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 27, 2023

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

1. INVOCATION

Offered by: Ragab Abdelmoneim, Imam with the Huntsville Islamic Center

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember Bill Kling

- 3. APPROVAL OF THE AGENDA
- 4. APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S)
- a. <u>2023-202</u> Minutes of Regular Meeting of the City Council held April 13, 2023. (Minutes Received)
- 5. MAYOR: SPECIAL RECOGNITIONS
- 6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

Special Recognitions

Presentations to the Council on International Educational Exchange (CIEE) High School students; sponsored by the United States Department of State, Mr. Jim Powers, Local Coordinator Team Leader.

Sponsors: Little

Resolutions for Approval and Presentation

b. <u>2023-204</u> Resolution honoring the Hays Family for their generational generosity and ongoing commitment to the City of Huntsville and its residents.

Resolution No. 23-328

Sponsors: Robinson

Attachments: Hays Family Resolution

Resolutions for Approval Only

7. ANNOUNCEMENTS AND PRESENTATIONS

a. 2023-205 Presentation by Christmas Charities Year Round.

Sponsors: Finance

b. 2023-206 Presentation by Huntsville Botanical Garden.

Sponsors: Finance

c. 2023-207 Presentation by First Stop.

Sponsors: Finance

d. 2023-208 Presentation by Wellstone.

Sponsors: Finance

e. 2023-209 Presentation by Huntsville Hospital Foundation.

Sponsors: Finance

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

9. PUBLIC HEARINGS TO BE HELD

Public hearing on the rezoning of 2.14 acres of land lying on the west side of Jordan Lane, south of Holmes Avenue, and north of I-565 from Residence 1-B District to Neighborhood Business C-1 District; and the consideration of an Ordinance pertaining to the same. (Set March 9, 2023 Regular Council Meeting) Ordinance No. 23-158

Sponsors: Planning

Attachments: Jordan Lane Rezoning

Public hearing on the rezoning of 81.55 acres of land lying on the east side of Memorial Parkway, south of Clinton Avenue, and north of Bob Wallace Avenue from Residence 1-B, General Business C-3, and Heavy Industry districts to Residence 2-A and Highway Business C-4 districts; and the consideration of an Ordinance pertaining to the same. (Set March 9, 2023 Regular Council Meeting) Ordinance No. 23-160

Sponsors: Planning

Attachments: Memorial Pkway Rezoning

Public hearing on the zoning of 4.50 acres of land lying on the east side of US Hwy 431 S and west of Wade Rd. to Highway Business C-4 District; and the consideration of an Ordinance pertaining to the same. (Set March 9, 2023 Regular Council Meeting)

Ordinance No. 23-162

Sponsors: Planning

Attachments: Young Zoning

Public hearing in order to hear, consider, and act upon all objections or protests, if any, for removal of a nuisance at 2407 Huntsville St. NW, Huntsville, AL.; and consideration of Resolution ordering abatement of a nuisance located at 2407 Huntsville St. NW, Huntsville, AL. (Set April 13, 2023, Regular Council Meeting)

Resolution No. 23-329

Sponsors: Community Development

Attachments: 2407 Huntsville St. res to abate public nuisance 04272023.pdf

Public hearing in order to hear, consider, and act upon all objections or protests, if any, for removal of a nuisance at 8802 Valley View Dr. SE, Huntsville, AL.; and consideration of Resolution ordering abatement of a nuisance located at 8802 Valley View Dr. SE, Huntsville, AL. (Set April 13, 2023, Regular Council Meeting)

Resolution No. 23-330

Sponsors: Community Development

Attachments: 8802 Valley View Dr. res to abate public nuisance.pdf

Public hearing in order to hear, consider, and act upon all objections or protests, if any, for removal of a nuisance at 2105 Giles Dr. NE, Huntsville, AL.; and consideration of Resolution ordering abatement of a nuisance located at 2105 Giles Dr. NE, Huntsville, AL. (Set April 13, 2023, Regular Council Meeting)
Resolution No. 23-331

Sponsors: Community Development

Attachments: 2105 Giles Dr. NE - Res to abatement public nuisance 04272023.p

10. PUBLIC HEARINGS TO BE SET

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 Jennie Robinson

Councilmember Bill Kling

Councilmember John Meredith

14. FINANCE COMMITTEE REPORT

a. <u>2023-213</u> Resolution authorizing expenditures for payment.

