HUNTSVILLE CITY COUNCIL MINUTES

Regular Meeting - September 12, 2024 - 5:30 p.m.

City Council Chambers, Municipal Building Huntsville, Alabama

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

President Little called the meeting to order at the time and place noted above. He stated all Council members were present with the exception of Councilmember Keith.

The invocation was offered by Zach Johnson, Public Safety Chaplain; the National Anthem was presented by the Huntsville Master Chorale.

Mayor Battle thanked the Chorale for the outstanding rendition of the National Anthem, and he presented a proclamation to them, noting their contributions to an inspired and creative music environment, enhancing the quality of life for Huntsville's citizens and visitors.

APPROVAL OF THE AGENDA.

President Little said Huntsville Utilities had requested that the Council consider at this meeting items 17.a, Ordinance No. 24-652, and 17.b, Ordinance No. 24-653, under Huntsville Utilities Items, authorizing debt issuance for Huntsville Utilities, which would require unanimous consent of the Council.

President Little asked if there were any additions or deletions to the agenda. The agenda was approved.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS.

President Little said the Council members had been provided copies of the minutes of the regular meeting of the Council held on August 22, 2024; the minutes of a Special Session of the Council held on September 3, 2024; and the minutes of a Work Session of the Council held on September 3, 2024.

The minutes of the Regular Meeting of the Council on August 22, 2024, a Special Session of the Council on September 3, 204, and a Work Session of the Council on September 3, 2024, were approved as submitted.

COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS.

Proclamation to declare the month of September as Gynecologic Cancers Awareness Month.

Mayor Battle asked Betsy Fetner, Program Director of the Laura Crandall Brown Foundation, and her associates to come forward.

Mayor Battle presented the proclamation to Ms. Fetner, recognizing the outstanding work of this group.

Ms. Fetner expressed appreciation for the recognition, and she commented on the mission of the Foundation, raising money for research for early detection; providing support, both emotional and financial; and mentoring and support groups.

Mayor Battle asked Ms. Penny Smith, Director of Finance, to come forward, and he presented her five-year pin, recognizing five years of outstanding work for the City.

COUNCIL: SPECIAL RECOGNITIONS AND RESOLUTIONS.

Resolutions for Approval Only.

Resolution No. 24-629, honoring the many workers who dedicate their

time and skill to ensure successful music performances from behind the scenes.

Moved for Approval by Robinson/Seconded by Kling/Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-629)

Councilmember Robinson read the resolution into the record, and she said she was honored to present this resolution, in keeping with Music Month, honoring the crews who made the music possible.

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 authorizing Community Development to assess the cost of cutting overgrown grass and/or weeds against 25 properties, in the amount of \$6,529.33, with an average per property of \$261.17, and the owners of 11 of the properties being in the city limits of Huntsville and the owners of 14 being outside the city limits of Huntsville.

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

Resolution No. 24-630, authorizing Community Development to assess the cost of cutting overgrown grass and/or weeds against certain properties.

Moved for Approval by Robinson/Seconded by Meredith.

Councilmember Robinson said she had recently had the opportunity to attend a meeting of the Housing Board of Adjustments and observe the process they went through, with volunteers and staff, in making very thoughtful judgments concerning these citations. She said owners had the opportunity to request extensions, and this Board considered those extensions, as to how long they would be, and sometimes approved multiple extensions, if the case warranted it. She said she just wanted everyone to know, as the Council considered these citations, that there was a thoughtful process involved with this.

Unanimously Adopted by the Council Members Present. (RESOLUTION NO. 24-630)

Public Hearing in order to hear, consider, and act upon all objections or protests, if any, for removal of a nuisance at 3603 Drake Ave SW, Huntsville, AL, which hearing was set at the August 22, 2024, Regular Council Meeting.

(Mr. Erwin made a PowerPoint presentation.)

Mr. Erwin said this public hearing was to hear, consider, and act upon all objections or protests, if any, for removal of a junk public nuisance at 3603 Drake Avenue. He said the photos were before them of the conditions that existed on 7-29-24, which showed the property being used for storage of construction materials, et cetera, a combination of things that were not eligible uses for residential property.

Public Hearing Opened.

Mr. Joseph Nouri appeared before the Council, stating he was the owner of the property at 3603 Drake Avenue, and he said the items shown at the back of the house were removed from two structures, with the second one being shown on the displayed slide. He said the first building was demolished, and some of the items had been removed from the building and placed at the back of the property. He said the second building was also going to be demolished, and he was in the process of removing the items from that building. He said all the items that were left on the property would be removed in the next couple of weeks, that he was just waiting on the contractors to come. Mr. Nouri said he had a permit to do what he was doing, and he presented some documents to the Council.

Councilmember Kling asked Mr. Erwin if the Council were to pass this resolution, when his office would begin to take action on this property, and, also, if Mr. Nouri got this cleaned up before his department got out to the property, if that would take care of the matter, if that was the way the process worked.

Mr. Erwin replied in the affirmative, stating that Community Development always tried to get voluntary compliance from the property owner, and the Council's action on this matter at this time would simply start the process. He said his department relied on Public Works to assist them in removing junk public nuisances or structure public nuisances, so the owner would have every opportunity to start the process, because they would probably not be able to mobilize within the next 14 days.

Councilmember Kling said this had been a long-standing problem in the Southwest Huntsville area, but, again, the way City government worked, if this were to be authorized, it would probably be at least a week.

Mr. Erwin said it would be at least seven days to mobilize, and he said these conditions had existed for a substantial period of time, and they would ask for immediate removal if the City would not have to go in and do it.

Councilmember Kling said that, then, if the owner could get it picked up within that seven-day period, or before Community Development got out there, that would take care of his issue, and at the same time, since it had been there for a long period of time, in that area, he thought the Council could move ahead on this, but the owner would have at least a week to get this done.

Mr. Nouri said they could see the privacy fence, that posts were placed all around. He said there was a privacy fence all around, and this could not be seen from the street, and in addition to that, there was a chain link fence all around the

property. He reiterated that everything they were seeing in the displayed slide would be gone in two weeks or less.

Public Hearing Closed.

Resolution No. 24-631, ordering abatement of a nuisance located at 3603 Drake Ave SW.

Moved for Approval by Kling/Seconded by Robinson.

Councilmember Meredith said the owner had a permit issued by the City to do demolition on this property, and he asked how long someone had, once the permit was issued, to finish the job.

Mr. Erwin said the demolition permit was for the structure, and this was for junk, not the structure.

Councilmember Robinson said Mr. Nouri was frequently in the Council Chambers, that he was frequently cited for properties that looked just like this, and he frequently asked for extensions. She asked Mr. Erwin if extensions had been granted on this property.

Mr. Erwin replied in the negative.

Councilmember Robinson asked how many citations had been issued on this property.

Mr. Erwin said it was his understanding, from his staff, that it was more than 20.

Councilmember Robinson said that as Councilmember Kling had noted earlier, this was a problem in the neighborhood, and it had been an ongoing problem. She said Mr. Nouri had said that hopefully it would be taken care of, but there was no guarantee he would take care of it.

Councilmember Robinson suggested that the Council move forward on this action, and if Mr. Nouri wanted to get the property cleaned up within the next seven

days, before Community Development mobilized, he could certainly do so. She said Mr. Nouri probably knew the process better than the Council members did because he had gone through it so many times.

Mr. Erwin said storage of junk was not an eligible use in a residential neighborhood, so putting up a privacy fence would not negate the fact that a violation was still there.

Unanimously Adopted by the Council Members Present. (RESOLUTION NO. 24-631)

PUBLIC HEARINGS TO BE SET.

Resolution No. 24-632, to set a 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, **at the October 24, 2024, Regular Council Meeting**.

Moved for Approval by Robinson/Seconded by Little/Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-632)

Introduction of 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.

Resolution No. 24-634, to set a public hearing on the rezoning of 5.62 acres of land lying south of Plummer Road and east of Research Park Blvd. from Residence 2-B and Neighborhood Business C-1 districts to Highway Business

C-4 District, at the October 24, 2024, Regular Council Meeting.

Moved for Approval by Robinson/Seconded by Kling/Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-634)

Introduction of Ordinance No. 24-635, rezoning 5.62 acres of land lying south of Plummer Road and east of Research Park Blvd. from Residence 2-B and Neighborhood Business C-1 districts to Highway Business C-4 District.

Resolution No. 24-636, to set a 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, **at the October 24, 2024**,

Regular Council Meting.

Moved for Approval by Robinson/Seconded by Kling/Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-636)

Introduction of 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.

MAYOR COMMENTS.

Mayor Battle made the following appointments and reappointments.

Appointment of **Dr. Nicole Muther to the Animal Services Advisory Committee,** for a term to expire September 9, 2027.

Appointment of Elizabeth Gillie to the Animal Services Advisory

Committee, for a term to expire September 9, 2027.

Reappointment of **Jesse Horton to the City Tree Commission**, for a term to expire October 8, 2026.

Reappointment of **Mimi Pothoff to the City Tree Commission**, for a term to expire October 8, 2026.

Reappointment of **Hans Stuhlinger to the City Tree Commission,** for a term to expire October 8, 2026.

Mayor Battle said the State of the City event had occurred on the prior

Tuesday, and he thanked everyone who had been involved in making it successful. He said it was a great time to look back at where they had been as a city over the last 16 years, and where they would be going over the next 4 to 8 years.

Mayor Battle said he had met with a group of community leaders, and they had discussed energy needs at Redstone Arsenal, and there was a high-ranking official from the Defense Department, with Installations, at the meeting, and afterwards, they had a helicopter tour to look at available sites on Redstone Arsenal. He said there was still a lot of land that could be developed for future needs of the country, and they wanted to impress that upon the Director of Installations for the Army, and it turned out to be a good day.

Mayor Battle reiterated that September was Music Month, and he said Jazz in the Park would be held the upcoming weekend and also the weekend after that. He said Kenny Anderson and his crew had done a great job in making sure they would continue this music genre, bringing it back time and time again.

Mayor Battle said the month would culminate with the South Star Music Festival at John Hunt Park, September 28 and 29, featuring numerous genres of music.

COUNCIL MEMBER COMMENTS.

Councilmember Meredith said some confusion had been expressed to him regarding the canvassing session the Council held the prior week, and he had requested the City Clerk, Ms. Edwards, to do a quick presentation of the canvassing breakdown, by precinct. He said the folks who had been present for that meeting, including himself, since it was presented differently than it had been done in years past, were lost. He said he had not heard a total vote count, and there were a couple of campaigns in the room who were confused. He said he knew the information was out there, but folks were not going to go hunting to find it, so he thought it would be worthwhile for the citizens of Huntsville to see that breakdown.

Ms. Shaundrika Edwards, City Clerk, said she had the final spreadsheet from the August 27, 2024, election. She said the canvassing had taken place the prior week, and following the canvassing, they had uploaded the final totals, for the Council's reference as well as for the citizens.

(Ms. Edwards made a PowerPoint presentation.)

Ms. Edwards displayed what she said were the totals, noting that the display was a little small. She said the August 27, 2024, election had taken place, and at the canvassing, they had declared Councilmember Meredith the District 5 Council winner and Carlos Mathews the District 5 School Board winner. She said there would be a run-off election on September 24, 2024, for the District 1 City Council member and the District 1 Board of Education member. She said for the City Council, this would be between Devyn Keith and Michelle Watkins, and for the School Board, it would be between Chaundra Jones and Pat King.

Ms. Edwards said the numbers that were being displayed could be found on the City of Huntsville's website, under "Election Results," and if anyone had any problem locating that, they should feel free to call the City Clerk's office. She said the City Council staff had also received that link.

Ms. Edwards said she would not state these precinct by precinct, but if Councilmember Meredith had any specific questions, she would be glad to answer them.

Councilmember Meredith said what Ms. Edwards had presented was what he wanted the people to see, and he thanked her for the presentation. He said he was aware the change that had happened the prior week was intended as an improvement, and it probably was on a lot of levels, but it was the Council's first time going through that particular process, and some of the Council members were lost, and his request was just to address that.

Ms. Edwards said they were always trying to improve their processes. She continued that she was aware that in the past, they had always hand counted, and she said she felt like the votes were just so close to the 50 percent in District 1 that in all fairness to the candidates, it was important to use the machine.

Councilmember Meredith said voting in elections was very personal to the Meredith family. He said a lot of folks associated his father with the Ole Miss situation, and while that was great, that as his father's son, and particularly as a child, it was far more impactful for him when his father had been shot while trying to lead a voter registration march in Mississippi, and the fact he almost lost his life trying to encourage other people to vote.

Councilmember Meredith said he wanted to thank everyone who had voted in the election, no matter who they voted for, for doing their civic duty, in getting out there and voting. He said they had just had their municipal election, as Ms. Edwards had said, and there was going to be a run-off on September 24th, and he urged everyone in District 1 to get out and vote, to exercise the right to vote. He said there were also elections coming up in November, the County Commission, Congress, and the Presidency, and he urged people to get out and vote then.

Councilmember Robinson congratulated Councilmember Meredith on his election, noting that it was a well-deserved victory, and she said she looked forward to working with him again. She also congratulated Carlos Mathews for his election to the School Board.

Councilmember Robinson said she was continuing to enjoy showing off City Hall, and the prior week she had the opportunity to share it with a friend, Bob Baron, noting that some would remember Weather in Motion. She said Mr. Baron had come to visit with her and share his plans concerning the Weather Institute that would soon be opening at the Space & Rocket Center. She said Mr. Baron's favorite location in the building was EMA, because he understood how critical EMA was to the community's response in times of bad weather.

Councilmember Robinson said they had heard a lot about Music Month, but there was also more music coming, and one of these events was Bluegrass & BBQ, which Commissioner Phil Riddick sponsored every year, at Southside Park, off Chaney Thompson Road, near Challenger School, and it would be held on October 12, from 4 p.m. to 8 p.m. She said Mr. Riddick always brought in some great bluegrass bands, and it was a great gathering.

Councilmember Robinson said there would be a Hays Farm update on some more things that were coming, on October 8th, at 5 p.m., in the Grissom Auditorium. She said that, also, that morning, they were going to do the groundbreaking for the Hays Urban Park.

Councilmember Robinson said, concerning the State of the City, that it was one of the best presentations, using the theme of teamwork, which she noted was really what described the great work that was done in the City. She said the Mayor had mentioned one of their trouble spots, being the I-65 interchange, and the issues they had had with the State, as well as the federal government, answering the need. She said that interchange was originally to have served 45,000 cars, and it was now hosting 110 to 120 thousand cars, way beyond capacity. She said this explained a lot of the frustration people were feeling when they left Research Park every day or were trying to get to work, and it created all kinds of problems for South Parkway. She said as issues happened with 565, people went on the side roads, and it jammed up Whitesburg and Bailey Cove, and it was an issue that needed to be addressed.

Councilmember Robinson said that in the State of the City, Mayor Battle had said they needed help with this, and she asked him how the Council could help. **Mayor Battle** said the Council had been very supportive. He said as they had talked through their process with the State, this was committing a lot of money, six or seven hundred million dollars, but, as he had said in the State of the City, it was their turn. He said they had seen the billions of dollars spent on Birmingham's road system, and they had seen Montgomery and Mobile also, and they had seen the State build a road system between Tuscaloosa and Mobile, Highway 43, at a cost of approximately \$2 billion, and it was time to spend money on roads in Huntsville. He said that as had been said, it was designed for 45,000 trips per day, and at this time, it was handling 100,000 trips per day.

Mayor Battle said they were pushing the State to move forward on this, that they had a meeting approximately two weeks prior, and Director Cooper had been in Huntsville, and the State had agreed to go ahead and start working on the engineering, which he noted was going to be a real feat, that it would take a couple of years to get it done. He said the State had agreed to move forward with the funding of the engineering, and right after that would come the environmental assessment, and then they would have to gather parcels of property, which he noted they had been doing ahead of time. He said there was a lot of property in that intersection that the City had purchased, so that when the time came to construct, they could go to construction quickly. He said Shane Davis, Kathy Martin, and their staff had been working on this diligently and had done a great job. He said they had not ever gotten exactly the answer they wanted from the State, but they believed they finally had a good answer to get started, but they needed to stay on it, that they had to be ever vigilant and stay on it and get it moving as quickly as possible.

Councilmember Robinson said if there was anything the Council could do, she hoped the Administration would keep them involved.

Councilmember Robinson said that also in the State of the City, Mayor Battle

had mentioned the Solar Farm that Huntsville Utilities was going to be working with them on, and she said she had a couple of emails concerning that, from folks expressing an interest in it. She asked if they could at some point, when the Administration was ready, have a presentation concerning it.

Mayor Battle replied in the affirmative.

Councilmember Kling said perhaps they could invite the Governor, the Highway Director, and all the State Legislators to come to Huntsville for a dinner, and they would have to come through that afternoon drive traffic coming in off that interchange, and they could let them stay overnight, give them some good music and entertainment, and then they could leave the next morning and go through that morning drive time going out. He said he thought Huntsville was the cash cow for the state, that they were the largest city, and the financial impact of the Arsenal was probably larger than UAB or anything else around the state. He said he certainly agreed that whatever they could do to get those folks to pay attention, to look at Huntsville and not to punish Huntsville, because they put extra money in when other cities did not, with overpasses and other projects. He said he thought this was a very important project for the city's future, as well as the state's.

Councilmember Kling said he had received another call from a senior citizen concerning the rat infestation problem at Mayfair Towers that was continuing, and he had an email he would forward to Mr. Erwin. He said to Mr. Erwin that he appreciated his past efforts on this matter, but he would like for him to follow up on this again and see what could be done.

Councilmember Kling said they were in the midst of some very windy weather at this time, and he urged persons to be careful when driving, noting that there were several trees that had been downed. He said he had already heard from several folks commending Public Works, that apparently they had crews out picking up tree branches that had been blocking streets, and he said their good work was much appreciated.

Mayor Battle said that following along on what could be done to get these roads done, they might recall that back in the 2012 time period, when they were having a gubernatorial race, and they had brought the roads on the Restore Our Roads to each of the candidates as they came up, and each of the candidates were nice enough to have a press conference and talk about how they would support these roads coming into Huntsville, and that it was a necessity, and out of that they had gotten the Restore Our Roads II package. He said he would remind them that in 2026, there would be another gubernatorial election, and by then, they should be getting near the end of getting their engineering plans done, and that would be a great time to make sure each of the candidates understood Huntsville's needs, and that they ask them for their commitment on helping Huntsville with the roads that were necessary. He said this all flowed through the Governor's office to the Highway Department, and then the Highway Department allocated the federal funds. He said they were going to need that kind of push to make all this happen.

President Little said he had the pleasure of being part of the ribbon-cutting for the new transit center, which was great. He said it was a beautiful new facility at Pratt and Church.

President Little congratulated Councilmember Meredith for his recent election victory, and he also congratulated Carlos Matthews on his election victory to the Huntsville City School Board.

President Little said he would like to echo Councilmember Robinson's comments concerning the State of the City message, and he said he was ready to help however he could in getting ALDOT to get these roads done.

President Little said the Monte Sano Art Festival would be held on

September 21 and 22, and he said that was always a good time to see some good local art.

FINANCE COMMITTEE REPORT.

Resolution No. 24-638, authorizing expenditures for payment.

Moved for Approval by Robinson/Seconded by Little/Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-638)

Councilmember Robinson said the Budget would be introduced later in this meeting, and the Council would hold a Work Session the following week, on September 19, at 5:30, in the Council Chambers; and approval of the budget would be at the Regular Meeting of the Council on September 26.

BOARD APPOINTMENTS TO BE VOTED ON.

Resolution No. 24-557, to reappoint **Eric Milberger to the Board of Examinations and Appeals for Construction Industries, Place 5,** his current seat, for a three (3) year term to expire September 21, 2027, which resolution requires four votes for passage and was postponed at the August 22, 2024, Regular Council Meeting to this meeting, after a motion for approval by Councilmember Robinson and second by Councilmember Meredith.

Roll-Call Vote: Ayes: Kling, Meredith, Robinson, Little Nays: None Absent: Keith (RESOLUTION NO. 24-557)

Resolution No. 24-558, to reappoint **Kenneth Chandler to the Board of Examinations and Appeals for Construction Industries, Place 12,** his current seat, for a three (3) year term to expire September 21, 2027, which resolution requires four votes for passage and was postponed at the August 22, 2024, Regular Council Meeting to this meeting, after a motion for approval by Councilmember Robinson and second by Councilmember Meredith.

Roll-Call Vote: Ayes: Kling, Meredith, Robinson, Little Nays: None Absent: Keith (RESOLUTION NO. 24-558)

Resolution No. 24-601, to appoint Collin Keller to the Animal

Services Advisory Committee, Place 5, the seat previously held by Brian Farnell, for the remainder of a three (3) year term to expire September 8, 2026.

Moved for Approval by Robinson/Seconded by Kling/Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-601)

BOARD APPOINTMENT NOMINATIONS.

Nomination to reappoint Acacia Moore to the Beautification Board,

Place 5, her current seat, for a three (3) year term to expire September 30, 2027. (Meredith)

Nomination to reappoint Marta Buckman to the Beautification Board,

Place 1, her current seat, for a three (3) year term to expire September 30, 2027.

(Kling)

Nomination to reappoint Keith Buckman to the Beautification Board,

Place 3, his current seat, for a three (3) year term to expire September 30, 2027. (Kling)

Nomination to reappoint Cathie Mayne to the Beautification Board,

Place 6, her current seat, for a three (3) year term to expire September 30, 2027. (Little)

Nomination to reappoint Pierce Coyne to the Beautification Board,

Place 2, his current seat, for a three (3) year term to expire September 30, 2027.(Robinson)

Nomination to appoint **Alexis Quinn to the Beautification Board**, **Place 7**, to fill a vacancy due to the resignation of Robin Dickinson, for the remainder of a vacant three (3) year term to expire September 30, 2025. (Little)

Nomination to reappoint **Lisa Gardener to the City Tree Commission**, her current seat, for a two (2) year term to expire October 8, 2026. (Meredith)

Nomination to reappoint Jennifer Upton to the Burritt Memorial

Committee, Place 12, her current seat, for a three (3) year term to expire

October 1, 2027. (Little)

Nomination to reappoint Richele Jordan-Davis to the Burritt Memorial

Committee, Place 13, her current seat, for a three (3) year term to expire October 1, 2027. (Little)

Nomination to reappoint Camillia King-Stanley to the Burritt

Memorial Committee, Place 14, her current seat, for a three (3) year term to expire October 1, 2027. (Little)

Nomination to reappoint Mary Kathryn Treusdell to the Burritt

Memorial Committee, Place 15, her current seat, for a three (3) year term to expire October 1, 2027. (Little)

Nomination to appoint **Molly Ridgeway Moore to the Burritt Memorial Committee, Place 8,** to the seat previously held by Bart Bankowski, for a three (3) year term to expire October 1, 2027. (Little)

Nomination to appoint **Leslie Trippe to the Community Development Citizens Advisory Council, Place 2,** to fill a vacancy due to the resignation of Keith Klaus, for the remainder of a vacant three (3) year term to expire April 14, 2025. (Kling)

HUNTSVILLE UTILITIES ITEMS

(It was announced under Approval of the Agenda that it had been requested by Huntsville Utilities that items 17.a and 17.b below be considered at this meeting, which would require unanimous consent of the Council.)

