

Huntsville, Alabama

*308 Fountain Circle
Huntsville, AL 35801*



Meeting Minutes - Final

Thursday, May 11, 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: Jennie Robinson, Bill Kling, Devyn Keith, and David Little

Absent: John Meredith

CALL TO ORDER**1. INVOCATION**

Offered by: Minister LaVern Spearman of Body of Christ Ministries

2. PLEDGE OF ALLEGIANCE

Led by: Carl Melton

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

- a. [2023-272](#) Minutes of Regular Meeting of the City Council held April 27, 2023. (Minutes Received)

The above item is approved as submitted

5. MAYOR: SPECIAL RECOGNITIONS

- a. [2023-273](#) Recognition of Employee Incentive Award.

Sponsors: Administration

Karen Buchan was recognized to received the Employee Incentive Award.

- b. [2023-274](#) Proclamation for Small Business Week.

Sponsors: Finance

Ted Todt, Regional Director of Small Business Association and the Mayor recognized Angela Brown who is the CEO of AcqCentric.

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS**Special Recognitions**

- a. [2023-275](#) Resolution honoring Mr. Carl Melton for his lifelong dedication to the country and his community.
Resolution No. 23-389

Sponsors: Kling

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

Resolutions for Approval and Presentation

Resolutions for Approval Only

7. ANNOUNCEMENTS AND PRESENTATIONS

- a. [2023-276](#) Presentation by HEALS, Inc.

Sponsors: Finance

Presentation by Heather Mason, Executive Director of Heals, Inc.

- b. [2023-277](#) Mid-Year Budget Review

Sponsors: Finance

Presentation by Finance Director Penny Smith.

- c. [2023-317](#) Presentation on Homeless Services.

Sponsors: Administration

Presentation by Director of Community Development Scott Erwin.

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

9. PUBLIC HEARINGS TO BE HELD

- a. [2023-278](#) Public hearing authorizing the City Clerk to assess the cost for the demolition and cleanup of a public nuisance located at 2106 Boardman St. SW, Huntsville, Alabama, and consideration of a Resolution pertaining to same.
Resolution No. 23-390

Sponsors: Community Development

Attachments: [2106 Boardman St RES - DEMOLITION LIEN FOR PUBLIC NUISANCE BY CITY 05112023.pdf](#)

Speaker: Jerry Cox

Councilmember Kling 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

10. PUBLIC HEARINGS TO BE SET

- a. [2023-316](#) Public hearing for revocation of licensure for alleged ordinance violations related to case number 388. (Set May 11, 2023, Regular Council Meeting)
Resolution No. 23-391

Sponsors: Finance

Attachments: [3_Revocation_Resolution Set Hearing_Legal Complete](#)

Councilmember Little moved to approve the resolution to set the public hearing at a special session June 8, 2023, at 4 p.m., which motion was duly seconded by Councilmember Kling. President Pro Tem Robinson asked if there was any discussion to the City Council Special Session. 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. [2023-280](#)

Resolution to set a 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 the introduction of an Ordinance pertaining to the same. (Set June 22, 2023 Regular Council Meeting)

Resolution No. 23-392

Ordinance No. 23-393

Sponsors: Planning

Attachments: [Park Zoning](#)

Councilmember Kling moved to approve the resolution to set the public hearing for June 22, 2023 Regular Council Meeting, 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 David Little

Councilmember Jennie Robinson

Councilmember Bill Kling

Councilmember Devyn Keith

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

- a. [2023-281](#) Resolution authorizing expenditures for payment.
Resolution No. 23-394

Sponsors: Finance Committee

Attachments: [Expenditures - Complete](#)

Councilmember Little moved to approve the resolution, which motion was duly seconded by President Pro Tem 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

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. [2023-268](#) Resolution reappointing Dane Block to the Huntsville-Madison County Railroad Authority, City Place 2 (his current seat), for a five (5) year term to expire May 22, 2028. (Nominated April 27, 2023, Regular Council Meeting)
Resolution No. 23-395

Sponsors: Robinson

Attachments: [D. Block Reappointment HMR .docx](#)

Councilmember Little moved to approve the resolution, which motion was duly seconded by President Pro Tem 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

16. BOARD APPOINTMENT NOMINATIONS

- 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](#)

The above item is referred as submitted to the City Council Regular Meeting due back on 5/25/2023.

