of Optuminsight, Inc.
Resolution No. 23-449
- Sponsors:** Legal
- Attachments:** [Optuminsight Resolution.pdf](#)
- This New Business for Consideration or Action was approved.
- r. [2023-348](#) Resolution to amend the publication dates in Resolution No. 23-392 that set the public hearing on the zoning of 56.75 acres of land lying on the east side of South Memorial Pkwy and south of Hobbs Island Road to Highway Business C-4 District, and introduced Ordinance pertaining to the same. (Set June 22, 2023 Regular Council Meeting)
Resolution No. 23-450
- Sponsors:** Planning
- Attachments:** [Park Zoning](#)
- Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by Councilmember Meredith. President Meredith asked if there was any discussion. President Meredith called for a roll-call vote on the above motion, and the following vote resulted:
- Aye:** Meredith, Robinson, Kling, Keith, and Little
- Nay:** None
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- s. [2023-349](#) Resolution authorizing the Mayor to execute Modification No. 2 Amendment to the Enrollment Agreement between the City of Huntsville and Blue Cross Blue Shield of Alabama.
Resolution No. 23-451

 Sponsors: Human Resources

 Attachments: [Complete BCBS Modification No. 2 on COVID Benefits](#)

 This New Business for Consideration or Action was approved.
- t. [2023-351](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Mobile Communications America, Inc., identified as Tornado Warning Siren Repair Agreement between the Huntsville-Madison County EMA, and Mobile Communications America, Inc.
Resolution No. 23-452

 Sponsors: EMA

 Attachments: [MCA Agreement 2023 Cover Memo Packet.pdf](#)

 This New Business for Consideration or Action was approved.
- u. [2023-350](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Ronald Finley.
Resolution No. 23-453

 Sponsors: Water Pollution

 Attachments: [Finley Contract - COMPLETE](#)

 This New Business for Consideration or Action was approved.
21. **NEW BUSINESS ITEMS FOR INTRODUCTION**
- a. [2023-352](#) Ordinance amending Section 13-33 (Fireworks) of the Code of Ordinances of the City of Huntsville, Alabama. (Introduced May 25, 2023, Regular Council Meeting)
Ordinance No. 23-454

 Sponsors: Fire and Rescue

 Attachments: [Firework Ordinance Complete.pdf](#)

 The above item is introduced as submitted to the City Council Regular Meeting due back on 6/8/2023.

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.

Speaker(s): Mack Yates, Howard Ross, Andre Wilson

23. ADJOURNMENT***Agenda Disclaimer***

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