

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, AUGUST 13, 2015

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, August 13, 2015, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

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

President Russell called the meeting to order.

Pastor Jason Parks led the invocation; President Russell led the pledge of allegiance.

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

The minutes of the Regular Meeting of the Council on July 23, 2015, were approved as submitted.

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

President Russell recognized Mayor Battle.

Mayor Battle asked that Bill and Louise Varnedoe and the group from the Green Mountain Volunteer Fire Department come

forward.

President Russell read and introduced a resolution commending Bill and Louise Varnedoe for their service to the Green Mountain Volunteer Fire Department, as follows:

(RESOLUTION NO. 15-575)

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

Mayor Battle read from the resolution, stating that Bill Varnedoe and his wife, Louise, had moved to Green Mountain in 1957, noting that at that time there were no paved roads, no running water, and only eight families. He stated that Mr. and Mrs. Varnedoe were the first members of the Huntsville Fire Department's Rookie School, which he noted consisted of 240 classroom hours of training.

Mayor Battle stated that in 1964 they had incorporated the Green Mountain Volunteer Fire Department, noting that Mr. Varnedoe held Alabama Volunteer Fire Fighter Certificate No. 1, and Mrs. Varnedoe held Certificate No. 2. He stated that in 1975 they had helped to construct the first Green Mountain Volunteer Fire Station, where Mr. Varnedoe had served as Chief for 30 years and Senior Safety Officer the past 20 years.

Mayor Battle stated that Mr. Varnedoe was a co-founder of the Madison County Association of Volunteer Fire Fighters and served as its treasurer. He stated that Mrs. Varnedoe had been

a fire fighter/EMT on Green Mountain this entire time with her husband and had helped him with his many accomplishments.

Mayor Battle stated that Bill and Louise Varnedoe would be retiring from the Green Mountain Volunteer Fire Department after 50 years of service. He stated that their service to the residents of Green Mountain had been exemplary and worthy of notice.

Mayor Battle stated that the Council and the Administration wished to commend them and to express appreciation for their loyal and dedicated service. He thanked them for all their service to the community for a great 50 years.

Mayor Battle stated that Mr. Varnedoe was a World War II veteran and a French Legion of Honor recipient. He thanked him for his service.

Mayor Battle asked Jim Daniel, Chairman of the Huntsville Tennis Center Board of Control, and Steve Ivey, Director of Parks and Recreation, to come forward. He stated that he believed they were also inviting some special guests to come forward for a special presentation.

Mayor Battle recognized Mr. Daniel.

Mr. Daniel stated that present with him at this time were Sally Warden, President of the Huntsville Area Tennis Association, and Joc Simmons, Director of the Tennis Center.

Mr. Daniel stated that the Tennis Center was 10 years old and was 100 percent utilized. He continued that they had more

than 1500 active players in each of four seasons a year. He stated that over the prior 12 months, they had had more than 40,000 sign-ins, noting that it was a very busy tennis center.

Mr. Daniel stated that to respond to this continued growth and their popularity as being a good place to run tennis tournaments for the State and the Southern Section, the Huntsville Area Tennis Center and the Tennis Center had joined together since the prior March to run a finance campaign, noting that their objective was to add 16 additional clay courts to the 30 courts they currently had, of which 24 were clay. He continued that this would make them the largest clay court facility in the Southern Section. He stated that this should allow them to bring in more than \$2 million of economic benefit to the city each year.

Mr. Daniel stated that at this time they would like to present a check to the City in the amount of \$200,000, noting that this was what the tennis community had donated thus far to this expansion program. He stated that, in addition, Phil Riddick, County Commissioner of District 5, had donated \$10,000, noting that he had provided this directly to the City.

Mayor Battle thanked Mr. Daniel.

Mayor Battle stated that when the City did such expansions of facilities, they asked the facilities, or the supporters of the facilities, to raise half of the money, and then the City would put up half. He stated that this was the Tennis Center's down payment on putting up their half of the money for this

expansion. He stated that they had been working very hard raising money for this endeavor, and it had worked out real well.

Mayor Battle thanked them for their partnership with the City, noting that this was a great facility that provided a lot of opportunities not only for persons in the city but for persons from all over Madison County.

Mayor Battle asked Chief Lewis Morris and Mr. Terry Hatfield to come forward.

Mayor Battle stated that he had two proclamations, one for Mr. Hatfield and one for Chief Morris. He stated that, as many persons were aware, Mr. Hatfield was finally retiring, after being begged to stay many, many times, after 39 years of service to the City of Huntsville. He stated that it had been a great 39 years, that Mr. Hatfield had served in various positions: as Administrative Assistant to the Mayor, in Human Resources, and then as Director of Public Works. He thanked Mr. Hatfield for a great 39 years, stating that he had made a difference in the city, that he had made the city a better place.

Mayor Battle stated that there was a proclamation naming Tuesday, September 1, the first day of Mr. Hatfield's retirement, as "Terry Hatfield Day."

Mayor Battle stated that after 39 years of service to the City, Chief Lewis Morris was also retiring. He stated that Chief Morris had been a stalwart in the Police Department,

having started off at the very bottom and going all the way to the very top. He stated that Chief Morris had been exemplary, that he had been one of those persons that one could count on every time it was needed. He stated that he had done a great job for the City. He stated that he would retire Badge No. 1, after 39 years with the Huntsville Police Department. He thanked him for his many years of service.

Mayor Battle stated that there was a proclamation naming Wednesday, September 2, 2015, "Chief Lewis Morris Day."

Councilman Showers read and introduced a resolution congratulating Terry Hatfield upon his retirement from the City of Huntsville after 39 years of dedicated service, as follows:

(RESOLUTION NO. 15-576)

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

Councilman Showers stated that he had intended to read the resolution acknowledging Mr. Hatfield's 39 years of service to the City, but since the Mayor had already done this, he would just ask Mr. Hatfield to come forward so he could present the resolution from the Council acknowledging his 39 years of dedicated service to the City of Huntsville.

Councilman Showers presented the resolution to Mr. Hatfield, acknowledging his service to the City and stating that he had been with the City when Councilman Showers had first come on the Council. He stated that when Mr. Hatfield

had been appointed Director of Public Works, there had been concern in that department, but that Mr. Hatfield had come in with a caring spirit and that the employees in that department had gotten on board and had been on board ever since. He stated that he just wanted to express to Mr. Hatfield how much the Council appreciated what he had done in that department during the time he had been department head. He stated that he had seen employees who had not wanted to come to work previously but had gotten to the point where they wanted to come to work and stay all day. He continued that Mr. Hatfield did not stay at his desk, that he was right there with the employees. He thanked him for this.

Mr. Hatfield stated that he certainly appreciated the time he had been with the City and thanked the Council for the recognition.

Councilman Showers read and introduced a resolution congratulating Second Chance Deliverance & Restoration Ministries on 10 years of Kingdom service, as follows:

(RESOLUTION NO. 15-571)

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

Councilman Showers stated that he would be presenting the resolution at an event on August 22, 2015, at Union Chapel Missionary Baptist Church.

Councilman Showers read and introduced a resolution

congratulating Rev. Willie Hinton on his 25th Pastoral Anniversary, to be held August 23, 2015, at West Mastin Lake Baptist Church, as follows:

(RESOLUTION NO. 15-572)

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

Councilman Showers stated that he would be presenting this resolution at the event on August 23, 2015, at West Mastin Lake Baptist Church.

Councilman Showers read and introduced a resolution acknowledging Robin Givens on her appearance at the Phillips CME Church 150th Anniversary Gala, to be held August 21, 2015, at the Jackson Center, as follows:

(RESOLUTION NO. 15-573)

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

Councilman Showers read and introduced a resolution acknowledging Eric Taylor on his performance at the Phillips CME Church 150th Anniversary Gala, to be held August 21, 2015, at the Jackson Center, as follows:

(RESOLUTION NO. 15-574)

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

President Russell stated that the Administration had asked that agenda items 14.a, Ordinance No. 15-595; 14.b, Ordinance No. 15-596; and 14.e, Ordinance No. 15-597, be considered at this meeting by unanimous consent.

President Russell stated that there were some Boy Scouts present in the audience and asked that one of them go to the microphone and tell the Council what troop they were with and what badge they were working on.

A member of the troop stated that they were with Boy Scout Troop 361 and were working on their Citizenship in the Community badge.

President Russell stated that there would be a presentation from Byron Thomas, Director of Human Resources, concerning an agenda item.

Mr. Thomas stated that at this time he would like to speak concerning the City's position classification audit process. He stated that, as the Council members were aware, on the current agenda were some positions that had been audited by Human Resources, using the same process they always used to evaluate positions that might need to be reclassified, as far as grade and/or title. He stated that he would like to speak about the process in relation to that, as well as to address what had been brought up, the classification of fire fighters and fire driver/engineers.

Mr. Thomas stated that, as the Council members were aware, Human Resources conducted position classification audits for

positions throughout the City of Huntsville. He stated that the requests for position classification audits came in one of two ways, that the employee could initiate the request to the department head or the department head could initiate the request, as well. He stated that the reason audits were requested would mainly be that an employee might believe their position classification was wrong or that perhaps it had changed. He continued that, also, the employee might be assigned new duties that would suggest the position classification was not correct.

Mr. Thomas stated that in order to review these, Human Resources received completed job information questionnaires and all the necessary information pertaining to the position. He stated that once this information was received, Human Resources would meet with the employee, or employees, and their supervisors, all the way up to the department head. He stated that once this had been done, they evaluated the position classification, based upon certain classification system factors. He stated that these factors, in totality, dealt with the job knowledge that was required for the position, the focus and scope of the work, internal and external contacts, physical effort that might be involved in the job, supervisory authority that might be exercised, as well as job complexity, work environment, work controls, and job hazards. He stated that all of these were looked at in their entirety in the evaluation of a position.

Mr. Thomas stated that once this was done, Human Resources would submit the recommended changes, such as they were doing at this time, and like they had always done, to the Council for their approval.

Mr. Thomas stated that if there were no changes to a position classification as the result of an audit, then the employee would be notified by Human Resources, with a letter, and the audit process would then be closed.

Mr. Thomas stated that for the prior three years, Human Resources had conducted audits on 107 different positions. He stated that, as the Council members could see on the display, 59.8 percent of these had resulted in a grade change. He continued that when this resulted in a grade change, such as they were doing at this time and had done previously, they would submit these items to the Council for approval. He stated that the Council members could see on the display that 41.2 percent of the audits had resulted in no grade change.

Mr. Thomas stated that agenda item 14.c, Ordinance No. 15-598, recommended changes to the salary, grade classification, and/or job title for multiple positions, resulting from the same audit process.

Mr. Thomas stated that with regard to the request that was given to Human Resources to audit the fire fighters and the fire drivers, he wanted to walk the Council through this process, noting that it was the same process, but he wanted to

outline it and give some dates and time frames with regard to this process.

Mr. Thomas stated that Human Resources had received a request to conduct position classification audits for fire drivers and fire fighters on February 20, 2015, as directed by Mayor Battle. He stated that around that same time, they had sent the necessary information, the job information questionnaires, to the department, to the employees in that department, the fire drivers and fire fighters.

Mr. Thomas stated that the employee job information questionnaires and other pertinent information were then submitted to the Fire & Rescue Chief on or about April 20, 2015, for his review and to sign off on them. He continued that then the job information questionnaires and any other pertinent information pertaining to the jobs were submitted to Human Resources on June 8, 2015.

Mr. Thomas stated that once they received the job information questionnaires, Human Resources scheduled meetings with the employees and their supervisors to conduct the position classification audits, such as they did with any other process. He stated that once they had initiated this process, on July 10, 2015, a member of the Human Resources staff had met with approximately six fire fighters, and that they had also set up meetings with approximately five fire driver/engineers. He stated that the fire fighters, as well as the fire driver/engineers, were from varying fire stations and were at

different levels or years of experience. He stated that this had been coordinated with the Fire Chief and the Deputy Chief in regard to the individuals.

Mr. Thomas stated that on July 24, 2015, after meeting with the fire fighters and the fire driver/engineers, a Human Resources staff member had met with approximately three fire captains, as well as four fire district chiefs. He stated that these, again, were varied experience and also at different stations.

