

John Meredith, President
Jennie Robinson, President Pro Tem
Bill Kling, Councilmember
Devyn Keith, Councilmember
David Little, Councilmember



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

Thursday, September 28, 2023

5:30 PM

CITY COUNCIL CHAMBERS

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: Rev. Donnell Robinson, with Highway of Holiness COGIC

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember Devin Keith followed by Rocket City Brass performing the National Anthem

3. APPROVAL OF THE AGENDA

President Meredith moved to approve the agenda, which motion was duly seconded by President Pro Tem 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

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

- a. [2023-722](#) Minutes of Regular Meeting of the City Council held on September 14, 2023. (Minutes Received)

Sponsors: City Clerk

The above item is approved as submitted

- b. [2023-763](#) Minutes of Work Session of the City Council held September 21, 2023. (Minutes Received)

Sponsors: City Clerk

The above item is approved as submitted

5. MAYOR: SPECIAL RECOGNITIONS

- a. [2023-723](#) Presentation of the The Brass Band of Huntsville.

Sponsors: Administration

Matt Mandrella recognized Kent Aversmeyer with the Brass Band of Huntsville.

- b. [2023-724](#) Presentation of National Recovery Month Proclamation.

Sponsors: Administration

Cheryl Russell and Carl Wilkerson were presented with a proclamation.

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

Special Recognitions

Resolutions for Approval and Presentation

- a. **[2023-725](#)** Resolution honoring Judy Ryals, President & CEO of The Huntsville/Madison County Convention & Visitors Bureau, for 45 years of outstanding service to the community.
Resolution No. 23-770

Sponsors: Kling

Attachments: [Ryals Resolution](#)

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

Resolutions for Approval Only

7. ANNOUNCEMENTS AND PRESENTATIONS

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

9. PUBLIC HEARINGS TO BE HELD

- a. **[2023-721](#)** Public hearing on the rezoning of 3.00 acres of land lying on the east of Rideout Drive and north of Willow Pointe Drive from Residence 1-B District to Residence 2 District.
Resolution No. 23-621
Ordinance No. 23-622

Sponsors: Planning

Attachments: [Rideout Rezoning](#)

President Pro Tem 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, Kling, Keith, and Little

Nay: None

10. PUBLIC HEARINGS TO BE SET

- a. [2023-726](#) Public hearing for suspension of licensure for Cases 388 & 389. (Set September 28, 2023 Regular Council Meeting)
Resolution No. 23-771

Sponsors: Finance

Attachments: [Suspension of Licensure-Complete](#)

President Pro Tem Robinson moved to approve the Resolution to set the public hearing for October 12, 2023 Regular Council Meeting, 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

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 Bill Kling

Councilmember Jennie Robinson

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

- a. [2023-727](#) Resolution authorizing expenditures for payment.
Resolution No. 23-772

Sponsors: Finance Committee

Attachments: [Expenditures - Complete](#)

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

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

Nay: None

- a. [2023-647](#) Resolution reappointing Geraldine Tibbs to the Beautification Board, Place 13 (her current seat), for a three (3) year term to expire September 30, 2026. (Nominated September 14, 2023, Regular Council Meeting) Resolution No. 23-773
- Sponsors:** Keith
- Attachments:** [G. Tibbs reappointment Beautification](#)
- This Board Appointment was approved.
- b. [2023-648](#) Resolution reappointing Jane Tippet to the Beautification Board, Place 14 (her current seat), for a three (3) year term to expire September 30, 2026. (Nominated September 14, 2023, Regular Council Meeting) Resolution No. 23-774
- Sponsors:** Kling
- Attachments:** [J. Tippet reappointment Beautification](#)
- This Board Appointment was approved.
- c. [2023-649](#) Resolution reappointing Celia Wettstein to the Beautification Board, Place 15 (her current seat), for a three (3) year term to expire September 30, 2026. (Nominated September 14, 2023, Regular Council Meeting) Resolution No. 23-775
- Sponsors:** Kling
- Attachments:** [C. Wettstein reappointment Beautification](#)
- This Board Appointment was approved.
- d. [2023-650](#) Resolution appointing Clayton Buff to the Beautification Board, Place 16, to the seat previously held by Ron Akridge for a three (3) year term to expire September 30, 2026. (Nominated September 14, 2023, Regular Council Meeting) Resolution No. 23-776
- Sponsors:** Meredith
- Attachments:** [C. Buff Appointment Beautification Board](#)
- This Board Appointment was approved.
- e. [2023-651](#) Resolution appointing Loretta L. Weninegar to the Beautification Board, Place 18, to the seat previously held by Russell Houser for a three (3) year

term to expire September 30, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-777

Sponsors: Little

Attachments: [L. Weninegar appointment Beautification](#)

This Board Appointment was approved.

