

HUNTSVILLE CITY COUNCIL MINUTES
Regular Meeting - October 24, 2024 - 5:30 p.m.
City Council Chambers, City Hall
Huntsville, Alabama

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| Members Present: | Mr. David Little, President Dr. Jennie Robinson Mr. Bill Kling Mr. Devyn Keith Mr. John Meredith |
| Mayor: | Mr. Tommy Battle |
| City Administrator: | Mr. John Hamilton |
| City Attorney: | Mr. Trey Riley |
| City Clerk: | Ms. Shaundrika Edwards |

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

The invocation was offered by Chaplain Steve Lacy; Councilmember Robinson led the Pledge of Allegiance.

APPROVAL OF THE AGENDA.

President Little said that under New Business Items for Introduction, item 21.a was a corrective ordinance to an ordinance introduced at the prior Council meeting, and for passage at this meeting, it would require unanimous consent.

The agenda was approved as submitted.

APPROVAL OF THE MINUTES OF PREVIOUS MEETING.

President Little said the Council members had been provided copies of the minutes of the Regular Meeting of the Council held on October 10, 2024, and the minutes were approved as submitted.

MAYOR: SPECIAL RECOGNITIONS.

Recognition of Alabama A&M University's Women's Tennis Team upon winning the first ever HBCU National Championship.

Mayor Battle asked the team representatives, Mark Russell, and the players to come forward.

Mr. Russell introduced the Athletic Director at Alabama A&M, Paul Bryant.

Mr. Bryant said they were so excited to have the women's tennis team, noting they had played in Atlanta and won the National Historical Black Colleges and Universities National Championship. He said this was the first such win in their history, and they were so privileged to be able to honor these players at this time.

Coach Willis Mbandi introduced the assistant coach and the players.

Coach Mbandi said it was an honor to see these young ladies competing in this tournament, that it had been a personal goal of his for them to win this tournament and put their prestigious university on the map. He said he was so proud of these team members because they were winning in class as well as on the tennis court.

Mayor Battle congratulated the team members, saying they had brought honor to the city of Huntsville, and also to the Bulldog name.

PUBLIC HEARINGS TO BE HELD.

Public Hearing on authorizing Community Development to assess the cost of cutting overgrown grass and/or weeds against certain properties.

Mr. Scott Erwin, Manager of Community Development, said this was a public hearing on assessing the cost of cutting overgrown grass and/or weeds against 15 properties, in the amount of \$3,959.46, with an average per property of \$263.96, and the owners of 10 of the properties being inside the city limits of Huntsville, and the owners of 5 being outside the city limits of Huntsville.

Public Hearing Opened/No Public Comment/Public Hearing Closed.

Resolution No. 24-787, authorizing Community Development to assess the cost of cutting overgrown grass and/or weeds against certain properties.

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

(RESOLUTION NO. 24-787)

Public hearing on the zoning of 3.46 acres of land lying north of Winchester Road and east of Bradford Lane to Residence 2 and Highway Business C-4 districts, which hearing was set at the September 12, 2024, Regular Council Meeting.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Thomas Nunez, Manager of Planning and Zoning Services, said the petitioner was seeking to zone this property Residence 2 and Highway Business C-4 districts. He said this property had recently been annexed into the city, for City services.

Public Hearing Opened/No Public Comment/Public Hearing Closed.

Ordinance No. 24-633, zoning 3.46 acres of land lying north of Winchester Road and east of Bradford Lane to Residence 2 and Highway Business C-4 districts, which ordinance was introduced at the September 12, 2024, Regular Council Meeting.

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

(ORDINANCE NO. 24-633)

Public hearing on the rezoning of 5.62 acres of land lying on the south side of Plummer Road and the east side of Research Park

Boulevard from Residence 2-B and Neighborhood Business C-1 districts to Highway Business C-4 District, which hearing was set at the September 12, 2024, Regular Council Meeting.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez said the petitioner was seeking to rezone this property to Highway Business C-4 District.

Public Hearing Opened/No Public Comment/Public Hearing Closed.

Ordinance No. 24-635, rezoning 5.62 acres of land lying on the south side of Plummer Road and the east side of Research Park Boulevard from Residence 2-B and Neighborhood Business C-1 Districts to Highway Business C-4 District, which ordinance was introduced at the September 12, 2024, Regular Council Meeting.

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

(ORDINANCE NO. 24-635)

Public hearing on the rezoning of 41.68 acres of land lying east of Pulaski Pike and north of Routt Road from Residence 1 District to Planned Industrial District, which hearing was set at the September 12, 2024, Regular Council Meeting.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez said the petitioner was seeking to rezone this property to Planned Industrial District, which would be consistent with adjacent property, for further actions with the North Huntsville Industrial Park.

Public Hearing Opened/No Public Comment/Public Hearing Closed.

Ordinance No. 24-637, rezoning 41.68 acres of land lying east of

Pulaski Pike and north of Routt Road from Residence 1 District to Planned Industrial District, which ordinance was introduced at the September 12, 2024, Regular Council Meeting.

**Moved for Approval by Robinson/Seconded by Meredith/
Unanimously Adopted.**

(ORDINANCE NO. 24-637)

PUBLIC HEARINGS TO BE SET.

Resolution No. 24-788, to declare a public nuisance located at 1417 Dale Circle, SE, Huntsville, AL, and to set the date for when objections will be heard, **at the November 7, 2024, Regular Council Meeting.**

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

(RESOLUTION NO. 24-788)

Resolution No. 24-789, to set a public hearing for suspension of licensure for confidential tax-related Case Nos. 399, 400, and 401, **at the November 7, 2024, Regular Council Meeting.**

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

(RESOLUTION NO. 24-789)

Resolution No. 24-790, to set a public hearing on the vacation of rights-of-way and easements in Tracts 1 and 2 of Mundy Meadows Phase 1 and 2, **at the November 21, 2024, Regular Council Meeting.**

**Moved for Approval by Robinson/Seconded by Meredith/
Unanimously Adopted.**

(RESOLUTION NO. 24-790)

Introduction of Resolution No. 24-791, consenting to the vacation of

rights-of-way and easements in Tracts 1 and 2 of Mundy Meadows Phase 1 and 2.

Introduction of Ordinance No. 24-792, vacating rights-of-way and easements in Tracts 1 and 2 of Mundy Meadows Phase 1 and 2.

AGENDA-RELATED PUBLIC COMMENTS.

President Little said this portion of the meeting was reserved for persons wishing to address the Council on matters relating to the specific content of items on the meeting agenda. He said people could sign up to speak on the Public Comments Roster prior to the meeting, and that when called, they should approach the microphone and state their name, home address, and city of residence. He said each speaker could address the Council for three minutes, and that speakers shall refrain from entering into a dialogue with Council members or City staff and from making comments regarding the good name and character of any individual.

Ms. Joy Johnson, 709 West Arbor Drive, addressed the Council, having signed up to speak concerning "20.d."

MAYOR COMMENTS.

Mayor Battle said this would be the last Council meeting for Councilmember Devyn Keith, and he said Councilmember Keith had done some great things for the city, and especially for his district, that he was the first one to have new houses built in his district in over 40 years, the first one to add jobs to that district in a long time, with Toyota Motor Manufacturing and Meta, and he had also brought in a lot of new educational facilities and a lot of retail.

Mayor Battle thanked Councilmember Keith for his eight years of service, and he thanked him for what he had done for the community. He said he felt they would be able to look at Councilmember Keith in a few years and say they had known him when he served on the Council.

Mayor Battle said he had a presentation, by Scott Erwin, Manager of

Community Development, concerning the Derrick Street property, where there had been a homeless camp for a while. He said there had been a fire there, and he wanted to have this presentation on what had been done at that location and what was going to happen in the future.

(Mr. Erwin made a PowerPoint presentation.)

Mr. Erwin said about a month prior, there had been a fire at the Derrick Street Homeless Camp, and there was a lot of loss. He said a lot of things had happened at that site over the years, and that led to the City intervening on this project.

Mr. Erwin said on September 17, Huntsville Fire & Rescue had responded to a fire at this camp, and there were at least eight tents destroyed, along with a lot of personal property, and the fire and debris had added to the accumulated trash that was already in the camp, and this led to unsafe and unsanitary conditions that required a cleanup of this property. He said Public Works had taken on this task, to bring this property back to a safe and sanitary condition.

Mr. Erwin said these cleanup operations had required relocating individuals and provided the opportunity for a complete reset of this camp. He said a lot of organizations had pitched in on this, and they had dedicated a space, on City property, about 25 yards to the north of the location, and some of these individuals had been happy to relocate to that space. He said the City had fenced in this property, to create an opportunity for these people to go to that location while the Derrick Street Camp was being restored to some level of a safe and sanitary condition.

Mr. Erwin displayed some slides of the property, and he said they were fortunate that no one had been seriously injured in this fire, but there was a lot of loss. He said they were making plans as to what would be next, and they had worked up a plan on where some of these individuals could go. He said they had a listening

session scheduled for the camp residents the following week, on Wednesday, and on the camp reset, they would emphasize health and safety. He said they would be enforcing new camp standards, that between Community Development and HPD, they were working on a list of standards that had to be enacted so the conditions they had seen during the fire would not present themselves again. He said the camp data for anyone who was in the camp was already entered in Charity Tracker, and it was monitored. He said their goal, as Community Development, for anyone who was unsheltered, experiencing a life of homelessness, would be to give them an avenue to become housed, sheltered, et cetera.

Mr. Erwin said the camp would be organized to make designated spaces equitable for everyone. He said they could not continue to allow scrapping and large amounts of debris and trash to come in and spill into a space someone else would be attempting to use. He said he hoped in 30 or 45 days, the individuals who had been in this camp would be able to return to the new camp, if they so desired, but along the way, they would continue to work toward providing a permanent solution for such individuals.

Mr. Erwin said he would be glad to answer any questions at this time, or the Council members could reach out to him on an individual basis.

Councilmember Meredith asked when the listening session was scheduled for the camp residents, noting he thought he could benefit from it.

Mr. Erwin said they were trying to keep this for the camp residents, but it would be held at First Stop on the following Wednesday, at 3 p.m.

Councilmember Meredith asked how many sites Mr. Erwin saw being available at this camp.

Mr. Erwin said for the individual spaces, they were looking at approximately 15x15, which would allow for an average-size tent, and extra space. He said he could

better answer Councilmember Meredith's questions in about two weeks.

Councilmember Meredith asked if it was correct that they would not be increasing the population that had already been at this camp.

Mr. Erwin said there was no intent to increase the population.

President Little said once this was completed, perhaps Mr. Erwin could update the Council concerning it.

Mr. Erwin said he would be glad to do so.

Councilmember Robinson said she was grateful for their focus on cleaning up this camp, and she was very grateful that they were helping some of these individuals to be housed, noting that was the most important thing they could do.

Mr. Erwin said that was the end goal, that they did not want to support the creation of camps, that they wanted to support the programs and systems allowing individuals to exit homelessness and have a permanent, stable housing environment.

Mayor Battle announced the following Board Reappointments:

Donna Hendricks to the Planning Commission of the City of Huntsville, for a 3-year term to expire October 27, 2027.

Kelly Schrimsher to the Planning Commission of the City of Huntsville, for a 3-year term to expire November 4, 2027.

Jeffery Rice to the Planning Commission of the City of Huntsville, for a 3-year term to expire November 4, 2027.

Ryan Renaud to the Planning Commission of the City of Huntsville, for a 3-year term to expire November 4, 2027.

Darrell Ezell to the Human Relations Commission, for a 4-year term to expire October 24, 2028.

Appointment of Robert Stinson, Jr., to the Huntsville Historic Preservation Commission, Seat 5, to fill a vacancy due to the resignation of

Brenda King, for the remainder of a vacant 6-year term, to expire May 3, 2025.

Mayor Battle said there were a lot of activities happening in the city, and the biggest activity that would happen on the upcoming weekend was the HPD and Parks & Recreation joining together for a Halloween Trick or Treat at the Orion Amphitheater, noting it would be a great event, and everyone was invited to attend.

COUNCIL MEMBER COMMENTS.

Councilmember Kling wished Councilmember Keith the very best for the future, noting that on the Council, he had hit the ground running and maybe set a record as the youngest person ever elected to the Council, and he had also quickly become President of the Council, in his second year serving on the Council. He said he had certainly made his mark known in Huntsville, that the projects he had worked on in his district were certainly things that would help to make sure his legacy was remembered.

Councilmember Kling said speakers had come before the Council talking about the conflict in the Gaza area. He said he did not think he would be saying anything different from anyone else, that they hated all the killing that was taking place, on both sides. He said there had been casualties in Gaza, and the whole event had started on October 7th, when the initial attack was made on Israel. He said the bottom line for him was they hated all killing, in all forms, that took place, and he would certainly like to see a truce reached as soon as possible, that it was long overdue.

Councilmember Kling said he had a great town meeting on the prior Monday, that there was very good attendance and a great presentation made by representatives of the Planning Department, focusing on the Holmes Avenue corridor/Urban Park project, as well as the Lowe Mill CNI project and what it was going to mean to the central portion of the city.

Councilmember Keith said his mother and grandmother were in the audience, and he wanted to ask them to just remember everything they had been through, noting he could not say out loud the things they had meant in his life, and the blessing that had happened in the time frame of them seeing him through to this time, and he said everything they had given him over this 35 years was going to pay off, that he was going to make them proud, that the best of him was from them, and he thanked God for them.

Councilmember Keith said Mayor Battle had been his mentor, and not necessarily through emails or conversations, but through example, because Mayor Battle had picked out that team that could teach him, at 26 years old, that there was a process to developing community, that in good time, with good people, great things could happen.

Councilmember Keith thanked his fellow Council members and asked that they think of the good things they had done, the conversations they had had, and the byproduct of being the No. 1 city in America. He said he understood the burden while others did not, and he had been blessed by the education, support, and the understanding.

Councilmember Keith said they would not get rid of him, but he just wanted to take this moment to say they had been a blessing in his life, as a young man who was growing before their eyes and had a lot more growing to do.

Councilmember Keith thanked his community for the past eight years, and he said they had grown together, that they had been patient, and they had pushed and prodded, emailed and called, and he encouraged them to believe that every corner of the star of Alabama should be as bright as it could be, and that every project that could happen in any area of the city could happen all over the city, that every corner of the community could be somebody's home if they could keep believing the sky was

the limit for the greatest district in all of Huntsville.

Councilmember Keith thanked everyone for all they had done for him, and he said he might not be able to pay them back in words or money, but he would pay them back in action, that it was not in vain.

Councilmember Meredith said he had met Councilmember Keith's mother but had not met his grandmother; however, he could tell him, without having spoken with them, that he had already made them proud. He wished Councilmember Keith the best of luck, and he said he had taught him a lot, and he wished him the best in the future, noting that the city had benefitted from his service.

Councilmember Meredith said the New Hope Church had a fall festival on the prior Saturday, and it had been awesome, with many activities. He said he wanted to give a special shoutout to the medical flight team that had landed their helicopter on the church property and educated the children, as well as several adults, about their mission, what it took to fly the helicopter, and about some of the equipment they had to take care of the severely injured patients they were tasked with transporting.

Councilmember Meredith thanked the folks at the Marshall Space Flight Center, noting that he had participated in a tour of the facility, and they had discussed the role they were playing in getting back to the moon.

Councilmember Meredith thanked the people who attended his recent town hall, noting there had been some great dialogue with these people who cared about their community, and they wanted to make sure to hold his feet to the fire on some issues. He said that was why he was there, to hear from the people, and then to try to address the needs they expressed.

Councilmember Meredith said there would be an awesome event happening at the world-famous Orion Amphitheater on the following Sunday, a Halloween party sponsored by the Huntsville Police Department and the Parks & Rec Department, and

he invited everyone to attend.

Councilmember Robinson said she had the opportunity the prior week to go on a police ride-along in the South Precinct, and she said these were always fascinating experiences, and she wished every citizen could have the opportunity to do this, noting that they would learn a lot about the city and about the work the officers did.

Councilmember Robinson said on the previous evening, she had hosted her last town hall for the year, and the focus had been the fourth and final phase of the Sandra Moon Complex. She said they would be renovating the auditorium, turning it into a 600-seat theater, and there would also be an event space, as well as the renovation of the two gyms, and recreation space, and renovations to parking, lighting, and landscaping.

Councilmember Robinson said there would be a presentation concerning this later in the meeting. She said this facility was going to be like the Orion, that it might be housed in District 3, but it would belong to the entire community.

Councilmember Robinson said people might not be aware of it, but Councilmember Keith had a green thumb, that he loved to grow plants, and she said that along with his ability to make things grow, he had made the community grow, and that might be one of the most important things he had done, that he had planted seeds in good soil, and North Huntsville was better for it, that it was a great foundation he was leaving behind for others to build on. She thanked him for his service, and she thanked his family for lending him to them for this time, and she wished him the very best.

President Little said to Councilmember Keith that he would echo what the other Council members had said, that he agreed with all of it, and he had certainly helped him when he was new on the Council, and he appreciated it. He wished him

the best for the future.

President Little said the November and December Regular Council Meetings would be held on the first and third Thursdays of those months, as opposed to the second and fourth Thursdays, so the meetings would not conflict with holidays.

FINANCE COMMITTEE REPORT.

Resolution No. 24-793, authorizing expenditures for payment.

Moved for Approval by Robinson/Seconded by Little/Unanimously Adopted.

(RESOLUTION NO. 24-793)

Councilmember Robinson said Penny Smith, Director of Finance, would provide a Debt Review at the November 7, 2024, Regular Council Meeting, and she would provide a full Finance Update at the November 21, 2024, Regular Council Meeting.

BOARD APPOINTMENTS TO BE VOTED ON.

Resolution No. 24-747, to reappoint Shane Stewart to the Huntsville Ice Skating Complex Board of Control, Position 7 (his current seat), for a three (3) year term to expire November 20, 2027.

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

(RESOLUTION NO. 24-747)

Resolution No. 24-748, to appoint Pam Hudson to the Huntsville Ice Skating Complex Board of Control, Position 3, to the seat previously held by Patrick Sanders, for a (3) year term to expire November 20, 2027.

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

(RESOLUTION NO. 24-748)

BOARD APPOINTMENT NOMINATIONS.

Nomination to appoint **Ginger Young to the Beautification Board, Place 16**, to the seat previously held by Clayton Buff, for a term to expire September 30, 2026.

HUNTSVILLE UTILITIES ITEMS

Resolution No. 24-749, authorizing the Mayor to approve an approximate 5.2% rate increase in electric utility rates. The adjustment will be implemented in two phases. The first, effective January 2025, will increase rate revenue by 3.9%, and the second, effective October 2025, will increase rate revenue by 1.3%, which resolution was tabled at the October 10, 2024, Regular Council Meeting until this meeting.

Councilmember Robinson said she understood that as a result of input received at the last Regular Council Meeting, a new resolution, with certain changes, had been brought forward, and she requested to withdraw Resolution No. 24-749.

Without objection, the resolution was withdrawn.

Resolution No. 24-795, authorizing the Mayor to approve an approximate 5.1% rate increase in electric utility rates. The adjustment will be implemented in two phases. The first, effective January 2025, will increase rate revenue by 3.9%, and the second, effective October 2025, will increase rate revenue by 1.2%.

Moved for Approval by Robinson/Seconded by Little.

Mr. Wes Kelley, President and CEO of Huntsville Utilities, made a presentation concerning the above resolution.

(Mr. Kelley made a PowerPoint presentation.)

Mr. Kelley said some concern had been expressed about what else Huntsville Utilities was doing other than just raising rates, and he said they were working on cutting costs as well. He said they expected to see significant savings due to decisions that had been made in their IT area that would help lower their administrative costs.

He said that, also, they had cut simple things like travel, training, and office equipment, noting those were not simple things to cut, but they did what they needed to do. He said they had scaled back on several building and site improvement projects, to pull them back into what they could afford, and they had extended the lives of a number of their vehicles, to make sure they got maximum life out of them, noting there was always a balance, because at some point, they would be paying more in repairs than they would for a new one. He said they had eliminated or downgraded several administrative positions, that while they had been adding bodies on the operational side to keep up with the responsibilities they had, they had been looking closely at their administrative costs, trying to pull those in as much as possible.

Mr. Kelley displayed a slide, and he said the data shown was a slight update from his presentation at the prior Council meeting.

Mr. Kelley said this slide depicted the 3.9 percent increase they were requesting in January 2025 and the now 1.2 percent they were requesting in October 2025. He said there was a slight change they had made on the second tier. He said the higher use residential rate they were creating in October of 2025 was going to \$5.55, and they had brought it down to \$4.47. He said this aligned it with their Small Commercial Availability Rate, so there was parity between them. He continued that he thought that was an appropriate and reasonable adjustment to be made.

Mr. Kelley displayed another slide, and he said on the displayed chart, the center column was the current rates, the second column from the right was the increase as of 2025, as proposed, and the final column was the increase as of October 2025. He said the \$3 delta between 14.23 and 17.23, in availability, stayed the same, unless one had a large service, in which case it would go to the 21.70. He said they would also notice that the kWh charges were rising in each of these categories, as well, by a little bit.

Mr. Kelley displayed another slide, and he said this showed the Commercial Rate increases, and they could see that their kWh charges were increasing at a higher amount than the Residential kWh charges, and their availability charges were also increasing.

Mr. Kelley displayed another slide, and he said this showed their Specialty rates. He said something that was important to the city was their outdoor lighting, their street lighting, and he said that was also going up.

Mr. Kelley displayed another slide, and he said Councilmember Keith had asked to be shown an impact based on usage, how this would impact customers at different levels. He said the chart that was depicted showed that, and a low-use customer, 500 kWh, which would be a quite low-use customer, would see about a \$4.08 increase with the first phase in January; that a normal customer, 1,135 kWh, would see a \$5.50 increase; and a 3,000 kWh customer, which was a pretty beefy customer, would see a \$6.08 increase.

Mr. Kelley displayed another slide, and he said this showed the increase in October 2025, and he said for the low-use customer, there was an additional 50 cents; for the average customer, an additional \$1.25; and for the highest customer, an additional \$1.58. He continued that if one was in one of the larger residential services, where they were creating the new higher availability rate for services greater than 200 amp, the rates would go up \$4.97, noting that he did not know how many low-use over 200 amp services they had, but maybe they had some, and \$5.72 and \$6.95.

Mr. Kelley displayed another slide, and he said that also in response to questions from the prior Regular Council Meeting, there was the cumulative impact, if one had a Huntsville Utilities bill, what would it look like, and he said that was what the displayed chart showed. He said the red was the electric portion of the bill. He

said he would start with the column on the far left, Huntsville City, and he said this was a fully loaded customer, that they had electric service, water service, sewer service, and irrigation, and they had trash, and they had gas. He said they could see that it was broken out to what that bill would be, and this increase would equate to a 2.7 percent rise in their total Huntsville Utilities bill, if the 2.7 percent were approved, and they were a fully loaded customer with all those services.

Mr. Kelley said on the next example, they had taken out irrigation, that if they did not have a sprinkler, it would be a 2.9 percent increase; and if they did not have gas, it would be a 3.5 percent increase. He said that also on the display, they could see what it looked like in some of the other jurisdictions, New Hope, Madison County, the City of Owens Cross Roads, and the City of Madison, and he noted that in many of those cases, the only things that were being billed were electricity and solid waste.

Mr. Kelley said he was sure the Council would want to focus on the first three he had mentioned, the City of Huntsville, just depending on where they lived and what services they had. He said they could see the range was about a 2.7 to a 3.5 percent increase in the total Huntsville Utilities bill.

Mr. Kelley displayed another slide, and he said one of the other things they had talked about at the prior Council meeting was what he had referred to as "budget billing" that was more correctly called "average monthly billing," which was a 12-month rolling average. He said when someone signed up for this, they would look at one's bill, and he said on the display, the blue line was a normal bill, with rises and falls, and the orange line was average monthly billing, and while it moved up and down, it was much more moderated in its increases. He said this should be a popular program for their customers, so they could see less fluctuation in their costs.

Mr. Kelley displayed another slide, and he said this was just a repeat, that it was a reminder, that this depicted how Huntsville Utilities' rates compared to other

metropolitan areas, and he displayed another slide, noting that this showed how the rates compared to other Utilities that were in the immediate area, and he noted that Athens and Decatur were a little bit lower, but they were close.

Mr. Kelley said although it was always unfortunate to have to ask for a rate increase, they thought their rates would remain competitive, and they would not be doing a disservice to their customers, compared to if they lived in other communities.

Mr. Kelley displayed another slide, and he said that with the rate increase approved, this depicted their cash reserve number, and he said this was what they drove their financials from.

Mr. Kelley said he would be happy to answer any questions the Council members might have.