Mr. Thomas stated that they had concluded the audit process, as far as meetings, in a meeting on July 29 with the Fire & Rescuer Chief, as well as the Deputy Chief.

Mr. Thomas stated Human Resources conducted the audits on the fire fighter and fire driver/engineer positions using the same process they always used, and that they were conducted fairly and in accordance with their policy, and that this had led to the Council action that was on the agenda of this meeting for introduction.

Mr. Thomas stated, concerning the fire fighter position, that they had determined there were some new duties, but they were not of enough significance to justify any type of reclassification. He continued that they had found that there was an increase in the number of medical calls they were responding to, but that the medical calls had been addressed in the 2007 position classification audit that had upgraded the fire fighters to a Grade 13, their current grade.

Mr. Thomas stated, concerning the fire driver/engineers, that, of course, they had to take on the same duties as the fire fighters, but that there was no position change to justify any change in their position classification. He continued that they had also been audited in 2007 and had been reclassified to a Grade 14.

Mr. Thomas stated that as a result of the audit that had been requested and that had been done consistent with the practice and the policy they had in place, the fire fighter position was properly classified as a Grade 13 and the fire driver/engineer was properly classified as a Grade 14.

Mayor Battle stated that the Administration had asked that they could bring this forward, noting that in two weeks they would be bringing forward a budget and the budget had to reflect what they had as payroll for personnel and what the requirements were to be paid. He stated that they had asked Human Resources to have this prepared by the time of the first Council meeting in August, and they had done so.

Mayor Battle stated that the Administration had wanted to make sure they got this out to the Council members so they would understand that per their process and per the policy of the City of Huntsville, which was a policy that had been put in place by the Council, they would not be including an upgrade in classification for the fire fighters in the upcoming budget. He stated that they firmly believed this process was a good process to follow and that it was not a politicized process,

et cetera, that it was done through the Human Resources Department. He stated that they had not been aware of what the answer was going to be until they had spoken with Mr. Thomas two or three days prior. He stated that this was the way it should be handled. He stated that if any of these employees believed they should have a higher rank and pay, they would be welcome to come back through the process in a while.

Mayor Battle reiterated that the Administration had wanted to bring this before the Council prior to bringing the budget in two weeks. He stated that they had promised the Council an answer on this, and they had felt they owed them this answer.

President Russell asked if any of the Council members had any questions.

President Russell recognized Councilman Culver.

Councilman Culver stated to Mr. Thomas that he was certain his department had done a thorough job with this, as they always did. He stated that, however, he was committed to having the fire fighters present to speak to this issue. He stated to Mayor Battle that he hoped they would not have to postpone the budget because of this, but that he wanted to bring this matter up again at the next meeting of the Council. He stated that if they needed to do a resolution for a continuing operating budget, they might want to be prepared for that. He stated that because they had just come up with this information, he was not going to make any decisions about it until such time as the fire fighters were present. He stated

that he had spoken with Steve Jones by phone because he was out of town. He stated that he felt it was only appropriate that this matter be revisited in the presence of the fire fighters, so he would be bringing it up again at the next Council meeting. He continued that he would like for the matter to be discussed again at that meeting.

President Russell stated to Councilman Culver that there was nothing before the Council to vote on at this time.

Councilman Culver stated that he understood this.

President Russell recognized Councilwoman Robinson.

Councilwoman Robinson asked, concerning the 40 percent of cases where no change was found in the audit, if these persons had had a similar process, where they had been able to come to a Council meeting and respond to the audit findings. She asked if this had ever happened previously.

Mr. Thomas stated that when there was no justification to change a salary and grade, there was no presentation to the Council.

Councilwoman Robinson asked if this would be an unusual thing that they would be doing just for fire fighters.

President Russell stated that that was correct.

Councilwoman Robinson stated that this seemed to call in an issue of fairness, that they would be singling out a particular group, and that she was not certain that would be fair to other employees.

Councilman Culver stated that any employee who had

requested an audit would have the ability to come to the Council. He stated that this was a topic that had been heavily discussed for a long period of time. He continued that they always talked about transparency and being open and stated that he believed it was only appropriate and befitting for these employees to at least be privy to this particular information, and that if they chose to speak to it, they certainly had the right to do so, as well as anyone else. He stated that he certainly did not want to give the appearance of doing anything special for any particular employees because they valued all their employees, and all of them would be given the same opportunity.

Councilman Culver stated that he would like to digress for just a moment. He continued that he was aware that this was not an item they would be voting on, but he was aware that Mayor Battle was going to introduce the budget at the next Council meeting, and the budget would be based on a decision that the Council would make as related to what would happen with the fire fighters. He stated that it was only fair to give Mayor Battle the courtesy of deciding something on this before the budget would be passed, because the Administration might decide to do something differently. He stated that the fiscal year would not be starting until October 1 so there would still be time.

Mayor Battle stated that if it was all right with the Council, the Administration would bring forward the budget as

such, working through the policy they had already done, and that if it had to be amended after it would be brought forth and introduced, they would have a two-week period until the September 10 meeting in which to adjust it. He stated that they would need for the Council to make a decision, one way or the other, in that two-week period because they had to move forward in order to have the budget done prior to October 1. He stated that the budget would include a one percent COLA for employees. He continued that if they went another way, they were going to have to adjust those numbers. He stated that that would be the only way to do it and come up with a balanced budget. He continued that they would introduce the budget at the next meeting and discuss this, if that was all right with the Council.

President Russell stated to Councilman Culver that, obviously, the Council controlled the budget, so that the Council members could do whatever they wished concerning it. He stated that Mayor Battle would present the budget, and they could just move forward and make the decision.

Councilman Kling stated that there was always the option, if the need arose, to have a work session concerning the budget. He stated that it appeared they were talking about having at least a one-month process before the fiscal year. He continued that, however, the sooner the budget would be passed, the easier it would be to implement it for the new fiscal year. He reiterated that they could always hold a work session in

this time period.

President Russell recognized Councilman Showers.

Councilman Showers asked Mr. Thomas how the current fire fighters' schedule compared with other cities the size of Huntsville.

Mr. Thomas stated that he did not have that information available at this time. He stated that he was aware that the City's salaries were comparable, or even higher than a lot of the cities within the state of Alabama. He stated that the Council, along with Mayor Battle, had done a great job of setting the salaries at a good rate.

Mr. Hamilton stated that he could address this issue. He stated to Councilman Showers that as a part of this process, the Administration had asked that same question, as to how the fire fighters in the city compared to their peers in other cities. He stated that they had looked at peer cities throughout the Southeast, noting that they had taken into account all the cities in Alabama, all the cities in Mississippi, Tennessee, Georgia, and North Florida, essentially the areas that bordered Alabama, and any city with a population of at least 100,000, up to 300,000. He stated that, as far as population, Huntsville was close to the middle of this, that they had gone 100,000 on either side to define the peer cities.

Mr. Hamilton stated that there were 12 cities that met this definition. He continued that they had looked at the cities' fire fighter pay: the entry level, the mid-point of

their career, and then when they were topped out on the pay scale. He stated that within those 12 cities, at the entry point, the City was the fourth highest; at the mid-point, they were still the fourth highest; and at the topped-out stage, the City was the third highest. He stated that, topped out, the only two cities that had a higher salary than Huntsville were Tallahassee, Florida, with approximately \$3300 more per year, and Birmingham, Alabama, at approximately \$499 more. He continued that all the other cities were below Huntsville, and in some cases, significantly. He stated that he had this information on a chart available for any of the Council members who would like to see it, to see the actual numbers.

President Russell recognized Councilman Kling.

Councilman Kling asked Mr. Hamilton if that was for the position of fire fighter or if he was talking about in general, about the pay in general, for fire fighters, fire captains, and all the other positions.

Mr. Hamilton stated that it was pertaining to the actual fire fighter position, Grade 13.

Councilman Kling asked Mr. Hamilton if he had any comparisons concerning the other positions.

Mr. Hamilton stated that he did not have that available at this time but that they could prepare it.

President Russell asked if there was any further discussion of this particular matter.

There was no response.

President Russell thanked Mr. Thomas for his presentation.

President Russell stated that there were many elected officials present in the audience at this time and welcomed them, noting that he was aware there were persons present from Madison County and Limestone County. He stated that he was certainly glad they were in attendance at the meeting.

President Russell stated that the next item on the agenda was Business With Outside Legal Representation.

President Russell stated that there was the Council decision regarding the Personnel Hearing for Richard Fowler.

President Russell stated that if there were no motion in this matter, that would mean the Council was in agreement with the decision. He stated that if a Council member did not agree with the decision, they would need to make a motion concerning the matter.

President Russell asked if there was a motion concerning this matter at this time.

There was no response.

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

President Russell stated that it was the time and place in the meeting for a public hearing, pursuant to Ala. Code §§ 11-99-1 et seq., on the proposed creation of a tax increment financing district, tentatively named "TIF D6," which hearing was set at the July 23, 2015, Regular Council Meeting.

President Russell recognized Mr. Shane Davis, Director of

Urban Development.

Mr. Davis stated that this was a public hearing for the proposed TIF District 6. He stated that at the prior Council meeting, the Council had approved a resolution for this project plan to be created, and that at this time they were presenting this to the Council and to the public.

Mr. Davis made a PowerPoint presentation concerning this matter.

Mr. Davis stated that TIF District 6 would encompass 6,977 acres within the corporate limits of Huntsville and Limestone County. He stated that all activities provided in the project plan would take place within the corporate limits of the city of Huntsville. He continued that the proposed TIF District contained areas which were currently under utilized or undeveloped within the proposed TIF boundary. He stated that the City's maximum commitment for the project costs within the proposed TIF District 6 was \$68 million.

Mr. Davis stated that the project plan would be implemented within five years of the creation of this TIF District. He continued that what this meant was that, as he had mentioned in a previous meeting, the project plan for this TIF District 6 would be conservative, that they would not implement all projects at one time, that they would implement them as funding would allow within that five years, the statutory limit for starting those projects.

Mr. Davis stated that the proposed TIF District 6 plan

would capture the property tax mills from any new development as a result of the proposed Public Works improvements, noting that he wanted to stress "new development." He stated that the TIF District 6 project plan area currently produced \$91,000 in annual property taxes. He continued that these current tax collections would not be captured by the district, meaning that the County and the City and the school systems within this TIF District would continue to collect these proceeds.

Mr. Davis stated that the proposed tax increment capture rate would be 35 mills, typically designated for the City of Huntsville; 13.5 mills, currently designated for Limestone County; and 5.5 mills, designated for Limestone County Schools. He reiterated that the \$91,000 that was currently being generated within the proposed TIF District would continue to go to the entities as it was occurring at this time.

Mr. Davis stated that the displayed map depicted the TIF boundary for TIF District 6. He stated that, as one could see, within this boundary was primarily undeveloped land that was in need of help for future development. He stated that, as he had stressed at the prior Council meeting, the creation of this TIF would not require the development to occur, that they were only trying to create public works projects that would foster development.

Mr. Davis stated that the proposed project plan for TIF District 6 included six Public Works projects, with the first being the extension of Greenbrier Parkway, estimated at

\$30 million; Highway 20 improvements, estimated at \$8 million; Swancott Road improvements, on the south side of I-565, estimated at \$3 million; Chase Farm Boulevard improvements, estimated at \$2 million, located on the south side of I-565; and sanitary sewer improvements, estimated at \$5 million. He stated that this would be within the TIF District at various locations within the district. He continued that there would be a K-8 elementary school and associated rec park, located on Old Highway 20, just east of the Greenbrier Parkway, estimated at \$20 million. He stated that this would be a total of \$68 million.

Mr. Davis stated that the map that was being displayed depicted the area and location of the proposed public improvements. He stated that one item that was in green was a small portion of Greenbrier Parkway that was currently under construction. He continued that the remaining portions of Greenbrier Parkway, to the north of Huntsville Brownsferry Road, would be the \$30 million extension of Greenbrier Parkway.

Mr. Davis stated that the goal of any TIF District was to implement public works projects to foster growth in an area that would otherwise struggle to provide economic growth to such area. He continued that TIF District 6 was no different.

