

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, AUGUST 22, 2013

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, August 22, 2013, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President: Russell
Councilpersons: Culver, Olshefski, Kling, Showers
(Councilman Culver not present for entire meeting)
Mayor: Battle
City Attorney: Joffrion
City Clerk-Treasurer: Hagood

President Russell called the meeting to order.

Rev. Franklin Graves Broyles, Jr., led the invocation; Councilman Showers led the pledge of allegiance.

The minutes of the Regular Meeting of the Council on August 8, 2013, were approved as submitted.

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

President Russell recognized Mayor Battle.

Mayor Battle asked that Chief Lewis Morris of the Huntsville Police Department come forward, noting that the Police Department had recently received its 6th accreditation. He continued that one of the very special things about this was that there had been no exceptions to it, that there were 371 mandatory rules and there had been no exceptions. He

stated that this was very unusual and it indicated that the Police Department had put together a great program. He stated that they had also received a plaque for being accredited for 15 years. He stated that they were one of the few accredited police forces in the state of Alabama and that he was very proud of the work that had been done on this and he expressed his appreciation to the team members for this.

Mayor Battle asked Chief Morris to comment on the accreditation, noting that there were a lot of plaques showing what had happened with this accreditation.

Chief Morris asked Deputy Chief Kirk Giles and Deputy Chief Sherry Jackson to come forward, as well as Officer Tommy Yohe, the accreditation officer.

Chief Morris stated that the Police Department had been accredited since 1996 by the Commission on Accreditation for Law Enforcement, which he noted was an agency that reviewed police departments throughout the country and made sure that they employed the best and most current practices in law enforcement. He stated that, as an agency of 250,000 persons or less, they had achieved an advanced accreditation, with a meritorious award. He continued that they had achieved this because they had no applied discretions or exceptions to the 371 mandatory standards, and that where they had a requirement to comply with 80 percent of the optional standards, they had been in compliance with 92 percent of these standards.

Chief Morris stated that this was a very elite status for

a police department and they were very proud of this, noting that they could not have done this without a dedicated team in the police department, of both sworn and non-sworn employees. He stated that he could not stress how critical the non-sworn employees were in this successful operation. He stated that, also, without the support of the mayor, the partnerships in the community, the Council, and persons such as Vicki Guerrieri, President of the Huntsville Police Citizens Advisory Council, this could not have been achieved. He stated that the Citizens Advisory Council played a huge role in how they did business at the Police Department and they were very thankful to have their involvement in this.

Chief Morris stated that the Commission on Accreditation had also sent a Certificate of Appreciation to Officer Yohe, the accreditation officer. He stated that there was a mountain of paperwork and a mountain of auditing and checking involved in this process and that it was not an easy task.

Chief Morris presented the certificate to Officer Yohe, expressing appreciation to him.

Mayor Battle expressed appreciation to Chief Morris and to Deputy Chief Jackson, Deputy Chief Giles, and Officer Yohe for the work they had done on this, noting that it was very special that the city had a police department that had been accredited for 15 years, and that to go through an accreditation where there were no exceptions was certainly very outstanding.

Mayor Battle asked Mr. Greg Patterson, Director of Parks

and Recreation, to come forward, noting that there were some young people to be recognized for doing some great things for the city.

Mr. Patterson stated that it was his honor to introduce at this time the Patriot League, noting that it was a new league that had been started in the current year under the leadership of Little League Baseball. He stated that this was called the Intermediate League, noting that the dimensions of the field were a little larger than the Little League field and a little smaller than the Babe Ruth League field. He stated that Huntsville was the first city in the state to go to this league, as an experimental operation, and stated that it had worked out quite well. He stated that they had won the State tournament and had participated in the Southeastern Region in Spring Hill, Tennessee.

Mr. Patterson asked Coach Jeff Madewell to come forward and introduce his assistant coaches and the team members.

Coach Madewell thanked the Council and the administration for allowing the team to be honored at this time. He also thanked other persons who had assisted with the league, as well as the parents and the team members. He stated that this had been a great opportunity for the team members and that he believed they had learned a lot from it.

Coach Madewell introduced his assistant coaches, David Digesu, Keith Moss, and Richard James, and asked them to come forward.

Coach Madewell introduced the team members and asked them to also come forward.

Mayor Battle presented certificates to the team members, congratulating them for this outstanding achievement. They were also congratulated by the individual Council members.

Mayor Battle asked Ms. Regina Parker to come forward.

Mayor Battle stated that Ms. Parker was representing Lilies of the Valley, noting that she had presented him with a teal tie. He stated that on September 6 everyone was being urged to wear teal, in honor of National Ovarian Cancer Awareness Month.

Mayor Battle stated that he had a proclamation to present to Ms. Parker to say thank you for the work this group did. He stated that Huntsville was also declaring September as Ovarian Cancer Awareness Month. He asked Ms. Parker to comment on the Lilies of the Valley program.

Ms. Parker stated that Lilies of the Valley was a support and awareness group for ovarian cancer patients in Huntsville and the Tennessee Valley. She stated that they liked to spread awareness about this disease because a lot of women were unaware of the symptoms. She continued that this was the deadliest of the gynecological cancers because it was diagnosed so late, noting that women were not aware of the symptoms and thus did not report symptoms at an early stage. She stated that they did various things to get this information out into the community. She thanked all the members of the group who

were present at the meeting.

Mayor Battle asked the members of the group to stand and be recognized.

Ms. Parker stated that their goal was that one day persons would know teal and ovarian cancer as they knew pink and breast cancer.

Mayor Battle again expressed appreciation to the group and stated that on September 6 he would certainly wear his tie.

Councilman Showers read and introduced a resolution recognizing September as Sickle Cell Disease Awareness Month, as follows:

(RESOLUTION NO. 13-620)

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

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

Councilman Showers read from the resolution, proclaiming September as Sickle Cell Disease Awareness Month in the city of Huntsville, noting that September was also National Sickle Cell Awareness Month. He continued that public education and fundraising activities were conducted during this time to call attention to sickle cell disease on a local and national level. He continued to read that the disease affected people of many ethnicities but that it disproportionately affected African Americans. He continued to read that the disease was very painful and debilitating and that early identification and

treatment of the disease was essential. He read that the North Alabama Sickle Cell Foundation, Inc., was the only entity in northern Alabama dedicated to educating the public about this blood disorder and serving persons affected by sickle cell disease and members of their family. He continued to read that the Council and the Mayor recognized the need to enhance awareness of sickle cell disease and to continue making progress toward developing better treatment and ultimately a cure for this debilitating disease.

Councilman Showers presented copies of the resolution to Ms. Clarene Johnson and Mr. Walter Harris, representatives of the North Alabama Sickle Cell Foundation.

Ms. Johnson expressed appreciation to the Council and the Mayor for the support given to this group.

Mr. Harris also expressed appreciation for the City's support. He stated that an event was planned in September and that the Council members and the Administration would receive invitations and that he hoped they would be able to attend.

Councilman Showers read and introduced a resolution in recognition of the Alabama Agricultural and Mechanical University Athletic Hall of Fame's 22nd Induction Ceremony and Banquet, to be held on September 6, 2013, at the Ernest Knight Center, as follows:

(RESOLUTION NO. 13-621)

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

Councilman Culver.

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

Councilman Showers read from the resolution, stating that the honorees for this occasion would be Larry Cornelius Addison, Caroline Nwajei Adeniji, Curtis Robert Harris, Cornelius J. Hill, Jr., Carlos Matthews, Nathaniel A. Ogedegbe, and Kim Woodberry.

Councilman Showers read and introduced a resolution celebrating the life and legacy of Lakeside United Methodist pioneer Dr. Hayward O. Handy, as follows:

(RESOLUTION NO. 13-622)

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

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

Councilman Showers read from the above resolution, stating that the late Dr. Hayward O. Handy would be honored as one of the Lakeside United Methodist Church's Laudable Legacies during a celebration to be held on Saturday, August 24, 2013, at the Lakeside United Methodist Church. He stated that at that time he would be presenting the resolution, on behalf of the Council and the Mayor.

