

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

Thursday, November 2, 2023

5:30 PM

CITY COUNCIL CHAMBERS

REGULAR MEETING OF THE CITY COUNCIL

Present: David Little, Jennie Robinson, Bill Kling, and John Meredith

Absent: Devyn Keith

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

Councilmember Robinson moved to approve the Agenda as presented, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, and Meredith

Nay: None

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

a. Minutes of Regular Meeting of the City Council held October 26, 2023. (Minutes Received)

Sponsors: City Clerk

The above item is approved as submitted

5. MAYOR: SPECIAL RECOGNITIONS

a. 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

President Little announced that Councilmember Kling resigned from the Finance Committee and he would be appointing Councilmember Keith to that position to serve alongside Councilmember Robinson.

- a. Presentation from the Huntsville Museum of Art.

Sponsors: Finance

The above item is postponed as submitted to the City Council Regular Meeting due back on 11/16/2023.

8. MATTERS WITH OUTSIDE LEGAL REPRESENTATIVE**9. PUBLIC HEARINGS TO BE HELD****10. PUBLIC HEARINGS TO BE SET**

- a. 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](#)

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, and Meredith

Nay: None

- b. 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](#)

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, and Meredith

Nay: None

- c. 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](#)

Councilmember Keith joined the meeting.

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- d. 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](#)

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- e. 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](#)

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly

seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- f. 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](#)

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- g. 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](#)

Councilmember Robinson moved to approve the Resolution to set the public hearing for December 21, 2023 Regular Council Meeting, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

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

Mayor Battle appointed Kimberly Ford to the Board of Zoning Adjustments for the partial term to expire March 9, 2024. She will be replacing Fred Coffey.

13. COUNCILMEMBER COMMENTS

Councilmember John Meredith

Councilmember Devyn Keith

Councilmember Jennie Robinson

Councilmember Bill Kling

Councilmember David Little

14. FINANCE COMMITTEE REPORT

- a. Resolution authorizing expenditures for payment.
Resolution No. 23-920

Sponsors: Finance

Attachments: [Expenditures - Complete](#)

Penny Smith reported on cash investments.

Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by President Little. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

15. BOARD APPOINTMENTS TO BE VOTED ON

- a. 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](#)

Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by Councilmember Kling. President Little asked if there was any

discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

16. BOARD APPOINTMENT NOMINATIONS

- a. Nomination to appoint 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.

Sponsors: Meredith

The above item is referred as submitted to the City Council Regular Meeting due back on 11/16/2023.

17. HUNTSVILLE UTILITIES ITEMS

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](#)

Councilmember Robinson calls for the question, which motion was duly seconded by Councilmember Keith.

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

18. LEGAL DEPARTMENT ITEMS/TRANSACTIONS

Vacation of Easements

- a. 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](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- b. 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](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Kling. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

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

- a. 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](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Keith. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, and Keith

Nay: Kling, and Meredith

- b. 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](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by President Little. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- c. 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](#)

Councilmember Robinson moved to approve the Ordinance, which motion was duly seconded by Councilmember Keith. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

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.

The above item is approved ordinance as submitted

A motion was made by Councilmember Robinson, seconded by President Little, to approve the Consent Agenda. The motion carried by the following vote:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- a. 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](#)

This New Business for Consideration or Action was approved.

- b. Resolution authorizing the acceptance of donations.
Resolution No. 23-925

Sponsors: Finance

Attachments: [Donations Complete.pdf](#)

This New Business for Consideration or Action was approved.

- c. 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](#)

This New Business for Consideration or Action was approved.

- d. 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](#)

Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by President Little. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- e. 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](#)

This New Business for Consideration or Action was approved.

- f. 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](#)

This New Business for Consideration or Action was approved.

- g. 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](#)

Councilmember Robinson moved to approve the Resolution, which motion was duly seconded by Councilmember Keith. President Little asked if there was any discussion. President Little called for a roll-call vote on the above motion, and the following vote resulted:

Aye: Little, Robinson, Kling, Meredith, and Keith

Nay: None

- h.** 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](#)

This New Business for Consideration or Action was approved.

- i.** 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](#)

This New Business for Consideration or Action was approved.

- j.** 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](#)

This New Business for Consideration or Action was approved.

- k.** 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](#)

This New Business for Consideration or Action was approved.

- l.** 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](#)

This New Business for Consideration or Action was approved.

- m.** 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](#)

This New Business for Consideration or Action was approved.

- n.** 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](#)

This New Business for Consideration or Action was approved.

- o.** 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](#)

This New Business for Consideration or Action was approved.

- p.** 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](#)

This New Business for Consideration or Action was approved.

- q.** 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](#)

This New Business for Consideration or Action was approved.

- r. 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](#)

This New Business for Consideration or Action was approved.

- s. 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](#)

This New Business for Consideration or Action was approved.

21. NEW BUSINESS ITEMS FOR INTRODUCTION

- a. Introduction of an Ordinance naming a road in John Hunt Park as Steve Ivey Drive SW.
Ordinance No. 23-943

Sponsors: Administration

Attachments: [Ord Naming Steve Ivey Dr complete](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 11/16/2023.

- b. Introduction of Ordinance amending the Code of Ordinances of the City of Huntsville, Chapter 2, Article XI, Police Citizens Advisory Council.
Ordinance No. 23-944

Sponsors: Little

Attachments: [HPCAC Ordinance 10.27.23.docx](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 11/16/2023.

- c. Introduction of an 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.
Ordinance No. 23-945

Sponsors: Urban Development

Attachments: [BREG Surplus Property ord Complete.pdf](#)

The above item is introduced as submitted to the City Council Regular Meeting due back on 11/16/2023.

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.

Speaker(s): Clay Falkner Troop 343, Coehn Hill Troop 343, Jack Dilduco Troop 343, Zo Falkner Troop 343.

23. ADJOURNMENT***Agenda Disclaimer***

City Council agendas are provided for general information purposes only. Any reliance you place on a City Council agenda provided on this website is strictly at your own risk. Hard copies of all City Council agendas and all final attachments are available for review with the official agenda package at the City Clerk's Office at 308 Fountain Circle, Huntsville, AL, after the meeting has concluded.

City Council agendas provided on this website include the text only version of the information associated with the business matters to be brought before for the City Council. Reports and attachments including, but not limited to, pictures, plans, drawings, spreadsheet presentations, financial statements and correspondences are not always included with a City Council agenda on this website.

Changes to a City Council agenda may be necessary prior to the City Council meeting. Such changes may not be included on the City Council agenda on this website. Also, the City Council may elect to amend, delete, add or continue business matters during the City Council meeting.

While every effort is made to keep the information up to date and correct, no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability, suitability or availability are made with respect to the City Council agendas provided on this website. The City of Huntsville assumes no liability for any errors, omissions, or inaccuracies in the information regardless as to how it was caused; or any missing or incomplete agenda items.