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

CITY COUNCIL CHAMBERS

5:30 PM

Thursday, April 13, 2023

### REGULAR MEETING OF THE CITY COUNCIL

## **CALL TO ORDER**

1. **INVOCATION** 

Offered by: Pastor Troy Garner, with Fellowship of Faith Church

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember Bill Kling

- APPROVAL OF THE AGENDA 3.
- 4. APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S)
- 2023-134 Minutes of Regular Meeting of the City Council held March 23, 2023. (Minutes a. Received)

**Sponsors:** City Clerk

- 5. MAYOR: SPECIAL RECOGNITIONS
- Presentation of Lifesaving Medal. 2023-135 a.

Police **Sponsors:** 

b. **2023-136** Presentation to The Bullpen Foundation for their support of community based athletics and leagues.

Administration **Sponsors:** 

**Attachments:** The Bullpen Foundation 2023-04-13.pdf

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

**Special Recognitions** 

## **Resolutions for Approval and Presentation**

a. <u>2023-137</u> Resolution recognizing the City's Community Development office for

their partnership with Habitat for Humanity.

Resolution No. 23-265

**Sponsors:** Robinson

**Attachments:** Community Development Resolution .docx

# **Resolutions for Approval Only**

### 7. ANNOUNCEMENTS AND PRESENTATIONS

a. 2023-138 Presentation by the Children's Advocacy Center.

**Sponsors:** Finance

b. 2023-139 Presentation by First Stop Inc.

**Sponsors:** Finance

c. <u>2023-140</u> Presentation by Girls Inc.

**Sponsors:** Finance

## 8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

# 9. PUBLIC HEARINGS TO BE HELD

Public hearing authorizing the Finance Director to issue a limousine license to Rhonda Norris d/b/a Bama Limousine LLC for the operation of two (2) limousines and the consideration of a Resolution pertaining to the same. (Set March 23, 2023, Regular Council Meeting)

Resolution No. 23-266

**Sponsors:** Parking/Public Transit

Attachments: Bama Limousine LLC complete 230413

## 10. PUBLIC HEARINGS TO BE SET

a. 2023-142 Resolution to set a public hearing on the rezoning of 116.92 acres of land lying on

the west and east side of Memorial Parkway and north of Industrial Drive from Light Industry District to Highway Business C-4 and Neighborhood Business C-1 Districts; and the introduction of an Ordinance pertaining to the same. (Set May

25, 2023 Regular Council Meeting)

Resolution No. 23-267 Ordinance No. 23-268

**Sponsors:** Planning

**Attachments:** North Memorial Pkway Rezoning

b. 2023-143 Resolution to set a public hearing on the zoning of 1.96 acres of land lying on the

east of Wall Triana Blvd. and south of McCrary Rd. to Residence 2-A District; and the introduction of an Ordinance pertaining to the same. (Set May 25, 2023)

Regular Council Meeting) Resolution No. 23-269

Ordinance No. 23-270

**Sponsors:** Planning

**Attachments: Vaughn Zoning** 

c. <u>2023-144</u> Resolution to set a public hearing on the zoning of 3.44 acres of land lying on the

north side of US Hwy 72 W and east of Old Railroad Bed Road to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the

same. (Set May 25, 2023 Regular Council Meeting)

Resolution No. 23-271 Ordinance No. 23-272

**Sponsors:** Planning

**Attachments:** Copper Line Zoning

d. 2023-145 Resolution to set a public hearing on the rezoning of 7.29 acres of land lying on

the north side of Bradford Drive and east of Wynn Drive from Research Park
District to Research Park 2 District; and the introduction of an Ordinance
pertaining to the same (Set May 25, 2023 Regular Council Meeting)

pertaining to the same. (Set May 25, 2023 Regular Council Meeting)

Resolution No. 23-273 Ordinance No. 23-274

**Sponsors:** Planning

**Attachments:** Bradford Drive Rezoning

Resolution to set a public hearing on the rezoning of 54.46 acres of land lying on the north side of Bob Wade Lane and east of Pulaski Pike from Planned Industrial and Highway Business C-4 Districts to Commercial Industrial Park District; and the introduction of an Ordinance pertaining to the same. (Set May 25, 2023

Regular Council Meeting) Resolution No. 23-275 Ordinance No. 23-276

**Sponsors:** Planning

**Attachments: Bob Wade Rezoning** 

Resolution to declare a public nuisance located 2407 Huntsville St NW, Huntsville, AL and to set the date for when objections will be heard. (Set April 27, 2023, Regular Council Meeting)
Resolution No. 23-277

**Sponsors:** Community Development

Attachments: 2407 Huntsville St complete.pdf

Resolution to declare a public nuisance located 8802 Valley View Dr SE, Huntsville, AL and to set the date for when objections will be heard. (Set April 27, 2023, Regular Council Meeting)

Resolution No. 23-278

**Sponsors:** Community Development

Attachments: 8802 Valley VIew Dr complete.pdf

h. Resolution to declare a public nuisance located 2105 Giles Dr, NE, Huntsville, AL and to set the date for when objections will be heard. (Set April 27, 2023, Regular Council Meeting)

Resolution No. 23-279

**Sponsors:** Community Development

Attachments: 2105 Giles Dr NE Complete

#### 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 Jennie Robinson

Councilmember Devyn Keith

Councilmember David Little

Councilmember Bill Kling

Councilmember John Meredith

### 14. FINANCE COMMITTEE REPORT

a. 2023-150 Resolution authorizing expenditures for payment.

Resolution No. 23-280

**Sponsors:** Finance Committee

**<u>Attachments: Expenditures - Complete</u>** 

#### 15. BOARD APPOINTMENTS TO BE VOTED ON

Resolution reappointing Joyce LeDuc-Hampton to the Bingo Review Committee to her current seat for a two (2) year term to expire April 8, 2025. (Nominated March 23, 2023. Regular Council Meeting)

March 23, 2023, Regular Council Meeting)

Resolution No. 23-281

**Sponsors:** Kling

Attachments: J. LeDuc-Hampton Reappointment Bingo Committee.docx

b. <u>2023-201</u> Resolution reappointing Janice Johnson to the Health Care Authority of the City of Huntsville, Place 1 (her current seat), for a six (6) year term to expire April 15

of Huntsville, Place 1 (her current seat), for a six (6) year term to expire April 15,

2029. (Nominated March 23, 2023, Regular Council Meeting) Resolution No. 23-327

**Sponsors:** Kling

**<u>Attachments: J. Johnson Reappointment Health Care Authority</u>** 

c. 2023-065 Resolution reappointing Tharon Honeycutt to the Health Care Authority of the

City of Huntsville, Place 2 (his current seat), for a six (6) year term to expire April 15, 2029. (Nominated March 23, 2023, Regular Council Meeting)

Resolution No. 23-282

**Sponsors:** Meredith

**Attachments:** T. Honeycutt Reappointment Health Care Authority

d. 2023-152 Resolution to appoint Carlos Mendoza to the Huntsville Public Library Board to fill a vacancy due to the resignation of Jan Harris for the remainder of Jan Harris for the remainder of a vacant four (4) year term to expire February 3, 2026. (Nominated March 23, 2023, Regular Council Meeting)

Resolution No. 23-283

**Sponsors:** Meredith

Attachments: C. Mendoza Appointment Public Library

Resolution to appoint Brad Garland to the Huntsville Public Library Board to fill a vacancy due to the resignation of Jan Harris for the remainder of a vacant four (4) year term to expire February 3, 2026. (Nominated March 23, 2023, Regular Council Meeting)

Resolution No. 23-284

**Sponsors:** Robinson

**Attachments:** B. Garland Appointment Public Library

### 16. BOARD APPOINTMENT NOMINATIONS

Nomination to reappoint Dick Reeves to the Industrial Development Board of the City of Huntsville, Place 2 (his current seat), for a six (6) year term to expire May 27, 2029.

**Sponsors:** Meredith

Nomination to reappoint Andrew Tutt to the Industrial Development Board of the City of Huntsville, Place 1 (his current seat), for a six (6) year term to expire May 27, 2029.

**Sponsors:** Kling

Nomination to reappoint Mark Lumb to the Huntsville-Madison County Railroad Authority, City Place 3 (his current seat), for a five (5) year term to expire May 22, 2028.

**Sponsors:** Little

d. 2023-157 Nomination to appoint Erick Wade to the Community Development Citizens Advisory Council, Place 6, to fill a vacancy due to the resignation of Betty Gaylor for the remainder of a vacant three (3) year term to expire April 14, 2024.

**Sponsors:** Keith

### 17. HUNTSVILLE UTILITIES ITEMS

a. <u>2023-158</u> Resolution authorizing the Mayor to approve the resolution authorizing the expenditure of constructing an elevated water tank on Greenbrier Parkway be increased by \$4,000,000.00 to a total authorization of \$8.5M. This is a budgeted

item.

Resolution No. 23-285

**Sponsors:** Huntsville Utilities

Attachments: CC Greenbrier Water Tank Presentation

#### 18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS

### **Vacation of Easements**

a. 2023-159 Ordinance authorizing the vacation of a portion of a Utility and Drainage

Easement, Lot 20, Covemont Estates 8th Addition, 2305 Woodcliff Road.

(Crunkleton)

Ordinance No. 23-286

**Sponsors:** Legal

Attachments: Crunkleton eas ord Complete.pdf

**b.** 2023-160 Ordinance authorizing the vacation of a portion of a Utility and Drainage

Easement, Lot 23, River Cove Subdivision, 9000 Two Mules Circle.

(Thomas)

Ordinance No. 23-287

**Sponsors:** Legal

Attachments: Thomas eas ord Complete.pdf

c. 2023-161 Ordinance authorizing the vacation of a Sanitary Sewer Easement, Lot 6,

Wakefield Subdivision, 6 Asbury Road. (Azizkhani)

Ordinance No. 23-288

Sponsors: Legal

Attachments: Azizkhani eas ord Complete.pdf

d. 2023-162 Ordinance authorizing the vacation of Utility and Drainage Easements,

Inverness Springs, Phase 1, East of Holladay Road, South of Highway 72.

(Elite Properties)

Ordinance No. 23-289

**Sponsors:** Legal

Attachments: Elite Properties eas ord Complete.pdf

Vacation of Rights-of-Way

# **Deeds of Acceptance**

e. <u>2023-163</u> Utility and Drainage Easement; Grantors: Mansour Azizkhani and wife Marzieh Keifi Azizkhani; Acquired 2/23/2023.

**Sponsors:** Legal

Attachments: Azizkhani Deed Acceptance.pdf

### 19. UNFINISHED BUSINESS ITEMS FOR ACTION

ordinance amending Chapter 3, Article II, Subsection (d)(1) of Section 3-31 of the Code of Ordinances of the City of Huntsville, AL to modify hours of operation within the Bridge Street Arts and Entertainment District. (Introduced March 23, 2023, Regular Council Meeting)
Ordinance No. 23-258

**Sponsors:** Planning

Attachments: A&E Hours Bridge Street full.pdf

Developers, LLC. (Introduced March 23, 2023, Regular Council Meeting)
Ordinance No. 23-260

**Sponsors:** Urban Development

**Attachments:** Stanley Developers Surplus Property Ordinance Complete.pdf

C. 2023-124 Ordinance declaring certain equipment surplus and to be sold at public auction. (Introduced March 23, 2023, Regular Council Meeting)
Resolution No. 23-261

**Sponsors:** Fleet Department

**Attachments:** Fowler Auction May Surplus.pdf

d. 2023-125 Ordinance declaring certain equipment surplus and is no longer needed for public or municipal use, and to be donated to The Huntsville & Madison County Railroad Authority. (Introduced March 23, 2023, Regular Council Meeting)
Ordinance No. 23-262

**Sponsors:** Traffic Engineering

**<u>Attachments</u>**: Complete Item

e. <u>2023-126</u> Ordinance declaring certain property surplus and to be donated to Crime

Stoppers. (Introduced March 23, 2023, Regular Council Meeting)

Ordinance No. 23-263

**Sponsors:** Police

**Attachments:** Crime Stopers Vehicle Ordinance

### 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. 2023-164 Resolution authorizing travel expenses.

Resolution No. 23-290

**Sponsors:** Finance

**Attachments:** Travel Resolution Complete

**b.** 2023-165 Resolution authorizing the acceptance of donations.

Resolution No. 23-291

**Sponsors:** Finance

**Attachments:** Donations Complete

c. 2023-166 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. 23-292

**Sponsors:** Finance

**Attachments:** Resolution Procurement Complete

d. 2023-167 Resolution for authorizing the Mayor to submit an application on behalf of the

City of Huntsville to the Department of Energy Efficiency and Conservation Block Grant through the State and Community Energy Program, as part of the

Infrastructure Investment and Jobs Act.

Resolution No. 23-293

**Sponsors:** Finance

**Attachments:** Grant Application Complete

e. 2023-168 Ordinance approving appropriations, goods, or services for District 1 Council

Improvement Funds.

Ordinance No. 23-294

**Sponsors:** City Council

**Attachments:** District Council Improvement Complete

f. 2023-169 Resolution authorizing the Mayor to enter into a Real Estate Agreement between the City of Huntsville and Blue Origin Alabama, LLC, for the sale of approximately 14.83 acres of property located in Cummings Research Park. **DELETED** Urban Development **Sponsors:** Attachments: Blue Origin RE Sales Complete.pdf Resolution authorizing the Mayor to enter into a Purchase and Sale Agreement g. 2023-170 between the City of Huntsville and University of Alabama Huntsville Foundation for 4.08 acres of real property located East of Research Park Boulevard. Resolution No. 23-296 **Sponsors:** Urban Development Attachments: UAH Foundation Purch Agr Complete.pdf h. 2023-171 Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Geo Solutions, L.L.C., for Construction Materials Testing for Huntsville Utilities Access Road at Ditto Landing, Project No. 71-22-SP36. Resolution No. 23-297 Engineering **Sponsors:** Attachments: Geo Solutions Ditto Landing complete.doc.pdf i. 2023-172 Resolution accepting a 0.05 acre parcel of real property dedicated for a Utility and Drainage Easement from Landings HSV, LLC to the City of Huntsville. Resolution No. 23-298 Engineering **Sponsors:** Attachments: Landings HSV Eas Dedication Complete.pdf j. Resolution accepting a 0.05 acre parcel of real property dedicated for a Utility and 2023-173 Drainage Easement from TLZ Huntsville Friendship, LLC to the City of Huntsville for Lot 1A the Landing Huntsville Subdivision. Resolution No. 23-299 **Sponsors:** Engineering Attachments: TLZ Huntsville Friendship eas Dedication Complete.pdf k. Resolution authorizing the Mayor to execute Modification No. 2 to the Lease 2023-174 Agreement between the National Children's Advocacy Center, Inc., and the City of Huntsville, Alabama, for a Lease of a Portion of the Property Located at 210 Pratt Avenue NE. Resolution No. 23-300 **Sponsors:** General Services **Attachments:** NCAC Lease Agreement and Resolution Complete

l.	Resolution authorizing the Mayor to enter into a Standard Agreement between the City of Huntsville and Mims Engineering, Inc., for the Design Services for the Art Museum HVAC Renovation.  Resolution No. 23-301				
		<b>Sponsors:</b> General Services			
		Attachments: Complete-Art MuseumHVAC.pdf			
m.	<u>2023-176</u>	Resolution authorizing the Mayor to select an Alternate Voting Delegate for the Alabama League of Municipalities Annual Business Meeting on May 12, 2023. Resolution No. 23-302			
		Sponsors: Administration			
		Attachments: 2023-04-13 Voting Delegate Resolution_ver 2.pdf			
n.	<u>2023-177</u>	Resolution to appoint certain department head to department position. Resolution No. 23-303			
		Sponsors: Administration			
		Attachments: 2023-04-13 Complete Appointment Edwards & Smith Document.p			
0.	2023-178	Resolution authorizing the Mayor to enter into an Agreement between the Chautsville and Family Services Center, Inc. acting as a Community Housing Development Organization, for the use of HOME Funds for affordable house located, at 5016 Powell Drive NW. Resolution No. 23-304			
		<b>Sponsors:</b> Community Development			
		Attachments: Final CHDO 5016 Powell.pdf			
p.	<u>2023-179</u>	Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Crisis Services of North Alabama, Inc. for the use of ESG-CV funds.  Resolution No. 23-305			
		Sponsors: Community Development			
		Attachments: CSNA ESG-CV Mod 1 complete			
q.	<u>2023-180</u>	Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and Family Services Center, Inc. as adopted by Resolution No. 21-1169 on November 18, 2021. Resolution No. 23-306			
		<b>Sponsors:</b> Community Development			
		Attachments: FSC Modification 1 ERAP - SIGNED.pdf			

r. **2023-181** Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between Habitat for Humanity of the River Valley and the City of Huntsville, as adopted by Resolution No. 22-183. Resolution No. 23-307 Community Development **Sponsors:** Attachments: Modification No.1 Maywick and Menifee - Complete.pdf Resolution authorizing the Mayor to enter into an Agreement between the City of s. 2023-182 Huntsville, Alabama and Habitat for Humanity of the River Valley for the use of Home Investment Partnership Funds to Construct Affordable Housing at 3126 Andros Drive SW. Resolution No. 23-308 **Sponsors:** Community Development Attachments: 3126 ANDROS DR SW HABITAT CONTRACT COMPLETE.pd t. Resolution authorizing the Mayor to enter into an Agreement between the City of 2023-183 Huntsville, Alabama and Habitat for Humanity of the River Valley for the use of Home Investment Partnership Funds to Construct Affordable Housing at 3128 Andros Drive SW. Resolution No. 23-309 Community Development **Sponsors**: Attachments: 3128 ANDROS DR SW HABITAT CONTRACT COMPETE.pdf u. 2023-184 Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Habitat for Humanity of the River Valley for the use of Home Investment Partnership Funds to Construct Affordable Housing at 3127 Nassau Drive SW. Resolution No. 23-310 Community Development **Sponsors:** Attachments: 3127 NASSAU DR SW HABITAT CONTRACT COMPLETE.pdf Resolution authorizing the Mayor to execute the Grant Agreement from the U.S. v. 2023-185 Department of Housing and Urban Development for CDBG and HOME funds. Resolution No. 23-311

**Sponsors:** Community Development

Attachments: 2022 HUD Grant Agreement complete

City	Council Regu	llar Meeting Agenda	April 13, 2023
w.	2023-186	Resolution authorizing the City Clerk to invoke Bank Indep Credit No. 30016388 for the Retreat at Abbington Phase 1 Stresolution No. 23-312	
		Sponsors: Legal	
		Attachments: Retreat LOC Complete.pdf	
х.	<u>2023-187</u>	Resolution authorizing the City Clerk to invoke Synovus Ba No. 16526020807 for Chadwick Pointe Phase 3 Subdivision Resolution No. 23-313	
		Sponsors: Legal	
		Attachments: Chadwick LOC Complete.pdf	
у.	<u>2023-188</u>	Resolution authorizing the City Attorney to settle various cl Media Group, LLC, against the City of Huntsville. Resolution No. 23-314	aims of New South
		Sponsors: Legal	
		Attachments: New South Settlement Complete.pdf	
Z.	2023-189	Resolution authorizing the City Attorney to settle the worke claim of Jeremy McAllister. Resolution No. 23-315	ers' compensation
		Sponsors: Legal	
		Attachments: McAllister Settlement Complete.pdf	
aa.	<u>2023-190</u>	Resolution authorizing the Mayor to enter into a Sales Agre City of Huntsville and AXON Enterprise, Inc. Resolution No. 23-316	ement between the
		Sponsors: Municipal Court	
		Attachments: Axon Enterprise Agreement.pdf	
ab.	<u>2023-191</u>	Resolution authorizing the Mayor to enter into an Agreemen LLC. DBA First Arriving. Resolution No. 23-317	nt with First Arriving,
		<b>Sponsors:</b> Fire and Rescue	

Attachments: Complete First Arriving LLC.pdf

ac. 2023-192 Resolution authorizing the Mayor to enter into a Pricing Supplement between the City of Huntsville and TransUnion Risk and Alternative Data Solutions, Inc. Resolution No. 23-318

**Sponsors:** Police

**Attachments:** Complete File- 2023

ad. 2023-193 Resolution authorizing the Mayor to enter into Special Employee Agreement between the City of Huntsville and Kitty Whitworth.

Resolution No. 23-319

**Sponsors:** Police

**Attachments:** Complete File- Whitworth 2023

Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Theresa Hocken.

Resolution No. 23-320

**Sponsors:** Police

**Attachments:** Complete File- Hocken

#### 21. NEW BUSINESS ITEMS FOR INTRODUCTION

Introduction of an Ordinance amending Chapter 15 - 85. License Schedule. Subsection (92) (b) of the Code of Ordinances of the City of Huntsville, AL to modify the amount of paid by Huntsville Utilities on its gross receipts from the sale of gas to tax-exempt entities in the industrial customer's class.

Ordinance No. 23-321

**Sponsors:** Finance

**Attachments:** Gas PILOT Ordinance Complete

b. <u>2023-196</u> 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. 23-322

**Sponsors:** Administration

Attachments: 2023-04-13 Code of Ordinance Amendment, Chapter 2Article VII.

c. <u>2023-197</u> Introduction of an ordinance to amend Ordinance No. 89-79, Classification and Salary Plan Ordinance.

Ordinance No. 23-323

**Sponsors:** Human Resources

Attachments: Ordinance No. 89-79 Complete Attachment

Ap	ril	13.	2023	3

Introduction of an Ordinance annexing 6.15 acres of land lying on the south side of US Hwy 72 W and east of Slaughter Rd.
Ordinance No. 23-324

**Sponsors:** Planning

**<u>Attachments</u>**: <u>RCI Annexation</u>

e. <u>2023-199</u> Introduction of an Ordinance declaring certain property surplus and to be donated to Family Services Center, Inc.

Ordinance No. 23-325

**Sponsors:** Community Development

Attachments: Ordinance to declare 613 Kennan surplus-Final.pdf

f. <u>2023-200</u> Introduction of an Ordinance declaring certain equipment surplus and to be sold at public auction.

Resolution No. 23-326

**Sponsors:** Fleet Department

**Attachments:** FowlerAuction April.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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