

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, AUGUST 14, 2014

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, August 14, 2014, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President Pro Tem:	Showers
Councilpersons:	Culver, Olshefski, Kling
Councilpersons Absent:	Russell
Mayor:	Battle (Not present for entire meeting)
City Administrator:	Hamilton
City Attorney:	Joffrion
City Clerk-Treasurer:	Hagood

President Pro Tem Showers called the meeting to order.

Ms. Judy Guerry of the Huntsville Friends Society led the invocation; Rev. Dr. C.M. Johnson led the pledge of allegiance.

The minutes of the Regular Meeting of the Council held on July 24, 2014, were approved as submitted.

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

President Pro Tem Showers stated that President Russell would not be in attendance at the meeting. He continued that Mayor Battle was not present at this time but would be in attendance later in the meeting.

President Pro Tem Showers recognized Mr. John Hamilton for

a presentation concerning Fire Fighter Appreciation Month.

Mr. Hamilton asked Chief Howard McFarlen of Huntsville Fire & Rescue to come forward for the presentation.

Mr. Hamilton stated that it was his honor at this time to be able to represent the Mayor in presenting a proclamation recognizing the outstanding service of the fire fighters. He stated that they were very proud of the work Huntsville Fire & Rescue did, noting that they did a phenomenal job and were passionate about the work they did, ensuring public safety for the community. He stated that Huntsville Fire & Rescue had done this for many, many years, and they would continue to do it for many years to come.

Mr. Hamilton stated that it was his honor to present a proclamation declaring August as Fire Fighter Appreciation Month to Chief McFarlen.

Chief McFarlen expressed appreciation for the recognition. He stated that he was also very proud of what the Fire Department did every day. He stated that one of the driving forces behind this proclamation was the Muscular Dystrophy Association. He stated that fire fighters nationwide had partnered with the Muscular Dystrophy Association since 1954, that each year they had had fund drives to help them combat this terrible disease. He stated that he certainly appreciated everyone supporting this cause.

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

President Pro Tem Showers stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of the boarding and securing against certain property.

President Pro Tem Showers recognized Mr. Ken Benion, Manager of Community Development.

Mr. Benion stated that the property identified in the resolution had been declared unsafe by Community Development and the owner had been given 30 days, in accordance with the unsafe building ordinance, to obtain permits and commence work on correcting the noted violations. He stated that the owner had failed to respond and that since the property was standing open and accessible, Community Development staff had boarded and secured the property. He stated that Attachment A identified the owner and the dates Community Development had taken action, and the cost for boarding and securing the property. He continued that the total cost was \$312.95.

Mr. Benion stated that the owner had received written request for payment and had failed to respond, so that he was requesting that an assessment be placed on this property to collect this cost.

Mr. Benion stated that the owner had been notified of the proposed action.

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

There was no response.

President Pro Tem Showers stated that the hearing was closed.

Councilman Kling read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of the boarding and securing against certain property, as follows:

(RESOLUTION NO. 14-570)

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

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

President Pro Tem Showers recognized Mr. Benion.

Mr. Benion stated that the resolution represented 36 properties that were in violation of the City's grass and weed ordinance. He continued that the properties were identified on Attachment A by the owners and location of the property. 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 violation.

Mr. Benion stated that all 36 owners had failed to respond

and that Community Development had issued work orders to cut the properties, at a total cost of \$8,172.12, and an average cost of \$227.01. He stated that Attachment A also identified the dates and the cost of cutting these properties.

Mr. Benion stated that the owners had received a written request, by regular mail, for payment and had failed to respond, so that he was requesting that assessments be placed on these properties in order to collect the costs.

Mr. Benion stated that the owners had been notified of this proposed action and could wish to speak at this time.

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

There was no response.

President Pro Tem Showers stated that the hearing was closed.

Councilman Kling 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. 14-571)

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

President Pro Tem Showers stated that the next item on the agenda was a public hearing on a Resolution authorizing the

City Clerk-Treasurer to assess the cost of the cleanup and removal of debris against certain property.

President Pro Tem Showers recognized Mr. Benion.

Mr. Benion stated that the property identified in the resolution had previously been declared a nuisance and authorized for cleanup and removal. He continued that the resolution authorized the assessment of the cost of cleanup and removal of the debris from the property. He continued that Attachment A identified the owner, the date Community Development had taken action, and the cost of cleanup and removal of debris from the property. He stated that the cost was \$177.34.

Mr. Benion stated that the owner had received a written request for payment and had failed to respond, so that he was requesting that an assessment be placed on the property to collect this cost.

Mr. Benion stated that the owner had been notified of the proposed action and might wish to speak at this time.

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

There was no response.

President Pro Tem Showers stated that the hearing was closed.

Councilman Kling read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of the

cleanup and removal of debris against certain property, as follows:

(RESOLUTION NO. 14-572)

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

President Pro Tem Showers 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 east side of Slaughter Road and north of Farrow Road from Residence 2-A District to Residence 2-B District, at the September 25, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-573)

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

Councilman Kling read and introduced Ordinance No. 14-574, rezoning property lying on the east side of Slaughter Road and north of Farrow Road from Residence 2-A District to Residence 2-B District.

Councilman Kling read and introduced a resolution to set a public hearing on an ordinance to amend Article 3, Definitions, Sections 3.1, Interpretation; and to amend Article 15, Residence 2-B District, Section 15.1, Uses Permitted;

Article 20, Neighborhood Business C-1 District, Section 20.1, Uses Permitted; Article 23, General Business C-3 District, Section 23.1, Uses Permitted; Article 40, Light Industry District, Section 40.1, Uses Permitted; and Article 41, Heavy Industry, Section 41.1, Uses Permitted, to add assisted living facilities, at the September 25, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-575)

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

Councilman Kling read and introduced Ordinance No. 14-576, amending Article 3, Definitions, Sections 3.1, Interpretation; and amending Article 15, Residence 2-B District, Section 15.1, Uses Permitted; Article 20, Neighborhood Business C-1 District, Section 20.1, Uses Permitted; Article 23, General Business C-3 District, Section 23.1, Uses Permitted; Article 40, Light Industry District, Section 40.1, Uses Permitted; and Article 41, Heavy Industry, Section 41.1, Uses Permitted, to add assisted living facilities.

Councilman Kling read and introduced a resolution to set a public hearing for Michelle Jordan, d/b/a/ A Metro Taxi Cab Company, at the August 28, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-577)

Councilman Kling moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Culver and was unanimously adopted by the Council members present.

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

President Pro Tem Showers asked that as persons' names were called, they come forward and state their name and address. He continued that persons would have three minutes in which to address the Council.

Dr. Clarence Johnson, 3302 Buttrey Drive, appeared before the Council, stating that he would like to speak briefly regarding the School Board, which he stated was established in the city and would therefore come under the City's purview, since the City Council granted funds to the school system. He stated that the issue he would like to address was the 1970 court order with regard to majority to minority transfers. He continued that this order stated that this would be allowed and that students would be allowed to transfer in this particular situation. He stated that the City School System had gone to an on-line registration only for this. He continued that it was his concern that their having done such would impede some parents who would want to take advantage of the majority-minority transfer system but lacked the knowledge to use computers.

Dr. Johnson stated that another matter he would like to address was that, according to School Board Policy 6-3.1, a, b, c, when there was not enough space for those who had applied

for majority to minority transfer, the students would be selected by a lottery. He continued that he did not understand why there would be a lottery as opposed to a first come, first served basis. He stated that a lottery seemed to him to leave room for discretion and deceit within the selection process.

Dr. Johnson stated that concerning this he would appeal not only to the school board but to government in its entirety, to re-look at this policy 6-3.1 of the school board.

Dr. Johnson stated that he had another concern, pertaining to North Huntsville. He congratulated Chief Morris of the Police Department for having reduced the crime rate in the Blossomwood area. He continued that, according to a news article he had read on al.com, they would also be going to the Golf Road area, which he noted appeared to push this initiative further to the south. He continued that, according to the article, there had been a reduction in auto theft and home burglaries, which he noted was very important. He stated that he was wondering when this initiative would get to the north, where there were murders and all of the guns in the streets. He asked when crime reduction by intensified and intentional efforts would get to North Huntsville.

Mr. Hamilton stated that he would like to address Dr. Johnson's last question.

President Pro Tem Showers recognized Mr. Hamilton.

Mr. Hamilton stated that the Police Department had been running some special task forces in certain areas where they

had seen some spikes in crime. He continued that this was based strictly on the Police Department's analysis of certain areas and stated that they would have the flexibility to move this to other areas. He stated that Chief Morris had routinely furnished to him reports of the progress of the task force in the North Precinct. He continued that he would be happy to share this information with the Council members, that he would forward this information as it was received by him, so that the Council members could share this with their constituents.

