HUNTSVILLE CITY COUNCIL MINUTES

Regular Meeting - June 12, 2025 - 5:30 p.m.

City Council Chambers, City Hall Huntsville, Alabama

Members Present: Mr. John Meredith, President

Dr. Jennie Robinson

Mr. Bill Kling Mr. David Little

Ms. Michelle Watkins

Mayor: Mr. Tommy Battle City Administrator: Mr. John Hamilton

City Attorney: Mr. John Hammo Mr. Trey Riley

City Clerk: Ms. Shaundrika Edwards

President Meredith called the meeting to order at the time and place noted above.

The invocation was offered by Chaplain Don Eade; Mr. John Merrill led the Pledge of Allegiance.

APPROVAL OF THE AGENDA.

President Meredith said item 9.a on the agenda had been withdrawn at the request of the sponsor, as the property was in compliance.

The Agenda was approved as corrected.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS.

President Meredith said the Council members had been provided copies of the Minutes of the Regular Meeting of the Council held on May 22, 2025, and the Minutes were approved as submitted.

President Meredith said the Council members had been provided copies of the Minutes of a Work Session of the Council held on May 30, 2025, and the Minutes were approved as submitted.

COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS.

Resolution for Approval and Presentation.

Resolution No. 25-427, honoring the Historic Huntsville Foundation for receiving the prestigious James Ray Kuykendall Historical Society Award.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-427)

Councilmember Robinson asked Ms. Donna Castellano, Executive Director of the Historic Huntsville Foundation, to come to the podium.

Councilmember Robinson read from the resolution, honoring and congratulating the Foundation on receiving this award, noting that the Foundation had demonstrated exceptional dedication to the preservation and promotion of the rich history and heritage of the city, fostering a deeper appreciation and understanding of local history, and had received this prestigious award for exemplifying outstanding leadership in historical preservation and education, with specific appreciation of the Foundation's exemplary history programs and exhibitions that illuminated the significant, yet often overlooked, contributions of Huntsville's Black entrepreneurs, helping to ensure that a fuller and more inclusive narrative of the city's past was preserved and celebrated. She said they wished to formally acknowledge the Historic Huntsville Foundation's enduring legacy and continuing impact on the cultural and historical landscape of the community.

Councilmember Robinson presented the resolution to Ms. Castellano, and she thanked her for everything the Foundation was doing.

Ms. Castellano expressed appreciation for the recognition. She said the Historic Huntsville Foundation, for the past five years, had made an effort to share

the history of those Black Huntsvillians who confronted Jim Crow and made the city, state, and nation a better place to live. She said at the Historic Huntsville Foundation, they believed those Huntsville stories were American history, and they appreciated the support they had received from the City of Huntsville, noting they had been a steadfast partner, and this was much appreciated.

PUBLIC HEARINGS TO BE SET.

Resolution No. 25-429, to set a public hearing on the zoning of 1.14 acres of land lying west of Old Big Cove Road and north of Knotty Walls Road to Residence 2 District, at the July 24, 2025, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-429)

Introduction of Ordinance No. 25-430, zoning 1.14 acres of land lying west of Old Big Cove Road and north of Knotty Walls Road to Residence 2 District.

Resolution No. 25-431, to set a public hearing on amending a plat restriction, to remove a portion of the natural landscape buffer established on Boundary/Minor Plat of "Sawan," as recorded as Plat 2020-00016767 of the Probate Records of Madison County, Alabama, at the July 24, 2025, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-431)

Introduction of Ordinance No. 25-432, amending a plat restriction, to remove a portion of the natural landscape buffer established on Boundary/Minor Plat of "Sawan," as recorded as Plat 2020-00016767 of the Probate Records of Madison County, Alabama.

Resolution No. 25-433, to set a public hearing on the rezoning of 4.73 acres of land lying east of Pulaski Pike and north of Stringfield Road from Residence 1-A District to Residence 2-A District, at the July 24, 2025, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-433)

Introduction of Ordinance No. 25-434, rezoning 4.73 acres of land lying east of Pulaski Pike and north of Stringfield Road from Residence 1-A District to Residence 2-A District.

Resolution No. 25-435, to set a public hearing on amending Zoning Ordinance, Article 72, Sign Control Regulations, Section 72.2, Definitions, to modify Definitions; Section 72.7.5, Permanent Signs in the General Business C-3, Central Business C-B, Research Park 2, and Village Business C-6 districts, Subsections 72.7.5(1)(c), 72.7.5(1)(e)(ii), 72.7.5(1)(f)(i), and 72.7.5(1)(g)(i), to modify requirements; and Section 72.8, General Sign Standards, Subsection 72.8.9, to modify a standard, at the July 24, 2925, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-435)

Introduction of Ordinance No. 25-436, amending Zoning Ordinance, Article 72, Sign Control Regulations, Section 72.2, Definitions, to modify Definitions; Section 72.7.5, Permanent Signs in the General Business C-3, Central Business C-B, Research Park 2, and Village Business C-6 Districts, Subsections 72.7.5(1)(c), 72.7.5(1)(e)(ii), 72.7.5(1)(f)(i), and 72.7.5(1)(g)(i), to modify requirements; and Section 72.8, General Sign Standards, Subsection 72.8.9, to modify a standard.

Resolution No. 25-437, to set a public hearing on the vacation of a portion of a right-of-way in Seminole Park at Indiana Avenue, at the July 10, 2025, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-437)

Introduction of Resolution No. 25-438, consenting to the vacation of a portion of a right-of-way in Seminole Park at Indiana Avenue.

Introduction of Ordinance No. 25-439, vacating a portion of a right-of-way in Seminole Park at Indiana Avenue.

AGENDA RELATED PUBLIC COMMENTS.

President Meredith said this portion of the meeting was reserved for persons wishing to address the Council on matters relating to the specific content of items on the meeting agenda. He said persons could sign up to speak on the Public Comments Roster prior to the meeting, and that when called, they should approach the microphone and state their name, home address, and city of residence. He said each speaker could address the Council for three minutes, and that 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.

Ms. Joy Johnson, West Arbor Drive, Huntsville, addressed the Council, having signed up to speak concerning "20.e, g, h, i, streets."

MAYOR COMMENTS.

Mayor Battle said Armed Forces Week had turned into Armed Forces Two Weeks, that they had started off with a ceremony, signing a document noting their dedication to Redstone Arsenal and the work being done by the Armed Forces there; that they had a softball game, where Huntsville and elected officials from all over

North Alabama had played the Arsenal, losing 14-3; and then they had a luncheon, with more than 1200 in attendance, and General Christopher Mohan, the Commanding General of the Army Materiel Command, had made a great speech, making the city proud of what was being done at Redstone Arsenal.

Mayor Battle said the upcoming Saturday would be the 250th Anniversary of the U.S. Army, and there would be a U.S. Army Ball at the Davidson Center, noting that this would be a great event, to honor the U.S. Army on its 250th birthday.

Mayor Battle said the Juneteenth Festival would be on the following Saturday, at Big Spring Park, between 5 and 8 p.m., and he urged people to be weather-aware concerning this event. He said that hopefully there would be enough break in the clouds to put on this festival.

Mayor Battle said Concerts in the Park were being held each Monday, noting that at the first concert, there had been approximately 3,000 people in attendance.

COUNCIL MEMBER COMMENTS.

Councilmember Robinson said the Council had recently held a Work Session on Code Enforcement, and she thanked the Community Development team for the work they were doing concerning this and for how responsive they had been to Council member and citizen concerns. She said one of the most interesting presentations in this meeting concerned machine learning and how that might be used for greater efficiency in Code Enforcement, and also leveraging taxpayer dollars for the greatest impact.

Councilmember Robinson said she had just received word that the long-awaited water line on Green Mountain was working, noting that the water needs on Green Mountain were being adequately provided.

Councilmember Robinson said she had recently had the opportunity to speak to the residents of Redstone Village, that she had provided them an update of the city as a whole, as well as projects in South Huntsville, where they were located.

Councilmember Watkins congratulated the Army on winning the ball game, noting that she worked with them, so she had to cheer for them.

Councilmember Watkins said she had attended the Legacy Kickball

Tournament, and it had not turned out to be exactly the way she had thought it would
be, with just being a cheerleader, that they had given her a jersey and told her to go
out and kick the ball and run the bases and catch the ball, and since she was a trooper,
she had kicked the ball and got on base.

Councilmember Watkins said she would be holding a Town Hall on Tuesday, June 17, at 5:30 p.m., at the Johnson Legacy Center, and they would be talking about roads. She said she had invited Chris McNeese, the Public Works Director; Nick Nene, the Traffic Engineering Director; the Mayor; and Mr. Hamilton. She said people could come out for this discussion on roads and learn how they were paved, when they were paved, and what determined when they would be paved.

Councilmember Watkins said there would be a Community Fair on June 22, from 10 a.m. to 2 p.m., at the Johnson Legacy Center, and she said this would be in partnership with Happy Health, Oak Street, Huntsville Hospital, Sparks, and the Legacy Center.

Councilmember Watkins said she had recently attended the 32nd Annual Dr. John Clay Vision Banquet, for the Huntsville Bible College, and it had been a great night.

Councilmember Watkins said she wanted to thank some individuals whom she called all the time, and they answered the phone: Travis Cummings, Scott Erwin, Thomas Nunez, and Shane Davis. She said when she called with questions, they answered the phone, and they always gave her an answer, and she appreciated that.

Councilmember Watkins said on the following Saturday, her mother-in-law,

Ms. Louise Watkins, would be 99 years old, and she wished her a Happy Birthday.

Councilmember Kling said he had the opportunity to attend the Mayfair Neighborhood Block Party, and it was a great event.

Councilmember Kling said he wanted to give a shout-out to Landscape

Management and Recreation for the work they had done with the grass in this
neighborhood park, that it was growing and looked great, and everyone was really
appreciative of this.

Councilmember Kling said he had also attended the opening of the Food City on Governors Drive, and he had sampled a lot of food. He said he thought that grocery store was going to do very well in that part of the city, noting that there had been a great turnout for the opening, and he thought this was a big need in that part of the city.

Councilmember Kling said he had also had the opportunity to attend the Memorial Day Veterans Service that was held to honor all the heroes, noting that he had learned that during the time of our country, there had been more than one million people lose their lives on the battlefield in order for others to have the freedoms they had today. He said he felt persons should reflect on this.

Councilmember Kling said he had heard Malcolm Thomas speak recently, and he had talked about funding to help with the MLK Unity Breakfast they sponsored every year, noting that the expense for this was going up. He said he had told Mr. Thomas he would see about getting some support for this, and he said he was going to put up \$2,000 out of his individual discretionary account for the next fiscal year, and he said perhaps some of the other Council members might want to do this also, noting that if they all pitched in, this would provide this group about \$10,000, which could be a big help for their project.

Councilmember Kling thanked a couple of department heads, noting that

Mr. James Gossett was taking care of getting a long-needed pavilion constructed at Pine Park, which was a small neighborhood park, and it was probably the only neighborhood park in the city that did not have a pavilion or any type of a shelter. He said that, also, Scott Erwin was literally the man of the hour, that one of the most serious things that came up from time to time was when one of the senior citizen housing developments had either their electricity or air-conditioning go out, and he said at Mayfair Towers, some of these units were out, and he had contacted Mr. Erwin, and in a short period of time, the air-conditioning had come back on, after being out for several days. He said nothing was more important in the community than looking out for the interests of senior citizens.

Councilmember Kling said he was aware that at this meeting, they would be having some significant discussion concerning the sewer rate increase, and he was looking forward to hearing the ideas of other Council members, and he had some things he wanted to bring up, as well as some information he wanted to request. He said after all the discussion on this matter was concluded, rather than voting at this meeting, he wanted to ask that this be carried over to the next Regular Council Meeting, to provide the public more opportunity to ask questions concerning this, and also for the Council members to find out more information for themselves, so that there could be a more informed vote.

Councilmember Little said he agreed with Councilmember Robinson's comments concerning the recent Work Session, and he thanked Mr. Erwin and his team for all the work they had put into it.

Councilmember Little thanked Community Development, Traffic Engineering, the Police Department, Public Works, Huntsville Utilities, Engineering, and Landscape Management for their quick responses to his recent concerns.

Councilmember Little said he would be doing Art Tours in City Hall on the

following day, and he said if anyone would like to have a tour, to reach out to him, he could certainly set that up, usually on a Friday.

President Meredith said his father also had a birthday this month, that he would be 92 on June 25.

President Meredith said there would be a Juneteenth celebration on the upcoming Saturday at Butler Green, and he was looking forward to attending.

President Meredith thanked the citizens who had attended his Town Hall at the Reserve, and he also thanked the Huntsville Police Department and School Board Representative Carlos Mathews, his counterpart on the School Board, noting that he went out of his way to make sure to attend every Town Hall meeting he could, to answer questions related to the schools.

President Meredith thanked the four department heads who had made up the guest list at his last Forum, noting they had done a wonderful job in their presentations, as well as answering questions. He also thanked the people who had attended this public meeting.

FINANCE COMMITTEE REPORT.

Resolution No. 25-440, authorizing expenditures for payment.

Motion for Approval by Watkins/Seconded by Little.

President Meredith said this appeared to be a larger figure than normal, and he asked if Ms. Penny Smith, Director of Finance, could comment on this.

Ms. Smith said there had been a three-week period since the prior Council meeting, when normally this was a two-week period, and this accounted for some of this increase, noting there was more time to put more expenditures in. She said that, also, sometimes it was debt, noting that primary debt payments were run twice a year.

Unanimously Adopted.

(RESOLUTION NO. 25-440)

Ordinance No. 25-441, approving appropriations, goods, or services for District 5 Council Improvement Funds.

Motion for Approval by Meredith/Seconded by Kling.

President Meredith said this allocation was from the District 5 account, and it was for \$5,000 to go to the North Alabama Coalition for the Homeless, to provide funding for their SHINE program, which provided case management and client services for individuals residing in sober living facilities.

Unanimously Adopted.

(ORDINANCE NO. 25-441)

BOARD APPOINTMENTS TO BE VOTED ON.

President Meredith said the next board appointment would require a four-fifths vote of the Council for passage.

Resolution No. 25-396, reappointing Joshua McCoy to the Earlyworks Museums Board, Place 8, his current seat, for a three (3) year term to expire June 26, 2028.

Motion for Approval by Robinson/Seconded by Meredith/ Unanimously Adopted.

(RESOLUTION NO. 25-396)

Resolution No. 25-397, appointing Alex East to the Earlyworks Museums Board, Place 7, to fill the seat previously held by Chase Allen, for a three (3) year term to expire June 26, 2028.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-397)

BOARD APPOINTMENT NOMINATIONS.

Nomination to reappoint Gripp Luther to the Huntsville Natural Gas

Utility Board, to his current seat, for a three (3) year term to expire July 1, 2028. (Little)

Nomination to reappoint **Gripp Luther to the Huntsville Water Utility Board**, to his current seat, for a three (3) year term to expire July 1, 2028. (Little)

Nomination to reappoint **George Moore to the Huntsville Electric Utility Board**, to his current seat, for a three (3) year term to expire July 1, 2028.

(Little)

Nomination to reappoint **Jeff Sanders to the Huntsville-Madison County Marina and Port Authority, City Council Place 2**, his current seat, for a five (5) year term to expire July 1, 2030. (Robinson)

Nomination to reappoint **Frank Caprio to the Huntsville-Madison County Emergency Management Board, Place 1,** his current seat, for a five (5) year term to expire July 1, 2030. (Robinson)

President Meredith asked if there were any nominations from the floor.

Nomination to appoint **Samuel T. Greene, II, to the Huntsville Water Utility Board,** to the seat previously held by Gripp Luther, for a three (3) year term to expire July 1, 2028. (Watkins)

Nomination to appoint **Samuel T. Greene**, **II**, **to the Huntsville Natural Gas Utility Board**, to the seat previously held by Gripp Luther, for a three (3) year term to expire July 1, 2028. (Watkins)

LEGAL DEPARTMENT ITEMS/TRANSACTIONS.

Vacation of Easements.

Ordinance No. 26-447, authorizing the vacation of a Utility and Drainage Easement at Moores Mill Road and Highway 72, for Trailhead Investment Company, LLC.

Motion for Approval by Robinson/Seconded by Meredith/

Unanimously Adopted.

(ORDINANCE NO. 26-447)

Ordinance No. 26-448, authorizing the vacation of a Utility and Drainage Easement between Lots 1 & 2, Locust Grove Subdivision. (Ratliff)

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(ORDINANCE NO. 25-448)

Ordinance No. 25-449, authorizing the vacation of a Utility and Drainage Easement between Lots 1 and 2, Leeman Ferry Commercial Subdivision, at Leeman Ferry Circle. (LFSW, LLC)

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(ORDINANCE NO. 25-449)

Ordinance No. 25-450, authorizing the vacation of a Utility and Drainage Easement, Tract 2, Ashley Park, Phase 2 Subdivision. (CITI Capital Holding)

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(ORDINANCE NO. 25-450)

Deeds for Acceptance.

Resolution No. 25-451, authorizing the acceptance of a Public Utility and Drainage Easement from WaterWalk Huntsville, LLC, to serve Lot 1E, Perimeter Corporate Park.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 25-451)

UNFINISHED BUSINESS ITEMS FOR ACTION.

Ordinance No. 25-424, to name the property located between North Rose Drive, South Rose Drive, Pine Avenue, and 9th Avenue as "Westlawn Park," which ordinance was introduced at the May 22, 2025, Regular Council Meeting.

Motion for Approval by Kling/Seconded by Robinson/Unanimously Adopted.

(ORDINANCE NO. 25-424)

Ordinance No. 25-425, declaring certain property surplus and to be donated to Calhoun College, which ordinance was introduced at the May 22, 2025, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(ORDINANCE NO. 25-425)

Ordinance No. 25-426, amending certain sections of Chapter 21, Article II, Division 9, Rates, of the Code of Ordinances of the City of Huntsville, Alabama, which ordinance was introduced at the May 22, 2025, Regular Council Meeting.

Motion for Approval by Robinson/Seconded by Meredith.

President Meredith called for the vote on the above ordinance.

Councilmember Kling called a point of order.

President Meredith asked Councilmember Kling to state his point of order.

Councilmember Kling said he would like to find out more about what was being proposed with this ordinance.

President Meredith said the point of order was well taken, and he thanked Councilmember Kling.

President Meredith recognized Mr. Davis.

(Mr. Davis made a PowerPoint presentation.)

Mr. Davis said that as he said at the prior Regular Meeting of the Council, this was the first proposed sewer rate ordinance amendment since 2005.

Mr. Davis said he would like to provide the Council with an overview of the Huntsville Wastewater Treatment System, noting that there were six wastewater treatment facilities, capable of treating up to 110 million gallons of wastewater per day, and there were 84 pumping stations, over 40,000 manholes, and almost 2,000 miles of gravity sewer.

Mr. Davis said the system was quite large, and he said the displayed slide showed the various basins, and they were tagged with the wastewater treatment facility for which that sewage was received.

Mr. Davis said what he wanted to go into was, first, the current financial situation and cost allocation of Water Pollution Control. He continued that this was actually a City department, unlike Huntsville Utilities. He said the slide that was displayed showed a breakdown of how current revenues were used to operate and invest in the system. He said this was very heavy on Material & Process Equipment, Utilities, and Personnel, exceeding 60 percent of the budget.

Mr. Davis said what they were focused on at this time were the orange and green segments, noting that this was Repair/Replace Existing Collection System, making upgrades to an aging system, and Repair/Maintenance of the existing Treatment Facilities.

Mr. Davis displayed another slide, and he said this indicated why this ordinance was before the Council. He said Water Pollution Control, like other Utilities across the nation, had not been insulated from rising costs associated with inflation. He said labor for materials had gone up as salaries were continuing to increase across different sectors, and some of that got passed on to the customer, and they were a large customer in the Utility business, as far as pipes, manholes,

specialized equipment, and treatment facility equipment.

Mr. Davis said it had been 20 years since they had been before the Council to ask for a rate increase, and he said one of the reasons for this was that Huntsville's sustainable growth had allowed them to not have to ask for constant rate increases. He said that, however, the current revenues could not support the necessary Capital Plan for infrastructure reinvestment in the sewer system. He said they had not made significant massive upgrades to the system since the 2005 rate increase.

Mr. Davis asked that the Council members look in the gray shaded area, Capital Improvements, and he said this was a five-year snapshot of the approved budget the City Council had provided for Water Pollution Control to operate under. He said if they would look at FY 2024, they had proposed starting these Capital Improvements at the treatment facilities, at just over \$22 million. He continued that they could see on the display what that was doing to the Operating Income, that in red, they could see there was a loss, meaning their Expenses were more than their Revenue. He continued that they had done a budget amendment in FY 24 to reduce that by about \$10 million, to finish in a net positive position.

Mr. Davis said there was a need to make investments, to stay in compliance and have a reliable system, noting that he was talking about the existing collection system, that this was not to help developers build new subdivisions or paying for anything in those subdivisions, that it was reinvesting in the aging collection system and their 84 pump stations and the treatment facilities they owned, operated, and maintained.

Mr. Davis said that again in 2025, hoping that the growth and the new residential coming on line, and the commercial, and things, would outpace that, they had done another test in the current budget they were in. He said in the gray area, they could see where they tried to test this, in the amount of almost \$20 million in

Capital Improvements, and they could see how these operating revenues would come in, if they would grow, and they had been tremendously flat, not decreasing, but in the last four years, they had averaged about \$45 million in revenue. He said they could see, on the bottom right of the screen, that the Net Position was just under \$7 million in the red, so they were going to have to again delay, or forego, or postpone those Capital Improvements, to finish in a positive situation with Revenue.

Mr. Davis said what Water Pollution Control was doing to maintain proper cash flow, operate, and stay in compliance was to reduce their annual budgeted Capital Improvement expenditures, noting that these were what they called "repair in place," for things that happened unexpectedly during their budget year, things they had to get back up and running, noting that some of this could amount to a quarter of a million dollars apiece, and they might have dozens. He said they were reducing this as much as possible, trying to do just emergency-type repairs. He continued that they would delay filling job vacancies, noting that there were about 27 vacancies in the department. He said that, also, they would suspend what they had been trying to do with this Capital Improvement Plan, critical long-term capital improvements, being pipe, that that was pipe bursting portions of the collection system, noting that when it rained, they were getting I&I, which was rainwater coming in that they would have to treat, and that cost money, and if they fixed that, they would not have to treat it, so it would reduce costs, and also a burden to their customers, as far as fees.

Mr. Davis displayed a slide entitled "Historic Sewer Rate Analysis," and he said this told a good story of where they had been and where they were at this time. He said from 1984 to 1994, the sewer system was not in a good place. He said that initially, the responsibility of Water Pollution Control was to treat sewage and operate the wastewater treatment facilities, and at that time, Public Works handled the collection system, much like they did the storm drains out in the city. He continued

that there was not really a good revenue stream for Public Works to maintain that, and it was not what they would see in a typical city format, that a sewer utility should manage the whole system.

Mr. Davis said at that time, they were graded by EPA and ADEM to have a "Poor to Mediocre" system, that they were not making any investment, and they were averaging 300 to 400 annual sewer overflows, and the Clean Water Act said they "shall have none." He said that was certainly not attainable, that there were things that happened that they could not prevent, just contractor errors or things that would happen.

Mr. Davis said in 1995, they transferred everything, that they had a rate increase, and he noted they could see the portion in green on the display escalating, and they got the system to what they considered "Stable." He said it was manageable, and they were not in risk of going under a Consent Decree by the Department of Justice, from the EPA.

Mr. Davis said in 2005, EPA introduced a new program, called the "CMOM Program," which allowed them to make active annual investments in the collection system, facility maintenance, monitoring systems, so they could get real-time data of how the system was reacting. He said they had gone through that audit and made those investments and had come out in a "Good" system condition, with their regulators, and they had been able to maintain that.

Mr. Davis said once they made that investment in 2005-20014, what they had been doing was operating the system, and the system was aging, and they believed it was time for capital improvements, as they had tried to do over the past two years, to maintain the "Good" status.

Mr. Davis displayed another slide, and he said this correlated to the rate. He said when they were in really bad shape, the average monthly bill was \$2.65, and they

made a whopping increase of just under \$5, and they still had a failing system. He said in 1994 and 1997, they had really gotten focused on getting out of that situation with regulators and getting to a "Stable" system, and in 2005, getting to where they were at this time, with it being considered one of the better operating facilities in the State of Alabama. He said Water Pollution Control had received numerous awards on how they operated and how they maintained, and they wanted to maintain that premise with their regulators, and also the confidence of service to their customers.

Mr. Davis displayed another slide, concerning Current Challenges Within the Sewer Industry and Huntsville. He said the current challenges included Personnel, Construction Costs, Process Equipment, Specialized Fleet, and he said on the Specialized Fleet, a lot of this would be equivalent to what they paid for a fire truck, that they were very significant in cost, but they had a very long service life. He said there were also increased and expanding regulations. He said some new regulations they were starting to see were nutrient removal; new permits, where they were having to report nutrients, noting that was the step next to actually removing certain nutrients, organic-type nutrients. He continued that there was what they referred to as "PFOS/PFAS," the forever chemical. He said they had heard Wes Kelley talk about Huntsville Utilities, on the water side, and he said that was also going to apply to the wastewater side. He said those were unfunded-type regulation mandates.

Mr. Davis displayed another slide, and he said this concerned a poll that was done annually by a national publication in the wastewater industry, as to what the challenges were that systems were seeing across the country. He said the top four they were seeing were Aging Infrastructure; Availability of Capital to Replace or Repair or Rehabilitate Aging Infrastructure; Increasing/Expanding Regulations; and Managing Increased Capital Costs, Due to Inflation.

Mr. Davis displayed a slide, and he said this again showed the system. He said

the four treatment plants that were labeled in red were part of the \$150 million Capital Plan, where they wanted to make some significant investments in aging infrastructure within those treatment facilities. He said, concerning the Western Area Treatment Plant, that back in 2014, where the Council members had seen they made that capital investment, it was for this facility, that the had to move forward with that, but they had delayed the others.

Mr. Davis displayed another slide, and he said this showed all the areas where the system rehab would occur, for increased reliability and service capability. He said they could see that the majority of this was in the heart of the community, in the most established portions of the community, Central Downtown, North, South, Southeast, and what he called the older part of West Huntsville, from the Research Park area back toward downtown; and certainly out near the airport, as they had seen growth in both industrial clients and jobs, creating 46,000 jobs. He said they needed to do some maintenance to upgrade that system, that it was performing well, but they knew they needed additional capacity in that area.