Councilmember Kling asked how much of the increase was due to their cost rising from TVA, just for the basic power they got from them.

Mr. Kelley said this was handled separately, that when TVA raised their rates, it came automatically through the bill. He said this increase was driven by Huntsville Utilities' material, labor, and vehicle cost increases.

Councilmember Kling asked how much of this would be used to take care of existing equipment, noting that power outages came up from time to time, that transformers blew out, et cetera. He asked how much of this would be going toward that type of outage abatement.

Mr. Kelley said the bulk of this increase was supporting their basic operation and maintenance costs, which were to support their existing customers. He continued that, of course, they had money that was identified in the Capital Plan to continue to support the system as it continued to grow, but he would point out that a lot of that growth was not just in new, outer areas, that Huntsville itself was thickening, that it was getting denser, so they needed to make sure they had

infrastructure to support that. He said this increase was going to support their crews and their construction materials to build and maintain this existing infrastructure. He said he did not have a percentage he could give for that, but these dollars were going right back into the infrastructure they were required to take care of.

Councilmember Kling asked when the last increase Huntsville Utilities had from the Council was.

Mr. Kelley said it was six years prior.

Councilmember Robinson said these rate increases were something they did not take lightly, that they did not do them very often, and they did them in a way so as to have the least impact possible.

Councilmember Robinson said people thought of the electric bill as "the bill" and there were so many pieces to it, and she thanked Mr. Kelley for clarifying that this increase was 3 percent of the electric portion of the bill. She asked Mr. Kelley if that percentage was correct.

Mr. Kelley said it would be a 2.7 to a 3.5 increase to the total bill if this were approved.

Councilmember Robinson said she had heard as much from people about the average monthly billing as anything else, that they had not understood this was possible, and she said this would help people plan their bills, to spread out some of the big expense over time.

Mr. Kelley said that should not be a secret, that they needed to do better about communicating that to their customers.

Councilmember Robinson said one of the questions she had gotten was why people should care about preserving Huntsville Utilities' cash reserves, and she asked how that benefitted the customer.

Mr. Kelley said it was financial stability, that when Huntsville Utilities' base

was strong, they had the opportunity to solve problems, that when there were outage issues or reliability issues, like they were aware they had in some circuits at this time, they could devote the resources required to solve those problems, that they would not have to come back before the Council and say a new problem has arisen, and they needed additional money. He said when they had that cushion, they had the opportunity to address what needed to be addressed, when it needed to be addressed. He said that, very specifically, it made the people they borrowed money from happy when they had money in the bank. He said he did not intend to cast aspersions on any bankers, but they only loaned money to people who already had money, so by having these financial reserves, it got them very favorable terms when they had to go out and issue debt for large projects, and that saved their customers money.

Councilmember Robinson said that was what she was looking for, that the cash reserves were important because this determined the interest rates they paid, and they would save the taxpayers money on millions of dollars of projects that Huntsville Utilities engaged in.

Mr. Kelley said it would directly save money, noting that the difference in a couple of basis points over the life of a debt was a lot of money.

Councilmember Keith said he believed Mr. Kelley's presentation had put this matter in layman's terms, and that was what he thought people cared about. He said he would only ask that there be a widespread media effort that would explain, in layman's terms, what would be happening to people's bills. He said perhaps there should be a letter from Huntsville Utilities concerning this, with an explanation of why things had changed.

Councilmember Meredith said he had been in communication with the Councilwoman-elect from District 1, and she had a couple of things she wanted him to ask Mr. Kelley. He said her main concern was that with the utility usage from 1 to

1400 kWh, she felt the increase would be felt more by individuals who used less energy than those who used more, and she thought the availability should be the same, regardless of usage, of the first 1400. He said he knew what Mr. Kelley was going to say to that, and he said the biggest issue was anyone using 1400 or below would be charged regardless of whether or not they used it, again related to the availability charge.

Mr. Kelley said that was something they had talked about with the Council several times. He said in the last presentation, they had looked at the dynamics of what was happening on the system, where the kilowatt hours systemwide were not really increasing, although their responsibilities were increasing and their costs were increasing. He said that was an unusual dynamic.

Mr. Kelley displayed a slide previously shown, and he said as more was used, it obviously went up, but the first hit was a big hit, and it continued to rise as more was used. He said one of the things they often thought about was that large users of electricity tended to be in larger houses, and smaller users of electricity tended to be in smaller houses. He said that was true, but what they were now seeing increasingly was that because of the energy efficiency improvements in new homes, there was a significant difference between energy usage in older homes and energy usage in newer homes the same size. He said he had some data looking at subdivisions, with the houses all about 1500 square feet, and the energy usage was dramatically different with a subdivision built in the 1960s and a subdivision built in the 2010s. He said it did not always correlate just with the size of the home, that it also correlated with the housing stock, and that was something they needed to be focused on, making programs available to improve energy efficiency for those customers, because as charges were increased based on kilowatt hours, they would increase the cost to older homes at a disproportional rate to the more energy-efficient newer homes. He said it

was all a balance, that they had to keep these things in balance and try to come up with a rate proposal that provided solid financial footing for Utilities, because his responsibility was a proposal to resource the Huntsville Utilities team to execute its mission and one that was fair to the people and reasonable in its structure.

Councilmember Meredith asked Mr. Kelley to comment on why they did not get rid of or reduce the availability fee and charge more for kilowatt hours, so that those who used less, say, less than 1400, or even less than the 1135, would actually pay less, based on consumption.

Mr. Kelley said concerning the Huntsville Utilities portion of the bill, which was the portion they were discussing with this rate increase, that their cost to serve the customer did not really change based on the amount of consumption they used. He said he was aware that sounded counterintuitive, but the energy they bought from TVA fluctuated based on energy usage, and TVA's costs fluctuated based on energy usage, because they had to build generators to meet that shifting load. He said Huntsville Utilities' job took that power from TVA and built substations and distribution circuits to get it to neighborhoods, and lines to each house, service drops to each house, meters at that house, and had meter readers and support people there to take care of all of that infrastructure, and billing, all the way up and down the line.

Mr. Kelley said if they set a meter, and it used no electricity, but they had to build it to meet a customer's capacity because maybe one hour a year, that customer used a good amount of power, they would have to build that infrastructure to support that one hour of usage, and their costs were not variable based on that rise and fall of consumption. He said one of the examples he had used before was agriculture, that if a customer had a grain silo and had big motors that pushed the stuff up to the top of the grain silo, they might use that one day a year, but Utilities would have to build a large, three-phase service, build power lines from the substation out to the site,

support that, fix it when Mother Nature knocked it down, and that customer might only use that one day a year. He said the fixed cost of the bill helped recover that cost of operating and maintaining that infrastructure, regardless of usage.

Mr. Kelley said some of their costs might be variable, that not all of their costs were recovered through the availability fee, that some was in the availability fee and some was in the kilowatt hour charge. He said that, again, it was a balance.

Mr. Kelley said that was a long answer, but hopefully it was illustrative.

Councilmember Keith said it was important to understand that the largest number of delinquency cases on utility bills Catholic Charities and other organizations and nonprofits got were during high-spike times, when people would see bills that were doubled or more, such as after the last ice storm, which caused a tremendous spike in bills. He said if they were to make a direct correlation between kilowatt hours to actual usage in those examples, they would have a larger number of those individuals who needed to be subsidized, that it would be through the roof, say, \$400 going to \$600. He said if they continued to make the correlation to usage, the people who would need support the most would be at a cost to nonprofits, and they would have to be subsidized or eaten, and they would have a bigger weight put on top of Huntsville Utilities.

Councilmember Keith said the balance Mr. Kelley was talking about would allow a level of predictability not just in the insular view of Huntsville Utilities but throughout the view of nonprofits, who had a projected budget that would allow them to spend money and support those individuals. He said that as they were making decisions for the person who had the bill, they were also making decisions on behalf of organizations that supported people who could not pay their bills, and given that consideration, of what they paid, they must give a forecasted perspective that was balanced, and not just depending on usage, because people would be able to float that

amount of money.

Mr. Kelley said the more they put into the volumetric portion of the bill, the wider the swings they would see, from high to low. He said when they had the really cold, winter days, and the strip heat kicked on, it drew a tremendous amount of power very quickly. He said one of the greatest struggles they had on their system at this time was keeping the infrastructure strong on those cold, winter days, that it was not summer heat that was a challenge, that it was those cold, winter days.

Mr. Kelley said he also wanted to point out, in relationship to what he had just said to Councilmember Meredith, that about 80 percent of the bill went to TVA, to pay that volumetric portion of the bill, and about 20 percent stayed with Huntsville Utilities. He said when he was talking about Huntsville Utilities' costs did not change, what he was talking about was that 20 percent or so of the bill that supported their infrastructure, that the other 80 percent of the electric bill went to TVA, to pay for their generation and transmission costs.

President Little said in the past, Mr. Kelley had mentioned that Huntsville Utilities would do something like an energy audit, or an energy review, of people's houses, as to what they could do to make their houses more efficient. He asked if they were asked to do this routinely or if it was something that folks just did not know about.

Mr. Kelley said they had an Energy Services Team, which was a growing team. He said that often the opportunities for audits came from high-bill complaints, that a customer would call in and say their bill could not be right, and Huntsville Utilities' Customer Service Team would get that over to the Energy Services Team, and they would go out and do an audit, and they would leave the customer with a report. He said customers would be furnished a list of things that if they would do, it would improve their utility bill.

Mr. Kelley said a lot of the members on this team spent their time inspecting new homes that were under construction, because Huntsville Utilities was the party that inspected to meet the Alabama Energy Code, so with new homes built in the city and the county and the city of Madison, their team would go out and verify that those homes were energy efficient. He said they had done about 3,000 single-family homes under that program the prior year. He said one reason they were seeing energy usage decline was as the new homes came on, they were more energy efficient, thanks to these programs. He said they needed to make sure they were giving this information to their existing customers, that all they needed to do was call and ask them.

Councilmember Kling asked if Mr. Kelley could provide a recap of their expenses, everything from transformers to vehicles, and how much these costs had gone up over the prior couple of years.

Mr. Kelley displayed a slide, and he said this was particularly illustrative because it was very visual. He said when they pictured the poles on the road, what was shown was the cost increase they had seen from January of 2020 to June of 2024. He said they could see that percentage. He continued that this was not where they selected individual components to drive up, that this was their average cost to purchase. He said in their procurement system, they might go out for bid and get a certain price, and then a couple of months later, they would go out for bid and get another price, but what was shown was the average annual cost that was in their system, which they used to do their estimates. He said the lowest shown was 14.8 percent, and the highest was a 181 percent increase.

Mr. Kelley displayed another slide, which he said addressed the cost of underground services and the cost of vehicles, and he displayed another slide, noting that personnel also cost more.

Mr. Kelley said they would be, and he thought already had been,

communicating this over social media, to help give people context.

The vote was called for on Resolution No. 24-795.

Unanimously Adopted.

(RESOLUTION NO. 24-795)

President Little said there would be a recess until 7:00 p.m.

(Recess)

President Little reconvened the meeting.

UNFINISHED BUSINESS ITEMS FOR ACTION.

Ordinance No. 24-784, amending Chapter 22, Article I, Section 22-1 of the Code of Ordinances of the City of Huntsville, which ordinance was introduced at the October 10, 2024, Regular Council Meeting.

Moved for Approval by Robinson/Seconded by Meredith.

Mr. Hamilton said this was an ordinance setting out the manner in which sanitation services were delivered to the community and the fees charged for such service. He said they were not bringing before the Council any changes in the way the service was provided, but there were some places where the previous ordinance needed to be amended, so they wanted to take this opportunity to make sure the ordinance was properly amended and properly described the manner in which the service was delivered.

Mr. Hamilton said the portion of this ordinance where there was a change was the recommendation to increase fees to better match the impacts of inflation. He said the biggest impact to Sanitation he wanted to highlight was that since the last time fees were addressed, 14 years prior, salaries, which always made up the largest percent of the budget, had increased by 40 percent, and trucks and materials had also increased in cost, and this was what drove the need for them to be more often addressing fees. He continued that the way the ordinance was set up, only those

citizens who lived in single-family homes had access to this service, that if someone lived in a single-family home, they must take advantage of the service, and if someone did not live in a single-family home, they would not be allowed to have the service, and without getting the fees more in line with the cost of delivering the service, people who had no access to the service whatsoever would ultimately be paying taxes that subsidized this service for others. He said when they looked at the overall model, this was the principle that drove the manner in which they built the budget around this service and would ultimately bring before the Council the fees that needed to be charged in order to make sure everyone who was receiving the service was paying their fair share of that service.

Mr. Hamilton said, concerning the fee portion, there were special rates for those persons who might be in an economic condition so as to need that assistance, and they would see that as they went through this.

Ms. Penny Smith, Director of Finance, said she would provide a quick recap concerning this ordinance.

(Ms. Smith made a PowerPoint presentation.)

Ms. Smith displayed a slide entitled "Sanitation Routes," and she said the service itself was remaining the same, that there would still be bulk pickup and garbage pickup every week, and she said the routes were shown on the display.

Ms. Smith displayed another slide, and she said this fund had been operating at a deficit for quite a while, that it received transfers both from the General Fund and the Capital Projects Fund, for any capital that was spent. She said if they had no change, this depicted the deficits that would be required to be funded.

Ms. Smith displayed another slide, and she said this was with the proposed rate changes, and as they could see, it would get better, that it would not complete the picture, but it would get them much more toward self-sufficiency, with rate changes

for January 2025 and January 2027.

Ms. Smith displayed another slide, and she said it was a listing of the proposal. She said the basic rate for most single-family would go from \$16.50 to \$21.50, and then to \$24.50 in 2027.

Councilmember Robinson said the purpose of the rate study was to identify how they could pay the true costs of the sanitation service, so that users would be paying those true costs, but what the Council had just heard was that even with these changes, they would still be subsidizing this, so people who did not use this service would still be helping to pay for those who did use the service. She said she would offer an amendment that would help them reach the point where the people who used this service would be paying for the service, and the City would no longer be subsidizing it with revenues contributed by people who did not use it.

Motion to amend Ordinance No. 24-784 by striking the entire document and inserting a new document, with the exact same language, except for the following:

Under Sec. 22-182, Residential, (a), Garbage, yard waste, and other acceptable waste, (1)a., to add, at the end, “Effective January 1, 2029, \$27.50 per month,” and under (1)b., to add, at the end, “Effective January 1, 2029, \$15.00 per container per month,” and under (a)(2), Special residential rate program, d., to add, at the end, “Effective January 1, 2029, \$17.00 per month,” and under e., to add, at the end, “Effective January 1, 2029, \$11.00 per month, respectively,” and under (b), Collection of yard and bulk waste, (1)b., to add, at the end, “Effective January 1, 2029, \$65.00 per collection;” and under (c) Special collections, to add, at the end, “Effective January 1, 2029, \$65.00 per collection.”

Under Sec. 22-183, Commercial and Industrial; garbage and other acceptable waste, (b)1., to strike “Effective January 1, 2025, \$35.00 per month” and insert “Effective January 1, 2025, \$37.00 per month,” and to strike “Effective January 1, 2027, \$38.00 per month” and insert “Effective January 1, 2027, \$41.00 per month” and to add, at the end, “Effective January 1, 2029, \$45.00 per month,” and under (b)2., to strike “Effective January 1, 2025, \$26.00 per month, respectively,” and insert “Effective January 1, 2025, \$27.00 per month, respectively,” and to strike “Effective January 1, 2027, \$29.00 per month, respectively,” and insert “Effective January 1, 2027, \$31.00 per month, respectively,” and to add, at the end, “Effective January 1, 2029, \$35.00 per month, respectively,”

Moved for Approval by Robinson/Seconded by Keith.

(Mr. Hamilton made a PowerPoint presentation.)

Mr. Hamilton enumerated some fees contained in the motion to amend, and he said that also the commercial rates were increased over what had been proposed for January 1, 2025, and January 1, 2027. He said Councilmember Robinson had asked them to look at those increases that were proposed on a percentage basis rather than just a flat dollar amount, and what they had found was that what they had proposed on the commercial, on a percentage basis, was actually less than the residential, and they felt like it would be more fair if both the residential and the commercial increased at a more similar rate, on a percentage basis, and that was why this included a little bit more increase on commercial, on all three of the increases, to make it a more fair and equitable increase.

Councilmember Robinson said Mr. Hamilton had just used the key word, "fairness," that the commercial rate increase should be equitable to the residential rate increase. She continued that because this was being done at the same time as the

utility rate increase was why fairness was even more important, because by adding a third year of rate increases for residential and commercial users, it meant that the people who were actually using the service would be paying for the service, and it would no longer be subsidized by persons who were not using the service.

Mr. Hamilton displayed a slide, and he said it depicted a chart they had with their original proposal but with the updated projection, with the amendment. He said the question had been asked as to where they needed to be at this time based upon the cost for service, and that would be going to \$24 at this time. He said while the goal was to get to where the fees fully covered the cost of service, they felt like that increase all at one time was too significant of a shock to the customers, and that was why they had recommended the stairstep, that it would be easier for people to budget it in if they increased it in smaller amounts over time. He said in this projection that was depicted, they could see some spikes on the capital side. He said they took out of this an obligation to try to smooth that line on the expense side as well. He said while this reflected where they stood at this time, it was primarily a fleet issue, and it reflected where they were in the overall life-cycle management of the fleet, and there were things they were already working on behind the scenes to try to smooth that and eliminate some of those spikes. He said they agreed with the recommendation Councilmember Robinson had brought to get them closer, and they would also do some managerial things to maybe bring those expenses in line. He said if they continued to see a problem, they would come back before the Council and work with them to address those issues.

Councilmember Robinson said with this proposal, the customer would know in advance when their fee was going to be increased.

Councilmember Meredith said in looking at the chart that was being changed with this amendment, that even with the additional \$3 in 2029, it still did

not make it pay for itself. He said that particularly coming off of the prior year's water increase and the current year's electric increase, while he could buy into 2025 and 2027, it was the additional 2029 that killed this for him, particularly since they would not get to self-sufficiency with it.

Councilmember Robinson said it would get them closer to it.

Councilmember Meredith said that was correct. He continued that they heard it all the time, folks who did not have kids complaining about subsidizing the schools. He said there would always be somebody who would be paying for someone else's something.

Councilmember Robinson said this was an effort to at least ameliorate that to some extent. She said they would also need at some point to come back and look at it and determine if there would be one more increase that would get them there, but they felt like that would be pushing the envelope too much, but they could at least do this.

Mr. Hamilton said there were very few public services where citizens were not authorized to access them. He said, for example, with Parks & Recreation, everybody's taxes helped to fund the Parks & Rec's programs, that while with some of those programs, there was also a fee, that fee would not fully cover them. He said people not using a rec center was by their choice, that they had access, that they were free to use every square inch of that kind of infrastructure if they chose to do so. He said, concerning the school example, that, obviously, the City government did not run the schools, but even though he did not have children in the public school system, having a good public school system positively impacted the value of his home, so he would gain value from that. He said people who lived in public housing or in an apartment building were not allowed to access this service, that they were barred from using the service. He said this was a little unusual in that sense, and they

wanted to make sure it was clear to citizens.

Councilmember Keith asked Councilmember Meredith if he was saying he was opposed to this because it was not enough.

Councilmember Meredith replied in the negative. He said they would be adding \$9 to people's bills, and they had just had a huge debate over adding \$5 on the electric. He said this was arguably worse, that it spiked three different times down the line, and it still did not get them to self-sufficiency, and asking people to absorb not only the Huntsville Utilities increase but also a 2025, 2027, and 2029 increase on garbage seemed like they were just pounding people. He said it was not always an Enterprise Fund, that it seemed at some point they were willing to subsidize it. He said hanging on a little bit longer until they got to a better place he thought would be the time to look at this, that maybe in 2028 or 2029, they could look at perhaps increasing it, but to go ahead and do this now did not feel right to him.

Councilmember Kling suggested that they could do the increases for Commercial that were in the amendment and just do the first two levels of increases on the others. He said he did not mind the fact they were subsidizing this, that yes, on paper, it was not good management, that they were losing money, that those arguments were true, but they were a service industry, they were not a for-profit industry, and they were providing service to the community. He said they provided services or they provided subsidies to many wonderful entities throughout the community, and a large number of people would never use them. He said there was a wonderful Art Museum, and the Botanical Garden charged admission, and they were providing money to the Symphony, and EarlyWorks. He continued that they provided funding to the Arts Council/Panoply, but yet many of the low-income people, the ones they were thinking about at this time, were not going to take advantage of those things. He said they could do an increase, because it was

reasonable to expect there should be some increase, but it was a big percentage, to be jumping out so far, to 2029, and they did not know what things were going to be like then.

Councilmember Keith said it was his understanding that this was a proposed rate increase to keep the standard they already had, so if they were to wait two years, that number would increase to a larger number, to then make up the difference of not making that decision at this time.

Councilmember Kling said from a planning perspective, it seemed they were going awfully far out, and they were expecting that the City was going to continue to grow. He said he did not really mind subsidizing this, because it was something that a large number of people used. He said they all put their money in the pot, and it got doled out by the City, and by the School System, for this and other essential services.

Councilmember Robinson said there would be a subsidy, but it would be a smaller subsidy, and that could be addressed as they moved forward, and they could see how this fee for service worked. She said she believed if people used a service, they should pay for the service, as much as possible. She said the purpose of the study was to cover true costs, that it was a smart way to do business, and it was the best use of taxpayer dollars, and in fairness to all taxpayers.

Councilmember Meredith said he disagreed. He said he could wrap his mind around 2025 and 2027, but he could not wrap his mind around the \$3 increase in 2029, that he thought that was going too far.

Mr. Hamilton said at the prior meeting of the Council when this was discussed, they had compared their rates with the rates of other communities around them, and looking at the 2029 increase highlighted one of those things, that Madison was the city closest to Huntsville, and what they paid at this time was more than what this proposal would be in 2029.

President Little said to him, the biggest takeaway from this was that it had been 14 years since the last increase, and if they kept kicking the can down the road, it would pull from other funds, and pull from other things, and, also, people who were paying sales tax were also paying for garbage service, and they did not have garbage service, that they were subsidizing his garbage service.

Mr. Hamilton said if they did not go ahead and preprogram this increase in 2029 prior to then, they would be bringing before the Council in the next couple of years, an increase for 2029, that if they did not, they would not be doing their job. He said they intended to do their job and to be more timely with these than they had been in the past.

President Little said he would assume it was not outside the realm of possibility that by the time they got to 2029, they could have an amendment to raise it \$1 instead of \$3, based on some changes Mr. Hamilton had mentioned, or maybe costs would be cheaper.

Mr. Hamilton said that was correct, that amendments could go up, and amendments could also go down, and as they evaluated those budgets, that could happen.

Motion to amend the amendment on the floor by striking paragraph d., under Section 10, Section 22-182, Residential, (2), Special residential rate program, and inserting “d. The special rate schedule for standard waste collection service shall remain \$10.00 per month.”

Moved for Approval by Kling/Seconded by Little.

Councilmember Kling said this dealt with that special rate for those individuals who had been certified by the City to be on food stamps, and they would qualify for this program.

Councilmember Kling said they were all aware how much costs had gone up,

and utilities had gone up, and he did not think many of these people were in a condition financially to take advantage of many amenities they provided funding to, so they would be paying for things they would not really benefit from.

Mr. Hamilton said they could look at the slide he was showing, and they could see "Special Rate (Low Income)," and the first column had 10.00, and it went to 13.00, and it went to 15.00, and it went to 17.00. He said if Councilmember Kling's amendment was accepted, it would remain at \$10 all the way across.

Councilmember Robinson asked how this would impact their projection on this.

Mr. Hamilton said there were a very small number of people who needed to avail themselves of this service, noting that the vast majority of people who would qualify lived in housing where they were not eligible for this service, that it was a pretty small group of folks who qualified and lived in single-family housing. He said they felt this would be minimal, and it was the appropriate action to take.

Councilmember Kling said these were the very people who most needed help. He said he was sure this would have some impact, but he thought it was for a good cause.

The vote was called for on Councilmember Kling's amendment to Councilmember Robinson's amendment to Ordinance No. 24-784, that the Special Rate Schedule for standard waste collection service shall remain \$10.00 per month.

Unanimously Passed.

The vote was called for on Councilmember Robinson's amendment, as amended.

Roll-Call Vote: Ayes: Kling, Robinson, Keith, Little

Nays: Meredith

Passed.

The vote was called for on Ordinance No. 24-784, as amended.

Roll-Call Vote: Ayes: Kling, Robinson, Keith, Little

Nays: Meredith

Adopted.

(ORDINANCE NO. 24-784)

Ordinance No. 24-785, declaring certain equipment surplus and to be sold at public auction, which ordinance was introduced at the October 10, 2024, Regular Council Meeting.

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

(ORDINANCE NO. 24-785)

Ordinance No. 24-786, annexing 30.67 acres of land lying east of Little Cove Road and north of Cobble Farms Drive, which ordinance was introduced at the October 10, 2024, Regular Council Meeting.

Moved for Approval by Robinson/Seconded by Little.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Thomas Nunez, Manager of Planning and Zoning Services, said this property was proposed for a future single-family residential development.

Unanimously Adopted.

(ORDINANCE NO. 24-786)

NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION.

(Items 20.d, 20.g, 20.h, and 20.l were held from the consolidation.)

Motion for Consolidation and adoption of the following items:

Moved for Approval by Little/Seconded by Robinson/ Unanimously Approved.

Consolidated Items:

Resolution authorizing travel expenses.

(RESOLUTION NO. 24-796)

Resolution authorizing the acceptance of donations.

(RESOLUTION NO. 24-797)

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

(ORDINANCE NO. 24-798)

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. 24-800)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Formax, for maintenance and servicing of pressure seal machines.

(RESOLUTION NO. 24-801)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama and Garver, L.L.C., for Land Surveying and Hydrologic and Hydraulic Modeling Services for Mill Creek, Project No. 71-24-DR04.

(RESOLUTION NO. 24-804)

Resolution authorizing the Mayor to enter into a Standard Agreement between the City of Huntsville and PEC Structural Engineering, for Structural Design Services for the Goldsmith-Schiffman Park Development.

(RESOLUTION NO. 24-805)

Resolution authorizing the Mayor to execute Modification No. 2 to the Agreement between the City of Huntsville and KPS Group, Inc., for architectural services for the Sandra Moon Community Complex Phase 4.

(RESOLUTION NO. 24-806)

Resolution authorizing the Mayor to enter into a Fixed Price Agreement between the City of Huntsville and RAM Construction Services of Michigan, Inc., for Construction Services for the Clinton Avenue Parking Deck Structural Repairs.

(RESOLUTION NO. 24-808)

Resolution to reappoint Kimberly Ford to the Ice Skating Complex Board of Control, for a three-year term to expire on November 4, 2027.

(RESOLUTION NO. 24-809)

Resolution to reappoint Mark Russell to the Huntsville Ice Skating Complex Board of Control, for a three-year term to expire on November 4, 2024.

(RESOLUTION NO. 24-810)

Resolution authorizing the Mayor to execute the Alabama Emergency Management (AEMA) FY2024 Emergency Management Performance Grant (EMPG) Cooperative Agreement (CA).

(RESOLUTION NO. 24-811)

Resolution authorizing the Mayor to enter into a Facility Use Agreement between the City of Huntsville and Huntsville Museum of Art Foundation Board for “Skating in the Park.”

(RESOLUTION NO. 24-812)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and the City of Madison for Paratransit scheduling and dispatch services.

(RESOLUTION NO. 24-813)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and the Regional Planning Commission of Greater Birmingham, for Commutesmart Services.

(RESOLUTION NO. 24-814)

Resolution authorizing the Mayor to execute and enter into a Mutual Termination of Maintenance Agreement and Access Easement between the City of Huntsville and Branch Huntsville MF Associates, LP.

(RESOLUTION NO. 24-815)

Resolution authorizing the Mayor to execute Modification No. 5 to the Agreement between the City of Huntsville and the Huntsville Housing Authority, for the provision of alternate police services.

(RESOLUTION NO. 24-816)

Resolution authorizing the Mayor to enter into an Agreement between the North Central Alabama Highway Safety Office (NAHSO) and the Huntsville Police Department, for Participation in the NAHSO Grant(s) Program for Traffic Safety Enforcement.

(RESOLUTION NO. 24-817)

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

(RESOLUTION NO. 24-818)

Items Not Consolidated:

Resolution No. 24-799, authorizing a portion of the proceeds of certain future borrowings to reimburse the Huntsville City Schools Capital Projects Fund for expenditures incurred prior to borrowing issuance.

Moved for Approval by Robinson/Seconded by Little.

Ms. Penny Smith, Director of Finance, said this was a resolution authorizing them to spend before they borrowed, that it was a reimbursement resolution, that this was what was required when they were going for tax-exempt borrowing if they were going to spend. She said this was specifically for the schools,

that they had actually borrowed for the schools back in 2023, and they had spent that, that they had acquired either the building or the renovation of certain capital projects. She said with the passage in the summer of their Capital Projects Plan, they were ready to start implementing that plan, and this was a part of that.

Ms. Smith said in order to do what she called "smart borrow" and not to waste taxpayer dollars because they were paying for \$150 million right now, starting with the interest they would have on borrowing for this, this would allow them to actually get into the bid process, and in that way, they could start the spending of those capital projects, and instead of borrowing maybe \$150 million, it would look more like \$137 million, or something such as that, and they would borrow a little later in the cycle. She said because they were in tax-exempt borrowing, there were a lot of rules and regulations around that, and this would allow them to actually get deeper into the spending, and that allowed them to include interest, to earn more interest on the actual borrowing proceeds.

Ms. Smith said they had been able to do this with the 2023 borrow, that they had made a couple of million dollars on that borrowing that they could then put back into the capital projects that were on that specific borrow, so they wanted to do that as well.

Ms. Smith said this was just another tool in their toolbox, that they had done this before, and she would appreciate it if the Council would allow them to do it again.

Councilmember Robinson asked if this was really just about cash management.

Ms. Smith replied in the affirmative. She said they had met with the CFO of the Huntsville City School System concerning this a number of times, and they had a model on the books that they worked on, as well as PFM, the financial advisors for the City, were out ahead of that borrowing, so they could make sure the debt service that

would be on the books, principal and interest they would pay in the future, was correctly modeled, and that they could afford this. She said the debt servicing for this borrowing would come specifically out of the 6.5 mills they retained for the School System. She said the School System had a number of other borrowings they had done, and they made sure that revenue stream was adequate for the debt service that was on the books for the School System.

Councilmember Robinson said, then, this was another great example of partnership with the School System, and it was also a smart use of taxpayer money, and it saved the taxpayers money.

Ms. Smith said that was correct.

The vote was called for on Resolution No. 24-799.

Unanimously Adopted.

(RESOLUTION NO. 24-799)

Ordinance No. 24-802, approving appropriations, goods, or services for District 1 Council Improvement Funds.

Moved for Approval by Robinson/Seconded by Keith.

Councilmember Robinson said that she held this item because in the Finance Committee Meeting, they had realized that a lot of the Discretionary Improvement Funds were getting lost in the shuffle of some very long agendas, and they needed to give Council members the opportunity to talk about the good work they were doing with their Improvement Funds, and also in an effort for greater accountability.

Councilmember Keith said he could speak to what he was doing for the music, as well as what he was doing to send money to serve Huntsville. He said this recognized that although they did not always put it toward capital, it was to groups that were doing capital work. He said the Church of the Highlands had been an

integral part of Northwoods' redevelopment, and some of this money was going to the Music Office, and such. He said as they found good in the community and supported it, that was the reason for this Council's fund, and he thanked the Council for these efforts over these two years.

Councilmember Robinson said, for public accountability, \$5,000 was an appropriation to the CAP & Gown Project; \$5,000 to the Bold Foundation, to fund the Woodaworx Scholarship Program; \$5,000 to establish a transfer appropriation to the General Fund, Office of Diversity, Equity and Inclusion, for the Human Relations Commission.

Councilmember Kling asked if any of this was carry-over money or if it was all money from the current fiscal year.

Councilmember Keith said it was about a \$13,000 carry-over.

The vote was called for on Ordinance No. 24-802.

Unanimously Adopted.

(ORDINANCE NO. 24-802)

Ordinance No. 24-803, approving appropriations, goods, or services for District 4 Council Improvement Funds.

Moved for Approval by Kling/Seconded by Robinson.

Councilmember Kling said this was money that would be appropriated through the Fraternal Order of Eagles, which was a 501(c)(3) organization within his district. He said this money was earmarked for two Huntsville charities, the HudsonAlpha Memory and Mobility Program and the Huntsville Hospital NICU. He said there were some benefits by the funding going through this organization, as far as some matching or some other things that would come on top of what would go through them from the City to those two agencies.

The vote was called for on Ordinance No. 24-803.

Unanimously Adopted.

(ORDINANCE NO. 24-803)

Councilmember Robinson said, concerning these items, it might serve their purposes better if the Council were to consider them in the financial section of the agenda, similar to what they did with travel expenses or other authorizations, and that way they could have the accountability they were looking for.

Councilmember Meredith said he agreed with that.

Resolution No. 24-807, authorizing the Mayor to enter into a Fixed Priced Agreement between the City of Huntsville and Fite Construction Company, LLC., for Construction Services for the Sandra Moon Community Complex Phase 4.

Moved for Approval by Robinson/Seconded by Kling.

Mr. Ricky Wilkinson, Director of General Services, said this was a Construction Services contract for the Sandra Moon Community Complex Phase 4, and Final, project. He said it was with Fite Construction Company, and the amount of the contract was \$31,324,061.

(Mr. Wilkinson made a PowerPoint presentation.)

Mr. Wilkinson displayed a slide, and he said this was the site layout for the Sandra Moon Complex, and they could see the previous phases, noting that they had the South Huntsville Library, the playground and parking areas, as well as the multipurpose fields and pickleball. He said this primarily focused on the southeast corner of the site, the bottom left of the screen. He said they had roughly 110,000 square feet of building renovation, and a little bit of addition, which he would get into momentarily.

Mr. Wilkinson said he wanted to talk a little bit about the parking lot area that was outlined in black. He said they had a couple of new entrances, and they had some renderings he would show momentarily. He said there would be new entrances, along

the south side of the building, as well as the west side of the building, adjacent to Bailey Cove Road. He said this would upgrade the parking lot, with parking lot lighting, landscaping, and it also included a concrete sidewalk connection in front of the library down south, to the corner of the property.

Mr. Wilkinson displayed another slide, and he said this was a blowup of the building footprint. He said the areas shaded in dark gray were previous phases that had been completed. He said the north entry was included as part of Phase 1, that that was where they had demo'd approximately two-thirds of the old Grissom High School, and then buttoned that back up. He said the dark area, labeled "Arts Huntsville," on the south end, was completed as part of Phase 2, and it was Arts Huntsville's current rehearsal and band space. He said, concerning the three areas in green, that they had a new west entry, and that would be the primary entrance to the theater, as well as the Event Hall. He said they could see the south entry toward the middle, and that would be primarily the entrance for Arts Huntsville, as well as Parks & Rec's programming areas there.

Mr. Wilkinson said he wanted to quickly touch on the theater, as well as the dressing rooms. He said the area in green there was adding four dressing rooms to the back of the theater, to support bringing in the shows and things that Arts Huntsville would be managing from the theater. He said the theater capacity currently was approximately 1,000 seats, and this would reduce that capacity down to just over 600, which would fill a void for a capacity of that nature that was really needed for the community. He said for the theater, they were completely doing the rigging for the stage, all the AV, lighting. He said their design team had brought on a consultant, and they had done a comprehensive study for the acoustical properties and had completely revamped that, to bring it up to current standards.

Mr. Wilkinson said the area in pink was the Event Hall, and there was an

adjacent small catering kitchen, and plenty of storage, and restrooms, to support events going on there.

Mr. Wilkinson said on the right-hand side of the rendering, they could see a lot of the Parks & Rec programming. He said they were renovating the main gym, as well as the auxiliary gym. He said they could see the Therapeutic Suite there that would support Parks & Rec's therapeutic programs, special needs programs, noting that they did not currently have a home, and this would provide that for them. He said the Multimedia Room would support E-gaming, as well as having some podcast rooms, and things like that. He said the second level of the main gym included a fitness area, as well as a walking track. He said they were adding two elevators, one in the main gym, to access the second floor, and a small elevator at the west entry to help navigate the lobby, up to the theater lobby.

Mr. Wilkinson said on the slide, the areas shaded in light yellow were exterior areas, with canopies, and there was a west Terrace that was adjacent to the new drop-off along the west side of the facility.

(Councilmember Meredith is no longer present on the dais.)

Mr. Wilkinson displayed another slide, and he said it depicted the west elevation, looking from Bailey Cove toward the west entry, and he displayed another slide, and he said it was looking from the north to the south at the new entry, and he said there was a box office that was accessible from the outside of the building that would support the theater area.

Mr. Wilkinson displayed several other slides depicting the outside of the complex, as well as interior premises.

Mr. Wilkinson said, concerning the timeline, that with the Council's approval at this meeting, the construction contract was for approximately 18 months, 540 days, so they would be looking at completion in the summer of 2026.

Mr. Wilkinson said he would be happy to answer any questions the Council members might have.

Councilmember Robinson said the community was really excited about this, and she could not say enough that this was the final phase, noting that they had been working on various phases at the Sandra Moon Complex for 10 years.

Councilmember Robinson said she had mentioned the 600-seat theater, and Mr. Wilkinson had also mentioned it, and she said the reason that kept coming up was that that was a good break point for royalties for the performing arts groups, for the royalties they had to pay for music for a show or a symphony orchestra performance, and this would make it more affordable for these organizations to put on the performances. She said it might be professionals who would be doing the performances or it might be a community group, noting there was a lot of interest from community groups. She said at her town hall the previous evening, they had people from North Huntsville there who worked with music students, but the students did not have anywhere to perform, and this would be the perfect size, because if you put two or three hundred people in a 1000-seat auditorium, it would look empty, but in a 600-seat auditorium, that would not look so bad, that it would look like it was well-attended, and they wanted the kids to feel that way.

Councilmember Robinson said the therapeutic space was going to be very important, that they had never been able to find a space to meet the needs of special populations, so this would be a home for people with very unique needs that regular Parks & Rec's offerings would not work for, that this would be an opportunity for them to have a home and take part in the programs there.

Councilmember Robinson said the Event Hall was going to be shared with the Library, that the Library would be using it during the day, while others would be using it in the evening, which was a really good way to make this project work for a lot

of people.

The vote was called for on Resolution No. 24-807.

Roll-Call Vote: Ayes: Kling, Robinson, Keith, Little

Nays: None

Absent: Meredith

Adopted

(RESOLUTION NO. 24-807)

NEW BUSINESS ITEMS FOR INTRODUCTION.

(It was announced under approval of the Agenda that under New Business Items for Introduction, item 21.a was a corrective ordinance to an ordinance introduced at the prior Council meeting, and for passage at this meeting, it would require unanimous consent of the Council. Item 21.a is Ordinance No. 24-819.)

Ordinance No. 24-819, amending Ordinance No. 24-736, to delete Exhibit “B” thereto and replace it with the Purchase and Sale Agreement between the City of Huntsville and Fennel Noble Family Limited Partnership attached herein.

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

(Councilmember Meredith is now present on the dais.)

Moved by Little/Seconded by Robinson.

Roll-Call Vote: Ayes: Kling, Meredith, Robinson, Keith, Little

Nays: None.

Motion Unanimously Carried.

Motion for Approval of Ordinance No. 24-819.

Moved by Robinson/Seconded by Little/Unanimously Adopted.

(ORDINANCE NO. 24-819)

President Little said that concluded the official business portion of the

meeting.

(At this point, the livestreaming of the meeting was ended.)

SECOND ROSTER PUBLIC COMMENTS.

President Little said this portion of the meeting was reserved for persons wishing to address the Council on matters relating to City business, whether or not such items were on the meeting agenda. He said persons could sign up to speak on the Second Public Comments Roster prior to or during the meeting, and that when called, they should approach the microphone and state their name, home address, and city of residence. He said each speaker could address the Council for three minutes, and that speakers shall refrain from entering into a dialogue with Council members or City staff and from making comments regarding the good name and character of any individual.

Mr. Ed Banville, 2462 Belltown Drive, District 3, addressed the Council, having signed up to speak concerning "Veteran Parade."

Ms. Fakhra Bodia, Huntsville, addressed the Council, stating that her address was on file (1645 Sparkman Drive), and having signed up to speak concerning "Civil Rights."

Ms. Vera Vergara, Madison, addressed the Council, stating that her address was listed (3149 Lakeland Drive), and having signed up to speak concerning "Civil Rights."

Mr. Chris Lioi, Madison, addressed the Council, stating that his address was on the form (114 Ardsley Drive), and having signed up to speak concerning "Gaza."

Mr. David Snyder, District 4, Huntsville, addressed the Council, stating his address was the sheet (3816 Bob Wallace Avenue), and having signed up to speak concerning "Proposed Resolution."

ADJOURNMENT.

President Little said the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK

(Meeting adjourned at 8:30 p.m., October 24, 2024.)