President Pro Tem Showers stated that he believed if they were going to publicize one area of town where initiatives were occurring, they should also publicize where all the initiatives were occurring, whether it would be in the North, South, East, or West.

President Pro Tem Showers asked Mr. Hamilton if this was something he could assure would happen.

Mr. Hamilton replied in the affirmative. He continued that he was not aware of the specific article Dr. Johnson had referenced and that he was not aware if this article resulted from someone advertising this or if it was just a reporter that was particularly focusing on a certain area. He stated that they were not attempting to talk about one part of town and not another. He continued that they were certainly happy to talk about the activities that were ongoing in this regard.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating that he would like to address the story

that had recently broken on Channel 48, concerning the manner in which a pregnant woman was treated at a traffic stop for a minor violation. He continued that this was indicative of the insensitive dehumanizing behavior that North Huntsville citizens suffered at the hands of what should be a police department that protected its citizens. He noted that he had said "Police Department," knowing that there were some hard-working professional officers in the North Precinct. He continued that, however, there was an old saying that "One bad apple spoils the whole barrel."

Pastor Johnson stated that when he had seen this news clip, he had had an immediate flashback of the mother who had been stopped by an officer and her trainer. He continued that according to the court transcript, the officer had to be observed in a hostile situation, and that this one had evidently been forced. He stated that this mother had been trying to get to her daughter's birthday event. He continued that she was sprayed with mace multiple times, pulled out of her automobile, pounced upon by four male officers, suffering an ordeal that no citizen should ever have to suffer.

Pastor Johnson stated that then his flashback had gone to the 79-year-old veteran who had been treated like a wild animal and pounced upon by officers, ending up in the hospital and having to have major surgery on a shoulder that had been torn apart by the brutal force of men who acted more like the Ku Klux Klan of old than to serve and protect.

Pastor Johnson questioned if "One Vision, One Huntsville" really meant one vision for some of Huntsville.

Pastor Johnson stated that recently the City appeared to be genuinely concerned about hiring more minority police officers. He stated that this was not only needed but that he believed it must be if they were to prevent Huntsville from eventually becoming a Ferguson, Missouri. He asked if the concern for diversity was honest, why they had changed the academy supervision after they had had one of the largest minority graduation classes they had ever witnessed. He continued that eight minorities had been graduated in that cycle. He stated that shortly after that, the structure had been changed, and the persons who had accomplished this had been moved out of something that had been a success. He asked why, if they wanted this success to continue, they were not using the persons who had produced these results. He stated that at this time, they were back to where they had been previously, which he noted was nothing short of a nepotism nightmare.

Pastor Johnson stated that if Mayor Battle and the rest of City governance really wanted to change the minority situation with the police force, they had the personnel capable of doing so, but that the actions that had been taken were incongruent with this at best and political stunts at worst.

Mr. Chris Dayton, 1906 Wooddale Drive, appeared before the Council, stating that he was part of the Work-Life Council at

his company in Research Park. He continued that one of the things they had been attempting to do was to get some of the food trucks they had seen all through the city to come and visit them at work. He stated that when they had investigated this, there had learned that there was evidently some sort of zoning problem in Research Park, and they had been advised they could not have the food trucks in that area.

Mr. Dayton stated that he was aware that the City had been cautious about food trucks in the past, but stated that he believed this had blossomed into something really interesting. He stated that he just wanted to be sure the City would stay ahead of this matter and take a look at some of the zoning regulations they had to assure that they were really serving the city.

Mr. Dayton stated that there was the risk of getting too many food trucks for too small a pond, and that he felt they should make sure they would be forward thinking enough to make sure the pond was big enough to handle all of them. He stated that he thought the food trucks had been a big hit. He continued that they wanted the food trucks in Research Park and they would like for this to be looked into to see if it could be done. He continued that he would also like to see them in the Five Points area.

Ms. Delila VanLandingham, 205 Kildare Street, appeared before the Council, expressing appreciation to President Pro Tem Showers and Councilman Culver for their assistance with

their situation. She stated that she would like to update persons that they had in fact cut the fence posts down to the 8-foot level that Mr. Joffrion had suggested he wanted to see happen. She continued that, also, Mr. Wright had worked on some insurance for the City's liability, noting that she believed this was five times the limit of the City's liability.

Ms. VanLandingham stated that she was looking forward to working with them on this matter, noting that she was encouraged by Mayor Battle's statement to The Huntsville Times about meeting with them and getting a resolution to this issue.

Mr. Dwight Wright, 205 Kildare Street, appeared before the Council, stating that he and Ms. VanLandingham had wanted to give the Council an update on the fence situation concerning the Kildare Mansion, which he noted had been before the Council quite a few times. He stated that he wanted to make sure that everyone was aware of what was going on with this and also to hopefully clarify a few points that were being discussed that perhaps weren't clear to everyone at this time.

Mr. Wright stated that, from the City's point of view, it was their understanding that there were two major points of contention, with the first being the height of the fence and the design of it. He stated that through negotiations with the City, an 8-foot height had been agreed upon. He stated that, as Ms. VanLandingham had just stated, the fence had been lowered to 8 feet. He continued that this would give everyone an easy visual as to what the fence would look like, noting

that if one looked at this and also looked at the sketches that had been done and provided, he believed one could get a clear depiction of the fence. He stated that he believed it would be a very attractive fence and a great asset to that part of the city.

Mr. Wright stated that the second issue that kept coming up was the liability issue. He stated that, as had been previously pointed out, he had offered to add the City as an additional insured on his homeowners policy, which would cover the City up to half a million dollars.

Mr Wright stated that it was his understanding, from his attorney, that under Alabama State Law, cities had a cap at \$100,000 for bodily injuries, so that this would actually be more coverage than the City would actually have or need in such a situation. He continued that he believed that persons had perhaps thought this would not be binding but stated that it was his understanding, from conversations with his attorney, that this would be written as part of the agreement, that he would agree to indemnify the City and maintain the policy as part of the agreement, so that the City, indeed, would not be liable if there should be an accident associated with the fence. He stated that unless he was misunderstanding something in this regard, he believed that would take care of the liability issue, which he noted had been a major point of concern, and understandably so. He reiterated that this should address that issue, unless there was something that he was

unaware of concerning the situation.

Mr. Wright stated that the remaining issue was an issue on his side, being that there would be some language added in the agreement that the license would be revocable for good cause. He continued that he believed this was a source of some confusion. He stated that from the feedback he was getting, it appeared that persons were thinking that this would limit the City's ability to revoke the license if there were a reason, if more development were needed in the area or if for some reason the City decided there was a need to widen Kildare to three lanes rather than two. He stated that it was his understanding that this would still be doable, with the wording he had suggested, if there were a legitimate, municipal need or if a problem was created by the fence. He continued that in that event, the license could still be revoked, that it was just that the reason would need to be stated. He stated that if one would refer back to the comments his attorney had made earlier in July, he had discussed that and had stated that that was common language that was used.

Mr. Wright stated that he had just wanted to provide an update on this situation. He continued that they were thankful for the comments Mayor Battle had made concerning this situation in an article in the newspaper. He stated that they were very encouraged by this and looking forward to the negotiation sessions, noting that hopefully they would happen soon. He stated that he had had the opportunity to speak with

Mr. Shane Davis about the matter and that they were planning to discuss this further.

Mr. Wright stated that he was looking forward to getting this matter resolved, that he believed they could come to a resolution of the matter that would work for everyone concerned.

Councilman Kling stated that approximately a year prior, Mr. Wright had attended one of his town meetings. He continued that this had certainly been an interesting process. He stated that everyone appeared to think that both sides on this matter were at odds, that they all had things they were trying to do. He stated that he believed this was perhaps the first time the City had ever allowed anyone to build anything purposely on a City right-of-way.

Councilman Kling stated that he believed everyone loved the historic house, noting that the district he represented had a lot of history, and that he believed everyone understood history and understood that Mr. Wright wanted to protect it. He continued that he believed the City was trying to find a mechanism concerning the fence being built on the City right-of-way. He stated that it was not like it was the City against Mr. Wright, that what the City was attempting to do was to protect the interests of the taxpayers, concerning liability.

Councilman Kling stated that he did not want to speak for the other Council members but noted that everything he had

heard and seen concerning this matter was that everyone would like to see something worked out. He stated that Kildare Mansion was certainly a jewel in North Huntsville and he was glad to see that people were again talking on this matter and that hopefully something would be worked out.

Ms. Jackie Reed, 1000-A Bob Wallace, appeared before the Council, stating that the fence at the Kildare Mansion had been cut half in two and that she was glad of this and hoped that they would work with the owners. She continued that if the City allowed them to do this, they should not go back and take it away from them, noting that they should be better and smarter than that.

