

Huntsville, Alabama

*308 Fountain Circle
Huntsville, AL 35801*



Meeting Minutes - Final

Thursday, June 8, 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

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

CALL TO ORDER**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 Jennie Robinson

3. APPROVAL OF THE AGENDA**4. APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S)**

- a. [2023-356](#) Minutes of Regular Meeting of the City Council held May 25, 2023. (Minutes Received)

Sponsors: City Clerk

The above item is approved as submitted.

5. MAYOR: SPECIAL RECOGNITIONS**6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS****Special Recognitions****Resolutions for Approval and Presentation**

- a. **2023-357** Resolution honoring Mr. Howard Bankhead for his distinguished accomplishments and ongoing dedication to the community.
Resolution No. 23-455

Sponsors: Meredith

Mr. Howard Bankhead was recognized.

Resolutions for Approval Only**7. ANNOUNCEMENTS AND PRESENTATIONS**

- a. [2023-358](#) Presentation by Fantasy Playhouse.

Sponsors: Finance

Karen Mockensturm presented.

- b. [2023-359](#) Presentation by Village of Promise.

Sponsors: Finance

Dana Gill presented.

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE**9. PUBLIC HEARINGS TO BE HELD****10. PUBLIC HEARINGS TO BE SET**

- a. [2023-360](#) Resolution to set a public hearing on the zoning of 327.60 acres of land lying on the south side of Huntsville Brownsferry Road and west of Mooresville Road to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set July 27, 2023 Regular Council Meeting)
Resolution No. 23-456
Ordinance No. 23-457

Sponsors: Planning
Attachments: [Graham Hicks Zoning](#)

Councilmember Robinson moved to approve the Resolution, 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
- b. [2023-361](#) Resolution to set a public hearing on the zoning of 6.15 acres of land lying on the south side of US Hwy 72 W and east of Slaughter Road to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set July 27, 2023 Regular Council Meeting)
Resolution No. 23-458
Ordinance No. 23-459

Sponsors: Planning
Attachments: [RCI Zoning](#)

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
- c. [2023-362](#) Resolution to set a public hearing on the zoning of 2.67 acres of land lying on the west side of US Hwy 431 S and north of Taylor Lane to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set July 27, 2023 Regular Council Meeting)
Resolution No. 23-460
Ordinance No. 23-461

Sponsors: Planning

Attachments: [Marathon 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

- d. [2023-363](#) Resolution to set a public hearing on the rezoning of 19.90 acres of land lying on the west side of South Shawdee Road and north of Nature Trail Road from Residence 1 District to Residence 1-A District; and the introduction of an Ordinance pertaining to the same. (Set July 27, 2023 Regular Council Meeting)
Resolution No. 23-462
Ordinance No. 23-463

Sponsors: Planning

Attachments: [South Shawdee Rezoning](#)

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

- e. [2023-390](#) Resolution modifying Resolution 23-391, which originally set a special session date for June 8, 2023, at 4:00 p.m., is rescheduled to June 27, 2023, at 9:00 a.m. (Set May 11, 2023, Regular Council Meeting)
Resolution No. 23-486

Sponsors: Finance

Attachments: [Amend SS - Complete](#)

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

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 Ret. Lt. Bri. Gen. Willie Williams to the Huntsville Housing Authority Board Appointment for a term beginning on 8/14/2023 ending 8/15/2028.

13. COUNCILMEMBER COMMENTS

Councilmember Bill Kling

Councilmember Devyn Keith

Councilmember David Little

Councilmember Jennie Robinson

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

- a. 2023-364** Resolution authorizing expenditures for payment.
Resolution No. 23-464

Sponsors: Finance Committee

Attachments: Expenditures - 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

15. BOARD APPOINTMENTS TO BE VOTED ON

- 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](#)

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

- 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](#)

Councilmember Meredith 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

16. BOARD APPOINTMENT NOMINATIONS

- a. [2023-365](#) Resolution reappointing Jim Batson to the Huntsville Water Utility Board to his current seat for a three (3) year term to expire July 1, 2026. (Nominated June 8, 2023, Regular Council Meeting)
Resolution No. 23-488

Sponsors: Keith

Attachments: [J. Batson Reappointment Water Utility](#)

The above item is referred as submitted to the City Council Regular Meeting due back on 6/22/2023.

- b. [2023-366](#) Resolution reappointing Kimberly Lewis to the Huntsville Electric Utility Board to her current seat for a three (3) year term to expire July 1, 2026. (Nominated June 8, 2023, Regular Council Meeting)
Resolution No. 23-489

 Sponsors: Robinson
 Attachments: [K. Lewis Reappointment Electric Board](#)

 The above item is referred as submitted to the City Council Regular Meeting due back on 6/22/2023.
- c. [2023-367](#) Resolution reappointing Ryan Lindow to the Huntsville-Madison County Emergency Management Board, Place 3 (his current seat), for a five (5) year term to expire July 1, 2028. (Nominated June 8, 2023, Regular Council Meeting)
Resolution No. 23-490

 Sponsors: Robinson
 Attachments: [R. Lindow Reappointment Emergency Mngt.](#)

 The above item is referred as submitted to the City Council Regular Meeting due back on 6/22/2023.
- d. [2023-368](#) Resolution appointing Stephen Walker to the Bingo Review Committee to the seat previously held by William Tumminello for a two (2) year term to expire April 8, 2025. (Nominated June 8, 2023, Regular Council Meeting)
Resolution No. 23-491

 Sponsors: Little
 Attachments: [S. Walker appointment Bingo Committee .docx](#)

 The above item is referred as submitted to the City Council Regular Meeting due back on 6/22/2023.
- e. [2023-369](#) Resolution appointing Marta Buckman to the Beautification Board, Place 1, to fill a vacancy due to the resignation of Jennifer Kinard for the remainder of a vacant three (3) year term to expire September 30, 2024. (Nominated June 8, 2023, Regular Council Meeting)
Resolution No. 23-492

 Sponsors: Kling
 Attachments: [M. Buckman Beautification Appointment](#)

 The above item is referred as submitted to the City Council Regular Meeting due back on 6/22/2023.

- f. [2023-370](#) Resolution reappointing Jim Batson to the Huntsville Natural Gas Utility Board to his current seat for a three (3) year term to expire July 1, 2026. (Nominated June 8, 2023, Regular Council Meeting)
Resolution No. 23-493

Sponsors: Keith

Attachments: [J. Batson Reappointment Gas Utility](#)

The above item is referred as submitted to the City Council Regular Meeting due back on 6/22/2023.

17. HUNTSVILLE UTILITIES ITEMS

18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS

Vacation of Easements

- a. **2023-371** Ordinance authorizing the vacation of a Utility and Drainage Easement at Lot 2, Olin King Properties Subdivision, 4020 (4040) Memorial Parkway SW. (Wellstone)
Ordinance No. 23-467

Sponsors: Legal

Attachments: Wellstone eas ord 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

- b. [2023-372](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, 1623 Monte Sano Boulevard. (Weber)
Ordinance No. 23-468

Sponsors: Legal

Attachments: [Weber eas ord 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

Vacation of Rights-of-Way

Deeds of Acceptance

19. UNFINISHED BUSINESS ITEMS FOR ACTION

- 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](#)

Councilmember Robinson moved to approve the ordinance, which motion was duly seconded by Councilmember Mereidith. 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.

A motion was made by President Meredith, seconded by Councilmember Kling, to approve the Consent Agenda. The motion carried by the following vote:

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

Nay: None

- a. [2023-373](#) Resolution authorizing travel expenses.
Resolution No. 23-469

Sponsors: Finance

Attachments: [Travel Resolution Complete](#)

This New Business for Consideration or Action was approved.

- b. [2023-374](#) Resolution authorizing the acceptance of donations.
Resolution No. 23-470

Sponsors: Finance

Attachments: [Donations Complete](#)

This New Business for Consideration or Action was approved.

- c. [2023-375](#) 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. 23-471

 Sponsors: Finance
 Attachments: [Resolution Procurement Summary](#)

 This New Business for Consideration or Action was approved.
- d. [2023-376](#) Ordinance amending Budget Ordinance No. 22-736, by changing appropriated funding for various departments and funds.
Ordinance No. 23-472

 Sponsors: Finance
 Attachments: [Budget Amendment Complete](#)

 This New Business for Consideration or Action was approved.
- e. [2023-377](#) Ordinance approving appropriations, goods, or services for District 1 Council Improvement Funds.
Ordinance No. 23-473

 Sponsors: City Council
 Attachments: [District 1 Council Improvement Complete](#)

 This New Business for Consideration or Action was approved.
- f. [2023-378](#) Ordinance approving appropriations, goods, or services for District 5 Council Improvement Funds.
Ordinance No. 23-474

 Sponsors: City Council
 Attachments: [District 5 Council Improvement2 Complete](#)

 This New Business for Consideration or Action was approved.
- g. [2023-379](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Mobile Communications America, Inc. for Professional and Technical Services for Consulting, Installation, Repair, Maintenance, and Support Services for the City's Communication Systems, Security Systems, and Networks, Project No. 71-23-SP25.
Resolution No. 23-475

 Sponsors: Water Pollution
 Attachments: [2023 Mobile Communications America - COMPLETE](#)

 This New Business for Consideration or Action was approved.

- h. 2023-380** Resolution authorizing the Mayor to enter into a Standard Agreement for Professional Architectural Services between the City of Huntsville and William M. Boehme & Associates Architects for the Martin Road Recreation Center. Resolution No. 23-476
- Sponsors:** General Services
- Attachments:** Complete-WB-MartinRdRec.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
- i. 2023-381** Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Simtech Solutions, Inc. Resolution No. 23-477
- Sponsors:** Community Development
- Attachments:** Simtech Solutions Counting Us Agreement complete
- 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
- j. [2023-382](#)** Resolution authorizing the City Clerk to invoke Bryant Bank Letter of Credit No. 1358 for Packard Subdivision Phase 4. Resolution No. 23-478
- Sponsors:** Legal
- Attachments:** [Packard LOC Complete.pdf](#)
- This New Business for Consideration or Action was approved.
- k. [2023-383](#)** Resolution authorizing the City Clerk to invoke Regions Bank Letter of Credit No. 55110320 for Branch Properties Addition to Huntsville. Resolution No. 23-479
- Sponsors:** Legal
- Attachments:** [Branch LOC Complete.pdf](#)
- This New Business for Consideration or Action was approved.

- l.** [2023-384](#) Resolution authorizing the City Clerk to invoke Regions Bank Letter of Credit No. 55110313 for Natures Walk on the Flint Phase 1 Subdivision.
Resolution No. 23-480

 Sponsors: Legal
 Attachments: [Natures Walk LOC Complete.pdf](#)

 This New Business for Consideration or Action was approved.
- m.** [2023-385](#) Resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and National Recreation and Park Association, Incorporated.
Resolution No. 23-481

 Sponsors: Parks & Recreation
 Attachments: [National Recreation and Park Association Complete](#)

 This New Business for Consideration or Action was approved.
- n.** [2023-386](#) Resolution to adjust the salary of an employee in certain position in assigned department.
Resolution No. 23-482

 Sponsors: Human Resources
 Attachments: [Resolution - Certain Department Position 6-2023 COMPLETE](#)

 This Resolutions for Approval Only was approved.
- 21. NEW BUSINESS ITEMS FOR INTRODUCTION**
- a.** [2023-387](#) Ordinance amending Ordinance No. 89-79, Classification and Salary Plan Ordinance. (Introduced June 8, 2023, Regular Council Meeting)
Ordinance No. 23-483

 Sponsors: Human Resources
 Attachments: [Ordinance No. 89-79, Classification and Salary Plan](#)

 The above item is introduced as submitted to the City Council Regular Meeting due back on 6/22/2023.
- b.** [2023-388](#) Ordinance amending the Budget Ordinance No. 22-736 to modify the authorized strength of the departments. (Introduced June 8, 2023, Regular Council Meeting)
Ordinance No. 23-484

 Sponsors: Human Resources
 Attachments: [Budget Ord. No. 22-736 to modify the authorized strength of dept.](#)

 The above item is introduced as submitted to the City Council Regular Meeting due back on 6/22/2023.
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- c. [2023-389](#) Ordinance declaring certain property surplus and to be disposed of per Agreement with Managed Asset Recycling Solutions. (Introduced June 8, 2023, Regular Council Meeting)
Ordinance No. 23-485

Sponsors: ITS

Attachments: [Managed Asset Recycling Solutions, LLC Disposal of Surplus](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 6/22/2023.

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.

23. ADJOURNMENT

Agenda Disclaimer