

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, MAY 12, 2016

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, April 28, 2016, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Culver
Councilpersons:	Russell, Robinson, Kling, Showers
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Riley
City Clerk-Treasurer:	Benion

President Culver called the meeting to order.

Rev. Panisha Stigger led the invocation;

Councilman Showers led the pledge of allegiance.

President Culver stated that the next item on the agenda was Approval of Minutes.

The minutes of the Regular Meeting of the Council on April 28, 2016, were approved as submitted.

President Culver recognized Mayor Battle.

Mayor Battle stated that at this time there would be the presentation to the STAR 99.1/CAfY Young Citizen of the Month. He asked Harry Hobbs to come forward for the presentation, noting that Kenny Anderson was not in attendance at the meeting

because he was the commencement speaker at Drake State.

Dr. Hobbs asked the other persons involved in this presentation to come forward.

Dr. Hobbs stated that the May CAFY Young Citizen of the month was Kaitlyn McClung, who was a senior at New Century Technology High School. He stated that Kaitlyn certainly knew the importance of giving back and helping others. He stated that she volunteered for the Toy Drive for St. Jude's, Angel Tree, Making Gifts for Veterans, Operation Megaphone, and that she was a Super Camp volunteer, school PTSA, Relay for Life, Manna House, Christmas Charities, the Alzheimer's Association, Panoply, and Whistle Stop. He continued that she danced, she sang, and she was a poet. He continued that she was the Youth of the Year 2014 for the Boys & Girls Club. He stated that she also had many academic achievements.

Dr. Hobbs welcomed Kaitlyn and congratulated her for being the May Young Citizen of the Month.

Dr. Hobbs stated that at this time there would be a presentation by the Human Relations Commission.

Ms. Clarene Teague-Johnson stated that on behalf of the Human Relations Commission and Mayor Battle, she would like to present Kaitlyn with a certificate recognizing her as the CAFY Young Citizen of the Month for May 2016.

Dr. Hobbs made a presentation to Kaitlyn on behalf of Mr. Jay Stowe and Huntsville Utilities, stating that there was something for her body, her soul, and her mind. He stated

that they wanted to encourage her to continue doing great things in the community.

Mr. Alfred Adams stated to Kaitlyn that on behalf of the Optimist Club of Huntsville, an organization that had been servicing the youth in the community for approximately 70 years, he wanted to congratulate her on her many accomplishments. He continued that they had a presentation for her as a token of their appreciation.

Captain Jeffery Rice stated to Kaitlyn that on behalf of the Chief of Police, Mark McMurray, and all of the Huntsville Police Department, he would like to congratulate her on her accomplishments and her exemplary service to the community. He challenged her to continue what she had done and to continue being a beacon of light and hope for the community.

Captain Rice made a presentation to Kaitlyn.

Mayor Battle stated to Kaitlyn that on behalf of the 190,000 persons who lived in the city of Huntsville, he wanted to present her a Coin from the City, noting that it was for doing something great for the community. He continued that she had done great things time and time again, and that he looked forward to more greatness to come.

President Culver stated that the next item on the agenda was Announcements. He stated that agenda items 15.b and 15.c had been deleted. He continued that there was an item that had been requested to be added to the agenda, a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and Alabama A&M University. He stated that this would require a two-thirds vote of the Council.

Councilman Russell moved to add the Alabama A&M resolution to the agenda, which motion was duly seconded by Councilwoman Robinson.

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

AYES: Russell, Robinson, Kling, Showers, Culver

NAYS: None

President Culver stated that the resolution would be added to the agenda as item 15.z.

President Culver stated that the next item on the agenda was Public Hearings to be Set.

Councilman Kling read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying on the west side of Old Monrovia Road and north of Wayne Road as Residence 2-A District, at the June 23, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-311)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

Councilman Kling read and introduced Ordinance No. 16-312, zoning newly annexed property lying on the west side of Old Monrovia Road and north of Wayne Road as Residence 2-A District.

Councilman Showers read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying on the east side of Forrest Hills Drive and south of Dug Hill Road as Residence 1 District, at the June 23, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-313)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell and was unanimously adopted.

Councilman Showers read and introduced Ordinance No. 16-314, zoning newly annexed property lying on the east side of Forrest Hills Drive and south of Dug Hill Road as Residence 1 District.

Councilwoman Robinson read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the south side of Redstone Road and on the east and west sides of Hobbs Road from Highway Business C-4 District to Residence 2 District and Residence 2-B District, at the June 23, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-315)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell and was unanimously adopted.

Councilwoman Robinson read and introduced Ordinance No. 16-316, rezoning property lying on the south side of Redstone Road and on the east and west sides of Hobbs Road from

Highway Business C-4 District to Residence 2 District and Residence 2-B District.

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance amending the Zoning Ordinance of the City of Huntsville, Article 72, Sign Control Regulations, Section 72.4, Permitted Signs by Districts, by amending Subsections 72.4.2(1) and 72.4.8(6), to update signage regulations concerning Research Park and Research Park West Districts, at the June 23, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-317)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced Ordinance No. 16-318, amending the Zoning Ordinance of the City of Huntsville, Article 72, Sign Control Regulations, Section 72.4, Permitted Signs by Districts, by amending Subsections 72.4.2(1) and 72.4.8(6), to update signage regulations concerning Research Park and Research Park West Districts.

President Culver stated that the next item on the agenda was Communications from the Public. He stated that when persons' names were called, they should go to the microphone and state their name and address, and that they would have approximately three minutes to address the Council.

Mr. Jerry Burnet, 2405 Greenhill Drive, appeared before

the Council, stating that he would like to have an update on North Parkway. He stated that when one was coming out of Big Lots or anywhere in that area, there was a problem because this area had been torn up approximately 10 years prior, and that now they had taken all the money and gone down to South Parkway doing work. He asked how they could justify starting on North Parkway and stopping before they finished, and then going down to South Parkway. He stated that it was a dangerous situation when one was coming out of any of the stores in the vicinity of Big Lots and attempting to go left. He continued that one would often have to go all the way to Winchester Pike just to get over into the Parkway.

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that he had been hoping he would never have to do this again, but stated that, as a veteran of the United States Army, he wished to respectfully acknowledge the three U.S. Military personnel recently killed as a result of hostile action in the Middle East. He continued that these were a 27-year-old Marine, a 31-year-old Navy Seal, and a 22-year-old Airman.

Mr. Cox stated that since he had last spoken before the Council in December, he had sought to review the traffic study performed by Walmart for their store at Bob Wallace and Jordan Lane. He stated that he had studied the document provided to him by Engineering, and that he wanted to make sure the Council was aware of two important issues with the location

that had been unanimously approved by them. He continued that the Planning Committee had approved this action at a sunrise meeting, which he did not believe had happened before, and that he could assure the Council had not happened since.

Mr. Cox stated that his first issue was the City-approved two entrances/exits onto 17th Street, which was a narrow residential street with no sidewalk nor curb. He continued that one of these entrances was for delivery trucks. He stated that this had placed school children in Councilman Kling's district in danger. He stated that the Council members' votes had accommodated the Walton Family, but they certainly did not accommodate the school children who walked to and from school from the neighborhoods south of Bob Wallace. He continued that these children now had to walk an extra block because their designated crossing of Bob Wallace had been moved east a block. He stated that while there was a guard at the new point, there was no painted sidewalk with its green "Children Crossing" sign, and that the new point was about six to eight yards inside the flashing "School Zone" lights. He continued that normally they were about halfway between the flashing lights.

Mr. Cox stated that his second issue was the City-approved entrance/exit onto Jordan Lane, with the entrance being just a few feet north of the current fire station and eight to ten car lengths from the Bob Wallace/Jordan Lane intersection. He stated that it was unbelievable that the City had approved left turns out of the Walmart business onto Jordan Lane, crossing

two northbound lanes and a designated left-turn-only lane before entering the southbound lanes. He stated that this existing intersection capacity at this point had a rating of "D," with a "C" or better being desirable. He continued that Bob Wallace at Jordan Lane had gotten an "F." He stated that it was clear that the business traffic would make a worse situation more worse. He stated that he hoped all the fire personnel at the Jordan Lane Fire Station were up to date on their EMT skills because they were going to need them outside their front doors.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, expressing appreciation to the Council for allowing the public to be involved in their meetings.

Ms. Reed stated that she wanted to apologize to 911 and the Police Department, noting that she had gone to the Kangaroo Station to get some gas, and a young man had backed up into her vehicle and bent a fender. She continued that he had called 911 and tried to get the police out there, but the police in Huntsville did not come on private property. She stated that she wanted the ordinance concerning this changed, noting that persons needed police records and reports written up for such incidents occurring on private property. She stated that the Council needed to study this, and this needed to be changed. She stated that these people were paying taxes, and if the City did not care about private property, these persons needed to stop paying taxes.

Ms. Reed stated that she had backed into a lady in a vehicle the prior year, and it had not hurt the lady nor the vehicle, but four police officers and an ambulance had pulled in, and her insurance company had had to pay the lady \$15,000 because a police officer had written up a one-sided report, as to what the lady had said. She continued that her name and her record was not even on the report. She stated that she had tried to have it out with them, but her insurance company had paid \$15,000.

Ms. Reed stated that in the recent incident, she had been very insistent with 911 and the Police Department that the police come to the scene, and she thanked them for showing up.

Ms. Reed reiterated that the ordinance needed to be changed, that private property was important.

Ms. Reed stated that she had gone with her daughter to Chattanooga for three days on a business trip, and that she had learned a lot about the city. She continued that this was what they were trying to do with Huntsville, a Gig City. She stated that she did not like Chattanooga, noting that persons in that city were complaining about traffic in the downtown area, that they were changing their ordinance, just as Huntsville was doing. She stated that Chattanooga was a dirty place and the worst place in which she could have spent that time. She stated that she could not understand why Huntsville wanted to be like Chattanooga. She continued that Huntsville was a rocket city, and that they should just keep the city clean and

take care of what they had and quit wanting to be like New Orleans, New York, and Chattanooga.

President Culver stated to Mr. Shane Davis, Director of Urban Development, that the public had expressed some concerns. He stated that Mr. Burnet had requested an update on North Memorial Parkway, and that Mr. Cox had mentioned a couple of issues regarding the traffic study at the Walmart at Bob Wallace and Jordan Lane, specifically two entrances and exits on 17th Street, with one being for delivery trucks, and children having to walk an extra block, with no painted sidewalks with the crossing sign. He continued that Mr. Cox's second concern was the entrance/exit on Jordan Lane, a left turn out of Walmart onto Jordan Lane, crossing several lanes. He stated that he believed the average rating in that area would be a "C," but that Mr. Cox had suggested that it was an "F."

President Culver asked Mr. Davis if he could address these matters.

Mr. Davis appeared at the microphone. He stated that the North Parkway construction plans were on schedule, and that they were approximately 70 percent complete with the current plans and would start purchasing right-of-way by the end of the year, sometime in late fall, and that construction would commence in late 2017, which he noted was approximately the time the Northern Bypass would also be commenced in that area.

Mr. Davis stated, concerning Walmart and the intersection

Mr. Cox had mentioned, that they did require, as they did on all large developments such as this, a third-party traffic consultant to do a traffic study. He stated that such a traffic study always anticipated peak hourly, not a 24-hour composite, noting that that would be the worst hour of a 24-hour composite that that intersection would operate. He stated that this intersection during rush-hour time was a Level "D" or "E," and that they were making some striping changes there to kind of balance this out.

Mr. Davis stated, concerning 17th Street, that there were improvements that Walmart was making, that they were resurfacing and widening some of this. He continued that the City did recognize that there was no sidewalk there, and that they had been working with the Planning Department on a sidewalk plan in that area. He continued that the school would be turned into an incubator, that there would be a change of use. He continued that he believed some of this would start to happen later in the year, or possibly the first quarter of 2017, that there would be some changes in that neighborhood area.

President Culver asked if it was correct that they were looking to get the level up to at least a "C," as far as the intersection.

Mr. Davis stated that in most of the intersections, during peak capacity, a level of service of "D" was an acceptable level of service in most communities. He continued that that

was what they tried to strive for. He stated that in most cities where there were major arterials and major collectors coming together, such as the Parkway and Governors Drive, California Street and Governors Drive, and Jordan Lane and University Drive, these would function just during daily traffic at a "C" or a "D," that typically one would not see an arterial in any major metropolitan area at a "B" or "C."

Mr. Davis stated that they were confident with the traffic study, that they had scrutinized it and asked some questions, and they had actually had them accelerate some of the travel times they had, in volume numbers, and rerun the model. He stated that they were very confident that this would be a safe development in a safe area in the neighborhood, as far as vehicular activity. He continued that, otherwise, they would not have recommended it to the Planning Commission for approval.

President Culver recognized Councilman Kling.

Councilman Kling stated to Mr. Davis that he had discussed with Mr. Davis sometime prior some neighborhood concerns that had been mentioned, similar to what Mr. Cox had mentioned. He asked Mr. Davis if he remembered correctly that they had been looking at the truck routing being done where it would not come up 17th Street.

Mr. Davis replied in the affirmative, noting that there was a back entrance there, and that it was off peak from school traffic. He continued that, of course, the school would be

going away, as everyone was aware. He stated that they had done the trip analysis with the Walmart Neighborhood Market, and that it was typically approximately three trips per week, and that they were typically done late in the afternoon, at 6 or 7 p.m., or at times at 12 or 1 a.m., and it would be stocked during the night, when it was closed to the public.

Mr. Davis stated that they took all this into consideration with all developments, that they did their best to make sure the development did not have an impact on the neighborhood. He continued that this was similar to the Walmart at L&N and Drake, noting that the neighborhoods had been very concerned about this, and that they had continued to tweak it and had had no issues at that location. He stated that Walmart had done some changes there, as well as the City had done some changes, and that there had been no problem at all. He stated that the Neighborhood Market would not have as many trips as the Super Walmart at L&N and Drake. He stated that they felt confident that once the Neighborhood Market opened, that with the use there, everything would work out just fine.

Councilman Kling asked if it was correct that there was some sort of evaluation process that they were looking at as far as traffic signalization.

Mr. Davis stated that, as in all large developments such as this, that once it opened, they would continue to monitor that and work with them and make tweaks and changes as

necessary.

Councilman Kling stated that he understood the church sign issue had been resolved.

Mr. Davis stated that that was correct.

President Culver stated, concerning Ms. Reed's question about traffic accidents occurring on private property, that the City of Huntsville had not worked accidents on private property for a very long time, because there was no opportunity for enforcement. He asked Mr. Riley if he would like to address this issue at this time or if he would like to look into it.

Mr. Hamilton stated that he would get with the Police and the Legal Department and take a look at this issue and determine if things had changed such as they might want to recommend any changes.

President Culver stated that this was the standard throughout law enforcement agencies.

President Culver stated that the next item on the agenda was Huntsville Utilities Items.

Councilman Kling read and introduced a resolution authorizing approval to purchase outside services to repave the ditch line on Covemont Drive (PR 10215342) (Utilities: Electric), as follows:

(RESOLUTION NO. 16-319)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver recognized Mr. Joe Gehrdes of Huntsville Utilities.

Mr. Gehrdes stated that he would like to include the dollar figure on this project and give a brief explanation. He stated that this was to repair the road that had been altered during repair work to some cable in the area. He stated that this would wrap up the project, and that the cost was \$35,384.53.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-319, and it was unanimously adopted

Councilwoman Robinson read and introduced a resolution authorizing approval to purchase and install an uninterruptible power supply (PR 10216691) (Utilities: Electric), as follows:

(RESOLUTION NO. 16-320)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that this was a power supply backup for their MIS servers, and that the total amount was \$53,278.61.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution

No. 16-320, and it was unanimously adopted.

President Culver read and introduced a resolution authorizing approval to purchase outside services to install a road bore at Martin Road and South Parkway (PR 10214731) (Utilities: Gas), as follows:

(RESOLUTION NO. 16-321)

President Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that this was a relocation project for their gas utilities in the area of the Martin Road overpass that was currently under construction. He stated that this was reimbursable by ALDOT, and the amount was \$106,500.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-321, and it was unanimously adopted.

Councilwoman Robinson read and introduced a resolution authorizing approval to purchase and install a natural gas regulator and service to the new Southeast Water Treatment Plant (WBS M1G-WATERPLANT.1) (Utilities: Gas), as follows:

(RESOLUTION NO. 16-322)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Showers.

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that this was gas service to the new water treatment plant in Marshall County. He stated that this gas service would also provide for back-up generation they were planning for this site. He continued that the total amount was \$72,936.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-322, and it was unanimously adopted.

Councilman Kling read and introduced a resolution authorizing approval to purchase an atomic absorption spectrophotometer and controller (PR 10213711) (Utilities: Water), as follows:

(RESOLUTION NO. 16-323)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that this piece of equipment was to test for lead and copper in the water. He stated that, as persons were aware, there had been a great deal of concern expressed concerning this due to the circumstances in Flint, Michigan. He stated that he wanted the Council and the

public to be aware that because the City had an award-winning water system, they had been on reduced monitoring from EPA for quite a few years, but they had continued to maintain the EPA's standard testing regimen. He stated that what was on the agenda at this time would be taking it a step further, that they would be able to do more detailed testing with this equipment. He stated that they intended to focus on some of the older sections of the city, and they were going to offer this ability to those systems that purchased water from them, and that from there, they would likely extend this to some of the other neighboring systems, just to make sure they could provide a quality, safe product to their customers, as well. He stated that the total cost for this equipment was \$48,039.47.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-323, and it was unanimously adopted.

President Culver stated that the next item on the agenda was Board Appointments to be Voted On.

Councilman Russell read and introduced a resolution to reappoint Debbie Batson to the Huntsville-Madison County Railroad Authority, for a term to expire May 22, 2021, as follows:

(RESOLUTION NO. 16-324)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-324, and it was unanimously adopted.

Councilwoman Robinson read and introduced a resolution to reappoint Ernest A. Young to the Huntsville-Madison County Convention and Visitors Bureau Board of Directors, for a term to expire April 11, 2020, as follows:

(RESOLUTION NO. 16-325)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on the Resolution No. 16-325, and it was unanimously adopted.

President Culver asked if there were any Board Appointment Nominations.

There was no response.

President Culver stated that the next item on the agenda was Approval of Expenditures.

Councilman Showers read and introduced a resolution authorizing expenditures for payment in the amount of

\$11,843,576.78, as follows:

(RESOLUTION NO. 16-326)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-326, and it was unanimously adopted.

President Culver asked Councilman Showers if there was a Finance Committee Report.

Councilman Showers replied in the affirmative. He recognized Ms. Peggy Sargent, Director of Finance.

Ms. Sargent appeared before the Council, stating that at this time they had received Year-to-Date numbers through April, and they were approximately where they had been the prior month, being approximately 5 percent above Year-to-Date. She stated that this was appropriate, noting that they tended to get most of their revenue at the beginning of the year, with the collection of property taxes, et cetera, and that they would start seeing that go down to where their budgeted numbers were by the end of the year. She stated that their CAFR had published to the website earlier in the month, that they had their Comprehensive Annual Financial Report out to the public.

Councilman Showers asked if they had set a tentative date

for the mid-year review.

Ms. Sargent stated that her department was currently in the process of gathering the data for the mid-year review, and that hopefully by the end of June, at the latest, they should be able to present it.

Councilman Showers thanked Ms. Sargent for her report.

President Culver stated that the next item on the agenda was Communications from the Mayor.

President Culver recognized Mayor Battle.

Mayor Battle stated that it was a very busy time for the city of Huntsville. He stated that there would be a soccer tournament going on, as well as a softball tournament. He continued that Greene Street Market was going on at this time, and that there would be a track meet at Alabama A&M.

Mayor Battle stated that the Mayor's Bike Ride would be on the following Saturday at 10 a.m., commencing at Campus 805. He stated that this was a four-mile ride, with no hills, at a very slow pace, and that children and families would be welcomed.

Mayor Battle stated that there would be many events at the S.R. Butler Green on Saturday, as part of the Healthy Huntsville Initiative. He stated that, also, there would be a neighborhood cleanup that would be going on prior to this.

Mayor Battle stated that the following Friday was Food Truck Friday.

Mayor Battle stated that he believed it was going to be a

good summer, that there would be lots of activities.

President Culver stated that the next item on the agenda was Communications from Council Members.

President Culver recognized Councilman Showers.

Councilman Showers stated that it was certainly going to be a busy weekend and week. He stated that the annual Alabama municipal convention would convene in the city on the following weekend at the VBC. He stated that the convention would officially start on the following Saturday, and that at 4:45 p.m. there would be the first reception. He stated that this was the Alabama Black Caucus of locally elected officials, and that this would be from 4:45 until 5:45. He continued that after that time the City of Huntsville would be putting on its welcome; and on the following Sunday at 6:30 p.m., there would be a dinner at Ruth's Chris

Councilman Showers stated that the annual Homicide Survivors Vigil would be at the Big Spring Park Gazebo on the following Sunday at 5 p.m.

Councilman Showers stated that there would be a meet and greet on Monday, May 16, for the Bessie K. Russell Branch Library, located on Sparkman Drive.

Councilman Showers stated that on the following Tuesday, at 2 p.m., there would be a press conference for the new North Huntsville Branch Library. He continued that most persons were aware that at this time the Academy existed there, but it would become the North Huntsville Library.

Councilman Showers stated that on Saturday, May 21, at 11 a.m., the Huntsville Police Department's First Annual Block Party would be held, hosted by Captain Jeffery Rice, at the North Precinct, from 11 a.m. to 3 p.m. He stated that if anyone had any questions concerning this event, they could contact Captain Rice or Shirley McCrary.

President Culver recognized Councilman Russell.

Councilman Russell congratulated Arts Huntsville for having another successful Panoply.

Councilman Russell stated that he had had the pleasure of touring some of the baseball parks in District 2, and that there were great crowds and lots of kids participating. He urged the other Council members to fund the parks in his area if they had the opportunity to do so because they were bursting at the seams. He stated that Parks and Rec was doing a great job with this program.

Councilman Russell stated that, as Mayor Battle had mentioned, the Sports Commission was hosting the State Championship Soccer Tournament, which had started on this date.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson recognized Mr. Lyle Voyles, noting that he was the Chairman of the Huntsville Council of Neighborhood Associations and had done a wonderful job leading that organization. She continued that, most importantly, he had done a great job in his own neighborhood, with the Chaffee Neighborhood Association. She stated that she wished

every neighborhood had a leader such as Mr. Voyles. She continued that he sometimes challenged the City department heads, but that was when it was needed, in advocating for the neighborhoods. She stated that she had observed that neighborhoods that had active neighborhood associations were safe neighborhoods, clean neighborhoods, and neighborhoods that were good places to live. She stated that she wanted to salute not only Mr. Voyles but all of the neighborhoods that worked hard for their residents.

Councilwoman Robinson stated that they had had a great cleanup day on April 30th, that they had had six neighborhoods in South Huntsville actively participating. She thanked Operation Green Team for working with the neighborhood associations. She stated that persons had cleaned up entrances, planted flowers, and cleaned up curbs and gutters. She stated that Keith Atchley and others had been tremendously helpful in making sure that the Codes were all enforced and helping in the effort, and that, also, persons in Green Team had assisted with this. She thanked everyone for a great team effort.

Councilwoman Robinson stated that the South Huntsville Business Association would be hosting Springfest, which they hoped would become an annual event, at Rosie's Plaza on May 14th, starting at 3 p.m. She stated that Kozmic Mama would be playing there, and that food would be provided by Rosie's, Blue Plate, Nick's, and Angel's Island, and that all the stores

in the Plaza would be open for business. She stated that there would be lots of free give-aways and drawings for door prizes. She stated that this was an effort by the South Huntsville Business Association to let people know that South Parkway was open for business, although there was construction going on and there were challenges there. She continued that they wanted to encourage persons to shop South Huntsville.

Councilwoman Robinson stated that she also wanted to encourage persons to take a look at the traffic cameras on WHNT, which were showing the traffic. She continued that if one watched the traffic going north and south on South Parkway, one would see that there were some peak periods where there were some issues, but that the rest of the time it was flowing just fine.

President Culver recognized Councilman Kling.

Councilman Kling stated that he would like to congratulate his in-laws, Elizabeth and Andrew Lyon, who would be celebrating their 68th wedding anniversary on the following Saturday. He stated that that was certainly a great milestone, and he wanted to wish them the very best.

Councilman Kling stated that Mr. Bill Mason had passed away, noting that he had been very much involved with organizations in West Huntsville, that he had been very instrumental in the new Fraternal Order of Eagles that had been built on Bob Wallace Avenue and had been a leader in numerous offices for the organization, as well as at the State level.

He stated that many persons in West Huntsville had known him, and that he would be greatly missed.

Councilman Kling stated that the Holiday Homes Neighborhood Association had recently celebrated their seventh anniversary. He continued that this organization, under the leadership of Kathy Ogle, was doing a great job. He stated that it had certainly been his pleasure to attend their meeting on that occasion.

Councilman Kling stated that the Triana Village Community Watch organization had held a meeting the prior week, and it had also been his pleasure to attend that event. He stated that Bill Doss had taken over the reins for the organization, and they were being reactivated and revitalized and were ready to go. He stated that this was going to be a great plus for the neighborhood.

Councilman Kling stated that he had participated in the Holiday Homes cleanup the prior Saturday, and that it had been a great event, and they had made a lot of progress.

Councilman Kling stated that he had attended a meeting of the Rocket View Neighborhood Association on the prior Monday evening, and that they were working on some good projects, including the possibility of being listed on the National Register of Historic Places, because of the involvement of the neighborhood in the NASA space program.

Councilman Kling stated that he would be holding his monthly Town Hall Meeting on the following Monday at 6 p.m. at

the Public Library and invited members of the public to attend.

Councilman Kling asked if Mr. Riley could provide an update on the Mayfield neighborhood situation, noting that there was a problem with traffic flow, and that members of the neighborhood were concerned about things that were taking place in the aftermath of the State Supreme Court ruling. He asked where things stood concerning getting this matter straightened out for the neighborhood.

Mr. Riley stated that he was aware that there had been some understandable impatience on the part of the neighborhood concerning this situation, particularly for the City to enforce the Court's order quickly. He stated that they had tried to take a practical approach to this situation and seek a long-standing resolution. He continued that he was pleased to report that they had been informed on this date that the dance studio would be vacating the premises by July 31, noting that they believed this would solve this problem.

Mr. Riley stated that even if the Court's order had been implemented to the "T," there still would have been issues there, that there would still have been traffic problems, et cetera. He stated that, however, he believed this would now solve the problem and take care of the complaints the neighborhood had been having.

Mr. Riley stated that they had tried to take an approach that recognized the long-standing business existence at the location, as well as the rights of the neighborhood. He

reiterated that he believed with July 31 coming on, that would be a good resolution for everyone. He stated that, as he understood it, by the end of May, the big season for dance would be pretty well concluded, and there would be a natural cessation of activities, for the most part, over the next couple of months, so that in just a few more weeks the problem would be resolved, and at the end of July there would be a permanent resolution.

Councilman Kling stated that he understood that there was work in progress going on as far as evaluating, or grading out, a Traffic Signal Technician position, and stated that he believed this would be a great position to add on, and he would certainly support it. He stated that he believed everyone was aware that, as a growing city, there were a lot of traffic flow issues they were dealing with. He stated that he just wanted to voice his support on this, because he felt it would certainly be a good position to add. He stated that Ms. Sargent had mentioned that there was a little surplus money over what had been budgeted, and that he believed this would be a great use of money at mid-year, when they started looking at some things to do.

President Culver stated that he would be holding a Town Hall meeting on the following Monday, May 16, beginning at 6 p.m., at Heritage Estates, located off Old Railroad Bed Road. He stated that while this was in a community, the general public was also invited to attend.

President Culver stated that the next item on the agenda was Unfinished Business Items for Action.

Councilman Russell moved for approval of Ordinance No. 16-290, declaring certain equipment surplus and to be sold at Public Auction, which ordinance was introduced at the April 28, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-290)

Said motion was duly seconded by Councilman Showers.

President Culver asked if there was any discussion of the above ordinance.

There was no response.

President Culver called for the vote on Ordinance No. 16-290, and it was unanimously adopted.

President Culver stated that the next item on the agenda was New Business Items for Introduction.

President Culver read and introduced Ordinance No. 16-327, amending Chapter 3, Article II, Subsection (c) of Section 3-27, Arts & Entertainment District Ordinance, of the Code of Ordinances of the City of Huntsville, Alabama, to modify the Quigley District.

President Culver stated that the next item on the agenda was New Business Items for Consideration or Action. He stated that items 15.b and 15.c had been deleted from the agenda.

Councilman Russell moved for approval of a request to advertise and fill the position of Public Transit Manager, at a higher than minimum rate if necessary, which motion was duly

seconded by Councilman Kling and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Servis 1st Bank Letter of Credit No. 16244 for The Preserve at Clayton Pond, Phase II, Subdivision, as follows:

(RESOLUTION NO. 16-328)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Servis 1st Bank Letter of Credit No. 16155 for The Preserve at Clayton Pond, Phase II, Subdivision, as follows:

(RESOLUTION NO. 16-329)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell moved for approval of a request to advertise and fill the position of Civil Engineer II, Grade 18, at higher than minimum if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 3 to the agreement between the City of Huntsville and 4Site, Inc., for Five Points Streetscape, Phase II, Project No. DE-AL61(900) and COH Project No. 65-07-SP29, as follows:

(RESOLUTION NO. 16-330)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Miller & Miller, Inc., for Jefferson Street Streetscape, Phase II, Project No. 71-16-SP28, as follows:

(RESOLUTION NO. 16-331)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Mullins, L.L.C., for Engineering Design Services for County Line Road Improvements, Project No. 71-16-SP34, as follows:

(RESOLUTION NO. 16-332)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Littlejohn Engineering Associates, Inc., for Land Surveying Services for Greenbrier Boulevard Extension,

Phase IV, Project No. 71-16-RD07, as follows:

(RESOLUTION NO. 16-333)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Amec Foster Wheeler Environment & Infrastructure, Inc., for Engineering Design Services for Pedestrian Access and Redevelopment Corridor (PARC) TIGER Grant Application, from Holmes Avenue to the Lowe Mill District, Project No. 71-16-DR08, as follows:

(RESOLUTION NO. 16-334)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Goodwyn, Mills, and Cawood, Inc., for Providence Main Streetscape Improvements, ALDOT Project No. DE-A105(96) and COH Project No. 65-09-SP12, as follows:

(RESOLUTION NO. 16-335)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell moved for approval of a request to advertise and fill the position of Urban Development Administrative Officer, Grade 19, at higher than minimum if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Regional Training Center Agreement between the City of Huntsville and the Alabama Fire College and Personnel Standards Commission, as follows:

(RESOLUTION NO. 16-336)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute an Agreement for Construction between the State of Alabama and the City of Huntsville, regarding Project No. STPAA-AL61(900), to improve pedestrian facilities at Five Points, located near Holmes Avenue, Pratt Avenue, and Andrew Jackson Avenue in Huntsville, Alabama, Madison County, Project No. 100045139, as follows:

(RESOLUTION NO. 16-337)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to accept the low bids meeting

specifications and effectuate agreements on behalf of the City of Huntsville, as follows:

(RESOLUTION NO. 16-338)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 16-339)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642 by changing the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 16-340)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642 by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 16-341)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling

and was unanimously adopted.

Councilman Russell moved for approval of a request to advertise and fill the position of Accountant III, Grade 16, at higher than minimum if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

Councilman Russell moved for approval of a request to advertise and fill two Public Services Worker positions, which motion was duly seconded by Councilman Kling and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Lease Agreement between the City of Huntsville and Southern Expo, LLC, as follows:

(RESOLUTION NO. 16-342)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Larry Conwill, as follows:

(RESOLUTION NO. 16-343)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to pay Fowler Auction and Real Estate

Service the payment due on a contract between the City of Huntsville and Fowler Auction and Real Estate Service, as follows:

(RESOLUTION NO. 16-344)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Development Agreement between the City of Huntsville and GB Bradford Creek LLC, as follows:

(RESOLUTION NO. 16-345)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Alabama A&M University to provide a full time Huntsville Police Department Commander to serve as interim Chief of Police for Alabama A&M, as follows:

(RESOLUTION NO. 16-346)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver asked if there was any discussion of the above resolution.

President Culver recognized Councilman Russell.

Councilman Russell stated that he had some questions concerning this matter and asked to whom he should address them.

President Culver stated they should be addressed to Mayor Battle.

President Russell inquired of Mayor Battle as to the purpose of the agreement.

Mayor Battle stated that they had received a call earlier in the week from President Hugine at Alabama A&M concerning the fact that their police chief had left and they were looking for an interim police chief. He continued that they had asked if Huntsville might have an officer that could work with them for a period of no longer than three months. He stated that they had looked within their ranks, and that they had an officer that would work very well for this. He stated that it would have to be a senior officer, and that it would be Captain JesHenry Malone. He stated that Captain Malone was just finishing up with the training of the cadets at the Academy, and that this would work out fairly well for both Captain Malone and Alabama A&M. He continued that this was a good neighbor policy.

Councilman Russell asked Mayor Battle if they could go over the hold harmless part of the agreement, noting that his concern was that there might be different rules on Alabama A&M's campus that a Huntsville police officer would not know about. He asked if this would in any way be putting

Captain Malone in liability or the City in liability.

Mayor Battle asked Mr. Riley to address this question.

Mr. Riley stated that there was a hold harmless agreement incorporated into the agreement that was being proposed at this time.

Councilman Russell asked if Captain Malone was on the campus of A&M, and they had different rules than the City of Huntsville, and he enforced City of Huntsville rules, if he would be in any way liable or if the City would be liable.

Mr. Riley stated that he could not see any liability at this point. He continued that it was his understanding that the entirety of the Alabama A&M campus, with the exception of the post office, was in the city limits of Huntsville, so that the rules of Huntsville would apply on the campus, as well.

Councilman Russell asked if whoever might be put in this position would be able to hire and fire police officers for A&M.

Mr. Riley stated that it was his understanding that this person would have the same powers as did the Chief who preceded him, so he would assume that, according to normal procedures of the Alabama A&M campus, he would be able to operate in that fashion.

Councilman Russell stated that this seemed strange to him. He asked if the Administration felt good about this.

Mr. Hamilton stated that he believed, as related specifically to the duties the person would perform as the

Acting Chief for the Campus Police, that would be done under the authority of the chain of command to which the Chief of Police on the campus would be subject. He continued that there was a Vice President or a Provost Marshal that would have direct supervision over the Campus Police and over the Police Chief, so that while this person would be acting as the Chief of Police for A&M, he would operate under their rules, their policies, and under the guidance and leadership of the senior leader to whom he would report.

Councilman Russell stated that he did not necessarily disagree with the idea, and that he was glad to help out Alabama A&M, but asked how the person that might be put into this position by Huntsville would understand A&M's policies if he had never worked for A&M. He stated that it just appeared to him that this would be a very short time to get up to speed.

Mr. Hamilton stated that in terms of enforcing the law, there would not be substantial differences. He stated that, clearly, they might have different internal policies and styles, et cetera, that this person would have to get accustomed to, but that his expectation was that as he worked with the chain of command there, they might not ask him to do the full menu of things they might ask a permanent Chief of Police to do. He continued that what they had asked for was to have a senior, experienced leader to come in and lead that department during the summertime. He stated that, obviously, things would have very much slowed down at this time because

there would not be very many students on campus, and it would be a much quieter period. He continued that he believed President Hugine would feel more comfortable in having an experienced law enforcement leader there that could provide some of this supervision.

Mr. Hamilton stated, concerning the question of hiring and firing, that they had not specifically said whether they would intend for this person to do that, and that his expectation was that this probably would not be, that generally in this type of period when they would be seeking permanent leadership, they would hold off on such things. He stated that, however, this would be a determination that President Hugine and his vice presidents would have to make.

Councilman Russell asked Mr. Hamilton how the compensation would be handled, if the City would be compensated or how the officer would be compensated, how much A&M would pay.

Mr. Hamilton stated that at this point Mayor Battle had not asked that A&M reimburse the City for the officer's salary, that they were really working this as a good neighbor policy, helping one of the greatest institutions within the community. He stated that the Administration's expectation was that they would continue to pay the salary of this officer.

Mr. Hamilton stated that, also, this was not without benefit to the City, that he believed it strengthened the relationship between the Huntsville Police Department and the Alabama A&M Campus Police Department, and that it would give

one of their senior leaders more experience. He continued that he would fully expect this person to take on tasks and learn things in that role that he would not necessarily have the opportunity to do at the Huntsville Police Department, so that when he came back to the department, he would be a more experienced and more capable leader, so that that would be some value to the City.

Mr. Hamilton stated that, also, this person would be helping to police a part of the city through the Campus Police Force. He stated that the City would continue to get some good benefit out of this, and that he believed it was a good way to partner with one of the great institutions in the city.

Councilman Russell stated that he certainly did not disagree with what Mr. Hamilton was saying, but it seemed to him that A&M would not be paying their Police Chief for some period of time, and it seemed to him that that money should come to the City of Huntsville.

Mr. Hamilton stated that that was not an issue that had been addressed with A&M.

Councilman Russell stated that it might be that the Council did not wish to pursue this, but it did appear to him that this would have been something that would have been put in the contract.

Mayor Battle stated that when he had been discussing the matter with President Hugine, he had said that on the outside it would be for a period of three months, but noted that it

might be only a month, that A&M was going to move as quickly as possible to get a new person in place. He stated that he felt it made a lot of sense that the community partnered with A&M and helped them through this time. He stated that when they talked about a month's or two months' pay, there was some money to be considered, but that in regard to their relationship with the University, he did not feel it was out of line.

Councilman Russell stated that he understood that the City wanted to be good partners with all the members of the community, but that in past experiences normally this issue just worked one way, and that he just wanted the City to be treated fairly on compensation.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that the contract indicated that it would be for 90 days or until a permanent chief would be found, but asked if she had understood Mayor Battle correctly that A&M did not anticipate it would be 90 days.

Mayor Battle stated that President Hugine had stated that at the outside, it would be 90 days, and that they were going to move as quickly as possible to get someone in place.

Councilwoman Robinson asked if one of their senior officers would be gone for 90 days, this would create any kind of leadership void for the Huntsville Police Department, in terms of their staffing.

Mayor Battle replied in the negative, noting that they had had senior officers go to FBI school or other places to enhance

their ability, and this was covered. He stated that they were prepared to cover this.

Mr. Hamilton stated that Captain Malone's primary duties were in connection with operating the training program, and that the biggest piece of this was the Academy for the rookie officers, which he noted would have a graduation within the next couple of weeks. He continued that Captain Malone had a very strong lieutenant that was his deputy within that role, and he was very capable of running the Academy.

Councilwoman Robinson asked if the person who would fill this position would still be reporting to Chief McMurray since the City would be paying his salary and he was a City of Huntsville employee.

Mr. Hamilton stated that when this person would be acting as the Acting, or Interim, Chief at Alabama A&M, he would still be on the City's roll, that he would still be an HPD officer, but he would report to the leadership at A&M. He stated that this would not be dissimilar to when they provided officers on loan to some of the Federal task forces, et cetera. He stated that in terms of an officer going and working outside of HPD directly, this was not uncommon, that they did this pretty routinely, that there were a number of investigative task forces and special task forces that they might partner with, such as the FBI, the U.S. Marshal, the County, and others such as that. He stated that this happened somewhat routinely, but that because these were long-standing relationships, they did

not tend to come before the Council.

Councilwoman Robinson stated that because the chain of command was so critical in law enforcement, she just wanted to make sure they had clarity in regard to this.

Mr. Hamilton stated that they would not encumber this person with his normal duties at HPD, that the intent was that he would be able to go to A&M and report to that chain of command and serve full time for this period of time as their Acting Chief. He continued that the lieutenant that was at the Academy would pick up the responsibilities of running that training program in his absence.

Councilwoman Robinson stated that, with regard to the cost to the City, she would suggest that perhaps cost sharing would certainly be fair on this. She stated that, of course, it would depend upon how long the contract went on, but it was something that she felt might be worth discussing.

President Culver recognized Councilman Kling.

Councilman Kling stated that this was a public university they were talking about. He continued that he was aware they had surplus equipment that from time to time that they donated to smaller communities in North Alabama. He stated that he recalled that at the time of the 1989 tornado, Alabama A&M's maintenance department or janitorial services department had come out and had all their trucks and were assisting the Public Works Department in moving debris, and that all this had been done at no charge to the City. He continued that they had

also had some of their police officers, or security, that were on campus to work at providing relief assistance to the police officers when this event had occurred. He stated that the Council had later presented a thank-you resolution concerning this, and that he recalled that one of the things it mentioned was that there had been no charge from Alabama A&M to help the City of Huntsville on this occasion. He stated that he believed it was good that the City could help with this matter and cooperate. He stated that he felt they should leave it to the good judgment of Mayor Battle as far as what he wanted to do, if anything, concerning compensation.

President Culver recognized Councilman Showers.

Councilman Showers stated that he was delighted that the Mayor had moved in this manner on this matter. He stated that he did want to remind persons that the new North Huntsville Precinct that was located on the Parkway, next door to the Fire Station, was on Alabama A&M's property. He continued that they had not asked the City for a dime when they had provided them the opportunity for this Police Precinct to be at that location. He stated that the City had had an ongoing relationship with Alabama A&M University and commended Mayor Battle for his vision in this matter.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver asked that the record reflect that he

would recuse himself from voting on this resolution because of a business conflict.

President Culver called for a roll-call vote on Resolution No. 16-346, and the following vote resulted:

AYES: Russell, Robinson, Kling, Showers

NAYS: None

ABSTAIN: Culver

President Culver stated that the resolution had passed.

President Culver stated that the next item on the agenda was Non-Roster Communications from the Public.

President Culver stated that persons who wished to address the Council should position themselves in proximity to a microphone, and they would have approximately three minutes to address the Council.

Ms. Jackie Reed again appeared before the Council, stating that she would like to thank Huntsville Utilities for providing the cost of their items that were on the agenda, noting that she wished other departments in the City would also provide their costs.

Ms. Reed stated that she wanted to thank Mayor Battle and Johnny Harris for Old Madison Pike, which she noted had been completed. She stated that it was well done and a good job.

Ms. Reed stated that she would also like to thank Jerry Cox for his discussion of the traffic study, noting that when Westlawn had been sold, or it was being worked on, the traffic study had been questioned, but that no one had gotten

any answers about it. She continued that they were seeing money, that Walmart was coming in.

Ms. Reed stated, concerning Huntsville High School, that when the School System had made some deals and moved all the students to other schools from Butler High School, they had a behavioral problem. She continued that, also, they had a traffic problem at Huntsville High, noting that her grandson had gone a whole year with this situation, and that nobody had said a word, but that now they were about to try to do something. Ms. Reed stated that she felt the City should have been more involved with the School Board when they started building these shopping centers that looked like schools, noting that it affected all the neighborhoods and all the people.

Ms. Reed stated that she would like an explanation concerning the Jefferson Streetscape, inquiring if this was where the condos were being built, and asking how much it was going to cost the taxpayers. She asked if the City was going to pay for this or the developer was going to pay for it. She stated that she would also like to know about the TIGER grant, and the cost, that it was very important.

Ms. Reed stated that she would also like an explanation concerning agenda item 15.x, Resolution No. 16-344, and item 15.y, Resolution No. 16-345. She stated that they were making a deal about some real estate, and she needed to keep up with it. She stated that they should tell the public about

these, noting that she was sorry no Council member had seen fit to hold these items.

Mr. Jerry Cox again appeared before the Council, stating that he still had no comfort concerning the Walmart entrance off Jordan Lane and the left-hand turn. He stated that he had gotten the traffic report, that he had studied the engineering report, just as he had done for 30 years, although not being a traffic engineer. He stated that the situation at that location was a bad situation, and that it concerned him more because his family would have to go through there on almost a daily basis. He continued that he did not believe they had taken this situation seriously.

Mr. Cox stated that, also, he did not believe there had been any discussion at all about the impact on these school children, noting that they had already impacted the school children in walking this extra block. He stated that, however, it might be healthy for the children, if it was not raining, because the School System had sold off their track, so they did not have an outside area for exercise. He continued that there was still an issue with the children having to cross Bob Wallace at a location that was not fully designated as it had been for scores and scores of years previously. He stated that this matter had not been addressed.

President Culver stated to Ms. Reed that the items she had mentioned on the agenda, 15.x, Resolution No. 16-344, and 15.y, Resolution No. 16-345, had already been acted on by the

Council, and that Mayor Battle could address these if he chose, but the Council would not revisit them, per se.

President Culver asked Mayor Battle if he would like to address Ms. Reed's questions concerning the Jefferson Street Streetscape, or any of the concerns about this that Ms. Reed had put forth.

Mayor Battle asked Mr. Shane Davis if he would like to address the Jefferson Streetscape issue.

Mr. Davis stated that the contract the Council had approved for the Jefferson Streetscape was part of The Avenue Development Agreement. He stated that this would continue the Downtown Streetscape that was seen on Washington Street, noting that it started just south of "The Avenue" and would come up to Holmes Avenue and do portions of Holmes. He continued that this included four blocks of streetscape. He stated that they had been designing this for approximately nine months, and the cost was \$2.2 million. He stated that a lot of this was utility relocation, in preparation for the streetscape, as far as the benches and the lighting, and redoing the sidewalks.

Mayor Battle stated that this was just part of their streetscape plan, noting that as they had development, they did the streetscape plans around the development, and then as they connected this, eventually they would have a downtown fully connected, with streetscapes throughout the area. He stated that it was expensive to do four blocks in the downtown area because there were a lot of underground utilities that had to

be dealt with, as well as underground fiber and telephone lines.

Mayor Battle stated that if one looked down Washington Street, one could see the value of doing this, that they were taking areas that looked somewhat old and tired, and they would become fresh and new, and there would be businesses to come back around this area. He continued that they were having a lot of interest in some of this area that had been without development for a long time, and that this would add to the economic base of the city.

Mr. Davis stated that three of the four quadrants where they were doing streetscape had never even had a sidewalk on them, so that pedestrian access to the area was non-existent. He continued that they were providing this ADA and pedestrian access to the downtown area that had not been there. He stated that, also, persons might not recall that when they had brought The Avenue before the Council, that, as with all projects, they had shown a return on investment, and that this investment versus the return from the sales tax and the property tax was approximately 2 1/2 years. He stated that this had been brought before the Council more than a year prior, and that they were just starting to perform their part of the development agreement.

Mayor Battle stated that he believed Ms. Reed had asked about the Fowler Auction resolution.

Mr. Hamilton stated that he could comment on that. He

stated that this concerned some abandoned buildings that were in a flood zone that they had previously auctioned off at scrap value so that someone could come in and demolish them, but that because of some of the changing rules associated with FEMA, et cetera, they had not been able to execute that, so that they were just returning the money to the company. He stated that it was essentially that the company had a claim against them, where the company had paid them for something they had not been able to deliver. He stated that it required Council approval in order for them to return the company their money, which was the value of some abandoned buildings that needed to be demolished. He stated that the amount of this was \$8,000.

President Culver stated to Mr. Davis that Mr. Cox had expressed his concerns about the impact on school children as it related to the Walmart on Bob Wallace and Jordan Lane. He asked if this was something Mr. Davis could address at this time.

Mr. Davis stated that he believed the best thing to do would be for him and Kathy Martin, the City Engineer, to set up a meeting with Mr. Cox and go through the traffic study, so that he could get a better understanding of it. He stated that they had looked at and reviewed the traffic study, and they had no concern with it. He stated that he believed this development would be an addition to the neighborhood and blend in with the commercial that had always been located on both of

those corridors. He continued that they had had a grocery store across the street on the opposite corner for many years, which in its heyday had been very lively. He stated that they were aware that this intersection had performed with those types of usages in the past.

Mayor Battle stated that, also, they had to remember that Westlawn would be closing, that Brandon Kruse was going to buy this building, and that Westlawn would blend into Morris Elementary P-8, which was being built at this time. He continued that the traffic patterns would change in the area, that there would not be as much traffic coming to the location as they had had in the past because the school was not going to be there.

President Culver recognized Councilman Kling.

Councilman Kling stated that Brandon Kruse had a phenomenal track record, and that he believed it would be a win-win when he took over the school building. He stated that he believed Mr. Davis, Dennis Madsen, and also Public Works had been involved in the widening and resurfacing of 9th Avenue, and that he believed in conjunction with that there would be some ADA things and some bike lanes from Jordan Lane to Lowe Mill, and then further into the downtown area. He asked if that was still in the game plan for when Mr. Kruse took over this property.

Mr. Davis replied in the affirmative, stating that the Engineering Department was currently working on the plans for

taking that and restructuring it and making it more pedestrian friendly, from Lowe Mill back into that neighborhood. He stated that that would most likely occur in late 2017, by the time Mr. Kruse got through with his construction and they finished the design. He stated that there were a couple of box culverts in the area that would have to be widened. He continued that Engineering was active on this project.

Councilman Kling thanked Mr. Davis for assisting with the church's signage situation.

Ms. Reed stated that no one had fully explained the TIGER Grant.

President Culver asked Mr. Davis if he could address this matter.

Mr. Davis stated that the Council had approved the design contract for the City of Huntsville to apply for a TIGER Grant. He stated that this grant would allow them to continue their flood mitigation in the downtown area, from Holmes Avenue to the Parkway, and to provide some pedestrian access for underserved neighborhoods to have access into the downtown area for job opportunities, and to have access to the downtown area more safely than they did at this time, with Memorial Parkway kind of being the divide. He stated that they would commence design, and that there would be opportunity for public comment as they moved forward, working with the Engineering Department and Planning Department.

President Culver advised Mr. Cox that Mr. Davis and

Ms. Martin would get with him as had been stated.

President Culver asked if there was anyone else in the audience who would like to address the Council at this time.

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER