

## **HUNTSVILLE CITY COUNCIL MINUTES**

**Regular Meeting - May 22, 2025 - 5:30 p.m.**

**City Council Chambers, City Hall  
Huntsville, Alabama**

**Members Present:**                      **Mr. John Meredith, President  
Dr. Jennie Robinson  
Mr. Bill Kling  
Ms. Michelle Watkins**

**Members Absent:**                      **Mr. David Little**

**Mayor:**                                      **Mr. Tommy Battle**  
**City Administrator:**                      **Mr. John Hamilton**  
**City Attorney:**                              **Mr. Trey Riley**  
**City Clerk:**                                      **Ms. Shaundrika Edwards**

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**President Meredith** called the meeting to order at the time and place noted above, noting the absence of Councilmember David Little.

The invocation was offered by Chaplain Jeff Warren; Councilmember Kling led the Pledge of Allegiance.

### **APPROVAL OF THE AGENDA.**

**President Meredith** said the sponsor of Item 6.a on the agenda had requested that the item be postponed until the July 10, 2025, Regular Council Meeting; and a member of the Council had requested that Item 21.a be considered at this meeting, which would require unanimous consent of the Council.

The Agenda was approved as corrected.

### **APPROVAL OF THE MINUTES OF PREVIOUS MEETING.**

**President Meredith** said the Council members had been provided copies of the Minutes of the Regular Meeting of the Council held on May 8, 2025, and the Minutes were approved as submitted.

**PUBLIC HEARINGS TO BE HELD.**

**Public hearing on 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, which hearing was set at the April 10, 2025, Regular Council Meeting.**

(Mr. Nunez made a PowerPoint presentation.)

**Mr. Thomas Nunez, Manager of Planning and Zoning Services,** said this item was before the Council as an amendment to add and to modify certain interpretations of definitions, to add Supplementary Regulations and Modifications for Community Homes.

Mr. Nunez said a "Community Home" was defined as a living arrangement for unrelated individuals with disabilities, primarily for individuals with disabilities who were in need of the mutual support furnished by each other, as well as support services, if any, provided by the staff of the Community Home. He continued that inhabitants may be self-governing or supervised by a sponsoring entity or its staff. He said a community home would seek to emulate a biological family and integrate the residents into the surrounding community, and to support interrelationships between inhabitants, and that the home must operate as a single housekeeping unit, with the exception of a transitional Community Home occupied by transients.

Mr. Nunez said this was to define Community Homes and allow for them to be integrated into communities appropriately. He said they would establish three types: an Essential Community Home, with non-transit living arrangements for a relatively small number of unrelated individuals with disabilities, with a duration of 180 continuous days, which was consistent with state requirements as related to

occupancy; a Group Community Home, with non-transient living arrangements for a moderate number of unrelated individuals with disabilities, with a duration of 180 continuous days; and a Transitional Community Home, with a transient living arrangement for no more than 14 unrelated individuals with disabilities, with a cap on the length of time to stay at less than 180 days, which he noted allowed for transient occupancy.

Mr. Nunez said Essential Community Homes would be permitted in any zoning district that allowed single-family dwellings, which he noted was a detached single-family structure on a single-family lot. He said these were for unrelated individuals with disabilities, with no more than six individuals within a home at any particular time, with staffing of more than one individual at any time. He said these would not be permitted in the following: A Planned Development Housing Development that existed prior to the existence of this ordinance, Research Park District, Research Park West, or Research Park Applications. He said one thing that would be consistent for these living facilities was a distance separation of approximately 1,000 feet, based on the radius of the existing structure itself.

Mr. Nunez said Group Community Homes would be permitted in any zoning district that allowed for multifamily dwellings and shall be located in a detached home on a single lot. He said unrelated individuals with disabilities shall be no greater than 10 and shall be allowed in the following districts: Residence 2A, Residence 2B, and Residence 2C. He said unrelated individuals with disabilities shall not be greater than 12 in all other districts. He said these were the districts that did not allow for single-family lots but did allow for multifamily, Highway Business C4, Neighborhood Business C1, and General Business C3. He said they were still talking about a detached home on a single lot, so this could not be a larger development or in an apartment complex, that they were strictly talking about a detached home on a

single lot that would be allowed in all these other districts. He said some of those homes would be considered to be grandfathered in, but they were following State compliance as it related to multifamily dwellings, and allowing for the cap to be a maximum of 12 individuals within those structures. He said this allowed for a staffing of more than one individual at any time, and he continued that these would not be permitted in any PD-H that existed prior to this ordinance.

Mr. Nunez said Transitional Community Homes would be permitted in any zoning district that allowed for boarding houses or rooming houses and shall be located in a detached home on a single lot, that unrelated individuals with disabilities shall not be greater than 10, and that would be in Residence 2-B; and unrelated individuals with disabilities shall not be greater than 14 in Light Industry and Heavy Industry districts, with staffing of more than one individual at any time, and they would not be permitted in a PD-H that existed prior to this ordinance.

Mr. Nunez said, concerning the purpose of this, that the staff had worked diligently to regulate these particular uses, and they wanted to have an understanding of how they regulated these and allowed them in the community because it was essential that individuals with disabilities be integrated into the community and would understand they were a part of the community, and they should not be ostracized in any way. He said this ordinance was designed to allow these three types of Community Homes to locate in a residential neighborhood without impeding their goals to integrate into the community and without altering the residential character of the neighborhood, which was so essential to the goal of Community Homes.

Mr. Nunez said, concerning existing non-conforming uses, that if there were community living facilities within the city, and they had active business licenses and were regulated by the State, and they were existing in non-conforming uses, they would be allowed to continue to operate as they currently were.

Mr. Nunez said there was a portion of this ordinance that spelled out a process about reasonable accommodation, that by FHA and ADA laws, they were required to set up a process of how reasonable accommodation could be requested, with that entity providing particular information the City might request or Legal might request, to review, and to establish a pattern of what that case might be, and to allow it or not. He said they had established that process, but he could not get into any particular details because this would be on a case-by-case basis, that the primary point was that by federal law, they were required to have an accommodation process, and that was what they had done through this ordinance as well.

Mr. Nunez said they had made some additional changes on Accessory Uses and Accessory Uses Permitted in a Residential District, and with this Accessory Use, it expressed that if someone were living in a home, they could accommodate and allow for people with disabilities to live with them, and the common area spaces would not count against them, not similar to if they were to have an occupational home office, which was restricted by ordinance to be of a particular size. He said boarders and roomers shall engage in the main building, and it did not take into consideration the common-area spaces, such as the kitchen or the living room or the bathrooms, that it strictly focused on the bedrooms or the areas occupied by those with disabilities.

Mr. Nunez said there were additional definitions, with one being for a Bed & Breakfast, a single-family dwelling operated as a transient lodging facility by a resident of the dwelling, which would provide overnight accommodations and morning meals to overnight guests, for compensation. He continued that there was also a Single Housekeeping Unit, a household consisting of non-transient individuals or non-transient interactive groups of individuals jointly occupying a separate abode, including joint access and use of all common living areas within that unit.

Mr. Nunez said that, lastly, there was the definition of "Family," that Family

could be one individual, or another definition would be any number of unrelated individuals who were connected by the following: blood to the fourth degree, marriage, adoption, foster care, guardianship, or two unrelated individuals in a domestic relationship who had made a commitment to share their lives together. He continued that this would allow for up to four unrelated individuals living together as a single housekeeping unit.

Mr. Nunez said there was also the definition of "Boarding House," as a building, other than a hotel or bed & breakfast, where compensation was provided, with meals to residents, for up to 10 transient or non-transient individuals, where boarders share common space, and the operator may supply some services, such as laundry and cleaning.

Mr. Nunez said a "Rooming House" was defined as a building where, for compensation, individual rooms are provided by a resident for up to 10 transient or non-transient, related or unrelated, individuals, in which they share common areas.

Mr. Nunez said there was the definition of "Transient" as an individual or family staying in a place for a period of less than 180 continuous days.

Mr. Nunez said the Council had approved outside legal counsel to support the Planning staff and Legal through another iteration of this ordinance, through Dan Lauber, so there might be additional changes to this. He said they had begun the additional research and were starting to provide Mr. Lauber with this information. He said this was a very solid first step in the regulation of living facilities and ensuring that individuals would be integrated into neighborhoods appropriately.

### **Public Hearing Opened.**

**Ms. Frances Akridge** addressed the Council, stating her address was correct on the sign-in sheet, as she had called in earlier.

Ms. Akridge said she had previously been a special education teacher, and she

served as a group home facility manager on weekends when she was a special education teacher, so this topic of integrating people into the community was very dear to her. She continued that she also lived near two group homes.

Ms. Akridge said her concern about this was what if she, in her aging days, or what if six women wanted to live together in a house that was big enough for all six of them. She said as she understood this, they might not be able to do that, even if they did not know each other but wanted to share expenses and responsibilities.

Ms. Akridge asked if Section 73 included accessories, such as a cottage in the back yard, if the lot was big enough, in a certain zone, or if that was not being addressed with this.

Ms. Akridge said in Section 78, which appeared to be mostly about disabled people, she saw that it allowed for more than four but not more than six, and she was curious to find out why that number was picked, because if a house were big enough, and in at least one of the definitions of Community Homes, they could have more than six, and then another one said 14. She asked how the upper limits were decided on in each type of house. She asked if the total number of people included the supervisors. She continued that some of her neighbors had some come-aparts over the fact there were shift changes and cars changed, and they were counting heads, although she thought all of that was ridiculous, because everyone needed housing, and they all needed to learn that just because a person was developmentally disabled, they needed a place to live, and they needed to be invited to neighborhood events.

Ms. Akridge asked if the Administrative Review was considered a type of special exception. She said she was glad to know they had to have a "reasonable accommodation" paragraph, but it said the administrator would have the right to identify viable alternative accommodations that might satisfy the applicant's goals and federal law. She said she thought the Council should take offense to that. She

said there was dignity for the person and their advocate to choose what kind of accommodations they needed, that she did not think it should be up to the government's Zoning Administrator to decide where that alternative should be.

Ms. Akridge asked why a person would have to describe their disability or handicap, that this seemed like an infringement on one's personal and private rights.

Ms. Akridge said to Mr. Nunez that she hoped he had been able to take notes on her questions, and he could help her to understand more about the intent, as well as the language, in this ordinance.

**Public Hearing Closed.**

**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, which ordinance was introduced at the April 10, 2025, Regular Council Meeting.

**Motion for Approval by Robinson/Seconded by Meredith.**

**Councilmember Robinson** asked Mr. Nunez if he could explain why it was so important to do this and what the intent was.

**Mr. Nunez** said the intent was to ensure that those persons with disabilities had the same rights as others existing in neighborhoods. He said they wanted to ensure that these people were part of the community, and, also, they did not want to infringe on any particular laws, with respect to not allowing them in.

Mr. Nunez said, in relation to Ms. Akridge's questions regarding six individuals, that persons would fall under this regulation only if they had disabilities. He said that in no way would this ordinance circumvent the building codes, the fire codes, or any other ordinance within the city, occupancy rates, and so on and so forth.

Mr. Nunez said this ordinance did not address cottages or accessory dwelling



units, as they currently did not allow for accessory dwelling units in the city limits, but this was something the Planning staff was working on. He continued that this would be the occupancy of the primary structure, and if there were an accessory structure, those individuals could not occupy the accessory structure for room, bedding, or anything else, that it could be used, but it could not be occupied.

Mr. Nunez said, relating to reasonable accommodation, he was aware the language seemed peculiar, but he thought the language was doing exactly what it was intended to do, that it was not giving one individual the power or the authority to oversee the actions of a reasonable accommodation for the entity that might be requesting it. He continued that in some cases, this was a business that was occupying in a residential neighborhood, and there might be some other action they might be requesting that was not addressed in this ordinance. He said they wanted to establish a process. He said their Zoning Administrator was not the single individual making that decision, that they were reviewing with Legal, and with outside legal counsel, to make sure they were appropriately accommodating the request.

Councilmember Robinson said one of the reasons she thought this was important was that if they looked at the paperwork, the last time any of this was addressed was in 1963, and living arrangements had changed a great deal since then. She said sometimes people thought about group homes only in the context of people with intellectual disabilities, but there were many types of disabilities that were served by group homes. She said when they started looking at this, they did not have an ordinance that addressed group homes, that the closest thing they could find were boarding houses, rooming houses, and family daycare centers. She said she applauded the Legal Department and Planning for putting this together, because it would give clarity to everyone about where they were and put a process in place.

Councilmember Robinson asked if it was correct that with regard to that

process, there would be permits required.

Mr. Nunez said that was correct if it was a business operating, that if it was not a business, they would just have them submit the necessary documents to operate as a family.

Councilmember Robinson said they had these group homes that just kind of popped up, without anyone knowing about it, and she said there would be a process, that if they had a business license, to go through the formal permitting process, or in some other way notify the City, and get clearance for zoning.

Councilmember Robinson said a lot of this was about transients and people staying six months or more, and she asked how they would know if, in fact, the people in that residence were staying six months or more.

Mr. Nunez said they would have the ability to audit and review, on a case-by-case basis, to ensure they were upholding the law, and the ordinance, if the Council were to approve this at this meeting. He said they would have the ability to ensure they were doing that, and if through their audit, they found they were not, then, at that time, they would be able to remove their license and that activity.

Councilmember Robinson asked if that would also be as to the number of people who were living in a residence.

Mr. Nunez replied in the affirmative.

Councilmember Robinson said there was a review process for accommodations, and that was a good thing to have, and she was aware that would be developed as they went along with this.

Councilmember Robinson said Mr. Nunez had mentioned they would see some iterations of this, or maybe more procedures coming out.

Mr. Nunez said that was correct. He said he could not necessarily speak to what those actions would be. He said many of the actions they had taken followed

state laws, and Circuit Court as well, that they were abiding by all those, and abiding by federal laws for that process. He continued that Daniel Lauber was helping them even further, to ensure they were doing the things they needed to across the board. He said this was their first step in the right direction.

Councilmember Robinson said that, then, they were working to ensure that Fair Housing laws and ADA accessibility laws were being addressed, that the needs of the group homes residents were being addressed by permitting them in all zoning areas, depending upon what the configuration of the home would be.

Mr. Nunez said that was correct.

Councilmember Robinson said she applauded them for the work they had done on this. She said she had sat in on a number of these meetings, and it had been a very careful, thoughtful, and intentional process. She said that for clarity, this was important to have in their ordinances.

**Councilmember Watkins** said to Mr. Nunez that she was concerned about people having to disclose their disability, and she asked if there was a reason why they needed to know their disability. She asked if it was correct that they had to describe their disability.

**Mr. Nunez** said that was correct, but it could be described in the operation of the business that was receiving the application.

Councilmember Watkins asked if, then, people did not have to be specific, that they could just say they had a disability.

Mr. Nunez said that was correct. He said they would have to abide by federal law, that in the definition of "disability," they followed FHA and ADA compliance, that they were following those actions, that process.

Councilmember Watkins said, to be clear, the only thing people had to say was they had a disability, and they did not have to go into detail.

Mr. Nunez said that was correct.

Councilmember Watkins said she had concerns that the Zoning Administrator made the decision, and she asked if there was an appeals process.

Mr. Nunez said there was no particular appeals process, but there was a reasonable accommodation process. He said in a traditional sense, when it came to the Zoning Ordinance, one could appeal to the Board of Zoning Adjustment, but that would not be the case with this, because they did not want to put their voluntary Board of Zoning Adjustment in the use or the review process of something that was protected by federal law, and that was why they had established a process that was ensuring that the Planning staff, the Zoning Administrator, and Legal were involved, to ensure they were following that federal process, and ensuring that they were protecting not only the applicants but also protecting the City in that process.

Councilmember Watkins asked if Mr. Nunez could give her an example of the reason someone would be denied.

Mr. Nunez replied in the negative, stating that he could not get into the particular process of what a reasonable accommodation could be. He said this would be on a case-by-case scenario, that it might be by occupancy, that they might have to review for the Fire Code, or for the Building Code. He said there were a gambit of options, so he could not be specific to one, to provide that. He said he was sorry for that, but it was just such a vast opportunity to discuss, and he could go down a rabbit hole to state that. He said he did not want to make a wrong judgment, because he would not know what the particular request would be.

Councilmember Watkins said she did not want Mr. Nunez to go down a rabbit hole, but, at the same time, she wanted to have an idea of what would be a reason to turn someone down, because they had the power, that whoever the Zoning Administrator was had the power, and not the Council.

Councilmember Watkins said she needed to understand what would justify turning someone down. She said an individual was blowing her phone up daily because they could not get their application processed, and they said they had met all the requirements, and this was holding them up. She said what she was concerned about was if this ordinance were passed, what would be some justifications for not approving someone. She said there were going to be some instances where persons would not be approved, and they were going to be calling Council members, and she needed to understand this. She said they were wanting her to approve this ordinance, but they could not tell her what would be types of reasons to turn down an application. She said she wanted to understand that.

**Mr. Shane Davis, Director of Urban and Economic Development,** said he and Mr. Nunez and Legal had gone through this, and he said one example that had come to mind was that an applicant would turn in an application, and it met the requirement of a single-family, residential lot, and it was in the right zoning, and part of that application process would be the proposed number of units available, and, say, it was four people, but it was only a two-bedroom. He said they would have to follow Fair Housing, ADA, and the types of disabilities they wanted to try to help, or to house, and then they would have Inspections and Zoning to go through, and maybe the doors would not accommodate wheelchair access, so now it was to ensure that someone setting up that business could accommodate that person who was going to pay rent, for their disability. He said that could be one of the things, as an example, that would be denied, but that applicant would be able to go back and make modifications to that dwelling, that, for instance, they had added a bedroom, or widened the doors, and then it would go from a denial to an approval. He said they had to make sure they were very careful and were not discriminating against anybody, but also protecting that future resident at that dwelling, that the accommodations for

that residence, or that address, would accommodate that person with a disability.

Mr. Davis said that was one example, that he was sure there were a hundred more, but that was an example.

Councilmember Watkins said all she wanted was an example, and she thanked Mr. Davis.

Councilmember Watkins said she was still a little concerned about supporting this, because the language was vague, that it was not specific. She said she was aware Mr. Nunez was not an attorney, but the language was vague, when they said they needed to know the disability. She said if it was just that one was to write down in the application that there was a disability, that should be in the language. She said the way it was written was vague, and it could be interpreted differently by whoever was accepting the application.

Councilmember Watkins said she believed Mr. Nunez had said they had outside counsel.

Mr. Nunez said that was correct.

Councilmember Watkins said she was confused, because at the prior Council meeting, Mr. Riley had told her he had 14 good attorneys, and he was one of them. She asked why they were seeking outside counsel when they had 14 attorneys.

Mr. Nunez said Mr. Lauber had been approved by the Council, he believed in December of 2024. He said Mr. Lauber was the foremost expert in this particular area, that he had been through several Supreme Court actions, and several District actions as well, that he was the most formidable expert in this area. He continued that Mr. Riley had 14 excellent attorneys, but one that was specifically in this area was essential to how they would grow this ordinance.

Councilmember Watkins said they had 14 attorneys, and one of them could not advise them on this, and she said that was a problem. She said, for future reference,

she was going to put on the record that when they came in wanting outside counsel and brought it before her, she was not voting for it, that they had 14 good attorneys.

**Mr. Riley** said they had 14 good attorneys, and they had attorneys in his office who had worked on this matter, but part of being a good attorney was recognizing there were areas involving special expertise where the City would benefit. He continued that part of his job was helping to make that determination. He said that with Mr. Lauber, they had availed themselves of a nationally renowned and recognized expert in this area to assist them. He said he would not apologize for bringing Mr. Lauber in, that they had done so to try to provide a product which would best meet the needs of the City. He said it was not that the City Attorney's office had removed themselves from this, nor had Planning, that there were attorneys in his office who were working on this and had spent countless hours with Mr. Nunez and members of his department working in this area, and they had become quite expert in this as well, and the fact that they were utilizing Mr. Lauber should not be looked upon as some sort of disappointment with their availability. He said it was just a decision made to help them with this very complicated area.

**Councilmember Kling** asked Mr. Nunez how what was being proposed compared to similar types of ordinances other cities in the southeastern region had.

**Mr. Nunez** said that through the Legal and Planning staffs, they had reviewed multiple ordinances, and he thought this aligned with those, and gave a little more validity in some of the definitions and the actions they had taken, and they were definitely different from what other cities and municipalities had in the state of Alabama. He continued that they had reviewed other municipalities, in Georgia and Florida, as well, just to ensure that they were following and grabbing some of the best nuggets of their process, to ensure they would be putting a good ordinance in place. He said they had reviewed those, and he would say theirs stood up very well, and it

might even be better.

Councilmember Kling said if they were to have, say, two houses on a street, and one was a group home, and the other was a traditional, single-family home, and if there was something that did not look right, that, say, a Council member got a phone call about a specific address having a lot of junk/litter in the front yard or, say, there would be a car repair shop operating late at night in the middle of a residential area, that on those types of things, a Council member would probably contact Community Development, and the Zoning Administrator, concerning these alleged violations to look into. He asked if anything in this ordinance gave any type of exception to these types of group homes, compared to what they would expect in the normal zoning of any single-family home in a neighborhood.

Mr. Nunez said there would be no exceptions to those particular actions, that this would not circumvent or deviate from any of their City regulations, that all City regulations would be followed and enforced. He said that with any such questions, the Council members could continue to follow the same process as to contacting him, or any other department, and they would investigate and provide the Council information, so they could clearly provide it to their constituents in that process.

Councilmember Kling said he believed HUD required a minimum square footage amount for any person who lived in a, quote, traditional single-family house. He asked if that type of square footage applied to group homes.

Mr. Nunez said those same requirements would still be in place, as they were federal requirements, and there was no circumventing of those as well.

Councilmember Kling said there were a lot of questions by a speaker from the audience, and he asked if all of those were addressed.

Mr. Nunez said he would get with the speaker concerning her questions and take into account some of her concerns as they continued to evolve from the baseline



of this ordinance.

**Councilmember Robinson** said she thought one of the advantages of hiring outside legal counsel, and in particular Mr. Lauber, who had experience across the country and had tried these cases in court and was well-versed in ADA law and Fair Housing law, was that he had a broader perspective and knew where the land mines were, because he had seen it in other communities, so his help on this would bring that broad perspective, and they would benefit, so that they would have an ordinance that would help them avoid pitfalls and was perhaps modeled after successful ordinances in other states, so this was not something they were doing on their own, that it was lessons learned, and it would be a better ordinance as a result.

**Mr. Nunez** said Mr. Lauber was not only legal counsel, that he was also a member of the American Institute of Certified Planners, that he was a planner as well, so he understood the gambit across the board, and they were very lucky to have him aboard and supporting them.

**Councilmember Watkins** asked how many times they had been sued for Fair Housing, or if they had been sued.

**Mr. Nunez** said he could not answer that question.

Councilmember Watkins said they were talking about suits, but no suits had been brought, so they were justifying this because she had inquired about having outside attorneys.

**Mr. Riley** said he would be the first to say he was not an expert in ADA law. He said he was the City Attorney, and he could not be an expert in any and all areas of the law, and this was a very complicated area of the law. He said he did know enough to know that this was an area that was fraught with possibilities for litigation. He continued that, however, they were not doing things just for the purpose of avoiding litigation, that they were trying to abide by the law, not so that they would not get

sued, but so they would do the right thing for the people who were in the city.

Mr. Riley said there had been the impression that they had appointed a Zoning Administrator as this all-powerful person who was making all these adjustments, and that was not what this was at all. He said if they looked at what was before them, it clearly stated that the Zoning Administrator was not appointed for the purpose of enforcing or interpreting their zoning ordinance, that he was someone to assist, as required by federal law, with review of requests for reasonable accommodations.

Mr. Riley said what they had done in this particular ordinance was to try to outline the availability and make folks with disabilities understand they did not have to concern themselves with coming to them within certain areas, that they had outlined the numbers that were available. He said that was not saying there was no possibility that anything above that number was available, that there might be special circumstances involved in someone's situation where they would want to request a reasonable accommodation, and, as federal law required, they had appointed someone who would make that determination, and he would do so in concert with not only the Legal Department, with Planning, but with other appropriate departments of the City, as was required. He said there was no administrative appeal to this, but anyone who was dissatisfied with their determination would still retain the right to bring action, in federal court or in state court, under the various laws that would apply to this situation. He said that was there, but the purpose was not to be overly repressive, that it was, in fact, to provide that opportunity to folks, to say, "My situation is a little different, and that is why I need a reasonable accommodation."

Councilmember Watkins said to Mr. Riley that she was reading Section 78.5.1 (d), and it said, "The Zoning Administrator's decision shall be based on the information provided by the applicant and such other information that he deems relevant to the determination, and, as to the specific accommodation provided, shall

be as determined by the Zoning Administrator.” She said Mr. Riley could not mix apples and oranges, that he had just said the Zoning Administrator was not the sole decision-maker.

Mr. Riley said he did not understand Councilmember Watkins' question.

Councilmember Watkins said he had just said it was not the decision of the Zoning Administrator.

Mr. Riley said there had to be someone who made the decision.

Councilmember Watkins said she had asked about who made the decision, and she had said it was too vague, and was there an appeals process. She said that because she sat there and asked questions, many times they wanted to come back and come back to everything she said, when she was just asking questions for clarity, because there were a lot of people who did not understand what was going on, what decisions were being made, and it needed to be explained in these Council Chambers.

Councilmember Watkins said Mr. Riley was a good lawyer, so he should be able to explain Section (d).

Mr. Riley said his purpose in discussing this was not just from Councilmember Watkins' remarks but also to questions that were put forth by Ms. Akridge. He said he had discerned there was this image that they had this all-powerful Zoning Administrator, and he had simply tried to explain his characterization.

**President Meredith** said to Mr. Nunez that "vagueness" had come up quite a bit, and he asked if he had heard correctly that there would be tweaks made to this ordinance in the near future.

**Mr. Nunez** said that through the research with Dan Lauber, there might be other iterations of this ordinance to come through, as the Council approved it. He said that although the language stated that the Zoning Administrator's decision shall

be based on the information provided, he would not be making that decision single-handedly, that he, as the Manager of Planning and Zoning Services, managed the Zoning Administrator and the tasks of Zoning Administration. He said decisions that were made were not made single-handedly, alone, that they were reviewed through other departments as well. He said they would involve the Fire Department if they needed to, and Legal if they needed to, so it would not be a single individual. He said this was similar to the platting process, as well, that the language stated that the Director of Planning would make the decisions, but, again, they involved Engineering, and they involved Water Pollution Control, and Traffic Engineering, through that process, as well, that it was not a sole individual making that decision, that on paper it was, but individually, it was not.

President Meredith said he was not necessarily tunnel-visioned on that, that he was talking about what he thought he had heard about future tweaks to this.

Mr. Nunez said that with Dan Lauber, they might go deeper in bringing particular actions, that he could to speak to that, but Mr. Lauber would dig deeper into their ordinance, and into research within the community, of existing facilities, and dig deeper into some other case law, as well, that might not have been addressed in this first iteration of the ordinance. He said Mr. Lauber would have to do the research to understand Huntsville and how Huntsville had reacted and facilitated this action of community living facilities and disabilities within the city.

President Meredith said that hearing that, his concern was this was not ready for prime time, that if they were bringing on an outside expert to take a look at it, they should wait until that person weighed in before approving an ordinance.

Mr. Nunez said that at this time, they were in the position that they had nothing, so they would rather have something that solidified this and was a first step. He said the base of this was a compilation of multiple departments and multiple

iterations of other cities, which had been tried in court, and their laws had stood up against some of the Circuit Court and Supreme Court rulings. He said this was a very good first step in ensuring that these cases were not going to the Board of Zoning Adjustment, and they were protecting those individuals with disabilities to be integrated into the community in an appropriate way. He said there could be other iterations of this, but he was of the belief that this base would not change, that there would be other additions, but the base would not change.

**Councilmember Robinson** said that as Mr. Nunez had said, they had nothing at this time, and she said she had had inquiries that could be answered if they had this ordinance. She said they could at least start answering questions about what a group home was and where group homes were allowed. She said she thought what Mr. Lauber might eventually help them with was the permitting process and the procedures of how some of this would be implemented. She continued that then, as they did with many of their ordinances, they would come back and perhaps define those things a little bit more, as the application process went on. She said what they needed at this time was what was a group home, what kinds of group homes were there, how many people could be there, and what zones were permitted uses. She said that tool was probably what would not change, and that was what they needed at this time.

**Roll-Call Vote on Motion for Approval of Ordinance No. 25-267.**

**Ayes: Kling, Robinson**

**Nays: Watkins, Meredith**

**Absent: Little**

**Failed.**

**President Meredith** said the motion had not passed.

President Meredith asked Mr. Nunez to work with Councilmember Watkins on

her concerns, and he said he had a couple of concerns as well, and he would weigh in as would be appropriate. He asked that they make sure Councilmember Watkins' issues had been addressed when this was brought back up.

**PUBLIC HEARINGS TO BE SET.**

**Resolution No. 25-391**, to declare a public nuisance located at 2216 Hall Avenue, NW, Huntsville, AL, and to set the date for when objections will be heard, **at the June 12, 2025, Regular Council Meeting.**

**Motion for Approval by Kling/Seconded by Meredith/Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-391)**

**Resolution No. 25-392**, to set a public hearing on the vacation of a right-of-way at Memorial Parkway and McBroom Street, **at the June 26, 2025, Regular Council Meeting.**

**Motion for Approval by Robinson/Seconded by Meredith/Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-392)**

**Introduction of Resolution No. 25-393**, consenting to the vacation of a right-of-way at Memorial Parkway and McBroom Street.

**Introduction of Ordinance No. 25-394**, vacating a right-of-way at Memorial Parkway and McBroom Street.

**MAYOR COMMENTS.**

**Mayor Battle** made the following appointment and reappointments:

**Appointment of Charles Allen to the Earlyworks Museums Board**, for a three-year term to expire June 26, 2028.

**Reappointment of Tonya Perry to the Human Relations Commission, Place 12**, for a four-year term to expire March 13, 2029.

**Reappointment of Kim McQuinn to the Board of Examinations and Appeals for Construction Industries, Place 14,** for a three-year term to expire May 22, 2028.

Mayor Battle said some areas in the city had been hit hard with the recent storms, but they were lucky that they had not had tornados on the ground. He thanked everyone in the city who had responded to the storms.

Mayor Battle said this week was EMS Week, and he wanted to honor everyone involved in Emergency Medical Services, including HEMSI.

Mayor Battle said people had moved into the new homeless camp, and it looked much better than what had been seen in the past, and they were putting in new rules so that hopefully they would not go back to what had been seen.

Mayor Battle said the Metropolitan Planning Organization had met the prior day, and he said this was an organization that worked on roads and roadways that were needed for the city. He said the MPO had named the previous day "Curtis Vincent Day," noting that Mr. Vincent was one of the most important people in North Alabama, that he was the Roads Director for North Alabama, with the Alabama Department of Transportation. He said Mr. Vincent had been involved in many major projects in the city, and he had always told them they needed to show up and to collaborate, and they had done so, with him and with the Highway Director, and through this, they had been able to keep the roads growing as the population was growing. He said they still had more to do, that they had not ever gotten everything they wanted, and he did not think they ever would, but they had made some great progress, and a lot of credit for that went to Mr. Vincent, and they all wanted to thank him for the job he had done.

#### **COUNCIL MEMBER COMMENTS.**

**President Meredith** said that in Councilmember Little's absence, he would

deliver his comments.

President Meredith said Councilmember Little wished to thank the Water Pollution Control team for their quick response in addressing a sewage leak in one of his neighborhoods, and to pass on that the residents were very grateful.

President Meredith said Councilmember Little also wanted to thank Nicholas Nene for meeting with residents on a traffic concern within his district, that he wanted to thank Planning and Engineering for addressing other concerns in the past few weeks, and he wanted to send out a big thank-you to employees with the Public Works Department, the Huntsville Police Department, Huntsville Fire & Rescue Department, Huntsville Utilities, and other departments for their swift work in getting the roads cleared and power restored in the Blossomwood, Monte Sano, and Dug Hill areas.

**Councilmember Robinson** said she was very hopeful that the Community Homes ordinance would again come before the Council. She continued that she appreciated the work that had been done by the Legal Department and the Planning Department, noting that it had been a year in coming, that it was very thoughtful, and it was much needed in the community. She said they needed to provide answers and clarity for people who wanted to start group homes and for people who had group homes in their neighborhood. She said they had to be able to answer questions concerning this, and they needed to be able to do so as quickly as possible.

Councilmember Robinson thanked the Green Team for helping to host two cleanup days, at Ditto Landing and the South Huntsville Cleanup.

Councilmember Robinson said that earlier in the day, an alligator had been euthanized at Hays Farm, noting that this was a 10-foot alligator that had been approaching people on the bank. She said the Department of Conservation and Natural Resources had taken swift action when they recognized the alligator was



behaving very abnormally, by approaching people, and it was obvious the alligator had been fed. She said WHNT had done a good story on this and had provided great educational resources for the community, and the Department of Conservation and Natural Resources also had something on not feeding wildlife, and the reasons therefor. She said this swift response to the concerns of the residents was greatly appreciated, to keep the community safe.

Councilmember Robinson congratulated all the graduates, noting that Councilmember Little was not at the meeting because his son was graduating from Huntsville High School.

**Councilmember Watkins** congratulated the Alabama A&M University graduates.

Councilmember Watkins congratulated Vujee Vegan, noting that they had a grand opening recently, and she loved their burgers.

Councilmember Watkins said she had attended Jemison High School's baccalaureate recently, and on the following day, her grandson would be graduating from Jemison High School, and she wanted to congratulate all the graduates, noting she was looking forward to them doing some great things in the community, and she said she would support them in any way she could.

Councilmember Watkins said she would be holding a Town Hall on June 17, at the Shurney Center, from 5:30 to 7 p.m., and they would be focusing on the roads, with some department heads present, and she said she had also asked the Mayor and the City Administrator to attend. She said roads were all she heard about, and she understood why, noting that she felt as if she were riding on a race track in some areas, bumping all over the place. She said they had to address this, that infrastructure in the city was very important.

Councilmember Watkins said June 21 would be District 1 Community Day, at

the Johnson Legacy Center, from 10 to 2, and the focus would be on health, physical health and mental health, and there would be activities for the kids, that it would be a good event for the entire family.

**Councilmember Kling** said he agreed with Councilmember Watkins, that roads and traffic flow were basically the main topics he had heard about during his recent Town Hall meeting. He said one good thing that had been brought up was the California Street resurfacing, noting how quickly it had been done.

Councilmember Kling said Archer Park was a neighborhood park, and he had appropriated money to the Arts Council for providing sculptures there, and there had been the unveiling of a sculpture, which was a partnership between some of the elementary school students and a local artist. He said he thought this was a great addition to Archer Park.

Councilmember Kling said there were still some people without power from the recent storm, and he said everyone was working hard to get it restored.

Councilmember Kling said he had had many inquiries concerning the Merts Center, and he said this project had been through a lot of starts and stops, and the latest word they had was that it was estimated that the Merts Center project would be completed, to be turned over to residents, on August 1, and he said when that happened, he thought it would be a great shot in the arm for the downtown area.

Councilmember Kling said a concern that had been referred to Natural Resources had to do with noise coming from the Lumberyard development on Meridian Street, noting that late-night loud noise had been brought to his attention, and he had contacted Natural Resources, and they were working on that, and the residents in that area should be getting some relief soon. He said when the Council had allowed for live entertainment at this facility, it was done with the understanding that they would be good neighbors, and they had expected them to comply with the

noise ordinance, which dealt with the hours of live entertainment, as well as noise level.

Councilmember Kling said he had recently visited the new homeless camp, and he had the opportunity to talk with a couple of residents, and he was very pleased with what he had seen, noting that the residents seemed to feel that they had been given their own space at the camp. He said one of the residents had been cleaning the area, and he said he thought this showed that they realized this was a nicer area, and they were going to try to keep it up. He said two concerns had been raised, one concerning the heat on the asphalt, and he thought this was being looked into, and there was a concern about the possibility of putting some sort of tents or shelters up, above and beyond the individual tents that were there. He said he appreciated the attention that had been given to this camp, noting that he believed it was more humane, more dignified, and more sanitary, and, very importantly, more respectful toward these individuals.

Councilmember Kling asked Recreation Services to please look at Pine Park, noting that this might be the only neighborhood park in the city that did not have any type of shelter, and when grandparents took their grandkids to the playground, they had to sit outside, in the elements, that there were a couple of benches but no shelter. He said that hopefully this was something that could be added at Pine Park.

**President Meredith** said the next Council President's Forum would be on Tuesday, June 3, at 4 p.m., in the Council Chambers, and his guests would be Amy Jones, the Affordable Housing Officer; Randy Barbour, with the Office of Multicultural Affairs; Larry Lowe, Chief Innovation Officer; and Allen Muzny, with the Inspections Office. He said this meeting was open to the public, and there would be the opportunity to ask questions of any of these individuals.

President Meredith said his next Town Hall would be on Thursday, May 29, at

The Reserve Clubhouse, 119 Natures Way, at 6 p.m.

President Meredith thanked the many City workers who had responded to the recent storms, and he thanked Huntsville Utilities for restoring power in the area.

**FINANCE COMMITTEE REPORT.**

**Resolution No. 25-395**, authorizing expenditures for payment.

**Motion for Approval by Watkins/Seconded by Kling/Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-395)**

**President Meredith recognized Ms. Penny Smith, Director of Finance, for a presentation.**

(Ms. Smith made a PowerPoint presentation.)

**Ms. Smith** said she would be presenting the proposed changes to the current budget, FY 25. She said the Council members had before them a copy of the slides of what she was going to present, a copy of the changes to the various funds and departments, in a narrative form. She said at most Council meetings, the current budget was tweaked, and that was no different than what would be happening at this time, that it was just a little bit longer form, more in depth. She said this was generally movement between funds or new obligations the City had entered into, via resolutions or ordinances that had been passed. She said all this was usually done in item 20 on the agenda, and the action before the Council could take place at this meeting, if the Council so desired, that this was item 20.b.

Ms. Smith displayed a slide entitled "Economic Indicators," and she said in recent months, they had seen the volatility in the markets, and that was part of what was affecting them at this time. She said in recent months, inflation had eased to 2.3 percent, in April, and consumer spending had slowed, noting that that followed consumer confidence, and she believed this lack of consumer confidence had led to

some of the spending trends they had in the city. She said personal income continued to climb, and they were still in a tight labor market, but that was slowly trending upward in the last few months. She said uncertainty was the word, that that was what she had seen in most of the economic reports. She said recession was still a concern, but it was not knowing what was on the horizon that seemed to set the stage for what she would be presenting. She said they would continue to watch the Federal Reserve and the treasury markets for how this would affect the City of Huntsville and the economy as a whole.

Ms. Smith displayed a slide concerning Sales and Use Tax, through April 2025 - 58.3 percent of FY 25 Elapsed. She said on this tax, they were down from the same time the prior year by about 1 percent, a little over \$2 million in revenue to the City, and they were at about 56 percent of budget, so they were below where they should be for the budget. She said they were proposing a decrease in Sales and Use Tax, and she would discuss that momentarily.

Ms. Smith displayed a slide concerning Lodging Tax, and she said this looked good at this time, that they were 2 percent of where they were the prior year at this time. She said they were not proposing any changes to the Lodging Tax, that they expected this to go well throughout the remainder of the year.

Ms. Smith displayed another slide, and she said PILOTS were doing very well. She said PILOTS were a product of Huntsville Utilities, that they were a City-owned public utilities, that they did not pay ad valorem taxes, that PILOTS represented Payments In Lieu Of Taxes. She said that through TVA, they had an agreement, by ordinance, with Huntsville Utilities, and they paid a percentage on the assessed value of their land that was in the city, for all the rights-of-way they had for Huntsville Utilities, and other land they owned, and through that they had that assessment, which was for electric. She said in the 1950s, the City Council had passed additional

gas and water resolutions that allowed the Gas and Water boards to pay the City 6 percent of net bills, and that was also included in this number they could see on the displayed slide. She said in the current year, this number was expected to exceed the budget, so there would be a proposal to increase this at this meeting.

Ms. Smith displayed another slide, and she said this displayed Selective Revenues for the General Fund. She said Column 3 showed the year-to-date actual, through April; Column 4 was the percentage of the budget used through April; Column 5 showed the proposed revisions; and Column 6 was the proposed budget should the changes be adopted. She explained some individual items under Revenues, and she said the proposed upward revision from PILOTS would offset some of the decrease in Sales and Use Tax.

Ms. Smith displayed another slide, and she said the Sales and Use Tax not only affected the General Fund but affected multiple other funds in the City, by ordinance, and they could see that in the upper left-hand corner of the slide, and she further explained this.

Ms. Smith indicated on the slide the 2025 Budget as it was presented, at almost \$324 million, and she indicated the 2025 Proposed Revisions, for a total reduction of approximately \$10 million. She said the individuals who were in charge of the other funds, being the Huntsville City Schools, the 1990 Capital Improvement Fund, and the 2014 Capital Improvement Fund, would need to absorb the proposed revisions as appropriate, noting that they were aware of these changes that would be coming and were working on this. She said at this time, she remained focused on the General Fund, as it was the largest fund of the City.

Ms. Smith displayed another slide, and she said this displayed a summary of the General Fund expenditures through the end of April. She said Personnel was at 55 percent of the budget, and this was adjusted through the April 27th payroll, to

obtain an accurate picture of expenses, to make sure they were on point for the recommended changes. She said Appropriations looked high, but this tended to be weighted at the beginning of the year because of the way they paid outside agencies, and they would come in right at 100 percent at the end of the year.

Ms. Smith said the departments had been asked in April to attempt to conserve at least one percent of their remaining budgets, and they had done very well in these efforts, and she believed they would be successful overall in this, even though every department could not necessarily meet that amount.

Ms. Smith said that overall, the General Fund remained under budget by a little over three percent. She said the City typically came in around five percent below budget, but due to tighter margins and the expenditures at the outset of year, they had expected to see reduced savings over time, but they were hopeful that with the diligence of the departments and pushing toward those savings, they would meet at least three percent savings, and possibly even more overall this year.

Ms. Smith displayed another slide, and she said they would look at some increased expenditures. She said there was an increase to the Madison County Jail Operations, in the amount of \$20,000, noting they had seen an increase in inmate medical services over time, that they were trying to make sure they got good care. She said they believed this amount would carry them through to the fiscal year-end. She said they had also seen an increase in Fleet Services, in attempting to maintain City vehicles across all departments. She said there was \$250,000 for Repairs and Maintenance for City vehicles.

Ms. Smith said they had seen an increase in Injuries and Claims, noting that this was for both Workers' Compensation payouts and injury claims and judgments, and it was an increased amount of about \$900,000.

Ms. Smith said they had established an appropriation in Resolution

No. 25-332, to provide for the funding of the Chief Innovation Officer. She said this \$50,000 represented the two quarters in this fiscal year.

Ms. Smith said there was an increase in Information Technology Services Capital of \$90,000, to purchase City Detect. She said this contract had not been before the Council, but it would be coming in the next month, that they were trying to get this on board as they moved through this process.

Ms. Smith said they were going to establish a transfer appropriation to the Amphitheater Fund, in the total amount of \$2.2 million, which would provide for commitments and supportive operations, for both the prior year and the current year.

Ms. Smith said there was a decreased appropriation to the Post-Retirement benefits. She said they were self-insured for health care for both their current employees and retirees, and because of the trust fund, they had that in two separate funds, and they had had a lot of reductions in their health care for retirees and for employees, so this had produced savings in those funds. She continued that they had originally budgeted a \$4.5 million transfer to the Post-Employment Funds, and they were going to reduce the transfer to the retirees health for the remainder of the year, so that would be a savings.

Ms. Smith said the total expenditures for the General Fund would increase by approximately \$528,000.

Ms. Smith displayed another slide, and she said they had reduced Revenues of approximately \$3.2 million, and an increase in expenditures of approximately \$528,000, for a total funding deficit of approximately \$3.7 million. She continued that what had been committed by departmental savings, that one percent, was \$1,679,000, so the additional amount that should be funded from the Fund balance was approximately \$2.1 million. She said that was if needed, because any other savings in the departments or any kind of increase in Revenues that would come



about would mean that that would not have to happen. She said in years past, they had benefitted from an increase in Revenues and had been able to not only take advantage of opportunities and different amenities that had come their way, but they had also been able to increase their Fund balance, which was good for the City of Huntsville in a number of ways. She said she felt comfortable that if needed, they could go into their Fund balance for this amount and pull that out, noting that that was part of what a Savings Plan was there for.

Ms. Smith asked if there were any questions.

**Councilmember Kling** said they had cutbacks that were going to be made in the 1990 and the 2014 Capital Plans, and he asked what specific projects would be impacted by this.

Ms. Smith said she would let Mr. Davis and Mr. Hamilton answer that question.

**Mr. Davis** said at this time, at least for the road projects in the 2014 Capital Plan, they saw no change. He said the reason for this was that almost all those projects were so significant in value that they were funded over multiple budget years within the 10-year Capital Plan, so what would happen in case they got in a situation was that it would not necessarily cancel a project, that they might go to late bidding a project, 90 days or 120 days, to get into that next fiscal year, to take those funds and combine them with the funds in the current budget year. He said they did not foresee this canceling or stopping any of their capital projects, that they would just adjust the timing of when those funds would be expended.

Councilmember Kling said he believed everyone had seen news reports that it looked like Huntsville would be the new headquarters for the Space Command, and he asked if this was correct, if there would be anything from such an announcement that would cause the influx of new revenue coming into City government, or if it

would just be housing starts, as that came down the line but was not imminent.

Mr. Davis said no one had a crystal ball, and that was not a decision they got to make, but certainly they had put their best foot forward in their response, and the community was ready for Space Command, that they had been ready for five years. He said should they be fortunate to be selected, he did not think they would see an immediate influx, that he thought they would see that influx in three to five years, that impact on the economy; however, that type of news would create consumer confidence of what the future looked like in the community.

**Mayor Battle** said Councilmember Kling might recall that when the City was in this competition, it was set up as a six-year project, and perhaps now they were looking at a four-year project, but it would have a ramp-up period, that it would take three to four years to ramp it up.

**Mr. Davis** said he would add that certainly not all was lost in the economic times they were navigating through, that in his office, in Economic Development, there was a lot of opportunity on the board they were working, and they hoped to see some fruition of these later in this calendar year. He said they were still working hard, and they had a great community that people nationally and internationally were recognizing, and they would just see what the future held.

**Councilmember Robinson** said they would be entering into the budget process in the summer, and she asked how these numbers that had been presented would impact that budgeting. She said they had talked the prior year about this being a lean budget, and it sounded like it was going to be more lean. She asked what they should expect in terms of the budget outlook.

Ms. Smith said they were currently working on that and working through it, that they met with all the departments, and on the heels of this presentation was always going back through and scrubbing the forecast again, seeing what had

happened in the month of May, and what was trending. She said they got input from the County and from Huntsville Utilities, what they were seeing, so there was still a lot of work to do. She said she would hesitate to say what was on the horizon, that if the trends continued, it would be a very tight budget, but if they saw some lifting of that, it might look very different. She said they would just have to move through this, noting that in the number of years she had been with the City, she had watched trends look way down and then turn upward and go just the opposite way. She said they would look to that and look to their partners and what the economic forecast was for development, and things like that, in order to put forth the best proposed budget they possible could.

Councilmember Robinson said the Council budget input session would be coming up in another month or so, and that would certainly temper their expectations and requests they would make.

**President Meredith** said there was a line item, Non-departmental/Legal, \$900,000, and the description was "Claims and Judgments." He asked what that was, noting that almost \$1 million seemed like a lot of money for an increase in claims. He asked if they were having more claims put on them or if the average results were higher.

Ms. Smith said she would let Mr. Riley address that, but she was aware they had one claim in particular that was very high, and sometimes just one claim could skew that budget in that way.

**Mr. Riley** said there were two claims during the last year that were much higher than what they were used to. He said with a municipality such as this, they would occasionally have an event that would occur that would justify a higher recovery, or whatever the case might be. He said this was two cases in particular, and they had brought them before the Council, in one form or another, to explain them.

President Meredith asked if these were essentially just outliers, that the amount of the judgment was an outlier.

Mr. Riley said it did not, in his judgment, represent any trend, that it was just that they had a couple of particular scenarios that were difficult to deal with, that they did not normally experience.

President Meredith said the line item on the Amphitheater looked ominous, and he would like for Mr. Hamilton to explain why this was not as bad as it looked.

**Mr. John Hamilton, City Administrator**, said the Amphitheater was tied very closely to a significant economic development project, MidCity, which was still ongoing. He continued that in the first couple of years, it was constructed with a Capital Fund, in the 2014 Capital Plan, as an economic development project, and the startup was funded essentially out of the Capital Plan. He said what they were transitioning to at this time was it getting its traditional budget they needed to contribute to, for operations, consistent with other venues like that, the VBC, the various museums, quality-of-life types of venues. He said their contribution to those were funded out of the General Fund. He said this was a transitional year, pulling it out of that initial Capital Plan investment into standard operations.

Mr. Hamilton said the number looked large, and part of that was that they had waited until they saw the actual audited numbers for 2024. He said that was their contribution to make that fund whole for 2024, and then what they needed for 2025. He said they were seeing a positive trend in their budget, that in terms of their earned revenues, it was getting better each year, and at this point, the trend would indicate that year over year, the City's subsidy to them was getting better. He continued that they were seeing the same thing with the VBC, that they were getting much better financial results. He said they were seeing both of those venues on a similar trend, in terms of how they were doing relative to their earned revenues.

Mr. Hamilton said with the Amphitheater, they had obligated them to put on a high volume of free or very low-cost events. He said if they had asked them to only put on the great big country or rock, or whatever concerts they could make a lot of money on, their budget would look very different, but the community's utilization of the facility would be significantly lower. He said much of what they were funding there was to provide free events or low-cost events to the community, and if they took those away, this would be a very different conversation.

#### **BOARD APPOINTMENT NOMINATIONS.**

Nomination to reappoint **Joshua McCoy to the Alabama Constitution Village and Historic Huntsville Depot Board, Place 8**, his current seat, for a three (3) year term to expire June 26, 2028. (Robinson)

Nomination to appoint **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. (Meredith)

#### **LEGAL DEPARTMENT ITEMS/TRANSACTIONS.**

##### **Deeds of Acceptance.**

**Resolution No. 25-398**, authorizing the acceptance of a Statutory Warranty Deed, a Temporary Construction Easement Deed, and a Ingress/Egress Deed, for certain properties at The Fields at Hays Farm, for the Haysland Road Greenway.

##### **Motion for Approval by Robinson/Seconded by Meredith.**

**Councilmember Robinson** asked if this deed would make it possible to get the trails paved, noting that she had had a lot of questions about when they would be paved.

**Mr. Davis** said upon the acceptance of the deeds, they would have City-owned property, so they could go and do this work.

Councilmember Robinson asked how soon the work would begin.

Mr. Davis said it would be within the upcoming two weeks.

Councilmember Robinson said they had elevated walkways that needed to go in there as well, but she was aware there was permitting that had to go along with that.

Mr. Davis said they were through with the permitting, and he said they would construct this in two different phases, that they wanted to get all the paving in, to allow the contractor for the elevated portion to have easy access to build those. He said everything should be completed by the end of summer, in the August time frame, that it should go rather quickly.

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-398)**

**UNFINISHED BUSINESS ITEMS FOR ACTION.**

**Ordinance No. 25-388**, to amend Chapter 15, Licenses and Taxes, Article I, General Provisions, of the Code of Ordinances, City of Huntsville, Alabama, which ordinance was introduced at the May 10, 2025, Regular Council Meeting.

**Motion for Approval by Robinson/Seconded by Meredith/**

**Unanimously Adopted by the Council Members Present.**

**(ORDINANCE NO. 25-388)**

**Ordinance No. 25-389**, declaring property surplus and no longer needed for municipal purposes, which ordinance was introduced at the May 10, 2025, Regular Council Meeting.

**Motion for Approval by Robinson/Seconded by Meredith/**

**Unanimously Adopted by the Council Members Present.**

**(ORDINANCE NO. 25-389)**

**Ordinance No. 25-390**, annexing 27.61 acres of land lying west of Old Big Cove Road and north of Buford Drive, which ordinance was introduced at the May 10,

2025, Regular Council Meeting.

**Motion for Approval by Robinson/Seconded by Meredith.**

(Mr. Nunez made a PowerPoint presentation.)

**Mr. Nunez** said the Petitioner was seeking to annex 27.61 acres of land for a proposed single-family residential development.

**Unanimously Adopted by the Council Members Present.**

**(ORDINANCE NO. 25-390)**

**NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION.**

**Items 20.d, 20.e, 20.f, 20.j, 20.k, 20.m, 20.n, and 20.o were held from the consolidation.**

**Motion for consolidation and adoption of the following items:**

**Motion for Approval by Meredith/Seconded by Kling/Unanimously Approved by the Council Members Present.**

**Consolidated Items:**

Resolution authorizing travel expenses.

**(RESOLUTION NO. 25-399)**

Ordinance amending Budget Ordinance No. 24-700, by changing appropriated funding for various departments and funds.

**(ORDINANCE NO. 25-400)**

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. 25-401)**

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville, Alabama and Garver, L.L.C., for Engineering Design Services for Mooresville Sanitary Sewer Interceptor, Project No. 71-25-SO01.

**(RESOLUTION NO. 25-405)**

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville, Alabama and The Ferguson Group, L.L.C., for Grant Writing Services for Resolute Way Interchange, Phase 1, Project No. 71-25-SP15.

**(RESOLUTION NO. 25-406)**

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville, Alabama and SAIN Associates, Inc., for West Park Boulevard and U.S. 72 Intersection Improvements, Project No. 71-25-SP16.

**(RESOLUTION NO. 25-407)**

Resolution authorizing the Mayor to execute Change Order No. 1 and Final to the contract between the City of Huntsville and Ram Construction Services of Michigan, Inc., for Construction Services for the Clinton Avenue Parking Deck.

**(RESOLUTION NO. 25-410)**

Resolution authorizing the City Attorney to settle the claim of Kayla Hilbrant (Claim FY24-99).

**(RESOLUTION NO. 25-414)**

Resolution authorizing the City Attorney to settle the claim of Cassandra Ruffin (Claim FY24-197).

**(RESOLUTION NO. 25-415)**

Resolution authorizing the City Clerk to invoke Bryant Bank Letter of Credit No. 1470 for Clubfield Subdivision.

**(RESOLUTION NO. 25-416)**

Resolution authorizing the City Clerk to invoke Trustmark National Bank Letter of Credit No. 24-024-SP for Reunion at Green Mountain Subdivision.

**(RESOLUTION NO. 25-417)**

Resolution authorizing the City Clerk to invoke Trustmark National Bank



Letter of Credit No. 24-027-SP for Reunion at Green Mountain Subdivision.

**(RESOLUTION NO. 25-418)**

Resolution authorizing the City Clerk to invoke CB&S Bank Letter of Credit No. 555882 for Preserve at Limestone Creek Phase 3 Subdivision.

**(RESOLUTION NO. 25-419)**

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and West Publishing Corporation.

**(RESOLUTION NO. 25-420)**

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Steven L. Black, for the Police Department's Unmanned Aerial Systems operations.

**(RESOLUTION NO. 25-421)**

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Unmanned Aerial Systems Information Sharing Organization (UAS ISAO).

**(RESOLUTION NO. 25-422)**

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

**(RESOLUTION NO. 25-423)**

**Items Not Consolidated.**

**Resolution No. 25-402**, authorizing the Mayor to execute Change Order No. 2 between the City of Huntsville and Turner Construction Company, for the Von Braun Center Concert Hall Back of House Renovations project, located at 700 Monroe Street SW, Huntsville, Alabama.

**Motion for Approval by Robinson/Seconded by Meredith.**

**Ms. Penny Smith** said the Change Order that was before the Council was

between the City of Huntsville and Turner Construction Company, and this was on the Von Braun Center Concert Hall Back of House. She said they had some change in scope that was due to sewer and electrical changes that were unexpected, and that was what this change order was addressing.

**Councilmember Kling** asked if this would come out of the Liquor and Lodging Tax rather than the City having to appropriate it.

Ms. Smith said it did. She said the City managed the debt for the Von Braun Center, and this was part of a debt issuance that was taken up in February. She said they had some savings in some other places within that larger debt, noting that they had pulled about \$30 million for various construction across the VBC renovations they had had. She said this was an additional expense.

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-402)**

**Resolution No. 25-403**, authorizing the Mayor to execute the Consent to Assignment of Contract Agreement between Commercial Flooring Services, Inc., and Commercial Finish Solutions, LLC., dba Commercial Flooring Services, to transfer the rights and obligations of the Carpet & Tile Products and Installation Contract, awarded under Resolution No. 23-1050, from Commercial Flooring Services, Inc., to Commercial Finish Solutions, LLC., dba Commercial Flooring Services.

**Motion for Approval by Robinson/Seconded by Meredith/**

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-403)**

**Resolution No. 25-404**, authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville, Alabama and Garver, L.L.C., for Land Acquisition for Winchester Road Additional Lanes, Project No. 65-09-RD03 & ALDOT Project No. STPHV-DEMO-A183.

**Motion for Approval by Robinson/Seconded by Meredith.**

**Mr. Davis** said this was an MPO project, widening the last phase of Winchester Road, from Old Dominion to Naugher. He said they were close to bidding this project, that the design plans had been finished for several years, that there had been a very lengthy process of acquiring right-of-way, U&D easements to relocate all the utilities, and as they had gone through this, there had been some minor changes of easements that would be needed. He said what was before the Council was a contract to update the plans to reflect those easements that were needed, and to provide both the City and the Alabama Department of Transportation updated tract sketches so those easements could be acquired for the Utility Department. He said once they got through that step, they would be close to starting the utility relocation, hopefully by the end of the year, with the construction of the road to start early in the upcoming year.

Mr. Davis said this was an MPO project, and the total contract amount was \$398,824, and the City's share was only \$45,186.

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-404)**

**Resolution No. 25-408**, authorizing the Mayor to execute Modification No. 2 to the agreement between the City of Huntsville and McCord Construction, Inc., for Periodic Bid for Sanitary Sewer Jack and Bore Items-2023, Project No. 71-23-SP18.

**Motion for Approval by Robinson/Seconded by Meredith.**

**Mr. Davis** said this item and the next item were both related to Water Pollution Control, the Sewer Department. He said these were periodic bids with a third-party contractor, that the amounts were fairly large, and he would explain why. He said this one was \$5,548,890, and the next one was \$1,856,800. He said Water

Pollution Control intended to not spend anywhere close to that amount of money, but to determine a low bidder, these bids had numerous line items and quantities. He said this was on-call, as needed, and this might be when they needed to get a sewer line across a road, where they did not want to shut down traffic and tear up the road and have to rebuild it. He said the contractor would put what they called a "carrier pipe" under the road, or a directional drill, in the very same manner, if it were a small service line, like to a residential neighborhood. He said those conditions might be in very soft soil or in solid rock, so there was a lot of unit pricing in there to be able to price the actual job. He said to determine those bids, they had to extend all those quantities in all those line items and get a total, to determine the low bidder. He said he had previously worked in Water Pollution Control, and some years they would not even use this, and at other times, they might use \$200,000 of it, to be able to act quickly, to provide service to the community.

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-408)**

**Resolution No. 25-409**, authorizing the Mayor to execute Modification No. 2 to the agreement between the City of Huntsville and McCord Construction, Inc., for Periodic Bid for Sanitary Sewer Directional Drilling Items-2023, Project No. 71-23-SP19.

**Motion for Approval by Robinson/Seconded by Meredith/**

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-409)**

**Resolution No. 25-411**, authorizing the Mayor to execute Change Order No. 1 and Final to the contract between the City of Huntsville and Pettus Plumbing & Piping, Inc., for Construction Services for the Art Museum HVAC Renovation.

**Motion for Approval by Robinson/Seconded by Kling.**

**Mr. Ricky Wilkinson, Director of General Services,** said this was Change Order No. 1 and Final with Pettus for the Art Museum HVAC Renovation project. He said the amount of this Change Order was a credit back to the City in the amount of \$91,393.96. He said they had encountered some additional work during the project, but the bulk of this was credit back for unused allowance dollars that were in the contract

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-411)**

**Resolution No. 25-412,** authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Mims Engineering, Inc., for Engineering Services for the Museum of Art HVAC Renovation.

**Motion for Approval by Robinson/Seconded by Meredith.**

**Mr. Wilkinson** said this was the design services contract for the HVAC Renovation project at the Museum of Art, that this was Modification No.1 and Final, in the amount of \$31,565.64, noting there was some additional design work required. He continued that if they had to bring in a temporary chiller, they had made provisions for power to be located for that.

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-412)**

**Resolution No. 25-413,** authorizing the Mayor to enter into a Master Services Agreement between the City of Huntsville and Simple Helix.

**Motion for Approval by Robinson/Seconded by Kling.**

**Mr. Gene Uhl, Interim Director of the ITS Department,** said this was a Master Services Agreement that would allow them to continue their lease on co-location services. He said, as the Council members might be aware, when they had decided to build the City Hall on this location, it was where their data center was

located, so they were obligated to move that particular center. He continued that they had done a lot of research on finding the most economical place for it, and they had decided on Simple Helix, a co-location service, which housed their main data center. He said this was just a renewal of their previous five-year term agreement for the housing of those services.

**Unanimously Adopted by the Council Members Present.**

**(RESOLUTION NO. 25-413)**

**NEW BUSINESS ITEMS FOR INTRODUCTION.**

**President Meredith** said the next item on the agenda was the one a Council member had requested be considered at this meeting, which would require unanimous consent of the Council.

**Ordinance No. 25-424**, to name the property located between North Rose Drive, South Rose Drive, Pine Avenue, and 9th Avenue as “Westlawn Park.”

**Motion for Unanimous Consent of the Council for immediate consideration of the above ordinance.**

**Motion by Kling/Seconded by Robinson.**

**Roll-Call Vote:**

**Ayes: Kling, Robinson**

**Nays: Watkins, Meredith**

**Absent: Little**

**Motion Failed.**

**Introduction of Ordinance No. 25-424**, to name the property located between North Rose Drive, South Rose Drive, Pine Avenue, and 9th Avenue as “Westlawn Park.”

**Introduction of Ordinance No. 25-425**, declaring certain property surplus and to be donated to Calhoun College.

**Introduction of 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.

(Mr. Davis made a PowerPoint presentation.)

**Mr. Davis** said the Administration and Water Pollution Control wanted to make a presentation concerning the above ordinance. He said they were not asking the Council to consider this ordinance at this meeting, but they wanted to provide this information for the Council and the public, and at the next Regular Council meeting, they could have further discussion of this ordinance.

Mr. Davis said the last time the Administration had come before the Council to modify the Sewer Rate Ordinance was in 2005. He said in that time, a lot had changed in the Water Pollution Control Department, so he would go through its current financial status, the sewer rate history, and proposed system improvements, and challenges not only that Water Pollution had seen but that the industry as a whole had seen; and also the Capital Plan, and the Sewer Rate Model Analysis, how they had come up with the need, and regional and local rate comparisons, and the recommended rate changes.

Mr. Davis said the Department of Water Pollution Control was responsible for the collection and treatment of daily wastewater production generated by residential, commercial, and industrial customers, and they were responsible for the City's FOG program that was regulated by the EPA. He said that was Fats, Oils, and Grease, to make sure those were handled properly from those who produced them, which was mainly commercial retail customers. He said that program was highly regulated and managed by the Water Pollution Control Department, to make sure that waste was properly disposed of.

Mr. Davis said the oldest infrastructure they managed dated back to the 1950s,

and it was constantly aging.

Mr. Davis said Water Pollution Control had an operational structure that was comprised of three primary divisions: Collections System, Treatment Operations, and Facility Maintenance. He said the department was currently supported by 175 budgeted, full-time employees, and the organizational chart was displayed.

Mr. Davis said the City had six Wastewater Treatment facilities, and their current treatment capacity was over 110 million gallons per day, that there were 84 pumping stations throughout the city that ran 24/7. He continued that there were 41,000 collection system manholes that had to be tested, maintained, and inspected, and just under 2,000 miles of underground sewer pipes, from 8-inch to 78-inch in size, and a little over 22,000 customers served daily.

Mr. Davis displayed a slide which he said showed the service area of the wastewater treatment system, and he said they could see it was rather large, and it was broken up into five basins, and he enumerated the areas each basin served.

Mr. Davis displayed a slide which he said showed a breakdown of the Operational Cost Allocation, what it took annually to operate Water Pollution Control. He said Equipment and Materials, along with Personnel, made up the bulk of the cost, and there was also Utilities, and he said when they started looking at the aging system of the Utilities, the green and orange on the slide indicated that almost 25 cents of every dollar they were spending was going back into the existing neighborhoods, to keep that aging system replaced, rehabbed, and maintained.

Mr. Davis displayed a slide entitled "Department Revenues and Expenses," and he said Water Pollution Control, like other utility providers, had not been insulated from rising costs associated with providing wastewater service to their customers and conforming with everchanging federal permit regulations.

Mr. Davis reiterated that the last rate increase had been approved in 2005, and



he said they had not been before the Council since that time, as Huntsville's growth had helped to stabilize revenues, such that they were able to maintain operations; however, current revenues could not support the necessary capital plan for infrastructure reinvestment in the sewer system.

Mr. Davis said the green bar on the display showed the annual operating revenues, the Enterprise Fund, where it showed the charges for wastewater service. He also indicated on the chart the operating expenses. He continued that he wanted to focus on the FY 24 Budget. He said when they presented that budget, with \$45.2 million in Annual Revenue, they had seen a trend of what they thought were some large industrial customers that were scheduled to be very large water users, which would translate into large wastewater customers and large revenues, and they were trying to do \$22 million in Capital Improvements that were needed, and that was plugged in, and by doing this, the budget had gone negative, by \$5.7 million. He said they had dialed back that capital to get it into a net positive moving forward, and they could see on the chart the FY 24 Actual, where the capital had been reduced by about \$10 million. He said he had made a note of this, and he had not forgotten it when they were creating the FY 25 budget. He said what was seen to the right on the display was what had been passed by the Council, that they were going to go into surplus to cover what was projected to be a negative \$4 million balance.

Mr. Davis said if they looked at the gray line on the display, there were infrastructure needs that had to be done, to maintain regulations. He said that was almost \$20 million in this year, and it was not going to happen, noting that they had gotten halfway through the budget year, and they had seen the revenue projections. He said they had tried to defer coming before the Council to do something on this, but they had deferred and deferred, hoping they could grow out of this, but with inflation and the rising cost of materials and utilities, it was just not going to happen.

Mr. Davis displayed another slide, and he enumerated the rate charges over the years from 1984, and he said from 1984 to 1994, the City had made very little investment in this, but they had a cheap sewer bill, that the average bill in Huntsville from 1984 to 1994 was approximately \$6, but by not investing in the infrastructure, they were close to an EPA Consent Order, that they were averaging between 300 and 400 annual overflows, and ADEM and EPA had rated their system as Poor to Mediocre. He discussed the investment in the facilities over the years, resulting in a rating of the system as Stable.

Mr. Davis said in 2005, the EPA had launched a new program, called "CMOM," and they had voluntarily enrolled in that, and they had implemented more maintenance and monitoring, et cetera, and they had brought their system up to a Good rating, and in the early 2000s, it was considered one of the best operating systems in the state.

Mr. Davis said the system had been stable since 2015, the last decade, just maintaining the system, keeping the rates low, and making sure they provided good service. He said at this time, they were at a stage where they needed one of these upper curves, to keep a good system operational.

Mr. Davis displayed a chart showing the monthly average sewer bill history in Huntsville, and he noted it had remained at \$24.15 since 2014.

Mr. Davis displayed a slide entitled "Challenges Affecting the Wastewater Industry," and he said this was a publication for public utilities across the United States, a survey from November 2024, where they were trying to get trends, and he said No. 1 was aging wastewater infrastructure, and he said the way to address this was in rehabbing it. He said they also covered an aging workforce, which he noted did not apply in Huntsville; and there was funding or availability of capital; and he discussed some of the other items listed.

Mr. Davis displayed a slide entitled "Current Water Pollution Control Challenges," and he said this showed the top challenges, being Personnel, Construction Costs, Pipes, Manholes, Concrete; Process Equipment, Pumps, Blowers, et cetera; Specialized Fleet; and Increased/Expanding Regulations, with new equipment needed to meet these regulations, and he discussed these.

Mr. Davis displayed a slide entitled "Current Financial Constraints," and he said they could see the net in green, noting that they were not making any capital investment. He said they could see on the display that in FY 2024, they had tried to induce that capital investment, and it had exceeded the revenue, and they had made the adjustment to stay in the green, and they could see that in FY 2025, they were in that same situation, and he said that without any increase, they would take that capital out of the proposed plan.

Mr. Davis displayed a slide entitled "Wastewater Treatment Facilities Upgrades," and he said this again showed the six wastewater treatment facilities, and he said the average of service of these six facilities was 48 years, and some were higher, with Spring Branch at 65 years and Aldridge Creek at 59 years. He said Big Cove, Chase, and the Western Area were approaching 50 years in service life.

Mr. Davis displayed a slide entitled "Wastewater Collection System Rehabilitation and Upgrades," and he said the areas in green showed the existing system that was very densely populated and had been in service for a long time, and these would be rehab projects, where they would be adding life to the age of that infrastructure, both in pump stations and collection services; and the blue areas were capacity improvements, where they wanted to either see future revenue growth, so they could defer future rate increases, or they were seeing growth, and they needed to make some pump station upgrades.

Mr. Davis said about three years prior, Huntsville Utilities had come before the

Council to enter into an intergovernmental service agreement with Redstone Arsenal to operate their water system. He said they were in conversations with Redstone for doing the same with sewer, that there was a federal mandate for all military basis to privatize utilities, which put Redstone Arsenal at risk for not fully having privatization of the total collection system operations. He said they were not near the point of coming before the Council with this, that they were just having discussions with them as to what this might look like and what it could look like in the future.

Mr. Davis displayed a slide entitled "Required 10-Year Capital Plan (2025-2034)," and he said this totaled \$150 million, and he displayed a slide showing the categories in which the expenditures would occur, and he said there would be a special focus on the collection systems in existing neighborhoods and existing retail corridors, to make sure those communities had the highest and best service possible. He said between Treatment Facility Improvements and Collection System Capacity Improvements, that was 65 percent of the Capital Plan. He said Collection System Capacity Projects was upgrading existing pump stations.

Mr. Davis displayed a slide entitled "WPC Sewer Rate Model Analysis," and he said they maintained a sewer rate model, and he explained how they plugged in annual sewer revenues and expenditures, and he enumerated other items that it showed, stating that it was a more in-depth analysis than they had seen previously. He said this was looking at how they could make future plans for capital reinvestment, and he said that was shown in the pink line on the displayed slide. He said they would then put a debt service with that, which debt service would be through the State Revolving Fund Loan that was maintained by the Alabama Department of Environmental Management and EPA, that it was a low-interest loan that would not go against their debt service. He said this was an easy way to let the regulatory agencies know what they were doing because they would be submitting

annually for a 10-year plan.

Mr. Davis said the line concerning rates was shown in green on the display, and he said they had tried to determine how they could make the rate increase as small as possible to wind up with a net positive result in this 10-year model.

Mr. Davis said the Council would have at least two weeks to look through the information provided, and he would answer any questions at that time.

Mr. Davis said the proposed rate increase, priced per 1,000 gallons, was very low, noting that they had done it over a long term, which regulators would approve, rather than trying to do it all within three years. He said they had a Single-family Rate, which had a built-in 15 percent discount to residential customers. He said that next was the Proposed Other Rate, their defined sewer rate for all other customers, commercial, industrial, and residential if it was a residential customer with more than one meter. He said they had one other rate, which they had no customers on that rate, that it was a Proposed Major Industrial Rate, and he said this was for a customer using over 100 million gallons of water a year. He said they were talking about two rates that would affect existing customers. He said the rate that would affect most people was the residential customer, and he said in 2025, the average monthly residential rate would increase by \$5 for the average customer, noting that the average customer used about 5,000 gallons of water per month. He said from 2026 to 2029, it would increase by \$1.25 per year, and from 2030 to 2034, it would go up go up \$1.00 per year. He continued that the bill would go from what it was at this time, \$24.15, to \$39.15 in 2034.

Mr. Davis said they were being mindful of the infrastructure needs they had, staying in regulatory compliance, and also being mindful of their customers.

Mr. Davis displayed another slide, and he said the Southeast average bill was about \$72.85, and they were at \$24.15.

Mr. Davis displayed another slide, showing rate comparisons for Alabama cities, and he noted again that Huntsville was at \$24.15, and he said the average monthly sewer bill in Alabama was \$52.14. He displayed another slide, showing the cities closer to Huntsville, and he said the average monthly sewer bill in the North Alabama area was \$54.02.

Mr. Davis said he was showing a slide he had shown previously, and he said he just wanted to reiterate, noting that if the Council decided to move forward with this proposal, \$39.15 would be the rate they would be at in 2034.

Mr. Davis said, concerning the FOG program, that they had not changed that rate since 2005, and they had fallen way behind on what the regional average was, so they needed to make those adjustments. He said there was a discounted rate for a business within the city limits of Huntsville, and there was another rate for locations within the unincorporated limits of the city.

Mr. Davis they would be bringing before the Council the first sewer rate amendment since 2005, and he had shown them that the current revenues could not support future infrastructure investments they needed to do. He said they had spread the \$150 million over a 10-year span, and for the first year they would go from \$24.15 to \$29.15, and by 2034, the rate would be at \$39.15, well below both their neighbors and the state average, being mindful of what they needed to do to stay in compliance and also trying to provide the cheapest rate possible to their customers.

## **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 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. Malcolm Thomas**, 5906 Columbian Lane, Huntsville, addressed the Council, having signed up to speak concerning "Alpha Phi Alpha Fraternity."

**Mr. Malik Furniss**, 2207 Amley Drive, NW, Huntsville, addressed the Council, having signed up to speak concerning "Development proposal."

**Ms. Frances Akridge** addressed the Council, stating that she had already signed in, (2002 Rogers Dr.), and having signed up to speak concerning "Sewer Rate, 2025-449."

**Dr. Angela Sommerset**, 9 Chalkstone Street, Huntsville, 35806, addressed the Council, having signed up to speak concerning "Hsv. Utilities & Transparency."

**Ms. Brenda Elliott**, 4607 Sparkman Dr., NW, Huntsville, addressed the Council, having not signed up to speak concerning a particular subject.

**Mr. Michael Jones**, 102 Peachgrove Lane, Meridianville, addressed the Council, having not signed up to speak concerning a particular subject.

**Mr. David Snyder** addressed the Council, stating that his address was on the sheet, (3816 Bob Wallace HSV), and having signed up to speak concerning "Derrick St."

**Mr. Ray Muhammad**, 25655 Graystone Drive, Limestone County, addressed the Council, having signed up to speak concerning "Jones Family."

**Mr. Taylor Miller**, 1100 Enterprise Way, NW, Apartment 18104, Huntsville, addressed the Council, having signed up to speak concerning "Apartment fees."

**Dr. Marisa Allison**, Huntsville, District 2, addressed the Council, stating that her address was on file, (710 Owens Dr., SE), and having signed up to speak

concerning "Library."

**Ms. Alyx Kim-Yohn**, District 3, Huntsville, addressed the Council, stating that her address was on file, (12023 Chicamauga Tr., SE), and having signed up to speak concerning "Library funding."

**Ms. Sarah M. Colletti**, Hartselle, addressed the Council, stating her address was on the sheet, (Lawrence Rd.), and having signed up to speak concerning "Not agenda related."

**ADJOURNMENT.**

Upon motion, the meeting was adjourned.

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PRESIDENT OF THE CITY COUNCIL

ATTEST:

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CITY CLERK

**(Meeting adjourned at 9:00 p.m. on May 22, 2025.)**