Resolution No. 23-332

Sponsors: Finance Committee

Attachments: Expenditures - Complete

b. 2023-214 Resolution authorizing the travel for Councilmember David Little to

Montgomery, AL, April 11-12, 2023 for the Huntsville/Madison Co. Chamber of

Commerce Montgomery 2023 trip.

Resolution No. 23-333

Sponsors: Little

Attachments: Travel Resolution Montgomery Trip

15. BOARD APPOINTMENTS TO BE VOTED ON

a. <u>2023-154</u> Resolution reappointing 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. (Nominated April 13, 2023, Regular Council Meeting)

Resolution No. 23-334

Sponsors: Meredith

Attachments: D. Reeves Reappointment IDB

b. <u>2023-155</u> Resolution reappointing 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. (Nominated April 13, 2023, Regular Council Meeting)

Resolution No. 23-335

Sponsors: Kling

Attachments: A. Tutt Reappointment IDB

Resolution reappointing 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. (Nominated April 13, 2023, Regular Council Meeting)
Resolution No. 23-336

Sponsors: Little

Attachments: M. Lumb Reappointment HMR

Resolution appointing 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.
(Nominated April 13, 2023, Regular Council Meeting)
Resolution No. 23-337

Sponsors: Keith

Attachments: E. Wade Appointment Community Development CAC

16. BOARD APPOINTMENT NOMINATIONS

Nomination to reappoint 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.

Sponsors: Robinson

17. HUNTSVILLE UTILITIES ITEMS

18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS

Vacation of Easements

a. <u>2023-216</u> Ordinance authorizing the vacation of a Utility and Drainage Easement, Lots 7 & 8, Valley Bend Subdivision, 5th Addition, Smoke Rise Road. (Steele)

Ordinance No. 23-338

Sponsors: Legal

Attachments: Steele eas ord Complete.pdf

b. 2023-217 Ordinance authorizing the vacation of a Utility and Drainage Easement,
Pavillion Subdivision Phase 4, Bailey Cove Road. (Campbell and Mance)
Ordinance No. 23-339

Sponsors: Legal

Attachments: Campbell eas ord Complete.pdf

c. 2023-218 Ordinance authorizing the vacation of a Utility and Drainage Easement,

Lots 2A-1 and 2A-2, Mountain Cove Subdivision, Eight Edition,

Mountain Cove Boulevard. (Hanaw)

Ordinance No. 23-340

Sponsors: Legal

Attachments: Hanaw eas ord Complete.pdf

Vacation of Rights-of-Way

Deeds of Acceptance

19. UNFINISHED BUSINESS ITEMS FOR ACTION

a. 2023-195 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. 2023-196 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. 2023-197 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

d. 2023-198 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

Attachments: RCI Annexation

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e. <u>2023-199</u> 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. 2023-200 Ordinance declaring certain equipment surplus and to be sold at public auction.

Resolution No. 23-326

Sponsors: Fleet Department

Attachments: FowlerAuction April.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. <u>2023-219</u> Resolution authorizing travel expenses.

Resolution No. 23-341

Sponsors: Finance

Attachments: Travel Resolution - Complete

b. 2023-220 Resolution authorizing the acceptance of donations.

Resolution No. 23-342

Sponsors: Finance

Attachments: Donation - Complete

c. 2023-221 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. 23-343

Sponsors: Finance

Attachments: Resolution Procurement Complete

d. 2023-222 Ordinance amending Budget Ordinance No. 22-736, by changing appropriated

funding for various departments and funds.