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. [2023-269](#) Ordinance authorizing the disposal of surplus equipment to be donated to Huntsville Utilities. (Introduced April 27, 2023, Regular Council Meeting)
Ordinance No. 23-386
- Sponsors:** ITS
- Attachments:** [Complete Surplus Donation Utilities.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
- b. [2023-270](#) Ordinance declaring certain property as surplus and no longer needed for Municipal use. (Introduced April 27, 2023, Regular Council Meeting)
Ordinance No. 23-387
- Sponsors:** Water Pollution
- Attachments:** [June 2023 Auction Disposal Ordinance Packet-FINAL](#)
- 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
- c. [2023-266](#) Ordinance amending the Code of Ordinances of the City of Huntsville, Alabama, Chapter 25, Traffic and Vehicles, Article IV, General Rules of Vehicle Operation, Division 2, Speed, Section 25-163, Street Schedule. (Introduced April 27, 2023, Regular Council Meeting)
Ordinance No. 23-388
- Sponsors:** Traffic Engineering
- Attachments:** [Complete Item - Speed Limit Ordinance](#)
- 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

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

Aye: Robinson, Kling, Keith, and Little

Nay: None

- a. [2023-283](#) Resolution authorizing travel expenses.
Resolution No. 23-396

Sponsors: Finance

Attachments: [Travel Resolution Complete](#)

This New Business for Consideration or Action was approved.

- b. [2023-284](#) 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. 23-397

Sponsors: Finance

Attachments: [Resolution Procurement Summary](#)

This New Business for Consideration or Action was approved.

- c. [2023-285](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Greshman, Brickner & Bratton, Inc., for Cost of Services Study for Public Works - Sanitation Services.
Resolution No. 23-398

Sponsors: Finance

Attachments: [GBB Proposal - City of Huntsville AL - Solid Waste Rate Study Complete](#)

Councilmember Little moved to approve the resolution, which motion was duly seconded by President Pro Tem 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

- d. [2023-286](#) Ordinance approving appropriations, goods, or services for District 3 Council Improvement Funds.

Ordinance No. 23-399

Sponsors: City Council

Attachments: [District 3 Council Improvement Complete](#)

This New Business for Consideration or Action was approved.

e. [2023-287](#)

Ordinance amending Budget Ordinance No. 22-736, by changing appropriated funding for various departments and funds.
Ordinance No. 23-400

Sponsors: Finance

Attachments: [Budget Amendment Complete](#)

Councilmember Keith 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

f. [2023-289](#)

Resolution authorizing the City of Huntsville to acquire and/or condemn certain sanitary sewer easements on, over, under, across and upon parcels of land for the Pulaski Pike Gravity Sewer Project for Water Pollution Control.
Resolution No. 23-401

Sponsors: Urban Development

Attachments: [Pulaski Pike Sewer Cond Complete.pdf](#)

This New Business for Consideration or Action was approved.

g. [2023-290](#)

Resolution authorizing the Mayor to execute Modification of Restrictive Covenant and Exclusive Use Agreement among the City of Huntsville, HLA Properties, LLC, T.D. Management LTD., Attitude, LLC, Cavender Family Beneficiary OOS, LTD., Mushashi, LLC, SPT Prairie 7090 Drive NW, LLC, and Cabela's Wholesale, LLC.
Resolution No. 23-402

Sponsors: Urban Development

Attachments: [Cabelas Modification Agreement Complete.pdf](#)

This New Business for Consideration or Action was approved.

h. [2023-288](#)

Resolution authorizing the Mayor to execute Agreement Modifying Restrictions on Lot 4 of Parkside Town Centre between the City of Huntsville and Attitude, LLC.
Resolution No. 23-403

Sponsors: Urban Development

Attachments: [Parkside Town Centre Modification Complete.pdf](#)

This New Business for Consideration or Action was approved.

- i. [2023-291](#) Resolution authorizing the Mayor to enter into a Contract between the City of Huntsville, Alabama and the low bidder, Grayson Carter & Son Contracting, Inc., for Monroe Road Improvements, Base Bid and Option #1, Project No. 71-21-RD02.
Resolution No. 23-404

Sponsors: Engineering

Attachments: [Monroe Road Improvements complete.pdf](#)

This New Business for Consideration or Action was approved.

- j. [2023-292](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and GTEC, L.L.C., for Construction Materials Testing for Monroe Road Improvements, Project No. 71-21-RD02.
Resolution No. 23-405

Sponsors: Engineering

Attachments: [GTEC Construction Materials Testing Monroe Road Improvements complete.pdf](#)

This New Business for Consideration or Action was approved.

- k. [2023-293](#) Resolution authorizing the Mayor to enter into a Fixed Price Agreement between the City of Huntsville and Garber Construction Company, Inc., for the construction services of the Huntsville Aquatic Center Phase 4.
Resolution No. 23-406

Sponsors: General Services

Attachments: [Complete Garber-HsvAquaticsCenterPH4.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

- l. [2023-294](#) Resolution authorizing the Mayor to enter into a Standard Agreement between the City of Huntsville and Schoel Engineering Company, Inc., for the engineering services of the John Hunt Park Tennis Center Expansion and Parking Addition.
Resolution No. 23-407

Sponsors: General Services

Attachments: [Complete-JHP Tennis Center.pdf](#)

This New Business for Consideration or Action was approved.

- m. [2023-295](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and the North Alabama Coalition for the Homeless, Inc.
Resolution No. 23-408

Sponsors: Community Development

Attachments: [Complete NACH ESG 2022 Final Edits.pdf](#)

This New Business for Consideration or Action was approved.

- n. [2023-296](#) Resolution authorizing a Memorandum of Agreement between the City of Huntsville and Huntsville Hospital.
Resolution No. 23-409

Sponsors: Administration

Attachments: [2023-05-11 COH HH MOU COMPLETE PACKAGE.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

- o. [2023-297](#) Resolution authorizing the City Clerk to invoke BancorpSouth Bank Letter of Credit No. 3620001059512 for East Lake at the Meadows Subdivision.
DELETED

Sponsors: Legal

Attachments: [East Lake LOC Complete.pdf](#)

Deleted

- p. [2023-298](#) Resolution authorizing the City Clerk to invoke Citizens Tri-County Bank Letter of Credit No. 4202172318 for McMullen Cove Avonlea Phase 3 Subdivision.
Resolution No. 23-411

Sponsors: Legal

Attachments: [McMullen Cove LOC Complete.pdf](#)

This New Business for Consideration or Action was approved.

- q. [2023-299](#) Resolution authorizing the City Clerk to invoke North Alabama Bank Letter of Credit No. 447 for Morningside Mountain Phase 3 Subdivision.
DELETED

Sponsors: Legal

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

Deleted

- r. [2023-300](#) Resolution authorizing the City Clerk to invoke SouthState Bank Letter of Credit No. 2630976351 for Town Madison South Subdivision.
Resolution No. 23-413

Sponsors: Legal**Attachments:** [Town Madison LOC Complete.pdf](#)

This New Business for Consideration or Action was approved.

- s. [2023-301](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and the Alabama Department of Transportation for the Cooperative Maintenance of Public Right of Way with Reimbursement.
Resolution No. 23-414

Sponsors: Landscape Management**Attachments:** [Complete Packet](#)

This New Business for Consideration or Action was approved.

- t. [2023-302](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Kimley-Horn and Associates, Inc., for the Long-Term Planning and Envisioning Work of the West Huntsville Annexed Property along I-65 Corridor Huntsville, Limestone County, Alabama.
Resolution No. 23-415

Sponsors: Planning**Attachments:** [Kimley_Horn_Full.pdf](#)

Councilmember Little moved to approve the resolution, which motion was duly seconded by President Pro Tem 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

- u. [2023-303](#) Resolution authorizing the Mayor to execute the Cooperative Agreement, on behalf of the Huntsville-Madison County Emergency Management Agency, identified as State Subaward Emergency Management Performance Grant.(EMPG).
Resolution No. 23-416

Sponsors: EMA**Attachments:** [EMPG 23 Cover Memo Packet.pdf](#)

This New Business for Consideration or Action was approved.

- v. [2023-304](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Interview Now, Inc.
Resolution No. 23-417

Sponsors: Fire and Rescue

Attachments: [Complete Interview Now.pdf](#)

This New Business for Consideration or Action was approved.

- w. [2023-305](#) Resolution authorizing the Mayor to enter into a Facility Use Agreement between the City of Huntsville and The Brain Trust Foundation.
Resolution No. 23-418

Sponsors: Parks & Recreation

Attachments: [Presentation - Brain Trust Foundation.pdf](#)

This New Business for Consideration or Action was approved.

- x. [2023-306](#) Resolution authorizing the Mayor to enter into a Professional Services Contract between the City of Huntsville and Stanard & Associates, Inc., for Police Investigator testing.
Resolution No. 23-419

Sponsors: Police

Attachments: [Complete File \(Investigator Testing\)- 2023](#)

This New Business for Consideration or Action was approved.

- y. [2023-307](#) Resolution authorizing the Mayor to enter into a Professional Services Contract between the City of Huntsville and Stanard & Associates, Inc., for Police Sergeant testing.
Resolution No. 23-420

Sponsors: Police

Attachments: [Complete File \(Sergeant Testing\)- 2023](#)

This New Business for Consideration or Action was approved.

- z. [2023-308](#) Resolution authorizing the Mayor to enter into a Professional Services Contract between the City of Huntsville and Stanard & Associates, Inc., for Police Lieutenant testing.
Resolution No. 23-421

Sponsors: Police

Attachments: [Complete File \(Lieutenant Testing\)- 2023](#)

This New Business for Consideration or Action was approved.

- aa. [2023-309](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Conchitia Williams.
Resolution No. 23-422

Sponsors: Police

Attachments: [Complete File- 2023](#)

This New Business for Consideration or Action was approved.

- ab. [2023-310](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Kelly Parsons.
Resolution No. 23-423

Sponsors: Animal Services

Attachments: [Signed 23-Kelly Parsons Special Employee Agreement.pdf](#)

This New Business for Consideration or Action was approved.

21. NEW BUSINESS ITEMS FOR INTRODUCTION

- 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](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 5/25/2023.

- 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](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 5/25/2023.

- 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](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 5/25/2023.

- 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](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 5/25/2023.

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.

Speakers: Jerry Burnett, Tremaine Johnson, Sarah Colletti, Howard Bankhead

23. ADJOURNMENT***Agenda Disclaimer***

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