

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

CITY COUNCIL CHAMBERS

5:30 PM

Thursday, February 23, 2023

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

1. INVOCATION

Offered by: Dr. Sonny Hatcher, with Movement Church Alabama and Huntsville Public Safety Chaplains

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember Jennie Robinson followed by Renatta America singing the National Anthem

3. APPROVAL OF THE AGENDA

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

- a. [2022-1270](#) Minutes of the Regular Meeting of the City Council held February 9, 2023.
(Minutes Received)

Sponsors: Clerk-Treasurer

5. MAYOR: SPECIAL RECOGNITIONS

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

Special Recognitions

Resolutions for Approval and Presentation

- a. [2022-1271](#) Resolution Recognizing The Academy of Science and Foreign Language Team Members for the Future City Competition Project.
Resolution No. 23-112

Sponsors: Meredith

Attachments: [ASFL Future City Resolution_.docx](#)

Resolutions for Approval Only

7. ANNOUNCEMENTS AND PRESENTATIONS

- a. [2022-1272](#) Presentation by EarlyWorks/Alabama Constitution Hall Park

Sponsors: Finance

- b. [2022-1273](#) Presentation by the Boys and Girls Club of North Alabama

Sponsors: Finance

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

- a. [2022-1222](#) Council decision on Personnel Hearing held on January 24, 2023 for Queron Wherry (Parks & Recreation). (Postponed January 26, 2023, Regular Council Meeting, February 9, 2023, Regular Council Meeting)

Sponsors: Meredith

- b. [2022-1274](#) Resolution authorizing the City of Huntsville to join the State of Alabama and other local governments as participants in Settlement Agreements with Walmart, Teva, Allergan, CVS, and Walgreens, and in future opioid settlements. Resolution No. 23-113

Sponsors: Legal

Attachments: [Opioid Settlement Complete.pdf](#)

9. PUBLIC HEARINGS TO BE HELD

- a. [2022-1268](#) 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 consideration of an Ordinance pertaining to the same. (Set January 12, 2023 Regular Council Meeting)
Ordinance No. 23-02

Sponsors: Planning

Attachments: [Travis Zoning](#)

- b. [2022-1269](#) Public hearing on the vacation of a right-of-way along Davis Circle. (Set January 12, 2023 Regular Council Meeting)

Sponsors: Legal

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

10. PUBLIC HEARINGS TO BE SET

- a. [2022-1275](#) Resolution to set a public hearing for Terry James d/b/a Express Taxi and Shuttle, LLC for the operation of three (3) taxi cabs. (Set March 9, 2023 Regular Council Meeting)
Resolution No. 23-114
Sponsors: Parking/Public Transit
Attachments: [Terry James Express taxi and shuttle llc 230223](#)

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 Bill Kling

Councilmember Devyn Keith

Councilmember David Little

Councilmember Jennie Robinson

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

- a. [2022-1276](#) Resolution authorizing expenditures for payment.
Resolution No. 23-115
Sponsors: Finance Committee
Attachments: [Expenditures - Complete](#)
- b. [2022-1277](#) Resolution authorizing travel for Council Member Bill Kling to Washington, D.C. March 25 - 28, 2023 for the Huntsville/Madison Co. Chamber of Commerce 2023 Washington, D.C. trip.
Resolution No. 23-116
Sponsors: Kling
Attachments: [B. Kling DC Trip 2023](#)

- c. [2022-1278](#) Resolution authorizing travel for Council Member Devyn Keith to Washington, D.C. March 25 - 29, 2023 for the Huntsville/Madison Co. Chamber of Commerce 2023 Washington, D.C. trip.
Resolution No. 23-117

Sponsors: Keith

Attachments: [D. Keith DC Trip 2023](#)

- d. [2022-1279](#) Resolution authorizing travel for Council Member David Little to Washington, D.C. March 25 - 28, 2023 for the Huntsville/Madison Co. Chamber of Commerce 2023 Washington, D.C. trip.
Resolution No. 23-118

Sponsors: Little

Attachments: [D. Little DC 2023](#)

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. [2022-1267](#) Resolution appointing Celia Wettstein to the Beautification Board, Place 15, to fill a vacancy due to the resignation of Shannon Windsor for the remainder of a vacant three (3) year term to expire September 30, 2023. (Nominated February 9, 2023, Regular Council Meeting)
Resolution No. 23-119

Sponsors: Kling

Attachments: [C. Wettstein Beautification Appointment](#)

16. BOARD APPOINTMENT NOMINATIONS

17. HUNTSVILLE UTILITIES ITEMS

- a. [2022-1280](#) Resolution calling the City's Subordinated Water Revenue Warrant, Series 2013-DWSRF-DL, for redemption and payment on March 1, 2023.
Resolution No. 23-120

Sponsors: Huntsville Utilities

Attachments: [Water Revenue Warrant res Complete.pdf](#)

18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS**Vacation of Easements**

- a. [2022-1281](#) Ordinance authorizing the vacation of a 15-foot Utility and Drainage Easement, Lots 1 & 2, Devaney Farms Subdivision, Highway 20 and County Line Road intersection.
Ordinance No. 23-121
Sponsors: Legal
Attachments: [Acclaim Solutions eas ord Complete.pdf](#)
- b. [2022-1282](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 51, Marina Park Subdivision, 16504 Snug Harbor Drive SE.
Ordinance No. 23-122
Sponsors: Legal
Attachments: [Anderson eas ord Complete.pdf](#)
- c. [2022-1283](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 1, Plat Book 34, Page 1, East Huntsville Addition, 301 Pratt Avenue.
(5 Points Group)
Ordinance No. 23-123
Sponsors: Legal
Attachments: [5 Points Group eas ord Complete.pdf](#)
- d. [2022-1284](#) Ordinance authorizing the vacation of a portion of a Utility and Drainage Easement, Lot 7, Springdale Farms, 2514 Freeman Road.
Ordinance No. 23-124
Sponsors: Legal
Attachments: [H2S Freeman Series eas ord Complete.pdf](#)
- e. [2022-1285](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 2, The Foundry Subdivision, 3600 & 3700 Blocks of Governors Drive SW.
Ordinance No. 23-125
Sponsors: Legal
Attachments: [Hsv Westside eas ord Complete.pdf](#)

Vacation of Rights-of-Way

- f. [2022-1227](#) Resolution authorizing the Mayor to execute a Right-of-Way Deed accepting a right-of-way from Tract 3 Holding, LLC, to the City of Huntsville regarding the Haysland Road Extension.
Resolution No. 23-126
Sponsors: Planning
Attachments: [Haysland ROW Deed Resolution Complete.pdf](#)
- g. [2022-1286](#) Resolution consenting to the vacation of a right-of-way along Davis Circle. (Introduced January 12, 2023, Regular Council Meeting)
Resolution No. 23-04
Sponsors: Planning
Attachments: [Res.Davis Complete.doc](#)
- h. [2022-1287](#) Ordinance vacating a right-of-way along Davis Circle. (Introduced January 12, 2023, Regular Council Meeting)
Ordinance No. 23-05
Sponsors: Planning
Attachments: [Ord.Davis Complete.doc](#)

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

- a. [2022-1264](#) Ordinance annexing 1.96 acres of land lying on the east of Wall Triana Blvd. and south of McCrary Rd. (Introduced February 9, 2023, Regular Council Meeting)
Ordinance No. 23-110
Sponsors: Planning
Attachments: [Vaughn Annexation](#)
- b. [2022-1265](#) Ordinance declaring property as surplus and authorizing and directing its conveyance to RaceTrac, Inc. (Introduced February 9, 2023, Regular Council Meeting)
Ordinance No. 23-111
Sponsors: Urban Development
Attachments: [Racetrac Surplus ord - Complete.pdf](#)

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. [2022-1288](#) Resolution authorizing travel expenses.
Resolution No. 23-127

 Sponsors: Finance

 Attachments: [Travel Complete](#)

- b. [2022-1289](#) Resolution authorizing the acceptance of donations.
Resolution No. 23-128

 Sponsors: Finance

 Attachments: [Donations - Complete](#)

- c. [2022-1290](#) 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. 23-129

 Sponsors: Finance

 Attachments: [Procurement Complete](#)

- d. [2022-1291](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Lease Agreement between the City of Huntsville and NSH Nextco, LLC.
Resolution No. 23-130

 Sponsors: Administration

 Attachments: [NSH Nextco Mod 1 res Complete.pdf](#)

- e. [2022-1292](#) Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Garver, L.L.C., for Engineering Design Services for Balch and Capshaw Intersection Improvements, Project No. 71-23-RD03.
Resolution No. 23-131

 Sponsors: Engineering

 Attachments: [Garver Balch and Capshaw Intersection and Improvements comple](#)

- f. [2022-1293](#) Resolution authorizing the Mayor to enter into a Construction Agreement between the City of Huntsville and the State of Alabama Department of Transportation for a Transportation Alternatives Program Project for Pratt Avenue Streetscape Improvements, Project No. 71-23-RD02 and ALDOT Project No. TAPHV-TA23(933).
Resolution No. 23-132
Sponsors: Engineering
Attachments: [Pratt Avenue Streetscape Improvements ALDOT complete.pdf](#)
- g. [2022-1294](#) Resolution authorizing the Mayor to execute Change Order No. 1 and Final to the agreement between the City of Huntsville and Miller and Miller, Inc., for construction services for the John Hunt Park Sand Volleyball Parking Lot Expansion.
Resolution No. 23-133
Sponsors: General Services
Attachments: [Complete -CO1-JHPSandVolleyball.pdf](#)
- h. [2022-1295](#) Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and William M. Boehme & Associates, for architectural services for the New Public Safety Training Complex Phase 2.
Resolution No. 23-134
Sponsors: General Services
Attachments: [Complete-WB Contract Mod 1.pdf](#)
- i. [2022-1296](#) Resolution authorizing the Mayor to enter an agreement between the City of Huntsville and Building and Earth, Inc., for engineering services for Sandra Moon Complex Phase 3.
Resolution No. 23-135
Sponsors: General Services
Attachments: [Complete-BuildingEarth-Construction Materials Testing.pdf](#)
- j. [2022-1297](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Madison County, AL for funding of improvements to Countess Road, South of Colby Drive.
Resolution No. 23-136
Sponsors: Traffic Engineering
Attachments: [Countess Rd, Complete Item](#)

- k. [2022-1298](#) Resolution authorizing the Mayor to enter into a Facility Use Agreement between the City of Huntsville and The Arts Council, Inc. d/b/a Arts Huntsville.
Resolution No. 23-137

 Sponsors: Parks & Recreation
 Attachments: [Presentation - Arts Huntsville Panoply.pdf](#)
- l. [2022-1299](#) Resolution authorizing the Mayor to submit an application to the Alabama Historical Commission on behalf of the Huntsville Historic Preservation Commission for CLG grant funding for the completion of the Terry Heights neighborhood Phase II.
Resolution No. 23-138

 Sponsors: Planning
 Attachments: [Terry Heights Phase II App .pdf](#)
- m. [2022-1300](#) Resolution authorizing the Mayor to submit an application to the Alabama Historical Commission on behalf of the Huntsville Historic Preservation Commission for CLG grant funding, for the purpose of staff training to the National Alliance of Preservation Commission (NAPC) FORUM 2024.
Resolution No. 23-139

 Sponsors: Planning
 Attachments: [NAPC FORUM App .pdf](#)
- n. [2022-1301](#) Resolution authorizing the Mayor to submit an application to the Alabama Historical Commission on behalf of conducting Place Economics training.
Resolution No. 23-140

 Sponsors: Planning
 Attachments: [Place Economics Grant .pdf](#)
- o. [2022-1302](#) Resolution to adjust the salaries of employees in certain positions in assigned departments.
Resolution No. 23-141

 Sponsors: Human Resources
 Attachments: [Salary Adj. Complete](#)
- p. [2022-1303](#) Resolution authorizing the Mayor to execute a Mutual Termination of Maintenance Agreement and Access Easement between the City of Huntsville and Doublehead Properties, LLC.
Resolution No. 23-142

 Sponsors: Planning
 Attachments: [Doublehead Properties Termination Complete.pdf](#)
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- q. [2022-1304](#) Resolution authorizing the Clerk-Treasurer to invoke Bryant Bank Letter of Credit No. 1406 for The Park at Hays Farm Subdivision.
Resolution No. 23-143

 Sponsors: Legal
 Attachments: [Park Hays Farm LOC Complete.pdf](#)
- r. [2022-1305](#) Resolution authorizing City Attorney to settle the workers' compensation claim of Joshua Cochran.
Resolution No. 23-144

 Sponsors: Legal
 Attachments: [Joshua Cochran Resolution.pdf](#)
- s. [2022-1306](#) Resolution authorizing City Attorney to settle the workers' compensation claim of Charles Vaughn.
Resolution No. 23-145

 Sponsors: Legal
 Attachments: [Charles Vaughn Resolution.pdf](#)
- t. [2022-1307](#) Resolution authorizing City Attorney to settle the workers' compensation claim of Ryan Jones.
Resolution No. 23-146

 Sponsors: Legal
 Attachments: [Ryan Jones Resolution 2023.pdf](#)
- u. [2022-1308](#) Resolution authorizing City Attorney to settle the workers' compensation claim of Johnnie Arnold.
Resolution No. 23-147

 Sponsors: Legal
 Attachments: [Johnnie Arnold Resolution.pdf](#)
- v. [2022-1309](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Willa Campbell.
Resolution No. 23-148

 Sponsors: Fire and Rescue
 Attachments: [Willa Campbell Complete.pdf](#)

- w. [2022-1310](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Sherry Jones.
Resolution No. 23-149

 Sponsors: Cemetery
 Attachments: [Sherry Jones Complete.pdf](#)
21. **NEW BUSINESS ITEMS FOR INTRODUCTION**
- a. [2022-1311](#) Introduction of an Ordinance declaring certain property as surplus and no longer needed for Municipal use.
Ordinance No. 23-150

 Sponsors: Water Pollution
 Attachments: [March 2023 Disposal Ordinance-FINAL](#)
- b. [2022-1312](#) Introduction of an ordinance to amend Ordinance No. 89-79, Classification and Salary Plan Ordinance.
Ordinance No. 23-151

 Sponsors: Human Resources
 Attachments: [Classification and Salary Plan Ordinance 89-79 -COMPLETE](#)
- c. [2022-1313](#) Introduction of an ordinance to amend the Budget Ordinance No. 22-736 to modify the authorized strength of the departments.
Ordinance No. 23-152

 Sponsors: Human Resources
 Attachments: [Budget Ordinance No. 22-736 COMPLETE](#)
- d. [2022-1314](#) Introduction of an ordinance annexing 3.44 acres of land lying on the north side of US Hwy 72 W and east of Old Railroad Bed Road.
Ordinance No. 23-153

 Sponsors: Planning
 Attachments: [Copper Line Annexation](#)
- e. [2022-1315](#) Introduction of an Ordinance authorizing the City's General Obligation Warrants, Series 2023-A, General Obligation Warrants, Series 2023-B, General Obligation Sewer Warrants, Series 2023-C, and General Obligation School Warrants, Series 2023-D, together with other documents and instruments in connection therewith.
Ordinance No. 23-154

 Sponsors: Administration
 Attachments: [General Obligation School Warrants Complete](#)
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- f. [2022-1316](#) Introduction of an Ordinance amending the Code of Ordinances of the City of Huntsville, Chapter 2, Administration, Article VII, Departments, Department Heads and Other Appointed Officers.
Ordinance No. 23-155

Sponsors: Administration

Attachments: [2023-02-23 Amendment Ch 2 Article VII Code of Ordinances Final 02.22.2023.pdf](#)

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

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