- f. [2023-652](#) Resolution appointing Scott Maddox to the Board of Equalization of Madison County to the seat previously held by Laura Leigh Stephens for a four (4) year term to expire September 30, 2027. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-778

Sponsors: Robinson

Attachments: [Maddox Appointment Equalization Board.docx](#)

This Board Appointment was approved.

- g. [2023-653](#) Resolution reappointing Dennis Dean to the Board of Examinations and Appeals for Construction Industries, Place 2 (his current seat), for a three (3) year term to expire September 21, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-779

Sponsors: Robinson

Attachments: [D. Dean reappointment Exam & Appeals](#)

This Board Appointment was approved.

- h. [2023-654](#) Resolution reappointing Russ Grimes to the Board of Examinations and Appeals for Construction Industries, Place 7 (his current seat), for a three (3) year term to expire September 21, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-780

Sponsors: Kling

Attachments: [R. Grimes reappointment Exam & Appeals](#)

This Board Appointment was approved.

- i. [2023-655](#) Resolution reappointing Thornton Stanley Jr. to the Board of Examinations and Appeals for Construction Industries, Place 8 (his current seat), for a three (3) year term to expire September 21, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-781

Sponsors: Kling

Attachments: [T. Stanley reappointment Exam & Appeals](#)

This Board Appointment was approved.

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- j. [2023-656](#) Resolution appointing Sara K. Smith to the Burritt Memorial Committee, Place 1, to the seat previously held by Richard Hempstead for a three (3) year term to expire October 1, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-782

 Sponsors: Little

 Attachments: [S. Smith Appointment Burritt](#)

 This Board Appointment was approved.
- k. [2023-657](#) Resolution appointing Theresa Durboraw to the Burritt Memorial Committee, Place 4, to the seat previously held by Nicole Schroer for a three (3) year term to expire October 1, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-783

 Sponsors: Little

 Attachments: [T. Durboraw Appointment Burritt](#)

 This Board Appointment was approved.
- l. [2023-658](#) Resolution appointing Brian Daniels to the Burritt Memorial Committee, Place 7, to the seat previously held by Jason Thomas for a three (3) year term to expire October 1, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-784

 Sponsors: Little

 Attachments: [B. Daniels Appointment Burritt](#)

 This Board Appointment was approved.
- m. [2023-659](#) Resolution reappointing Dawn Pumpelly to the Burritt Memorial Committee, Place 11 (her current seat), for a three (3) year term to expire October 1, 2026. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-785

 Sponsors: Little

 Attachments: [D. Pumpelly reappointment Burritt](#)

 This Board Appointment was approved.
- n. [2023-660](#) Resolution reappointing Troy Bowman to the City Tree Commission (his current seat) for a two (2) year term to expire October 8, 2025. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-786

 Sponsors: Meredith

 Attachments: [T. Bowman reappointment Tree](#)
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This Board Appointment was approved.

- o. [2023-661](#) Resolution reappointing William McBride to the City Tree Commission (his current seat) for a two (2) year term to expire October 8, 2025. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-787

Sponsors: Meredith

Attachments: [W. McBride reappointment Tree](#)

This Board Appointment was approved.

- p. [2023-662](#) Resolution reappointing James Peters to the City Tree Commission (his current seat) for a two (2) year term to expire October 8, 2025. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-788

Sponsors: Kling

Attachments: [J. Peters reappointment Tree](#)

This Board Appointment was approved.

- q. [2023-663](#) Resolution reappointing Phillip Bentley III to the Huntsville-Madison County Airport Authority, City Place 4 (his current seat), for a six (6) year term to expire October 23, 2029. (Nominated September 14, 2023, Regular Council Meeting)
Resolution No. 23-789

Sponsors: Kling

Attachments: [P. Bentley reappointment Airport](#)

This Board Appointment was approved.

16. BOARD APPOINTMENT NOMINATIONS

17. HUNTSVILLE UTILITIES ITEMS

18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS

Vacation of Easements

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

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

Nay: None

- a. [2023-728](#) Ordinance authorizing the vacation of Utility and Drainage Easements, Walton's Mountain Phase 12 Subdivision, "The Sovereign Point."
Ordinance No. 23-790

Sponsors: Legal

Attachments: [Agape eas ord Complete.pdf](#)

This Vacation of Easements was approved.

- b. [2023-729](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 24, Block 4, East Highland, Ward Avenue.
Ordinance No. 23-791

Sponsors: Legal

Attachments: [Long eas ord Complete.pdf](#)

This Vacation of Easements was approved.

- c. [2023-730](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lots 1 & 2, Valley Green Road Subdivision, 13303 South Valley Square.
(Firman)
Ordinance No. 23-792

Sponsors: Legal

Attachments: [Firman eas ord Complete.pdf](#)

This Vacation of Easements was approved.

- d. [2023-731](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lots 1 & 2, Valley Green Road Subdivision, 13303 South Valley Square.
(Williams)
Ordinance No. 23-793

Sponsors: Legal

Attachments: [Williams eas ord Complete.pdf](#)

This Vacation of Easements was approved.

- e. [2023-732](#) Ordinance authorizing the vacation of Utility and Drainage Easements, Lots 9A and 9B, Chase Farm at Greenbrier Phase 10 to Intersect Huntsville I.
Ordinance No. 23-794

Sponsors: Legal

Attachments: [Intersect I eas ord Complete.pdf](#)

This Vacation of Easements was approved.

- f. [2023-733](#) Ordinance authorizing the vacation of Utility and Drainage Easements, Lots 9A and 9B, Chase Farm at Greenbrier Phase 10 to Intersect Huntsville II.
Ordinance No. 23-795

Sponsors: Legal

Attachments: [Intersect II eas ord Complete.pdf](#)

This Vacation of Easements was approved.

Vacation of Rights-of-Way

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

- a. [2023-624](#) Ordinance amending Chapter 25 - Traffic and Vehicles, Section 25-180 - Restricted use of Wireless Communication Devices While Driving of Article IV General Rules of Vehicle Operation, of the Code of Ordinances of the City of Huntsville, Alabama. (Introduced August 24, 2023 Regular Council Meeting, Postponed September 14, 2023, Regular Council Meeting, Postponed September 28, 2023, Regular Council Meeting)
Ordinance No. 23-694
- Sponsors:** Little
- Attachments:** [Hands Free Ordinance Complete.pdf](#)
- Councilmember Little moved to postpone the Ordinance to October 12, 2023 Regular Council Meeting, 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
- b. [2023-713](#) Ordinance to adopt the City of Huntsville annual budget for fiscal year 2024 beginning October 1, 2023. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-762
- Sponsors:** Administration
- Attachments:** [Ordinance Budget FY2024 Complete](#)
- President Pro Tem Robinson moved to approve the Ordinance as amended, 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
- Councilmember Keith moved to amend Ordinance No. 23-762, the City of Huntsville Annual Budget for Fiscal Year 2024, as follows: No. 1, shall increase authorized strength of Community Development Department, found in Exhibit C of the ordinance, by one full-time position; and No. 2, the manager of said department shall be directed to develop a comprehensive plan to address the issues surrounding affordable, accessible, and homeless housing within the city of Huntsville and to present the same to the City Council of Huntsville no later than June 13, 2024, for its consideration; and said program shall be targeted for implementation in the FY 2025 budget, which motion was duly seconded by President Pro Tem 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

Councilmember Keith moved to amend Ordinance No. 23-762, to provide \$25,000 in funding to United Cerebral Palsy of Huntsville; such funds shall be used in accordance with the information provided in their application to the City's Finance Department; furthermore, the appropriation to United Cerebral Palsy of Huntsville shall be funded by a transfer of \$25,000 from the Council Operating Expenses, Outside Professional Services, 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: Robinson, Kling, Keith, and Little

Nay: Meredith

President Meredith's amendment and Councilmember Keith's amendment to the amendment were withdrawn.

- b. [2023-713](#) Ordinance to adopt the City of Huntsville annual budget for fiscal year 2024 beginning October 1, 2023. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-762

Sponsors: Administration

Attachments: [Ordinance Budget FY2024 Complete](#)

President Pro Tem Robinson moved to amend the primary amendment, that funding, rather than coming from the 1990 Capital Plan, Paving, would come from the General Fund, the line item for Council Outside Services, in the amount of \$25,000, said motion was 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: Robinson, Kling, Keith, and Little

Nay: Meredith

Councilmember Keith moved to amend the amendment on the floor, to read that the amendment to the proposed budget would be that the Administration shall determine and present a budget line item and/or percentage of the budget for FY 2025 that would directly support Community Development in the proposed amended Ordinance No. 23-762 by June 27, 2024, which motion was 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

- c. [2023-714](#) Ordinance amending Ordinance No. 89-79, to provide all eligible employees of the City of Huntsville a cost of living adjustment (COLA), as reflected in the first pay period in the fiscal year 2024 budget, effective October 2, 2023. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-763
- Sponsors:** Administration
- Attachments:** [COLA Resolution Complete](#)
- President Pro Tem 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. [2023-715](#) Ordinance amending Ordinance No. 89-79, Classification and Salary Plan Ordinance. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-764
- Sponsors:** Administration
- Attachments:** [2023-09-14 Class Salary Plan No. 89-79 9-14-2023 rev2.pdf](#)
- President Pro Tem 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
- e. [2023-734](#) Resolution approving the City of Huntsville 2014 Capital Improvement Plan for Fiscal Years 2024-2033.
Resolution No. 23-796
- Sponsors:** Administration
- Attachments:** [2014 Capital Improvement Plan Complete-a](#)
- President Pro Tem 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
- f. [2023-735](#) Resolution approving the City of Huntsville 1990 Capital Improvement Plan for Fiscal Years 2024-2033.
Resolution No. 23-797

Sponsors: Administration

Attachments: [1990 Capital Improvement Plan Complete-a](#)

President Pro Tem 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

Councilmember Kling moved to amend the Resolution, which motion was duly seconded by President Meredith. President Meredith asked if there was any discussion. The motion failed and the following vote resulted:

Aye: Meredith, and Kling

Nay: Robinson, Keith, and Little

Councilmember Little withdrew his amendment.

- f. [2023-735](#) Resolution approving the City of Huntsville 1990 Capital Improvement Plan for Fiscal Years 2024-2033.
Resolution No. 23-797

Sponsors: Administration

Attachments: [1990 Capital Improvement Plan Complete-a](#)

Councilmember Keith moved to amend the Resolution, which motion was duly seconded by President Pro Tem Robinson. President Meredith asked if there was any discussion. The motion failed and the following vote resulted:

Aye: Robinson, and Little

Nay: Meredith, and Kling

Recused: Keith

- g. [2023-671](#) Resolution to amend guidelines for Council Improvement Fund allocations.
(Postponed September 14, 2023, Regular Council Meeting)
Resolution No. 23-720

Sponsors: Robinson

Attachments: [Council Capital Improvement Fund Res Complete.pdf](#)

President Pro Tem Robinson moved to approve the Resolution as amended, 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

President Pro Tem Robinson moved to amend the Resolution as follows: (1), to change the minimum request amount from \$10,000 to \$5,000; (2), to change the description of allowable purposes for Council Improvement Fund appropriation requests from "capital expenses for municipal projects" to "defined public purposes or capital expenses related to municipal purposes;" and (3), to add the following language to the end of paragraph labeled "3": With regard to FY2023 allowances unassigned and/or unexpected at the end of FY2023, and carried over to FY2024, said funds may be allocated in accordance with those guidelines which existed prior to passage of this amendment, 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. [2023-716](#) Ordinance authorizing the Mayor to enter into and execute a First Amended and Restated Franchise Agreement between the City of Huntsville, Alabama and New Hope Telephone Cooperative, Inc. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-765

Sponsors: Legal

Attachments: [New Hope Telephone Agreement Complete.pdf](#)

President Pro Tem 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, Kling, Keith, and Little

Nay: None

- i. [2023-717](#) Ordinance annexing 13.20 acres of land lying on the west side of Old Big Cove Rd. and south of Walter Bird Drive. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-766

Sponsors: Planning

Attachments: [Ellett Annexation](#)

President Pro Tem Robinson moved to approve the Ordinance, 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

- j. [2023-718](#) Ordinance annexing 3.36 acres of land lying on the east side of Wade Road and

north of Taylor Lane. (Introduced September 14, 2023, Regular Council Meeting)
Ordinance No. 23-767

Sponsors: Planning

Attachments: [Marathon2 Annexation](#)

President Pro Tem 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, Kling, Keith, and Little

Nay: None

- k. [2023-719](#) Ordinance authorizing the Mayor to establish the Huntsville Sustainability Commission. (Introduced September 14, 2023, Regular Council Meeting, Postponed September 28, 2023, Regular Council Meeting)
Ordinance No. 23-768

Sponsors: Planning

Attachments: [Huntsville Sustainability Commission Ordinance.pdf](#)

President Pro Tem Robinson moved to postpone the Ordinance to October 12, 2023 Regular Council Meeting, 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.

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

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

Nay: None

- a. [2023-736](#) Resolution authorizing travel expenses.
Resolution No. 23-798

Sponsors: Finance

Attachments: [Travel Resolution Complete](#)

The above item is approved as submitted

- b. [2023-737](#) Resolution authorizing the acceptance of donations.
Resolution No. 23-799

Sponsors: Finance

Attachments: [Donations Complete](#)

This New Business for Consideration or Action was approved.

- c. [2023-738](#) Ordinance amending Budget Ordinance No. 22-736, by changing appropriated funding for various departments and funds.
Ordinance No. 23-800

Sponsors: Finance

Attachments: [Budget Amendment Complete](#)

This New Business for Consideration or Action was approved resolution.

- d. [2023-739](#) Ordinance approving appropriations, goods, or services for District 2 Council Improvement Funds.
Ordinance No. 23-801

Sponsors: City Council

Attachments: [District 2 Council Improvement Complete](#)

This New Business for Consideration or Action was approved.

- e. [2023-740](#) Ordinance approving appropriations, goods, or services for District 5 Council Improvement Funds.
Ordinance No. 23-802

Sponsors: City Council

Attachments: [District 5 Council Improvement Complete](#)

This New Business for Consideration or Action was approved.

- f. [2023-741](#) Resolution authorizing the Mayor to enter into a Consulting Agreement between the City of Huntsville and CapitalEdge Strategies, Inc.
Resolution No. 23-803

Sponsors: Administration

Attachments: [2023-09-28 CapitalEdge Complete.pdf](#)

This New Business for Consideration or Action was approved.

- g. [2023-742](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Garver, L.L.C. for 2023 On-Call Construction Services Support, Project No. 71-23-SP47.
Resolution No. 23-804

Sponsors: Water Pollution

Attachments: [2023 On-Call Construction Svcs Support-COMLETE](#)

This New Business for Consideration or Action was approved.

- h. [2023-743](#) Resolution authorizing the Mayor to execute Change Order No. 5 and Final to the Fixed Price Agreement between the City of Huntsville,

Alabama and Lee Builders, Inc., for the Joe Davis Stadium Renovation.
Resolution No. 23-805

Sponsors: General Services

Attachments: [Complete-CO5-Lee Builders-Joe Davis Stadium.pdf](#)

This New Business for Consideration or Action was approved.

- i. [2023-744](#) Resolution authorizing the Mayor execute Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Huntsville Dream Center, Inc. dated June 22, 2023 as adopted by the City Council of the City of Huntsville by Resolution No. 23-511.
Resolution No. 23-806

Sponsors: Fire and Rescue

Attachments: [Dream Theatre Change Order 1 Complete](#)

This New Business for Consideration or Action was approved.

- j. [2023-745](#) Resolution authorizing the Mayor to execute Addendum No. 2 to Master Service Agreement No. 29149 between the City of Huntsville and MCCi, LLC, for the transfer of Laserfiche Support.
Resolution No. 23-807

Sponsors: ITS

Attachments: [MSA No. 29149 MCCi, LLC Complete](#)

This Resolutions for Approval Only was approved.

- k. [2023-746](#) Resolution authorizing the City Clerk to invoke Synovus Bank Letter of Credit No. 16528434942 for Friendship Commons Development.
Resolution No. 23-808

Sponsors: Legal

Attachments: [Friendship LOC Complete.pdf](#)

This New Business for Consideration or Action was approved.

- l. [2023-747](#) Resolution authorizing the City Attorney to settle the workers' compensation claim of Quincy McCarver.
Resolution No. 23-809

Sponsors: Legal

Attachments: [McCarver WC Settlement Complete.pdf](#)

This New Business for Consideration or Action was approved.

- m. [2023-748](#) Resolution authorizing the City Attorney to settle the lawsuit entitled Dedra Russell v. City of Huntsville, Case No. 47-CV-2022-900462 in the Circuit Court for Madison County, Alabama.
Resolution No. 23-810

Sponsors: Legal

Attachments: [Dedra Russell Settlement Complete.pdf](#)

This New Business for Consideration or Action was approved.

- n. [2023-749](#) Resolution authorizing the Mayor to submit a grant application for the Federal Transit Administration's Pilot Program for Transit-Oriented Development Planning FY 2023 grant for transit-oriented development planning of the University-Medical Bus Rapid Transit corridor.
Resolution No. 23-811

Sponsors: Planning

Attachments: [TOD Grant Application Full.pdf](#)

This New Business for Consideration or Action was approved.

- o. [2023-750](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville, Alabama and HDR Engineering, Inc., as adopted and approved Pursuant to Resolution No. 22-831 of the City Council of the City of Huntsville.
Resolution No. 23-812

Sponsors: Planning

Attachments: [HDR Modification Full Resolution.pdf](#)

This New Business for Consideration or Action was approved.

- p. [2023-751](#) Resolution authorizing the Mayor to submit a grant application on behalf of the City of Huntsville, for a FY2023 USDOT Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program Application for the "The Bob Wallace Avenue SMART Corridor: Smart Signal Technology for Safer Streets."
Resolution No. 23-813

Sponsors: Planning

This New Business for Consideration or Action was approved.

- q. [2023-752](#) Resolution authorizing the Mayor to enter into a Memorandum of Agreement between the City of Huntsville and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and Huntsville Police Department for Reimbursement of Overtime Salary Costs associated with ATF Task Force.
Resolution No. 23-814

Sponsors: Police

Attachments: [Complete File- Sep 2023](#)

This New Business for Consideration or Action was approved.

- r. [2023-753](#) Resolution authorizing the Mayor to enter into a Task Force Agreement Pertaining to the Use of Huntsville Police Department Body-Worn Cameras by Deputized Task Force Officers.
Resolution No. 23-815

Sponsors: Police

Attachments: [Complete File- Sep 2023](#)

This New Business for Consideration or Action was approved.

- s. [2023-754](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and Allison Ellis.
Resolution No. 23-816

Sponsors: Police

Attachments: [Modification Complete File- Sep 2023](#)

This New Business for Consideration or Action was approved.

- t. [2023-755](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and Janel Ploge.
Resolution No. 23-817

Sponsors: Police

Attachments: [Modification Complete File- Sep 2023 \(Ploge\)](#)

This New Business for Consideration or Action was approved.

- u. [2023-756](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and Theresa Hocken.
Resolution No. 23-818

Sponsors: Police

Attachments: [Modification Complete File- Sep 2023 \(Hocken\)](#)

This New Business for Consideration or Action was approved.

- v. [2023-757](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and Rebecca Wilburn.
Resolution No. 23-819

Sponsors: Police

Attachments: [Modification Complete File- Sep 2023 \(Wilburn\)](#)

This New Business for Consideration or Action was approved.

- w. [2023-758](#) Resolution authorizing the Mayor to execute Modification No. 1 to Agreement between the City of Huntsville and J.C. Cheek Contractors, Inc., for Periodic Bid for Traffic Striping and Markings, 2023 project, as adopted by Resolution 22-823 on October 13, 2022.
Resolution No. 23-820

Sponsors: Public Works

Attachments: [9-25-23 --FINAL-PWS PACKET-REVISED.pdf](#)

This New Business for Consideration or Action was approved.

21. NEW BUSINESS ITEMS FOR INTRODUCTION

- a. [2023-759](#) Ordinance declaring certain equipment surplus and to be sold at public auction. (Introduced September 28, 2023, Regular Council Meeting)
Ordinance No. 23-821

Sponsors: Fleet Department
Attachments: [Fowler Auction November Surplus.pdf](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 10/12/2023.
- b. [2023-760](#) Ordinance annexing 4.55 acres of land lying on the east side of Dug Hill Road and north of Raintree Road. (Introduced September 28, 2023, Regular Council Meeting)
Ordinance No. 23-822

Sponsors: Planning
Attachments: [Newcastle Annexation](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 10/12/2023.
- c. [2023-761](#) Ordinance annexing 0.86 acres of land lying on the south side of Martin Road and east of Estuary Drive. (Introduced September 28, 2023, Regular Council Meeting)
Ordinance No. 23-823

Sponsors: Planning
Attachments: [ClemmonRagland Annexation](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 10/12/2023.
- d. [2023-762](#) Ordinance annexing 3.29 acres of land lying on the south side of Dug Hill Road and east of Wimbledon Road. (Introduced September 28, 2023, Regular Council Meeting)
Ordinance No. 23-824

Sponsors: Planning
Attachments: [Vegerita Annexation](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 10/12/2023.

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.

Sarah Colletti, Karen Rodenhausen, Andre Wilson

23. ADJOURNMENT

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