Mr. Davis displayed another slide, and he said this was a breakdown of the \$150 million. He said at the very bottom on the display was "Redstone Arsenal Sewer System Support," and he said there was a mandate for military facilities to privatize utilities, and he said the sewer was the only one on Redstone that had not been secured, that they had a private service that was not going as well as they would like, so they had reached out to the City, much like they had done to Huntsville Utilities, to possibly enter into an intergovernmental service agreement so the City would provide that operation and support. He said that would come with a revenue stream back to the City, that they would not do that for free. He said they were aware they would have to do some improvements to accept whatever that solution could be to support Redstone Arsenal, so that was included in there. He said the reason he had it in its

own category was that they would see, as these conversations progressed, whether they needed to engage in that or not.

Mr. Davis displayed another slide, and he said this depicted how they would expend the funds of the proposed 10-year Capital Plan. He said they could see that 65 percent of this would be in either Treatment Facility Improvements or Collection System Rehab. He said they were going to upsize the Collection System capacity. He said Sewer Expansion, providing new sewer to areas currently not served, was only 10 percent of this. He said the reason they thought this was important was the small expansion would allow them to pick up new customer-based revenue that would prolong sewer rate increases. He said they always had to grow a little to help cover those costs, but they were not putting a majority into this, that it was always a small amount.

Mr. Davis displayed a slide entitled "Proposed WPC Sewer Rate Adjustment," and he said this showed the rate classes, that they had three rates, and the Other Rate was a standard sewer rate, which was all customers, regardless of commercial, residential, or industrial, unless one was a single-meter water customer, residential, which would get a 15 percent discount, noting that they would know this user would use part of their water for non-consumption, and it would not make it to the sewer system. He said this was what was referred to as a single-family rate, and it was their cheapest rate, and it was what the majority of their residential customers were on, and that was what he wanted to refer to as he talked about this moving forward.

Mr. Davis said at this time, under that single-family rate, the average sewer bill was \$24.15, based upon a 5,000-gallon usage, which was pretty much the average use they saw through Huntsville Utilities' billing, what the average customer was using.

Mr. Davis said starting September 1st, if this were approved, either at this meeting or at the next Regular Council Meeting, that rate would increase by \$5 per

month. He said the customer would not see this until their October billing. He continued that for the next four years, 2026 through 2029, the increase would be an average of \$1.25 per month, and then for the last five years, it would be a \$1 increase.

Mr. Davis displayed a slide entitled "Sewer Rate Comparison - Alabama Cities," and he said this showed the comparison between Huntsville's rates and other Alabama cities' rates. He said he would not say Huntsville was the cheapest, because he could not verify that, but based upon the Alabama Department of Environmental Management, he could not find a rate cheaper than Huntsville's. He said the Alabama average at this time was \$52.14, based off this same reporting record.

Mr. Davis displayed another slide, and he said he liked to compare rates within the area, and he said what was shown on the slides were rates in and around the community, and he said the average in this metro area was \$54.02, and Huntsville was at \$24.15.

Mr. Davis displayed another slide, and he said he wanted to do a water bill versus sewer bill comparison, and he said the current water bill for a Huntsville Utilities customer, on 5,000 gallons of water, would be \$28.19, and for that same 5,000 gallons of water for sewer, it would be \$24.15, and the first rate increase would take it to \$29.15. He continued that for both nationally and regionally, the typical sewer rate was 1.5 to 2.0 times higher than the average water bill for a residential customer. He said as they could see, Huntsville was nowhere near that. He said part of this was as a result of the growth, noting that they had been able to absorb a lot of these costs with the growth in the city. He said the transport and treatment of sanitary sewage was much greater in cost than the treatment of potable water, and that was why the cost was typically more. He said he thought they had been good stewards with the revenue they had in maintaining the system, but the growth had really helped prolong the need to come before the Council.

Mr. Davis displayed another slide, and he said what they were trying to do was to space out the increase and to do it in a way they could manage and make sure they were spending the money in the right way and also in a way that would not have a dramatic impact on their customers. He said that as shown on the display, the final rate in 2034 would be \$39.15, and he said they believed this would give them another 20 years. He said he believed they had found a way to leave this like they had found it years ago, in good shape, financial shape, but also strategy, master planning, and maintenance for the system. He said this rate would be \$39.15, and the average rate surrounding Huntsville was \$54.02, and he said, in the next decade, with the same regulations they were looking at, the other systems would have to make adjustments.

Mr. Davis said they wanted to take care of their system and be responsible to present to the regulatory authorities, in order to have a good system that was reliable, and also in a way the customers would know they were doing it in a way that it was not just on the back of their customer.

Mr. Davis said they had waited until the very last minute, and he said they had seen other cities in the state go under a Consent Decree. He continued that he had been part of that, that he was in private consulting before working for the City, and one of the things they had done was to help Utilities get out of Consent Decrees, noting that whatever they had to do, they had to be in compliance by five years. He continued that this was how you got to \$100 and \$150 per month sewer bills, and he said Huntsville did not want to be there.

Mr. Davis displayed another slide, and he said they did wholesale sewer to regional customers, including the City of Madison, the Town of Triana, Madison County Schools, et cetera, and he said what he wanted to point out was that this was not just a rate increase for residential and commercial customers, that they were passing this on to their wholesale customers also. He said this Other Rate would be

\$6.86, which was much more than the rate increase they were asking for for residential. He said these would go into effect after a 90-day notice, so this could go into effect prior to the increase to the residential individual customer.

Mr. Davis displayed a slide entitled "Proposed Grease and Septage Waste Rate Adjustment," and he said this was collected from restaurants, car washes, industry, and unincorporated areas that might be on a septic tank. He said there were a very small number of septic tank users in the city, but they collected that and treated it. He said this had not been updated in 20 years, so they were certainly out of scale on it, and they would be adjusting it. He said they did not get a lot of this waste, but they were required to be able to accept it. He said they wanted to make sure they were accepting only theirs and not from Atlanta or Nashville because their rates were so cheap, because that grease had a negative, negative impact on treatment facilities, so they wanted to make sure they were in line such that they did not have haulers from out of the city, or even out of the state, bringing it to them because their rates were so low, that they wanted to just take care of Huntsville businesses that needed this service.

Mr. Davis displayed another slide, and he said he wanted to give just a quick overview. He said this was a 10-year Capital Plan, on the existing system, that it would be a \$150 million infrastructure reinvestment plan over a 10-year period, and the first rate increase would take them to \$29.15, and over the next nine years, at about \$1 per month, it would get them to \$39.15 in 2034.

Mr. Davis said he would answer any questions the Council members might have.

Councilmember Kling said the district he represented was in the central part of the city, and he asked what the benefit would be for his district with this increase.

Mr. Davis said Councilmember Kling's district had some of the oldest sewer

they had, and it was a part where they were constantly having to make investments. He continued that they could not afford to come to the Council and say they wanted to dig up all that sewer and put all new sewer in, that they just could not afford it, that he would have to be asking for a rate increase that would be from \$80 to \$100 a month to do that. He said the older neighborhoods were where they wanted to focus.

Councilmember Kling asked how much of the rate increase was going to be used to subsidize developers. He asked if that was what the purpose of it was, for growth, for subsidizing developers.

Mr. Davis said that was zero. He said when a development came in, whether it was industrial or commercial or a residential subdivision, their ordinance required that developer to build all the roads, all the sidewalks, all the storm drains, all the utilities, including sewer, and when that sewer was put in, there were inspections, and only when it met their standards did the City accept it into maintenance. He said they would have accepted the roads and the sewers, at no cost to the taxpayer or their customer, and houses would be built. He continued that when the house came in, they had to pay a \$1,000 sewer-access fee. He said he could say 100 percent that the developers paid their way, that this was not a subsidy to increase development of residential subdivisions, that this was to take care of their system.

Councilmember Kling said on the chart, it looked like single-family was going to be paying a higher rate than Major Industrial, \$5.83 versus \$5.69.

Mr. Davis displayed a slide he had previously displayed, "Proposed WPC Sewer Rate Adjustment," and he said the Single-Family Rate was, in the column for 2025, \$5.83. He said the rate for all other classes was \$6.86. He said there was a discount for Major Industrial Rate, and that was where Councilmember Kling was seeing the \$5.69. He continued that the ordinance said this rate was for someone who used 100 million gallons of water per year. He said they had had only one customer that

had done that, and that was many years ago, and that was why the rate was in there, but they did not have anyone on that account at this time.

Councilmember Kling asked what would happen if the Council did not pass this, or a modification of it, if there would be no increase whatsoever.

Mr. Davis said he did not know that he had a firm answer for that, that they would certainly let their regulatory agency know they were doing all they could, that they would operate the system without investment. He said what typically happened was that annually they got audited, that inspectors would come in and look at their treatment facility and their sanitary overflow, that they had to report those annually, and if they saw those increase, what would typically happen would be that they would get a notice of a Consent Decree, which would be putting them on notice that they were not operating at the standard of their permit, that they were not meeting permit.

Mr. Davis said they did not want to get into that situation. He said he was not trying to place fear on the Council. He said he could not say that would happen in the following year, but he would think the probability would be greater than 50 percent that it would happen in the next three to five years. He said this would not be because they had a bad system, but they would just not be showing they were going to have a system that was long-term trustworthy, by reinvestment.

Councilmember Robinson said she had gotten inquiries regarding developers and why they were paying for developers, why the developers did not pay their way. She said her take-away was that the growth in the city had helped them not have to raise rates.

Mr. Davis said that was without a doubt.

Councilmember Robinson said they could thank the developers for that. She said that, however, at this time, they had a system that was, on the average, 48 years old, and that aging system, in aging parts of neighborhoods, needed to be replaced,

and the majority of that seemed to be in District 1 and District 4.

Mr. Davis said that was correct.

Councilmember Robinson said, however, it looked like all the districts would have some work to be done.

Mr. Davis said that was correct.

Councilmember Robinson said that was what they would be paying for, to maintain the integrity of the system and avoid issues with EPA and ADEM.

Mr. Davis said he would give a great example. He said their oldest treatment facility was actually their largest treatment facility, that it was off Vermont Road, off South Memorial Parkway, just south of Airport Road. He said that facility was put in place in 1952, and it still had the original concrete, that it was still producing clean water, as the newest plant was, in the western area. He said he thought the first one there was in 1988, and the first big expansion was in 2000 out there. He said they put the same water out, because they had great staff, in making those investments.

Mr. Davis said if they had to replace the facility on Vermont Road at this time, it would cost somewhere between 300 and 350 million dollars. He said they were not asking for that, that they were asking to continue to make investment in that facility so it would continue to meet permit. He said this was probably the least desirable facility to walk in, because of its age, and it looked like a relic, but it put out clean water. He said they could say they wanted a shiny new treatment facility, and it would still put out the same water, but they would be putting that on the back of the ratepayer. He said that was not what they were asking for.

Councilmember Robinson said Mr. Davis had given her good information to answer questions she had received from constituents, and she liked the suggestion of delaying this matter a couple of weeks so they could get this information out.

Councilmember Little said Mr. Davis had said there were 300 to 400

overflows back in the '80s, and he asked if that was an overflow, like, into somebody's house or if that was out on the system side.

Mr. Davis said it was both, running down the street, running into creeks. He said he had been in private industry, and they had helped the City in coming up with a plan. He said he worked with a large engineering planning firm, and they were a part of that action to come up with a plan of action to get that under control, through the Alabama Department of Environmental Management. He said that was how close the City was to being in a bad situation. He said a quarter-inch rain event would cause 20 to 30 overflows, and it was not unusual to see traffic cones in the middle of the street, just to keep kids or somebody from walking out in it. He said nobody wanted that type system, that they did not have that type system today. He said they had seen overflows in recent years to be as few as five for the entire year, but they had seen them creep up a little bit. He said the system would tell them when they needed to have reinvestment, and they were seeing that. He said it was still a good system, but if they waited five or seven years, he was not saying they would be back in that situation, but that would be in that Mediocre range.

Councilmember Little asked about the number of City residents that were still on septic, like Monte Sano was 20 years prior. He said he was curious if some of this would bring more of those into the system and get people off septic, or if that was really rare at this time.

Mr. Davis said it was, noting that it was topography in some cases. He said he could get that number for Councilmember Little, but he would say it was probably less than 50. He said off Big Cove, there was a street they had grandfathered in, and they had actually put sewer in years ago, but they allowed them, because they had septic systems, and they were not going to make them throw away that investment. He said they saw those, but there were just a handful.

Councilmember Little asked if with this plan, there would be a need to take on debt early on, and then pay it back with the rate increase, in five or six years, or if it would all be funded through the rate increase.

Mr. Davis said it could be somewhat both. He displayed a slide entitled "WPC Sewer Rate Model Analysis," and he said this was where they tested, that they put in the investment, and he said the pink line would be new debt, through the EPA and Alabama Department of Transportation State Revolving Clean Water Fund. He said they had been in that program in the past, and they liked to do that, noting that it did not go against the City's overall debt service, and it was a great report card to their regulators, that they saw them in that program, making improvements to the system. He said this was a low-interest loan, and it was made for water and sewer utilities, that that was all it could be used for. He continued that if they would look at the very bottom, "Annual Capital Assets," those were annual cash improvements, so it was a mix of both. He said they did not want to get debt heavy, debt burdened, that they were doing some of that early on, to the big treatment facility type projects, but this bottom section showed annual improvements that would just be cash as they went, to not put debt on the system.

Councilmember Robinson said all of Green Mountain was on septic, and that was more than 50 houses.

Mr. Davis said he had forgotten about Green Mountain, that he had been thinking of existing neighborhoods. He said they did monitor that, that Councilmember Robinson had them go up, and they had actually pulled in the Health Department, and Water Pollution had hired an outside site consultant. He said they were in no panic as far as the density there, that in 20 years, they might do something like Monte Sano, but at this time they could say the mountain was safe, that the water quality there was safe. He said those lots were very large, and he noted they

did not want density there, to cause a problem down the road.

Councilmember Watkins thanked Mr. Davis for the thorough presentation. She asked if Mr. Davis had said the City of Huntsville owned the sewer system and not Huntsville Utilities.

Mr. Davis replied in the affirmative. He said that was actually one of the 23 departments of the City.

Councilmember Watkins asked how old the system was in North Huntsville.

Mr. Davis said the system as a whole had an average of almost 50 years, with parts of it being much older than that, and downtown was in the late '40s, and some of that had been totally replaced. He said the original sewer pipe was cedar logs in downtown. He said he would say the average for North Huntsville was probably in the 30-to-35-year range, just as a guesstimate.

Councilmember Watkins asked if they had a surplus in the current year with the sewer system.

Mr. Davis said that answer was "Yes" and "No."

Mr. Davis displayed a slide he had previously shown, entitled "Department Revenues and Expenses," and he said, as they could see, on the adopted budget the Council had passed, in the last column to the right, it was projected to be in the red. He said this was because they really needed to do \$19 million of Capital Improvements to kick this off, in some of what they called "hot spot" areas of the city, where they really needed to do some work. He said they would not finish in the red, that they would adjust, and he said they had been adjusting, that the Director was doing a great job, as he had mentioned, holding vacancies and delaying capital improvements so it would finish in a positive direction, just like in 2024. He said they had tried to do that then, that they had known they needed to do the Western Area upgrade, and that was where they had seen that adjustment, of the approximately \$12 million, to finish with a

net surplus of \$6.3 million. He said this year, they had again tried to test this, and it would finish in the red, but to answer Councilmember Watkins' question, they would not finish in the red, that they would just not do those projects.

President Meredith asked what the impact would be of raising the wholesale customer rates and not hitting the individuals quite as hard.

Mr. Davis displayed a slide he had previously shown, entitled "Wholesale Sewer Customer Rate Adjustment," and he asked if it was correct that President Meredith was talking about the communities.

President Meredith replied in the affirmative.

Mr. Davis said they could certainly work on that. He said they had previously treated all the City of Madison, but in 1992, Madison had built their own treatment facility, that they were a growing community. He said there was one small area in the Edgewater community that it did not make sense to remove, that there was a portion of that subdivision in the city limits of Huntsville, but the back phase was in the City of Madison. He said it was already connected to the collection system, so they did not try to undo that, for 200 houses.

Mr. Davis said for the Town of Triana, they took all their sewer, that they did not have the means to treat. He said it was just treat, that they were not maintaining a collection system, that in most of these cases, they were just doing the treatment. He said that was why they saw some of these rates much lower, that they were not maintaining somebody's collection system, that they were getting it to the City's facility, and they were just doing the treatment.

Mr. Davis said to answer President Meredith's question directly, they would have to negotiate and bring before the Council an authorizing ordinance, as an amendment to the ordinance, and they could look at that down the road.

Mr. Davis said it might be that the \$5 rate could go to \$4.50. He said these

were not huge revenue streams for them, that they were such small amounts. He said he wanted to point out that it was not that they were not increasing these rates, that they were built into that ordinance.

President Meredith asked how many overflows they had annually at this time.

Mr. Davis said it would vary, that he would say that in the last five or six years, there had been 5 to 35, and some of those were manmade events, where perhaps someone would be digging or a plumber was fixing a resident's house, and they would leave something in the pipe that no one knew about, and it would take 6 to 8 hours, and they would get a call.

Mr. Davis said, also, what he would call the "infiltration," the heavy rain events they were having, that they had seen those go up anywhere from 10 to 20 per year. He said the system would tell them, that that was how they found hot spots. He said every overflow was mapped, and they would see an area of the system they needed to get back in.

President Meredith said Mr. Davis had mentioned 27 vacancies in WPC, and he asked what their normal full capacity would be.

Mr. Davis said he did not have that information in front of him, but he believed the authorized strength was right around 143.

President Meredith asked how much of a savings that was.

Mr. Davis said they had field crews, four-man crews, with a supervisor, that made hot-spot repairs, and he thought they were down three crews and a few operators, and he would say it would be \$1.2 million, \$1.5 million.

President Meredith said when they had gotten proposals for rate increases from Huntsville Utilities, they were often given a Plan B, which they might have to ask for. He asked if there was a potential for Mr. Davis to present a Plan B to this that would have a lower final cost, or have a lower increase.

Mr. Davis replied in the affirmative.

President Meredith said Mr. Davis did not have to go over that at this time, but if he could think along those lines, then they could talk, to just provide some sort of alternative to this, because at this time, it was this or nothing.

Mr. Davis said if that was the desire of the Council, they could look at that. He said they would trim back a couple of things, that they would take out some of the large capital improvements, maybe one or two treatment plants, try to defer that and see if they could limp along. He said they could run a model, that he needed to get with the Director, and they could certainly bring that before the Council in two weeks, to give them two options. He said they had modeled \$120 million versus \$150 million, and he thought that in 2034, it had made a \$3 difference. He said he was not saying that was not significant, but they had looked at it, and for \$3 per month versus not being in a regulatory standpoint, they had brought what they had before the Council, because they knew that as regulatory changes were made, they would not have to come back before the Council and say they had missed it. He said they did not want to do that.

Mr. Davis said they would look at this, and he would have something at the next Regular Meeting of the Council.

President Meredith said he certainly did not want the federal government coming in and telling them what they needed to do, and they definitely wanted to make sure they were giving people good water and did not have those issues, but if they could delay some of the projects that might not be front-burner things, he would like to take a look at that.

Councilmember Kling said he was aware that some other cities, such as Birmingham, New Orleans, and Atlanta, had gotten hit with some bad fines from EPA. He asked if Mr. Davis or some of his staff could do some research and find out what

these were. He said he thought Birmingham had been hit with something like \$500 million.

Mr. Davis said he did not want to speak about other communities, but he remembered, back in his early days with the City, going to a conference in Atlanta, and the City of Atlanta was under a Consent Decree, and they were paying a fine of \$1.5 million, and they had done that for two years, and the EPA had finally come in and said, "We do not want your money; we want you to fix it," and the City of Atlanta had said that the payment of \$1.5 million was much cheaper than fixing it. He said he thought the average sewer bill in Atlanta was about \$160 per month.

Mr. Davis said they could have a bad day on the following day with their system, so he did not like talking about other communities, but if they saw people in the state chart, Montgomery and Mobile, et cetera, they had learned a lot, and they had learned a lot from Birmingham, of what not to do, or the proactive things. He said if they looked at some of the higher rates in the state, \$70 or above, they had been through a Consent Decree.

Motion to postpone consideration of Ordinance No. 25-426 to the next Regular Meeting of the Council, on June 26, 2025.

Motion by Kling/Seconded by Robinson/Unanimously Approved.

President Meredith moved for reconsideration of Ordinance

No. 25-267, which was considered at the prior Regular Council Meeting, held on May 22, 2025. He said he had voted on the prevailing side on this ordinance, having voted in the negative, resulting in a tie vote that caused the item not to pass, that he was on the prevailing side and could make this motion.

Said motion was seconded by Councilmember Robinson.
Unanimously Approved.

President Meredith said the motion for reconsideration had been approved, so

Ordinance No. 25-267 was back on the floor as if no action had been taken on it.

Ordinance No. 25-267, amending Zoning Ordinance, Article 3, Definitions, Section 3.1, Interpretation, to modify and add definitions; Article 73, Supplementary Regulations and Modifications, Section 73.1.1, Subsections (1) and (2), to modify definitions and requirements; and to add Article 78, Community Homes.

Councilmember Robinson said this was the Community Homes ordinance they had talked about at the prior Regular Meeting of the Council. She said she had felt a need for this ordinance, simply because they had nothing that defined what a "Group Home" was, and in dealing with some issues regarding some group home sort of living situations, they had gone back to 1963, to look at Boarding House regulations that did not necessarily meet those needs. She said there had been concerns expressed by communities that wanted clarity on this, and there had been groups that wanted to start homes that wanted clarity.

Councilmember Robinson said this ordinance gave them definitions, that it told them how many people, in what zone, and it met ADA and Fair Housing regulations as well. She said it was legally acceptable, and it would give clarity to the community as a whole.

Councilmember Robinson said it had been her desire to see this ordinance created, and it had taken a year of work by Legal and Planning to put it together, and they had done wonderful work.

Councilmember Robinson said she believed Mr. Nunez was present to give the Council a relook at this ordinance.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez displayed a slide, and he said what was displayed were just some key points of the ordinance, as it was presented at the prior Council meeting. He said he would answer any questions the Council members might have.

Councilmember Kling said as he understood it, this would actually put in standards, where these housing units would have to comply with the same housing standards, as far as quality of housing, of the Community Development guidelines, as far as maintenance of the property, as any other neighborhood. He said it was in the back of his mind when this did not pan out, and they were going to have to wait a while for it to come back, that this would kind of leave a gap, where neighborhoods could be vulnerable, that there could be violations or things that could take place. He said if this were to pass at this meeting, that would help to ensure some of those protections, so neighborhoods would not have any substandard housing coming in, or with no regulation, as far as the guidelines they would have to follow. He asked if that was what was behind this.

Mr. Nunez said that was correct. He said what they had done was to have created three particular districts, or areas, for Community Homes, to the point that they would know exactly where they were and the limitations placed on those particular areas, that they would uphold particular laws from the State regulations that were in this ordinance, and, additionally, one of the things they had come up with was a reasonable accommodation procedural process that was also required by federal law to come up with as they did this process.

Mr. Nunez said this essentially installed the action that the communities were protected, while also protecting these entities to come into the neighborhoods, as they limited the number of individuals and housing style, and, additionally, gave some regulation as to what "transient occupancy" might look like, as well, in this particular action.

Mr. Nunez said this would not circumvent any of their other City regulations, as they were to be upheld as a standard of those different departments or ordinances or regulations that were in place. **Councilmember Watkins** asked Mr. Nunez if, for the sake of the listening audience, he could tell them what an "Essential Community Home" was.

Mr. Nunez said an "Essential Community Home" was a type of home that would be non-transient, that it would require 180-days occupancy, that it would be allowed in any residential district that allowed single-family housing, so from R1 through R2-C, and where those single-family houses existed, they controlled the number of individuals who would occupy those particular spaces, whether they be private and/or a business.

Councilmember Watkins asked if persons could stay more than 180 days.

Mr. Nunez replied in the affirmative.

Councilmember Watkins asked Mr. Nunez to define "Group Community Homes."

Mr. Nunez said by State law, they were required to allow Group Community Homes in any multifamily-zoned districts, so that would be Residence 2-A, 2-B, and 2-C. He said there would be a control mechanism of the number of individuals to 10, and the minimum required days to stay was 180 days, which was in compliance with State regulations, as it was to long-term stays. He said the number of 12 were allowed in districts such as Light Industry and Heavy Industry. He said all other districts that allowed for multifamily but did not allow for single-family lots could allow up to 12. He said what they had in front of them was the depiction of the 10 to 12, but specifically the ordinance spelled out all those sections, as he had just stated.

Councilmember Watkins asked about the "Transitional."

Mr. Nunez said the "Transitional" would be anything less than 180 days, so an individual or an entity could allow for an individual to stay for 3, 6, 10, or 160 days, that anything under 180 days would allow for the transition. He said in any district that allowed for Boarding and Rooming Houses, which primarily located in Residence

2-B or C-4, it could allow up to 10, but in Light and Heavy Industry, they were allowed up to 14. He said where they saw in parentheses that it said "10 or 14," that depended on the zoning district itself, specifically.

The vote was called for on Ordinance No. 25-267, and it was Unanimously Adopted.

(ORDINANCE NO. 25-267)

NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION.

Items 20.a, 20.c, 20.d, 20.e, 20.g, 20.h, 20.i, 20.s, 20.t, 20.aa, 20.ab, 20.ac, 20.ad, and 20.ae were held from the consolidation.

Motion for consolidation and adoption of the following items:

Motion for Approval by Meredith/Seconded by Kling/Unanimously

Approved.

Consolidated Items:

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. 25-453)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Goodwyn, Mills, & Cawood, Inc., for Engineering Design Services for Big Cove Greenway Extension, Project No. 71-25-WP01.

(RESOLUTION NO. 25-457)

Resolution authorizing the Mayor to execute Change Order No. 1 and Final to the contract between the City of Huntsville and Dunlap Contracting, Inc., for construction services for the John Hunt Park Public Restroom Renovations.

(RESOLUTION NO. 25-461)

Resolution authorizing the Mayor to execute Renewal #1 to the Lease

Agreement between the City of Huntsville and Wiz Kidz, LLC., for the lease of a portion of property.

(RESOLUTION NO. 25-462)

Resolution authorizing the Mayor to execute the First Amendment to the Lease Agreement between the City of Huntsville and Norfolk Southern Railway Company, and the City of Huntsville, Alabama, for a portion of property.

(RESOLUTION NO. 25-463)

Resolution authorizing the Mayor to execute Change Order No. 1 to JustFOIA Order No. 29896 between the City of Huntsville and JustFOIA, to remove Laserfiche Integration Configuration.

(RESOLUTION NO. 25-464)

Resolution authorizing the Mayor to execute Addendum No. 5 to Master Services Agreement No. 29149, between the City of Huntsville and MCCi, LLC, for the provision of records management imaging services for Municipal Court.

(RESOLUTION NO. 25-465)

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and One Diversified, LLC., on behalf of the Huntsville-Madison County Emergency Management Agency, identified as Sub-Coverage Services Agreement.

(RESOLUTION NO. 25-466)

Resolution authorizing the Mayor to enter into a Statement of Work between the City of Huntsville and One Diversified, LLC., identified as Assurance Managed Service 2025-2026 Renewal.

(RESOLUTION NO. 25-467)

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Cellco Partnership, d/b/a Verizon Wireless, that governs the

installation, maintenance, and operation of an in-building cellular coverage system for use with Verizon Wireless Service, at no cost to the City of Huntsville.

(RESOLUTION NO. 25-468)

Resolution authorizing the Mayor to execute a Ground Lessor's Estoppel Certificate between Hammons of Huntsville, LLC, and the City of Huntsville.

(RESOLUTION NO. 25-469)

Resolution authorizing the City Clerk to invoke Bryant Bank Letter of Credit No. 1358 for Packard Subdivision.

(RESOLUTION NO. 25-472)

Resolution authorizing the City Clerk to invoke Cadence Bank Letter of Credit No. 362001100702 for Meadows at Hampton Cove Phase 4B Subdivision.

(RESOLUTION NO. 25-473)

Resolution authorizing the City Attorney to settle the claim of Anndrea Jones (Claim FY25-146).

(RESOLUTION NO. 25-474)

Resolution authorizing the Mayor to enter into a Facility Use Agreement between the City of Huntsville and All Shook Up Bar and Beverage Catering, LLC, for the USO Low Riders Picnic.

(RESOLUTION NO. 25-475)

Resolution authorizing the Mayor to submit a USDOT Safe Streets and Roads for All (SS4A) Application for the Towards Vision Zero Huntsville Project.

(RESOLUTION NO. 25-476)

Resolution authorizing the Mayor to enter into a Memorandum of Agreement between the City of Huntsville, Alabama and Madison County, Alabama, for the paving of Old Big Cove Road between Sutton Road and Taylor Road.

(RESOLUTION NO. 25-477)

Items Not Consolidated.

Resolution No. 25-452, authorizing travel expenses.

Motion for Approval by Robinson/Seconded by Meredith.

Ms. Penny Smith said this resolution was for the approval of travel expenses, noting that they brought this before the Council at every regular meeting. She said City employees traveled for conferences or meetings, et cetera, and they turned in a travel expense form, per all the travel policies in the financial documents, and these were reviewed by her department, and they might make changes as appropriate.

Councilmember Watkins asked for the amounts being approved at this time.

Ms. Smith said she did not have that number in front of her. She said the numbers varied, and she said she would start providing that number.

Unanimously Adopted.

(RESOLUTION NO. 25-452)

Resolution No. 25-454, authorizing the City of Huntsville to reimburse the Industrial Development Board of the City of Huntsville for due diligence expenses incurred for anticipated Industrial Development projects.

Motion for Approval by Meredith/Seconded by Robinson.

President Meredith said he had held this item for the purpose of asking what some of these projects were and why they were tasked with reimbursing on this.

Mr. Shane Davis said they brought these items before the Council once or twice per year. He said in doing industrial development, they often had to have non-disclosure agreements, to do due diligence, preliminary geotech, or cultural resources, or environmental reports, on a piece of property they were submitting to try to recruit corporations and thousands of jobs, and, historically, Industrial Development had been able to do that. He said that for each project, they did not

come before the Council and ask for reimbursement, that they traveled on their own, and periodically, they would bring these before the Council.

Mr. Davis said there were projects in the North Huntsville Industrial Park that they were asking for reimbursements on at this time, with one being the latest expansion of Toyota Motor, and the second project was City land where Toyota had entered into a lease for the solar facility. He said they had a lot of cultural resources reports to get through there, that it was just undeveloped land they had purchased, that they had known it was clean, but in order to get through the process, they needed reports. He said they typically did not do that until they were looking to develop, because they had a shelf life, that they could do one, and five years later, it would not be good, so they would do it only when it was needed, in order to not waste money. He said there was a significant industrial project at a northeast property they owned, at the Greenbrier exit, the northeast corner; and the last one was a project site they were working on in concert with Madison County and TVA, on the east side of the city, on Highway 72 East. He said they were preparing that site, with reports and surveys, et cetera, so they could use it to respond to future RFIs.

Unanimously Adopted.

(RESOLUTION NO. 25-454)

Resolution No. 25-455, authorizing the Mayor to enter into an Amended and Restated Project Development Agreement and Amended and Restated Project Ground Lease between the City of Huntsville, Alabama and BREG HSV, L.L.C., for the Joe Davis Hotel Development.

Motion for Approval by Robinson/Seconded by Kling.

Councilmember Robinson said she had held this resolution, noting that this was a hotel development on the South Parkway, and there was a lot of interest in it.

She said she just wanted to assure everyone that they were moving forward with this,

that she wanted to make sure they got good information out about what was happening with this, and that the project would go forward.

Mr. Davis said they had started doing this for ease of records for the general public, and Legal, to get their hands on a complete document. He said at times there had been an amendment, and there was the original Development Agreement and the Ground Lease, and sometimes persons would not know that an amendment had been passed. He said what this was doing was putting it all together, with everything anyone would need to look back on it at anytime in the future, that this looked like a lot of pages, but it was simply clarifying it, that it was updated, and one of the biggest changes was a date change, that they had gone from completion of the hotel being March 31, 2026, to December 31, 2026. He said there had been some back and forth as to what type of product would go there, that Hilton had recognized the way the city was growing, and they had changed it to their newest flag, which was an extended stay called "LivSmart," and it would be 200 total rooms. He said they were ready to start on this, that their plans were being reviewed at this time.

Councilmember Robinson asked if this was part of the Stadium Commons development.

Mr. Davis replied in the negative, noting that was a separate project.

Councilmember Robinson asked if Stadium Commons was also doing a hotel.

Mr. Davis replied in the affirmative. He said there would be three hotels, to support tournaments and also general business in the city. He said what they were focused on was helping the Sports Commission, with all the investment that had been made in John Hunt Park, to be really competitive for tournament-type events.

Unanimously Adopted.

(RESOLUTION NO. 25-455)

Resolution No. 25-456, authorizing the Mayor to enter into an agreement

between the City of Huntsville, Alabama and Croy Engineering, for a Parking Lot at the Southwest Corner of Holmes Avenue and Monroe Street, Project No. 71-25-SP17.

Motion for Approval by Kling/Seconded by Robinson.

(Mr. Davis made a PowerPoint presentation.)

Mr. Davis said the Front Row Project at the former Coca Cola Bottling site was well under construction. He said when they had entered that development agreement, they had known it would be several years before the area they could see shaded in blue on the display, the corner of Monroe Street and Holmes Avenue, would be developed, and rather than it being red clay dirt, they had asked for the ability to enter into a parking lease, so they could lease that dirt at a very nominal fee, to create general public parking to support all of downtown, festivals, Panoply, and the VBC. He said they were ready to start the design on this.

Mr. Davis said the blue portion on the display would be under City control, that they would have the right to charge for parking or make it free. He continued that it would be public parking, like any other parking downtown. He said the orange piece on the display would be the developer's parking, and it would be secure, for their office tenants and residents. He continued that he wanted it to be clear that the City would not be building any parking for this development, that this would be City parking, to be used the way the City wanted to use it.

Councilmember Kling said he had held this item for that reason, to get it out that this was additional parking for downtown. He said he believed everyone had seen events downtown where people were driving around trying to find a parking place, and he thought this would be a good fix.

Mr. Davis said they thought this and the parking at CityCentre, Phase 4, would really help with the parking crunch in the downtown area.

Mr. Davis said they could see on the displayed slide that the private

development itself, between the parking in Buildings 1 and 2 and the surface lot, was providing approximately 1,000 parking spaces for themselves.

President Meredith said a citizen had asked about the possibility of solar panels being utilized, and he asked if that was a possibility.

Mr. Davis said they had started looking at that, and in this case, they had looked at it, but he asked that they keep in mind that this was a temporary ground lease, that they would have a permanent solution down the road. He said they were not buying this property, that they were leasing it, that they wanted to provide this parking, and they thought it would be there for at least 10 years, but as the developer grew into the property, the City wanted that tax base, property tax from that investment, so they wanted to limit the taxpayers' investment in this parking, that they did not want to spend a ton of money on it. He said they certainly wanted to light it and make it safe, but adding something like solar panels, with that investment, they would not get that return.

Unanimously Adopted.

(RESOLUTION NO. 25-456)

Resolution No. 25-458, authorizing the Mayor to enter into a Land Lease Agreement between the City of Huntsville, Alabama and Roger Martin Farms, for the lease of approximately 15 acres of unimproved land generally located at the southwest corner of Capshaw Road and Wall Triana Highway.

Motion for Approval by Robinson/Seconded by Meredith.

Mr. Davis said this, along with the next two items on the agenda, were farm lease agreements that they did on a year-to-year basis, that they only did these in 12-month increments. He said this was undeveloped property, meaning it was in its natural state, and they entered into nominal, annual farm leases, which allowed the land to be farmed. He said this saved the City, and the taxpayers, from having to mow

and maintain the property. He said the lease rates on these varied, based on the soil conditions, if it could produce a high-yield crop, or if it was irrigated. He said the one on the floor was only 15 acres, and this was \$1,125, for a one-year lease.

Unanimously Adopted.

(RESOLUTION NO. 25-458)

Resolution No. 25-459, authorizing the Mayor to enter into a Land Lease Agreement between the City of Huntsville, Alabama and Roger Martin Farms, for the lease of approximately 137 acres of unimproved land generally located in Cummings Research Park.

Motion for Approval by Robinson/Seconded by Kling.

Mr. Davis said this was for the same purposes as the previous resolution, with bigger acreage, and the one-year lease amount was \$10,275.

Unanimously Adopted.

(RESOLUTION NO. 25-459)

Resolution No. 25-460, authorizing the Mayor to enter into a Land Lease Agreement between the City of Huntsville, Alabama and DeVaney Brothers Farms, for the lease of approximately 483.37 acres of unimproved land in Limestone County and generally located off Greenbrier Road.

Motion for Approval by Robinson/Seconded by Meredith.

Mr. Davis said this property was located in the northeast corner of Greenbrier Parkway and I-565, that it was just over 483 acres, and the one-year lease amount was \$60,421.25.

President Meredith asked Mr. Davis to once again define "unimproved land."

Mr. Davis said "unimproved land" meant there were no buildings, structures, anything, that it was in its natural state, and he said for all three of these properties, its

natural state was agricultural use.

Unanimously Adopted.

(RESOLUTION NO. 25-460)

Resolution No. 24-470, authorizing the Mayor to execute a Ratification and Amendment of Parking Lease between Hammons of Huntsville, LLC, and the City of Huntsville.

Motion for Approval by Robinson/Seconded by Kling.

Mr. Riley said Hammons of Huntsville was the operator of the Embassy Suites, and oftentimes, when running a facility like that, they would refinance their package, and that was what had occurred, and when the new finance entity came in, they wanted to be assured that there were not things out there like unpaid rents or things such as that, so they asked people such as the City, who had those type of arrangements with them, to enter into an estoppel certificate, and that was what the previous item on the agenda was. He continued that in the process of doing that, they had also found that there was, back in 2004, a particular parking lease of a 25-year duration, and the law required that a lease of that length must be recorded within a certain period of time, within one year from when it was done, and that had not been accomplished, so they had ratified that lease agreement and amended it so that it was taken care of.

Unanimously Adopted.

(RESOLUTION NO. 25-470)

Resolution No. 25-471, authorizing the Mayor to execute a Memorandum of Parking Lease between the City of Huntsville and Hammons of Huntsville, LLC.

Motion for Approval by Meredith/Seconded by Robinson.

Mr. Riley said this resolution was related to the above resolution, and it allowed them to reduce their recording costs by filing a Memorandum of Parking

Lease, which set out the basic terms. He said this was a much more convenient and economically efficient way to do this, and it gave the notice required.

Unanimously Adopted.

(RESOLUTION NO. 25-471)

Resolution No. 24-478, authorizing the Mayor to enter into a contract between the City of Huntsville and Whitworth Concrete Works, for the City of Huntsville Streets Concrete and ADA Upgrades-2025, Phase 2.

Motion for Approval by Robinson/Seconded by Kling.

Mr. Scott Richardson, Public Works, said this was part of the ADA Upgrades for City Streets, with Whitworth Concrete, for \$1,561,600.

Councilmember Watkins said she had noticed that those improvements were taking place, and she asked if this was throughout the city.

Mr. Richardson replied in the affirmative.

Councilmember Watkins said she had seen a couple of places where they were working on the curbs and sidewalks.

Mr. Richardson said that was correct, that it was ADA upgrades in the intersections.

Councilmember Little asked if it was correct that when they did this work, they had to make it ADA compliant.

Mr. Richardson said it was his understanding that when they resurfaced a road, they upgraded the ADA.

Mr. John Hamilton, City Administrator, said in the 1990 Capital Plan, in the section where they were funding the resurfacing, they would see a line that was specifically for the ADA component of that. He said the way in which they had set out a long-term plan to resolve the ADA compliance for pedestrians and those mobility challenged, particularly persons in wheelchairs, was basically using the resurfacing

program as their way to roll that out across the city. He said every time they resurfaced a road, they were also obligated to fix all the concrete that surrounded that road. He continued that what they were seeing at this time was a little bit unusual, noting that typically they would bring before the Council a single contract that did all the asphalt and all the concrete on every street, but in this case, they felt like they would get better pricing if they split up those components, so on this agenda, they were seeing two concrete contracts and two asphalt contracts.

Unanimously Adopted.

(RESOLUTION NO. 25-478)

Resolution No. 25-479, authorizing the Mayor to enter into a contract between the City of Huntsville and Lambert Contracting, for the City of Huntsville Streets Concrete and ADA Upgrades-2025, Phase 3.

Motion for Approval by Robinson/Seconded by Kling.

Mr. Richardson said this was a contract with Lambert Contracting, in the amount of \$1,748,733.

Unanimously Adopted.

(RESOLUTION NO. 25-479)

Resolution No. 25-480, authorizing the Mayor to enter into a contract with Rogers Group, for the City of Huntsville Streets Resurfacing, FY2025, Phase 2.

Motion for Approval by Robinson/Seconded by Kling.

Mr. Richardson said this was for street resurfacing, Phase 2, with Rogers Group, the lowest bidder, in the amount of \$2,835,950.

Unanimously Adopted.

(RESOLUTION NO. 25-480)

Resolution No. 25-481, authorizing the Mayor to enter into a contract with Rogers Group, for the City of Huntsville Streets Resurfacing, FY2025, Phase 3.

Motion for Approval by Robinson/Seconded by Little.

Mr. Richardson said this was street resurfacing, Phase 3, with Rogers Group, the lowest bidder, in the amount of \$2,527,940.

Councilmember Watkins asked what the difference was between Phase 2 and Phase 3.

Mr. Richardson said they had taken the 100 streets they normally would do, and they had just cut them down the middle, that it was the same number of streets that had made the cut for resurfacing, that they had just split them in two.

Councilmember Robinson asked if the ratings were taken into account, if those that had rated worse were Phase 2, and the next were Phase 3.

Mr. Richardson replied in the negative, stating that they had just cut the streets in half.

Mayor Battle said this worked out better for having more chances for the road builders, that more road builders could get in, and they needed more. He said there were different road builders doing this work. He said everyone was running short on labor, and this way, they could keep two crews working.

Unanimously Adopted.

(RESOLUTION NO. 25-481)

Resolution No. 25-482, authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville, Alabama and Kelly Davis.

Motion for Approval by Robinson/Seconded by Meredith.

Mr. Davis said this was a recent retiree in the Engineering Department, that she had served 40 years with the City, and the position she had was Real Estate Specialist. He said they had only one of these positions, that they had had three, but they had gotten it down to one, so they had no overlap as far as carrying on these duties. He said one of the duties of this position was getting the leases the Council had

passed at this meeting ready for them, and the primary purpose was their federal and state highway contracts. He said when they were acquiring right-of-way, this position worked with the appraiser, in getting that to the State, and getting the State to approve it, to allow them to make that offer. He said they would like to bring this person back on until they could issue what they called the "Blue Sheet," with HR, to post this job, so they could keep operations moving.

Unanimously Adopted.

(RESOLUTION NO. 25-482)

NEW BUSINESS ITEMS FOR INTRODUCTION.

Introduction of Ordinance No. 25-483, annexing 121.73 acres of land lying on the north and south side of Little Cove Road and west of US Hwy 72 E.

Introduction of Ordinance No. 25-484, annexing 0.33 acre of land lying north of Zierdt Road and west of Arnett Street.

Introduction of Ordinance No. 25-485, annexing 6.40 acres of land lying west of Segers Road and north of Hardiman Road.

SECOND ROSTER PUBLIC COMMENTS.

President Meredith said this portion of the meeting was reserved for persons wishing to address the Council on matters relating to City business, whether or not such items were on the meeting agenda. He said persons could sign up to speak on the Second Public Comments Roster prior to or during the meeting, and that when called, they should approach the microphone and state their name, home address, and city of residence. He said each speaker could address the Council for three minutes, and that 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.

Mr. David Snyder, Huntsville, addressed the Council, stating that his information was on the sheet (3816 Bob Wallace Ave.), and having signed up to speak

concerning "Derrick St."

Dr. Angela Sommerset, 9 Chalkstone Street, Huntsville, addressed the Council, having signed up to speak concerning "Many."

Mr. Byron McGlathery, 2866 SW Rabbit Lane, Huntsville, addressed the Council, having signed up to speak concerning "New housing development."

Mr. Joe Winston, 105 Greymont Drive, Madison, addressed the Council, having signed up to speak concerning "Black Art/History Museum."

ADJOURNMENT.

Upon motion, the meeting was adjourned.

	PRESIDENT OF THE CITY COUNCIL
ATTEST:	
CITY CLERK	
(Meeting adjourned at 8	:00 p.m. on June 12, 2025.)