Ordinance No. 24-652, authorizing a series of Water Revenue Warrants, Series 2024, and various related documents and agreements, to finance improvements to the City's water works plant and distribution system, payable from a senior lien on net revenues from such water system.

Motion for unanimous consent of the Council for immediate consideration of the above ordinance by Robinson/Seconded by Kling.

Roll-call Vote: Ayes: Kling, Meredith, Robinson, Little

Nays: None

Absent: Keith

Motion Unanimously Carried.

Motion for Approval of Ordinance No. 24-652 by

Robinson/Seconded by Kling.

Mr. Wes Kelley, President and CEO of Huntsville Utilities, said Huntsville Utilities had a number of items on the agenda for this meeting, with most of them being routine, but the first two items were related to financing for water projects. He said that at the prior meeting of the Council, he had made a presentation concerning this, and he had gone through all the improvements they had queued up in their Water System, and he had talked about what the use of the Water warrants would be, and he had also discussed that the State Revolving Loan Fund money would be closing soon. He said they had found out a day or two after the prior Council meeting that that action was ready to be taken at this time as well, and he was glad he had covered that material at the last meeting because they had wanted to make sure the Council saw the composite between the warrant issues and the State Revolving Loan Fund debt.

Mr. Kelley said Marcie Lewis, with PFM Financial Advisors, would walk the Council through the specifics of the bond sale they had on this date, noting that it was a successful sale, and it would provide \$16.2 million of funding for important Water Department projects.

Mr. Kelley said when they got to the next agenda item, related to the State Revolving Loan Fund, Rod Kanter, an attorney with the law firm of Bradley Arant, would make that presentation. He said that was an \$8 million debt they were taking on through the State program.

Mr. Kelley said Utilities had other items on the agenda they would get to in due course that he would let Mr. Gehrdes address, but he would be happy to answer any questions.

Ms. Marcie Lewis, PFM Financial Advisors, said they had worked with PNC on this date to conduct the sale of Huntsville Utilities Revenue Warrants, for about \$16 million in projects. She said it was a great day to be in the market, a great week to be in the market, that despite some heavy supply, the market was very receptive, and they were able to sell all the warrants, at a true interest cost of about 3.73. She said they had gotten orders from 14 different investors that placed 81 different orders, so they were able to bring some of the yields down on a couple of the warrants and move forward with PNC, if the Council was okay with that. She said this would be approximately \$1.14 million per year in debt service, which was a great result.

Ms. Lewis asked if the Council members had any questions.

Unanimously Adopted by the Council Members Present. (ORDINANCE NO. 24-652)

Ordinance No. 24-653, authorizing a Subordinated Water Revenue Warrant, Series 2024-DWSRF-DL, and various related documents and agreements, to finance improvements to the City's water works plant and distribution system, payable from a junior and subordinate lien on net revenues from such water system.

Motion for unanimous consent of the Council for immediate consideration of the above ordinance by Robinson/Seconded by Meredith.

Roll-call Vote: Ayes: Kling, Meredith, Robinson, Little Nays: None Absent: Keith

Motion Unanimously Carried.

Motion for Approval of Ordinance No. 24-653 by

Robinson/Seconded by Meredith.

Mr. Rod Kanter, Bradley Arant, said he was bond counsel to the City and to Huntsville Utilities. He said this was a loan, that the State had a program, which they called the SRF program, for certain types of projects, not all types, but certain types of water improvement projects might qualify for a loan from the State, and this was one of them.

Mr. Kanter said this loan was for \$8.6 million, as Mr. Kelley had mentioned, and it was for the improvements Mr. Kelley had advised them concerning. He said the interest rate was 1.99 percent, and the debt would mature over a period of 20 years, that it would pay off on an even payment, what they called mortgage-style-type basis. He said it was a pretty straightforward loan structure, and the lender was essentially ADEM, which managed the program on behalf of the Alabama Authority. He continued that the collateral was a net revenue pledge from the Water System, and the pledge was on a subordinate basis. He said they had talked earlier about the sale of the warrants through PNC, and that was a senior lien debt. He said PNC's buyers of those warrants had a lien on net revenues, which meant revenues from the Water System remaining after the payment of operating expenses, on a senior lien basis, that they were first in the food chain, and to the extent that money was left over, noting that there would certainly be enough for it to be left over, they would get to the second level in the food chain, which they called the subordinate level, which was what this loan he was talking about was. He said that was why the two loans were different, in terms of their styling and in terms of their collateral.

Councilmember Robinson asked Mr. Kanter why the request had been made of the Council to consider this ordinance at this meeting, what the urgency was.

Mr. Kanter said normally this was requested when they were going to the public bond market, because the fact was the public bond market would not wait for two meetings, that that was just too long for investors to hold, that typically when bonds were sold and warrants were sold through the public bond market, the underwriters could hold their buyers for a couple of hours, just overnight, and that was it.

Mr. Kanter said that on this ordinance, unanimous consent was being requested because they were trying to consider all the improvements at the same time, noting they were all Water System improvements.

Unanimously Adopted by the Council members present. (ORDINANCE NO. 24-653)

Resolution No. 24-654, authorizing the Mayor to approve Budget Work Orders and Project Work Orders for new construction for system improvements, capital projects including material purchasing, outside services, and labor, transportation, and other expenses, as outlined in the Budget for the Electric Department, for the Fiscal Year 2025, at a total estimated cost of \$78,468,655.00.

Moved for Approval by Robinson/Seconded by Meredith.

Mr. Joe Gehrdes said he would characterize these budget items as routine, that growth was the operative word, as well as cost increases. He said what they saw in these projects were pretty standard issue in terms of their annual budget. He said he would be glad to answer any questions the Council members might have.

Unanimously Adopted by the Council Members Present. (RESOLUTION NO. 24-654)

Resolution No. 24-655, authorizing the Mayor to approve Budget Work Orders and Project Work Orders for new construction for system improvements, capital projects including material purchasing, outside services, and labor, transportation, and other expenses, as outlined in the Budget for the Gas Department, for the Fiscal Year 2025, at a total estimated cost of \$14,080,591.00.

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

(RESOLUTION NO. 24-655)

Councilmember Kling said now that this resolution had been passed, he would like to wave a flag, noting they were going to be looking at growth in new areas, which was certainly important, but he asked that they take care of what they had at this time. He said he was aware of a lot of places in the city where they had breakdowns and old equipment, that he thought the Wells Substation was one, and he thought there had been others.

Mr. Gehrdes said if the Council members would look at each item, there were notes in there about renewal and replacement, as they certainly considered that every budget year, and most certainly this one.

Resolution No. 24-656, authorizing the Mayor to approve Budget Work Orders and Project Work Orders for new construction for system improvements, capital projects, including material purchasing, outside services, and labor, transportation, and other expenses, as outlined in the Budget for the Water Department for the Fiscal Year 2025, at a total estimated cost of \$28,775,750.00.

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

(RESOLUTION NO. 24-656)

Resolution No. 24-657, authorizing the Mayor to approve the general delivery point agreement authorizing a new transmission delivery point.

Moved for Approval by Robinson/Seconded by Meredith.

Mr. Gehrdes said this was to improve that substation, both to accommodate growth in the area and to improve their redundancy on delivery from TVA.

Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-657)

Resolution No. 24-658, authorizing the Mayor to approve additional costs of \$3,000,000 for distribution transformers and \$3,900,000 for general development and extensions. (Externally driven by increased commercial and residential development and inflation.)

Moved for Approval by Robinson/Seconded by Meredith.

Mr. Gehrdes said this was an adjustment for inflation, that it was sort of a housekeeping measure.

Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-658)

LEGAL DEPARTMENT ITEMS/TRANSACTIONS.

Vacation of Easements.

Ordinance No. 24-659, authorizing the vacation of Utility and Drainage Easements, Lots 7, 8 & 9, Sunset on Green Mountain Subdivision. (Burns)

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

(ORDINANCE NO. 24-659)

Ordinance No. 24-660, authorizing the vacation of a portion of a Utility and Drainage Easement between Lots 12 and 13, Rideout Village Subdivision, 1911 & 1913 Priscilla Lane. (Davidson)

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

(ORDINANCE NO. 24-660)

Ordinance No. 24-661, authorizing the vacation of a portion of a Utility

and Drainage Easement, Lot 1, North Huntsville Industrial Park Phase 14.

(7413 Opportunity)

Moved for Approval by Robinson/Seconded by

Meredith/Unanimously Adopted by the Council Members Present.

(ORDINANCE NO. 24-661)

NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION.

(Items 20.q, 20.w, and 20.ag were held from the consolidation.)

Motion for Consolidation and Adoption of the following items:

Moved for Approval by Little/Seconded by Meredith/Unanimously

Approved by the Council Members Present.

Consolidated Items:

Resolution authorizing travel expenses.

(RESOLUTION NO. 24-662)

Resolution authorizing the acceptance of donations.

(RESOLUTION 24-663)

Ordinance amending Budget Ordinance No. 23-762, by changing appropriated

funding for various departments and funds.

(ORDINANCE NO. 24-664)

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. 24-665)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and GKL Companies, Inc., to provide construction services for the selected replacement of several roof areas for the Von Braun Center.

(RESOLUTION NO. 24-666)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Stewart Electric Company, Inc., to provide construction services for the Von Braun Center Lighting & Sprinkler Improvements.

(RESOLUTION NO. 24-667)

Resolution authorizing the Mayor to execute Change Order No. 2 and FINAL to the Agreement between the City of Huntsville and Thrash Commercial Contractors, LLC., for the Von Braun Center East & South Hall Renovations, located at 700 Monroe Street SW, Huntsville, Alabama.

(RESOLUTION NO. 24-668)

Ordinance approving appropriations, goods, or services for District 1 Council Improvement Funds.

(ORDINANCE NO. 24-669)

Ordinance approving appropriations, goods, or services for District 2 Council Improvement Funds.

(ORDINANCE NO. 24-670)

Resolution to make and levy assessments respecting certain property within

the MidCity project, as more particularly described and requested in a petition from the MidCity Improvement District.

(RESOLUTION NO. 24-671)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama, and TTL, Inc., for Engineering Design Services for Governors Drive Lane Improvements, Project No. 71-22-RD02 & ALDOT Project No. ATRIP2-45-2022-281.

(RESOLUTION NO. 24-672)

Resolution authorizing the Mayor to execute Change Order No. 1 and FINAL to the Contract between the City of Huntsville and Dunlap Contracting, Inc., for construction services for John Hunt Park Championship Soccer Complex Phase II.

(RESOLUTION NO. 24-673)

Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and William M. Boehme & Associates Architects, for the John Hunt Park Recreation Center.

(RESOLUTION NO. 24-674)

Resolution authorizing the Mayor to execute Modification No. 2 to the Agreement between the City of Huntsville and J. C. Cheek Contractors, Inc., for Periodic Bid for Traffic Striping and Markings, 2023 project.

(RESOLUTION NO. 24-675)

Resolution authorizing the Mayor to enter into a Consulting Agreement between the City of Huntsville and AVO Communications, Inc., for consulting services.

(RESOLUTION NO. 24-676)

Resolution authorizing the Mayor to execute Amendment No. A1 to the Agreement between the City of Huntsville and Meltwater News US Inc.

(RESOLUTION NO. 24-677)

Resolution authorizing the Mayor to enter into a Professional Services Agreement between the City of Huntsville and Ileen Shoemaker, d/b/a Shoemaker & Associates, as a licensed court reporter for City Council meetings, work sessions, City meetings requiring court reporting services.

(RESOLUTION NO. 24-679)

Resolution authorizing the Mayor to accept Price Quote from Election Systems & Software, Inc., for all Ballots and Supplies, Provisional Kits, ExpressVote Cards, and Programming (coding of 1 ballot style,) Data Conversion Fees, L and A-testing machine, Testing of Pollbooks, and on-site support for the September 24, 2024, Municipal Run-off Election.

(RESOLUTION NO. 24-680)

Resolution authorizing the Mayor to enter into an Agreement between the Tennessee Valley Authority and the Huntsville-Madison County Emergency Management Agency for Radiological Emergency Preparedness Funding.

(RESOLUTION NO. 24-681)

Resolution to adjust the salary of an employee in a certain position in an assigned department.

(RESOLUTION NO. 24-682)

Resolution authorizing the Mayor to accept application for issuance of medical stop loss insurance with Crum & Forster General Underwriters for United States Fire Insurance on the City's group health plan.

(RESOLUTION NO. 24-683)

Resolution authorizing the Mayor to execute the application for excess workers compensation insurance with Safety National Casualty Corporation.

(RESOLUTION NO. 24-685)

Resolution authorizing the Mayor to execute an authorization to renew a group accident policy for volunteers with Markel Insurance Company.

(RESOLUTION NO. 24-686)

Resolution authorizing the Mayor to execute renewal to the Comp Services Agreement between the City of Huntsville and Corvel Enterprise Comp, Inc.

(RESOLUTION NO. 24-687)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Cellco Partnership, d/b/a Verizon Wireless, for temporary construction of a cell tower for the South Star Festival at John Hunt Park.

(RESOLUTION NO. 24-688)

Resolution authorizing the City Clerk to invoke Trustmark Bank Letter of Credit No. 23-053-SP for Freeman Road Townhomes.

(RESOLUTION NO. 24-689)

Resolution authorizing the City Clerk to invoke Bryant Bank Letter of Credit No. 1427 for Fields Phase 1 at Hays Farm Subdivision.

(RESOLUTION NO. 24-690)

Resolution authorizing the Mayor to execute Modification No. 1 to the Facility Use Agreement between the City of Huntsville and Knight-Eady Sports Group, LLC., to reschedule the "Space Race," due to the forecasted arrival of Hurricane Francine.

(RESOLUTION NO. 24-691)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and the City of Madison for Dispatching Services of Paratransit Vehicles.

(RESOLUTION NO. 24-692)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and The Board of Trustees of the University of Alabama for transportation services.

(RESOLUTION NO. 24-693)

Resolution authorizing the Mayor to enter into a Memorandum of Agreement among the Alabama Law Enforcement Agency, the Alabama Gulf Coast High Intensity Drug Trafficking Area, and the Huntsville Police Department, in the amount of \$353,277, for the FY 2024 High Intensity Drug Trafficking Area (HIDTA) Grant.

(RESOLUTION NO. 24-695)

Resolution authorizing the Mayor to enter into a Subscription Training and Equipment Partnership Agreement between the City of Huntsville and VirTra,

(RESOLUTION NO. 24-696)

Resolution authorizing the Mayor to enter into a Professional Services Contract between the City of Huntsville and FLOCK Group, Inc.

(RESOLUTION NO. 24-697)

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

(RESOLUTION NO. 24-698)

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

(RESOLUTION NO. 24-699)

Items Not Consolidated:

Resolution No. 24-678, authorizing the Mayor to enter into a Facility Use Agreement between the City of Huntsville and Apollo Foundation, Inc., for use of MidCity District parking lot for the 2024 WhistleStop Festival.

Moved for Approval by Robinson/Seconded by Little.

Mr. Hamilton said what was before the Council was their standard Facility Use Agreement for this special event. He said they had moved out to the MidCity District the prior year, after previously holding the event downtown, and one year at John Hunt Park. He said the site they used was a combination of privately owned land, by the owners of various sites at MidCity, and a City-owned parking lot. He said this was the same as it was the prior year, and the City partnered with them on getting this event done. He said as part of their fundraising, they made a contribution to EarlyWorks, for their operating budget. He said this was just a standard use of that parking lot, to be included as part of the festival area.

Councilmember Kling asked if it was projected that this would be the permanent home for the WhistleStop Festival.

Mr. Hamilton said this was a privately operated event, so he was not in a position to speak for them. He said just knowing how these events grew, he would describe this as a complete restart of the festival. He said it was previously owned and operated by EarlyWorks, with private assistance, and now it had kind of flipped, with private entities that had chosen to pick it up and run it and not put that burden on the EarlyWorks staff. He said one of the challenges was because of the way it had grown, it had become a real burden for EarlyWorks to put it on successfully. He said with this private group coming in and picking it up, to continue the tradition, and still with a benefit to EarlyWorks, they thought this was a win-win for the community and for EarlyWorks.

Mr. Hamilton said this was only the second year, and certainly MidCity was looking to be a good site for these type things, but as it continued to develop, it would just depend upon what the space would be. He said they had a great relationship with the developer and owners in MidCity, so he believed they could be there for an extended period of time. He said John Hunt had a lot of capacity and the ability to do these types of festivals, so if they ever needed to shift back to that location, he believed the Administration would be amenable to working with them to make that successful.

Unanimously Adopted by the Council Members Present. (RESOLUTION NO. 24-678)

Resolution No. 24-684, authorizing the Mayor to enter into an Agreement between the City of Huntsville and Blue Cross and Blue Shield of Alabama, for third-party administrative services on the City's group health plan.

Moved for Approval by Robinson/Seconded by Meredith.

Mr. Byron Thomas, Director of Human Resources, said this was a resolution to approve the annual agreement with Blue Cross and Blue Shield. He said that over time, they had increases in medical costs, as well as utilization and the cost of prescriptions. He said that although the plan was not changing, there were a couple of other things that were changing. He said they had carved out mental health and substance abuse, and one of the things they were adding to the plan, toward the monthly cost, was \$1.70 per contract per month that they had to pay, as well as their administrative cost was going up from \$42 to \$43.40 per contract, per month. He said they were fortunate to get a three-year rate hold on that new increase. He said they always kept in mind the overall cost the City had to pay for health insurance, that they spent over \$36 million, and that cost was continuing to rise, so there would be a 7 percent increase in premium for employees, per pay period, and he said that was anywhere from about \$2.80 per pay period to about \$8.00, depending on if one had a single plan or a family pan. He said that was still a modest increase, based upon the overall cost to the City, which was still paying more than 85 percent of the overall cost for health insurance.

Councilmember Robinson said that as the Council's representative to the Insurance Committee, she had the opportunity the prior week to sit in on the meeting where representatives from all the departments came and got to ask questions of Mr. Thomas and his staff regarding the changes to the Blue Cross coverage. She said they continued to have excellent coverage for the employees, and she thought a lot of people were not aware the City self-funded this. She said that gave them certain advantages, as well as certain challenges. She said the cost at 7 percent sounded really large until they got down to real numbers, and, as Mr. Thomas had said, it could be as little as about \$2.00 per pay period, up to \$8.00.

Councilmember Robinson said one of the things that had not been mentioned that she wanted to point out was the City's commitment to the mental health of its employees, noting that the coverage would cover an increased number of EAP visits. She said that was important to know because mental health challenges were increasing across the country, and they wanted the employees to be able to get the help they needed so they could continue to function and render good service to the community, and for their families as well. She said that was an added benefit that she believed they needed to recognize.

Mr. Thomas said that just to clarify that, that would be another contract, and it would be on the agenda for the next Council meeting. He said this tied in with their health insurance, so Councilmember Robinson was correct, and that just moving from three to five days would give that extra care they needed to provide for their employees.

Unanimously Adopted by the Council Members Present. (RESOLUTION NO. 24-684)

Resolution No. 24-694, authorizing the Mayor to submit an application to the Alabama Historical Commission, on behalf of the Huntsville Historic Preservation Commission, for CLG grant funding for the National Register nominations for the historically Black neighborhoods of Magnolia Terrace and Brothers Heights.

Moved for Approval by Robinson/Seconded by Meredith.

Mr. Shane Davis, Director of Urban and Economic Development,

said they did a couple of such resolutions a year for neighborhoods they believed qualified for historic recognition and registration, and they did this through the Alabama Historical Commission, noting that they had grant funds to do this, to help offset all the documentation and the work it took to make the application to receive that designation. He said that upon the Council's approval of this resolution, it would allow the acceptance of these grant funds, to start the process of gathering data from the Magnolia Terrace and Brothers Heights communities so they could hopefully provide that designation to those communities, noting they felt confident in this.

Councilmember Meredith said he had held this item, in Councilmember Keith's absence, because he wanted the folks in Councilmember Keith's district to be aware that this was percolating.

Mr. Davis said he thought in the upcoming year, they would have good news, getting these communities recognized and actually on the Register.

Unanimously Adopted by the Council Members Present.

(RESOLUTION NO. 24-694)

NEW BUSINESS ITEMS FOR INTRODUCTION.

Introduction of Ordinance No. 24-700, to adopt the City of Huntsville Annual Budget for Fiscal Year 2025, beginning October 1, 2024.

Introduction of Ordinance No. 24-701, amending Ordinance No. 89-79, to provide all eligible employees of the City of Huntsville a Cost-of-Living Adjustment (COLA), as reflected in the first pay period in the Fiscal Year 2025 Budget, effective October 14, 2024.

Introduction of Ordinance No. 24-702, to amend Ordinance No. 89-79, Classification and Salary Plan Ordinance.

President Little said this concluded the official business portion of the

meeting, and that would bring them to Second Roster Public Comments.

(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 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. Austin Jones addressed the Council, stating his address was on the sign-in sheet (173 Sedgewick Dr.), and having signed up to speak concerning "9/11."

Ms. Rachel Homolak, Madison City, addressed the Council, filling in her address on the sign-in sheet (108 Harper Lane, Madison, AL 35756), and having signed up to speak concerning "Library."

Ms. Tonia Stulting addressed the Council, stating her address was on the sign-in sheet (105 Gen. Jackson Ct.), and having signed up to speak concerning "Library."

Ms. Sarah Colletti, W.H. Lawrence Road, Unincorporated Morgan County, addressed the Council, having signed up to speak concerning "Police Brutality."

Ms. Alyx Kim-Yohn, District 3, addressed the Council, stating that her address was on record (12023 Chicamauga Tr., SE), and having signed up to speak concerning "2nd roster public comments."

ADJOURNMENT.

President Little said the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK

(Meeting adjourned at 7:15 p.m., September 12, 2024.)