Councilman Showers read and introduced a resolution celebrating the life and legacy of Lakeside United Methodist pioneer Mr. Isaac Walter Rooks, as follows:

(RESOLUTION NO. 13-623)

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

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

Councilman Showers stated that at the same event at the Lakeside United Methodist Church on August 24, 2013, they would be honoring Mr. Isaac Walter Rooks, Jr., better known as "The Voice of the Bulldogs." He stated that the above resolution would be presented at this event, on behalf of the Council and the Mayor.

President Russell stated that items 15.o and 15.q had been deleted from the agenda.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 13-508, zoning newly annexed property lying on the west side of Williams & Broad Drive and north of Dug Hill Road as Residence 1 District, which hearing was set at the July 11, 2013, Regular Council Meeting.

President Russell recognized Ms. Lisa Leddo of the Planning Division.

Ms. Leddo stated that the above property was 3.2 acres of newly annexed property lying on the west side of Williams & Broad Drive and north of Dug Hill Road. She stated that the

proposed zoning was Residence 1 District, which she noted was a single-family district. She stated that this zoning was consistent with the surrounding zoning and that the Planning Commission had recommended approval.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 13-508, zoning newly annexed property lying on the west side of Williams & Broad Drive and north of Dug Hill Road as Residence 1 District, which ordinance was introduced at the July 11, 2013, Regular Council Meeting, as follows:

(ORDINANCE NO. 13-508)

Said motion was duly seconded by Councilman Showers.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 13-510, zoning newly annexed property lying on the south side of Knotty Walls Road and west of Old Big Cove Road as Residence 1-B District, which hearing was set at the July 11, 2013, Regular Council Meeting.

President Russell recognized Ms. Leddo.

Ms. Leddo stated that the above property was 0.53 acre of newly annexed land lying on the south side of Knotty Walls Road and west of Old Big Cove Road. She stated that the proposed zoning was Residence 1-B District, which she noted was consistent with the surrounding zoning. She stated that the Planning Commission had recommended approval.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 13-510, zoning newly annexed property lying on the south side of Knotty Walls Road and west of Old Big Cove Road as Residence 1-B District, which ordinance was introduced at the July 11, 2013, Regular Council Meeting, as follows:

(ORDINANCE NO. 13-510)

Said motion was duly seconded by Councilman Showers.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 13-512, zoning newly annexed property lying on the east side of Adonis Road and east of Old Big Cove Road as Residence 1-A District, which hearing was set at the July 11, 2013, Regular

Council Meeting.

Ms. Leddo stated that the above property was 0.77 acre of newly annexed property and that the proposed zoning was Residence 1-A District, which she noted was a single-family district. She stated that the Planning Commission had recommended approval.

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

Mr. Ralph Timberlake, 2117 Atkins Drive, appeared before the Council, asking since this was newly annexed land, if the infrastructure was already in place or would the citizens of the city have to bear the expense of utilities and sewerage being put out in the area.

President Russell asked Ms. Leddo to answer Mr. Timberlake's question.

Ms. Leddo stated that the residences in this area had been constructed in the '60s and '70s and that the infrastructure was in place. She stated that this just continued the annexations along Adonis Road and that it would actually make the delivery of services a lot more consistent.

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

There was no response.

President Russell stated that the public hearing was

closed.

President Russell moved for approval of Ordinance No. 13-512, zoning newly annexed property lying on the east side of Adonis Road and east of Old Big Cove Road as Residence 1-A District, which ordinance was introduced at the July 11, 2013, Regular Council Meeting, as follows:

(ORDINANCE NO. 13-512)

Said motion was duly seconded by Councilman Showers.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 13-514, zoning newly annexed property lying west of U.S. Highway 431 South and on the north side of Deaton Road as Residence 1-A District, which hearing was set at the July 11, 2013, Regular Council Meeting.

President Russell recognized Ms. Leddo.

Ms. Leddo stated that the above property was 0.9 acre of newly annexed property, lying on the north side of Deaton Road. She stated that this was an existing single-family residence and that the proposed zoning was Residence 1-A District, which she noted was consistent with the zoning in the area. She stated that the Planning Commission had recommended approval.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 13-514, zoning newly annexed property lying west of U.S. Highway 431 South and on the north side of Deaton Road as Residence 1-A District, which ordinance was introduced at the July 11, 2013, Regular Council Meeting, as follows:

(ORDINANCE NO. 13-514)

Said motion was duly seconded by Councilman Showers.

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

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

Mr. Benion stated that the resolution identified 41 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 owner 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. He continued that all 41 owners had failed to

respond and that Community Development had issued work orders to cut the properties, at a total cost of \$9,302.93 and an average cost of \$226.90. He stated that Attachment A also identified the date and cost for cutting the properties. He stated that the owners had received a written request, by regular mail, for payment and that they had failed to respond. He requested that property assessments be placed on these properties in order to collect these costs.

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

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

There was no response.

President Russell stated that the public hearing was closed.

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

(RESOLUTION NO. 13-624)

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

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

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

Mr. Reginald Hill, 4205 Patton Road, appeared before the Council, stating that he was representing Success 4 the Future, a charity foundation, non-profit organization, for kids in the city. He stated that they had recently sponsored an essay contest and had awarded four young men from Columbia and Johnson High schools to attend the 50th anniversary of the Great March in Washington. He stated that these young men, because of their work, had been granted the opportunity to serve as panelists for A Time to Listen, Youth Speak Out, a nationally televised forum to be held in the grand ballroom of the Washington Courthouse Hotel at Capitol Hill, hosted by the Center for the Study of Civil and Human Rights Laws.

Mr. Hill stated that, unfortunately, because of school attendance affecting State funding and because in the eyes of certain administrators, this trip had no educational significance because it was not sponsored by the school system and because certain contest winners were attending failing schools, Huntsville City Schools, as of this time, had refused to excuse these noble young men to attend this once-in-a-lifetime event, meaning that they would be marked three unexcused absences while they were away on this trip.

Mr. Hill stated that it was also saddening to know that none of the City officials, elected or appointed, had been able, for whatever reason, to commend these young people with

financial support in their quest to participate in this event.

Mr. Hill stated that in 2012 he had run for public office because he wanted to help people and because he believed that the quality of life for all citizens could be made better. He stated that his group was in dire need of assistance, not because they had done something wrong or because their purpose was not genuine but simply because they were denied certain resources. He stated that they believed that social services were imperative for public service. He continued that if his group did not receive the City's assistance, they would miss out on the greater picture and opportunity to change the entire quality of society.

Mr. Hill stated that, for City officials and citizens alike, he would ask that they look beyond their simple ideologies and look toward the greater picture. He asked that they question the School Board on these unethical tactics and make a contribution to the group's efforts so that young people would not have to continue being disappointed by a world of hope that they looked up to but had not yet had an opportunity to see.

Mr. Dale Jackson, 123 Main Street, appeared before the Council, expressing appreciation to the Mayor and the Council for being permitted to speak at this time. He stated that he was appearing to speak on behalf of Jeffrey Mosley, who was sitting in front of him.

Mr. Jackson stated that he would like to lay out a time

line, noting that he had already spoken about this with some of the Council members. He continued that the story had changed somewhat since this initial conversation. He stated that the initial conversation had started when Councilman Culver had been hired by Calhoun.

Mr. Jackson stated that he wanted to lay out this time line and that he would attempt to do it as quickly as possible. He stated that in January 2008, Jeff Mosley had begun his position as a criminal justice instructor at Calhoun, in the Spring semester of 2008, prior to Councilman Culver having been elected to the Huntsville City Council. He stated that Kenny Anderson was the Social Service Division Chair at the time.

Mr. Jackson stated that Mr. Mosley had been chosen for a position by the President at the time, after interviewing all three candidates. He stated that it was commonly known that Mr. Anderson had wanted his friend, Councilman Culver, to have the position.

Mr. Jackson stated that in August of 2008, Councilman Culver had been elected to the Huntsville City Council; and that in 2008, Calhoun Community College had established four new positions for academic deans, and that Mr. Anderson had been chosen to be the Social Science Dean, although he did not have a doctorate.

Mr. Jackson stated that in 2009-2010, the Calhoun Administration sought State Board of Education approval to

purchase land for a new campus in Huntsville, and that opposition had emerged from many groups, such as leaders in the Decatur community, Drake Technical College, and a number of prominent African Americans in Huntsville.

Mr. Jackson stated that on May 14, 2010, Mr. Mosley's contract as a tenured instructor was non-renewed, as he was dismissed from the faculty. He continued that this was in spite of the fact that he had received "Excellent" evaluations and no negative reviews. He stated that Mr. Mosley's colleagues in the Social Science Department, the Decatur Campus and the Huntsville site, were shocked by this. He stated that Mr. Mosley had no right of appeal.

Mr. Jackson stated that the Criminal Justice position was then re-advertised, and that a committee headed by Dean Kenny Anderson had selected three finalists, with Councilman Culver being one of the finalists, and that President Beck had then chosen Councilman Culver for the position.

Mr. Jackson stated that many persons believed that Mr. Mosley was non-renewed solely for the purpose of choosing a powerful African American Huntsville City Councilman to counter Huntsville area African American leaders who were opposed to the expansion. He stated that Councilman Culver had become an outspoken advocate for this and that he had traveled with groups to the State Board of Education meetings in Montgomery and spoke openly at Calhoun faculty and staff meetings, urging faculty and staff to contact other Huntsville City leaders and

push for the expansion. He stated that many accused Councilman Culver at the time of double-dipping and questioned his motives for supporting the expansion.

Mr. Jackson stated that in May of 2012, Councilman Culver, facing re-election, had resigned his full-time position at Calhoun. He continued that he could not say if he was under pressure in this regard.

President Russell advised Mr. Jackson that his time was up and asked if he needed more time.

Mr. Jackson replied in the affirmative.

Councilman Culver stated that he strongly, whole-heartedly objected to another second for Mr. Jackson.

President Russell stated to the Council that he would need a majority vote to allow Mr. Jackson more time to speak. He stated that he felt they should allow him this time, noting that, however, he understood Councilman Culver's position. He stated that he would keep the message in line and appropriate.

Councilman Culver stated that he was saddened by the inaccuracy of the information that was being disseminated. He continued that he wanted the record to reflect that all of the things that were being alleged had not happened. He stated that there was some truth in terms that he worked for Calhoun but stated that he took offense to dealing with this kind of business in a forum such as this, especially when it was inaccurate.

President Russell stated that Councilman Culver could

certainly have his say on this matter and that he understood his position.

President Russell asked if any of the Council members had any comments on this matter.

Councilman Kling stated that he had had certain persons, including Ms. Reed, say things about him that he thought were ludicrous but that he had always allowed them to have their say and would just go about his business.

Councilman Olshefski stated that since he had been serving on the Council, he did not believe they had ever turned anybody down for a little extra time.

President Russell asked Mr. Joffrion if he could advise the Chair on this matter, noting that the Council's practice had been to allow persons additional time to speak if the majority of the Council agreed to it. He asked if Mr. Joffrion could advise them on any other issues.

Mr. Joffrion stated that the other issue was the allegation of unethical conduct, noting that that was a very serious allegation, and the question would be if the Council was willing to allow someone to stand and make such allegations. He stated that once a speaker's time had expired, the Council's by-laws gave them the flexibility to not allow that to occur. He reiterated that these were serious allegations, noting that they might be actionable in some ways. He stated that he felt the Council needed to be careful on this.

Councilman Showers stated that since he had been serving on the Council, there had been a gentleman's agreement among the Council members on such matters. He stated that Councilman Kling would be more aware than any of the other members that many times they had gone back to this agreement, that when one Council member made a request in a case such as this, the Council had historically supported the request of the Councilman. He stated that situations such as this had happened a number of times, and that out of respect to the individual Council person, they had yielded.

Councilman Showers stated that Councilman Culver had asked them at this time to stop the debate and stated that he would personally want to honor that, based on issues they had had in the past where an individual Council member had made such a request and the request had been honored.

Councilman Culver stated that information had been communicated and had been published that was inaccurate. He stated that he felt his next step was to seek legal counsel and that he would do so.

Councilman Culver stated that he was finished and that he was going to excuse himself.

(Councilman Culver leaves the Council Chambers.)

Councilman Kling stated that he had a question for Mr. Joffrion. He stated that he had had some ludicrous things that had been directed toward him from time to time and that they had given Ms. Reed an extra minute or so to continue to

say what she was saying. He stated that he understood that at the prior Council meeting, he had been attacked by Ms. Reed because he was attending a meeting with two neighborhood associations, that she had been jumping on him at the Council meeting, and after she had finished that, she had decided the neighborhood meeting was important enough for her to come there, so that he was catching it both ways on that.

Mr. Joffrion stated that there was a difference between a person disagreeing with what a Council member was doing and alleging that one was guilty of unethical conduct, noting that that was pretty serious.

Mr. Joffrion reiterated that the speaker's three minutes had expired and that the Council had this discretion. He stated that the choice was theirs but that he would advise caution.

Councilman Olshefski stated that based on what he had heard from Councilman Showers and from Legal, he would vote for the three minutes.

President Russell stated to Mr. Joffrion that he also had a concern the other way, that the Council would be shutting down a citizen who wanted to provide information. He stated that he was assuming that it was inaccurate, just because of his relationship with the Council members, but that he did not know that, and it seemed to him that it was the wrong thing to do to shut down a citizen that was telling them something that perhaps they did not agree with or they thought was wrong.

Mr. Joffrion stated that disagreeing with it and receiving allegations of unethical conduct were two different things. He reiterated that the speaker had been given three minutes, so that legally there would not be anything wrong with the Council not allowing him to continue. He stated that they had the discretion in their by-laws to do it either way. He stated that the speaker was personally attacking a Council member and alleging unethical conduct and that the Council needed to weigh that in making its decision.

President Russell stated that they had four votes and it would take three for this to pass. He asked Councilman Olshefski and Councilman Showers if he understood correctly that they wanted to adhere to the three-minute rule on this.

Councilman Showers stated that his vote was for the request of the Council member. He reiterated that historically, when a Council member had requested a situation like this, there had been a gentleman's agreement to honor such request. He stated that he was not voting against the opportunity for anyone to speak before the Council but noted that there was an objection and that historically they had honored requests of Council members in cases such as this. He stated that that was what he was doing at this time, was honoring Councilman Culver's request to end this debate.

President Russell stated that there was no debate, they were just listening to public comment.

Councilman Showers stated that the time was up and that Councilman Culver had requested that the Council not hear any more on this and that he was honoring this. He stated that had Councilman Culver not made the request, he would have no problem with it.

President Russell stated that he understood Councilman Showers' position. He stated that that was not his position, that he felt they needed to be careful the other way, about shutting citizens down that would tell them bad news.

Councilman Olshefski stated that he understood what was being asked and that he had watched persons in this forum previously. He stated to President Russell that he was kind of supporting him on this.

President Russell stated that it would not be supporting him.

Councilman Olshefski stated that what he was saying was he had watched Reginald Hill once go four minutes and then come back and finish his comments at the end of the meeting. He stated that what the Council was actually voting on was whether or not they wanted to support their fellow Councilman, because the speaker could stay and do three more minutes, that it was a time issue.

Councilman Kling stated that if this were done, he would insist that it would be for only one minute, like they had done for any other citizen who had appeared before the Council.

President Russell stated that it was his understanding

that they did not have consensus for this on the Council and, therefore, he was going to enforce the three-minute rule at this time. He stated that they would be treating the speakers equally, that everyone would get three minutes. He stated that this was what he was hearing the Council say.

Councilman Kling reiterated that he would support a motion if it were limited to one minute. He stated that he was very comfortable with the dealings that he had had with Councilman Culver, noting that he was a very good person. He reiterated that he had been subject to things that he did not particularly like hearing, things that were basically untrue, things where the fact to the public were distorted on issues. He stated that he could think of one particular citizen that every time they had voted to give this person an extra minute to speak and then they would let this person speak a second time at the end of the agenda, even though the original intent of Item 17 was supposed to be for persons how had not been able to speak during Communications from the Public. He stated that he was just trying to be consistent on this.

President Russell advised Mr. Jackson that the consensus was that his time was up, noting that he was welcome to stay until the end of the meeting where he would have three additional minutes to speak.

Mr. Jackson stated that he would leave but asked if he could give the Council a copy of his paperwork.

President Russell replied in the affirmative. He advised

Mr. Jackson to give this to Ms. Pearl Stamper, Administrative Assistant to the Council.

(Submission by Mr. Dale Jackson)

Ms. Leila Bond, 1317 Deans Drive, appeared before the Council, stating that she was a junior at Grissom High School and that she had organized a baby supply drive for the mothers at the Huntsville Downtown Rescue Mission.

She stated that there was a flyer in the lobby that persons could refer to for a list of things that were needed. She continued that there were a couple of things she wanted to highlight that she had been advised were needed when she had gone to speak to these persons recently. She stated that these were baby wipes, pull-ups, bottles, potty chairs, and items such as this.

Ms. Bond stated that she had gone to speak with the mothers so that she could get a background so that she could come before the Council and fully tell their stories. She stated that most of them had escaped abusive and dangerous situations and some had been abandoned and were at the Rescue Mission to get back on their feet. She stated that when she had first walked into the facility, she had been taken to the computer lab, where she had met most of these individuals. She stated that they were searching for jobs, noting that some already had jobs and were just saving up their money.

Ms. Bond stated that at the Mission they had classes on parenting, Bible studies, and life skill classes, how to write

a resume, how to go on an interview, things such as this.

Ms. Bond stated that currently there were 15 to 20 infants, and that each child used approximately one pack of diapers per week. She stated that she had found an article on CNN discussing how when parents were stressed over having supplies for their child and they were trying to keep the child alive, as opposed to focusing on interacting with the child, it would negatively affect the child in the future.

Ms. Bond stated that 8 percent of surveyed women had stated that they had been forced to re-use diapers, which she noted could lead to serious health problems, such as diaper rash, urinary tract infection, viral meningitis, and fevers. She stated that for one child, diapers could cost up to \$75 a month, and that one woman she had met at the Mission had five children, so that that would really add up.

Ms. Bond stated that the child care centers required a supply of clean diapers provided by the parents, so that if a mother was living on their own in an apartment, they would have to stay home with the child. She stated that if these mothers could be provided with enough clean diapers originally, they would be able to go out and focus on getting a job and saving money in order to become self-sufficient.

Ms. Bond stated that the baby supply drive was officially starting at this time and was scheduled to end December 31.

President Russell thanked Ms. Bond for coming before the Council, stating that he was very impressed with her, being an

11th grader at Grissom.

Councilman Olshefski stated that the lesson to be learned from this with Leila was that she had followed the rules, she had chased this matter very hard, that she had gone to the Mission. He stated that the prior year she had done a book drive for the Mission and that they had loved her, and then she had gone back with something else they asked for. He stated that she had come and talked to him about this and now she was going to take it to the students at school and that he was very proud of her.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, expressing appreciation to the Council for allowing public input. She stated that she wanted to apologize to Councilman Kling, noting that at the prior meeting she had wondered where he was and that she had followed up on his meeting and that he had had a very important meeting and she wanted to thank him for this.

Ms. Reed stated that she certainly wished Channel 42 would put the meetings everywhere on the channel so that persons would know what was going on in the neighborhoods and in the city. She stated that she had been preaching this for 20 years and it evidently was not going to happen but she certainly wished that it would.

Ms. Reed stated that she was not happy with the marking of the white stripes on the new roads, noting that the white was not white enough, that it was hard to see the striping. She

stated that she would not pass inspection on this and that someone needed to go out and check on it, because persons could not see how to get where they were going.

Ms. Reed stated that she was concerned about the traffic the proposed Walmart would bring with it. She stated that Mr. Johnny Harris with the State had told her they could not sign off on this until the City signed off on it. She stated that she believed she had been told in a previous Council meeting that the City did not have to sign off on anything concerning this.

Ms. Reed asked if the City had signed off on anything to give it to the State to allow Walmart to put a store at that location where it would be a traffic hazard.

Ms. Reed stated, concerning the Housing Authority meetings, that persons were going to get up a petition in an effort to get rid of Mr. Lundy and that she was sorry about that. She stated that when there were Housing Authority meetings, the public needed to be allowed to get involved so that they would know what was going on and where it was going on. She stated that there would be a march if they tried to take the Searcy Homes property. She stated that if persons did not want these persons in the neighborhoods, they did not want to go in the neighborhoods, so that whatever they had to do to stop this, they would do it.

Ms. Reed stated that she would like to know the cost of the road on Governors Drive to get into Councill Court, noting

that everybody across the city was screaming about how the roads looked at this time. She stated that these persons should not ask her, that they should ask the people who were handling the money.

Ms. Reed stated that she knew the Entertainment District was taking in a lot of money and that she wanted to make sure the City employees were given a good raise.

Ms. Reed stated that she wanted to welcome Dale Jackson to the City Council, noting that he was her idol, that he had a talk show and that he was going to take everybody down on that show. She stated that she believed he did a great job and that she appreciated his coming into the Council Chambers and saying whatever, noting that she did not know if he was right or wrong.

Mr. Ralph Timberlake, 2117 Atkins Drive, appeared before the Council, expressing appreciation to Mayor Battle and the Council for getting the computer system in the lobby working so that citizens could use it appropriately. He stated that he appreciated this and he believed the citizens of Huntsville did, as well.

Mr. Timberlake stated that he believed that some things needed to be changed in order to comply with the country's sacred documents, i.e. the Constitution, noting that he believed in what the Constitution meant, i.e. open government and honesty. He stated that, as the Council was well aware, he had been before the Council numerous times crying about records

and some type of rules in order to be able to obtain records.

Mr. Timberlake stated that he had before him a document, which he intended to give to the Council, that he had given to the City Attorney's office around August 9. He continued that he had faxed them on August the 13th, and that as of this date, he had received no reply. He stated that he believed that all the records laws should have some type of shelf life, that one should not have to send something in to them not knowing when some type of reply could be expected.

Mr. Timberlake stated that it was a shame that the City Attorney's office, the one that gave advice and consent to the City, had not honored his request in a way that was befitting of those that were the guardians of the Constitution. He stated that he had been told to go this route.

Mr. Timberlake asked the Council if they could ask the City Attorney about this, noting that they did not give him advice, that they gave advice to the Council. He asked that they come up with a policy on this. He stated that he had a document, "Release of Records to the Public," but that there were no time dates on it. He stated that one could make a request and it could languish there until Jesus would come back and rapture the righteous. He asked that they get some type of time limit on this, so that a citizen would have some rights.

Mr. Timberlake stated that there was a problem that the City Attorney must not be admonishing the Council concerning, what was called the "14th Amendment," which had as one of its

great tenets due process. He stated that they were going to get a hearing on a lot of these records and other things that were being done to citizens. He stated that the 14th Amendment was explicit and that it said if a citizen was deprived of any liberties and rights, they had a right to be heard and to know why that right was being taken from them. He continued that the Council needed to know that that right was being taken from them in a way that was proper and just. He stated that he hoped that they would honor discourse in a democracy. He stated that persons did not have to like everything that went on but they needed to know everything that went on.

Mr. Joffrion apologized to Mr. Timberlake, stating that he had not been aware he had submitted a request. He continued that he was out having surgery about the time Mr. Timberlake had stated he had submitted a request. He continued that he would be happy to review what he had. He stated that in the past he had responded to Mr. Timberlake's requests and had personally hand-delivered records to him.

Mr. Jerry Burnet, 2405 Greenhill Drive, appeared before the Council, stating that he had a question and a comment and that he was hoping he could get an answer. He inquired as to how much money the City had paid for lobbying for Federal funding.

Mr. Burnet stated that it appeared that some money was being switched around to try to build some streets. He continued that he was aware that President Obama had a

Transportation Bill on his desk that had been passed by the Senate, with bipartisan support, but was being held up in Congress. He stated that he had been trying to figure out why the City was suffering for money while the President had a bill on his desk that would provide funding to repair the streets and the highways and bridges, and then they were paying money to a lobbyist to get funding, and they had a congressman that was standing in the way of any progress that the President tried to provide to the people in Alabama and across the nation.

Mr. Burnet stated that down through history, whether it be the states, the counties, or the cities, there had always been Federal funding to take care of certain projects. He stated that recently it appeared that Congress was blocking everything and it was hurting the city. He asked why they needed a congressman that was going to block funding away from the city.

Mr. Burnet stated that he would like to get an answer to this.

President Russell stated that he was aware that the City had contracts with lobbyists but that he would have to get the information to him, that he could not remember exactly how much each of them was paid.

Councilman Kling stated that he might be incorrect on this, that it was a ballpark guess, but he believed that everything they had, state and federal, would be approximately 250,000 to 300,000 dollars.

Councilman Kling stated that Mayor Battle was doing one of the finest jobs on this that he had ever seen any mayor do since he had been serving on the Council, that he was fighting a battle and bringing out about the inadequacies of the state funding. He stated that they had thought they had commitments that they would be getting at least 80 cents on the dollar back from Montgomery in road money but they were not getting anything near that. He stated that they had had capital plans similar to what they would be discussing later in the meeting, a long-term capital plan, with a lot of road projects, where they had thought they had agreements with the State, but the State was pulling the rug out.

Councilman Kling stated that he was aware that Mr. Burnet had been talking about Federal but noted that the State was what was really hurting the City as far as a lot of needed road projects. He stated that they thought they had had commitments from the State but that they were pulling out and delaying them, noting that he did not believe the Parkway overpass would be done in Mr. Burnet's lifetime or in his lifetime.

Councilman Showers stated that Mr. Burnet had asked a question dealing with why have a Congressman that represented the 5th Congressional District who did not support the President. He stated that the fact that he was not supporting him denied the City the Federal dollars for roads, bridges, and overpasses. He stated that this was what Mr. Burnet wanted an answer to, why they would have a representative who was not

supporting them. He stated that he did not have the answer to this, that perhaps some of the other Council members had the answer.

President Russell stated that Mr. Burnet should feel free to ask.

President Russell stated that the next item on the agenda was Huntsville Utilities Items. He stated that Councilman Olshefski had notified him that he had recused himself from these issues and would be abstaining from any votes on them.

President Russell read and introduced a resolution authorizing approval to purchase cellular services for cell phones and data plans for tablets and/or air cards (PR#10126340) (Utilities: Electric), as follows:

(RESOLUTION NO. 13-625)

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

President Russell stated to Mr. Bill Yell of Huntsville Utilities that his understanding was that this had been bid out and that the lowest bidder, with the best service, had won. He asked if this was correct.

Mr. Yell replied in the affirmative, stating that Verizon had won for the smart phones, tablets, or cards, and that T-Mobile for just the plain cell phones that did not need data plans.

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

AYES: Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: Culver

President Russell read and introduced a resolution authorizing approval to install 6,700' of 12" and 2,300' of 8" water main, valves, and fire hydrants to serve the new Meadows Subdivision (Project #NRS-09090006.W.MN) (Utilities: Water), as follows:

(RESOLUTION NO. 13-626)

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

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

Mr. Yell stated that this was a new development in the eastern part of the city. He stated that the developer needed approximately an 8" main and they were going a little bit larger, so that it would allow them to increase their transmission main around the entire city. He stated that the developer would pay for their cost and the City would pay for everything above that.

Councilman Showers inquired as to the name and location of the new Meadows Subdivision.

Mr. Yell stated that what they had was "The Meadows," and

that from what he understood this was a brand-new subdivision in an area that had been agricultural in the past, and that it was located around the intersection of Old 431 and 431, in the southern end of the city.

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

AYES: Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: Culver

President Russell read and introduced a resolution authorizing approval to install 2,300' of 24" water transmission main, valves, and fire hydrants to serve the new Meadows Subdivision (Project #NRS-09090006-W.OF) (Utilities: Water), as follows:

(RESOLUTION NO. 13-627)

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

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

AYES: Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: Culver

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

Councilman Showers read and introduced a resolution

reappointing Bryan Pogue to the Housing Board of Adjustments and Appeals, for a term to expire August 22, 2018, as follows:

(RESOLUTION NO. 13-628)

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

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

President Russell asked if there were any Board Appointment Nominations.

There was no response.

President Russell 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. 13-629)

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

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

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

Councilman Kling stated that he would turn the floor over to Mayor Battle, noting that he had a budget to present to the

Council.

President Russell stated that these items were under New Business Items for Introduction, 14.a and 14.b, and that they would be introduced at this time.

President Russell read and introduced Ordinance No. 13-630, to adopt the City of Huntsville Annual Budget for Fiscal Year 2014, beginning October 1, 2013.

President Russell read and introduced Resolution No. 13-631, to approve the City of Huntsville Capital Improvement Plan for Fiscal Years 2014-2023.

Mayor Battle stated that this was the budget for the upcoming year that was being presented. He stated that as many persons were aware, this budget was to take effect on October 1. He continued that they were trying to get this out early enough so that the Council had ample time to look at it, so that it could be passed in the September meetings.

Mayor Battle thanked Mr. Taylor and his staff, noting that they had worked diligently in order to get it out at this time, noting that it was one of the earliest budgets they had gotten out in quite some time.

Mayor Battle stated that this was, again, a lean budget, noting that they had had lean budgets year after year over the past five years, noting that this all reflected back on the recession period. He stated that they had started to grow some of the revenues but they were not up that much. He stated that the revenue budget for the year was \$241 million and the

expenditures budget was \$240 million. He stated that the budget reflected approximately \$5.1 million more revenue coming in for the upcoming year than the prior year and noted that increases in mandatory expenditures in both insurance and retirement and personnel costs would consume most of this \$5.1 million. He stated that they again had a budget to which they were not adding a lot of extras.

Mayor Battle stated that if one looked at the capital budget for the year, one would notice that there was one item that would have to be addressed at some point, and that it would have to be addressed as a community, and that this was the roads. He stated that they had been having press conference after press conference talking about the roads that had been put off per the State plan and had been delayed per the State plan.

Mayor Battle stated that they were going to work with the State to see if they could come up with a compromise agreement and that they expected the capital plan, even after being passed for October 1, to be changed because they would have to find some ways to pay for some roads that were necessary. He stated that each of the roads was part of the transportation system and that without good roads, they would not have economic development or a quality of life. He stated that without the road system they were looking at, they could not maintain some of the valued assets in the community. He stated that they would be looking to the State and be working with the

State on a consensus idea that they could come together on for the future budget year.

Mayor Battle stated that the Capital Budget and the General Fund Budget were snapshots that showed changes in the amount of revenue and changes in the amount of expenditures.

Mayor Battle stated that he would like for Mr. Randy Taylor, Director of Finance, to address this and provide some clarification and most likely correct what he had said in certain places.

Mr. Taylor stated that he would do what the Mayor had asked, except to correct him, noting that he had gotten it exactly right.

Mr. Taylor stated that the document the Council members had in front of them gave the snapshot and overview about which Mayor Battle had just spoken. He stated that he had copies of this for anyone in attendance at the meeting who was interested in receiving it. He stated that this was just a handout, that there would not be a presentation on the screen.

Mr. Taylor stated that, as the Mayor had said, they expected the revenue for the City for the following year to increase by a modest amount, noting that 2.4 percent was the overall number they were using for growth. He continued that the expenditures would grow by the same amount for the following year. He stated that they had approximately \$5.1 million of new money that they expected to be available and there would be \$5.2 million in new expenses, much of which

was, as the Mayor had said, almost automatic because of what had happened to the city in the prior five years. He stated that the City had gotten smaller and had stayed smaller, in terms of revenue. He stated that they had started to grow again but that everything that had left the budget during the recession for the most part had not found a way back in, that there was just not much room for it.

Mr. Taylor stated that, therefore, it was a tight budget, even in the mix of more positive economic signs. He stated that it was just a leaner financial operation that they had to contend with at this time. He stated that the Council was aware of all they had done in the prior two years in the Capital Plan and in other areas in order to try to protect basic services and avoid layoffs and the reduction in services that would inevitably come from that.

Mr. Taylor reiterated that the budget was tight, noting that a year prior he had stood before the Council and had told them that FY 14, FY 15, and FY 16, would look like this. He stated that they had a pretty robust prediction model and that so far they had been able to stay within approximately a quarter of a percent of that over the prior two years.

Mr. Taylor asked the Council members to look at page 2 of the handout, noting that he would highlight a few of the more significant items. He stated that this was again for the General Fund, which he noted paid for most of the basic operations, stating that all the departments were included

except for Water Pollution Control and Community Development.

Mr. Taylor stated that the \$5.1 million growth they expected in the next year was broken down at the top of the page, noting that most of it would come from sales tax, which he stated provided almost 60 percent of the revenue. He stated that they were using a 3 percent growth rate for the following year, noting that they believed this was a reasonable figure to use, even though they were running a little bit behind. He stated that all the current indicators showed that they would have a better year the following year. He stated that they could not, obviously, predict sales tax and what effect things like the Federal budget and national events would have on it, but that as they saw it today, they felt this was a reasonable and conservative figure.

Mr. Taylor stated that the Council members could see the list of other things that were included in this figure, noting that, however, they took a distant second and third seat to sales tax revenue. He stated that they actually had a \$1 million reduction in grants that the City would receive the following year. He stated that they had signed up for some grants for public safety for both police and fire fighters several years prior, noting that these were Federal grants and that they were running out. He stated that they had one fire fighter grant that would run into the next year before it ran out. He stated that this had been planned, that this had helped pay for the cost to stand up two new stations, but that

this money would now become the City's responsibility. He stated that they did have a \$6 million increase but it was offset by this \$1 million grant reduction.

Mr. Taylor stated that if the Council members would look at Personnel cost changes immediately below that, they could see that they had attempted to give them quite a bit of detail about the largest items included. He stated that personnel costs took care of most of the new money, being a \$3.8 million increase. He stated that he would touch on each of the items that were listed.

Mr. Taylor stated that the Council had adopted a new Longevity Program several months prior and that the cost of this for FY 13, the first phase, was \$330,000. He stated that the step raise that was included averaged 2 to 2.5 percent across the board, and that three-fourths of the work force was still eligible for the step raise. He continued that this would cost \$1.2 million. He stated that retirement from the Retirement Systems of Alabama was going up 10 percent and would take up another \$1.1 million. He stated that health care costs would increase modestly, at 5 percent, they believed, based on current trends. He stated that there was a 1 percent cost-of-living increase that the Mayor had proposed, noting that this came in at approximately \$1.1 million. He stated that there were some other decreases they had which were sort of spread across the board.

Mr. Taylor stated that the Council members could see the

Operating Cost changes that were listed next, noting that this was almost \$1 million. He stated that he would not say that these costs were completely uncontrollable but noted that they were difficult to control in the current environment. He stated that Repairs, which reflected the aging status of fleet, would go up almost one-half million dollars the following year. He continued that there was a list of all the other items, noting that the cost for electric and water were going up, and that there would be an election the following year, costing an additional \$125,000. He stated that there were also other significant items the Council members could see listed.

Mr. Taylor stated that there was very little change in the way of Capital because there was very little capital in the budget, noting that this was mainly associated with public transit, buses and Handi-ride vans, most of which was funded by Federal grants.

Mr. Taylor stated that the Council members could see the Agency Changes that were listed, noting that this was a change from the prior year. He stated that with the Botanical Garden, there was the completion of the one-time project, so that that would be going away. He stated that they could see the list of changes Mayor Battle was proposing for the Council to consider.

Mr. Taylor stated that the Chamber of Commerce amount was related to what their contract amount for work in Research Park had been, noting that this would put their contract at \$250,000, which it had been five or six years prior. He stated

that Mayor Battle had expressed on numerous occasions, in this forum and others, his interest in returning some of the City agencies to the levels they were before the recession cuts. He stated that this would take the Library about halfway back, with an additional \$125,000. He stated that they could also see the Sports Commission and the Huntsville Symphony.

Mr. Taylor stated that the Weeden House would be a new item the upcoming year, noting that this was a City-owned facility and that this would provide support for some of the ongoing maintenance of this structure.

Mr. Taylor stated that there was an increase for the Von Braun Center and the Convention and Business Bureau, noting that this was something that was driven by a formula in the Liquor and Lodging Tax ordinance, noting that this revenue was expected to increase in the following year and they would get a share of that.

Mr. Taylor stated that there was a new lodging tax that had been adopted by the City during the year and stated that the \$850,000 shown was fully restricted and would be spent on things yet to be determined, based on a committee that would bring recommendations to the Council for this. He stated that they were showing this as being 100 percent spent, although they did not know the exact nature of the spending at this point. He continued that this would be approved by the Council on a case-by-case basis.

Mr. Taylor stated that the Council members could see

changes to the School System in the Capital Plan, noting that these were all based on sales tax formulas. He stated that there were several other little changes that did not add up to very much money.

Mr. Taylor stated that this was a total expenditures change of \$5.2 million.

Mr. Taylor stated that if the Council members would look at the next page, they had just highlighted a few of the changes to the Capital Improvement Plan. He stated that most of the work to restructure this plan had taken place in the prior year, so there was not much in the way of change at this time. He continued that the most significant change was placing the Weatherly Road Extension Project, which he noted was related to the South High School construction. He stated that this was in the Capital Plan and was being funded with two changes that the Council could see, the Old Highway 20 project, Phase 1, and the Annual Drainage Improvement Program, noting that they would remove some money from that account to help pay this cost. He stated that there was a slight increase in the amount of money needed to move Fire Station No. 6 to Drake Avenue, noting that it would have a \$2.1 million budget if this change were adopted.

Mr. Taylor stated that three years from this date there would be other changes related to the City high schools' redevelopment costs, noting that this would be to repurpose those decisions, and also to make a matching contribution to a

potential South Public Library structure.

Mr. Taylor stated that all of the Capital projects were listed on the following pages, for the Council's benefit, and that he had highlighted the changes of any significance that had been made.

Mr. Taylor stated that the ordinance that Mr. Hagood had available and would pass out to the Council members had lots of other numbers in it and that, of course, Mayor Battle and the rest of the staff would be available for any forum in which the Council would like to discuss this information further.

President Russell asked Mayor Battle when he was hoping to have this budget passed.

Mayor Battle replied that it was by October 1.

Mr. Taylor stated that Mayor Battle was also introducing the COLA ordinance as well, so that it would travel with the budget for the remainder of this process.

President Russell read and introduced Ordinance No. 13-632, authorizing a one-percent (1.0%) cost-of-living adjustment to all eligible employees, effective October 1, 2013.

Councilman Kling stated that in fairness to the Administration, they had brought the Council a budget, and that he believed the Council understood the financial situation, and that if a Council member wanted to plus-up something, he believed it would be reasonable for them to have a proposal to show where the money would come from, because there would be a

corresponding adjustment that would have to be made in any amendments that might come up. He stated that his initial reaction was that he believed Mayor Battle was on track with the budget. He continued that he was aware there was an uncertain situation with the sequestration and that he believed this was an efficient budget for them to work with.

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

Mayor Battle stated that he had no further communications at this time.

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

Councilman Olshefski stated that he always recognized persons from his district who were in attendance at the meeting and that at this time he wanted to recognize Jennie Robinson, a School Board member, and Vicki Guerrieri. He stated that he also wanted to welcome Steve Doyle back to the Council meeting.

Councilman Olshefski stated that he had had to use the City staff quite a bit in the prior two weeks and that he just wanted to express appreciation to all of them for their assistance in various matters.

Councilman Olshefski stated that he had been able to go with Mayor Battle to meet with the DOT in Guntersville and stated that he was very impressed with the way Mayor Battle was fighting for the city on roads. He stated that he was not sure they had won but he certainly knew they had not lost and that

he wanted to publicly acknowledge the work the Mayor and Shane Davis and all the other staff did in the fight on roads, noting that it was serious business. He stated that there were some powerful folks that Mayor Battle had taken on in this and that he was doing the best he could do and that this was certainly appreciated.

Councilman Olshefski stated that he also appreciated all the constituents in the city who were taking on this fight and writing letters concerning roads in the city. He stated that what was at the forefront at this time was schools, property values, and roads. He stated that the roads were hanging out there and that there were predictions that they could come to a standstill on this in the future and that they were fighting this fight. He stated that roads such as Dunlop, in their world, were not as important as North and South Parkway, not as important as Winchester, and not as important as Zierdt Road done on time. He stated that he wanted to publicly thank the Mayor for his work on this and stated that he hoped that he had been of some service to him in taking on this fight.

Councilman Olshefski stated to President Russell that he appreciated him speaking to the young lady from Grissom who had appeared before the Council. He stated that he was very impressed that she had taken on this project and had come to see him concerning it. He stated that it was always great to him to see youth doing this sort of thing, that youth were the future.

Councilman Showers asked Mr. Benion to come to the microphone. He asked him as to the number of days that a resident who was cited by his department for tall grass would have to take care of that situation before action would be taken by Community Development.

Mr. Benion stated that they gave them 14 days, and then they would go back out and view the property, and if the grass had not been cut, they would cite such person to court, and then, depending on the situation, they could put it in their work schedule and have their crews go out and cut it, and place a lien on the property.

Councilman Showers stated that on the following Saturday the Northwest PTA Cluster would be having its annual Back-to-School Parade. He stated that this would start at the intersection of Mastin Lake Road and Blue Spring Road, in the Dollar General parking lot, and that it would end at Johnson High School. He stated that persons needed to be at the location by 7:00 or 7:30 a.m. in order to line up and put the final touches on floats or cars.

Councilman Showers stated that the Huntsville-Madison County Department of Human Resources had just had a new appointment and that the appointee, Ms. Tonita Phipps, would be honored with a reception on Saturday from 3:00 to 5:00 at the Ernest Knight Center. He stated that they would be having her attend a Council meeting so that they could introduce her to the public.

Councilman Showers stated that also on that Saturday afternoon, would be the Second Chance fundraising, a gospel concert at Union Chapel Church, sponsored by Leo and Donna Robinson.

Councilman Showers stated that recently at Union Chapel Church, they had held a meeting where citizens could weigh in their concerns for the Housing Authority that was proposing three sites in the city, with Winchester Road being one of these sites. He stated that there had been a large turnout of persons for this meeting and that he had asked them to hold their questions and put them on index cards and they had done so. He continued that there had been more than 100 cards turned in, and that these cards had been given to the Housing Authority, so that they would have some idea of what the feelings of the citizens in District 1 were as related to public housing on Winchester Road.

Councilman Showers stated that on September 3, at 6 p.m., at the Showers Center, they would be having a town meeting, noting that they had promised all of the citizens who had come out before that the Housing Authority and the developer would be at this meeting to answer any questions about the proposed site. He stated that the site on Winchester Road was not a given, that the Housing Authority had a mandate to do 120 units. He stated that typically Housing Authorities had put all the residents in one area. He stated that a developer had come forward with three proposals, and that there were

three sites, and one of the sites had already been visited, another site was pending, and the Winchester Road site was the site that they would deal with on Monday night, September 3, at 6 p.m., at the Showers Center. He encouraged all the citizens who had attended the meeting at Union Chapel to be present to openly give their opinions on what they desired for their part of the city.

Councilman Showers stated that he wanted everyone to understand that he was the representative for District 1 and that his job was to represent the interests, the needs, and the concerns of his citizens, and that that was what he would do on September the 3rd at the meeting. He stated that this would be an opportunity for persons to speak, to express their concerns about what they wanted to see in North Huntsville and in District 1.

President Russell stated to Councilman Kling that he had failed to answer Ms. Reed's question concerning Walmart and asked if Councilman Kling would do so during his comments.

Councilman Kling stated to Ms. Reed, that as far as he was aware, nothing had come in for the City to sign in this regard. He stated that the neighborhoods that he had had contact with, specifically, Lower Piedmont and the Westbury neighborhoods, had had what he believed were some very valid concerns about this.

Councilman Kling stated that, basically, they were talking about putting a large super center on a piece of property that

the size did not appear to be large enough, compared to other Walmarts around the city. He stated that Ms. Bostick had been a very good source of information concerning this, very helpful. He continued that the property did not need to be rezoned, so that the City Council kind of had their hands tied on that. He stated that Ms. Bostick and others in the Inspection Department had advised him that they would make sure that all the building codes were followed, as far as parking, landscaping, and that the Natural Resources Department would be watching to see what would happen as far as noise and lights on the 24-hour operation.

Councilman Kling stated that, as far as he could determine on this, he felt that it was a bad fit, because it was too big, in too small of an area, and that there were some traffic issues on the Parkway. He stated that he just did not know how this had gotten approved by the State, noting that the Parkway was a State road, so that the Alabama Department of Transportation had to give approval on it. He stated that he felt that there were some serious issues as far as cars cutting out of the parking lot, trying to cut across the service road to get to the acceleration lane.

Councilman Kling stated that Joy McKee had even gone out to check to see if there was a cemetery or some undocumented graves that were located on the property, noting that this was a possibility that had been raised by a person in a neighborhood in the area. He continued that he believed that

Ms. McKee had found that there was nothing there.

Councilman Kling stated that he had not been present at the Council meeting two weeks prior, that he had been with residents of Triana Village and Bailey/Patton Estates in a meeting similar to what Councilman Showers had had with the Housing Authority. He stated that Mr. Bill Doss, who had set up the meeting, had been able to work it out only for that specific time, and that was the reason he had had to meet with them at that time. He stated that he certainly did not take missing a Council meeting lightly but that he had felt that was the right place for him to be, under the circumstances.

Councilman Kling stated that they had 60 or 70 people in attendance at this meeting and that they had had some very strong input and some very compelling arguments by residents of the area.

Councilman Kling stated that he believed everyone supported fair housing and that they could talk about the components of fair housing, being no discrimination, and fair housing opportunities based on age, physical disability, income level, race, religion, nationality, et cetera. He stated that if one looked at those neighborhoods, one would see that the neighborhoods had shown that they were very mixed and very open for persons to move into, as far as having housing opportunities.

Councilman Kling stated that he felt persons had made very good arguments to the Housing Authority and that they would see

what happened in this regard.

Councilman Kling stated that the citywide Community Watch Association had had their national night out the prior week. He stated that he believed everyone appreciated this organization, noting that there were now 180 Community Watch chapters in the city, which included thousands of man hours, with persons working with the Police Department to make their neighborhoods safer. He stated that he felt this was a great contribution to the city and that this was most likely the best \$24,000 in the budget. He stated that he very much appreciated the great work done by all these volunteers throughout the city.

Councilman Kling stated to Councilman Showers that he was certainly glad to have him back at the Council meeting and that he hoped he was feeling better.

Councilman Showers asked for a moment of privilege.

President Russell recognized Councilman Showers.

Councilman Showers stated that there was a guest present, the young man who was with Councilman Culver, who had had to leave the meeting. He stated that the guest was Mr. Elliot Hinton, and he asked him to share with the Council and the audience who he was and anything else that he would like to share.

