

MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,  
HELD THURSDAY, JULY 14, 2016

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, July 14, 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. Stella Slaughter 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 June 23, 2016, were approved as submitted.

President Culver stated that the next item on the agenda was Resolutions and Special Recognitions.

President Culver recognized Mayor Battle.

Mayor Battle asked Mr. Steve Ivey, Director of Parks and Recreation, to come forward, noting that they had someone they would like to recognize at this time. He continued that this was Gary Bock, who had brought a new sport to Huntsville, being

pickleball, noting that at this time this was a very big sport.

Mayor Battle asked Mr. Ivey to comment on the game and to introduce Mr. Bock.

Mr. Ivey stated that Mr. Bock had come to him back in 2014, when he was the Chairman of the Pickleball Committee, which he noted had been set up by the Huntsville-Madison County Senior Center as they had been investigating whether they wanted to support this sport. He continued that his department had been fortunate enough to be able to put a court in one of the recreation centers, and Mr. Bock had been teaching persons and working with them, that he had been a real ambassador for the sport. He stated that as they had gone out with the BIG Picture, many times the first things persons would ask was if they were going to have pickleball.

Mr. Ivey stated that Mr. Bock had gotten a lot of persons interested in playing the sport, noting that this number had grown to over 200. He stated that at this time they had it at six different locations in their recreation centers, and they had three outdoor tennis courts where they planned to have it. He stated that pickleball was one of the fastest growing sports in the United States.

Mr. Ivey stated that Mr. Bock had certainly been a leader in this, and that he was sad to have to say that due to a family member being transferred, he would be leaving the city. He stated that he was certainly going to be missed, but he had started something that would continue to grow, and there would

be a legacy with the pickleball community. He stated that they had elected a new chairman and were moving forward with this.

Mr. Ivey stated that the Recreation Department was committed to seeing this sport grow, and he knew it would continue to grow.

Mr. Bock expressed appreciation to Mr. Ivey for his kind words. He stated that, however, this was not an individual effort, that he had 20 persons to thank, half of whom were present in the audience at this time. He stated that many persons had worked very hard on this over the prior two years. He stated that there were approximately 20 persons playing when he had moved to the city four years prior, and this had been expanded quite a bit, due to the efforts of many persons.

Mayor Battle recognized the members of Mr. Bock's group who were in the audience.

Mayor Battle presented a proclamation to Mr. Bock, recognizing the sport and the countless hours that Mr. Bock had given to the city in this regard. He thanked him for his service, noting that he had done something great for the city.

Mayor Battle asked Chief Mark McMurray to come forward, noting that they had someone to honor at this time.

Chief McMurray stated that most of the persons in the audience at this time were present to honor a very special person, a dear friend of his, and probably the most honorable and best police officer he had ever met.

Chief McMurray asked Officer Harry Dobbins to come

forward. He stated that if one had ever been written a citation, it might have been written by Officer Dobbins. He stated that Officer Dobbins had gone through the 14th session of the Huntsville Police Academy, in 1975. He continued that at this time they were on the 55th session of the Academy. He stated that Officer Dobbins was an auxiliary officer at that point, and that for 20 years, Officer Dobbins, a sworn officer, had bought his own patrol car and his own motorcycle to run on task force, and that he paid for his own gasoline. He stated that although Officer Dobbins was sworn and bonded, this was what had happened. He continued that they no longer had auxiliary officers in the Police Department.

Chief McMurray stated that Officer Dobbins was hired in 1992, and that he had worked third shift; and that he was assigned to a task force for many years, and that in 1999, he had gone to another task force unit. He continued that in 2001, he had gone to Fleet Division for awhile; and then Traffic Services from 2001 until 2004. He stated that Officer Dobbins had been a police officer this entire time, since 1975. He continued that he was the longest standing police officer in the department.

Chief McMurray stated that in 2004, Officer Dobbins had medically retired, but he had stayed active, that they had brought him back as their Fleet Director. He stated that Officer Dobbins had still not taken a day off, that they could not get him to take a vacation. He continued that

Officer Dobbins loved police officers, he loved his job, and he loved his community.

Chief McMurray stated that Officer Dobbins had worked cutting grass for Oakwood University to make income so he could become a police officer for the community of Huntsville. He stated that they did not make guys like this any more, that he was not one himself, that he was not worthy, and that there was not an officer in the Huntsville Police Department like Officer Dobbins.

Chief McMurray stated to Officer Dobbins that they were extremely honored to be recognizing him at this time. He stated that in 2001, the Mayor and the City Council had actually recognized Officer Dobbins with a Special Service award; that in 2009, he had won the Administrative Bureau Officer of the Year; and that in 2009, he had been one of the shining stars in Mayor Battle's Interview Highlights that he used in his State of the City address. He continued that Officer Dobbins had received Meritorious Service awards for many accomplishments.

Chief McMurray asked his command staff to join them on the podium. He stated that at this time they would like to honor Officer Dobbins with a Lifetime Meritorious Service Award. He stated to Officer Dobbins that they were very proud of him.

Mayor Battle stated that he had a proclamation from the City of Huntsville to present to Officer Dobbins. He continued that they were declaring Friday, July 15, 2016, to be

Officer Harry Dobbins Day. He thanked him for his service.

Officer Dobbins stated to the Mayor, the Council members, Chief McMurray, and his fellow officers that he really appreciated this recognition. He stated that he loved Huntsville and he loved the Police Department, and he hated to go home, but he knew that would happen one day. He thanked everyone for the recognition.

Chief McMurray noted that prior police chiefs Mark Hudson and Rex Reynolds were in the audience, along with several retired policemen. He again thanked Officer Dobbins.

Mayor Battle asked Mr. Shane Davis, Director of Urban Development, to come forward, noting that at this time they had a very special presentation from a member of the Madison County Commission, Commissioner Steve Haraway. He stated that the City partnered with the County Commission, as well as the City of Madison, that they did a lot of work in partnership.

Mayor Battle asked Commissioner Haraway to come forward.

Mayor Battle stated that he would like for Mr. Davis to discuss some of the work they were partnering on with Commissioner Haraway.

Mr. Davis stated that Commissioner Haraway was constantly calling his department and asking how he could assist in Huntsville, that he was certainly a great partner for Huntsville.

Mr. Davis stated that when the previous City budget had been passed, they had committed to resurfacing Wall Triana

Highway, noting that this was heavily traveled to the airport and the Intermodal Center. He stated that as soon as the budget had been passed, Commissioner Haraway had contacted him saying that he wanted to help with this project. He continued that at this time Commissioner Haraway wanted to present the Mayor and the Council a check in the amount of \$150,000 to go toward this resurfacing project.

Commissioner Haraway stated that he certainly appreciated Mr. Davis' remarks. He stated that when he had taken office 3 1/2 years prior, his goal had been to work with Huntsville and Madison, everyone involved, to try to better the community. He stated that he and Mayor Battle had talked about numerous projects, and he had talked with Mr. Davis about numerous projects. He continued that the prior year, they had worked on the Wynn Drive resurfacing and realignment. He stated that he and Mr. Davis had been talking about the current project off and on for the prior three years. He continued that he did not have a large budget, but that if he was given three years to work on it, he could set aside a little each year and hopefully make a difference.

Mr. Haraway stated that Wall Triana was an important road for them, that there were numerous employers along that route, including Boeing, Remington, the Huntsville International Intermodal Center, BASF, SESI, Kohler, and General Mills. He stated that there were a lot of people who traveled that road that depended on these employers for their well-being every

day. He stated that he was excited that he was a part of this and that it was being taken care of. He stated that with the widening of Martin Road, that entire area would be in much better shape. He stated that he was certainly excited to be a part of this, and that he appreciated being at the Council meeting at this time.

Mayor Battle thanked Commissioner Haraway for a great partnership. He stated that with the people of Huntsville partnering with the Madison County Commission, they could make great strides happen. He stated that two of the businesses Commissioner Haraway had mentioned had already added employees during the year, and that he believed many more of them would be adding employees over the following two years. He stated that the repaving of this road, which he noted was an essential roadway for this entire industrial corridor, was very, very important, and that this \$150,000 would help the City get very, very close on this.

Mayor Battle stated that at this time there would be a presentation concerning Big Spring Park. He stated that they had just completed the renovations on Big Spring Park East, and that it had been a great success. He stated that they would start work on Big Spring Park West most likely in the August-September timeframe, and they wanted to provide an update as to where they were in moving this project along. He stated that it was an important project to the city because it was kind of the central jewel of the central downtown core. He

stated that with all the success they had had at Big Spring Park East, he felt Big Spring Park West would be just as much of a success.

Mayor Battle recognized Mr. John Hamilton for the presentation, noting that Mr. Hamilton had done a great job with this project.

Mr. Hamilton stated that he would first like to emphasize that the presentation he had at this time was just a handful of slides in order to provide some initial information. He continued that there was nothing on the agenda for this Council meeting that would require a Council vote or consideration, that the presentation was for information only. He stated that there would be some construction contracts involved in the project that would come before the Council at future Council meetings, and at that time he would be prepared to discuss those in detail and ask for the Council's consideration of the contracts.

Mr. Hamilton stated that, as Mayor Battle had mentioned, they had recently completed renovations in Big Spring Park East. He continued that the timing for this project had really been driven by some infrastructure issues, noting that they had underground water that had been creating small sinkholes, et cetera, and causing damage to the sea walls, the sidewalks, et cetera. He stated that they had had to get this repaired, and they had taken this opportunity to go ahead and fix other aesthetic issues in the park, to repair the sidewalks

and some of the landscaping, and other things such as this. He continued that they had had the park shut down only one time for all these repairs.

Mr. Hamilton stated that they had this same issue in Big Spring Park West. He continued that the work he would be discussing at this time would be exclusively to the western side of the park, west of Church Street, that there was no additional work required on the eastern side of the park.

Mr. Hamilton stated that this project had been contemplated in the Capital Plan for awhile, and they had been working with the Council in the past year or two, as they had approved the CIP, to shift the funds as needed, and they were now prepared to execute this.

Mr. Hamilton stated that there would be some constraints in terms of events in the park that he would discuss later in his presentation, that he would talk about how they would repair the park but also continue to support many of the big events that occurred downtown.

Mr. Hamilton stated that the primary issue they needed to address in terms of repairing the park was the seawall that formed the two lakes, noting that there were some places where this had collapsed and displaying photos which he stated would provide examples of this. He continued that if persons spent any time in the park, they most likely had noticed the work Landscape Management and Public Works had done to try to stabilize this as best they could and keep it safe.

Mr. Hamilton stated that the displayed photos showed three examples of problems with the wall. He stated that the first photo was one showing an area where this problem had just started, that the lower part of the wall was still under the water's surface, but the upper part had started to collapse. He continued that in the next photo, all the clay was places where Landscape Management had brought in clay and gravel in an attempt to stabilize and preserve the wall as best they could. He stated that the next photo was probably the worst example, where the wall was basically rubble in the water, where the water had undermined the wall, and the mortar had begun to fail. He continued that there were places where pressure from the dirt on the backside of the wall had caused it to collapse.

Mr. Hamilton stated that there were also places where the sidewalks were broken and uneven, noting that over decades sidewalks needed to be replaced and repaired, and that they had this throughout the park. He stated that the park was designed to sheet drain when there was rain, et cetera, but there were some places going down to the water's edge where it was too steep, so that the run-off moved too rapidly, and it had stripped away the grass and caused erosion. He stated that this needed to be repaired, and that as they went back in, they would be able to fix these slope issues and make the space more usable and better control the erosion issue.

Mr. Hamilton stated that they really did not have sufficient electrical infrastructure throughout the park to

support many of the events they had in the park, that many times persons attending these large events would be listening to generators and smelling the fumes from these generators. He continued that their goal was, as they had done on the East, to put in an electrical infrastructure that could better support the festivals, concerts, and different events that occurred in the park, and that, hopefully, this would significantly reduce, if not eliminate, the need for users to bring in generators, et cetera, that detracted from the events.

Mr. Hamilton stated that there were also some issues in the lakes where the water flow did not allow them to clean themselves, so that there was a lot of biological matter from the fish, and the ducks in particular, and that this really created unhealthy conditions in the water. He continued that there were some things they would do as they rebuilt the wall to shape it such as to fix some of the way the water flowed, so that the lakes could clean themselves.

Mr. Hamilton stated that the engineering team that had gone through the design process had brought in hydrologists for this process so that the canal could also serve to help clean that matter out of the lakes and keep the lakes healthier, primarily for the fish and the ducks, but also for any humans that might interact with the water.

Mr. Hamilton stated that they were also concerned with pedestrian safety. He continued that as the downtown had developed, there were a lot of pedestrians in and around the

park, such as in the last few days the persons involved with Pokemon Go, and that with the two existing connections they had, at Church Street and going across Monroe into the VBC, and then to be adding a third, the connection into CityCentre, it was very important that they improve some of the infrastructure and conditions there so that it would be safer for pedestrians. He stated that later in his presentation he had a rendering that would show the engineering design as to what would be happening in the park.

Mr. Hamilton stated that the bid proposal was out for the reconstruction of the seawall, that it was on line, and he was certain they had construction companies that were looking at it and putting together their proposals. He stated that the display showed renderings from the bid package.

Mr. Hamilton stated that he had talked about the pedestrian connections and stated that they would do some additional materials on the streets themselves, to help with traffic calming and to provide better crosswalks for the large crowds that would be crossing. He stated that what was being displayed was the new one that would go in, noting that it aligned with what would be the central pedestrian core of CityCentre. He continued that they expected there would be a lot of persons who would want to come over from that new development into the park, and that this would allow for a safe way to cross, and that they would end up in a little plaza area so they could then engage with the rest of the park.

Mr. Hamilton stated that he would like to go back to the seawall, noting that this was the most significant part of this project. He stated that one of the challenges they had was that they could not repair the existing wall, that it would have to be replaced. He continued that as they had gone through all the different ways in which to do this and considered the engineering solution, they had determined that the best way to do this would be, No. 1, not to drain the lake, so the water would stay there, with the fish and the ducks, during the construction. He stated that they would actually build a wall in front of the existing wall, and that the system that would be used was pre-cast large blocks, with the face looking like natural stone, matching the existing stone in the park.

Mr. Hamilton stated that when the canal going behind Embassy Suites had been done, that, basically, a lot of that design work stopped right at the mouth of the lake on that western end, and that what would happen on this would be that the new wall would match the design that was seen there. He continued that these large blocks were the same system that Public Works had used, along with Engineering, to repair Lake 5 in Cummings Research Park, so that they had experience with this.

Mr. Hamilton stated that it was a very efficient system to install and would be much sturdier, much better, and much longer lasting than the wall that was in place at this time.

He reiterated that they would be building this wall directly in front of the existing wall, and stated that the old wall would just be encapsulated in the dirt and gravel that would backfill the new wall, noting that this would then allow them to put sidewalks, et cetera, on top of it, so persons would be able to walk around the edge of the water. He continued that this would create a much safer environment for persons to engage with the water's edge, et cetera, and that it would also allow them to fix the slope issues he had discussed previously, and fix the erosion. He indicated on the display the side of the lake where the erosion problem was particularly bad and the side where the seawall was collapsing the most.

Mr. Hamilton stated that he would like to talk about dealing with the dead water issue, the lack of water flow. He stated that what one could see on the display was an underground culvert, and that the last little piece there would actually change the way the canal pushed the water into the lake. He stated that at this time it essentially went straight and that all of where he was indicating was dead water and that reshaping it would allow the water to flow through the lake and actually help clean out biological material and keep the lake cleaner. He indicated where they had bumped it a little to help with the flow, noting that there was a place where the lake was reshaped by a few feet, in order to force the water to flow in more of a serpentine fashion rather than going straight down the wall.

Mr. Hamilton stated that, in terms of landscaping, the character of the park would stay as it was, that persons would still see the cherry trees on the edge of the water. He continued that, in fact, there were some places where some of the trees had died, just due to age or disease, and that these would be replaced, so that actually they would end up with more of the lake being surrounded by the cherry trees, that they would continue this design feature around the edge of the lake.

Mr. Hamilton stated that in the bid proposal, there would be an option that they were talking to the Museum of Art about, of actually doing a hardscape plaza right off the back stage area. He stated that there were two reasons for this, with one being to provide a place a little more conducive for the temporary seating and things that were brought in for events such as concerts off the back stage. He continued that this would also provide a hardscape surface for the ice rink that came in every year. He stated that one of the challenges they had had in maintaining the park in that particular area was that when they took up the ice rink, all the grass had been killed, and they were resoding this area every year. He continued that just from a cost perspective, this was not really sustainable, and that, also, in resoding the same area repeatedly, it would not come back looking the way they wanted it to look. He stated that they would have the option to put in this decorative plaza area that would be usable year round and would also be large enough to accommodate the ice rink that

came in November through December every year.

Mr. Hamilton stated they had been discussing that these repairs were coming, and there had been accounts of it in the news media, and persons had asked him if there would be a complete redesign of the park. He continued that he hoped persons could see from the display that there would not be, that it was really a repair of what was existing in the park. He stated that, obviously, there were some places where they were fixing some design issues that would allow the park to stay healthier and more usable to the public, but that the intent was that it would still be the same Big Spring Park persons had known for the last few decades. He continued that, obviously, the park had not always looked like this, that, particularly, the western lake had not always been there, but it had been there for several decades at this time. He stated that he believed this was the look and feel the community had come to expect, and that this was intended to renovate it, repair it, and bring it back to a more maintainable standard.

Mr. Hamilton stated that he had talked about some of the constraints in terms of events. He stated that there was a lot of risk built into the timeline for this project because they did not intend to disrupt the ongoing Concerts in the Park in the current year, which he noted would come to an end in early August; and, also, they intended for the park to be available for Panoply in late April of 2017. He continued that the engineers had told him that this was absolutely possible,

although there was weather risk involved in this, and other things that could happen to delay the project. He stated that, however, at this time, they were pretty confident they would be able to meet that timeline.

Mr. Hamilton stated that they were working directly with Arts Huntsville, in particular, because of Panoply, as to just what would be the mitigating strategies if some portion of the park were not available in time, so that they could still make sure that Panoply would happen in a good way. He stated that they would have these backup plans, if necessary, but at this point the intent was that Panoply would go on as scheduled during the third week of April.

Mr. Hamilton stated that the Museum of Art Ice Skating and the Tinsel Trail in late 2016 were also scheduled to go on as usual. He stated that the Tinsel Trail would mostly be in Big Spring Park East, but they anticipated that as they went through the construction process, they would be able to reopen the portion of Big Spring Park West that was adjacent to Church Street, so that a portion of the park in between Church Street and the Red Bridge would be open, which would allow some of the Tinsel Trail to go across to the other side. He continued that, also, it was anticipated that the area behind the Museum would be available for the ice rink. He stated that if they ran into challenges as they got into construction, they would work with these organizations to make sure they had a way to mitigate the impact and still have the

events go on in the downtown area.

Mr. Hamilton stated that he did want to emphasize that the timeline was tentative, noting that obviously once they got into the project and started turning dirt, et cetera, they could run into some challenges, and that they would just have to work their way through these. He reiterated that the bid proposal was out for the construction portion of this, and that they anticipated bringing the contract before the Council on August 11, which he noted would allow them to get construction commenced on a normal timeline by the end of August, with completion at the beginning of April.

Mr. Hamilton stated that this would be done much like Big Spring Park East, noting that with that project, there were portions of the work that had to be done by an outside contractor because it was outside the capability of the City departments, but that a lot of the work had actually been performed by City departments, including Landscape Management, Engineering, Public Works, Parks and Recreation, and perhaps others. He stated that it was "all hands on deck" to make sure this was done as efficiently as it could be done. He continued that it had really been done fairly inexpensively, because they had been able to use in-house workforce for much of this, and that Big Spring Park West would be the same.

Mr. Hamilton stated that the majority of the seawall work would be contracted out, and some of the concrete work would be contracted out, although Public Works would do a large portion

of that. He stated that, also, they would see Landscape Management doing a lot, as well as General Services, et cetera, that all of the departments would come together to make this happen, and he believed it would ultimately be done pretty efficiently.

Mr. Hamilton stated that the total budget for the project was approximately \$1.9 million, which he noted was much less than they had originally contemplated, noting that they had been able to get to this figure because of using the in-house workforce for the portions they were capable of performing.

Mr. Hamilton stated that they were looking forward to getting this project done, noting that it was an important piece of infrastructure for the community, not just for the downtown area but for the entire region, and that it was important that it be maintained properly and kept safe for the community.

Mr. Hamilton stated that this concluded his briefing on this project, noting that, as he had mentioned, as they brought contracts before the Council for this project, there would be more discussion, and he would certainly entertain questions at that time. He continued that he would also be happy to answer any questions at this time.

President Culver recognized Councilman Kling.

Councilman Kling stated that he had seen the park over the years, having grown up in the city of Huntsville, and that he believed this was a great investment for the city. He stated

that he liked the fact that there were a lot of things taking place in the city where they were not just growing outward, that they were taking care of what they had inward, that they were repairing and maintaining and improving what they had. He continued that he believed this was a great plan and congratulated the Administration on it.

President Culver asked if there were any further comments from any of the Council members.

There was no response.

President Culver stated that as it related to Big Spring Park East, he had watched this project from his window, and that it had certainly been done in a very timely and efficient manner. He stated that he was amazed at how quickly it had been done, noting that he had not been sure it was going to be ready on time, but they had done it. He congratulated them on this.

President Culver stated that the next item on the agenda was an item for adoption only.

President Culver read and introduced a resolution recognizing the Dominion Covenant Fellowship of Churches, International, on holding its 2016 International Convocation in Huntsville from July 26-30, 2016, as follows:

(RESOLUTION NO. 16-485)

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

President Culver stated that the next item on the agenda was Announcements. He asked if there were any announcements from any of the Council members or Mayor Battle.

There was no response.

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

President Culver stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

President Culver recognized Ms. Michelle Jordan, Director of Community Development.

Ms. Jordan stated that this resolution identified 23 properties that were in violation of the City's grass and weed ordinance. She stated that all 23 owners had received written notification that they were in violation of this ordinance, and they were all given 14 days to correct the violation. She continued that none of them had responded, and that Community Development had issued work orders to cut these properties.

Ms. Jordan stated that the owners had received a written request, by first-class mail, for payment for this work, and they had failed to respond. She continued that she was requesting that property assessments be placed on each property in order to collect these costs.

President Culver asked if there was anyone in the audience

who would like to address the Council on this particular matter.

Mr. Ralph Timberlake, 2117 Atkins Drive, appeared before the Council, stating that he was rising in opposition to the subject resolution, and to present a question as to how they were relying on the mail system. He stated that he was bringing this question because he had a letter from the Human Relations Commission, from Mr. Aladin Beshir, the Chairman of the Board, who had said that the City had nothing to do pursuant to the 14th Amendment, which he noted was equal protection under the law. He stated that part of Ms. Jordan's presentation appeared to hinge on the fact that the United States Postal Service had done its due diligence and delivered the mail pursuant to the prior expressed statute and Article I, Section 8, of the United States Constitution. He continued that according to Mr. Beshir, the City was not doing its due diligence to ensure that the employees of that institution were carrying out their due diligence.

Mr. Timberlake stated to President Culver that he was deeply concerned and mortified by the fact that they would rely upon such an institution without ensuring that that institution's officials in the city did their due diligence before the City would take some adverse action against one of its citizens, and particularly against property owners.

President Culver asked Ms. Jordan if using the U.S. Postal Service met the requirement as it related to what the City of

Huntsville was required to do related to giving notice.

Ms. Jordan replied in the affirmative. She stated that they were making property owners aware that they needed to cut their grass, noting that one would hope this was something a property owner would know they were responsible for.

President Culver asked if there was anyone else in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver stated that the public hearing was closed.

President Culver read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties, as follows:

(RESOLUTION NO. 16-486)

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

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

President Culver recognized Councilman Kling.

Councilman Kling stated that he believed he had checked previously on this and stated that these letters sent out from Ms. Jordan's office had a return address, and that he thought it was a reasonable assumption that if something were not

deliverable, it would be returned to the Department.

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

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver stated that it was the time and place in the meeting for a public hearing on a resolution approving a private subdivision, McMullen Place Phase 5 at McMullen Cove.

President Culver recognized Mr. Jim McGuffey, Manager of Planning Services.

Mr. McGuffey stated that the subject subdivision had been reviewed and approved by the Planning Commission on June 28, 2016. He continued that the relevant ordinance stated that the Council must approve any private subdivisions, noting that each phase of McMullen Cove had been reviewed and approved by the Council.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

Mr. Ralph Timberlake again appeared before the Council, stating that as a layperson who was not able to understand the legalese, he would like to ask President Culver to ask that they describe what was a "private subdivision" versus a "non-private subdivision." He asked what protection these persons would be getting from the City that other individuals

who owned homes might not be getting, as well.

President Culver asked Mr. McGuffey if he could address Mr. Timberlake's questions.

Mr. McGuffey stated that private subdivisions had private infrastructure, stormwater and sometimes sanitary sewer systems. He continued that they still asked the City to provide trash services or recycling services, and that they received police and fire protection from the City of Huntsville. He stated that the way they set up their subdivision, they asked that it be private, whether it would be a gate or a guard shack at the front of the subdivision.

President Culver asked if there was anyone else in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver stated that the public hearing was closed.

Councilman Russell read and introduced a resolution approving a private subdivision, McMullen Place Phase 5 at McMullen Cove, as follows:

(RESOLUTION NO. 16-487)

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

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

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

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

President Culver read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the east side of Wynn Drive and on the north side of Old Madison Pike from Research Park District to Research Park Commercial District, at the August 25, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-488)

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

President Culver read and introduced Ordinance No. 16-489, rezoning property lying on the east side of Wynn Drive and on the north side of Old Madison Pike from Research Park District to Research Park Commercial District.

President Culver read and introduced a resolution to set a public hearing on an ordinance amending the Zoning Ordinance by deleting Article 32, Planned Development, Shopping Center District Regulations; deleting Article 33, Planned Development, Highway Commercial District Regulations; and amending Article 70, Off-Street Parking and Loading Requirements, Subsection 70.1.3, Minimum Parking Space Requirements, to

remove language concerning Planned Development Commercial Centers, at the August 25, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-490)

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

President Culver read and introduced Ordinance No. 16-491, amending the Zoning Ordinance by deleting Article 32, Planned Development, Shopping Center District Regulations; deleting Article 33, Planned Development, Highway Commercial District Regulations; and amending Article 70, Off-Street Parking and Loading Requirements, Subsection 70.1.3, Minimum Parking Space Requirements, to remove language concerning Planned Development Commercial Centers.

President Culver read and introduced a resolution to set a public hearing on an ordinance amending the Zoning Ordinance by amending Article 27, Village Business C-6 District Regulations, Section 27.5, Off-Street Parking and Loading Requirements, to add language concerning shared parking, at the August 25, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-492)

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

President Culver read and introduced Ordinance No. 16-493,

amending the Zoning Ordinance, by amending Article 27, Village Business C-6 District Regulations, Section 27.5, Off-Street Parking and Loading Requirements, to add language concerning shared parking, at the August 25, 2016, Regular Council Meeting.

President Culver read and introduced a resolution to set a public hearing for RCDC Enterprises Incorporated, d/b/a JoyRide, for the operation of two special shuttles, at the July 28, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-494)

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

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 nearest microphone, and they would have approximately three minutes to address the Council.

Ms. Demathraus Perry, 101 Sarah Jane Drive, Madison, appeared before the Council, stating that her concern regarded the constant use of profanity in the pinochle group at the Drake Senior Center. She stated that she had stated her concern to the Director, Mr. Glynn, on several occasions, commencing two years prior and being as recent as several months prior. She stated that after no action had been taken concerning this, she had informed Mr. Glynn that she would go

higher with her concerns if he did not enforce his policy.

Ms. Perry stated that she had spoken with Councilman Kling, who had agreed with her that she should not have to tolerate the use of profanity in a public facility, and that he had also said he would look into the matter and call her back. She continued that she had never received a call back, so she was assuming this was just an oversight on his part.

Ms. Perry stated that she would like to direct the Council's attention to item No. 6 of the Senior Center Participation Policy, a copy of which she had passed out to each Council member. She stated that this read, in part: "Any conduct which diminishes others' ability to enjoy the Senior Center or which makes them uncomfortable, unsafe, or threatened in any way is unacceptable. Clients who refuse to modify their behavior after being asked to do so may be asked to leave the building and/or be suspended, according to the severity of the offense."

Ms. Perry stated that she had asked on numerous occasions that this policy be enforced. She stated that approximately two years prior, she had stopped attending the Center, but she had resumed attendance approximately five months prior. She continued that at that time she had found that the use of profanity had increased.

Ms. Perry stated that she was aware that this policy had been enforced years prior when a person was using profanity

during bingo games. She stated that without going into specifics, which she noted she was willing to do off record with the Council, she was requesting that they take action to ensure that the policy would be enforced, because she felt very uncomfortable and threatened because of having asked individuals to respect her right to not be subjected to the use of profanity. She stated that the environment had grown very hostile, and that presently she did not attend the group, although she enjoyed playing pinochle. She continued that the enforcement of the Center's policy should alleviate this problem.

Ms. Perry thanked the Council for the privilege of voicing her concern and stated that she would appreciate their feedback.

President Culver stated to Ms. Perry that they would certainly ascertain who was responsible for the enforcement of the policies, and that, in fact, he planned to make a visit to the Center. He asked Councilman Kling if he had any comments on this at this time.

Councilman Kling stated that Ms. Perry was correct, that they had discussed this, and that he had contacted Mr. Glynn to advise him of the concern that had been expressed to him. He continued that he had not heard anything further on this matter.

Councilman Kling stated to Ms. Perry that he owed her an apology, noting that he had not called her, but he had

contacted Mr. Glynn. He stated that this had happened a couple of months prior, and since he had never heard anything further, he had just assumed everything was okay on this, and he had moved on to the next issue. He stated that he certainly should have followed up better on this.

Ms. Perry stated that had she received a response as promised, she would not have felt the need to appear before the Council at this time. She stated that she was very adamant about persons respecting other persons' feelings, and that she just did not believe this conduct should be permitted.

Rev. Panisha Stigger and Minister Fred Whitlow appeared before the Council.

Rev. Panisha Stigger, 132 Pitts Griffin Drive, Madison, stated that she and Minister Whitlow were present at the meeting at this time to invite each of them, as well as the community, to a Community Love Thy Neighbor Prayer Vigil, noting that this was on behalf of the Love Thy Neighbor Initiative, which she noted was led by a diverse group of faith leaders. She continued that their purpose was to reflect the love of Christ and embrace opportunities for hope and healing within communities, that through their faith in God, they sought to make a difference and an impact on all lives.

Rev. Stigger reiterated that everyone was invited to attend this event. She stated that Minister Whitlow would provide the information concerning this invitation. She continued that persons would hear more about this, noting that

it was only the first of many prayer vigils and prayer meetings they would put together as they ventured out into other communities, praying to the Lord in the hope of healing for all. She stated that they had also invited the police community to come out for this event. She thanked Councilman Kling, noting that he had already confirmed that he would be attending this event on Friday of the following week. She stated that they believed God was building unity within the communities.

Minister Fred Whitlow, 615 8th Street NW, stated that the location for this event was at the Westside Seminole Boys & Girls Club, 125 Earl Street, Huntsville, and that the time was from 7 p.m. to 8 p.m., on Friday, July 22nd. He stated that they had flyers concerning this event, and if persons wanted to get in touch with them, they could be reached, as well.

Mr. Ralph Timberlake, 2117 Atkins Drive, appeared before the Council, stating that it was sad that it appeared that persons such as himself appeared to be easily marginalized with their concerns and that what they had to do and do on an everyday basis was trivialized, and they were made to feel ashamed. He stated that he was appearing before the Council once again to ask for an explanation as to where the policy was that dealt with trespass warnings, particularly on public property, noting that this meant property that was owned by the state, federal, or local government.

Mr. Timberlake stated he was seeking these answers because it appeared that the Council wanted to abscond from its obligation under the 14th Amendment. He stated that, as persons were aware, the history of the 14th Amendment came about because his ancestors had been denied their rights, particularly under the Jim Crow laws in the southern states. He stated that it appeared that these kinds of things were still very surreptitiously done at this time by some of the government officials. He stated that he hoped this was not a trend with the City, and that the City Council would manifest itself and take empirical action so that all could see that it was their true concern to eradicate this.

Mr. Timberlake stated that Councilman Kling had previously alluded to if persons had mail returned to them. He stated that there had never been anybody who had said whether the Post Office was telling the truth or not, because they had a third-party person, who was not vetted, nor did they have the obligation, nor did they accept their obligation, under the 5th Amendment and under the 14th Amendment of due process of law, to make sure that everything was done, and done as a servant and not as an owner.

Mr. Timberlake stated that when he said this, he was simply saying that the people that worked there worked for the citizens, as the Council members did. He stated that it was a shame that it appeared that at times not only did the Council members forget this, but it was more sad that the

public forgot.

Mr. Timberlake expressed appreciation for the opportunity to address the Council.

President Culver stated that, related to the "A" part of Mr. Timberlake's question, concerning the expiration of a trespass warning, he believed this was subsumed under case law, but that he would defer to the City Attorney on this. He asked Mr. Riley if he could address this.

Mr. Riley stated that he was not certain he had been able to identify exactly the question. He stated that it sounded like Mr. Timberlake had some general questions about trespass law in Alabama.

President Culver stated that the "B" part of Mr. Timberlake's question had already been addressed, and that the "A" part of his question was an inquiry related to the expiration of a trespass warning on public property.

Mr. Riley stated that he was not prepared to give Mr. Timberlake an answer for this, noting that oftentimes it would be dependent upon which piece of public property he was talking about, what particular law he may have been given a trespass warning under. He stated that, unfortunately, he could not provide an answer based on the information he had.

President Culver stated to Mr. Timberlake that he did not believe he would find that written specifically in a statutory law. He stated that as he remembered it, it was subsumed under case law, and that case law changed from time to time,

depending upon what the totality of the circumstances might be. He stated that Mr. Riley was correct in the response he had given to Mr. Timberlake. He continued that perhaps Mr. Timberlake would like to do the research on this, or that Mr. Riley would be more than happy to get back with him on it. He stated that he was not going to find this in black and white, noting that he had dealt with this as Chief Magistrate with the court. He continued that there was not a law that identified that specifically, as related to when it would expire. He stated that, primarily, if it were revoked, it would expire at that time; and if not, it could remain standing for an indefinite period of time perhaps.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, expressing appreciation to the Council for allowing public input. She stated that she was sad to hear of the passing of Dr. Sonnie Hereford, noting that he had accomplished many things for many persons.

Ms. Reed stated that citizens were not getting the services they deserved in the city. She stated that, however, she did want to thank them for Big Spring Park, noting that it looked great, that it was beautiful. She stated that she was sorry that she had not been able to mention this on the Dale Jackson Show recently, but there was so much they had done for so many developers that she did not think about something they had done for the people. She stated that she would certainly bring that up in the future.

Ms. Reed stated that persons were bringing their issues to her. She continued that on Martha Drive they were not picking up the garbage, and that someone had asked her to ask someone to look into this.

Ms. Reed stated that she wanted to say that she would be present when they took on Cummings Research Park, noting that it was a thorn in her side and was really, really bothering her. She asked why they were doing this, tearing up Cummings Research Park. She stated that this was the second largest industrial development in the USA and asked why they would run a road through there, why they would even think of going through there. She asked if this was development for self-interest, or what it was for. She stated that she had heard they had been trying to buy Sears and Penney's for a year, trying to buy them out.

Ms. Reed stated that no one wanted another Bridge Street, where one had to walk outside and shop. She stated that this matter needed to be brought before the public, and it needed to be discussed before they started development out there. She stated that self-interest had to stay out of development in the city, noting that she knew what she was talking about, that she saw too much going on. She continued that she was not calling names, but she was saying they had to stop some of this mess. She stated that persons did not like the competition of self-interest, that that was not good. She stated that the big money boys and the big developers in the city had been

running it way too long. She stated that they should get back to what they had and take care of the people, that they should take care of what they had and quit trying to be the first or the biggest, that they wanted to be like Mississippi, New York, New Orleans, and Washington.

Ms. Reed stated that they should go to Copeland's, at the corner of Airport Road, and put a big rocket there and develop John Hunt Park. She asked why they did not start with that park. She stated that they had taken the Jam out of the city, that they had taken Sci-Quest, a big educational facility, out of the city.

President Culver asked Mayor Battle if he would like to comment on the Research Park portion of Ms. Reed's inquiry.

Mayor Battle stated that he believed everyone needed to understand that this was a modification of the entire Park. He continued that they had had consultants in, that they had gone through the Park, and that this would add boulevards and pocket parks. He stated that Research Park East, which was the older part of the Park, had 40- and 50-year-old buildings. He stated that they had put some work in there to make Research Park East become much more advantageous to be redeveloped, noting that some people would probably be able to put up new buildings.

Mayor Battle stated that this was a rejuvenation of a Park that was 50 years old. He stated that this was the second largest research park in America, and they were very proud of

this, but they had to rejuvenate the Park to make it fit into the 21st Century, because it had been built for the 20th Century. He stated that this was one of the things they were looking at as they went through this with their consultants, and it was about working in Research Park East, working in Research Park West, working in different corridors they would consider to be corridors that needed to be rejuvenated in order to make the entire Park the vital, successful economic engine it always had been.

Mayor Battle stated that this was part of their change, noting that everything changed as time went by. He continued that over the past 50 years, there had been changes in the Park, and that at this time they had come to the realization that they needed to do things a little bit differently. He stated that they were going through all the stakeholders at this time, noting that they were approximately a third or halfway through in talking to stakeholders. He continued that these were persons who owned property in the Park, had companies in the Park, workers in the Park, that they were working through all the stakeholders, to make sure they understood what they were doing in the future. He stated that they were working with the Research Park Board and working with the Planning Commission, to make sure they would come up with a plan that was a good plan.

Mayor Battle stated that in the September-October timeframe, they should be rolling out this plan and taking it

to the Planning Commission, so they could actually make some of the changes they were talking about. He stated that some of the changes included more density in Research Park East and keeping the campus filled in Research Park West. He continued that it was also adding some retail corridors throughout Research Park East and West, and making it where persons could have park-friendly retail there. He stated that as they added this, he believed they would end up with a better Park. He stated that they did not mind being the second largest research park or the largest, that they just wanted to be the best. He continued that if they could have the best Park there was in the world, they would have something they would be very proud of, and that was where they would be going.

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

President Culver read and introduced a resolution authorizing approval to purchase outside services to make improvements to the Fleet Maintenance Building (PR 10219609) (Utilities: Electric), as follows:

(RESOLUTION NO. 16-495)

President Culver 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 approval of this item would allow

for the purchase of outside services to make improvements to the Fleet Building at the Chase facility, at an estimated cost of \$38,900.

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

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver read and introduced a resolution authorizing approval to purchase an electric test board for the Electric Meter Shop (PR 10219777) (Utilities: Electric), as follows:

(RESOLUTION NO. 16-496)

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

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that approval of this item would allow for the purchase of a three-phase electric meter system, noting that this was a testing mechanism that would allow for reduced time required to test electric meters. He stated that as he understood it, this piece of equipment would be able to test meters in the field. He continued that the estimated cost was \$41,505.

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

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

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

President Culver read and introduced a resolution to appoint Lyle Voyles to the Community Development Citizens Advisory Council, for a term to expire April 14, 2018, as follows:

(RESOLUTION NO. 16-497)

President Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and 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, as follows:

(RESOLUTION NO. 16-498)

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

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

Councilman Showers asked Ms. Peggy Sargent, Director of Finance, to brief the Council on the mid-year report, noting that he had not been present when this report had been given previously. He stated that he had asked Ms. Sargent if she would just share briefly where they were at this time in regard to this matter.

Ms. Sargent stated that as had been discussed at the prior meeting of the Council, the revenues for the current year were approximately 4.5 percent higher than the prior year's actuals, if they stayed on track, and approximately 1.5 percent higher than the budget. She continued that, however, the expenses would track slightly higher also, absorbing the majority of this, so that they should end up approximately where they had expected to when they went out with the budget for 2016.

Ms. Sargent stated that another item that Councilman Showers had asked her to look at was the Huntsville economy versus the national economy. She continued that she had also looked into the Southeast. She stated that the city's unemployment numbers were tracking similar to the national averages, as well as the Southeast averages, between 4.8 percent and 5 percent. She stated that they were right where they should be in Huntsville. She continued that having such a diverse economy allowed for good stability during this time. She stated that between this time and the end of the year, things that would affect both the local and the national economy would be the elections and the Brexit vote that had

just occurred in the U.K., as well as the job forecast.

President Culver thanked Ms. Sargent for her report.

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

Mayor Battle stated that there were some persons present from Causeway Huntsville, who were part of the last Connect Class, Connect Class 18, and he asked these persons to stand to be recognized. He stated that they had donated money to the Engineering Department for the Park with a Purpose, noting that this was a community impact project from this group. He stated that at 4600 square feet, this would be the smallest park the City had ever done, and that it was located off the alleyway that connected Washington Street and Jefferson Street. He thanked the group for funding this project, noting that it was great to see persons give back to the community and make it better.

Mayor Battle stated that the Pokemon craze was beyond his generation, that he did not understand it, but that he was glad it was getting persons out walking in the streets. He stated that, however, there were places in which the Pokemon craze should probably not go on, noting that this was the cemeteries. He continued that there had been a number of persons out in the cemetery playing Pokemon. He stated that this was one of the places they would like for persons to kind of respect and leave alone. He stated that he believed a press release had been put out concerning this earlier in the day, and that they would

like to ask people to enjoy Pokemon throughout downtown, around the parks, et cetera, but to leave the cemeteries for places of respect.

Mayor Battle stated that Greene Street Market was going on at this time, and there was Music on the Square, and that the following day was Food Truck Friday, where there would be food trucks from 5 p.m. to 10 p.m. in Big Spring Park. He continued that on the following Monday, there would be Concerts in the Park. He asked everyone to come out and enjoy these events.

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

President Culver recognized Councilman Showers.

Councilman Showers stated that he would like to express how much he appreciated the citizens who lived in District 1. He stated that he had held his annual Town Meeting on the prior evening, and it had been very well attended. He thanked the City Department personnel who had attended the meeting and answered questions from the citizens.

Councilman Showers stated that he would like to express his deep condolences to the families of the five Dallas police officers who had lost their lives protecting the lives of others. He stated that these brave officers had died living up to the creed of the police nationwide, To Protect and To Serve. He stated that for their supreme sacrifice, he, as well as the nation, would forever be grateful.

Councilman Showers stated to the families of

Alton Sterling and Philando Castile that he, as well as the nation, grieved with them for their unnecessary loss at the hands of officers who did not represent the majority of police officers nationwide. He stated that it was his prayer that justice would prevail, along with reform in police recruiting, training, and community policing. He stated that hopefully persons could find some comfort in that righteousness exalted a nation, but sin was a reproach to any people. He stated that it was simple to know to do right, and yet refuse to do right, to cast a stone and hide your hand.

Councilman Showers stated that right in the great city of Huntsville, there were some problems in doing the right thing all the time. He stated that it was not hard to do the right thing all the time, but that one must want to do it, and then do it right. He stated that there were some problems with the Police Department in the city that needed to be addressed. He stated that when three ZIP codes located where the majority of black citizens resided received the largest number of traffic citations, issued by the Huntsville Police Department, as compared to the ZIP codes of the white majority, there was a problem. He continued that when roadblocks were set up in majority white ZIP codes, persons were allowed to call someone to come and pick up their vehicles, whereas when roadblocks were set up in minority ZIP codes, these persons' vehicles were impounded.

Councilman Showers stated that there was a problem when

roads in the majority black ZIP codes were patched and not repaved, for over 20 years. He stated that many persons in attendance at this meeting were present at his Town Meeting on the prior evening when citizens had come forward to express that there were streets in their area where nothing had been done. He stated that they had a problem when they knew that the northern part of the city went lacking in terms of beautification and economic development.

Councilman Showers stated that the fact that there was a problem was well known, and the question was what they were going to do about it. He stated that at his recent Town Meeting, the Administration had acknowledged several major projects in the works for the northern section of the city, and that there were more to come. He stated that the citizens of District 1 looked forward to the completion of these projects. He continued that, however, they could do more, noting that this was to challenge the City Council and the Mayor and the Administration, who had been entrusted by the citizens of the city to do the right thing, to do more to bring about a quality of life which all citizens of Huntsville could be proud of. He continued that they should be honest with each other, noting that this would not happen unless persons changed, that everyone had to change. He stated that a popular songwriter had summed it up in these words: I'm talking about the man in the mirror. He has to change his way. Yes, the man in the mirror.

Councilman Showers stated that they had to hold those persons endowed with the public trust accountable.

Councilman Showers stated to Ms. Jackie Reed that he wanted to be the first to apologize to her. He stated that all she had been doing was trying to hold them accountable, and for that she should be commended.

Councilman Showers stated that doing the right thing was not always easy, but it was always right.

Councilman Showers stated that three weeks prior, he had been out of town, and he had called a fellow Councilman to consider voting in favor of a reconsideration vote in order to allow him the opportunity to discuss his concerns pertaining to the City's award of a contract that was in language that was not clear as to what the vote entailed. He stated that the Council had failed to make this concession. He continued that if the tables were turned, he would have done that for any other Council member if asked, but, yet, because of pressure he was aware of, the Council had failed to do this. He stated that he was also aware that comments had been made by the Mayor and the City Attorney that were inappropriate and without merit.

Councilman Showers stated that he had served the city with the utmost honesty and integrity, and he found any comment by anyone to be a problem when it was made to make it appear that he had done something wrong. He continued that he wanted to attempt to make it clear at this time that to smear his good

name and character was a problem. He stated that he wanted to say to the Mayor and the City Attorney that he wanted them to hear him clearly. He stated that he did not have to be careful in what he said or did, because whatever he did or said was not for self gain or glory or to benefit, without merit, his foes or friends. He stated that he wanted this to be crystal clear. He stated that he had an obligation to the citizens of this great city, and especially to the citizens and businesses in District 1, to fight for their right to be treated fairly and equally.

Councilman Showers stated that he had personally visited many of the businesses in District 1 to discuss their issues, and that Reliable Towing was one of those businesses. He stated that the president of that business, Mr. W.D. Strong, had expressed to him his concern that the Police Department, in concert with the City of Huntsville, was determined to award the impound bid to another company that was not qualified. He stated that he had assured him that the City would adhere to the guidelines and award to the most responsive and responsible bidder. He stated that based on facts that Mr. Strong had stated to him after the bid was awarded, Mr. Strong felt that the City, based upon a biased recommendation from the Police Department, had awarded the bid to a company that had submitted a bid that was non-responsive and irresponsible, and, therefore, Mr. Strong's company had filed a protest against the award.

Councilman Showers stated that he felt they owed that company a full and fair assessment of the facts, to assure this company and this community that no irregularities or compromises to the bid requirement had occurred, and that the bid was awarded to the most responsive and responsible bidder. He stated that based upon comments made by the City Attorney pertaining to the bid submitted by the recommended bidder, he did not believe the City Attorney should be the arbitrator of the facts or the point person for selecting an outside attorney.

Councilman Showers stated that it was his recommendation at this time that the Council approve President Culver to secure an outside attorney to determine the facts of the bid award, as to whether it was done fairly and without bias.

Councilman Showers stated, concerning the issues surrounding the incidence of traffic citations, diversity of force, judicial interference, and citizens' Constitutional rights in the northern section of town, it was his recommendation that the City adhere to the facts and recommendations of the Justice Department's report on the Ferguson Police Department, to be proactive rather than reactive.

Councilman Showers stated that he would like to close with quotes from Dr. Martin Luther King, Jr.: "Injustice anywhere is a threat to justice everywhere." "In the end, we will remember not the words of our enemies, but the silence of our

friends."

Councilman Showers stated that the question was if they had the desire to do right, the strength to do the right things when evil was present. He continued that the Apostle Paul had stated, "When I would do good, evil is always present." He stated that it was his challenge at this time to the Council and the Administration to dare to be different, to live up to the saying "One city, One vision." He stated that there was enough for everybody, with no citizen, no business, no child left behind.

President Culver stated that a lot had been said. He stated that he was certainly more than willing to get with Legal to determine if there would be something else that could be done as related to the towing matter. He continued that he was aware that the bid contract had been submitted to an outside firm, and if the Council needed to revisit this, it was something he was sure they could agree upon at a later time.

President Culver recognized Mayor Battle.

Mayor Battle asked if they needed to have a conversation about this matter at this time. He stated that they had had an outside firm look at this matter and look at the entire process they had gone through on this. He stated that they had started off with Procurement procuring this contract, and they had gone through it; and Legal had gone through it, as well as other departments in the City. He stated that Attorney Al Jimmerson was asked to look at this at the time of the protest. He

stated that Mr. Jimmerson was in the audience at this time, and that he had provided the City a letter concerning his findings on the protest. He stated that the facts were that the process had been carried through, and it had been carried through correctly, that the City officials had done what they were supposed to do.

Mayor Battle stated that the Administration had looked at this very carefully, that they were aware that four years prior there had been a lot of controversy concerning this matter. He stated that they had looked at it from every angle, to make sure they were doing this in the most meticulous manner in which they could do it. He continued that they had done this to make sure it was fair.

Mayor Battle stated, concerning the question as to whether they had the desire to do what was right, that they did have the desire to do what was right, and they had done what was right. He stated that, as a city, they had done exactly what the law called for, they had done what the process called for, that they had made sure they did what was right. He stated that that was it, that it did not matter who persons' friends were, or who were not friends, or anything else. He stated that contracts were not won on friendship, that contracts were won on the way the law was set up and the way procurement was set up in the City.

President Culver stated that this was the first time he had seen this letter from Mr. Jimmerson. He continued that he

was aware that this particular firm was a very venerated firm, but he was certainly going to need time in order to personally read this letter and digest it. He stated that he was not aware if his fellow Council members had had access to this letter, so he would speak for himself on this. He stated that they could not bring such a letter to him at the last minute, in a Council meeting, and expect him to be able to respond to it. He stated that he was not, by any means, questioning the veracity of it, noting that he was aware this law firm was a great law firm. He continued that he was certainly going to need more time to look at this.

Mayor Battle stated that he understood President Culver's comments and stated that they did not intend to bring something to him at the last minute. He stated that, quite honestly, the protest was an internal protest within the processes of the City, and that the protest had been made, and they had put it with an outside attorney, and the outside attorney had advised them, as an internal process of the City, that it was done properly. He stated that that ended the protest process, and that was why it was not brought to the Council, noting that it was really not a Council action, that it was an action within the City and within the system they had set up as their procurement system. He stated that now that it had been brought up to ask for a separate outside counsel would be why they would provide this letter from Mr. Jimmerson. He stated that he believed the Council had been sent emails stating that

they had received a decision by the arbitrator that this had been done in the right manner and fashion. He stated that President Culver would have all the time he needed to study this.

Councilman Showers stated that, obviously, no one had been listening when he made his earlier comments about doing right. He stated that, No. 1, it was inappropriate for the City Attorney to do what he had done. He stated that the Council had the authority at this time to obtain its own unbiased attorney. He stated that if the persons who had read the bid that was approved would be honest, to do what was right, and hearing statements made that righteousness was done, that there was a submission such as this one that was nonresponsive, not responsible, and it was approved. He stated that statements were made about friends and relationships that existed with persons on the inside.

Councilman Showers stated that he was still asking that at this time the City Council get another attorney, a firm, to take the information that had been given to the attorney at Wilmer & Lee, P.A.

Councilman Showers stated that he would just state a few things that were in the bid. He continued that he was aware that some persons had read this, and some had not read it. He stated that when this bid had been awarded, the company did not even have ownership of the property. He stated that when there was a bid that was submitted for \$1, that was not responsive,

that there was no way they would have approved any other such bid across the city. He stated that that was not responsive or responsible. He stated that the law clearly said that they should award the bid to the most responsive and responsible bidder. He stated that this had not happened, and so they had gone out and gotten a lawyer who was going to do what they wanted them to do, and that was what had happened.

Councilman Showers stated to President Culver that he was saying at this time that he wanted him to solicit another firm, based upon the facts they had.

President Culver stated that he believed the Wilmer & Lee firm was a reputable firm, but that that was not to say the Council could not get a second opinion. He stated that he did not want to shed any negative light on Wilmer & Lee, but that if the Council chose to do this, they certainly could do so. He continued that he wanted to clarify that the City Council had the authority to do whatever the body elected to do, that there could be consequences, and that was understood, but they were able to do whatever they chose to do as a body. He stated that they could certainly revisit this matter, but he wanted to have the opportunity to review it.

President Culver stated that he looked forward to getting with the Council members at some subsequent time, after they had had an opportunity to review this matter, and perhaps they could decide whether or not they wanted to bring in another firm.

President Culver stated that it was not uncommon for the City Attorney to farm out something such as this matter. He stated that a few years prior, he had done the same thing, that he had gotten a law firm to look at a particular item. He stated that he did want to say to the persons in Procurement and Finance that this was not intended to be a reflection on the work they were doing, that this went, to some degree, beyond the scope of what they had done. He stated that he was aware that they had followed the guidelines, but the question remained to put a fresh set of eyes on it to review it. He stated that he wanted to make it clear that it was not that the employees had intentionally and willfully done something wrong, that that was not what he wanted persons to walk away with concerning this matter. He continued that it was one of those things that this particular body, if it so chose, just might require a second opinion. He stated that this would be the same as if a person were having a surgical procedure done, that person might get a second opinion. He continued that this would not mean that the particular doctor was a bad doctor, that it was just a matter of a second opinion.

President Culver stated that they would certainly talk about this.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson asked if it would be appropriate for her to ask a question of Councilman Showers regarding this matter.

Councilwoman Robinson stated that she could address this to President Culver. She stated that she was interested in knowing why someone believed they needed a second opinion, what it was about this opinion and this law firm that concerned persons, other than the fact that the opinion rendered was not the one that was wanted.

President Culver stated that there was not a question about the law firm, that it would be a matter of whether or not this body chose to obtain a second opinion. He reiterated that he wanted to make it clear that this law firm was a very reputable law firm.

Councilwoman Robinson inquired as to why, then, they were asking for another opinion.

President Culver stated that this was because if this body chose to do this, it would be no different than the example he had given as it related to having a medical procedure done. He stated that to get a second opinion would be a choice, but that was not to say that someone was not capable. He stated that what he was saying was that if this body so chose, they had the discretion to obtain a second opinion. He stated that this was one of the things they would revisit, and that he wanted to encourage the Council members to take this document and go through it more in depth. He stated that he had not had the opportunity to do this, as it had just been given to him. He stated that once they did this, they could decide as to what direction they would take on this as a body.

Councilwoman Robinson stated that she would respectfully suggest that that would be a waste of taxpayer money.

Councilman Showers stated that since Councilwoman Robinson had had a question for him, he would like to respond, as to why he was not accepting this. He asked Councilwoman Robinson if she had read the original bid package that had come to the Council.

Councilwoman Robinson stated that she had done so, and that she believed Councilman Showers had also, noting that he had presided over the meeting and signed the paperwork.

Councilman Showers stated that the City Attorney was inappropriate in this case, noting that he was the attorney for the City of Huntsville, but he did not decide issues in a contract. He stated that if that were the case, why had they gone out and gotten Wilmer & Lee. He stated that as City Attorney, Mr. Riley did not decide who should get contracts and who should not, and that it was not his job to identify what was in the contract.

Councilman Showers stated that Mr. Riley had taken the liberty to pick a firm that was going to do what he asked them to do. He continued that he was not taking away from the firm, that he was well aware of this firm. He reiterated that the Council had the authority to get its own attorney.

Councilman Showers stated that when one took a document and gave it to a firm and told them what they wanted, that was what they were going to do, and that they had done this.

President Culver stated that the meeting was being aired publicly, and perhaps they should not make accusations. He continued that perhaps they could just hash this out, noting that this was not intended to violate the Sunshine Law. He stated that he knew Mr. Riley would be more than happy to meet with Councilman Showers, in his office perhaps, to discuss this matter. He continued that they did not want to discredit anyone, even their colleagues on the Council.

President Culver stated that Councilman Showers was correct that the Council did have the discretion, if they so chose, to go back and revisit this after this time, in an attempt to determine whether or not this was something they should revisit. He continued that if the Council chose to do so, they could get another firm to review this matter.

Mayor Battle stated that he would ask that they do this in full Council session, noting that he believed this was the only right way to discuss this issue if they were going to discuss it. He stated that this matter had been handled under the full purview of the City, that it was done under Purchasing with the City, and it was awarded under their purchasing contract and the purchasing laws of the State of Alabama. He reiterated that if they were going to have a conversation about this, he would request they have it in an open and full session of the City Council so that the public could understand why they were pushing for this.

Councilman Showers stated that when Mr. Riley had

solicited this firm, it was not done before the public, that it was done outside the purview of the public.

President Culver stated that he was President of the City Council, and he was strongly recommending otherwise, noting that they would not be doing anything to violate the Sunshine Law, but when they started getting into personal accusations, he believed it was only appropriate for these to be discussed more privately, and then they could come back publicly and discuss the merits of whatever needed to be done as related to this matter.

Mr. Riley asked if he could make a comment at this time.

President Culver recognized Mr. Riley.

Mr. Riley stated that he very much appreciated the offer to allow the impugning of his character to be carried on in private, but he would respectfully waive that privilege. He continued that he was present and was able to withstand any such accusations and comments about his character, that he was certainly distressed that Councilman Showers felt this way, but he stood behind what he had done in this situation. He stated that Councilman Showers clearly did not agree with what he had done, and that was certainly his right. He continued that, however, he was very satisfied with and proud of the integrity of his office as they had provided legal counsel in this matter, noting that they had done everything they could to assure that this was a fair bid process, that they had gone above and beyond the call of duty on this.

Mr. Riley stated that there was no protest procedure that was written that had to be provided, but there was a protest that was made, and that in an effort to be fair, they had done something which was not required, which was that they had obtained an outside firm, a highly respected outside firm, and had asked them to render an independent evaluation of these issues. He stated that he had not instructed the outside counsel to render a particular result, and he resented the inference that he had done so. He continued that they had provided information, and that the report had been presented, noting that it had just been prepared. He stated that they stood by this, as an extra effort to make sure that this process was fair and above board for all concerned.

President Culver recognized Councilman Showers.

Councilman Showers stated that his final request to his fellow Council members was to give privilege to obtain another firm, noting that the Council could do this. He stated that a Council member had said that she did not feel there was a need for another firm. He stated that if anyone on the Council asked for a second opinion, he would support their wishes, that he would not go against that. He stated that all he was asking at this time was that they get a second attorney to look at the facts he had, noting that the other Council members had the same facts he had. He stated that he was asking that the things that were in the bid and the approval process be looked at, that he was talking about doing what was right.

Councilman Showers stated that they had a lot of history on this matter, that they had one firm in the city that they had done everything they could to eliminate, and then it had been insinuated that he had a vested interest in that company. He stated that he had said he wanted to do what was right. He stated that if persons were not afraid of the truth, they should not have a problem with a second look at this matter. He stated that if a Council member asked for a second look, he would give them a second look and think nothing about it. He stated that the Council had always had an agreement that if a Councilperson asked, such a request would not be turned down. He stated that if the second firm would come back and say that the approval process was in line, he would not have a problem with that. He reiterated that he would provide the other Council members such an opportunity.

President Culver stated that just to put this matter to rest at this time, he was encouraging the Council members to review the documents they had received, and then they would make a decision as related to a second opinion on this matter. He stated that this was without regard to any assassination of character for anyone, for Councilman Showers, for Mr. Riley, or for this impeccable law firm. He stated that they were not going to do that, that they were just going to move forward with what this body would elect to do.

President Culver recognized Councilman Russell.

Councilman Russell stated that Dr. Sonnie Hereford had

passed away, and he was very sad to hear of his passing. He stated that Dr. Hereford was a man who really walked the walk and that he would certainly miss him. He stated that he was glad the School System was recognizing him the following week with a ribbon-cutting at the new school named after him.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that the work on South Parkway continued to go on. She stated that there were some significant changes that had taken place during the week that she would like to make note of at this time. She stated that traffic signals had been deactivated and removed from the South Parkway intersections with Boulevard South and Charlotte Drive. She continued that at these intersections, through traffic movements along the Parkway would remain on the northbound and southbound lanes, but through traffic movements across the Parkway had been removed for these intersections. She continued that the Boulevard South and Charlotte Drive intersections with the Parkway would become right-in and right-out only. She stated that these traffic signal changes and traffic flow changes would be permanent, noting that the way it was configured was very much what it would be like once the overpasses were completed, so the residents could get used to this.

Councilwoman Robinson stated that the cross-over lanes near Donatos and Angel's Island would remain open until shortly before traffic would be switched to the new service roads,

unless it should become necessary to close them sooner.

Councilwoman Robinson stated that the good news was that she had traveled the Parkway twice in the mornings and twice in the afternoons, and the traffic was flowing much more smoothly through these areas as a result of the signaling changes. She continued that the bad news was that it was somewhat harder to get to businesses on the west side of the Parkway.

Councilwoman Robinson stated that access to the businesses in Main Street South was available by going through Byrd Spring Road and coming around the back, through Benaroya Lane, and also at the Angel's Island and Donatos cut-throughs. She stated that they were working on getting the Benaroya Extension opened as soon as possible, but at this time it appeared this would be in the fall. She continued that this would provide easy access to Main Street South from Martin Road, and that that would be a huge relief at that point.

Councilwoman Robinson stated that at this time, she would ask everyone to really make an effort to patronize these businesses. She continued that it was possible to get to them, but persons had to intentionally make an effort to patronize them. She stated that there were some great restaurants, shops, and meeting facilities in these areas, and persons needed to help support these businesses during this construction. She continued that it would be wonderful when the construction was completed, that there would be some great revitalization along South Parkway.

Councilwoman Robinson thanked Paige Colburn and Dennis Madsen for putting together a meeting for her with representatives from Main Street Alabama, noting that there had been a great conversation with them and a tour of the area. She stated that the representatives were really excited about the vision for that area and the potential of doing some work with the City in that area, but unless these businesses could be kept alive through this process, there would not be anybody around to work with. She reiterated that they were really asking everyone to make a concerted effort to work with the new traffic flow and patronize the businesses on the west side of the Parkway.

Councilwoman Robinson stated that she was excited to be able to have the opportunity on the following Tuesday, July 19, to tour the new Jemison and McNair buildings, and that she had been asked to extend this invitation to her fellow Council members. She stated that if they would like to join Dr. Wardynski and herself on July 19 at 1:30, they would be meeting at the Merts Center and then visiting Jemison and McNair. She stated that she was certainly excited to be able to see these two properties.

Councilwoman Robinson stated that the ribbon-cutting for the Sonnie Hereford Elementary School would be held on the following Thursday. She continued that this was an opportunity to remember the legacy of a man who was an icon in the city.

President Culver recognized Councilman Kling.

Councilman Kling stated that, unfortunately, Joan Keat, who had been the first female Exalted Leader of the Huntsville Elks Lodge had passed away. He stated that she had been given credit by many persons for keeping the Elks Lodge alive and thriving when it had been facing some challenges, and that she was a leader in the community who would certainly be missed.

Councilman Kling stated that he had had the opportunity to participate in neighborhood meetings for the McThornmor Acres Association on the prior Monday, and then on the prior Thursday, the Huntsville Citywide Council of Neighborhoods.

Councilman Kling stated to Councilwoman Robinson that Lyle Voyles was certainly someone for whom he shared her admiration and respect. He stated that similar to the Citywide Community Watch organization and the Beautification Board, the Huntsville Citywide Council of Neighborhoods did so much, that they got citizens involved working with City government. He stated that the expenditures the City put out for these organizations were minuscule compared to the benefits they received and the bridging that went on between the City and residents of the neighborhoods. He stated that he very much appreciated the great work Mr. Voyles was doing.

Councilman Kling stated that he had had the opportunity to tour the new Natatorium, and that it was going to be very friendly for persons with disabilities, with the walk-in pool that was being constructed, and especially with the fact that part of the design work had been done with input from persons

with disabilities. He stated that this was going to be a great positive for persons in the community, as well as a great shot in the arm for the Southwest Huntsville/Triana Village area of the city.

Councilman Kling stated that the prior Friday evening, there had been a very solemn occasion, with the march that had been held. He stated that this gave recognition and concern for the two African Americans that had been shot, with their life ending prematurely, as well as the five police officers that had been murdered in Dallas. He stated that the city had come together, and there was diversity and there were concerns about this entire issue. He stated that they had persons coming together and participating, and this was a time that he was in awe to see the way the city had pulled together on this. He stated that they did have their challenges and their problems, but there was so much good that went on in the city, and sometimes persons had to step back and look at that. He asked how many cities in the country would have liked to have been like Huntsville, Alabama, with the recognition they had given for this.

Councilman Kling stated that on the following Monday, he would be holding his monthly Town Meeting, at 6 p.m. at the Library. He stated that everyone was invited, noting that this was a very informal meeting, that the only agenda they had was whatever persons would like to talk about, and the only rule they had was that no one, including himself, was allowed to

wear a tie. He invited persons from whatever district in the city to attend this meeting, noting that he always learned a lot, and that hopefully he would be able to do some good for some persons.

President Culver commended Councilman Showers for his recent outstanding Town Hall meeting, noting that the administrative branch was well represented and the meeting was certainly well attended by the citizens. He stated that this spoke volumes as to how Councilman Showers worked and fought for his community.

President Culver stated that he wanted to ditto some of the things that had been said. He stated that Huntsville was only a day or so away from an incident occurring. He stated that Chief McMurray did not have to address this at this time, but it was just some food for thought for him. He stated that he knew that in recent times what he had experienced vicariously through some of Chief McMurray's officers was that there had been some very close calls with having to shoot someone who perhaps might be mentally ill. He stated that he did not know if this information was something that could be shared with the general public, and that Chief McMurray should check with Legal if he elected to do so, to make sure on this.

President Culver stated that he just wanted to let persons in the city know that they were trying to work to keep Huntsville from becoming a Ferguson, a Minnesota, or other places. He stated that the unique thing about this, and what

was important, was communication. He stated that if they could work on the front end to prevent this, it would be great. He continued that they did not want to wait until something happened in the city before they started taking positive steps. He stated that if they needed more sensitivity training, or whatever the case might be, he could assure Chief McMurray that with the budget coming up, they would find the monies for him for whatever he might need.

President Culver recognized Councilman Showers.

Councilman Showers stated that most persons were aware that Jemison and McNair would be opening for tours. He stated that persons might have noted that on Pulaski Pike there was a construction crew that was putting in a sidewalk. He continued that he was gravely concerned about this sidewalk being so close to the street, noting that most sidewalks had a distance between the curb and the sidewalk. He stated that the children that would be walking up and down Pulaski Pike on the sidewalk would be right on the street. He continued that there was no barrier and no fence, and that it was really too close to the street. He asked Mayor Battle if he had had the opportunity to look at this.

Mayor Battle stated that Mr. Shane Davis had looked at it, that he had surveyed it to make sure it met all the requirements necessary and it was a safe sidewalk. He asked Mr. Davis to comment on this.

Mr. Davis stated that the sidewalk was being constructed

for the school on Pulaski Pike. He stated that the right-of-way was very narrow, and there were some topography challenges on the east side of Pulaski Pike. He stated that the City's minimum sidewalk width was four feet, but they had increased this sidewalk to the maximum, that it was five feet in all locations.

Councilman Showers stated that he did not intend to cut Mr. Davis off, but that the width of that sidewalk was not five feet.

Mr. Davis stated that it was five feet, that that was what was in the plans and specs. He stated that the City standard was four feet.

Councilman Showers asked Mr. Davis if he could meet him at this site.

Mr. Davis stated that he would be happy to do so.

Councilman Showers stated that, however, the width was not his problem, that his problem was that the sidewalk was right on the curb, and cars would be passing while students would be walking, and there were going to be some accidents.

Mr. Davis stated that in most subdivisions, one would see a foot of grass between the curb and the start of the sidewalk, but a lot of the pedestrian facilities along minor collectors would be from the back of the curb, with the sidewalk starting right at the edge of the curb, and they would take it as wide as they could within a given right-of-way. He stated that the Pulaski Pike sidewalk that was under construction was no

different than a lot of other places within the city.

Mr. Davis stated that another consideration that was taken into account for this area where the sidewalk was going in was that traffic signals were going up for the school crossing zone that would reduce the speed limit during school sessions, and that there would be crossing guards. He stated that the speed limit in this area should be very slow during the time that children were either coming or going to school. He reiterated that this was taken into consideration concerning the safety of the five-foot sidewalk against the curb, and to put it within the existing right-of-way.

Councilman Showers stated that he did not know of any sidewalk in the city, whether in a school zone or just a regular residential zone, that was like this one. He continued that he was surprised that this had even been approved on a street like this one, that they were going to get students run over, that they were going to get hit or pushed out into the traffic.

Mr. Davis stated that he believed what they had built was safe, given the other parameters that would be in place along Pulaski Pike during school sessions, with the lights, the crossing guards, the reduced speed limit during those times, and the signs that would be there. He stated that he would be happy to meet Councilman Showers on site and show him that it was a five-foot width, that it was a foot wider than their minimum, and to also show him some areas where there were these

same sidewalks. He stated that there were a lot of them in the downtown area and a lot of them along Governors Drive.

Councilman Showers stated that, however, on these they did not have students moving back and forth.

Mr. Davis stated that there might be some on Whitesburg Drive at Whitesburg Elementary that were that way. He continued that they did have some where there was very high pedestrian access with high vehicular traffic.

Mr. Davis stated that they had had Traffic Engineering, Engineering, and their consultant that had helped with this look at this, and they believed this was the best solution, given the space they had to work with. He stated that they believed it was safe, that that was why they had made it a foot wider than their minimum, in order to give the children as much pathway to traverse back and forth as possible. He stated that Traffic Engineering was putting up traffic signals, that if one looked along Pulaski Pike both south of the school and north of the school, one could see the foundations and poles were in place, and there would be flashing lights and crossing guards, so the vehicular traffic speed would be reduced during school hours from what the regular posted speed limit was. He stated that with the extra width of the sidewalk, they believed they had created as safe conditions as they could.

Councilman Showers asked Mr. Davis if there was any type of protective opportunity they could put on the street side of the sidewalk so the students would not get out into the

traffic, whether the traffic would be going one mile an hour or 50 miles an hour.

Mr. Davis stated that they could certainly look at that, that they could look at some handrail, and they would certainly get Traffic Engineering to look at it, as an extra-protective measure. He reiterated that they had made the sidewalk as wide as they could through the area. He stated that they had looked at this, that it had been a concern of theirs, that they wanted to make sure they could control the speeds with crossing guards and the school zone lights, noting that they would be flashing long before one would reach the school, and even after one had passed the school. He stated that they had given this the maximum width they could, but that they could absolutely look at other measures. He reiterated that he would be happy to meet Councilman Showers on site.

Councilman Showers stated that there would be children walking before school, that there would be children coming from Stringfield Road and Winchester Road, but that the school was not at Stringfield nor at Winchester. He stated that there would be children walking from that distance to the school, and cars were going to be passing. He continued that children were going to be children, that they were going to play, and someone was going to get out in that street. He stated that he was delighted that Mr. Davis had said that they would look at some type of railing on the street side.

Councilman Showers asked Mayor Battle and Mr. Hamilton who

owned the property that was on the south side of the school property.

Mr. Davis stated that he was not certain of this, but that he could research it and contact Councilman Showers with the information.

Councilman Showers asked if Mayor Battle or Mr. Hamilton could answer this question.

Mayor Battle and Mr. Hamilton replied in the negative.

Mr. Davis stated that he would be happy to get that information for Councilman Showers.

President Culver recognized Councilman Kling.

Councilman Kling asked if perhaps they could get something done about the City Council parking spaces, noting that the Council members were asked to come to downtown events and participate in them, Concerts in the Park, the food trucks, et cetera, and that a lot of times the Council parking places were taken away. He stated that he believed the Transportation Department had tried a few things to try to block off the spaces, but they did not appear to work. He asked if there was any way they could get something done concerning this so that the Council members would have a parking space for these events.

President Culver stated that he had spoken with Mr. Tommy Brown, Director of Parking and Public Transit, and that he was experimenting with several things that would hopefully work concerning this. He stated that perhaps Councilman Kling would

like for Mr. Brown to address this at this time.

Councilman Kling stated that he had already spoken with Mr. Brown concerning this matter.

President Culver reiterated that Mr. Brown was working on this.

President Culver stated that he had a Town Hall meeting scheduled for Monday, July 18, at 6:30 p.m., at Stonegate Community Clubhouse, 104 Mantle Drive, NW. He thanked Mayor Battle in advance for allowing his department heads and other staff to attend this meeting to address concerns of the community.

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

Councilman Russell moved for approval of Resolution No. 16-360, authorizing the demolition of an unsafe building, constituting a public nuisance, located at 101 Whitney Avenue, NE, Huntsville, Alabama, which resolution had been postponed at the May 26, 2016, Regular Council Meeting.

Said motion was duly seconded by Councilwoman Robinson.

President Culver recognized Ms. Jordan.

Ms. Jordan displayed photos of the above property. She stated that the resolution would authorize the demolition of an unsafe building, constituting a public nuisance, located at 101 Whitney Avenue, NE. She stated that this property had initially been inspected by staff on March 8, 2016, with further review on March 9, 2016, by an independent contractor,

who had determined that the structure was not economically feasible to repair. She continued that it had scored 85 out of 100. She stated that a score of 50 percent or more would deem a property to be not feasible to repair, but that with a score of 49 percent or less, it would be feasible to repair.

Ms. Jordan stated that an official notice had been sent by certified and first-class mail on March 15, 2016, requesting demolition and removal of the structure by April 14, 2016. She stated that no action had been taken by the owners or interested parties, and that she was now requesting authorization to abate this nuisance.

Ms. Jordan stated that she had checked earlier in the day with the Building Inspection Department, and that no progress had been made in the form of a building permit. She stated that she had heard from Mr. Crutchfield, the gentleman who was interested in purchasing this property, and that he might be present at the meeting.

President Culver stated that they would hear from Mr. Crutchfield. He asked him to state his name and address for the record.

Mr. Michael Crutchfield appeared before the Council, stating that he was with the Crutchfield Company, 7 Old Cove Place, SE, Gurley. He stated that he needed to get an extension because he was having an issue, that he had been trying to get clear title on this property. He stated that there were a lot of issues with this property, and that he had

done all he could do. He stated that he would like to request an extension. He continued that he had received a letter from the title company. He stated that as the potential owner of the property, he had done everything he could do.

President Culver stated to Councilman Russell that he was aware that this property was located in his district, and that perhaps he had met with Mr. Crutchfield. He asked if he would like to comment on this.

Councilman Russell stated that he had met with Mr. Crutchfield. He stated that the Council had given an extension on this previously, and if that was what the Council wanted to do at this time, that was fine with him. He stated that the neighborhood had asked him many times to start enforcing the law and to get Community Development out there, that the neighborhood really wanted to see them take action on this, and that his wish was to do what the neighborhood had requested. He continued that he had been disappointed in the Council's previous action on this matter, but that he was willing to delay this again for 30 days if that was what the Council wanted to do.

President Culver recognized Councilman Showers.

Councilman Showers asked Mr. Crutchfield if he could assure the Council that he was going to make some progress on this matter.

Mr. Crutchfield stated that he could get some things, but there had been an issue with the previous owner. He continued

that the owner's daughter had power of attorney. He stated that even before the Council meeting 30 days prior, he had a signed contract, and that he had gone through the process and had Valley Title going through it, and that at this time he had an issue with being able to get clear title. He stated that he did not know if the Council members were aware that there had been an issue with the owner previously.

Mr. Crutchfield stated that that was where they were on this matter at this time.

President Culver recognized Councilman Showers.

Councilman Showers stated that Councilman Russell was correct, that this neighborhood was highly concerned about eradicating this eyesore. He asked Mr. Crutchfield if he believed if the Council gave him another 30 days on this matter, it would be any different.

Mr. Crutchfield stated that they had the attorneys going through this, that he had talked with Valley Title on the previous Monday. He stated that there were so many issues with this property that he was about to give up, that it had been 30-plus days, and it should not take this long to get title. He stated that he guessed that by the previous owner being an attorney, there was so much tied into the property that they could not get to the bottom of it at this time.

President Culver recognized Councilman Kling.

Councilman Kling stated that he would just like to throw an idea out on the table, noting that they had had some

business licenses that they had had issues with in the past, and the City had taken action. He continued that what they had done, when Randy Taylor had been the Finance Director, was that they would basically approve the termination of a business license, or such as in this case, approve the condemnation of a structure, but at the same time, they would give the department head the authority, or the leeway, to delay for a short period of time if they believed progress was being made, that it was not just going to be going on indefinitely. He stated that he did not know if this would work, for the neighborhood or for this gentleman, but that the idea was that if Ms. Jordan said that it was time for the structure to come down, it would be taken down, because the Council would have approved a motion to give her the authority to do what she saw fit in this matter. He stated that he was just throwing this out as an idea, noting that this had appeared to work when they had done it with Mr. Taylor on financial issues.

President Culver stated that that was a little different. He continued that what they would most likely need would be a date certain. He stated that if they could do a date certain, perhaps August 25, to give them that time, and if it were not done by then to proceed. He stated that he was aware that this was a very important piece of property from a historical perspective, but that if something would not happen by then, then, of course, this property would be torn down.

President Culver asked if there was a motion to postpone

this matter until the Regular Council Meeting on August 25, 2016.

Councilman Showers moved that consideration of Resolution No. 16-360 be postponed until the Regular Council Meeting on August 25, 2016.

Said motion was duly seconded by President Culver.

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

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that her concern was that there was a neighborhood that was asking for the structure to come down and they had a structure that had been deemed unsafe by a City department. She asked what the City's liability would be if between this date and August 25, an injury would occur because a child would get into the building.

President Culver stated that he was not a licensed lawyer, but noted that this was private property, and that this was something that would have to be litigated.

Councilwoman Robinson stated that this was something that the City had asked to be condemned, and the Council had taken no action on it.

President Culver stated that he understood what Councilwoman Robinson was saying. He stated that they had had several properties like this, with some of them being postponed.

Councilwoman Robinson stated that Mr. Crutchfield had

stated that he was ready to give up on this, and that it sounded like a case that was going to be tied up forever, and they could not just keep delaying and delaying on this. She stated that they had given him the opportunity to do what he needed to do, and it was not working. She asked that they just do what the department head had asked to be done and condemn this property, for the neighborhood.

President Culver stated that this was certainly no fault of Mr. Crutchfield's.

Councilwoman Robinson stated that she agreed with that, that it was frustrating, that she could tell it was frustrating to him. She stated that, however, this frustration could go on for a long time, and that in the meantime, they needed to do what was right for the other property owners in the area who had a right to live in a neighborhood without this structure being present.

President Culver stated that he could not agree more with Councilwoman Robinson, but understanding the problems with obtaining a clear title, he would hate for them to approve that it be torn down, and then they would be able to obtain a clear title the following week.

Councilwoman Robinson asked what would happen in the event the Council condemned this property and then Mr. Crutchfield did obtain clear title. She asked if the Council could then reverse this.

President Culver stated that that would require Council

action, because whatever the Council decided would become the rule on this.

President Culver recognized Councilman Kling.

Councilman Kling stated that since this had been delayed previously, his inclination was to follow Councilman Russell's lead since this was in his district, and he had been involved in this matter a lot more than he had, and he believed he would have more wisdom on it. He stated that he believed the best way to go on this would be for the Council to support Councilman Russell in whatever he thought would be appropriate concerning this matter. He stated that he had high regard for Ms. Jordan, and he would be willing to basically authorize the condemnation but then give her some leeway if she saw that adequate progress was being made.

President Culver stated that he was not sure if that would be possible.

President Culver asked Councilman Showers if he wished to withdraw his motion for postponement of the matter.

Councilman Showers stated that his motion was simply to give Mr. Crutchfield a final opportunity. He continued that he had worked hard, that he had appeared before the Council twice concerning this matter. He stated that he just wanted to give him this opportunity, noting that seemingly he was getting close to resolving the matter. He stated that on the 25th of August if this were not done, the structure would be coming down.

President Culver asked if there was any further discussion of the matter. He stated that there was a motion on the floor, and a second, for postponement until August 25.

President Culver recognized Councilman Russell.

Councilman Russell stated that he intended to support the motion.

President Culver called for the vote on the motion to postpone consideration of Resolution No. 16-360 until the Regular Council Meeting on August 25, 2016, and the following vote resulted:

AYES: Russell, Kling, Showers, Culver

NAYS: Robinson

President Culver stated that consideration of Resolution No. 16-360 would be postponed until the Regular Council Meeting on August 25, 2016.

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

President Culver read and introduced Ordinance No. 16-499, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance.

President Culver read and introduced Ordinance No. 16-500, amending Budget Ordinance No. 15-642 to modify the authorized strength of a department.

President Culver read and introduced Ordinance No. 16-501, declaring certain equipment surplus and to be sold at auction.

President Culver moved for a recess from 8:15 until 8:25,

which motion was duly seconded by Councilman Showers and was unanimously approved.

(Recess.)

President Culver reconvened the meeting.

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Tennessee Captioning, LLC, for closed captioning services, as follows:

(RESOLUTION NO. 16-502)

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 Vernon Lee, for a Fire Supply Clerk position, as follows:

(RESOLUTION NO. 16-503)

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 Renewal Land Lease Agreement between the City of Huntsville and Alan Wade Murphy and Kathleen Murphy for the lease of farmland in the vicinity

of the Western Area Treatment Plant, as follows:

(RESOLUTION NO. 16-504)

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 License Agreement between the City of Huntsville and Alonzo Burwell for Property Maintenance at North Huntsville Industrial Park, as follows:

(RESOLUTION NO. 16-505)

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 to advertise and fill the position of Floodplain Management Analyst, Pay Grade 15, and to fill at steps higher than minimum, within the pay grade, 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. 1 to the agreement between the City of Huntsville and J.C. Cheek Contractors, Inc., for Periodic Bid for Traffic Striping and Marking, Project No. 65-15-SP48, as follows:

(RESOLUTION NO. 16-506)

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 Change Order No. 1 to the contract between the City of Huntsville and Reed Contracting Services, Inc., for Highway 72 West and Watercress Boulevard Turn Lane Improvements, Project No. 65-14-SP40, as follows:

(RESOLUTION NO. 16-507)

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 OMI, Inc., for Construction Materials Testing Services for Fagan Creek Culvert Extension, Project No. 65-15-DR01, as follows:

(RESOLUTION NO. 16-508)

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 OMI, Inc., for Phase II Archeological Testing Services for Weatherly Road Extension, Phase II, aka Haysland Road Extension, Project No. 65-15-RD03, as follows:

(RESOLUTION NO. 16-509)

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 City Attorney to settle the claim of Emily Pauli, as follows:

(RESOLUTION NO. 16-510)

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 apply for and execute an FY 2017 and FY 2018 EPA Section 105 Air Pollution Control Program Grant in an amount up to \$300,000 in Federal funding to support the City's Air Pollution Control Program, as follows:

(RESOLUTION NO. 16-511)

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. 16-512)

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

appropriated funding in various departments and funds, as follows:

(ORDINANCE NO. 16-513)

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 the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 16-514)

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 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. 16-515)

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 for authorization to advertise and fill one budgeted, permanent, full time System Analyst position, 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 an agreement with the City of Madison, Alabama, for the transfer of grant funds, as follows:

(RESOLUTION NO. 16-516)

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 a grant between the City of Huntsville and the State of Alabama Historical Commission previously approved by the City of Huntsville City Council via Resolution No. 16-169, as follows:

(RESOLUTION NO. 16-517)

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 a grant between the City of Huntsville and the State of Alabama Historical Commission previously approved by the City of Huntsville City Council via Resolution No. 16-210, as follows:

(RESOLUTION NO. 16-518)

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 a grant between the City of Huntsville and the State of Alabama Historical Commission previously approved by the City of Huntsville City Council via Resolution No. 16-225, as follows:

(RESOLUTION NO. 16-519)

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 Oracle for Technical Support Services, as follows:

(RESOLUTION NO. 16-520)

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 appointing Kenneth Benion, City Clerk-Treasurer, to perform duties of the Mayor under the Code of Alabama 1975, Section 11-46-36, with respect to the 2016 Municipal Election since the Mayor is a candidate in the Municipal Election to be held August 23, 2016, as follows:

(RESOLUTION NO. 16-521)

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

and was unanimously adopted.

President Culver read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Christopher Contractors, Inc., for construction services for Patio Improvements at Big Spring Park, as follows:

(RESOLUTION NO. 16-522)

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

President Culver recognized Councilman Russell.

Councilman Russell stated that he had questions for Mr. Davis.

Mr. Davis appeared at the microphone.

Councilman Russell asked Mr. Davis if he could define the scope of this project.

Mr. Davis stated that the location of the project was at the very east end of Big Spring Park East, and that it was on the upper terrace where the two pergolas were. He stated that to him this was the prettiest part of the park, and that it was the most challenging part of access to Big Spring Park East. He stated that currently from the Courthouse Square area there was only one access point, being stairs near the Regions Bank site.

Mr. Davis stated that the project would add a new spiral staircase on the north side of the pergolas, near

200 Westside Square, to allow additional access to the upper terrace. He stated that there were some planters on the north side of the pergolas that were not in very good shape, and they were going to remove these and expand that patio area. He stated that this would also give 200 Westside Square better accessibility into that terrace area so that it would become more likely leasable. He stated that they had not been able to lease that area because of the wall that had been put in there. He continued that there was just not any room, that it was not very attractive.

Mr. Davis stated that they would make these improvements as part of a multi-phased approach for them to provide better access to citizens. He stated that in the coming year, they planned on trying to make this area even more ADA-accessible. He continued that they were currently looking at the idea of putting an elevator between the two pergolas, so that from the Courthouse Square, someone who was handicapped could have access to this area. He stated that currently this was very limited, that there was access, but it was very, very difficult.

Councilman Russell inquired as to what might go into the area that would be able to be leased. He asked how it was zoned.

Mr. Davis stated that it was zoned like the rest of the downtown, C-4. He continued that they believed with this expansion, there was a very good possibility of a couple of

restaurants in that area, which he noted would really animate Big Spring Park East. He stated that this was something the public had asked for, was to bring more food options into the park. He stated that this was what they were hoping for, but it could certainly be something else. He stated that in working with the ownership, they were actively trying to recruit this.

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. 16-522, and it was unanimously adopted.

President Culver stated that the next item on the agenda was Legal Department Items/Transactions.

Councilman Showers read and introduced an ordinance vacating a portion of a Utility and Drainage Easement, Hawks Ridge Estates, 2700 and 2701 Hawks Ridge Circle (Spehn), as follows:

(ORDINANCE NO. 16-523)

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

President Culver read and introduced an ordinance vacating a Utility and Drainage Easement, Lot 2, High Mountain Estates, High Mountain Road (Ledbetter), as follows:

(ORDINANCE NO. 16-524)

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

President Culver read and introduced a resolution consenting to the vacation of a portion of a right-of-way, 3604 and 3632 Lookout Drive (Fair/Batson), as follows:

RESOLUTION NO. 16-525)

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

Councilman Showers read and introduced an ordinance vacating a portion of a right-of-way, 3604 and 3632 Lookout Drive (Fair/Batson), as follows:

(ORDINANCE NO. 16-526)

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

President Culver read and introduced a resolution consenting to the vacation of portions of rights-of-way, McMullen Lane, McMullen Cove Subdivision (JWE Properties), as follows:

(RESOLUTION NO. 16-527)

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

Councilman Showers read and introduced an ordinance

vacating portions of rights-of-way, McMullen Lane, McMullen Cove Subdivision (JWE Properties), as follows:

(ORDINANCE NO. 16-528)

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

President Culver stated that the next item on the agenda was Non-Roster Communications from the Public. He stated that if persons wished to address the Council, they should position themselves in proximity to a microphone, and that they would have approximately three minutes in which to address the Council.

Ms. Jackie Reed again appeared before the Council, stating that she wanted to say that there were some incredible people in the city of Huntsville, noting that they had done a great job with the march the prior week, that everything had been handled beautifully, and that it was good that had happened in the city.

Ms. Reed stated that she would like to see the Master Plan for Cummings Research Park come before the public, in the Council Chambers, before they changed the zoning on this at the next Council meeting. She stated that she saw that they were about to change ordinances and change the zoning, that they were getting ready for the developments out there. She stated that she believed the public needed to see what they were going to do to with Cummings Research Park. She stated that she had

said she was not giving up on this too easily, and she was not going to, because they were tearing up history out there.

Ms. Reed stated that she did not understand why GE wanted to go out there. She stated that there was lots of property out there, and there were two huge buildings on it. She stated that she drove through there almost every day, and there was property out there where they could have built big buildings and set that place up great, right in the city of Huntsville, but they had chosen to go out into Limestone County. She stated that they were not trying to fill the blighted area. She continued that the City had called it "blighted." She stated that persons had asked her what "blighted" meant, and she had told them the City did not know the meaning of "blighted," that they were saying it was 50 years old. She stated that her house was 50 years old and asked if anyone else's house was 50 years old. She stated that the entire city was blighted.

Ms. Reed stated that she would like to see this Master Plan presented to the people of the city since they were calling it "blighted."

Ms. Reed stated that if Councilman Showers needed another lawyer to take a look at this matter, to ease it out and make him happy, that they wasted enough money to let him hire a lawyer, and that the Council should agree with this and let him do it. She continued that she believed this was a good thing to do.

Ms. Reed stated, concerning the sidewalk on Pulaski Pike, that if they changed it from four feet to five feet, why they had not built this into the school property. She asked if that was too much common sense. She stated that they should have built it in, not built it out. She stated that she would go out there on the following day and look at it.

Ms. Reed stated that she was not too smart, but she was very constructive, and she could keep up with them.

President Culver stated that he believed the Cummings Research Park Master Plan had been presented to the Council, but perhaps they would have the opportunity for it to be presented again.

Ms. Michelle Watkins, 3615 Jonquil Drive, appeared before the Council, stating that first she wanted to thank the Council for offering the extension to the gentleman because that was the home where Martin Luther King had visited when he had come to Huntsville. She thanked them for doing that and stated that she hoped they could get the deed clear.

Ms. Watkins stated that she was kind of disappointed to hear that the Council had been extended an invitation for a tour of Jemison. She continued that hard hat tours of the property had begun in January of the current year, and that she, as the last PTSA President of Johnson High School, had made several requests, from January until May of the current year, to the Huntsville City School Board President that the PTSA Board of Johnson be given a tour. She continued that this

had been to no avail. She stated that Jemison did not exist yet, but their PTSA had been given a tour in January. She stated that to hear that the Council was getting a tour was disheartening, because her group was part of the community, but they were constantly left out.

Ms. Watkins stated that she wanted to talk about the letter that had been written to the Judge. She stated that she was disappointed in this, too, because her group had been told several times that there was no communication from Huntsville City Schools through the Council, and that the Mayor, as well, had said that he had nothing to do with the schools. She continued that Mayor Battle had written a letter and asked the Judge to give the police authority to arrest young men or young women. She stated that her thing was that rather than writing a letter with solutions, that rather than coming up with solutions or offering some suggestions, he just wanted the students to be arrested. She stated that he had never taught in a school, that she had taught in a school. She stated that the kids needed attention and love, that they did not need to be arrested, that they did not need a record. She stated that she was disappointed that he would write that letter and ask the Judge to do this, especially when he said he had nothing to do with the schools.

Ms. Watkins stated that they should stop being exclusive and start being inclusive and start listening to dialogue, whether they agreed with it or not. She stated that they

should start listening to dialogue from persons who knew what they were talking about. She stated that she had listened attentively several times at Council meetings.

Ms. Watkins stated that what she was saying was that kids did not need to be arrested and given a record for fighting, noting that that was not something to give them a record for. She stated that if they were caught with drugs, that rather than trying to send them to jail, they should see if they needed treatment, see if they needed rehab. She stated that they needed solutions for these young kids, that they did not need them to just be given a record.

Ms. Watkins stated that that was her concern and expressed appreciation for being allowed to appear before the Council.

President Culver recognized Mayor Battle.

Mayor Battle stated to Ms. Watkins that if she would like to have facts and look at the facts, he had the letter to Judge Haikala. He continued that at no place did it say they wanted to see students arrested. He stated that it concerned the school resource officers, who were very good school resource officers and had been in the system for 20 years. He stated that they had been working with the City of Huntsville for 20 years, and they had been working with students for 20 years, and they had done a wonderful job. He stated that school resource officers had done things like bought kids lunches, and they had taken kids who had gone home and not had anything else to do and needed shelter, and they would give

them shelter. He stated that they worked with them, and they had this relationship between police and students.

Mayor Battle stated that what they had said in their letter was that the school resource officers needed to be the ones who decided what was criminal in the schools. He stated that they needed to do this, that they were the City's best officers, that they were some of the best they had ever had. He stated that there were 121 instances in the schools in the prior year, noting that this was 121 out of 23,000 students. He stated that that was all they had had. He continued that 650 was what had happened six years prior. He stated that they had some school resource officers who were doing a great job of trying to keep kids from being arrested, and that if these kids needed mentoring or they needed someone to counsel with them, they provided that. He continued that they did things that were very special with those kids.

Mayor Battle reiterated that nowhere in the letter did it say, "I want police officers to arrest students." He stated to Ms. Watkins that he would suggest that she get her facts before she came before the Council, and that he would suggest that if she wanted to be a School Board member, she start talking about education and schools and how to make the schools better, how to make the children smarter, because he had not heard that from her yet.

Ms. Watkins stated that Mayor Battle had not been to the places she had been.

Ms. Watkins asked President Culver if she would be able to respond to Mayor Battle's comments.

President Culver replied in the affirmative, noting that she had a few seconds left, and that they could give her an extra minute if the Council so chose.

Ms. Watkins stated that she knew about SRO officers, that they had worked with her at Johnson, and they treated the kids very well.

Ms. Watkins stated to Mayor Battle that he had said, "We wrote a letter," but stated that she had seen his name on the letter. She continued that to get the facts straight, he had implied "arresting," that he had implied that. She reiterated that she understood about SRO officers and she supported them being in the schools, but that Mayor Battle needed to get his facts straight, because she constantly talked about education. She stated that she believed Mayor Battle had been at the courthouse when she had testified on behalf of the students in North Huntsville. She stated that it was about education, but, at the same time, they could not get educated if they were locked up.

Mr. Michael Jennings, 3815 Millbrae Drive, appeared before the Council, stating that he would like to make a comment about the Ferguson Report. He stated that he was aware that Huntsville had some good police officers, that they had a good Police Department, even though they had some problems, especially with the ticketing and those types of issues.

Mr. Jennings stated that he had taken it upon himself to reread the Ferguson Report of the Justice Department, consisting of 108 pages, dated March of 2015, and that it was heartbreaking to read this report. He continued that he wanted to say that he did not know if reading this had been a requirement or how the Police Department had taken this report and dealt with it. He stated that he did not know about this, but that he was saying that he would hope they would take the report and have some classes on some of the things that were in it, or at least talk about it, at least break it down as to the different things that were in the report. He stated that he believed a lot of persons who were sensitive to human relations would find the report heartbreaking, as to the things that were done to kids and young adults, and even older adults.

Mr. Jennings stated that he did not know if the City had implemented this report, and if they had, that was good, and if they had not, he would recommend that they have some kind of seminar on the report within the Police Department, or a community seminar, to just break the report down and say why these conditions did not exist in Huntsville, and to make sure they did not exist.

Mr. Jennings reiterated that he had reread this report and stated that it would make one cry if one had any kind of heart for people and seeing how they were treated systematically for such a long period of time. He stated that it had gone on so long, and that the City officials, the public officials, would

not do anything about it. He stated that that was the problem. He stated that he did not believe this would happen in Huntsville, that he prayed and hoped it would not happen here, but that he was hopeful that they had done something with this report to sensitize the Police Department to the things not to do.

Ms. Jackie Reed again appeared before the Council, stating that she wanted to ask them not to stop the police in the schools. She stated that she had read an article earlier in the day, from the Mayor and from Bob Harrison, or whoever had written the articles. She stated that they should not take the police out of the schools. She stated that she had a 12-year-old who wanted to fight with her about everything. She stated that kids knew from the time they learned to walk right from wrong. She stated that it was up to the parents to get involved and teach their children. She stated that she was mother and father to her children, and she had told her son that if he went to jail for any reason, she would not get him out, and she did not know of anybody else that would, so he had better walk the chalk, and he had better be good, that if the police came and got him, they were going to keep him, and she wanted them to.

Ms. Reed stated that she got pulled over like everyone else, that she had gotten pulled over twice in the last year. She stated that she believed the problem was that persons did not look at the police and consider how they were laying their

lives on the line. She stated that persons should respect the police officers and do what they said to do, no matter what one might want to do.

Ms. Linda Holmes, 3106 Delia Lane, appeared before the Council, stating that she would like to comment on what Mayor Battle had said against Ms. Watkins. She stated that on June 13th at 6 p.m., they had been at a meeting with Mayor Battle, and Ms. Watkins' platform was about education.

Ms. Holmes stated to Mayor Battle that he needed to get his facts straight.

President Culver asked if there was anyone else in the audience who wished to address the Council.

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

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PRESIDENT OF THE CITY COUNCIL

ATTEST:

\_\_\_\_\_  
CITY CLERK-TREASURER