Mr. Davis stated that he wanted to give the public and the Council the opportunity to see what they believed these improvements moving forward with the TIF would create for this general area. He stated that three things they had seen

historically with the City's TIF's were commercial, industrial, and residential development. He continued that, if approved, this would be the City's seventh TIF. He stated that, per the zoning and the infrastructure they expected to put in place, moving forward with this TIF would create many opportunities for Polaris-type employment, distribution-type developments, and create greater job employment centers, and would also create areas for regional and local neighborhood-type commercial and office space and retail, and, also, residential and multi-family areas for future development.

Mr. Davis stated that, as persons could see, putting this infrastructure in place through this TIF District would create a very dynamic area of Huntsville and Limestone County. He stated that he would like to point out that there would be benefactors outside of the TIF District by creating this TIF and putting this infrastructure in the TIF. He stated that the map being displayed depicted areas outside the proposed TIF District, and that not only would the public works projects within the TIF district help the district they were creating, but would also help advance active growth in sales and property taxes outside the district, which the County schools, the City schools, Limestone County, and Huntsville would immediately receive, with the TIF District still in place.

Mr. Davis stated that he would be happy to answer any questions the Council members or the public might have.

President Russell asked if there was anyone in the

audience who would like to address the Council on this particular issue.

Ms. Jackie Reed, 1000-A Bob Wallace Avenue, appeared before the Council, asking if the City taxpayers owned any of this property at this time.

Mr. Davis replied in the affirmative.

Ms. Reed asked how many acres the taxpayers currently owned.

Mr. Davis stated that it was approximately 60 acres and that it was the proposed site for the elementary school and rec park. He continued that it had been donated to the City several years prior.

Ms. Reed stated that the City had paid \$15 million for approximately 400 acres in Limestone County. She asked if this was anywhere in this development.

Ms. Reed stated that Tax Increment Financing resulted in a property tax increase to persons, noting that it would not start immediately. She stated that her property tax on Jack Coleman Drive had gone up when a TIF had been put in in that area. She stated that people said that it did not result in a tax increase, but it did, that there was a property tax increase.

Ms. Reed stated that she knew that the proposed development was good, that they most likely already had their developers sitting out there. She asked what the developers would be putting into this project that the City was putting

\$68 million into. She asked where the City would get the money to do all this work, noting that the City was struggling. She asked if they had the traffic solved, in getting out to these places. She reiterated that she had a concern with the big developers.

Ms. Reed asked if the City Schools were at this time getting any school taxes from Limestone County.

Ms. Reed asked what length of time they were looking at for doing these roads, having the money, and when the development would start.

President Russell stated, concerning Ms. Reed's comment about the \$15 million for property, he believed she was talking about the McDonald land, and that he did not believe this figure was correct.

Mr. Davis stated that he believed Ms. Reed had asked about the Polaris purchase. He stated that the land that they had purchased was part of the economic incentive for Polaris. He continued that construction had just started, and that it was one of the few pieces that actually had some development taking place.

President Russell asked Ms. Reed if she had been talking about the Polaris property.

Ms. Reed stated that she was talking about the Sewell property, where the City had paid \$15 million for approximately 400 acres.

Ms. Reed stated that she could not understand what

Mr. Davis was saying, that perhaps he could speak louder.

Mr. Davis stated, concerning the TVA megasite, that they did have a land option, but they had not purchased that property and it was not in this TIF.

President Russell stated that the Sewell property was the TVA megasite, and the City did not own that property, and it was not in the TIF.

President Russell stated that he believed Ms. Reed's next question was where the City would get the \$68 million. He asked if Mr. Davis could explain that again.

Mr. Davis stated that if the Council approved TIF District 6, there would be GO bonds that would be issued. He continued that they were not planning on issuing a bond issue of \$68 million. He stated that currently they believed the first bond issue would be only for Greenbrier Parkway, somewhere in the 8 to 10 million dollar range. He stated that they were hoping that multiple industrial sites would come to fruition within that five-year period of putting in this infrastructure. He stated that as these would occur and create new taxes within this TIF District, they would then go back to the bond market to do the financing on these projects. He continued that if this did not occur, they might not implement all the projects, that they might get two or three, or, hopefully, all six.

President Russell stated that Ms. Reed had asked if the traffic had been taken into consideration.

Mr. Davis replied in the affirmative, stating that that was why the TIF project plan was predominantly roads.

President Russell stated that Ms. Reed had asked if the City schools received any money from Limestone County at this time.

Mr. Davis stated that they did not, as far as he was aware. He stated that the City had very few rooftops there.

President Russell asked if it was correct that if they were in the City of Huntsville, the City received money.

Mr. Davis stated that that was correct, but reiterated that the City had very few rooftops in that area.

President Russell stated that Ms. Reed had asked as to the length of time they were looking at for the projects.

Mr. Davis stated that by statute, they would have five years to implement the plan, and that after five years, they could not embark on any of these projects.

President Russell stated that Ms. Reed had made the statement that a TIF resulted in a property tax increase. He asked if Mr. Davis would explain to the public why this was not correct.

Mr. Davis stated that he had had a few calls come into his office asking for this to be explained. He stated that this was not a property tax increase, that the millage that was currently set in this incorporated area of Limestone County would stay the same. He stated that all the TIF would do would be to allow the new property taxes created from growth to be

captured at the current growth rate, and for that to pay back the bonds issued for the improvements. He stated that, typically and historically, the City's TIFs had paid off early, that they had had several they had brought before the Council that at this time the County, the City, and the School System were reaping the benefits of.

President Russell stated that Ms. Reed's final question was what private businesses or developers had put into this project.

Mr. Davis stated that it was zero, that this was a Public Works project in the TIF District.

Mayor Battle stated that the investment at this time, the private developer, would be the \$34 million Polaris would be investing in the property to build their plant and facility. He stated that this was the only investment they had from private developers at this time on this property.

Ms. Reed asked if it was correct that Polaris was going to own this property.

Mayor Battle stated that it was part of the TIF property.

Ms. Reed again asked if Polaris was going to own the property.

President Russell stated that Polaris was depicted in green on the displayed map.

Ms. Reed reiterated that there was a property tax increase involved. She stated that persons should go to the Tax Assessor's office and the Tax Collector's office and ask them

about this. She stated that with Parkway City Mall, her son's property taxes had increased. She continued that she lived on Jack Coleman, and that when a TIF had been put in in that area, she had gone to the Tax Assessor's office, and that she had written an article in "The Huntsville Times" about the situation. She stated that it might not be at this time, but that when the development came, that for whoever was sitting out on this property at this time, there would be a property tax increase.

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

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that he had been attending these meetings since TIF 1, so that he was pretty much aware of the process. He stated that he would like to commend Mayor Battle, Col. Hamilton, and certainly Mr. Davis, as well as many other team members, on this effort. He stated that one thing this would do would be to make the megasite a megasite plus plus, that it was going to make it hard for any other areas to compete with the megasite once the roads, sewer, et cetera, got put in. He stated that there were few places around with the development potential that this had. He stated that he believed it was a great project and hoped the Council would approve it.

Ms. Laurie McCaulley, City of Huntsville School Board,

appeared before the Council, stating that she understood the new elementary school would be a Huntsville City School facility. She stated that if this was correct, it would go by the desegregation order they had in place and it would be modeled and built upon the City School Board's current standards. She stated that with that being said, with her past experience, and in looking at the City's estimate, \$20 million would not be enough for this. She estimated that there would be an approximate \$8 million to be added to that figure. She asked if the construction came in over the amount they had estimated, if the School System had to pick up the difference or if it would come back to the TIF.

Ms. McCaulley stated that it appeared that this property was very close to a railroad and she was trying to determine how close it was. She stated that the School Board had had experiences with railroads. She asked how close this property was to the railroad track.

President Russell stated to Mr. Davis that Ms. McCaulley was saying that \$20 million would be insufficient for the elementary school, that it would be more like \$28 million. He asked who would be responsible for the difference and any overruns, or if this was just an estimate. He asked Mr. Davis to tell her how this would work.

Mr. Davis stated that if one looked at the elementary schools that had been replaced within the city limits of Huntsville, these were existing schools in well-populated

areas, and what was under discussion was in an undeveloped area. He continued that if they built this school, it would not have the number of students most elementary schools would have. He stated that the school would be built to Huntsville City School standards. He continued that this was an estimate for an initial school, and that in years to come that school would need to be expanded.

Ms. McCaulley stated that she would provide an example. She stated that Sonnie Hereford Elementary School was a K-6, and it had cost \$18 million, and it was for 600 children. She stated that, also, this school did not have the ball fields and the gym that would be necessary for a K-8. She stated that they needed to include athletic facilities. She continued that \$20 million would be on the short side, in her opinion. She asked that they please look into this.

Mayor Battle stated that they worked in partnership with the schools, that they had worked in partnership through this entire rebuilding of the schools and would continue to work in partnership with the schools. He stated that they had an agreement that was signed by both the School Board and the City Council, with the McDonald family, as they brought the property into the City, that when 800 rooftops were out there, they would be building a school. He stated that that was in an agreement that was signed by both parties. He stated that it would be a long, long shot that within five years 800 rooftops would be out there, but that they had put this in

so they could honor their agreement if this did so happen.

Mayor Battle stated that they had tried to keep the School Board's attorney involved in this, as they had gone through it, to make sure they did not feel like they were stepping outside the lines of the desegregation lawsuit. He stated that they had had this same conversation with Dr. Sisk the prior week, and that Dr. Sisk had some exciting plans which some day he would be able to talk about. He stated that this would also have to be done in conjunction with the desegregation lawsuit. He stated that they wanted to make sure that it worked for everybody, that they had made a pledge to the Judge that they would make sure it worked and that they would not do anything that would upset the intent of the order or the rules of the order.

President Russell stated that Ms. McCaulley had had a question concerning how close the school site was to a railroad.

Mr. Davis stated that from the perspective of the map displayed on the screen, it looked fairly close, but that, in actuality, the railroad was approximately a mile south of the school. He stated that the school site was on the north side of Old Highway 20 and the railroad was actually on the south side of Old Highway 20.

President Russell asked if there was anyone else in the audience who would like to address the Council on this issue.

There was no response.

President Russell stated that the public hearing was closed.

President Russell recognized Councilman Kling.

Councilman Kling asked Mr. Davis if Greenbrier Parkway would be a City road or a State road.

Mr. Davis stated that it would be a City road.

Mayor Battle stated that the prior week he had spoken with Dr. Tom Sisk, Superintendent of the Limestone County School Board, and to Mr. Mark Yarborough, Chairman of the Limestone County Commission. He stated that the City had promised them all the way through this process that they were going to work with them. He stated that the City wanted to work for the good of Limestone County, for the good of Huntsville, and for the good of the entire area.

Mayor Battle stated to Dr. Sisk that they appreciated his being present at the meeting. He continued that the City pledged to them that they would be working with them very closely. He stated that they could not have gotten the Polaris plant located in the area without the total cooperation of the Limestone County Commission, that without Mr. Yarborough's help and leadership they could not have gotten that plant located in the area. He continued that there were many more projects they were working on in that same area, and they had that same cooperation and the same pledge they would work with these groups to make sure everyone was a winner out of this, because it was their job to make sure that everyone was represented,

that everyone was a winner, and that this area would develop properly, and everyone prosper out of it. He stated to Dr. Sisk that this was their promise to them, and stated that he hoped they would find that the City was always good for that promise.

President Russell recognized Councilman Culver.

Councilman Culver stated to Mr. Davis that he believed he had said that \$35 million would go to Huntsville City Schools and \$11 million would go to the Limestone County Schools.

Mr. Davis stated that he was speaking on the current millage rate that was set up in that incorporated area of Limestone County. He stated that that was just the millage rate.

President Russell recognized Councilwoman Robinson.

Councilwoman Robinson stated that of the \$68 million, based upon what Mr. Davis had shown them previously, approximately \$40 million of it would be going to road projects. She stated that that was really the focus and the intent of this TIF. She continued that she believed they were being sidetracked by focusing on the school as much as they were. She stated that that would certainly be a piece of this, but that the intent was really to develop the area to attract economic development, which would, in turn, provide the tax base to grow the rest of the area, bringing in residential developments and other developments that would follow it. She stated that this was as she understood it and asked if this was

correct.

Mr. Davis stated that that was correct. He stated that Greenbrier Parkway would be focus No. 1, and then the connection to Huntsville Brownsferry, and the sanitary sewer extension, which he noted would lead to jobs and industrial growth. He stated that these were the first projects, which they would hit very hard. He stated that the remaining projects would come as they felt the TIF District would support them.

Councilwoman Robinson stated that that would include the school, noting that there was no one out there at this time.

Mr. Davis stated that that was correct.

Councilwoman Robinson stated that she would like to clarify when that school would have to be built. She stated that she was involved when they were doing that contract, but that that was some time ago. She stated that she had raised the issue because the original contract said that the school had to be built within five years. She continued that she had expressed concern that there was nobody out there and what if five years came and there was still nobody out there. She stated that they had then put that little piece in there that had been discussed. She continued that they had had a discussion about whether it was going to be rooftops, families, or what. She stated that she believed that at this time it was just certificates of occupancy. She asked if that would be single-family or multi-family.

Mr. Davis stated that it was kind of open-ended, as far as the agreement they had with the School System. He stated that they would look at certificates of occupancy, and then they would take that and get a population. He stated that that was what they were geared toward with building the school, was the population. He continued that they would lean more heavily to single-family residential than they would to multi-family.

Councilwoman Robinson stated that there were houses and apartments that were popping up out in that area that might or might not have children in them. She continued that just because they had the apartments did not mean they actually had children in the area, whereas in the single-family residences they might be more likely to have children.

Mr. Davis stated that that was correct.

Councilwoman Robinson stated that her thought in this regard was that she did not want to see the project derailed from the focus, which was the infrastructure development for economic growth in the area. She stated that the school would be kind of the last piece that would come at the end, and that they had plenty of time to work out the details. She continued that they did need to be cognizant of the fact that there was a court order and the Judge was watching what they were doing; and, also, that the funding that was provided for the school would be adequate for having a school in that location that would be needed when the rooftops appeared.

President Russell recognized Mr. Joffrion.

Mr. Joffrion stated that he would like to make one further clarifying comment and then address the issue of the public hearing. He stated that it was never the intent for this TIF to drive the issue of the school, that the intent was that if that decision were be made by the School Board and if the decision were made within the next five years, the City wanted the TIF to be able to support at least \$20 million of that cost. He stated that this was really a gift to the School Board of \$20 million of the cost if the School Board were to make that decision.

President Russell asked if there was any further discussion of this matter.

President Russell recognized Councilman Kling.

Councilman Kling stated that having been a School Board member himself, he just wanted to say to the School officials that he had been in their shoes, and that their legal authority in the eyes of the Alabama Constitution was equal with that of the Council. He stated that the Council wanted to work with them, but that it was not their role and that he did not believe there was anyone on the Council who would be trying to dictate to them what they should do. He stated that the Council members respected them, and that in his particular case he empathized and sympathized with them, and thanked them for the good work they did.

President Russell asked if there was any further discussion of this matter.

There was no response.

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

President Russell recognized Mr. Ken Benion, Manager of Community Development.

Mr. Benion stated that the resolution before the Council identified 42 properties that were in violation of the City's grass and weed ordinance. He stated that these properties were identified in the attachment by the owner and location. He stated that the owners had received written notification, by regular mail, that they were in violation of the ordinance and had been given 14 days to correct the violations. He stated that all owners had failed to respond, and that Community Development had issued work orders to cut the properties, at a total cost of \$9,115.87, and an average cost of \$217.05. He stated that the attachment also identified the date and cost for cutting these properties. He stated that the owners had received written requests, by regular mail, for payment, and they had failed to respond, so that he was requesting that property assessments be placed on the properties in order to collect the costs.

Mr. Benion stated that some of the owners might be present at the meeting and might wish to speak at this time.

President Russell asked if there was anyone in the

audience who would like to address the Council on this particular issue.

Ms. Jackie Reed again appeared before the Council, stating that she wanted to ask one question. She asked if the figure was \$9,000 to cut grass and asked what would happen if a person did not pay.

Mr. Benion stated that the City would place a lien on the property.

Ms. Reed asked if the City would take the property.

President Russell replied in the negative, stating that there was a lien placed on the property for the value of the service of cutting the grass. He stated that this was a service the City rendered.

Mayor Battle stated that there were 42 properties involved.

President Russell stated that it was approximately \$220 per property.

President Russell asked if anyone else in the audience wished to comment on this matter.

There was no response.

President Russell stated that the public hearing was closed.

President Russell 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. 15-577)

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

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

Councilman Kling read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the west side of South Shawdee Road and on the north side of South Village Square Road from Neighborhood Business C-1A District to Residence 2-A District, at the September 24, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-578)

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

Councilman Kling read and introduced Ordinance No. 15-579, rezoning property lying on the west side of South Shawdee Road and on the north side of South Village Square Road from Neighborhood Business C-1A District to Residence 2-A District.

Councilwoman Robinson read and introduced a resolution to set a public hearing on an ordinance rezoning property lying on the west side of U.S. Highway 231 South and on the north side of Magna Carta Place from Light Industry District to Residence 2 District, at the September 24, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-580)

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

Councilwoman Robinson read and introduced Ordinance No. 15-581, rezoning property lying on the west side of U.S. Highway 231 South and on the north side of Magna Carta Place from Light Industry District to Residence 2 District.

Councilman Showers read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying on the north side of Capshaw Road and on the east side of Autumn Branch Drive as Residence 2 District, at the September 24, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-582)

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

Councilman Showers read and introduced Ordinance No. 15-583, zoning newly annexed property lying on the north side of Capshaw Road and on the east side of Autumn Branch Drive to Residence 2 District.

Councilman Kling read and introduced a resolution to set a public hearing on an ordinance deleting Article 21, Neighborhood Business C-1A District Regulations, at the September 24, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-584)

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

President Russell recognized Councilman Showers.

Councilman Showers asked if someone could explain the reason for the deletion in this particular action.

President Russell asked if a representative of the Planning Department could come to the microphone and explain this resolution.

Mr. Jim McGuffey, Manager of Planning Services, appeared at the microphone.

Mr. McGuffey stated that they were looking to remove this district from the Ordinance, noting that there was only one piece of property in the city of Huntsville that currently had this zoning, and that with rezoning there would not be any district in the city with this zoning designation.

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

Councilman Kling read and introduced Ordinance No. 15-585, deleting Article 21, Neighborhood Business C-1A District Regulations.

Councilman Showers read and introduced a resolution to set a public hearing for suspension of licensure for certain taxpayers, at the August 27, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-586)

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

Councilman Showers read and introduced a resolution to set a public hearing for suspension of licensure for a certain taxpayer, at the August 27, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-587)

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

Councilman Showers read and introduced a resolution to set a public hearing for Turkessa Jefferson and Brian Ball, d/b/a Party Life, LLC, at the August 27, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-588)

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

Councilman Kling read and introduced a resolution to set a public hearing for Cecilio Kentish, Jr. and Tiffany Kentish, d/b/a KTI Express Courier, at the August 27, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-589)

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

Councilman Showers and was unanimously adopted.

Councilman Showers read and introduced a resolution to set a public hearing for Charlie Pat Reynolds, d/b/a Trans Care, at the August 27, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-590)

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

Councilman Showers read and introduced a resolution to set a public hearing for Tonia Butler, d/b/a ElderRide, at the August 27, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-591)

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

President Russell stated that the next item on the agenda was Communications from the Public. He stated that when one's name was called, one would have three minutes to address the Council.

Ms. Felicia Dangerfield, 1021 Parklane, appeared before the Council, expressing appreciation for the opportunity to speak to the Council. She stated that she had a couple of concerns at this time, noting that she had appeared before the Council previously and that she had told them she would be back. She stated that she had been told it would be okay if she played a tape. She stated that the City had had two of

their officers to again come out to her home, and that they had come at 8:55.

President Russell advised Ms. Dangerfield that she could not play a tape but that she could speak at the microphone.

Ms. Dangerfield stated that Councilman Kling had advised her that it would be okay to do so.

President Russell stated that he was sorry, but that was incorrect.

Councilman Kling stated to Ms. Dangerfield that President Russell was correct and that he was sorry, that he had not understood what she had meant.

President Russell stated that they would be glad to hear from Ms. Dangerfield.

Ms. Dangerfield stated that the City had had their officers come to her home at 8:55. She continued that it was her understanding that these officers had told her neighbors a lot of things about her. She stated that at 8:40 she was in her home, and she heard this woman out there just cussing and saying what the police had told her about her, and just acting a fool. She stated that she had called the police again, and the same two officers had come to her home. She stated that when she had called the police again, the woman was still out there, just cussing and acting a fool.

Ms. Dangerfield stated that she had gone and looked at the City ordinance about disturbing the peace, and those kinds of things. She continued that she believed this would work in

Terry Heights just like it would in Hampton Cove, was the point she was getting to. She stated that when they came to her home and listened to this tape, they felt like this was proper behavior. She stated that if the Council members would listen to the tape, with the cussing and the behavior, that it was ridiculous. She continued that they just kept coming, that she had about 50 of these. She stated that she kept being told that she had to live with this. She asked why she would have to live like this. She reiterated that she had looked at the ordinance concerning disturbing the peace, and that she did not see any way they could listen to this tape, or anything else about it, and find out that that was not true.

Ms. Dangerfield stated that the police were called, that the tape was 17 minutes long. She stated that she had been asking where the police were, and that she looked up, and the police were sitting right down there, just ignoring her call, and that they were looking at her like she was crazy. She stated that the police had told this woman things that they had no business telling her, and that then the woman thought that she had the right to come and say anything and do anything she wanted to, because the police had said that they did not care what she did to her. She stated that this just kept going on.

Ms. Dangerfield stated that another thing she had was if one went to the Magistrate or to some of the local offices, if one did not let them talk to them like a dog or do what they asked one to do, the next thing that would be happening would

be that a police officer would be escorting one out. She stated that these were public places and that because she did not like that she was being talked to incorrectly, or whatever they might be doing, that was not sufficient for them to feel they could just call the police on people, that they could not do this just because persons did not let them talk to them like they were dogs.

Ms. Dangerfield stated that when she and her brother had gone to the Warrant Magistrate trying to get a warrant, they were asked by two police officers what they had done, and they had not done anything. She stated that they did not want to give her a warrant because they had upheld everything this woman had done for the prior two years. She stated that they had thought that that would make her just run out and shut up, but that she was not that kind of person, because her mama had told her to do what was right, and that they were supposed to have all these other people that were working with persons to also do what was right. She stated that what was happening was ridiculous, some of the stuff that one got when one went to some of these local offices. She stated that the police were called every time persons would not let them talk to them like they were some kind of dog or something.

President Russell asked if someone from the Police Department could meet with Ms. Dangerfield and try to work out this matter.

President Russell recognized Councilman Culver.

Councilman Culver stated to Ms. Dangerfield that he had been taking in everything she had been saying and that he had heard her when she had previously appeared before the Council. He continued that he was concerned as to why the police were being repeatedly called, although Ms. Dangerfield had the right to call them as many times as necessary. He stated that that was an issue to be taken up with the Police Department.

Councilman Culver stated that Ms. Dangerfield had commented on something that was very dear to him, concerning the Magistrate's office, because he had run that office for approximately 17 years, and that he had never done anything like that. He stated that, however, they had had persons who had had to be removed from the office for obvious reasons. He stated that he was finding it difficult to understand that they would just call the police on her for no reason. He stated that he would like to talk with Ms. Dangerfield about this matter and to give her some pointers and tips on how she could go about being successful in this, noting that it all went back to how to talk to persons. He stated that if she wanted to see him, he would be more than happy to speak with her.

President Russell asked if Councilman Culver would get with Ms. Dangerfield concerning this matter.

Councilman Culver replied in the affirmative.

Mr. Ricky Hockett, 3208 Delicado Street, appeared before the Council, stating that he wanted to contact Councilman Showers, noting that he had met with him and he had

told him to stop paying his mortgage. He continued that he had tried to contact Councilman Showers' office several times, and that he had been saying he would meet with him, but that he had kept putting it off.

President Russell asked Mr. Hockett to address the Council or the Chair, and asked what he would like for them to do.

Mr. Hockett reiterated that Councilman Showers had told him to stop paying his mortgage, and that he had lost his property as a result of this, and that Councilman Showers had been avoiding him. He stated that he wanted to meet with Councilman Showers, that he had had a lot to do with this matter.

President Russell stated to Mr. Hockett that Councilman Showers would call him if he needed to. He asked Mr. Hockett if there was anything else he wished to say to the Council.

Mr. Hockett replied in the negative.

Mr. Howard Ross, 6620 Willow Point Drive, appeared before the Council, stating that he was trying to determine if there was anyone who knew where he could find archived City records, going back to 1980, for building C of O's for inspections. He stated that the Inspection Department had said that they did not keep these records there. He stated that he needed this because he had a rooftop of his own in back of the new Walmart Grocery on Jordan Lane and Oakwood Avenue. He stated that a lot of the houses back there had been built with what

was called a "Mansard roof," and that apparently they were approved with a type of building material that ordinarily was to meet Code but could have had a variance. He stated that unless he could dig up the archives, wherever the City stored old C of O's or inspection records, this house was going to get torn down because the rooftop did not meet standards.

Mr. Ross asked who could help him with this matter.

President Russell recognized Mr. Chuck Hagood, City Clerk-Treasurer.

Mr. Hagood stated that such records would have to be with the Inspection Department. He stated that unless they would have been voted on by the Council, he would not have any of the paperwork in his office. He continued that the Inspection Department would have this.

Mr. Ross stated that they had advised him that they did not have it, that they did not keep the old stuff.

President Russell asked Mr. Ross what the address was that he was looking for.

Mr. Ross stated that it was 4316 Chalet Circle.

President Russell stated that he would attempt to find this information for Mr. Ross.

Mr. Ross stated that he would appreciate that.

Ms. Jackie Reed, 1000-A Bob Wallace Avenue, again appeared before the Council, stating that she was sorry she had missed the prior Council meeting, stating that she and her family had gone to visit her mother-in-law, who would be 101 on August 19.

Ms. Reed stated that she was very sad to see leaders retire, noting that they were all honest and trustworthy and had certainly helped her when she had asked for things she needed. She stated that she wanted to congratulate the ones leaving, and she also wanted to congratulate the new persons who would be taking over these positions. She stated that she was sure they would be great team members and that she wished them all well.

Ms. Reed stated that before she got started on a rampage, she would like to ask the Council to hold items 15.I through 15.m on the agenda and explain what that was all about.

Ms. Reed stated that one of her main issues was concerning the railroad tracks on Church Street. She stated that she would like to see the arms go down on Church Street at the railroad tracks, where a train came through there flying. She stated that she had not seen the light, that she had missed it, and that car horns were blowing, but the train was not blowing its horn. She stated that there was no noise, that she had not had her radio on, but that the cars were blowing at her. She stated that the train had barely missed her. She asked that someone look into controlling the arms at the tracks there, that someone should make sure they went down.

Ms. Reed stated that she had attended a Historic meeting, noting that she understood that Mayor Battle appointed all the members of this board. She stated that she wanted to congratulate Mr. Peter Lowe, who was most likely one of the top

real estate persons in the city. She stated that Mr. Lowe had moved to let Mr. Citrano tear down a house at 706 Ward Avenue, but he had not gotten a second. She stated that there were six people at the meeting. She stated that there were 34 violations on the house. She stated that Mr. Citrano had been to the Historic Board six times, that he had been everywhere. She stated that Community Development had said he could demolish the property or fix it up. She stated that it would cost \$250,000 to repair a house that most likely would not bring \$100,000. She stated that he wanted to pay to have the house torn down, that that was all he wanted, to vacate the land. She stated that she was sure the City would have to pay the court costs if Mr. Citrano had to take the matter to court again, noting that that was what he intended to do.

Ms. Reed stated that she could read to the Council 64 violations, noting that she had the sheet and she would give it to the Council. She reiterated that it said the house could be demolished.

Ms. Reed stated that she had gone over and asked the woman who was head of the Historic, and that she had asked if any of them had a real estate license, and that they really did not know what she was talking about.

Ms. Reed reiterated that Mr. Peter Lowe had made a motion to allow Mr. Citrano to demolish the house. She continued that they had shown pictures of the house, noting that she had never before seen a house with so much damage on it. She stated that

she was appealing to the Council to bring those pictures before this Council and look at this home in the historical district and allow this man to pay \$10,000 to have this house torn down. She stated that he was 89 years old and was a war veteran. She stated that she could provide to the Council the information that said that he could demolish it. She continued that the Historic Society had his hands locked.

Mayor Battle stated to Ms. Reed that President Russell was on the Historic Commission, in case she needed to speak with him about this.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating that he wanted to speak concerning the issue of Curtis Jordan, the man the police were called to help and who wound up dead. He stated that the family had been asking about the cause of death and that they was still no cause of death listed on this man's death certificate. He stated that this family did not deserve this kind of treatment.

Pastor Johnson stated that the second thing he wanted to discuss was that persons wanted to continue to understand where the City was in the process of acquiring body cameras. He stated that they appreciated the fact that the Council and the Mayor had 100 percent determined that they would be getting those. He continued that he understood that there had to be sufficient training and noted that the training had to be both for the Police Department and the community. He stated that they wanted to take part in understanding the policies that

were developed relative to this. He stated that they must have the community understand, and the police had to understand this, as well as being trained on the policies and practices. He stated that everyone was in Huntsville together, and that the history that he understood and had seen, with reference to statistics, indicated to him that they were going to have to take a real serious focus on training or retraining the Police Department. He continued that he believed it was only fair that the community was abreast of how this worked.

Pastor Johnson stated that he was asking at this time where they were relative to milestones, if they had created plans, if they had a committee working on policies, and things such as this. He stated that they would also like to know if the community was going to be involved in this development, understanding that if one were involved in the development, one could be a part of the explanation to the community.

Pastor Johnson stated to Mayor Battle that he understood he had appointed a new Chief of Police and he understood there was a new Deputy Chief of Police, and things were changing. He stated that he was kind of taken aback because it was announced but that it had not been ratified, certified, or voted on by the Council. He stated that he had thought with the last Chief of Police this had had to happen. He stated that, however, he had not heard that the Council had voted on this, but it was all over the papers that there was a new Chief of Police.

Pastor Johnson stated that those were his three areas of concern.

President Russell stated that it was correct that the Council had not voted on that.

President Russell stated that he did not believe the Council could do anything concerning the first issue Pastor Johnson had mentioned.

President Russell asked Mr. Hamilton to comment on Pastor Johnson's second issue, concerning body cameras.

Mr. Hamilton stated that there was a team of persons in the City that were putting this program together. He stated that Captain Tommy Presley of the Police Department was leading the team, and that there were representatives from ITS, Legal, and the Police Department. He stated that they were close to finalizing the draft policy and that that should come to him the following week, for a full update on where they were with the program.

Mr. Hamilton stated that this team had been very successful in looking at a number of different models in terms of the hardware. He stated that there were multiple parts of this issue, but that in terms of the hardware, he believed they were pretty settled on what would work best, given the compatibility of existing equipment. He stated that they had said that one of their goals was to retain the dash cams, as well as the audio capability, that they currently had, and the body cameras would become an added component. He stated that

they had seen a lot of situations when they would go back and study incidents they had had, and there were some where the body cameras would not have captured, where the dash cams would have, and vice versa. He stated that they saw great value in things being captured by multiple videos so that there would be multiple angles. He stated that in terms of the hardware, this had been one of the goals.

Mr. Hamilton stated that they were working through this, to assure they had the appropriate compatibility with the existing equipment. He stated that there were models that provided this. He stated that they were very comfortable with what this hardware could provide, as well as the price point, given where they were with funding.

Mr. Hamilton stated that the second piece of this was the storage. He continued that they had spent a good bit of time on this and that the Legal Department was focused on what should be the appropriate retention levels. He stated that the current policy they had, in terms of retaining the videos for dash cams, they did not believe was sufficient, that, in fact, they were going to begin retaining these videos for a longer period of time than what was currently done by policy.

Mr. Hamilton stated that Legal was working through this and that that would be part of the update the following week, to review what these retention levels should be relative to statutory limitation and other State or Federal law, to assure that what they would do would be in accordance with those

things, as well as capturing for the communities. He stated that what would ultimately be the greatest long-term cost of the program would be the storage and management of all this data. He stated that all of these videos would result in an enormous amount of data, and that they were working through what would be the best way to do this. He stated that they were looking at a solution where they would do this solely internally, where ITS would potentially actually do the storage and management, and that they had also engaged with private providers to potentially do this storage, in the cloud or some other solution.

Mr. Hamilton stated that they were just working through what they believed would ultimately give them the best response to the community, as well as what would be most affordable for the taxpayers. He stated that there were studies and cost comparisons between these solutions, internal versus external. He continued that it also could be a hybrid, where some would be retained internally and some sent out to the cloud.

Mr. Hamilton stated that he would have a more thorough update the following week and would give the Council a full detailed update at the next Council meeting, based on the update from the team the following week.

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

Councilman Showers read and introduced a resolution to reappoint Roosevelt Dixon to the Housing Board of Adjustments

and Appeals, for a term to begin August 22, 2015, and to expire August 22, 2020, as follows:

(RESOLUTION NO. 15-592)

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

Councilman Showers read and introduced a resolution to reappoint Ola Mae Tibbs to the Housing Board of Adjustments and Appeals, for a term to begin August 22, 2015, and to expire August 22, 2020, as follows:

(RESOLUTION NO. 15-593)

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

President Russell stated that the next item on the agenda was Board Appointment Nominations.

President Russell nominated Terrance Vickerstaff for appointment to the Alabama Constitution Village/Historic Huntsville Depot Board, for a term to begin August 27, 2015, and to expire June 26, 2018.

President Russell nominated Kerry Fehrenbach for appointment to the Health Care Authority of the City of Huntsville, for a term to begin August 27, 2015, and to expire August 15, 2021.

Councilman Showers read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 15-594)

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

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

Councilman Showers replied in the negative.

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

President Russell recognized Mayor Battle.

Mayor Battle stated that in preparing to do the budget, there were several minor changes they wanted to put in place. He stated that he would like to ask that items 14.a, Ordinance No. 15-595; 14.b, Ordinance No. 15-596; and 15.e, Ordinance No. 15-597, be considered by the Council, by unanimous consent, at this meeting.

Mayor Battle stated that they needed to fill the positions that were being vacated by Mr. Hatfield and Chief Morris. He stated that he would like to ask for the Council's concurrence in the appointment of Captain Mark McMurray to the position of Chief of Police for the City of Huntsville, Grade 22, Step 9, effective September 1, 2015, and the appointment of Chris McNeese to the position of Director of Public Works, Grade 22, Step 9, effective September 1, 2015.

Councilwoman Robinson moved to approve the appointment of Mark McMurray to the position of Chief of Police, Grade 22,

Step 9, effective September 1, 2015, which motion as duly seconded by Councilman Culver.

President Russell asked if there was any discussion of the above matter.

There was no response.

President Russell called for the vote on the above motion, and it was unanimously approved.

Councilman Showers asked if the new Chief of Police was present at the meeting.

President Russell replied in the affirmative. He asked Chief McMurray to come to the microphone and introduce himself to the Council and the public.

Chief McMurray stated that he had been with the Huntsville Police Department for 29 years and had had approximately 32 years in law enforcement. He thanked the Council for its vote of confidence in him and stated that he looked forward to serving and continuing the tradition that Chief Morris had, with the integrity, with the building up of his foundation, and stated that he looked forward to a period of growth. He also thanked Mayor Battle and Mr. Hamilton.

Councilman Kling stated that he felt that these two appointments were great appointments and that he felt it was certainly good for City employees to see that there was upward mobility, and that, for the taxpayers, he felt it was great to have this caliber of persons available to serve as department heads. He stated that these persons' experience within the

departments was certainly a plus versus a person that might come in from the outside. He reiterated that these were both great choices.

Councilman Kling moved to approve the appointment of Chris McNeese to the position of Director of Public Works, Grade 22, Step 9, effective September 1, 2015, which motion as duly seconded by Councilwoman Robinson.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on the above motion, and it was unanimously approved.

President Russell asked Mr. McNeese to come to the microphone and introduced himself to the public and to the Council.

Mr. McNeese stated that he had been with the City for 17 years, working in the Engineering Department, and having come from the private sector, working for a consulting firm. He stated that he had really enjoyed working in the department he had been in and that he was looking forward to being part of the team at Public Works. He stated that there was a wonderful, talented, competent team there that was really working hard for the City. He thanked the Council and the Administration for allowing him to serve in this capacity.

Councilman Culver stated that Mr. McNeese was stepping into some very big shoes and stated that his one request was

that Mr. McNeese provide him with his cell phone number.

Mr. McNeese stated that he certainly would have it, along with the other Council members. He stated that Mr. Hatfield had certainly been great in helping him in this transition and had brought him up to speed on so many issues. He agreed that he had some very large shoes to fill, noting that Mr. Hatfield had done a wonderful job in that department.

Councilman Culver stated that he would also like to have Chief McMurray's cell number, noting that he had worked with him himself as a police officer. He continued that he certainly believed Chief McMurray would be a great department head with the Police Department.

President Russell stated that he was certain Mr. Hamilton would provide all the Council members with everyone's contact information and also provide an organization chart with the changes.

Mayor Battle announced the following reappointment:

Randy Schrimsher to the Von Braun Civic Center Board of Control, for a term to begin August 27, 2015, and to expire August 27, 2019.

Mayor Battle stated that during the prior week there had been the Space and Missile Defense Conference held in the city, and that this had been a great job opportunity, to be able to talk to a number of businesses who were interested in moving into the Huntsville area. He continued that they had announced 100 jobs with Lockheed Martin. He stated that it was a very

good conference for the city.

Mayor Battle stated that there would be a lot of activities in the city throughout the weekend, including Huntsville Restaurant Week, the Hottest Weekend of the Year Fest, Movies in the Park at Big Spring East, with "Despicable Me" showing. He stated that Food Truck Friday would be on August 21, and that there were breakfast food trucks every Saturday.

Mayor Battle thanked the Scouts in the audience for their attendance at the meeting, noting that they had had the opportunity to see a real picture of democracy in action, and that he hoped they had been enlightened.

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

President Russell recognized Councilman Culver.

Councilman Culver stated that earlier in the meeting the Council had approved resolutions recognizing Robin Givens, who he noted was a renowned actress, and to Eric Taylor, a renowned performer, and that he would be presenting these at the Phillips CME Church 150th Anniversary Gala, on August 21, 2015, at the Jackson Center. He stated that he was certainly looking forward to Councilman Showers' assistance with this and also looking forward to the presence of Mayor Battle at the event, along with anyone else who wished to attend.

President Russell recognized Councilman Kling.

Councilman Kling stated he wanted to congratulate the

Fraternal Order of Eagles, noting they had celebrated their 50th anniversary the prior weekend. He stated that at that time he had presented a certificate, signed by the Mayor and the Council members, to them, in honor of their contributions to the community. He stated that there were many charitable and other activities they had to make West Huntsville a better place.

Councilman Kling stated that his monthly Town Meeting would be held on the following Monday at the Library, at 7 p.m. He stated that everyone was welcome to attend, noting that this was a very casual event.

Councilman Kling stated that he had attended a meeting on the prior Monday with the Rocket View Neighborhood Association, which he had certainly enjoyed. He stated that this group had been working very hard on raising money to install a new neighborhood brick sign to replace one that was more than 50 years old. He congratulated them on the great energy they had to help their neighborhood.

Councilman Kling stated that he had also attended a meeting with a group known as the "West Huntsville Posse," a group of neighborhood association leaders. He stated that they had discussed several different ideas and he had gotten very good input concerning the new Westlawn property, if it were to be rezoned and the plans of the School System went through to sell the property, and things the City could do to help make the property more accommodating to the neighborhood, from

things such as directional lighting to seeing if a sign could be put up for an adjacent church.

Councilman Kling asked if Dan Sanders, Director of Traffic Engineering, was present at the meeting.

Mr. Sanders came to the microphone.

Councilman Kling stated to Mr. Sanders that he was aware he had a very full plate, especially with school starting. He stated that he was aware that Mr. Sanders had been working on issues in the Madison Heights neighborhood, with Governors Drive traffic going west in the morning and going east in the late afternoon, and that he appreciated his efforts on this.

Councilman Kling stated that he believed he and Mr. Sanders had gotten the same email on the current day about the traffic problem that was going on adjacent to the Arsenal gate, with heavy trucks that were coming into that area.

Mr. Sanders stated that that was correct.

Councilman Kling stated that he just wanted to make sure Mr. Sanders had this on his list.

Mr. Sanders stated that he had replied to the email and had cc'd Councilman Kling on it. He stated that they were prioritizing that one and were working on it.

President Russell recognized Councilman Showers.

Councilman Showers stated that he would like to thank the Public Works Department, Mr. Hatfield and others, for a project that was going on at this time, the repaving of a section of

Pulaski Pike. He stated that as this was being completed, he would just ask the citizens to be patient.

Councilman Showers stated that on the prior Saturday, he had been delighted to attend the annual Johnson High School/North Cluster of PTA's Back to School Parade, which he noted had been well attended. He stated that the Mayor and other elected officials had been in attendance to support this effort.

Councilman Showers stated that the North Huntsville Business Association would meet on August 19 at 1 p.m. at the Mastin Lake Baptist Church.

Councilman Showers stated that, as had been previously mentioned, on August 21, the Phillips CME Church would be holding its 150th Anniversary Gala, at the Jackson Center, and that he would be in attendance at that event.

Councilman Showers stated that the Second Chance Deliverance & Restoration Ministries would be holding an event in recognition of 10 years of Kingdom service on August 22 at Union Chapel Missionary Baptist Church.

Councilman Showers stated that he would like to encourage persons who lived in the Terry Heights area to visit the Terry Heights Community Farmers' Market they would be having on August 26. He asked persons to participate in this, noting that there would be good items.

President Russell recognized Councilwoman Robinson.

Councilwoman Robinson stated that she had had the

opportunity during the week to attend the World War II Victory Day Celebration, celebrating the 70th anniversary of the ending of World War II. She stated that her father was a veteran of World War II, Korea, and Viet Nam, and it had been great to be there, joining 2,000 other persons to honor 450 World War II veterans who had gathered at the Davidson Center. She stated that it was a great event, and it was the kind of thing which was very characteristic of Huntsville, noting that Huntsville was a very patriotic city.

Councilwoman Robinson stated that she wanted to recognize the City employees who had worked in the Manna House project, noting that there were department directors, administrative assistants, and so many people from all over the City staff who were there helping, noting that it was hot and crowded. She stated that they had run out of toilet paper to give away, and so Belinda Sons had put together a toiletry drive the next week. She stated that there had been a wonderful response, that the City had such a terrific staff, and that had been evident at the Manna House, and she wanted to applaud them for the effort.

Councilwoman Robinson stated that Mayor Battle, President Russell, and herself had attended the ribbon-cutting at the new Whitesburg school, noting that this was a beautiful facility of which the entire community could be proud. She stated that it was a prototype for other schools that were going to be built.

Councilwoman Robinson stated that she wanted to applaud Mr. Dan Sanders and the Huntsville Police Department for their efforts to deal with traffic at the new Whitesburg school, which she noted had a new traffic pattern. She stated that the entire community appeared to be learning how to make it work and that, hopefully, the addition of a second stacking lane would help with this.

Councilwoman Robinson stated that she would like to thank Dennis Madsen for presenting to the South Huntsville Business Association the past Tuesday, noting that, as usual, he had done a tremendous job of sharing the BIG Picture. She stated that this was visionary and was exciting every time she heard it.

Councilwoman Robinson stated that she wanted to say they had listened to the community and had heard the concerns about the Southside Dog Park and that there would be a significant redesign of this park. She thanked Steve Ivey for making that happen. She stated that the dog park would be closed commencing on September 1 for this redesign. She stated that there would be one section for small dogs and one section for large dogs, and that it would be cleared, with a sod area. She continued that this would be a more friendly environment for small dogs.

Councilwoman Robinson stated that she would be holding a Town Hall meeting on August 20 at 6:30 p.m. at the Bailey Cove Library. She stated that Kathy Martin had agreed to come and

talk about the South Huntsville overpass projects and other road projects that were going on.

Councilwoman Robinson thanked Terry Hatfield and Chief Lewis Morris for their service to the city, noting that they had both been extremely responsive to her in her new position, and that they had been very patient in helping her learn what she needed to do. She stated that she would certainly miss them, but that she also wanted to welcome Chief McMurray and Mr. McNeese, noting that she certainly looked forward to working with them and believed they were great additions to the staff.

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

(Councilman Culver is not present in the Council Chambers.)

President Russell moved for approval of Ordinance No. 15-527, amending and updating Chapter 22, Article IV, Section 2-152, Budget Management, of the Code of Ordinances, which ordinance was introduced at the July 23, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-527)

Said motion was duly seconded by Councilman Showers.

President Russell asked if there was any discussion of this ordinance.

Councilman Kling asked if they could get a brief explanation of it.

Mayor Battle stated that each of the Council members had received a memo concerning this ordinance. He stated that it was a master ordinance for the City Code and that it defined certain in general budget issues. He stated it had been last amended in 1995. He stated that due to the new system rollout on 10-01 and many changes in practices since 1995, it was due for an update. He stated that they were modifying the budget preparation process. He stated that there were certain dates that things had to be done for the budget, to conform to their practice, at least since 2000. He stated that it was mainly making some qualitative assessments optional by the Mayor and Council. He stated that it gave them a little latitude and also required them to do some things. He stated that they were changing the budgetary category definitions to conform to the new system. He continued that it had no affect on Council controls. He stated that they were conforming the Council's level of budgetary control to the new definitions, and that this would have no affect on the Council level of budget control, either. He continued that they were removing certain language that must have been necessary in the 1990's, that it was in the Personnel ordinances. He stated that this came from Mr. Taylor.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for a roll call vote on Ordinance

No. 15-527, and the following vote resulted:

AYES: Showers, Robinson, Kling, Russell

NAYS: None

ABSENT: Culver

President Russell stated that it was adopted.

President Russell moved for approval of Ordinance No. 15-528, amending Chapter 2, Article V, Section 2-222, Cell Phone Policy, of the Code of Ordinances, which ordinance was introduced at the July 23, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-528)

Said motion was duly seconded by Councilman Showers.

President Russell asked if there was any discussion of this ordinance.

Mayor Battle stated that, again, this was a master ordinance for the City's Code defining cell phone policy. He stated that it had last been updated 10 years prior. He stated that there were clarifications of certain processes, with the main change being to conform to the current IRS regulations. He stated that there would be no affect on cell phone usage or allowances.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for a roll call vote on Ordinance No. 15-528, and the following vote resulted:

AYES: Showers, Robinson, Kling, Russell

NAYS: None

ABSENT: Culver

President Russell stated that it was adopted.

President Russell moved for approval of Ordinance No. 15-530, amending Section 8.2, Appointment Rate, of Ordinance No. 04-315, Personnel Policies and Procedures Manual, which ordinance was introduced at the July 23, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-530)

Said motion was duly seconded by President Russell.

Mayor Battle stated that this would allow lateral moves, both Police and Fire. He stated that if there were a need for 40 officers, this would open it up to the outside, so that they could get some who were tried and true.

Mayor Battle recognized Mr. Byron Thomas, Director of Human Resources.

Mr. Thomas stated that, also, it would allow the Police Department to hire at least three steps above minimum if they hired an officer that had more than seven years of experience.

President Russell asked if there was any further discussion of this matter.

President Russell recognized Councilman Showers.

Councilman Showers asked if this included both the Fire and Police departments.

Mr. Thomas replied in the affirmative.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for a roll call vote on Ordinance No. 15-530, and the following vote resulted:

AYES: Showers, Robinson, Kling, Russell

NAYS: None

ABSENT: Culver

President Russell stated that it was adopted.

President Russell moved for approval of Ordinance No. 15-531, amending Section 22.14, Conference and Travel, of Ordinance No. 04-315, Personnel Policies and Procedures Manual, which ordinance was introduced at the July 23, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-531)

Said motion was duly seconded by Councilman Showers.

President Russell recognized Mr. Thomas.

Mr. Thomas stated that this had been requested by Finance. He continued that it clarified and cleaned up some of the language in the Personnel Policies and Procedures Manual with regard to conference and travel. He continued that it also spoke to credit cards, or purchasing cards and travel cards, as well as clarifying the need for travel that needed to be approved by City Council members. He continued that it provided the necessary clarification as far as advance payment.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for a roll call vote on Ordinance No. 15-531, and the following vote resulted:

AYES: Showers, Robinson, Kling, Russell

NAYS: None

ABSENT: Culver

President Russell stated that it was adopted.

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

(Councilman Culver is now present in the Council Chambers.)

President Russell read and introduced an ordinance to amend Ordinance No. 89-79, Classification and Salary Plan Ordinance, as follows:

(ORDINANCE NO. 15-595)

President Russell moved that unanimous consent be given for the immediate consideration of and action on said ordinance, which motion was duly seconded by Councilman Kling, and upon said motion being put to vote, the following vote resulted:

AYES: Showers, Robinson, Culver, Kling, Russell

NAYS: None

President Russell stated that the motion for unanimous consent for immediate consideration of and action on said

ordinance had been unanimously carried.

President Russell thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Showers.

President Russell asked for an explanation of the above ordinance.

Mayor Battle stated that they had been working on this for a number of years, in consultation with Mr. Taylor, the Finance Director, being putting an Assistant Director of Finance in place who would be able to handle the nuts and bolts of the Finance office, leaving the Finance Director with the ability to be able to look at the big, overall picture of the financial situation. He stated that they would like to go ahead and put this position in place so that they could commence advertising it on the following Monday so they could have this person in place by mid October.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Ordinance No. 15-595, and it was unanimously adopted.

President Russell read and introduced an ordinance to amend Budget Ordinance No. 14-665 to modify the authorized strength of a department, as follows:

(ORDINANCE NO. 15-596)

President Russell moved that unanimous consent be given

for the immediate consideration of and action on said ordinance, which motion was duly seconded by Councilman Showers, and upon said motion being put to vote, the following vote resulted:

AYES: Showers, Robinson, Culver, Kling, Russell

NAYS: None

President Russell stated that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried.

President Russell thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Showers.

President Russell recognized Mayor Battle.

Mayor Battle stated that this was a continuation of the ordinance the Council had just passed putting the requested position in place, and that this resolution was modifying the authorized strength in that department, so that the subject position would be in that department.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Ordinance No. 15-596, and it was unanimously adopted.

President Russell read and introduced an ordinance amending Ordinance No. 89-79, entitled "The Pay Classification Ordinance of the City of Huntsville," as follows:

(ORDINANCE NO. 15-597)

President Russell moved that unanimous consent be given for the immediate consideration of and action on said ordinance, which motion was duly seconded by Councilman Kling, and upon said motion being put to vote, the following vote resulted:

AYES: Showers, Robinson, Culver, Kling, Russell

NAYS: None

President Russell stated that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried.

President Russell thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Showers.

President Russell recognized Mayor Battle.

Mayor Battle stated that this ordinance did two things, that, No. 1, it changed the grade of the Director of Public Works from a Grade 23 to a Grade 22, which was the normal grade for this position. He continued that when Mr. Terry Hatfield had taken this position, he was in a Grade 23 position with the City and that grade had moved with him to the Public Works Department. He stated that this was simply changing the pay grade back to the grade that it should be.

Mayor Battle stated that the next part of this concerned the Senior Executive Officers in the City of Huntsville, being the City Finance Director, the City Clerk-Treasurer, the

City Attorney, the City Judge, the City Administrator, and the Director of Urban Development. He stated that they wanted to move the salaries of these persons up as follows: the top end of their salary being moved from approximately \$140,000 to \$158,981 and the bottom level of their salary being moved from \$87,318 to \$98,669.

Mayor Battle stated that the reason for doing this was the City was in a competitive market, that they had had interested governments come to some of the department heads, who were very good department heads, and especially the senior executive positions, and express an interest in employing them and had discussed paying them more money. He stated that this could result in the loss of the services of these persons to the City of Huntsville.

Mayor Battle stated that they believed this was a wise move, that it was a competitive move. He continued that these were skilled positions, and they could not find many persons to fill these skilled positions throughout the market. He stated that whether it would be a City Attorney, a City Administrator, or a City Urban Developer, who had an engineering background, or a judge or a finance director, the City had to be competitive in the salaries it paid.

Mayor Battle asked that the Council approve this at this time so that they could also include this in the budget that would be coming forward.

President Russell asked if there was any further

discussion of this matter.

There was no response.

President Russell called for the vote on Ordinance No. 15-597, and it was unanimously adopted.

President Russell read and introduced Ordinance No. 15-598, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance.

President Russell read and introduced Ordinance No. 15-599, amending Budget Ordinance No. 14-665, modifying the authorized strength of various departments.

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

President Russell moved for approval of a request for authorization to advertise and fill one Landscape Maintenance Worker position, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City Huntsville and the Madison County Commission for the FY 2015 Edward Byrne Memorial Justice Assistance Grant, as follows:

(RESOLUTION NO. 15-600)

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

President Russell read and introduced a resolution

authorizing the Clerk-Treasurer to invoke BB&T Bank Letter of Credit No. 964155913700003 for Pulaski Corner Subdivision, as follows:

(RESOLUTION NO. 15-601)

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

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Servis First Bank Letter of Credit No. 13780 for Hawks Ridge Estates Subdivision, as follows:

(RESOLUTION NO. 15-602)

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

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Progress Bank Letter of Credit No. 9000268100 for Midtowne on the Park Phase 3 Subdivision, as follows:

(RESOLUTION NO. 15-603)

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

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Worthington Federal Bank Letter of Credit No. 2014-50 for Overland Cove Phase 2

Subdivision, as follows:

(RESOLUTION NO. 15-604)

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

President Russell read and introduced a resolution authorizing the City Attorney to settle the workers' compensation claim of Sharon Grissett, as follows:

(RESOLUTION NO. 15-605)

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

President Russell read and introduced a resolution authorizing the City Attorney to settle the claim of James Buchanan (FY13-136), as follows:

(RESOLUTION NO. 15-606)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into a contract with Family Services Center, Inc., for new construction of a house, using HOME Investment Partnership funds, at 2909 Wilson Drive in the Terry Heights neighborhood, as follows:

(RESOLUTION NO. 15-607)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a contract with Family Services Center, Inc., for new construction of a house, using HOME Investment Partnership funds, at 2903 Hart Drive in the Terry Heights neighborhood, as follows:

(RESOLUTION NO. 15-608)

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

President Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final to the agreement between the City of Huntsville and Tolar Construction Company, Inc., for Fire Station No. 19, located at 2455 Old Big Cove Road, as follows:

(RESOLUTION NO. 15-609)

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

President Russell read and introduced a resolution authorizing the Finance Department to issue payroll checks scheduled for Friday, October 2, on Wednesday, September 30, as follows:

(RESOLUTION NO. 15-610)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agency Appropriation Agreement between the City of Huntsville and First Stop, Inc., as follows:

(RESOLUTION NO. 15-611)

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

President 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. 15-612)

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

President Russell read and introduced an ordinance amending Budget Ordinance No. 14-665, by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 15-613)

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

President Russell read and introduced an ordinance

amending Ordinance No. 14-665 by changing the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 15-614)

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

President Russell moved for approval of a request to advertise and fill the position of Assistant Director of Finance, Pay Grade 20, and to fill at higher than minimum if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell moved for approval of a request for authorization to advertise and fill one (1) regular, full-time position of Humane Educator, Grade 11, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and OMI, Inc., for Engineering Design Services for Big Spring Park Stabilization and Remediation Plan, Project No. 65-15-DR05, as follows:

(RESOLUTION NO. 15-615)

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

President Russell read and introduced a resolution

authorizing the Mayor to enter into an agreement between the City of Huntsville and Garver, L.L.C., for Engineering Services for Western Area Wastewater Treatment Plant Operations Audit, Project No. 65-15-SP53, as follows:

(RESOLUTION NO. 15-616)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Garver, L.L.C., for Engineering Services for 2015 Flow Monitoring Program-Annual Operations, Maintenance, Data Analysis and Reporting, Project No. 65-15-SP52, as follows:

(RESOLUTION NO. 15-617)

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

President Russell read and introduced a resolution correcting the descriptive name of an agreement between the City of Huntsville and the State of Alabama, as previously adopted and approved by the City Council of the City of Huntsville, pursuant to Resolution No. 15-552, on July 23, 2015, as follows:

(RESOLUTION NO. 15-618)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell moved for approval of a request for authorization to advertise and fill the budgeted vacant position of Deputy Director of Inspection, Grade 19, at higher than minimum if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the Mayor to enter into a contract with the Administrative Director of Courts and the City of Huntsville Municipal Court for the Court Referral Officer Program, as follows:

(RESOLUTION NO. 15-619)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into a License Agreement between the City of Huntsville and Valley Arts and Entertainment, Inc., as follows:

(RESOLUTION NO. 15-620)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement between the

City of Huntsville and Pierce Manufacturing, Inc., for the construction of one Enforcer 107' Ascendant Aerial Fire Apparatus, as follows:

(RESOLUTION NO. 15-621)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into a Development Agreement between the City of Huntsville and CityCentre I, LLC (Tract 2), as follows:

(RESOLUTION NO. 15-622)

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

President Russell asked Mr. Shane Davis for an explanation of the above resolution.

Mr. Davis stated that he would give a brief PowerPoint presentation, noting that this was the former Holiday Inn property. He stated that once he explained all parts of this, it would be repetitive for the related items on the agenda.

Mr. Davis stated that the prior February, they had brought before the Council a development agreement and ground lease with CityCentre, LLC. He continued that the ground lease was for 99 years, at \$144,000 per year. He stated that the development agreement required CityCentre, LLC., to construct

one urban-style hotel with a minimum of 120 rooms, and restaurant and retail space, multi-family units, and office and commercial space. He stated that what they were bringing before the Council at this time would change none of the requirements as far as what must be built on the site.

Mr. Davis stated that originally the terms within the lease included a Phase I project, which was the Holiday Inn site itself, and a Phase II site that was a purchase option, which was the Scruggs Center. He stated that Phase I, as he had previously mentioned, was a \$144,000 annual lease payment to the City for the use of the property, and Phase II was a \$1 million purchase. He stated that these terms would not change, that the City would still collect \$144,000 annually for the use of the Holiday Inn property, and the Phase II property, should CityCentre move forward with the purchase option, would still be \$1 million.

Mr. Davis stated, as far as the changes, that as the developer had developed the project, there had arisen a need to subdivide the lease into two parcels, one, predominantly Tract 1, which would be the multi-family units, retail and office space, so that they could joint venture with a multi-family partner. He stated that the developer that they had selected through the RFP process was predominantly office and retail and that they were bringing in a high quality multi-family partner to do the multi-family piece.

Mr. Davis stated that the same held true with Tract 2,

that Tract 2 would be a separate lease, with a hotel operator and CityCentre as a joint venture for the hotel and retail portions of Tract 2 of the Phase I project.

Mr. Davis stated that the Phase II option property would be held by CityCentre I, which he noted was the original developer with which the City had entered into the first development and lease.

Mr. Davis stated that when they had subdivided this, they had prorated the \$144,000 per year to the tracts per their acreage, which he noted would put CityCentre I, which he noted was Tract 2, with 2.88 acres, at a \$52,700 annual payment to the City, and CityCentre II, which he noted was Tract 1, with approximate 5 acres, at an annual payment to the City of \$91,300. He stated that the option purchase price for Phase II was still set at \$1 million.

Mr. Davis stated that under the proposed new agreement, the total annual lease payments remained at \$144,000, as he had previously stated, and that it remained a 99-year term. He continued that the option property would remain at a purchase price of \$1 million. He stated that the developer was to construct all mixed-use components as originally required in the current development agreement.

Mr. Davis stated that, as he had mentioned, the Phase I property as originally entered into would separate into two tracts, and that all original terms would go to the City's protection and control of the project, with the name unchanged.

He stated that the screen being displayed showed the proposed mixed uses of the different tracts of land, and that the CityCentre II tract would be multi-family units, office, and retail, and the CityCentre I tract would be hotel and retail, multi-story buildings; and the option property would be hotel, office, and retail. He stated that as the developer took on Phase II, the funds were reserved for the redevelopment of Council High.

Mr. Davis stated that Phase I would remain a maximum of 230 multi-family units and at least one urban-style hotel. He stated that if the Council moved forward with this at this time, the developer, within approximately 10 days, would have signed paperwork so that the hotel brand could be publicly announced. He continued that there would be 28,000 square feet of retail space and 40,000 square feet of office space.

Mr. Davis stated that Phase II, which was the option tract, would be an additional urban-style hotel, to be approved by the City. He stated that there would be a minimum of 100 rooms, as well as additional mixed-use components, to be determined by market demand, being retail and office predominantly.

Mr. Davis stated that with the Council's passage of this, they would terminate the existing ground lease and development agreement that the Council had passed in February.

President Russell asked if there was any further discussion of this matter.

President Russell recognized Councilwoman Robinson.

Councilwoman Robinson asked if it was correct that the Council did not have to have a contract stating that the previous contract was null and void, that just by passing this, it was understood that it took the place of the previous one.

Mr. Joffrion stated that that was correct, that the Council's passage of this and the execution by both parties would take the place of what had been previously approved.

Councilwoman Robinson stated that the 1's and 2's were getting her confused, so she had been thinking of it as Phase IA and Phase IB and then Phase II.

Mr. Davis stated that that would be a good way to look at it.

Councilwoman Robinson asked if it was correct that the reason they were doing this was that the developers had found interested parties who did not want to do the entire project, that they just wanted to do one little piece of it.

Mr. Davis stated that the biggest issue was financeability.

Councilwoman Robinson asked if financing Phase IA and Phase IB would be easier to do than financing them together.

Mr. Davis stated that the original development agreement and ground lease allowed the primary developer, CityCentre, to sublease the property, so that they had started that route, and they had brought in a well-respected multi-family developer and a well-respected hotel developer to help with those components

of the mixed-use portion. He stated that the issue was that when they commenced to finance the project, neither the hotel developer nor the multi-family developer had any relationship with the City. He stated that by subdividing this into two tracts, the hotel and the original developer would create CityCentre I, LLC, and the multi-family component would take that multi-family developer and the original developer and create a joint-venture LLC, so they would have ties to the City and the City would have ties to them. He stated that this really protected the City and both parties.

Councilwoman Robinson stated that from what she had heard Mr. Davis stating, there was really no down side to this, that it was an advantage to help the process.

Mr. Davis stated that that was correct. He reiterated that the City would still have the same protections they had in the original agreement, but that rather than one entity, they would have two.

Mayor Battle stated that there would be smaller entities the City had to deal with, and that if one entity had a problem, the other entity would still move forward, and the other one the City would be able to deal with. He stated that this gave the City a little more flexibility concerning the size of who they would be dealing with, that they would not have one person to look at who would be responsible for it, that they would have two different groups, and there were smaller size groups to have to work with.

President Russell asked if there was any further discussion of this matter.

President Russell recognized Councilman Kling.

Councilman Kling stated that he was aware there were confidentiality issues and he was not asking for a disclosure of anything, but asked if there were any minimum standards as far as what the hotel flags would be, so that two weeks from this date they would not wake up to an unpleasant surprise concerning this.

Mr. Davis stated that, actually, in the development agreement, the City had final approval of the hotel flag. He stated that that would be presented to them, and that from the news they were hearing, he felt that persons would be very, very pleased with it.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Resolution No. 15-622, and it was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Ground Lease Agreement between the City of Huntsville and CityCentre I, LLC (Tract 2), as follows:

(RESOLUTION NO. 15-623)

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

Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Development Agreement between the City of Huntsville and CityCentre II, LLC (Tract 1), as follows:

(RESOLUTION NO. 15-624)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into a Ground Lease Agreement between the City of Huntsville and CityCentre II, LLC (Tract 1), as follows:

(RESOLUTION NO. 15-625)

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

President Russell read and introduced a resolution calling for a Special Session of the Council on the 17th day of August, 2015, at 5 p.m., pursuant to Ala. Code §§ 11-99-1 et seq., for the purpose of meeting with the designated representatives of the governing bodies of deferred tax recipients of the proposed tax increment financing district, tentatively named "TIF D6," as follows:

(RESOLUTION NO. 15-626)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Showers.

President Russell asked if there was any discussion of this resolution.

Mr. Joffrion stated that this was the same process they had followed in the creation of every TIF District, that they were simply holding a meeting with representatives from each entity that would have received ad valorem taxes had they not created the TIF. He stated that this would be to answer any questions these persons might have, to explain the life of the TIF, and what would happen when the TIF would be paid off, noting that at that time each of the tax recipients would commence to receive the tax income generated from properties within the TIF. He stated that this was a standard procedure required statutorily.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Resolution No. 15-626, and it was unanimously adopted.

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

(RESOLUTION NO. 15-627)

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

Mayor Battle stated that Kathy Martin wanted to give a description of this resolution, noting that this was the Campus 805 Project, with the parking and the festival area, which he noted was not an amphitheater but, rather, a flat, green lawn area. He stated that they had been discussing with Planning and Engineering the idea of naming this property the "S.R. Butler Green," noting that they believed this would be a good, fitting move since S.R. Butler was now closed. He stated that, of course, they would bring this before the Council.

Ms. Kathy Martin, Director of Engineering, stated that this was an agreement with the low bidder, Reed Contracting Services, Inc., to commence construction of the four-acre public outdoor venue, which she noted was approximately two acres of grass area and 170 parking spaces, as well as a food truck driveway. She stated that the grass area would contain a concrete pad of approximately 5500 square feet.

President Russell asked if there was any further discussion of this matter.

President Russell recognized Councilman Kling.

Councilman Kling stated that he wanted to express appreciation for this. He stated that, as persons were aware, members of the neighborhood nearby had expressed concern about the amphitheater concept that had been mentioned. He stated

that what would be done was much more neighborhood friendly, and that he felt this would be a great shot in the arm for that neighborhood area. He stated that the fact that there was not going to be an amphitheater was a very good response.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Resolution No. 15-627, and it was unanimously adopted.

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

Mr. Joffrion submitted the following deed for approval:

(DEED)

Whereupon, President Russell moved for approval of the foregoing deed, which motion was duly seconded by Councilman Showers, and was unanimously approved.

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

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating, concerning the property involved with CityCentre, that unless it had happened since the previous Monday, it was looking pretty bad there, and questioned if the City still owned this property.

Mayor Battle stated that it did need cutting.

Mr. Cox stated that, as Councilwoman Robinson had mentioned, there was a great event recently at the Space and

Rocket Center, the 70th anniversary of the end of World War II. He stated that he had been very pleased to be able to attend that event. He stated that he wanted to recognize Don Webster and HEMSI, noting that they were there in force. He continued that Tommy Brown had had the Handi-Ride buses out there, with good service. He stated that, also, the Fire Chief had had a lot of firemen there, as well as the Police Chief and policemen. He stated that the City certainly did well in supporting this event. He stated that this most likely would be the last of such events, that in five years there would not be too many of these veterans left. He stated that in an organization he belonged to, Retired Federal Employees, they had recently lost three World War II veterans. He stated that if persons knew any of these veterans, they should take some time and talk with them so they could understand some of the things that had gone on.

Mr. Cox stated that he had also had the pleasure recently of attending the 20th anniversary of the Tut Fann Veterans Home, which had also been a great event. He continued that, unfortunately, he had not seen any City persons present at the event. He stated that they needed to be aware of the activities that were involving the veterans.

Ms. Jackie Reed again appeared before the Council, stating that she had not understood why they had not had a public hearing concerning CityCentre, noting that she believed that would have been a very good public hearing. She stated that

the City had paid \$6.8 million for the Holiday Inn property. She continued that she had asked several times how much this property appraised for at this time, as well as how much the Aquatic Center and the Scruggs Center appraised for. She asked if none of the Council members had a value in their head of what this property downtown was worth. She stated that someone should go get a real estate license and make her mind free of how much property they were giving away to a developer for 99 years. She stated that 50 years would have been long enough to have done that, that they just needed to use some common sense.

Ms. Reed stated to Mayor Battle that she was aware that Mr. Mark Russell was on the Historical Board. She stated that Mr. Peter Lowe had made a motion to demolish the property she had mentioned, and that she understood the first time Mr. Russell had seconded it, and the other six members sitting there just sat there. She stated that at the last meeting, Mr. Russell had not been present. She stated that something needed to be done concerning this matter before another lawsuit would be filed. She stated that she knew that when there was a lawsuit filed against the Historical Board, the City had to pay the bill. She stated that she believed this was correct. She stated that all this man wanted to do was tear this down. She asked if this could be appealed back to the Council or if it had to go to the Federal Court, the Justice Department, or the Supreme Court. She asked how they could get back to do what

they needed to do with this house.

President Russell stated to Ms. Reed that, in his understanding, this matter had already been to court, and they had brought it back to the Council. He stated that his understanding was that the person that had brought it to court had not won, although he could not say for sure.

Ms. Reed asked if it would have to come back or if they had to go to the Supreme Court or the Department of Justice.

Ms. Reed stated to Mayor Battle that she was asking him to step in and help with this historical district and this man's house. She stated that she could not do anything with the people he had appointed, that they did not know what they were doing.

President Russell stated that that was not true, that those persons were very knowledgeable, and they did a great job, that they really worked hard.

Ms. Reed stated to President Russell that she had watched them for many years. She stated that only 60 percent of the neighborhood had to sign to be a historical district, not 90 percent. She stated that Governor Bentley would be in on Saturday and she would see if he knew anything about what was going on. She stated that she knew there would be another lawsuit filed concerning this if they did not help with this matter.

Mayor Battle stated to Ms. Reed that this got down to a district that had voted to follow these guidelines and that

these persons were the representatives of that district and they represented these guidelines. He stated that if they felt that was the way those guidelines should be represented, they were the duly representatives of that area, and they could not just be overrun because one did not feel like one liked them.

Mr. Wiley Day, 101 Meadow Glen Drive, appeared before the Council, stating that in 2011 the great City Council and Mayor were gracious enough in giving persons a resolution to have what they called an "Adult Prom," a one-of-a-kind event. He stated that the whole concept of this was because Huntsville had one of the highest divorce rates in the nation, and that his son had had this epiphany to have an event that persons had a great time at, being a prom. He stated that they had a prom called "People Recreating Old Memories" for those who had had a wonderful time at their prom, and that for those who did not have a great time, or perhaps did not attend their prom, they had "People Removing Old Memories." He stated that they had had a great time at this event, and that for part of the proceeds of the event they always identified a charity that they shared with. He stated that this year they had chosen Operation Stand Down, noting that this was a charity that supported homeless veterans. He stated that in the prior year they had supported New Futures, which was a non-profit organization that provided services for homeless families, in order to keep families intact.

Mr. Day stated that this event was held each year, and

that this year it would be on September 19 at the Von Braun Civic Center. He stated that he would like to extend an invitation to all the Councilpersons, as well as the Mayor, and to all the community. He stated that for additional information, persons could contact him or his son, Wiley Day, Jr., at 256-348-7929. He stated that this was a wonderful event and the concept was that they wanted people who were divorced to recognize that this was not the end of life, that they wanted to rejuvenate relationships, and that for those who were married, they wanted to strengthen the marital relationship; and, also, they wanted single folks in the city to know that it was all right to marry.

Mr. Day stated that they would certainly appreciate all the support that could be given, and that he would love to see the City take a large part in this, because they wanted to keep this event in the city. He stated that there were now other cities that had requested them, so that the following year they would be visiting another city. He stated that they would certainly like for Huntsville to take a major part in helping them to promote this event. He stated that when they looked at articles about Huntsville, they said it was one of the greatest cities all over the country in which to live, but that there was one part they would like to at least work on, to help strengthen, and that they believed this great city and the great leaders they had could help them get to the next level.

President Russell asked if there was anyone else in the

audience who wished to address the Council.

There was no response.

President Russell recognized Councilman Culver.

Councilman Culver stated, concerning Mr. Day's comments, that he had attended these events he believed each year that they had been held, and that they had done this exceedingly well. He stated that he had certainly had some memories he wanted to recapture and other memories he wanted to forget, and that it had worked well for him, and that he was looking forward to attending again.

President Russell asked if there was anyone else who would like to address the Council.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER