

Huntsville, Alabama

*308 Fountain Circle
Huntsville, AL 35801*



Meeting Minutes - Final

Thursday, January 12, 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
Ken Benion, Clerk-Treasurer*

REGULAR MEETING OF THE CITY COUNCIL**CALL TO ORDER**

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

Absent: John Meredith

1. INVOCATION

Offered by: Dr. Spright E. Simpson III, with West Mastin Lake Baptist Church and Huntsville Public Safety Chaplains Director

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember Bill Kling

3. APPROVAL OF THE AGENDA

The item was approved as submitted.

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

- a. [2022-1141](#) Minutes of Regular Meeting of the City Council held December 15, 2022.
(Minutes Received)

Sponsors: Clerk-Treasurer

Attachments: [12-15-22.reg.pdf](#)

The item is approved as submitted

5. MAYOR: SPECIAL RECOGNITIONS

- a. [2022-1142](#) Presentation of Mentoring Month Proclamation to Big Brothers/Big Sisters of North Alabama.

Sponsors: Finance Committee

Attachments: [Mentoring Month 2023 proclamation-Huntsville.pdf](#)

- b. Mayor congratulated Byron Thomas, Director of Human Resources, on his 25 years of service to the City of Huntsville and presented him with his 25 year pin.

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

Special Recognitions

Resolutions for Approval and Presentation

Resolutions for Approval Only

7. ANNOUNCEMENTS AND PRESENTATIONS

- a. [2022-1143](#) Presentation from Huntsville Utilities on recent winter weather impacts.

Sponsors: Huntsville Utilities

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

9. PUBLIC HEARINGS TO BE HELD**10. PUBLIC HEARINGS TO BE SET**

- a. [2022-1144](#) Resolution to set a public hearing on the zoning of 2.56 acres of land lying on the north side of Oakwood Rd. and east of Research Park Blvd. to Residence 2-A District; and the introduction of an Ordinance pertaining to the same. (Set February 23, 2023 Regular Council Meeting)
Resolution No. 23-01
Ordinance No. 23-02

Sponsors: Planning

Attachments: [Travis Zoning](#)

Councilmember Kling moved to approve the Resolution setting the Public Hearing for February 23, 2023, which motion was duly seconded by Councilmember Keith. President Pro Tem Robinson asked if there was any discussion. President Pro Tem Robinson called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Robinson, Kling, Keith, and Little

Nay: None

- b. [2022-1145](#) Resolution to set a public hearing on the vacation of a right-of-way along Davis Circle; and introduction of a Resolution consenting to, and introduction of an Ordinance vacating the right-of-way pertaining to the same. (Set February 23, 2023 Regular Council Meeting)
Resolution No. 23-03
Resolution No. 23-04
Ordinance No. 23-05

Sponsors: Legal

Attachments: [Davis Circle ROW Complete.pdf](#)

Councilmember Kling moved to approve the Resolution setting the Public Hearing for February 23, 2023, which motion was duly seconded by Councilmember Little. President Pro Tem Robinson asked if there was any discussion. President Pro Tem Robinson called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Robinson, Kling, Keith, and Little

Nay: None

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 Devyn Keith

Councilmember David Little

Councilmember Jennie Robinson

Councilmember Bill Kling

Councilmember John Meredith - absent

14. FINANCE COMMITTEE REPORT

- a. [2022-1146](#) Resolution authorizing expenditures for payment.
Resolution No. 23-06

Sponsors: Finance Committee

Attachments: [Expenditures - Complete](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. [2022-1100](#) Resolution reappointing Katie Beasley to the Land Trust of North Alabama to her current seat for a two (2) year term to expire December 31, 2024. (Nominated December 15, 2022, Regular Council Meeting)
Resolution No. 23-07

Sponsors: Robinson

Attachments: [K. Beasley Reappointment Land Trust.docx](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

- b. [2022-1101](#) Resolution reappointing Abby Owen to the Advisory Commission on Accessibility, Seat 8 (her current seat), for a three (3) year term to expire January 10, 2026. (Nominated December 15, 2022, Regular Council Meeting)
Resolution No. 23-08

Sponsors: Kling

Attachments: [A. Owens Board Appt.pdf](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

- c. [2022-1102](#) Resolution appointing Traci Harris to the Madison County Department of Human Resources Board, Place 7, to fill a vacancy due to the resignation of Sharrise Gibson for the remainder of a vacant six (6) year term to expire August 1, 2027. (Nominated December 15, 2022, Regular Council Meeting)
Resolution No. 23-09

Sponsors: Robinson

Attachments: [T.Harris Board Appt.pdf](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

16. BOARD APPOINTMENT NOMINATIONS

- a. [2022-1147](#) Nomination to reappoint Doug Martinson to the Huntsville Public Library Board to his current seat for a four (4) year term to expire February 10, 2027.

Sponsors: Kling

The above item is referred as submitted to the City Council Regular Meeting due back on 1/26/2023.

- b. [2022-1148](#) Nomination to appoint Collin Keller to the Animal Services Advisory Committee, Place 1, to the seat previously held by Gail Lee for a three (3) year term to expire September 9, 2025.

Sponsors: Kling

The above item is referred as submitted to the City Council Regular Meeting due back on 1/26/2023.

17. HUNTSVILLE UTILITIES ITEMS**18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS****Vacation of Easements**

- a. [2022-1149](#) Ordinance authorizing the vacation of a Sewer Easement, along 222 Washington Street, Lewter Hardware property.
Ordinance No. 23-10

Sponsors: Legal

Attachments: [Lewter easement vacation ordinance Complete.pdf](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

Vacation of Rights-of-Way**Deeds of Acceptance****19. UNFINISHED BUSINESS ITEMS FOR ACTION**

- a. [2022-1140](#) Ordinance to declare property located south of Bob Wade Lane and east of Pulaski Pike also known as Lot 2, Lanier Subdivision, consisting of 136.28 acres, as surplus and no longer needed for a municipal purpose, and authorizing the Purchase and Sale Agreement to Stanley Developers, LLC. (Introduced December 15, 2022, Regular Council Meeting)
Ordinance No. 22-1030

Sponsors: Urban Development

Attachments: [Stanley Surplus Prop ord Complete.pdf](#)

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

Aye: 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.

A motion was made by President Pro Tem Robinson, seconded by Councilmember Keith, to approve the consolidated items. The motion carried by the following vote:

Aye: Robinson, Kling, Keith, and Little

Nay: None

- a. [2022-1150](#) Resolution authorizing travel expenses.
Resolution No. 23-11

Sponsors: Finance

Attachments: [Travel Resolution Complete](#)

This New Business for Consideration or Action was approved.

- b. [2022-1151](#) Resolution authorizing the acceptance of donations.
Resolution No. 23-12

Sponsors: Finance

Attachments: [Donations Complete](#)

This New Business for Consideration or Action was approved.

- c. [2022-1152](#) 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. 23-13

Sponsors: Finance

Attachments: [Procurement Complete](#)

This New Business for Consideration or Action was approved.

- d. [2022-1153](#) Resolution authorizing the Mayor to amend contract #101-2022-54B between the City of Huntsville and Donohoo Chevrolet LLC for the provision of Light Duty Vehicles. The original contract was approved on October 13, 2022 under Resolution No. 22-820.
Resolution No. 23-14

Sponsors: Finance

Attachments: [Light Duty Vehicles-Complete](#)

This New Business for Consideration or Action was approved.

- e. [2022-1154](#) Resolution authorizing the Mayor to amend contracts the City of Huntsville have in place with Woody Anderson Ford (#101-2022-54A) and Donohoo Chevrolet LLC (#101-2022-54B) for the provision of Light Duty Vehicles to include a direct purchase option. The original contract

was approved on October 13, 2022 under Resolution No. 22-820.
Resolution No. 23-15

Sponsors: Finance

Attachments: [Resolution Doohoo and Woody Anderson Ford-Complete](#)

This New Business for Consideration or Action was approved.

- f. [2022-1155](#) Ordinance amending Budget Ordinance No. 22-736, by changing appropriated funding for various departments and funds.
Ordinance No. 23-16

Sponsors: Finance

Attachments: [Budget Amendment Complete](#)

This New Business for Consideration or Action was approved.

- g. [2022-1156](#) Resolution amending Resolution No. 22-781 and Resolution No. 22-782, by appropriating carry forward encumbrances and project budgets from fiscal year 2022 into fiscal year 2023.
Resolution No. 23-17

Sponsors: Finance

Attachments: [Carry forward Budget Resolution Complete](#)

This New Business for Consideration or Action was approved.

- h. [2022-1157](#) Ordinance approving appropriations, goods or services for District 4 Council Improvement Funds.
Ordinance No. 23-18

Sponsors: City Council

Attachments: [Council Improvements Complete.pdf](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

- i. [2022-1182](#) Ordinance approving appropriations, goods, or services for District 1 Council Improvement Funds.
Ordinance No. 23-19

Sponsors: City Council

Attachments: [Keith Ord. Council Improv Funds - Complete.pdf](#)

Councilmember Keith moved to approve the Ordinance, which motion was duly seconded by Councilmember Kling. President Pro Tem

Robinson asked if there was any discussion. President Pro Tem Robinson called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Robinson, Kling, Keith, and Little

Nay: None

- j. [2022-1159](#) Resolution authorizing the Mayor to enter into a Facility Lease Agreement between the City of Huntsville and NSH Nextco, LLC, for lease of John Hunt Park practice facility for the Huntsville City Football Club. Resolution No. 23-20

Sponsors: Administration

Attachments: [NSH Nextco Lease Agreement Complete.pdf](#)

This New Business for Consideration or Action was approved.

- k. [2022-1160](#) Resolution authorizing the Mayor to enter into a contract between the City of Huntsville and the low bidder, SJ&L General Contractor, L.L.C., for Huntsville Utilities Access Road at Ditto Landing, Project No. 71-22-SP36. Resolution No. 23-21

Sponsors: Engineering

Attachments: [SJ&L Huntsville Utilities Access Road at Ditto Landing complete.pdf](#)

This New Business for Consideration or Action was approved.

- l. [2022-1161](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Alabama Department of Transportation for the Installation, Operation and Maintenance of Traffic Control Signals for Memorial Parkway from Mastin Lake Road to Winchester Road, ALDOT Project No. NH-0001(610). Resolution No. 23-22

Sponsors: Engineering

Attachments: [ALDOT Agrmt Traffic Control Signals for Memorial Parky from Mastin Lake Rd to Winchester Rd complete.pdf](#)

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

- m. [2022-1162](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the State of Alabama Department of Transportation for the Installation, Operation and Maintenance of Roadway Lighting for

Memorial Parkway from Mastin Lake Road to Winchester Road, ALDOT Project No. NH-0001(610).
Resolution No. 23-23

Sponsors: Engineering

Attachments: [ALDOT Agrmt Roadway Lighting for Memorial Parkway f Mastin Lake Rd to Winchester Rd complete.pdf](#)

This New Business for Consideration or Action was approved.

- n. [2022-1163](#) Resolution authorizing the Mayor to enter into an Agreement for Maintenance between the City of Huntsville and the State of Alabama Department of Transportation for Memorial Parkway from Mastin Lake Road to Winchester Road, ALDOT Project No. NH-0001(610).
Resolution No. 23-24

Sponsors: Engineering

Attachments: [ALDOT Maint Agmt Pkwy COMPLETE.pdf](#)

This New Business for Consideration or Action was approved.

- o. [2022-1164](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Schoel Engineering Company, Inc., for Engineering Design and Consulting Services for Lowe Avenue Streetscape, Project No. 71-23-SP06.
Resolution No. 23-25

Sponsors: Engineering

Attachments: [TMP-2435 Schoel Lowe Avenue Streetscape complete.pdf](#)

This New Business for Consideration or Action was approved.

- p. [2022-1165](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Schoel Engineering Company, Inc., for Engineering and Hydraulic Consulting Services and Letter of Map Revision (LOMR) Submittal for Fagan Creek, Project No. 71-22-DR05.
Resolution No. 23-26

Sponsors: Engineering

Attachments: [Schoel Fagan Creek LOMR complete.pdf](#)

This New Business for Consideration or Action was approved.

- q. [2022-1166](#) Resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Rogers Group, Inc., for Periodic Bid for Various Construction Projects-2021, Project No. 71-22-SP06.
Resolution No. 23-27

Sponsors: Engineering

Attachments: [Periodic Bid for Various Construction Projects-2021 complete.pdf](#)

This New Business for Consideration or Action was approved.

- r. [2022-1167](#) Resolution authorizing the Mayor to enter into a contract between the City of Huntsville and the low bidder, REV Construction, Inc., for Periodic bid for Sanitary Sewer Projects-2023, Project No. 71-23-SS01.
Resolution No. 23-28

Sponsors: Water Pollution

Attachments: [REV Periodic Bid for Sanitary Sewer Projects-2023 complete.pdf](#)

This New Business for Consideration or Action was approved.

- s. [2022-1168](#) Resolution authorizing the Mayor to enter into a Limited Standard Agreement between the City of Huntsville and Sain Engineering Associates, Inc., for Commissioning Services for the New City Hall.
Resolution No. 23-29

Sponsors: General Services

Attachments: [CompleteSainEngineeringContract](#)

This New Business for Consideration or Action was approved.

- t. [2022-1169](#) Resolution authorizing the Mayor to execute the U.S. Department of Housing & Urban Development Homeless Assistance Continuum of Care Program (COC) grant agreement.
Resolution No. 23-30

Sponsors: Community Development

Attachments: [Homeless Assistance Grant - Complete Packet.pdf](#)

This New Business for Consideration or Action was approved.

- u. [2022-1170](#) Resolution authorizing the Mayor to execute a proposal for Coverage to the Alabama First Responders Benefits Program and the City of Huntsville for the purpose of providing a Firefighter Cancer and Long-Term Disability benefit to Active Paid Firefighters.
Resolution No. 23-31

Sponsors: Human Resources

Attachments: [Complete ALFRBP Proposal for Firefighters Cancer and L Policy](#)

This New Business for Consideration or Action was approved.

- v. [2022-1171](#) Ordinance amending Budget Ordinance No. 22-736, by changing the authorized personnel strength in the department and fund.
Ordinance No. 23-32

Sponsors: Human Resources

Attachments: [Budget Ordinance No. 22-736](#)

This New Business for Consideration or Action was approved.

- w. [2022-1172](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Checkr, Inc., for the purpose of obtaining background and credit checks.
Resolution No. 23-33

 Sponsors: Human Resources
 Attachments: [Checkr, Inc.](#)

 This New Business for Consideration or Action was approved.
- x. [2022-1173](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Marsh & McLennan Agency for renewal of insurance at 500 Church Street parking lot.
Resolution No. 23-34

 Sponsors: Parking/Public Transit
 Attachments: [Marsh & McLennan Agreement 230112](#)

 This New Business for Consideration or Action was approved.
- y. [2022-1174](#) Resolution authorizing the Mayor to enter into a Cooperative Agreement with the Alabama Emergency Management Agency (AEMA) for FY2022 Emergency Management Performance Grant “EMPG”.
Resolution No. 23-35

 Sponsors: EMA
 Attachments: [EMPG 2023.pdf](#)

 This New Business for Consideration or Action was approved.
- z. [2022-1175](#) Resolution authorizing the Mayor to enter into a Program Funded State and Local Task Force Agreement between the City of Huntsville and United States Department of Justice, Drug Enforcement Administration.
Resolution No. 23-36

 Sponsors: Police
 Attachments: [Complete File](#)

 This New Business for Consideration or Action was approved.
- aa. [2022-1176](#) Resolution authorizing the Clerk-Treasurer to invoke First National Bank Letter of Credit No. 573278400 for Retreat at Abbingdon Phase 2 Subdivision.
Resolution No. 23-37

 Sponsors: Legal
 Attachments: [Retreat LOC res Complete.pdf](#)

 This New Business for Consideration or Action was approved.
- ab. [2022-1177](#) Resolution authorizing the Mayor to enter into an Agreement with Robert W. Williams for the purchase of a boathouse.
Resolution No. 23-38
-

Sponsors: Fire and Rescue

Attachments: [BOATHOUSE COMPLETE.pdf](#)

This New Business for Consideration or Action was approved.

- ac. [2022-1178](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement with George Daigle.
Resolution No. 23-39

Sponsors: Fire and Rescue

Attachments: [Daigle 2023 Complete.pdf](#)

This New Business for Consideration or Action was approved.

- ad. [2022-1179](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Kimberly Gosa.
Resolution No. 23-40

Sponsors: Planning

Attachments: [Gosa- Special Agreement ResolutionAgreem.pdf](#)

This New Business for Consideration or Action was approved.

21. NEW BUSINESS ITEMS FOR INTRODUCTION

- a. [2022-1180](#) Introduction of an ordinance annexing 4.50 acres of land lying on the east side of US Hwy 431 S and west of Wade Rd.
Ordinance No. 23-41

Sponsors: Planning

Attachments: [Young Annexation](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 1/26/2023.

- b. [2022-1181](#) Introduction of an ordinance declaring certain equipment surplus and to be sold at public auction.
Ordinance No. 23-42

Sponsors: Fleet Department

Attachments: [Fowler Auction FEB 2023.pdf](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 1/26/2023.

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.

Carol Thomas, Jan Neighbors, Andre Wilson

23. ADJOURNMENT***Agenda Disclaimer***

City Council agendas are provided for general information purposes only. Any reliance you place on a City Council agenda provided on this website is strictly at your own risk. Hard copies of all City Council agendas and all final attachments are available for review with the official agenda package at the City Clerk-Treasurer's Office at 308 Fountain Circle, Huntsville, AL, after the meeting has concluded.

City Council agendas provided on this website include the text only version of the information associated with the business matters to be brought before for the City Council. Reports and attachments including, but not limited to, pictures, plans, drawings, spreadsheet presentations, financial statements and correspondences are not always included with a City Council agenda on this website.

Changes to a City Council agenda may be necessary prior to the City Council meeting. Such changes may not be included on the City Council agenda on this website. Also, the City Council may elect to amend, delete, add or continue business matters during the City Council meeting.

While every effort is made to keep the information up to date and correct, no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability, suitability or availability are made with respect to the City Council agendas provided on this website. The City of Huntsville assumes no liability for any errors, omissions, or inaccuracies in the information regardless as to how it was caused; or any missing or incomplete agenda items.