Ordinance No. 23-344

Sponsors: Finance

Attachments: Budget - Complete

Resolution authorizing the Mayor to execute the Consent to Assignment of Contract Agreement between TJM Tire LLC, dba Kelly's Tire Service and S&S Firestone Inc., dba Best One Tire to transfer the rights and obligations of the Tires & Tire Repair Service Contract, awarded under Resolution No. 22-1004, from Kelly's Tire Service to Best One Tire.

Resolution No. 23-345

Sponsors: Finance

<u>Attachments</u>: Resolution - Reassign Tire Tire Repair Contract from Kelly Tire to

One Tire-Complete

Resolution authorizing the Mayor to enter into memorandum of understanding with First Stop, Inc., Wellstone Inc., and the Huntsville Hospital Foundation for projects aimed at reducing the harm of the opioid epidemic on the community. Resolution No. 23-346

Sponsors: Finance

Attachments: Resolution - Opioid Settlement Complete (4)

Resolution authorizing the Mayor to enter into an Option to Purchase Real Estate Sales Agreement between the City of Huntsville and Tall Pines Development, Inc., James T. Young, Frances B. Young, Terry Bentley, Louise Bentley and Donald E. Bentley.

Resolution No. 23-347

Sponsors: Urban Development

Attachments: Tall Pines Development complete

h. 2023-226 Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Music Export Memphis (MEM), Inc., for Professional Services for Huntsville Ambassador Program.

Resolution No. 23-348

Sponsors: Urban Development

Attachments: Music Export Memphis (MEM), Inc. complete.pdf

Resolution authorizing the Mayor to enter into a Grocery Store Development Agreement between the City of Huntsville and Marathon Realty Corp., for the development of Food City grocery stores.

Resolution No. 23-349

Sponsors: Urban Development

Attachments: Food City Dev Agr Complete.pdf

j.	2023-228	Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Garver, L.L.C., for Land Surveying and Engineering Design Services for Tennessee River Greenway, Phase 3, Project No. 71-23-WP04. Resolution No. 23-350
		Sponsors: Engineering
		Attachments: Garver Tennessee River Greenway, Phase 3 complete.pdf
k.	2023-229	Resolution authorizing the Mayor to enter into an Agreement for Maintenance of Roadway Delineators, Concrete Median Island and Pavement Markings and Legends between the Alabama Department of Transportation and the City of Huntsville, for Federal Aid Rail/Highway Crossing Improvement, Project No. RHPD-RR21(921). Resolution No. 23-351
		Sponsors: Engineering
		Attachments: ALDOT Pratt Ave Rail Hwy Improvements complete.pdf
l.	2023-230	Resolution authorizing the Mayor to enter into a Standard Agreement between the City of Huntsville and Terracon Consultants Inc., for the engineering services of the Public Safety Training Facility Phase 2. Resolution No. 23-352
		Sponsors: General Services
		<u>Attachments</u> : <u>COMPLETE_TerraconConstructionMaterialsTestingContract</u>
m.	2023-231	Resolution authorizing the Mayor to enter into a Lease between the City of Huntsville and the Public Building Authority of the City of Huntsville, Alabama, for the Property Located at Wheeler Avenue and Fiber Street. Resolution No. 23-353
		Sponsors: General Services
		Attachments: PBA CSI Lease Agreement unexecuted
n.	<u>2023-232</u>	Resolution to appoint certain department heads to department positions. Resolution No. 23-354
		Sponsors: Administration
		Attachments: 2023-04-27 Dept Head Appointments 4-2023 PDF.pdf
0.	2023-233	Resolution authorizing the Mayor to enter into a Memorandum of Agreement between the City of Huntsville and Huntsville Hospital for Women & Children. Resolution No. 23-355
		Sponsors: Administration
		Attachments: 2023-04-27 HHWC Complete File.pdf

City	Council Regu	lar Meeting	Agenda	April 27, 2023
р.	2023-234	_	the Mayor to enter into an Agr s, LLC, f/k/a Municipal Code	•
		Sponsors: City Clea	k	
		Attachments: Complete	e Agreement for CivicPlus fka	<u>Municode</u>
q.	2023-235	9	the Mayor to approve and subrance. Department of Housing and Uling.	
		Sponsors : Commun	nity Development	
		Attachments: 2023 Act	ion Plan complete	
r.	2023-236	•	the Mayor to enter into an Agr d Alabama Non-violent Offen f CDBG funds.	•
		Sponsors : Commun	nity Development	
		Attachments: ANVOO	CDBG 2022 Agreement com	<u>plete</u>
s.	<u>2023-237</u>	_	the Mayor to enter into an Agr d Boys and Girls Clubs of Nor	<u> </u>
		Sponsors: Commun	nity Development	
		Attachments: BGC CD	BG 2022 Agreement complete	<u>e</u>
t.	2023-238	9	he Mayor to enter into an Agr d Harris Home for Children, In	•
		Sponsors: Commun	nity Development	
		Attachments: Harris H	ome CDBG 2022 Agreement	<u>complete</u>
u.	2023-239	_	the Mayor to enter into an Agr d ENABLE Madison County,	
		Sponsors: Commun	nity Development	

Attachments: ENABLE CDBG 2022 Agreement complete

v.	2023-240	Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Village of Promise, Inc. Resolution No. 23-362
		Sponsors: Community Development
		Attachments: Village of Promise CDBG 2022 Agreement complete
w.	2023-241	Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and HATCH HSV, Inc. Resolution No. 23-363
		Sponsors: Community Development
		Attachments: HATCH CDBG 2022 Agreement complete
х.	2023-242	Resolution authorizing the Mayor to execute Modification No. 2 to the Agreement between the City of Huntsville, Alabama and First Stop, Inc. for the use of ADECA CDBG-CV funds. Resolution No. 23-364
		Sponsors: Community Development
		Attachments: First Stop ADECA CDBG-CV Mod. 2. complete
y.	2023-243	Resolution authorizing the Mayor to enter into a Baron Threat Net License Agreement by and between the City of Huntsville and Baron Weather, Inc., a Delaware corporation (Baron). Resolution No. 23-365
		Sponsors: EMA
		Attachments: Cover memo and Baron Resolution 2023 packet .pdf
Z.	2023-244	Resolution authorizing the Mayor to enter into a Professional Services Contract between the City of Huntsville and Psychological Resources, Support Systems, Inc., for Professional Services. Resolution No. 23-366
		Sponsors: Human Resources
		Attachments: Psychological Resources agreement package 2023.pdf
aa.	2023-245	Resolution authorizing the Mayor to enter into a Consulting Agreement between the City of Huntsville and Casualty Actuarial Consultants, Inc., for the purpose of providing actuarial analysis of the City's worker's compensation plan. Resolution No. 23-367
		Sponsors: Human Resources
		Attachments: Workers Comp Actuarial Agreement 2023.pdf

City	Council Regu	ar Meeting	Agenda	April 27, 2023
ab.	2023-246	_	Mayor to enter into an Agreemen hrough Software House Internationature Form.	
		Sponsors : ITS		
		Attachments: Complete 1	Microsoft Agreement 2023.pdf	
ac.	2023-247		City Clerk to invoke BancorpSou a's Gate Phase 1 at McMullen Co	
		Sponsors: Legal		
		Attachments: Lylas Gate	LOC res Complete.pdf	
ad.	2023-248		City Clerk to invoke Trustmark Nor Eagle Trace Phase 1 Subdivision	
		Sponsors : Legal		
		Attachments: Eagle Trace	e LOC res Complete.pdf	
ae.	2023-249	Resolution authorizing the 1383 for Forest at Hays Fa Resolution No. 23-371	City Clerk to invoke Bryant Bank rm Phase 1 Subdivision.	Letter of Credit No.
		Sponsors: Legal		
		Attachments: Forest LOC	res Complete.pdf	
af.	<u>2023-250</u>		City Clerk to invoke Bank Indepe ver Cove Phase 3 Subdivision.	endent Letter of
		Sponsors : Legal		
		Attachments: River Cove	LOC res Complete.pdf	
ag.	2023-251		City Clerk to invoke Bank Indepe Vildwood Cove Phase 2 Subdivision	
		Sponsors: Legal		

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Attachments: Wildwood Cove 076 LOC res Complete.pdf

City	Council Regu	dar Meeting Agenda	April 27, 2023
ah.	2023-252	Resolution authorizing the City Clerk to invoke Bank Indep Credit No. 30016390 for Wildwood Cove Phase 2 Subdivis Resolution No. 23-374	
		Sponsors: Legal	
		Attachments: Wildwood Cove 390 LOC res Complete.pdf	
ai.	2023-253	Resolution authorizing the City Clerk to invoke Cadence Ba No. 4647079 for Grande Highlands Estates Subdivision. Resolution No. 23-375	ank Letter of Credit
		Sponsors: Legal	
		Attachments: Grande Highlands LOC res Complete.pdf	
aj.	2023-254	Resolution requesting the Mayor make application to the U. Protection Agency (EPA) Inflation Reduction Act (IRA), C. Application for said Federal financial assistance to support monitoring program. Resolution No. 23-376	lean Air Act Grant
		Sponsors: Natural Resources	
		Attachments: Application Package to Council.pdf	
ak.	<u>2023-255</u>	Resolution authorizing the Mayor to enter into a Facility Us the City of Huntsville and Alabama Wildlife Federation, Inc. Resolution No. 23-377	_
		Sponsors: Parks & Recreation	
		Attachments: Presentation - AL Wildlife Federation.pdf	
al.	<u>2023-256</u>	Resolution amending the 2014 Capital Improvement Plan R to include the University-Medical Bus Rapid Transit project Resolution No. 23-378	
		Sponsors: Planning	
		Attachments: Small Starts PD Budget Amendment Comple	ete.pdf
am.	2023-257	Resolution authorizing the Mayor to enter into an Agreement Huntsville and Paul Butler Presentations. Resolution No. 23-379	nt between the City of
		Sponsors: Police	
			

Attachments: Complete File- 2023

an. 2023-258 Resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and the Federal Bureau of Investigation, North Alabama Violent Crime Task Force. Resolution No. 23-380 Police **Sponsors: Attachments:** Complete File- 2023 Resolution authorizing the Mayor to enter into a Memorandum of Understanding ao. 2023-259 between the City of Huntsville and Family Services Center, Inc. Resolution No. 23-381 Police **Sponsors: Attachments:** Complete File- 2023 **202<u>3-260</u>** Resolution authorizing the Mayor to enter into a Memorandum of Understanding ap. between the City of Huntsville and the U.S. Immigration and Customs Enforcement Homeland Security Investigations. Resolution No. 23-382 Police **Sponsors**: **Attachments:** Complete File- 2023 aq. 2023-261 Resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and the Federal Bureau of Investigation, Joint Terrorism Task Force. Resolution No. 23-383 Police **Sponsors: Attachments:** Complete File- 2023 Resolution authorizing the Mayor to enter into a Special Employee Agreement ar. 2023-262 between the City of Huntsville and Larry Trippe. Resolution No. 23-384 Engineering **Sponsors:** Attachments: Larry Trippe special contract complete.docx.pdf NEW BUSINESS ITEMS FOR INTRODUCTION 21. a.

a. <u>2023-263</u> Introduction of an Ordinance annexing 2.67 acres of land lying on the west side of US Hwy 431 S and north of Taylor Lane.

Ordinance No. 23-385

Sponsors: Planning

Attachments: Marathon Annexation

April 27, 2023

b. <u>2023-264</u> Introduction of an Ordinance authorizing the disposal of surplus equipment to be donated to Huntsville Utilities.

Ordinance No. 23-386

Sponsors: ITS

Attachments: Complete Surplus Donation Utilities.pdf

c. <u>2023-265</u> Introduction of an Ordinance declaring certain property as surplus and no longer

needed for Municipal use. Ordinance No. 23-387

Sponsors: Water Pollution

Attachments: June 2023 Auction Disposal Ordinance Packet-FINAL

d. 2023-266 Introduction of an 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.

Ordinance No. 23-388

Sponsors: Traffic Engineering

Attachments: Complete Item - Speed Limit Ordinance

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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