Ms. Reed stated that she had several issues to discuss. She stated that she wanted to thank the Engineering Department, noting that she had traveled on Pulaski Pike recently and it had been being paved, and there were thin, white stripes being put down, which she could not see, although she saw pretty well. She stated that she had called the Traffic Engineering Department concerning this, and her call had been returned. She stated that earlier in the day she had gone down the other side of Pulaski Pike and had seen that there was wide striping of the lines. She thanked them for this, stating that that was what persons wanted to see in the city. She stated that they needed to pass an ordinance that the contractors would stripe the lines wide and white.

Ms. Reed stated that an area around Holmes Avenue was

growing up into a forest and urged that they not let the forest take over.

(Mayor Battle is now in attendance at the meeting.)

Ms. Reed urged the Council to get the grass cut on Holmes Avenue and not let it grow into a wilderness.

Ms. Reed asked that the Council hold items 15.g and 15.h on the agenda for discussion.

Ms. Reed stated, concerning the obligation warrants that were being refinanced, that she would like to know if any new City money would be involved in this, and if so, how much. She stated that she was aware that when some refinancings had been done, a few more dollars had been added.

Ms. Reed stated that she would like to touch on the Stone Middle School issue, noting that this had been a very big issue. She stated that, however, there were bigger deals than this that had come through the Council, that it was not the first and would not be the last. She stated that the Council should go ahead and give the schools the money, and let it go. She noted that Big Spring Cafe was in favor of this, as well as the car lot in the area, and that West Huntsville wanted it. She reiterated that larger deals than this had gone through and no one had paid attention, noting that she certainly hoped that someday citizens would be able to catch them all when they floated through.

Ms. Reed stated that she had intended to ride in the Mayor's bike ride but they would be celebrating her

mother-in-law's 100th birthday that day. She stated that she had even bought a bike for the occasion, that she had purchased it so she could be up front with Mayor Battle but now she had had to sell it.

Ms. Reed stated that there would be a citywide election in 8 to 10 days, noting that everyone thought the election was in November.

Ms. Bernice Burnet, 2405 Greenhill Drive, appeared before the Council, stating that on behalf of their chairman, Ms. Joy Parker, and the other 17 members of the Huntsville Beautification Board, she would like to thank them for appointing them to the Board and entrusting them to help keep Huntsville beautiful. She stated that they had recently had their annual awards ceremony, and that after reviewing more than 450 properties, they had awarded approximately 350 2014-2015 beautification signs. She continued that they had also given a number of special awards to individuals and properties for their special efforts to keep Huntsville beautiful.

Ms. Burnet stated that she would like to especially thank Mayor Battle, Councilman Kling, Councilman Olshefski, and Joy McKee and the Green Team for attending their awards ceremony and helping to present the special awards.

Ms. Burnet stated that they wanted to thank the Council and the Administration for supporting them in their efforts to do what they had been appointed to do.

President Pro Tem Showers stated that during his comments

to the Council, Dr. Clarence Johnson had raised an issue that dealt with the fact that the City School Board was breaking the letter of the Federal mandate that had been done back in 1970. He stated to Mayor Battle that he had not been present when these remarks were made, and that the remarks dealt with the fact that M&M was not being followed as the decree had asked that it be done. He stated that, in fact, the Board of Education was breaking the law concerning this.

President Pro Tem Showers asked Mayor Battle if he would respond to this.

Mayor Battle stated that they would look at this and determine what was happening in this regard. He continued that he did not understand President Pro Tem Showers' entire question.

President Pro Tem Showers asked Mr. Hamilton if he had picked up on what had been stated in this regard.

Mr. Hamilton stated that he had heard the comments from Dr. Johnson but he had not heard him say the School Board was breaking the law. He continued that he did not believe the City had any information that would lead them to believe they were breaking the law. He stated that they could certainly have the City Attorney talk to the School Attorney and review these policies. He continued that there was no evidence in front of them that indicated the way in which this program was being managed was illegal, or that they were breaking the intent of the court order.

Mayor Battle asked if Mr. Hamilton was talking about the City School Board.

Mr. Hamilton stated that it concerned the 1970 court order.

President Pro Tem Showers stated that it concerned the M&M transfer policy that was mandated in the decree. He stated that Dr. Johnson had indicated to the public that he had a document and he had made reference to language in it that said M to M should take place in the school district without caveats.

Councilman Showers asked if Dr. Clarence Johnson would come back to the microphone. He asked if he would give his reference to his concern he had stated previously for the Mayor, since the Mayor had not been in attendance at the meeting at that time.

Dr. Johnson stated that he had been speaking in regard to the court order of 1970, regarding the majority to minority transfer, whereby these should be accepted and given priority with the placement in schools where there were students in a majority ethnic school wanting to attend a school where they would be in the minority.

Dr. Johnson stated that what he had stated was that a policy of the school board, No. 6-6.3.1, spoke about majority to minority transfers, and that what this said, in essence, was that when applications for such transfers were greater than the space allocation for a school, they would be accomplished

through a lottery system. He continued that personally he was opposed to this, because he did not feel it was fair when there was a first come, first served basis that should be recognized, in his opinion. He continued that a lottery would also give opportunity for deception and special selection.

Dr. Johnson stated that, also, on majority to minority transfers, they had gone to an on-line registration policy. He continued that his concern was about those citizens who had children in school and wanted their child to go from a majority school to a minority school but were not competent to work on this by computer. He continued that because of this, there was bound to be some loss. He stated that he would acknowledge the fact that these persons could go to the school for assistance, but at the same time, it appeared the School Board was not being as encompassing with this application of majority to minority as the wording of 1970 had stated.

Mayor Battle stated to Dr. Johnson that the school board was a duly elected authority that operated under State law, and they operated their own meetings and had their own way of doing business. He stated that if Dr. Johnson had a problem with the school board, there were several different ways to handle it. He continued that if Dr. Johnson believed there was a problem with the way they were doing their majority to minority transfers, there were several different avenues for this, noting that he believed Dr. Johnson was aware of each of these avenues. He stated that the City Council and the Mayor of the

city were not any of those duly elected officials that had been put in charge of the education system.

Mayor Battle stated that the education system was a No. 1 priority that everyone had to have. He continued that they had to have a good education system, that they had to have a fair education system. He stated that he believed they were all in the same vein, looking for the same thing. He stated that he believed he had been to two of the meetings where they had prayerfully talked about education. He continued that one of the things he had seen during this was that everyone was asking for the same thing under the education system, that they were asking for a good education system, asking for a fair education system, and asking that the students have the best education system they could.

Mayor Battle stated that he had spoken to a group earlier in the day, and they had commenced discussion about the best education system, noting that the students were not going to be competing just with schools in Alabama, that they would be competing with schools across America and across the world. He stated that if Huntsville did not have the best education system possible, it would not continue to thrive and prosper.

Mayor Battle stated that they had to make sure their education system was the best, that they had to make sure it was fair. He stated that this was the job that the elected officials of the school board would have to do for the community. He continued that there were three members up for

election in the upcoming election.

President Pro Tem Showers stated to Mr. Hamilton that Pastor T.C. Johnson had made several remarks and asked if he would like to respond to them.

Mr. Hamilton stated that Pastor Johnson had made reference to a couple of incidents he was not familiar with. He continued that he would have to go back and determine exactly what incidents he had been referring to, noting that he had no knowledge of these or anything about them.

President Pro Tem Showers stated to Mayor Battle that Pastor T.C. Johnson had made some remarks about the hiring practice in the Police Department, and that, also, he had cited incidents that had taken place, with one being recently.

President Pro Tem Showers asked if Chief Morris was present at the meeting.

Chief Morris appeared at the microphone.

President Pro Tem Showers asked Chief Morris if he had heard the remarks Pastor T.C. Johnson had made.

Mr. Joffrion stated to President Pro Tem Showers that it would be appropriate to address the Police Academy issue, but stated that Pastor Johnson had made remarks about an alleged incident that might give rise to a claim or a lawsuit against the City, so that it would not be appropriate to discuss that at this time.

President Pro Tem Showers asked Chief Morris if he would address the issue that Dr. Johnson had raised about the

academy, in terms of the hiring and placement of one academy, where there had been several efforts made to be more diverse, and that then under another leadership, these numbers had been tremendously reduced. He asked Chief Morris if he had heard those remarks.

Chief Morris replied in the affirmative. He stated that this all tied back to the recruiting efforts, not necessarily the personnel assigned to the academy. He stated that the personnel assigned to the Academy were the persons who trained the individuals once they were in the academy. He stated that one of the duties of the director of the academy was as a process coordinator. He continued that the recruitment team for the Police Department had stayed the same during the process to which Pastor Johnson had been referring. He continued that they had had a lot of meetings, noting that there was a process under way at this time, and that before this process had been instituted, they had been very much aware of this, and they had modified their process and had taken special effort to be more diverse in the recruiting efforts.

Chief Morris stated that he did not know the exact numbers, but stated that they had a good pool of applicants from which to choose for the academy which would start March 2, 2015.

President Pro Tem Showers asked Mr. Joffrion if he would respond to the gentleman who had spoken earlier inquiring about food trucks not being allowed to serve in the Research Park

area.

Mr. Hamilton stated that he would respond to this because he had actually hosted a meeting with members of the Planning staff during the week. He continued that they were already in the process of developing some recommended changes to the food truck ordinance that would come before the Council for approval. He stated that he had also met with the Cummings Research Park Board on the prior Monday, and that specifically authorizing food trucks and the conditions under which that would occur had been part of the discussion. He continued that this would be included in future decisions by the Council.

Mr. Hamilton stated that the Planning staff would not make the decision but would provide a recommendation that ultimately the Council would consider. He stated that they were in the process of drafting the changes that had been recommended. He stated that he believed they had agreement that there was a way they could get to exactly what the employees, as well as the companies and Cummings Research Park, would like to have.

Mr. Hamilton stated that they had also been considering the downtown food trucks. He stated that these were two separate issues, two separate ordinances, but that they were looking at both of them simultaneously. He continued that he would expect the Council to see this within the next few months.

President Pro Tem Showers stated to Mr. Joffrion that when Mr. Wright had spoken to the Council, he had indicated that

they were providing protection for the City. He asked if Mr. Joffrion would respond to the liability issue, of Mr. Wright having a personal policy that would release the City from liability.

Mr. Joffrion stated that he had two responses. He continued that this was one of the items that had been in the draft agreement at the time Mr. Wright had pulled away from negotiations. He continued that this did offer to indemnify the City, that there was a \$500,000 indemnification, or insurance policy commitment. He stated that the City's statutory cap was \$100,000 under State law, State court claims, for any one claim, or \$300,000 for any particular occurrence. He stated that if there were an automobile accident or someone got hurt, that would fall under the nature of a State claim, so that it would be covered by the type of policy to which Mr. Wright had referred.

Mr. Joffrion stated that, however, there was no guarantee that that policy would remain in effect after the fence was erected, that Mr. Wright could continue to keep it in place or he could cancel it. He continued that at that time it would be incumbent upon the City to decide what to do about it. He stated that this matter had been part of the negotiations at that time, and that it was helpful to have it included.

President Pro Tem Showers stated that Ms. Reed had raised an issue about Holmes Avenue. He continued that he had also had a couple of calls himself concerning this matter.

President Pro Tem Showers asked if Ms. Joy McKee was present in the meeting.

Ms. McKee appeared at the microphone.

President Pro Tem Showers stated to Ms. McKee that Ms. Reed had raised some concerns about the condition of Holmes Avenue, the grass, trees, and limbs that were there. He asked if this was an area that Ms. McKee's department could look into.

Ms. McKee stated that they would be happy to, but noted that this was not actually City property or City right-of-way, that it was owned by the railroad. She stated that she would be happy to contact them, noting that she had contacted them in the past.

President Pro Tem Showers stated that the next item on the agenda was Board Appointments to be voted on.

Councilman Kling read and introduced a resolution to appoint John Burbach to the Downtown Redevelopment Authority, for a term to expire July 26, 2020, as follows:

(RESOLUTION NO. 14-578)

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

President Pro Tem Showers read and introduced a resolution to reappoint Willie Love to the Human Relations Commission of the City of Huntsville, Alabama, Place 2, for a term to expire

August 25, 2018, as follows:

(RESOLUTION NO. 14-579)

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

President Pro Tem Showers stated that the next item on the agenda was Board Appointment Nominations.

President Pro Tem Showers nominated Nathaniel Hudson for appointment to the Community Development Citizens Advisory Council, for a term to expire April 14, 2017.

President Pro Tem Showers asked if there were any further nominations at this time.

There was no response.

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

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

(RESOLUTION NO. 14-580)

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

Councilman Kling called upon Mr. Randy Taylor, Director of Finance, for the Finance Committee Report.

Mr. Taylor stated that he could provide a revenue report, a sales tax report, for the month of July, noting that the

Finance Committee had received this. He stated that the sales tax revenue was down in July approximately 1 percent compared to the previous year. He continued that this brought the year-to-date number down to 1.9 percent. He stated that they would recall they wanted to be at 3 percent for budget purposes. He stated that this figure was better than it had been at mid-year, so that that was still a positive. He stated that this just showed how quickly things could change in just one month, noting that they had been at 2.3 percent the prior month and were now at 1.9 percent.

Mr. Taylor stated that this was the only revenue figure he had. He continued that they were working on the Mayor's budget proposal, which he noted the Council would be receiving in the next several weeks.

Mr. Taylor stated that he also had a report on the City's debt refinancing but stated that this could be postponed until the Council considered the item on the agenda, which he noted was item 15.q, Resolution No. 14-614.

Councilman Kling stated to Mr. Taylor that he would just like to make a clarification. He asked if it was correct that at this time, they were ahead of the prior year's revenue by 1.9 percent, but they had budgeted 3 percent. He continued that they were ahead but just not as much as had been budgeted.

Mr. Taylor stated that that was correct.

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

Mayor Battle asked Chief Lewis Morris of the Police Department to come forward, noting that he had some appointments to make to the Huntsville Police Citizens Advisory Council.

Chief Morris stated that he would like to make the following appointments to the Huntsville Police Citizens Advisory Council:

The reappointment of Rev. Wayne Snodgrass, for a 2-year term to expire July 8, 2016.

The reappointment of Mr. John Reitzell, for a 2-year term to expire July 8, 2016.

Mayor Battle stated that he would like to mention that Mr. Crawford Howard, who had been his appointee to the Huntsville Police Citizens Advisory Council, had passed away earlier in the day. He asked that everyone's thoughts and prayers go with Mr. Howard's family. He stated that Mr. Howard had been a significant volunteer for the City of Huntsville, that he had given countless hours to them, that he had headed the Planning Commission for a number of years and was someone who could really be counted on. He continued that he had served with honor and distinction on the Huntsville Police Citizens Advisory Council.

Mayor Battle stated that the prior week had been Armed Forces Week, noting that they had honored all those who had served and also the persons who worked at Redstone Arsenal and were a part of the community. He stated that this was very

important for them. He stated that as part of Armed Forces Week, they had brought the community and Redstone together, with Madison, Madison County, and the city of Huntsville. He stated that this was the partnership that they called Team Redstone. He stated that bringing this group together was a great way to honor them and for everyone to work together for some common goals at Redstone Arsenal.

Mayor Battle stated that later in the meeting, they would be discussing the bond buy-back, noting that they were buying back a number of bonds and would be able to save the City approximately \$7 million, noting that this was a very significant amount of money they would be able to save by rebuying bonds at a lower interest rate. He continued that they would not be extending the terms of these bonds, so that they would still terminate at the proper time.

Mayor Battle stated that he wanted to thank Mr. Taylor and Mr. Dotts for their work on this, but that most importantly, he wanted to thank the Council, because if there were not a Council that was very conservative and made sure money was spent in the right way, the City would not have the AAA rating and would not have the opportunity for this type of savings to come to the City. He thanked each of the Council members for their work on the budget and for what they did to make sure that money was spent in the proper way.

Mayor Battle stated that they had just finished up with the Space and Missile Defense Conference, noting that there had

been thousands of persons from all across the United States who had come to Huntsville, and that they had gotten to see what the City did, they had been able to see the technology developed, and had gotten to see that they needed to be a part of the city. He stated that this had been a great conference that had touched a lot of people in the space and missile defense industry, and in the aerospace industry.

Mayor Battle thanked the Council members and persons in the Mayor's office who had been busy all day Saturday attending back-to-school events, in the northern, southern, eastern, and western parts of the city, noting that they had started at about 7 a.m. in the morning and ended at about 6 p.m. with these events. He stated that Kenny Anderson, head of the City's Multicultural Affairs Office, had had a great event at Johnson High School and thanked him for this.

Mayor Battle stated that they had celebrated going back to school because going back to school was something that was very important for the community, noting that they wanted the children to be excited and to value their education, to think of their education as a way they could better the community. He stated that they were very excited to have had these events.

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

Councilman Culver stated that it was an honor and a privilege for him to have a young lady present, Sheryl Dublin. He continued that she had some information she would like to

share with the Council and asked to defer his time to her for a few moments.

Ms. Dublin stated that it was good to see everyone again. She stated that she was actually leaving Huntsville to start the next stage of her life in Washington, D.C., where she would be going to law school. She stated that she had wanted to attend this meeting to thank each of the Council members and the Mayor individually for the impact they had had on her life. She stated that her attendance at past Council meetings had really helped her career, noting that she had actually started her career at age 17 with the Council. She continued that she would not have gotten to the point she was in life had she not experienced this time with the Council and learned what she could do as a Councilwoman, in another city or perhaps even in Huntsville.

Ms. Dublin stated that she had just wanted to make sure she let everyone know they had definitely impacted her life. She stated that it was a privilege and an honor to be a Huntsville resident, and a Huntsville-born resident. She stated that she would be going to D.C., the capital of the nation, but that Huntsville would always have her heart, that it had been a great place to start her career and to get experience in the city. She stated that she had been privileged to intern in the Mayor's office under the former head of the Department of Multicultural Affairs. She continued that it had been special to have been mentored by

Councilman Culver.

Ms. Dublin stated that she had just wanted to give everyone a proper farewell and actually had delayed her travel in order to be present at the meeting at this time and personally say goodbye and express her thanks.

Councilman Culver thanked Ms. Dublin for her remarks and stated that they wished her well, noting that perhaps sometimes when they were in D.C. they could look her up and say hello and take her out to dinner.

Councilman Kling stated that he believed their loss would be Congress's gain.

Councilman Kling stated that he would be holding his monthly town meeting on the following Monday evening, August 18, at 7 p.m. at the Huntsville Public Library, Meeting Room A, and that everyone was invited.

Councilman Olshefski stated that he would like to thank several members of the City staff, noting that it was wonderful to be able to call on persons like Terry Hatfield, Ken Benion, Keith Atchley, John Hamilton, and Shane Cook when he needed certain information. He stated that the staff was great, that they did good work, and he just wanted to continue to thank the leadership for all the great work they had done.

President Pro Tem Showers stated that he, too, along with the Mayor, had been busy over the weekend with the back-to-school parade. He stated that he had also attended the Aviation Challenge, the F-16 Red Tail dedication ceremony,

where the Tuskegee Airmen had been honored and recognized.

President Pro Tem Showers stated that he had also attended a carnival at the Showers Center, where books, foods, and school supplies were issued. He continued that this event had been sponsored by the United Motorcycle and Social Clubs of Huntsville.

President Pro Tem Showers stated that he had also gone to Johnson High School to the First Annual North Huntsville Community Festival, led by Kenny Anderson and several others. He stated that he had been delighted to see the things that they had going on at the school.

President Pro Tem Showers stated that he had also had the opportunity to visit at Johnson High School during the week and meet the principal, noting that, also, he and his wife had joined the Johnson High School PTA.

President Pro Tem Showers congratulated Dr. C.M. Johnson on his 20th pastoral anniversary that had been held the prior week.

President Pro Tem Showers stated that he had also attended a town meeting at Alabama A&M University that was sponsored by Representative Laura Hall.

President Pro Tem Showers stated that on August 16 at Alabama A&M at the Louis Pool Stadium they would be holding Fan Day at 3 p.m. He stated that all alums and friends were invited to attend this event.

President Pro Tem Showers stated that on August 22-24

Councill Training School would have its school reunion, that there would be class night on Friday evening, at The Marriott, and that on Saturday, beginning at 9 a.m., brunch, at the North Hall, and on that evening there would be a banquet, also to be held in the North Hall.

President Pro Tem Showers stated that on Holmes Avenue, which Ms. Reed had mentioned earlier, there was a General Dollar store, next to the Fletcher Seldon Building.

President Pro Tem Showers asked if Mr. Richard Kramer, Director of Traffic Engineering, was present at the meeting.

Mr. Dan Sanders, Deputy Director of traffic Engineering, appeared at the microphone.

President Pro Tem Showers asked Mr. Sanders if he would have his division look at putting a crossing indicator at the site he had just mentioned. He stated that a lot of the citizens who lived in Sparkman Homes and on the south side of Holmes Avenue were crossing at that General Dollar Store and they had called and asked if the City might be able to put a crossing indicator at that particular site, for safety. He stated that he had been advised that a mother had been crossing at this location with a baby in a stroller, and that in her rush to try to miss being hit, the baby had fallen out of the stroller. He asked that they look into this, stating that he would appreciate it.

President Pro Tem Showers asked if Mr. Earl Jordan or a Mr. Gatewood was present at the meeting.

Mr. Gatewood indicated his attendance.

President Pro Tem Showers stated that Mr. Jordan lived in Farmington Estates. He continued that he had called several times the prior week about an issue in that neighborhood, on Carlsbad Drive, and that he wanted him to know, if he was watching the meeting, that the issue had been taken care of, that the property owner had been cited, and there should be some relief concerning this very soon.

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

President Pro Tem Showers stated that item 15.r had been deleted from the agenda.

President Pro Tem Showers read and introduced a resolution authorizing the City Attorney to seek a forfeiture of the surety bond issued by Platte River Insurance Company, as follows:

(RESOLUTION NO. 14-581)

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

President Pro Tem Showers read and introduced a resolution authorizing the City Attorney to settle the lawsuit of Rodney Yarborough v. City of Huntsville and George Donald Jones, III, as follows:

(RESOLUTION NO. 14-582)

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

President Pro Tem Showers read and introduced a resolution authorizing the City Attorney to settle the claim of Teia Timmons, as follows:

(RESOLUTION NO. 14-583)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to execute a Temporary Lease Agreement between the City of Huntsville and Homegrown, LLC, for the Big Spring Crush event, as follows:

(RESOLUTION NO. 14-584)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to execute a Temporary Lease Agreement between the City of Huntsville and Leadership Huntsville/Madison County, Inc., for the Mercury Rising Chili Festival, as follows:

(RESOLUTION NO. 14-585)

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

President Pro Tem Showers read and introduced a resolution authorizing Modification of the Master Agency Agreement between the City of Huntsville and the North Alabama African American Chamber of Commerce, as follows:

(RESOLUTION NO. 14-586)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to execute the First Amendment to the Development Agreement between the City of Huntsville and RCP Merchants Walk, LLC, as follows:

(RESOLUTION NO. 14-587)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to execute Modification No. 16 to Supplemental Development Agreement, TIF5, Series 2010-A,

between the City of Huntsville and LW Redstone Company, LLC, as follows:

(RESOLUTION NO. 14-588)

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

President Pro Tem Showers 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. 14-589)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into a Cost Reimbursement Agreement with the Northeast Alabama Traffic Safety Office, in the amount of \$3,500, for traffic duties, as follows:

(RESOLUTION NO. 14-590)

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

President Pro Tem Showers moved for approval of a request

for authorization to advertise and fill eight (8) vacant Equipment Operator I positions in Public Works Services, which motion was duly seconded by Councilman Kling and was unanimously approved by the Council members present.

President Pro Tem Showers read and introduced an ordinance to amend Budget Ordinance No. 12-768, by changing appropriated funding within various departments and funds, as follows:

(ORDINANCE NO. 14-591)

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

President Pro Tem Showers read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 14-592)

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

President Pro Tem Showers 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. 14-593)

President Pro Tem Showers moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Kling and was unanimously adopted by the Council members present.

President Pro Tem Showers read and introduced a resolution authorizing the City of Huntsville to participate in the Municipal Emergency Services (MES) Purchasing Cooperative Agreement, as follows:

(RESOLUTION NO. 14-594)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to sign a plat entitled "Parkside Town Centre," concerning the resubdivision of lots, as follows:

(RESOLUTION NO. 14-595)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to sign the plat entitled: Mark C. Smith Drive Subdivision Phase 2, a Resubdivision of Lots 1 and 2 of Mark C. Smith Drive Subdivision, as recorded in Document No. 201312020007577220, as follows:

(RESOLUTION NO. 14-596)

President Pro Tem Showers moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Kling and was unanimously adopted by the Council members present.

President Pro Tem Showers read and introduced a resolution approving travel for Huntsville Fire & Rescue, as follows:

(RESOLUTION NO. 14-597)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and The State of Alabama Department of Transportation for the Installation and/or Maintenance of Traffic Control Signals at the intersection of AL-2/US-72 at East Watercress Boulevard (B&D), as follows:

(RESOLUTION NO. 14-598)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into a contract between the City of Huntsville and Mark Johnson Construction, L.L.C., for Goose Creek Sewer Pump Station, Project No. 65-07-SM01, as follows:

(RESOLUTION NO. 14-599)

President Pro Tem Showers moved for approval of the

foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into a contract between the City of Huntsville and Wiregrass Construction Company, Inc., for Downtown Gateway (a/k/a Harvard Road Extension)-REBID, Base Bid, Project No. 65-11-RD03, as follows:

(RESOLUTION NO. 14-600)

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

President Pro Tem Showers read and introduced a resolution authorizing Change Order No. 1 to the contract with Miller & Miller, Inc., for Gateway Greenway, Phase II, Base Bid, and Option No. 1, Option No. 2, Option No. 3, Option No. 4A, and Option No. 5, Project No. 65-13-WP01, as follows:

(RESOLUTION NO. 14-601)

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

President Pro Tem Showers 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

Construction Administration Services for Goose Creek Sewer Pump Station, Project No. 65-07-SM01, as follows:

(RESOLUTION NO. 14-602)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to modify the agreement between the City of Huntsville and Croy Engineering, L.L.C., for Engineering Design Services for Gateway Greenway, Phase III (Parking Lot), Project No. 65-14-WP01, by Modification No. 1, as follows:

(RESOLUTION NO. 14-603)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Trice, P.C., for Engineering Design Services for Bob Wallace Avenue/Merchants Walk Drainage Improvements, Project No. 65-14-DR04, as follows:

(RESOLUTION NO. 14-604)

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

members present.

President Pro Tem Showers 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 Surveying and Stormwater Monitoring services for Redstone Gateway, Project No. 65-14-SP46, as follows:

(RESOLUTION NO. 14-605)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and LBYD, Inc., for Engineering Construction Administration Services for Redstone Gateway, Phase I, Infrastructure, ADEM Permit Termination, Project No. 65-14-SP47, as follows:

(RESOLUTION NO. 14-606)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and LBYD, Inc., for Engineering Construction Administration Services for Redstone Gateway Phase I,

Infrastructure, Project No. 65-08-SP31, as follows:

(RESOLUTION NO. 14-607)

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

President Pro Tem Showers read and introduced a resolution authorizing Change Order No. 2 to the contract between the City of Huntsville and Miller & Miller, Inc., for Holmes Avenue and Washington Street Streetscape Improvements, Project No. 65-12-SP31, as follows:

(RESOLUTION NO. 14-608)

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

President Pro Tem Showers read and introduced a resolution authorizing Change Order No. 1 to the contract between the City of Huntsville and Reed Contracting Services, Inc., for WPC Sanitary Sewer Relocation, County Line Road and I-565, Project No. 65-12-SM01, and ALDOT Project No. IM-I565(307), as follows:

(RESOLUTION NO. 14-609)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into an employment contract between the City of Huntsville and Scott A. Rogers, as follows:

(RESOLUTION NO. 14-610)

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Brentwood Services Administrators, Inc., for Workers' Compensation Claims Administration and Loss Control Services, as follows:

(RESOLUTION NO. 14-611))

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

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to execute an application for Stop Loss Insurance with HCC Life Insurance Company, on behalf of the City of Huntsville, regarding the issuance of a stop loss insurance policy for the City of Huntsville's Group Health Insurance Plan, as follows:

(RESOLUTION NO. 14-612)

President Pro Tem Showers moved for approval of the

foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to enter into a consulting agreement between the City of Huntsville and Carol English, as follows:

(RESOLUTION NO. 14-613)

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

Councilman Kling read and introduced a resolution authorizing the Mayor to execute a Purchase Contract with the City's underwriters in connection with the sale of the General Obligation Refunding Warrants, Series 2014-A; General Obligation Lease Refunding and Capital Improvement Warrants, Series 2014-B; and General Obligation School Refunding and Capital Improvement Warrants, Series 2014-C, as follows:

(RESOLUTION NO. 14-614)

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

President Pro Tem Showers recognized Mr. Randy Taylor, Director of Finance.

Mr. Taylor stated that this was the item he had referred to earlier in the meeting during the Finance Committee report.

He continued that it had been discussed at the two prior meetings of the Council that they were considering doing a refinancing of some of the City's debt. He stated that he had advised the Council members, by way of email, in the prior several days that this should be the meeting at which this would come before the Council because of where interest rates were in the market at this time.

Mr. Taylor stated that when he had reported to the Council on this matter at its prior meeting, they had thought the savings to the City would be approximately \$3.6 million and that they would have issued approximately \$60 million worth of debt. He continued that interest rates had dropped over the prior three weeks, and that what they had put into the marketplace on the prior day and on this day was \$100,500,000 of refinancing warrants, which he noted would produce a savings for the City of approximately \$7.2 million. He stated that much of this savings would be realized in the form of reduced debt service payments over the remaining life of the debt, and that some of it would be realized in cash at the front end.

Mr. Taylor stated that the City had a debt policy which required them to achieve a certain amount of savings, as a percentage, when a refinancing such as this was done, and that this percentage was 4 percent, unless there were very special circumstances. He reiterated that it must save at least 4 percent of the principal that would be refinanced. He stated that this deal, collectively, would produce a

7.3 percent savings to the City. He reiterated that this was because rates were where they were at this time and the decrease they had seen in the prior several weeks.

Mr. Taylor stated that what was before the Council was an agreement for the underwriters, which he noted was the same team the Council had seen in the past, being Raymond James, Morgan Stanley, Securities Capital, and Joe Jolly & Company. He stated that these underwriters were the ones who would actually sell the City's debt, that they would buy it from the City and then sell it in the marketplace.

Mr. Taylor stated that the pricing on the prior day and this day, as he had notified the Council members by email, had been very favorable. He stated that the manner in which they determined they had gotten very competitive rates on the deal was by comparing them to other issuers that were similar to the City, as best they could determine. He stated that they would comment further on this momentarily.

Mr. Taylor stated that sometimes there were questions concerning the cost involved in such matters. He stated that the City would pay \$717,378.91 to issue this debt. He continued that if this figure were compared to the \$7.2 million in savings, the business case for this was clear.

Mr. Taylor stated that there were actually three different issues, which affected the City, the city schools, and some of the Public Building Authority debt that the City would now be taking on. He continued that the Public Building Authority

payments would decrease.

Mr. Taylor stated that he had provided to the Council the details of this transaction. He stated that he would like to call on Mr. Phil Dotts, the City's financial advisor. He continued that this had been a quite complicated deal, for a variety of reasons. He stated that Mr. Dotts would speak to some of the issues he had spoken to and would also provide a comparison, so that one could see how well they had performed on this.

Mr. Phil Dotts appeared before the Council, stating that he was with Public Financial Management and that they were financial advisor to the City. He stated that this had been an interesting process and that, as Mr. Taylor had stated, a complicated refunding, noting that this was a 100 percent refunding for all practical purposes.

Mr. Dotts stated that when the year had commenced, they really had not seen many refunding opportunities, although they had thought they might pick some up when the City did its Capital Improvement planning later in the year. He stated that, however, as the year went on, rates had surprised everyone, including them, and so they had decided to move forward aggressively to be ready to do a refunding, and that what was before the Council at this time was a result of this.

Mr. Dotts stated that when they had looked at comparable pricings, they had looked at the University of Alabama; the State of Minnesota; Suffolk, Virginia; San Antonio; Tuscaloosa;

and Pelham, which he noted was a new AAA in the state of Alabama; Louisville Water, which he noted was also a AAA; and Montgomery County, Alabama. He continued that they were either through these rates, had better spreads, or were comparable with places such as the State of Minnesota and San Antonio, Texas.

Mr. Dotts stated that this was a very good transaction, that the Finance Department was well prepared as they moved along with the process and identified the opportunities. He continued that he believed some of the results were directly related to the speed in which they were able to get the transaction ready to go to market.

Mr. Dotts stated that he would be glad to answer any questions the Council members might have.

Mayor Battle thanked Mr. Dotts for his work and thanked Mr. Taylor for his work. He continued that the only reason they were able to get these kind of rates was because of the job the Council members had done in financial management, in passing budgets that were balanced budgets. He thanked the Council members for this.

President Pro Tem Showers recognized Mr. Taylor.

Mr. Taylor stated that he did not have any further comments unless there were questions from the Council members.

President Pro Tem Showers called for the vote on Resolution No. 14-614, and it was unanimously adopted by the Council members present.

Councilman Kling read and introduced a resolution authorizing the adoption of the one-time lump sum payment to City retirees, pursuant to Section 2 of Act 429 of the Regular Session of the 2014 Legislature, as follows:

(RESOLUTION NO. 14-615)

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

Councilman Kling stated that if this resolution passed, noting that he certainly hoped it would, there would not be any other amendment needed at budget time, that this would be the final action the Council would need to take concerning this matter. He encouraged all the Council members to support this. He thanked the Administration for bringing the item forward.

Councilman Culver stated that while he did support this resolution, that after speaking with the Ethics Commission, he would abstain from voting on the resolution. He continued that he would also like to retract any discussion he had had concerning this issue, noting that he believed it was only a brief discussion, without any specificities or details. He stated that he was completely recusing himself on this issue because he was a City of Huntsville retiree, as well.

Mayor Battle stated that the City had been authorized by the Legislature to do this in the past year. He continued that the Legislature had not provided any money to them along with this, but they had authorized the City to do it. He stated

that Mr. Taylor had been looking into this and asked him to comment on this so that everyone could understand the matter.

Mr. Taylor stated that the Legislature required that the Council adopt this, which was why the resolution was before the Council at this time. He stated that they would know what the payments would be to the retirees in October, when they made the payments, noting that this was approximately \$598,000. He stated that the legislature had given the City the option of paying this in Fiscal Year 2016, but that it would be in the City's best interest to pay it at this time, because they would accrue approximately \$50,000 in interest by waiting. He continued that, also, as Councilman Kling had noted, this would eliminate the item from any concerns related to future budgets. He stated that the City had reserved this money within the surplus from the prior year's budget, and that this would be where the \$598,000 would come from, as recommended by Mayor Battle. He stated that the Council had already approved the budget action for this in item 15.1 on the agenda, Ordinance No. 15-591.

Mayor Battle inquired as to the amount this was per employee, per year.

Mr. Taylor stated that he believed it was \$24 per retiree, per year of service.

Councilman Kling stated that many of the City retirees had retired 20 years prior, when their salary in a position that would perhaps be paying \$35,000 a year at this time would have

been paying approximately one-half of that amount. He continued that their retirement was actually a percentage of that figure, so that many of the retirees were getting an annual retirement of well under \$10,000 per year. He continued that, unfortunately, some of these persons were having to make choices between prescription drugs and food.

Councilman Kling stated that this was a one-time payment, which was authorized by the Legislature, that would provide some assistance to very deserving employees who had helped lay the foundation that had made Huntsville what it was at this time.

President Pro Tem Showers called for a roll-call vote on Resolution No. 14-615, and the following vote resulted:

AYES: Olshefski, Kling, Showers
ABSTAIN: Culver
ABSENT: Russell

President Pro Tem Showers stated that the resolution had passed.

President Pro Tem Showers stated that the next item on the agenda was a resolution authorizing the Mayor to enter into a Website Hosting and Support Agreement between the City of Huntsville and Red Sage Communications, Inc., for web hosting for BikeHuntsville.com.

Mayor Battle stated that Mr. Dennis Madsen, Manager of Urban and Long-Range Planning, was present at the meeting to comment on this resolution. He stated that, as he understood

it, this was a \$300 contract. He asked Mr. Madsen if this was correct.

Mr. Madsen replied in the affirmative, noting that, basically, the website had been set up as part of a program that came through a Federal Cars grant for bicycle education. He stated that the website, as it had been developed for that grant, had a good amount of information on it that was still applicable, and that before they would transition this into the City website, which he noted was still being developed, they wanted to make sure it was maintained. He stated that, basically, this \$300 fee was being paid to Red Sage to continue to host it until such time as it could be transferred to the City website.

Mayor Battle inquired if it would mention the Mayor's Bike Ride on August 23rd.

Mr. Madsen stated that because they still had control of it, it absolutely would.

Councilman Kling read and introduced a resolution authorizing the Mayor to enter into a Website Hosting and Support Agreement between the City of Huntsville and Red Sage Communications, Inc., as follows:

(RESOLUTION NO. 14-616)

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

President Pro Tem Showers called for the vote on the above

resolution, and it was unanimously adopted by the Council members present.

President Pro Tem Showers read and introduced a resolution authorizing the Mayor to modify the agreement with Barge, Waggoner, Sumner & Cannon, Inc., for Huntsville Northern Bypass from 1.2 Miles east of Pulaski Pike to US Highway 431, Project No. 65-10-RD08, by Modification No. 2, as follows:

(RESOLUTION NO. 14-617)

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

President Pro Tem Showers recognized Ms. Kathy Martin, Director of City Engineering.

Ms. Martin stated that this was a modification with Barge, Waggoner, Sumner & Cannon to do additional design services along North Parkway to assist with the taper lanes as a result of the environmental assessment. She stated that the contract amount was \$81,143.

President Pro Tem Showers inquired of Ms. Martin if there was a timetable for this particular work.

Ms. Martin replied in the affirmative. She stated that the plans were approximately 60 percent complete and that there were approximately 100 parcels to be acquired, so that it would be approximately two years for this, and that they were anticipating construction mid-2017.

President Pro Tem Showers called for the vote on the above

resolution, and it was unanimously adopted by the Council members present.

Councilman Kling read and introduced a resolution authorizing the Mayor to enter into a Court Referral Officer contract between the Administrative Director of Courts, Judicial Branch, State of Alabama, and the City of Huntsville, for the Court Referral Officer Program, as follows:

(RESOLUTION NO. 14-618)

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

President Pro Tem Showers recognized Judge Rodenhauser.

Judge Rodenhauser, Presiding Judge of Municipal Court, stated that this was the yearly contract with the Administrative Office of Courts, which authorized the Court Referral Program and Court Referral Officers in Municipal Court.

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

Councilman Kling read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the Huntsville City Board of Education for the purchase of the easternmost 4.0 acres of the remaining Stone Middle School Campus, as follows:

(RESOLUTION NO. 14-619)

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

Mr. Shane Davis, Director of Urban Development, appeared before the Council, stating that what was before the Council was a real estate agreement between the City of Huntsville and the Huntsville City Board of Education to purchase four acres of the Stone Middle School campus for the Stone Middle School Redevelopment Project.

Mr. Davis stated that should the Council approve this, the City's intent for this four acres was to create a public parking area and a green plaza for public impromptu gatherings for compatibility with the proposed Yellowhammer Brewery and the redevelopment of Stone.

Councilman Kling stated to Mr. Davis that he had seen plans concerning this and that he had heard there would be an amphitheater at this location, a gazebo, that different things were being proposed. He asked what, exactly, would be located on this property.

Mr. Davis stated that in the initial phase, they would have approximately \$50,000 in construction, which he noted would be mainly the parking. He stated that the two acres for what was being called an "amphitheater" was more of just a grass plaza area. He stated that there would not be stadium-type seating, as some of the public had thought would be put in. He stated that the City was limiting its investment

in this, noting that all the other investment would be private, on either side of the public property. He stated that as this area was redeveloped and they saw what kind of energy there would be, they might modify their plan. He continued that the first phase would be to put as minimal an investment as possible by the City, reiterating that this would be mainly the public parking area. He continued that there would be a grass plaza.

Councilman Kling stated that, as Mr. Davis was aware, there was a large amount of residential area located near this property, including Lowe Mill, Holiday Homes, and Westlawn. He stated that he had had some contact with Danny Shea on this matter, and that he was aware there were some guidelines as far as late-night entertainment issues that might come up. He stated that there had been a similar issue with a club located off of Meridian Street that wanted to have outside entertainment. He stated that he just wanted to wave a flag that as they went through this process, they would do it in a way that would be neighborhood friendly for the residents of the area. He stated that he felt this was a good concept, but he did want to wave a flag about this, concerning the neighbors being bothered with loud noise.

Mr. Davis stated that they would have to comply with what Councilman Kling had mentioned. He stated that the City's intent for the design and the integration of the new development of that area was more like the Concert in the Park

kind of events such as they have, low level acoustical type entertainment.

Councilman Kling stated that the Furniture Factory was the entity he had been thinking of, when there was concern voiced from residents of nearby areas. He stated that, however, everything had worked out very well in that situation, that the Furniture Factory had live entertainment, but the feedback they had received from residents in the area was that everything was fine, that there were no issues, no problems.

Mr. Davis stated that there should be a very similar situation at the subject location.

President Pro Tem Showers called for the vote on Resolution No. 14-619, and it was unanimously adopted by the Council members present.

President Pro Tem Showers stated that the next item on the agenda was Legal Department Items/Transactions, Vacation of Easements.

Councilman Kling read and introduced an ordinance authorizing the vacation of a utility and drainage easement between Lots 13 and 14, Little Mountain Subdivision, Phase 1, as follows:

(ORDINANCE NO. 14-620)

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

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

Dr. Clarence Johnson again appeared before the Council, stating to Mayor Battle that he did agree with him that everyone wanted the best education for the children. He continued that, in fact, this was why the 1970 Court Order stated what it did about the M to M transfer.

Dr. Johnson stated that his appeal to Mayor Battle and the Council did not concern their direct supervision of the School Board. He continued that, however, they were the governing body under which the School Board fell. He stated that he just wanted to appeal to their conscience to consider this Court Order in light of policies that have been written and projected to be followed, which was Policy No. 6.3.1 of the Huntsville City School Board policy.

Dr. Johnson stated that the other item was that he agreed that with transparency, there might well be a reduction of confusion, but that as long as there were crime prevention initiatives going on in one part of the city and crime was definitely higher in any other part of the city, that with no notice, it gave a sense of aloneness to the residents of the North. He stated that perhaps transparency might help in this matter. He continued that he realized they could not put out certain information about certain officers and operations, but perhaps they could do something concerning this.

Dr. Johnson stated to Mr. Hamilton, concerning the article

he had referred to, that this article was written concerning the Huntsville City Council, and that it also had in it an officer speaking, and that Chief Morris had made a comment, as well. He stated that this was not an article that just came out of a spoof situation, that it was something that was acknowledging and recognizing some definitely good police work, but, yet, no statement or indication for like-mannered initiatives in the north part of the city.

Mr. Jerry Cox, 4021 Telstar Circle, appeared before the Council, stating that first, as a veteran of the United States Army, he wished to respectfully acknowledge the five U.S. Army soldiers killed in combat in Afghanistan since the prior Council meeting. He continued that he was saddened by the fact that at the prior Council meeting, he had been able to report that no soldiers had been killed. He stated that the five United States Army soldiers included a 19-year-old, a 20-year-old, and a major general that was assassinated by insider fire.

Mr. Cox stated that at the prior Council meeting, he had been honored to have the opportunity, on behalf of the Huntsville Chapter of Retired Federal Employees, to present to the Council a resolution supporting the bonus for the City retirees. He thanked Mayor Battle and the Council for providing this bonus to the retirees.

Mr. Cox stated that Russia had removed itself outside the Family of Nations, that they had granted Snowden asylum after

he did great damage to this country's national security, which he noted should have been Strike 1. He stated, concerning the recent Ukraine incident, that it was almost certain that a Russian missile had shot down an airliner, with tremendous loss of life, including some 80 children falling from the sky from 30,000 feet. He stated that that was Strike 2. He stated that at this time Putin was retaliating against the United States by barring food imports, that he was starting a trade war. He stated that they should ask the Mississippi chicken farmer, who had lost business for his chicken farm, about this.

Mr. Cox stated that he certainly did not believe this culture should be honored by a United States city. He stated that, as he had done at the previous Council meeting, he would again ask the City of Huntsville to remove from the display in the lobby of the Municipal Building the recognition of Russia.

Mr. Dwight Wright again appeared before the Council, expressing appreciation to President Pro Tem Showers for seeking clarification on the liability and insurance issue concerning the fence at Kildare Mansion. He continued that it had been his assumption and understanding that the modification of the license agreement would make the continuance of that insurance policy a requirement. He stated that he was sure as they continued these discussions and worked it out, they would be able to identify language which would clarify that and find a way to make it necessary, so that the City would be able to verify that the insurance policy was in good standing and would

continue throughout the life of the agreement.

Mr. James Gatewood, 4703 Ardmore Drive, appeared before the Council, stating that he would like to echo the comments of Dr. Johnson in reference to the majority-minority transfers. He stated that he had recently applied for his child for that same transfer position, and that he had done everything by the book, as the on-line transfer had stated, that he had even provided proof that he taken every step that needed to be taken, screen shot and pictures and such, but he had been denied that same transfer. He noted that he had worked in information services for several years at AdTran. He stated that he had been advised that they had not seen any tracks or files that he had made this. He stated that he had been told this in a matter of minutes, although he knew for a fact that it would take quite a long time to be able to say they did not see any kind of logs that stated whether he had made the transfer or not.

Mr. Gatewood stated that he believed he had been wrongly denied this transfer. He asked that the Council assist with this matter. He stated that he had provided proof and that he felt like his order should be looked at again, as to how it should be handled. He stated that he was aware that all this was on line at this time, that it was no longer done by paper. He continued that he was also aware that one could go to Downtown Huntsville and actually get help to go on line. He continued that, however, they needed a better way of tracking

this for acceptance. He stated that this would be much appreciated.

President Pro Tem Showers asked Mayor Battle if he was in a position to address this matter with the School Board, with the Superintendent.

Mayor Battle stated that he needed to determine what they were looking to do and he would be glad to pass that along. He stated that, also, Dr. Jennie Robinson, a member of the School Board, was present in the audience, and he believed she could help them also, if she understood what they were looking for. He stated that he would have some conversation concerning this matter.

Ms. Jackie Reed again appeared before the Council, stating that she understood the Railroad Authority had asked one of the City employees to leave their property. She stated that she would like for Mayor Battle to see if he could contact the Railroad Authority about the property, noting that it appeared that this was going to take some power.

Ms. Reed stated, concerning the Dollar General store which had been referred to earlier in the meeting, that the grass on the property next door to this location was about to overtake the building on the other side of it. She stated that she did not understand how these property owners could get away with high grass but residential persons had to keep their grass mowed. She stated that this matter needed to be looked into.

Ms. Reed stated that as one would come down Bob Wallace

and cross Whitesburg and go onto California, there was a race track going on, that as persons would come off of Whitesburg and turn that corner, one would feel they were on a race car track. She asked that someone look into this situation. She stated that she believed these persons were going 60 miles an hour.

Ms. Reed asked if it was correct that there would not be an amphitheater on the Stone property, noting that this was what the news had been saying. She asked where they would be getting the money to put in the greenway. She stated that she understood now that there would not be an amphitheater, that this would be for the brewery, and they were going to have a park, with stages for bands, so people could sit out there and drink beer. She asked if this was what it would turn out to be, that they were building a parking lot for all of that.

Ms. Reed stated that they should not misunderstand her, that she was pro West Huntsville. She stated that the Rescue property had brought \$3.5 million and this property was only bringing \$1 million. She stated that the schools needed the money, so they should send it on over there. She stated that she was not trying to stop this deal, that a deal was a deal, and that they should go ahead with it. She stated that the Council had already passed it, and she was glad they had. She reiterated that the Rescue Mission had brought \$3.5 million, and that Gary Reynolds had run off with \$4.8 million. She stated that they had to make something work in old West

Huntsville. She stated that they were going to have to guard their money more closely than what they had been guarding it.

Ms. Reed stated that she would like to have an answer as to whether or not there would be an amphitheater at the Stone location.

Councilman Kling asked if there was an estimate that someone could give as far as what the payback would be to the City on the Stone property. He stated that he believed that, similar to what had been done with Twickenham Square, Cabela's, and some of the other developments, the City had put a little initial investment in, but that property tax, sales tax on building materials, et cetera, would follow. He asked if there was an estimate as to what the payback would be to the City in new tax revenues on the Stone property.

Mr. Davis stated that, naturally, anything would be preliminary, based upon the amount of rehabilitation and interest that Stone would get, plus the 6,000 square feet of brand-new construction for Yellowhammer. He stated that one of the most positive impacts was that this property had not been on the tax rolls. He continued that it was a significant piece of property in the downtown corridor that would start immediately paying taxes, as soon as it was closed. He stated that the Yellowhammer budget was between 500 and 700 thousand dollars for new construction, and approximately \$1.5 million for Stone. He continued that the City's payback would be in less than approximately 18 months, including property tax and

construction tax, not to mention sales tax. He stated that there had already been interest shown in a restaurant for the location.

Mr. Davis stated that Colorado Springs, Colorado, was a city they competed with on a daily basis, with a lot of high-tech industry, and that they had done this exact same thing with a middle school, and it was wildly popular. He stated that if persons wanted to get a vision of what this could become in Huntsville, they could find the one in Colorado Springs at ivywildschool.com. He continued that located there was a bakery, offices, a brewery, sandwich shop, et cetera. He stated that Stone was actually a larger facility than the one at Colorado Springs, which was so successful for their city.

Councilman Kling stated that residents in the area of Stone had been concerned about empty school buildings. He continued that approximately three weeks prior, West Huntsville Elementary School had been sold and that persons in the area were happy that this was going to be something like a high-tech incubator. He stated that he believed what was proposed for Stone would be much better than it being an empty, deserted building, so that he was glad to see this happening.

President Pro Tem Showers stated to Mr. Davis that he just wanted to speak on behalf of a section of town that was in dire need of similar opportunities. He stated that in the North they had vacant buildings, on the east side of the Parkway, the west side of the Parkway, and a building at Oakwood and the

Parkway, as well as other buildings. He stated that they would also like to see some movement concerning those empty buildings.

Mr. Davis stated that they were working very hard on that situation, and he believed they were approximately 30 days away from being able to announce something special pertaining to one of the buildings.

President Pro Tem Showers stated that they would see.

Mr. Kenneth Gipson, 2122 Gladstone Drive, appeared before the Council, stating that he would like to congratulate the retirees for the action the Mayor and the Council had done for approximately 1,000 retired employees. He thanked them for this.

President Pro Tem Showers stated that when he had come into the Council Chambers prior to the meeting, there had been five women sitting in the audience, noting that they were still present. He asked if they were with some group, and, if so, if they would like to speak on behalf of their group.

Dr. Clarence Johnson stated that those individuals, as well as some persons who had been in attendance earlier but had left, were part of the North Huntsville Social Justice Committee, which was concerned about justice throughout the city itself and not just North Huntsville. He stated that they were concerned about equality, equity, the distribution of resources, etc.

Dr. Johnson stated that President Pro Tem Showers had just

mentioned about the empty buildings on the east and west side of the Parkway in the North they were concerned with. He continued that the one-cent sales tax they all paid generated \$34 million, and that out of this \$25 million went to the State because of the road contract, but that of the remaining \$9 million, they wanted to see some of it spent in the north part of the city.

Dr. Johnson thanked President Pro Tem Showers for asking about the group.

President Pro Tem Showers asked if there were any other comments from members of the public.

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

PRESIDENT PRO TEM OF THE
CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER