

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, JUNE 9, 2016

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, June 9, 2016, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

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

President Pro Tem Showers called the meeting to order.

Rev. Frank Broyles led the invocation; Councilman Russell led the pledge of allegiance.

President Pro Tem Showers stated that the next item on the agenda was Approval of Minutes.

The minutes of the Regular Meeting of the Council on May 26, 2016, were approved as submitted.

President Pro Tem Showers stated that the next item on the agenda was Resolutions and Special Recognitions.

President Pro Tem Showers recognized Mayor Battle.

Mayor Battle asked Kenny Anderson to come forward for the

Rocket City Broadcasting/CAFY Young Citizen of the Month presentation. He also asked the other persons involved in this recognition to come forward.

Mr. Kenny Anderson stated that each month they had the privilege of honoring a young person in the community who was doing something outstanding. He stated that the June 2016 Young Citizen of the Month was Kaya Black. He stated that Kaya had a very impressive resume, as a 9th grader at Buckhorn High School. He stated that she was the daughter of an Air Force veteran whose service included work as a professional firefighter with the DOD, that her mother was an Army veteran, and her maternal grandmother was also an Army veteran. He stated that Kaya was a third-generation Girl Scout, and that she was actively involved, following up in the legacy of her parents and her grandparents. He continued that she had given service to the Special Olympics and Wounded Warriors. He stated that Kaya was a talented artist and an Honor Roll student, making straight A's, a National Junior Honor Society member. He continued that she volunteered at the Victory Alliance Ranch no less than 40 hours per month, and that in that capacity, she worked in Rehabilitative Services for disabled veterans and their families. He stated that she was also a Special Olympics equine coach. He stated to Kaya that he understood that the person she had coached had actually placed in the Special Olympics.

Kaya stated that this person had entered in three classes

in the Special Olympics, and he had received three gold medals.

Mr. Anderson stated that that was certainly outstanding. He continued that he would like to present the June 2016 Rocket City Broadcasting/CAFY Young Citizen of the Month, Kaya Black.

Mr. Anderson stated to Kaya that there were several people who supported what she did, and they were going to share some things with her at this time.

Dr. Harry Hobbs stated that as the founder of this recognition and as a 30-year Army veteran, he took his hat off to her and saluted her and her family for their military service. He stated that on behalf of Mr. Jay Stowe and Huntsville Utilities, he would like to present her with a gift bag, noting that there was something included to help her mentally, physically, and financially. He urged her to continue to do the great things she did in the community, noting that she represented this program well.

Mr. Jimbo Wood of Rocket City Broadcasting stated to Kaya that he also wanted to give her a prize pack, noting that it was full of fun things, as well as things that would save her money. He congratulated her on this achievement.

Mr. Alfred Adams stated to Kaya 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 stated that he would like to make a presentation to her as a token of their appreciation.

Ms. Clarene Teague-Johnson stated to Kaya that on behalf of the Human Relations Commission, she would like to present her a certificate recognizing her as the CAFY Young Citizen of the Month for June 2016, for the fine work she had done in the city of Huntsville. She urged her to continue this good work.

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

Mayor Battle stated to Kaya that on behalf of the City of Huntsville, he wanted to thank her for being such an inspiration to the area, and that he wanted to present her a coin from the City, noting that it was for persons who made a difference in the city, the area, and the county. He thanked her for all she had done and congratulated her.

Mayor Battle asked Chief Mark McMurray of the Huntsville Police Department to come forward, along with members of his staff, noting that there were some people to be awarded life-saving medals.

Chief McMurray and Captain Tommy Presley and Captain Jeffery Rice came to the podium.

Chief McMurray stated that at this time he would like to recognize a few of Huntsville's finest and bravest.

Chief McMurray stated that first he would like to talk

about what had happened on January 2, 2016, and asked Officer Tyler Edwards and Whitney Somerville to come forward. He stated that more and more, the police officers were having to deal with both drug addiction and mental illness.

Chief McMurray stated that on this occasion, a 57-year-old male had decided, after his long stint with drug addiction and family problems, he wanted to end his life. He stated that these officers were dispatched to the University Drive overpass, which he noted was right over Sparkman Drive, where this man was straddling the rail, attempting to jump and kill himself. He stated that Officer Somerville was the first officer on the scene and had started talking with the man and developed a rapport with him, and had found out they were both from Marshall County.

Chief McMurray stated that while Officer Somerville was distracting the man with her conversation, the next officer on the scene, Officer Edwards, had positioned himself in a position of advantage and had been able to grab the subject and pull him off the railing. He stated further that after the man had been taken to the hospital, the officers had taken his bicycle to Huntsville Hospital so that he would have a way to get home after his treatment.

Chief McMurray stated that these officers were very thoughtful, and that they had risked their own lives in order to do this, and they had saved the life of this man, who had been able to get some treatment and was still living at this

time.

Chief McMurray asked Captain Presley and Captain Rice to present the life-saving medals, as well as certificates, to the officers.

Chief McMurray thanked the officers for their outstanding service.

Chief McMurray asked that Officer Jeremiah Higgins, Officer Steven Hopkins, and Officer Reynard Robinson come forward.

Chief McMurray stated that one never knew when they put on the uniform what would happen. He stated that at the time of this event, it was at night, and it was dark, that it was on a dead-end street with no lights, that there was nothing but a railroad track there. He stated that these three had gotten out there about 11 o'clock in the evening, and a woman had advised them that she had called them because her husband was going to commit suicide, that he had said he was going to kill himself on the railroad track, and that if that didn't work, he was going to make a police officer kill him, because he was through, he was going to have a suicide by cop.

Chief McMurray stated that Officers Higgins, Hobson, and Robinson had started looking for this man, and then they had heard a train coming and realized there was a problem. He stated that they had run up on the track and had found the man, and that as the train was barreling down on them, they had to fight the man to get him off the track. He stated that they

had struggled with the man and had gotten him off the track just seconds before the train passed, putting themselves at risk, as well. He stated that they had been able to get this man into treatment, and he was still alive today.

Chief McMurray stated that the most moving moment of this to him was when he had read the letter his wife had sent to them about how thankful she was for these courageous actions. He continued that the man was mentally ill, and that he needed medication.

Life-saving medals and certificates were presented and appreciation was expressed to the officers.

President Pro Tem Showers read and introduced a resolution congratulating the Huntsville District Church of God in Christ upon hosting the Alabama First Jurisdiction Church of God in Christ 2016 Jurisdictional Auxiliaries in Ministry Conference from June 19-24, 2016, at True Light Church of God in Christ, as follows:

(RESOLUTION NO. 16-401)

President Pro Tem Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Pro Tem Showers stated that he would be presenting the resolution, on behalf of the Council and the Mayor, during this event.

President Pro Tem Showers stated that the next item on the

agenda was Announcements.

President Pro Tem Showers stated that item 15.j and item 16.a.1 had been deleted from the agenda.

President Pro Tem Showers stated that the Administration had asked for an item to be added to the agenda. He continued that this was a resolution dealing with the G.E. development agreement.

Councilman Russell moved to add the G.E. Project Site Purchase Resolution to the agenda as item 15.s, which motion was duly seconded by Councilwoman Robinson, and was unanimously approved by the Council members present.

President Pro Tem Showers stated that the G.E. resolution would be added to the agenda as item 15.s.

President Pro Tem Showers stated that the next item on the agenda was Public Hearings to be Set.

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying on the east side of Weatherford Drive and on the north side of Harbin Road as Residence 1-A District, at the July 28, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-402)

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

President Pro Tem Showers called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced Ordinance No. 16-403, zoning newly annexed property lying on the east side of Weatherford Drive and on the north side of Harbin Road as Residence 1-A District.

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the east side of 1st Street and on the north side of Freeman Road from Heavy Industry District to Residence 2 District, at the July 28, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-404)

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

President Pro Tem Showers called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced Ordinance No. 16-405, rezoning property lying on the east side of 1st Street and on the north side of Freeman Road from Heavy Industry District to Residence 2 District.

Councilman Russell read and introduced a resolution to set a hearing for suspension of licensure for a certain taxpayer, at the June 23, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-406)

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

Councilwoman Robinson.

President Pro Tem Showers called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution to set a hearing for suspension of licensure for certain taxpayers, at the June 23, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-407)

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

President Pro Tem Showers called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the west side of Jeff Road and south of Capshaw Road from Residence 2 District to Residence 2-A District, at the July 28, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-408)

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

President Pro Tem Showers called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced Ordinance No. 16-409, rezoning property lying on the west side of Jeff Road and south of Capshaw Road from Residence 2 District to Residence 2-A District.

President Pro Tem Showers stated that the next item on the agenda was Communications from the Public.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating that he wished to say thank you for whatever assistance was being provided in regard to the J.O. Johnson legacy. He stated that they had forwarded a letter on May 9, by certified mail, to President McCaulley and the remainder of the School Board, and they had not heard anything with regard to that particular request from the community. He stated that he understood there were some things going on in an attempt to help them preserve J.O. Johnson's legacy. He continued that across the country, and especially across the South, a number of African American schools had been closed and their legacies had not been preserved. He stated that he believed it was a great thing that Huntsville was getting behind the effort to ensure that when the alumni of J.O. Johnson High School came, they would have a place to rally to for their memories.

Pastor Johnson reiterated that he just wanted to thank whoever was involved in making this come to fruition. He stated that earlier in the day, he had looked on the website for Huntsville City Schools and the "Sale" sign was still up,

but he had not checked again.

Pastor Johnson stated that he certainly hoped they could make something happen, and that he just wanted to say thank you to whomever was involved in getting this done.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, expressing appreciation to the Council for allowing public input. She stated further that she would like to thank all the police officers for the good work they did. She stated that she certainly hoped the Council would think about them, as well as all the other City employees, when the five-percent raise came up, noting that she was asking for this for the employees. She stated that the prior one-percent raise had certainly not helped anyone. She continued that she was asking them to help the employees who needed some help and who did a great job. She stated that many of them laid their lives on the line.

Ms. Reed stated that she had heard about the slides going down Holmes Avenue and stated that that was in her neighborhood. She stated that when they brought in these big plans for the city, they should lay the plans out a little better and know what they were going to do when they brought such plans forward. She stated that she did not know how this was going to turn out, and that she certainly hoped they did not run through her house.

Ms. Reed stated that she was concerned about Cummings Research Park, noting that she had spoken at the prior meeting

about this matter, and then someone had pulled a swift one, and it had been pulled in and voted on. She stated that she was glad they had had all the heartache they had had over this, in trying to get rid of Sears, trying to get rid of Penney's, and trying to move a movie theater.

Ms. Reed asked if anyone in the Administration or anyone sitting on the podium who made decisions in the City owned any property from Jordan Lane through Research Park, wherever they were going with this project. She stated that she wanted this looked into and answered, as to who owned property in that area.

Ms. Reed stated that she had recently found out that the City did not know who owned the Coca Cola plant. She continued that it sounded to her like the Industrial Development Board owned it.

Mayor Battle indicated that that was incorrect.

Ms. Reed stated that evidently the Tax Assessor had it wrong. She asked if it was correct that they did not know who owned it.

Ms. Reed stated that they should sometimes come up with some answers when she asked them something, because she was going to get stronger and better over Cummings Research Park. She stated that she was opposed to this, and that it was not blighted. She stated that they were saying that it was 50-years-old and was blighted, and it needed to be torn down, that they needed to take it over and build an entertainment

district so they could party-hardy.

Ms. Reed stated that they were giving 90-year leases to persons on City property, as well as 70-year leases. She asked how they could do this when they were saying that Cummings Research Park was blighted. She asked what they thought would happen to City property in the term of 90 years. She stated that evidently they did not think about that, and they did not care about that.

Ms. Reed stated that the Cummings Research Park project needed to go away, that they should start over, and re-look at the Master Plan. She stated that Cummings Research Park was historical.

Ms. Reed stated that she had been on Cummings Research Park for two months, and that she would be on it for another year, because of what she was seeing as far as what was going on. She stated that persons were not being informed as to who the developers were. She continued that if they had bought a piece of property, they should have brought it before the public and told them what they were going to do, how much the City was going to spend on it and what they were going to do there. She stated, concerning the plan to take over Sears and Penney's, that she had called them, and she would have helped them sue the City if they took them out of the city. She continued that there was nothing better that they could put in the city than those two businesses. She stated that she was certainly glad the theater owner had stood up to them on this

matter.

Ms. Reed stated that they all needed to start using some common sense and think about what they were doing. She continued that all they cared about was money. She stated that persons needed a better quality of life, and they needed some common sense from the persons running the City. She stated that they should get ahold of this, because she was going to be around for quite awhile.

Mr. Ralph Timberlake, 2117 Atkins Drive, appeared before the Council, stating that he was rising to ask that the Council be generous and compassionate in allowing the Huntsville Public Library to have a typewriter, and that if they could not afford this typewriter, that the City look into its surplus property and give the Library a typewriter. He continued that persons needed a typewriter in order to fill out forms for jobs and other things, noting that everything was not computerized.

Mr. Timberlake stated that he also wanted to ask the Council to rethink about the continuous entitlement to some of these boards, noting that they appointed the same persons to boards over and over. He stated that there should be term limits for this so that other citizens of Huntsville could have the opportunity to serve their city. He stated that, secondly, they would be able to refute a heinous entitlement that could creep into some people who continued to serve on these boards without being vetted by their constituents. He stated that he had beseeched the City on this issue previously, but that it

was always the same people. He stated that this was not meant as disparity toward these people, that they were great people, but stated that the Council was missing a great opportunity to allow these persons to train and share their knowledge with other persons.

Mr. Timberlake stated that his third concern was about the Human Relations Commission. He stated that this Commission needed a sunset on it because it appeared to be operating in a dysfunctional manner. He stated that he saw no evidence of what it did for the city, that it seemed to be more concerned with dealing with immigrants and other issues that were non-germane to the city. He stated that he would remind the Council of something he had learned in Bible School: Charity begins at home.

Mr. Timberlake stated that there were far too many things that were going wrong in the city which the City was not addressing. He continued that it was his understanding that the Human Relations Commission had been designed to address these issues, but that he believed thus far they had failed to do this. He stated that he had been asking for a reply to his personal complaint concerning this for more than a year, and that this was unconscionable. He asked that the Council do something about this.

Mr. Timberlake thanked the Council for allowing him to speak.

President Pro Tem Showers stated that the next item on the

agenda was Board Appointment Nominations.

Councilman Kling nominated Dr. Jimmy Wall, Jr., for reappointment to the Huntsville Water Utility Board, for a term to expire July 1, 2019.

Councilman Kling nominated Dr. Jimmy Wall, Jr., for reappointment to the Huntsville Natural Gas Utility Board, for a term to expire July 1, 2019.

Councilman Kling nominated George Moore for reappointment to the Huntsville Electric Utility Board, for a term to expire July 1, 2019.

President Pro Tem Showers stated that the next item on the agenda was Approval of Expenditures.

President Pro Tem Showers read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 16-410)

President Pro Tem Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Pro Tem Showers asked that Ms. Peggy Sargent, Director of Finance, share the comments she wished to make at this time.

Ms. Sargent stated that there was an item on the agenda pertaining to the public sale of bonds, being item 15.o, Resolution No. 16-430, and that there would be some detailed discussion of the item at the time it was considered by the

Council. She stated that this concerned new money for the School System, as well as some Capital items within the City, and the refunding of previous bond issues for both the City and the School Board.

President Pro Tem Showers stated that the next item on the agenda was Communications from the Mayor.

Mayor Battle stated that on this date and the previous day, the National Cyber Summit was taking place in the city, and that more than 1500 people had gathered, from all over the United States and throughout the world, for this event. He stated that there were representatives from NSA, the National Security Agency, and other government agencies who were in the city. He continued that this had set Huntsville up as a center of excellence in the cyber world.

Mayor Battle stated that on the following day there would be the Fire Academy graduation at 5 p.m. at the Space & Rocket Center.

Mayor Battle stated that Movies in the Park would commence on the following evening, at 8 p.m., next to the Art Museum.

Mayor Battle stated that on the following Saturday, there would be a "Welcome Home" ceremony for Company A, 136th Expeditionary Signal Battalion, based out of Arab. He continued that many of these soldiers came from the Huntsville-Madison County area. He stated that this event would be at 10:30 a.m. at Signature Aviation at the Airport.

Mayor Battle stated that on the following Saturday at

11 a.m., there would be a Flag Day ceremony at the Veterans Memorial.

Mayor Battle stated that there were many events to be held over the next few days and urged persons to come out to these events and honor persons who needed to be honored, and especially those persons who would be returning from active duty overseas.

President Pro Tem Showers stated that the next item on the agenda was Communications from Council Members.

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell stated that he would like to thank the Mayor and his Administration for their assistance in opening the Dog Park at Hampton Cove, noting that this was a great addition to the community and would certainly help with the quality of life. He stated that Parks and Recreation had done an outstanding job, that Landscape Management could certainly grow grass in the middle of the drought, and Animal Services had come up with the rules for the large and small dogs. He continued that he certainly appreciated these persons.

Councilman Russell stated that on the following Saturday, there would be a lot of activities going on in the city. He stated that he would be at Fern Bell Park for the Little League tournament, commencing at 9 a.m. He continued that there would be a great day there.

President Pro Tem Showers recognized Councilwoman Robinson.

Councilwoman Robinson stated that she had had the opportunity the prior week to visit the African American Chamber of Commerce, that Jerry Mitchell, the CEO, had invited her to come down, and they had had a great conversation. She continued that she had certainly been impressed with the similarity between the concerns of businesses in North Huntsville and businesses in South Huntsville. She stated that there had been a very productive conversation, and that she looked forward to continuing it.

Councilwoman Robinson stated that she had also had the opportunity to attend the groundbreaking for the in-patient hospice at Redstone Village, noting that this was a wonderful partnership between Huntsville Hospital, Hospice Family Care, and Redstone Village. She stated that she had attended a Board meeting of Hospice Family Care 10 years prior, where they had talked about the need for an in-patient hospice and if that could ever take place in Madison County. She stated that this had been a long time coming, and that it was a facility that was very much needed. She stated that it was wonderful to see a partnership come together to make something such as this happen.

Councilwoman Robinson stated that she had had the opportunity on the prior day to attend the Change of Command ceremony for the Garrison Commander on Redstone Arsenal, as they were saying good-bye to Col. Bill Marks and welcoming Col. Doc Holliday. She stated that this was the first time she

had ever attended a change-of-command ceremony, and that it had been extremely impressive. She continued that there was a wonderful relationship between Redstone Arsenal and the City of Huntsville, and that it was wonderful to see the leadership that was there and to see how appreciative they were of all that the City did to help Redstone Arsenal be the "best installation on the planet." She continued that this was a direct quote from Col. Marks.

Councilwoman Robinson stated that this was Rocket City Yoga Week, and that she had had the opportunity to participate in yoga at a number of different sites in the city, including Big Spring Park. She stated that on the following morning at 8:30 a.m., there would also be Yoga at Big Spring and invited persons to join her for this. She continued that on the following Sunday, there would be Yoga at the Rocket, at 2 p.m., at the Davidson Center, noting that this was a sight to behold.

Councilwoman Robinson stated that on the following Saturday, there would be Marina Day at Ditto Landing. She stated that she had had a meeting earlier in the day with Mr. Hamilton to talk about plans for Ditto, and stated that there were great things happening there. She stated that this was an opportunity for persons to come down and see the new excitement at Ditto. She stated that this event would be on Saturday from 11 a.m. to 4 p.m., and there would be barbecue, music, food trucks, and other great things. She asked everyone

to join them for this event.

President Pro Tem Showers recognized Councilman Kling.

Councilman Kling stated that there had been some interesting and exciting meetings that had taken place in his district that he had had the opportunity to attend. He stated that he had attended meetings of the Madison Heights Neighborhood Association, the Holiday Homes Neighborhood Association, and the Merrimack Mill Village Association. He stated that it was great just to be able to get out with people at this time of the year, with persons having the opportunity to get acquainted with their neighbors. He stated that a lot of great yard work was taking place, making the neighborhoods look better. He stated that there were just a lot of positives that were taking place.

Councilman Kling stated that his town meeting would be coming up on Monday, June 20, at 6 p.m., at the meeting room at the Library. He stated that everyone was invited to attend, noting that this was a very informal event, and they could talk about whatever persons wanted to talk about. He stated that this gave him the opportunity to get a good perspective and to learn about things that needed to be worked on in the city. He continued that he believed everyone would agree that they had some great department heads and other City employees who handled the emails Council members sent them concerning the city issues their constituents wanted to have addressed. He stated that he certainly appreciated the great work the

department heads and other City employees did in helping to address these issues.

President Pro Tem Showers stated that the City Council had a new intern, James Austin Brass, who was a graduate of UNA and was working on his Master's in Planning at Alabama A&M University.

President Pro Tem Showers stated he was delighted that on the prior Tuesday, the Recreation Department had opened a new splash pad at the Showers Center, and that the children were excited about this. He stated that this was open to the public and persons should feel free to go by the Showers Center and get cooled off.

President Pro Tem Showers stated that since President Culver was not present at the meeting, he had asked him to announce for him that he would be having his Town Hall meeting for the Rock Creek and Bridgewater subdivisions on Monday, June 20, at 6:30 p.m., at Good Shepherd Church, located at 1418 Old Railroad Bed Road in Madison. He stated that the public was invited to attend.

President Pro Tem Showers stated that the next item on the agenda was Unfinished Business Items for Action.

Councilman Russell moved for approval of Ordinance No. 16-327, Substitute A, amending Chapter 3, Article II, Subsection (c) of Section 3-27, Arts & Entertainment District, of the Code of Ordinances of the City of Huntsville, Alabama, to modify the Quigley District, which Ordinance No. 16-327 was

introduced at the May 12, 2016, Regular Council Meeting, and postponed at the May 26, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-327, SUBSTITUTE A)

Said motion was duly seconded by Councilman Kling.

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell stated that he appreciated the Council holding this item when he had been unable to attend the prior Council meeting. He stated that some of his constituents had had concerns about this matter, but that since that time, he had met with them, and he believed he had addressed their concerns. He continued that he appreciated Jim McGuffey, the Police Department personnel, and Joy McKee for attending the public meeting on this matter.

Councilman Russell stated that Substitute A to this ordinance made some minor modifications that the citizens wished to have. He asked if Mr. McGuffey would explain Substitute A for the Council.

Mr. Jim McGuffey, Manager of Planning Services, appeared before the Council, stating that the ordinance before the Council was a modification to the Quigley Arts & Entertainment District boundary. He continued that they were adding two areas to this, as one could see on the displayed map. He stated that the west side of this district was what was known as "Lot K," which he noted was across from the post office on Clinton Avenue. He stated that the small area at the

intersection of Holmes and Greene was an area that they were looking to modify. He noted the entrance to the building and stated that what they were asking to do was to add the streets and move the district five feet off the entrance to give these persons ample area to access their building. He stated that this was what they were asking the Council to consider at this time.

Councilman Russell reiterated that he had met with the citizens concerned with this matter, and this was what they had requested. He stated that he certainly hoped the Council would approve this at this time.

President Pro Tem Showers asked if there were any comments from members of the audience concerning this matter.

Mr. Russell Borman, 301 Holmes Avenue, appeared before the Council, stating that he and his neighbors were directly affected by this change to the Entertainment District. He stated that everyone wanted to support "Live, Work, and Play Downtown," noting that that was the reason he had moved into the area. He stated that, however, in order to be successful, there needed to be a balance between the Live, the Work, and the Play.

Mr. Borman stated that he would like to thank Councilman Russell, Mr. McGuffey, the people from the South Police Precinct, and Joy McKee for meeting with his group and addressing their concerns. He stated that they had been concerned about how this would affect the quality of life in

the area and what types of events might be planned for the area immediately in front of their residences. He stated that he wanted to thank all the persons he had mentioned for listening to them and making the adjustments they had made. He also thanked the Council for hearing from the public.

Mr. Borman asked that as they continued to develop in the Downtown area, they not overlook the residents who had invested in Downtown and lived there.

President Pro Tem Showers recognized Mayor Battle.

Mayor Battle thanked Mr. Borman and his group for being part of this process. He stated that this was one of the things they would have to consider as they went through this process in the downtown area. He continued that they had always wanted persons to live downtown, and now that persons were living in the area, they were going to have to adjust to this. He stated that the residents would certainly have to be considered as they tried to make sure that persons could enjoy the downtown area. He thanked the persons involved for working through this process. He continued that this would not be the last process they worked through, that there would most likely be several others they would have to work through as they went through this, and that it was part of making sure that everyone's rights were taken care of.

President Pro Tem Showers asked if there was any further discussion of the above ordinance.

There was no response.

President Pro Tem Showers called for the vote on Ordinance No. 16-327, Substitute A, and it was unanimously adopted by the Council members present.

Councilman Russell moved for approval of Ordinance No. 16-362, to declare certain equipment surplus and to be donated to Downtown Huntsville, Inc., which ordinance was introduced at the May 26, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-362)

Said motion was duly seconded by Councilman Kling.

President Pro Tem Showers called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

Councilman Russell moved for approval of Ordinance No. 16-363, declaring property owned by the City of Huntsville, located at 2400 Bell Avenue, surplus and authorizing the Mayor to enter into a lease agreement between the City of Huntsville and FRE of Alabama, LLC, for said property, which ordinance was introduced at the May 26, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-363)

Said motion was duly seconded by Councilwoman Robinson.

President Pro Tem Showers called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

Councilman Russell moved for approval of Resolution

No. 16-364, to adopt the Madison County, Alabama, Natural Hazards Mitigation Plan Five-Year Update, which resolution was introduced at the May 26, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-364)

Said motion was duly seconded by Councilwoman Robinson.

President Pro Tem Showers called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

President Pro Tem Showers stated that the next item on the agenda was New Business Items for Introduction.

President Pro Tem Showers read and introduced Ordinance No. 16-411, declaring certain equipment surplus and to be sold at public auction.

President Pro Tem Showers read and introduced Ordinance No. 16-412, amending Chapter 9, Cemeteries, of the Code of Ordinances of the City of Huntsville, Alabama.

President Pro Tem Showers read and introduced Ordinance No. 16-413, annexing 29.17 acres of land lying south of Hobbs Island Road and north of Bill Matthews Road.

President Pro Tem Showers stated that the next item on the agenda was New Business Items for Consideration or Action.

President Pro Tem Showers stated that Item 15.j had been deleted from the agenda.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and the low bidder, Christopher Contractors, Inc., for Pulaski Pike Pedestrian Improvements, Project 71-16-SW05, as follows:

(RESOLUTION NO. 16-414)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Lease Agreement between the City of Huntsville and Pine Lawn Farms for the Lease of Farm Land in North Huntsville Industrial Park, as follows:

(RESOLUTION NO. 16-415)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Lease Agreement between the City of Huntsville and McDonald Farms for the Lease of Farm Land in Cummings Research Park, as follows:

(RESOLUTION NO. 16-416)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Lease Agreement between the City of Huntsville and McDonald Farms for the Lease of Farm Land in the Greenbrier area, as follows:

(RESOLUTION NO. 16-417)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Reed Contracting Services, Inc., for Resurfacing of Residential Streets-2016, Phase I, Project No. 71-16-RR02, as follows:

(RESOLUTION NO. 16-418)

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

Councilman Russell read and introduced a resolution authorizing the City Attorney to settle the claim of Tanisha Smith, as follows:

(RESOLUTION NO. 16-419)

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

Council members present.

Councilman Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Bank Independent Letter of Credit No. 20895039 for Lendon Phase I in Jones Valley Subdivision, as follows:

(RESOLUTION NO. 16-420)

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

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

(RESOLUTION NO. 16-421)

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

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

(ORDINANCE NO. 16-422)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into agreements with the low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance, as follows:

(RESOLUTION NO. 16-423)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final to the contract between the City of Huntsville and Pierce Manufacturing Inc. for the construction of one Enforcer 107' Ascendant Aerial Fire Apparatus, as follows:

(RESOLUTION NO. 16-424)

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

Councilman Russell read and introduced a resolution authorizing acquisition of right-of-way for County Line Road Improvements, as follows:

(RESOLUTION NO. 16-425)

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

Council members present.

Councilman Kling read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 to the agreement between the City of Huntsville and Reed Contracting Services, Inc., for Clinton Avenue Performing Arts Project, Project No. 65-15-SP33, as follows:

(RESOLUTION NO. 16-426)

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

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell asked Ms. Kathy Martin, Director of Engineering, for the amount involved with this change order and why it was necessary.

Ms. Martin stated that this was a change order with Reed Contracting Services, Inc., and it was to upgrade the electrical and irrigation system at S.R. Butler Green for the addition of Wi-Fi service in the park. She stated that the change order increase amount was \$50,219.24.

Councilman Russell asked if they had not thought about this before they built the park.

Ms. Martin stated that the Wi-Fi had been requested after the park was under construction, and therefore the electrical had to be upgraded, and then the irrigation, in order to control it remotely, as well.

President Pro Tem Showers asked if there was any further

discussion of the above resolution.

There was no response.

President Pro Tem Showers called for the vote on Resolution No. 16-426, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 to the agreement between the City of Huntsville and Wiregrass Construction Company, Inc., for Downtown Gateway (aka Harvard Road Extension)-REBID, Project No. 65-11-RD03, as follows:

(RESOLUTION NO. 16-427)

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

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell stated to Ms. Martin that since he had asked her about the previous change order, and it had been a bad one, he would ask about the one on the floor at this time, which was a good one. He asked Ms. Martin to explain it.

Ms. Martin stated that this was a change order with Wiregrass Construction Company for Downtown Gateway, or Joseph E. Lowery Boulevard. She continued that when this project had been bid, the CityCentre Development Agreement had not been executed, and that afterwards, they had changed from a bridge construction to a box culvert, to enclose the existing Fagan Creek channel. She continued that this change order

actually decreased the contract amount, by the deduct of the bridge, by \$1,158,658.98.

Councilman Russell asked Ms. Martin to explain why they had gone to the culvert. He stated that he was excited about this, and he believed the citizens needed to know about it.

Ms. Martin stated that this was to enclose the creek, the channel, in order to increase the land mass to develop CityCentre.

Councilman Russell asked if it was correct, then, that someday they could have a greenway at that location.

Ms. Martin replied in the affirmative, stating that there would be connectivity. She stated that the bridge would not have allowed them to connect to a culvert.

President Pro Tem Showers called for the vote on Resolution No. 16-427, and it was unanimously adopted by the Council members present.

Councilman Kling read and introduced a resolution of support and approval of the EUL Greenway Extension and Trailhead Parking Facility connecting Redstone Arsenal, as follows:

(RESOLUTION NO. 16-428)

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

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell asked Mr. Dennis Madsen, Manager of

Urban and Long-Range Planning, to explain the above resolution and asked if the City was paying for this.

Mr. Madsen stated that this was kind of a formality. He stated that ALDOT liked to have a letter of support for a project such as this. He continued that most of the funds for this were from Federal, that it was \$92,000 Federal and \$23,000 local, for a total of \$115,000.

Councilman Russell asked what this was for.

Mr. Madsen stated that it was a connection that basically passed under I-565 that connected Governors West to the Enhanced Use Lease Agreement site.

President Pro Tem Showers asked if there was any further discussion of the above resolution.

There was no response.

President Pro Tem Showers called for the vote on Resolution No. 16-428, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute a modification to the original agreement between the City of Huntsville and Market + Main (new Re:Posit Strategies) for professional consulting services related to the development of a Comprehensive Master Plan, as follows:

(RESOLUTION NO. 16-429)

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

Councilwoman Robinson.

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell asked Mr. Madsen for an explanation of the above resolution.

Mr. Madsen stated that this was an add, noting that they had asked the consultants, as part of the BIG Picture process, to give them some deeper analysis of several target sites around the city, as to what it would take to redevelop them and what type of uses might go on them. He continued that these were located in North Huntsville, South Huntsville, kind of scattered around the city. He stated that this was basically asking for a little deeper dive into the economics of redeveloping targeted sites within the city.

Councilman Russell asked if he was correct in recalling that the amount of this was \$6,500.

Mr. Madsen replied in the affirmative.

President Pro Tem Showers asked if there was any further discussion of the above resolution.

There was no response.

President Pro Tem Showers called for the vote on Resolution No. 16-429, and it was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution to proceed with public sale of Series 2016 Warrants and to Subscribe for Escrow Securities, as follows:

(RESOLUTION NO. 16-430)

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

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell asked Ms. Peggy Sargent, Director of Finance, for an explanation of the above resolution.

Ms. Sargent stated that the resolution was to allow the Mayor and herself to have the Series 2016 Warrants to be sold, pursuant to a public sale, as described in their preliminary official statement, on June 14. She continued that the first sale would begin at 9:30 a.m., and that that was for new money, General Obligation Warrants; and the second sale would begin at 10 a.m., and that was for General Obligation Warrants for the Schools, also new money. She continued that at 10:30 a.m., there would be the refunding of City General Obligation Warrants, and at 11 a.m., there would be refunding of School General Obligation Warrants.

Councilman Russell asked Ms. Sargent for the total amount for all four parts of this.

Ms. Sargent stated that the new money for the City was approximately \$36.4 million; and for the Schools, it was \$28.3 million. She continued that the refunding for the City was \$40.8 million, and the refunding for the Schools was \$34.5 million.

Councilman Russell asked Ms. Sargent if she would explain the term "refunding" so that the public and the Council would

understand it.

Ms. Sargent stated that these were bonds that had been issued in prior years at higher interest rates and that currently they were at historic lows in the market, so they could achieve an approximate \$6.5 million savings by doing the sale on the following Tuesday. She continued that this was split approximately 50-50 between the City and the Schools.

President Pro Tem Showers asked if there was any further discussion of the above resolution.

There was no response.

President Pro Tem Showers called for the vote on Resolution No. 16-430, and it was unanimously adopted by the Council members present.

Councilman Russell stated to President Pro Tem Showers that he believed this would require the Council to hold a special session, which he believed President Pro Tem Showers was going to notify the public of.

Ms. Sargent stated that that was correct, that this would require a Special Session on the following Tuesday afternoon, in order to accept the winning bids that would occur on Tuesday morning. She stated that she believed this Special Session had been arranged for 3 p.m.

President Pro Tem Showers stated that there would be a Special Session of the Council on the following Tuesday, June 14, 2016, at 3 p.m.

Ms. Sargent stated that in compliance with the

requirements, they would send out the official notification via the web and the media on the following day, as she understood it.

Councilman Russell read and introduced a resolution authorizing the City of Huntsville to make payment pursuant to the Project Development Agreement with the General Electric Company, as adopted and approved by Resolution No. 15-941 on December 3, 2015, as follows:

(RESOLUTION NO. 16-431)

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

President Pro Tem Showers asked if there was any discussion of the above resolution.

President Pro Tem Showers recognized Councilman Russell.

Councilman Russell asked Mr. Shane Davis, Director of Urban Development, for an explanation of the above resolution, noting that since it had not originally been on the agenda for this meeting, it needed to be explained thoroughly.

Mr. Davis stated that at the December 3, 2015, Regular Council Meeting, they had brought before the Council a development agreement among the City of Huntsville, the Industrial Development Board, Madison County, Limestone County, and G.E. Aviation. He stated that this had been widely publicized, that it was a \$200 million investment, with 300 jobs. He continued that it was time for them to provide

the City's incentive, at closing, along with Madison County, Limestone County, and the Industrial Development Board. He stated that this would take place on the following Tuesday, for this closing. He stated that at this time they were asking the Council to formally approve the City's incentive for the land purchase of \$1.4 million, for which, as one would recall from the Development Agreement, G.E. Aviation would pay the City \$100,000 per year, for an amount of \$400,000. He continued that the original investment of \$1 million still held true, as they had always told the public.

President Pro Tem Showers asked if there was any further discussion of the above resolution.

President Pro Tem Showers recognized Mayor Battle.

Mayor Battle stated that he would point out that this had all been gone through when they had done the Development Agreement in the prior December. He stated that at this time it was more to dot an "i" and cross a "t," to make sure that they could actually appropriate the money. He stated that in the Development Agreement, they had said there would be a land purchase of \$3.5 million, but they had not delineated how much the City portion of this was. He stated that this was so they could actually cut the check for the City portion, and recognize that the City was not paying all of the \$3.5 million.

Mr. Davis stated that he wanted to remind the Council and the public that the annual payroll for this to the community would be right at \$15 million annually, and that the amount of

new property taxes generated from the project was almost \$23 million. He continued that this was a great investment for the community.

President Pro Tem Showers asked if there was any further discussion of the above resolution.

There was no response.

President Pro Tem Showers called for the vote on Resolution No. 16-431, and it was unanimously adopted by the Council members present.

President Pro Tem Showers stated that the next item on the agenda was Legal Department Items/Transactions. He stated that item 16.a.1 on the agenda had been deleted.

Mr. Riley submitted the following deed for approval:

(DEED)

Whereupon, Councilman Russell moved for approval of the foregoing deed, which motion was duly seconded by Councilwoman Robinson, and was unanimously approved by the Council members present.

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

Ms. Jackie Reed, Jack Coleman Drive, again appeared before the Council, stating that when a new item was added to the agenda, she would like to have a copy of it. She continued that she would like to have a copy of the resolution that had just been approved. She stated that they had met with Limestone County and the godfathers of the City, and that all

of them were going to help develop out in Limestone County. She stated that they needed to take care of what they had in the city. She continued that she believed in development, that she believed in infrastructure, but not with what they were doing and how fast they were doing it. She stated that they could not take care of what they had in the city.

Ms. Reed stated that she was really disappointed in them about Sci-Quest. She stated that they could give money away in the city, but they had not helped Sci-Quest, and that it was one of the best things that had ever happened for the education of students in the city. She stated that none of them that sat up there had tried to get them any money, and that she was very much ashamed of them. She stated that they had had to go out of business. She continued that this was just like Sears and Penney's that she was still holding onto.

Ms. Reed stated that she never knew what the TIGER grant was, but that it was for greenways and walkways, and all that kind of stuff, that that was all she heard. She asked if the TIGER grant could be used for some of the roads. She asked how much money it would cost the City going from Holmes Avenue over to Lowe Mill, noting that they were going to build bridges and overpasses and buy properties. She stated that this needed to be brought up at a Council meeting, and that they should explain to persons everything they were planning to do. She continued that she would like to know about this.

Ms. Reed stated that they made so many deals, and the

public did not care, but that she cared for them. She stated that she could not make changes in the City by herself, that it was up to the people. She stated that they had to have strong leadership, and that the public needed to be involved. She stated that the City employees needed to have a voice, noting that they could not talk to anyone except her, and that that was sad. She stated that the aerospace industry was run with the top dogs knowing from the public and the employees what was going on, noting that she had worked in that industry for more than 25 years. She stated that she was having a hard time trying to get her hand on it and figuring out how the City operated.

Ms. Reed stated that President Pro Tem Showers had not asked anyone to answer questions from the public, but noted that perhaps she would get some answers someday.

President Pro Tem Showers recognized Councilman Kling.

Councilman Kling stated that he would like to respond to some of Ms. Reed's comments. He stated that at the prior Council meeting, several of the Council members had been talking about visiting with neighborhood organizations. He stated that they were all listening, and they were doing things. He stated that one of the positives that Mayor Battle and his Administration had done was the renovation and revitalization that was taking place in some of the inner areas of the city. He stated that Lowe Mill had been mentioned, noting that that was a very deserving neighborhood. He stated

that there had been some very strong announcements about efforts that had taken place for Lowe Mill, and stated that he believed there would be further announcements in the future. He stated that this area had been somewhat neglected in the past, but that there were a lot of things that were taking place. He continued that they had arts in that area, that the City was working with the School System on Campus 805, and there was renovation that was taking place in the Merrimack community with the park and other things.

Councilman Kling stated that they were seeing some good things that were taking place, that it was not like the Council was just up there with blank stares. He stated that there were many persons involved with things in the community, that several City employees had also been in attendance at neighborhood meetings.

Councilman Kling stated that they were not perfect on the Council, but they were not just sitting up there and not listening to anyone. He stated that he believed this just needed to be said every now and then.

Upon motion, duly seconded, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER

