

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



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

CITY COUNCIL CHAMBERS

5:30 PM

Thursday, November 2, 2023

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

1. INVOCATION

Offered by: Pastor Mylon L. Burwell, with Mount Zion Primitive Baptist Church

2. PLEDGE OF ALLEGIANCE

Led by: Councilmember John Meredith

3. APPROVAL OF THE AGENDA

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

- a. [2023-866](#) Minutes of Regular Meeting of the City Council held October 26, 2023. (Minutes Received)

Sponsors: City Clerk

5. MAYOR: SPECIAL RECOGNITIONS

- a. [2023-867](#) Recognition of Fred Coffey for his service as a board member for the City of Huntsville Board of Zoning Adjustments.

Sponsors: Administration

6. COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS

Special Recognitions

Resolutions for Approval and Presentation

Resolutions for Approval Only

7. ANNOUNCEMENTS AND PRESENTATIONS

- a. [2023-869](#) Presentation from the Huntsville Museum of Art.

Sponsors: Finance

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE

9. PUBLIC HEARINGS TO BE HELD**10. PUBLIC HEARINGS TO BE SET**

- a. [2023-870](#) Resolution to set a public hearing on the zoning of 13.20 acres of land lying on the west side of Old Big Cove Rd. and south Walter Bird Dr. to Residence 2 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, Regular Council Meeting)
Resolution No. 23-906
Ordinance No. 23-907
Sponsors: Planning
Attachments: [Ellett_Zoning](#)
- b. [2023-871](#) Resolution to set a public hearing on the zoning of 3.36 acres of land lying on the east side of Wade Road and north of Taylor Lane to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, Regular Council Meeting)
Resolution No. 23-908
Ordinance No. 23-909
Sponsors: Planning
Attachments: [Marathon2_Zoning](#)
- c. [2023-872](#) Resolution to set a public hearing on the zoning of 4.55 acres of land lying on the east side of Dug Hill Road and north of Raintree Road to Residence 1 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023 Regular Council Meeting)
Resolution No. 23-910
Ordinance No. 23-911
Sponsors: Planning
Attachments: [Newcastle_Zoning](#)
- d. [2023-873](#) Resolution to set a public hearing on the zoning of 0.86 acres of land lying on the south side of Martin Road and east of Estuary Drive to Residence 2-B District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, Regular Council Meeting)
Resolution No. 23-912
Ordinance No. 23-913
Sponsors: Planning
Attachments: [ClemmonRagland_Zoning](#)

- e. [2023-874](#) Resolution to set a public hearing on the zoning of 3.29 acres of land lying on the south side of Dug Hill Road and east of Wimbledon Road to Residence 1 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, Regular Council Meeting)
Resolution No. 23-914
Ordinance No. 23-915
Sponsors: Planning
Attachments: [Vergerita_Zoning](#)
- f. [2023-875](#) Resolution to set a public hearing on the zoning of 88.78 acres of land lying on the north and south side of Cecil Ashburn Drive, and east and west of Old Big Cove Rd. to Residence 1-A District, Highway Business C-4 District, and Residence 2 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, Regular Council Meeting)
Resolution No. 23-916
Ordinance No. 23-917
Sponsors: Planning
Attachments: [Drake_Zoning](#)
- g. [2023-876](#) Resolution to set a public hearing on the rezoning of 2.34 acres of land lying on the south of Countess Road, and east of North Memorial Parkway from Residence 1 District to Highway Business C-4 District; and the introduction of an Ordinance pertaining to the same. (Set December 21, 2023, Regular Council Meeting)
Resolution No. 23-918
Ordinance No. 23-919
Sponsors: Planning
Attachments: [CountessRd_Rezoning](#)

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 John Meredith

Councilmember Devyn Keith

Councilmember Jennie Robinson

Councilmember Bill Kling

Councilmember David Little

14. FINANCE COMMITTEE REPORT

- a. [2023-877](#) Resolution authorizing expenditures for payment.
Resolution No. 23-920

Sponsors: Finance

Attachments: [Expenditures - Complete](#)

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. [2023-862](#) Resolution reappointing Garrett Coyne to the Huntsville Tennis Center Board of Control, Place 3 (his current seat), for a three (3) year term to expire November 28, 2026. (Nominated October, 26, 2023, Regular Council Meeting)
Resolution No. 23-921

Sponsors: Robinson

Attachments: [Coyne Reappointment Tennis Board](#)

16. BOARD APPOINTMENT NOMINATIONS

- a. [2023-910](#) Resolution appointing Alvie Garrett to the Huntsville Tennis Center Board of Control, Place 5, to the seat previously held by Kevin Jose, for a three (3) year term to expire on November 28, 2026. (Nominated November 2, 2023, Regular Council Meeting)
Resolution No. 23-952

Sponsors: Meredith

Attachments: [Garrett Appointment Tennis Board](#)

17. HUNTSVILLE UTILITIES ITEMS

- a. [2023-833](#) Ordinance authorizing the issuance of a \$5,635,000 Subordinated Water Revenue Warrant, Series 2023-DWSRF-DL respecting a loan for water system improvements, and execution of a Special Authority Loan Conditions Agreement between the City and the Alabama Drinking Water Finance Authority in connection therewith. (Introduced October, 26, 2023, Regular Council Meeting) Ordinance No. 23-876

Sponsors: Huntsville Utilities

Attachments: [Huntsville Utilities Water Revenue Warrants Complete.pdf](#)

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

- a. [2023-879](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 7A, The Sovereign Point Phase 2 Subdivision, Piedmont Drive. (Harbaugh) Ordinance No. 23-922

Sponsors: Legal

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

- b. [2023-880](#) Ordinance authorizing the vacation of a Utility and Drainage Easement, Lot 24, Block 4, East Highland Subdivision, 1721 and 1723 Ward Avenue. (Cutter) Ordinance No. 23-923

Sponsors: Legal

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

Vacation of Rights-of-Way**Deeds of Acceptance****19. UNFINISHED BUSINESS ITEMS FOR ACTION**

- a. [2023-863](#) Ordinance concerning the naming of the new City Hall building. (Introduced October 26, 2023, Regular Council Meeting) Ordinance No. 23-902

Sponsors: Robinson

Attachments: [Naming of City Hall Complete](#)

- b. [2023-864](#) Ordinance declaring certain real property as surplus and authorizing a Lease Agreement between the City of Huntsville and BJLAC, LLC, for lease of the same. (Introduced October 26, 2023, Regular Council Meeting)
Ordinance No. 23-903
Sponsors: Urban Development
Attachments: [BJLAC Lease Agreement Complete.pdf](#)
- c. [2023-865](#) Ordinance annexing 94.82 acres of land lying on the south side of Swancott Road and west of Rabbit Lane. (Introduced October 26, 2023, Regular Council Meeting)
Ordinance No. 23-904
Sponsors: Planning
Attachments: [Hargrave Annexation](#)

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. [2023-881](#) 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. 23-924
Sponsors: Finance
Attachments: [Resolution Procurement Complete](#)
- b. [2023-882](#) Resolution authorizing the acceptance of donations.
Resolution No. 23-925
Sponsors: Finance
Attachments: [Donations Complete.pdf](#)
- c. [2023-883](#) Ordinance approving appropriations, goods, or services for District 4 Council Improvement Funds.
Ordinance No. 23-926
Sponsors: City Council
Attachments: [District 4 Council Improvement Complete](#)

- d. [2023-884](#) Resolution authorizing the Mayor to execute a Second Amended and Restated Development Agreement, and related documents attached thereto, between the City of Huntsville, Alabama and Rocket Development Partners, L.L.C., and Front Row Huntsville Owner, L.L.C., respecting a mixed-use redevelopment project in the City.
Resolution No. 23-927
Sponsors: Urban Development
Attachments: [Coca Cola Redev. Complete.pdf](#)
- e. [2023-885](#) Resolution authorizing the Mayor to execute Modification No. 3 to the Agreement between the City of Huntsville, Alabama and Rippleworx, L.L.C.
Resolution No. 23-928
Sponsors: Urban Development
Attachments: [Rippleworx Modification No. complete.pdf](#)
- f. [2023-886](#) Resolution authorizing the Mayor to enter into an Exclusive Easement Agreement between the City of Huntsville and the United States of America, acting by and through the Administrator of General Services, in connection with the new federal courthouse.
Resolution No. 23-929
Sponsors: Urban Development
Attachments: [GSA Courthouse Easements Complete.pdf](#)
- g. [2023-887](#) Resolution authorizing the Mayor to enter into a Contract between the City of Huntsville, Alabama and the low bidder, Wiregrass Construction Company, Inc., for Huntsville Northern Bypass, Base Bid, Option #1, Option #2 and Option #3, Project No. 65-10-RD08 & ALDOT Project No. CRSA-STPVE-PE10(917).
Resolution No. 23-930
Sponsors: Engineering
Attachments: [Wiregrass Huntsville Northern Bypass complete.docx.pdf](#)
- h. [2023-888](#) Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Schoel Engineering, Inc., for Engineering Hydrologic and Hydraulic Modeling Services and Letter of Map Revision (LOMR) Submittal for Piney Creek and Spring Branch, Project No. 71-24-DM03.
Resolution No. 23-931
Sponsors: Engineering
Attachments: [Schoel Piney Creek Spring Branch LOMR Complete.pdf](#)

- i. [2023-903](#) Resolution authorizing the Mayor to execute Modification No. 5 to the Agreement between the City of Huntsville, Alabama and Barge Design Solutions, Inc., for Northern Bypass from 1.2 Miles East of Pulaski Pike to U.S. Highway 431, Project No. 65-10-RD08.
Resolution No. 23-932
Sponsors: Engineering
Attachments: [BARGE Huntville Northern Bypass complete.pdf](#)
- j. [2023-890](#) Resolution authorizing the Mayor to execute Change Order No. 1 between the City of Huntsville, Alabama and Mark Johnson Construction, LLC, for Western Area WWTP Phase I Expansion, Project No. 71-22-SF01.
Resolution No. 23-933
Sponsors: Water Pollution
Attachments: [Mark Johnson Construction COMPLETE.pdf](#)
- k. [2023-891](#) Resolution authorizing an Agreement between the City of Huntsville and RP Media Services for digital billboard services.
Resolution No. 23-934
Sponsors: Administration
Attachments: [2023-11-02 RP Media Complete.pdf](#)
- l. [2023-892](#) Resolution authorizing the Mayor to submit an application to the Alabama Department of Transportation (ALDOT), for the FY24 Alabama Transportation Rehabilitation and Improvement Program-II (ATRIP-II) Grant.
Resolution No. 23-935
Sponsors: Planning
Attachments: [ALDOT FY24 ATRIP II_COMPLETE.pdf](#)
- m. [2023-894](#) Resolution authorizing the Mayor to execute Order No. Q-07603626 which modifies the previous order as authorized by Res. 22-654 to the agreement by and between the City of Huntsville and West Publishing Corporation.
Resolution No. 23-936
Sponsors: Legal
Attachments: [West Publishing Complete](#)
- n. [2023-896](#) Resolution authorizing the City Clerk to invoke Bank Independent Letter of Credit No. 30011928 for High Park Estates Phase I at Mountain Preserve.
Resolution No. 23-937
Sponsors: Legal
Attachments: [High Park LOC res Complete.pdf](#)
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- o. [2023-895](#) Resolution authorizing the City Clerk to invoke ServisFirst Bank Letter of Credit No. 44736 for The Grove Phase I Subdivision.
Resolution No. 23-938
Sponsors: Legal
Attachments: [Grove LOC res Complete.pdf](#)
- p. [2023-893](#) Resolution authorizing the City Clerk to invoke Southern States Bank Letter of Credit No. 510014848 for Little Mountain Phase II Subdivision.
Resolution No. 23-939
Sponsors: Legal
Attachments: [Little Mountain LOC res Complete.pdf](#)
- q. [2023-897](#) Resolution authorizing the City Clerk to invoke Synovus Bank Letter of Credit No. 16528299423 for Nursery at Blue Springs.
Resolution No. 23-940
Sponsors: Legal
Attachments: [Nursery LOC res Complete.pdf](#)
- r. [2023-898](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement by and between the City of Huntsville and Earl Malcome Davis.
Resolution No. 23-941
Sponsors: Fire and Rescue
Attachments: [Malcome Davis Complete.pdf](#)
- s. [2023-899](#) Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Woody Maples.
Resolution No. 23-942
Sponsors: Natural Resources
Attachments: [Complete Package-Maples.pdf](#)
21. **NEW BUSINESS ITEMS FOR INTRODUCTION**
- a. [2023-904](#) Ordinance naming a road in John Hunt Park as Steve Ivey Drive SW. (Introduced November 2, 2023, Regular Council Meeting)
Ordinance No. 23-943
Sponsors: Administration
Attachments: [Ord Naming Steve Ivey Dr complete](#)

- b. [2023-905](#) Ordinance amending the Code of Ordinances of the City of Huntsville, Chapter 2, Article XI, Police Citizens Advisory Council. (Introduced November 2, 2023, Regular Council Meeting)
Ordinance No. 23-944
Sponsors: Little
Attachments: [HPCAC Ordinance 10.27.23.docx](#)
- c. [2023-911](#) Ordinance to declare certain real property as surplus and no longer needed for a municipal purpose and authorizing the City of Huntsville enter into a Development Agreement and Ground Lease with BREG HSV, LLC. (Introduced November 2, 2023, Regular Council Meeting)
Ordinance No. 23-945
Sponsors: Urban Development
Attachments: [BREG Surplus Property ord Complete.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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