Mr. Hinton stated that he was studying business administration at Calhoun Community College and that he was shadowing Councilman Culver. He expressed appreciation to the

Council for allowing him to sit in on the meeting.

Councilman Showers asked the Council to excuse him for the Council meeting on September 26, noting that there was a banquet gala on that date and that he had been one of the persons selected to be honored at that time.

President Russell stated that there was a Boy Scout present in the audience and asked that he introduce himself to the Council and the audience.

Jonathan German appeared before the Council, stating that he was from Troop 94 in Toney and that he was working on his Eagle, Citizenship in the Community.

President Russell stated that if Jonathan would like for the Council members to explain anything about the meeting, to please come up after the meeting and they would do so.

President Russell stated that on September 12, at 6 p.m., there would be the Regular Meeting of the Council, and at 4 p.m. on that date, there would be a grievance hearing. He stated that he wanted to make sure that the Council members had this on their calendars.

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

President Russell moved for approval of Ordinance No. 13-588, annexing land lying on the east side of Williams & Broad Drive and north of Dug Hill Road, which ordinance was introduced at the August 8, 2013, Regular Council Meeting, as follows:

(ORDINANCE NO. 13-588)

Said motion was duly seconded by Councilman Showers.

President Russell asked Ms. Marie Bostick, Manager of Planning Administration, for an explanation of the above ordinance.

Ms. Bostick stated that this property was located in the Little Cove area and that it was a 1.1 acre tract of land, with an existing single-family home, and that the owner had requested annexation for City schools. She indicated the location on a displayed map.

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

President Russell stated that the next item on the agenda was New Business Items for Consideration or Action. He reiterated that items 15.o and 15.q had been deleted from the agenda.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Sublease Agreement between Our Place, Inc., and the City of Huntsville, as follows:

(RESOLUTION NO. 13-633)

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

President Russell moved for approval of a request for authorization to advertise and fill the position of License and Permit Clerk, which motion was duly seconded by Councilman Showers and was unanimously approved by the Council members present.

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

(RESOLUTION NO. 13-634)

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

President Russell 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. 13-635)

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

President Russell moved for approval of a request for authorization to advertise and fill the position of Senior Environmental Management Specialist, Grade 17, at a higher rate than minimum salary if necessary, which motion was duly seconded by Councilman Showers and was unanimously approved by

the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to amend the contract with Reed Contracting Services, Inc., for U.S. Highway 72 Improvements east of Nance Road, Project No. 65-13-TI01, by Change Order No. 1, as follows:

(RESOLUTION NO. 13-636)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement with CRISP Communications, L.L.C., to accept the assignment of contracts owned by Akins Crisp Public Strategies, Inc., as of July 1, 2013, as follows:

(RESOLUTION NO. 13-637)

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

President Russell read and introduced a resolution requesting modification No. 1 to the Agreement with RouteMatch Software, Inc., dated 06/28/2007, for Mobile Tablet Application provisions, as follows:

(RESOLUTION NO. 13-638)

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

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Regions Bank Letter of Credit No. 55106025, as follows:

(RESOLUTION NO. 13-639)

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

President Russell read and introduced a resolution authorizing the City Attorney to settle the claim of Michelle Brazelton, Claim Number FY13-110, as follows:

(RESOLUTION NO. 13-640)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement to Purchase between the City of Huntsville and Danny Young, as follows:

(RESOLUTION NO. 13-641)

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

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement to Purchase between the City of Huntsville and Dallas Hunt, LLC, as follows:

(RESOLUTION NO. 13-642)

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

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

(RESOLUTION NO. 13-643)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agency Appropriation Agreement between the City of Huntsville and The Huntsville Sports Commission, as follows:

(RESOLUTION NO. 13-644)

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

President Russell read and introduced a resolution authorizing the Mayor to execute a Memorandum of Understanding between the City of Huntsville and the Huntsville City Board of Education to provide parking for Huntsville High School at Mayfair Park, as follows:

(RESOLUTION NO. 13-645)

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

President Russell asked Mr. Patterson for an explanation of the above resolution and what the cost would be.

Mr. Patterson stated that they had been approached the prior week by the Huntsville City Schools about being provided an alternate parking site because of the construction at Huntsville High School. He stated that there were approximately 140 parking spaces at Mayfair Park and that they had requested the use of these. He stated that Chief Morris was present and could also comment on this. He stated that there was no money involved in this, that the City was just providing them the opportunity to use this while the construction was going on at the school. He stated that Huntsville City Schools would have security at the location at the beginning of each day and the close of each day, and that

there would be shuttle buses there to transport the children to the school. He stated that the Huntsville Police Department, as well as the School System, would be running security at the location during the day.

President Russell asked if it was correct that this would not in any way hamper the practices at the ball park.

Mr. Patterson stated that that was correct, that the students would be out of the area by 4:00 or 4:15 and that the players usually came in at about 5 o'clock. He stated that this would allow for ample time for vacating the parking lot, that there should not be any problem with this.

President Russell complimented Mr. Patterson for working with the School System on this matter and expressed appreciation to him for this.

President Russell stated that he did have a question for Chief Morris.

President Russell stated to Chief Morris that one of his concerns was the safety and security of the students that would be using the parking space. He stated that he was aware that the School System would be providing security and asked Chief Morris if the Police Department would be patrolling this area more frequently, to make sure that the cars did not get broken into or that the students did not cause any problems for the neighborhood. He stated that he had heard that some students were not getting on the buses but were actually walking this distance, which he noted also presented problems

in crossing Bob Wallace. He asked if Chief Morris would look into this matter and address any concerns he might have about this to the Council.

Chief Morris replied in the affirmative. He stated that the Police Department had been notified that the students would be using this parking lot and that they did have a presence in the parking lot, along with the school security. He stated that as far as crossing Bob Wallace, that they would take a good look at that, and if they needed a crossing guard to get them across safely, they would take action on this.

President Russell stated that this was just reports that he had heard from parents, that their children were not waiting for the bus but were going ahead and walking, so that he was concerned about that.

Chief Morris stated that they had at this time two crossing guards in that area but that they would look into the matter.

Councilman Kling commended Mr. Patterson and Chief Morris for working with the School System on this matter, stating that he believed the public liked to see governmental bodies and agencies working together where they could in order to make things work out better. He stated that one concern he would like to raise was concerning the fact that some of the students were not parking at Mayfair Park but were parking in the neighborhood, noting that a lot of cars had been seen on Pansy and Alabama and the surrounding area. He stated that these

persons had been identified as being students, that they were walking. He stated that the concern was that if there were a bunch of cars parked such as this that that would be an open invitation for vandalism in the area.

Chief Morris stated that any time there were cars parked on the street this presented a lot of issues. He stated that they would monitor the cars to make sure that the roadways and the lanes stayed open and they would also have patrol in the area. He stated that, generally, the places that they were parking were closer to the school than Mayfair Park, so that as they made their rounds between the park and the school, they would be in that area. He stated that a lot of the persons who lived in the neighborhood were actually renting spaces in their driveways, yards, et cetera. He stated that hopefully there would be plenty of parking spaces.

President Russell 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 Modification No. 1 to the Agreement between the City of Huntsville and John S. Hamilton, as adopted by Resolution No. 13-578 on July 25, 2013, as follows:

(RESOLUTION NO. 13-646)

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

Councilman Showers.

President Russell asked Mr. Joffrion to explain why the Council was doing another contract on this matter.

Mr. Joffrion stated that this was a modification to the original contract. He continued that the compensation had not been accurately reflected in the original, that there was a minor error and that this was correcting that.

President Russell asked what the error had been, if it was related to a cell phone.

Mr. Joffrion stated that the total compensation shown was not as much as it should have been. He continued that the compensation did include provisions for a cell phone, car allowance, and regular salary.

President Russell asked if this was the four-month contract.

Mr. Joffrion replied in the affirmative.

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

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

President Russell read and introduced an ordinance authorizing the vacation of a Buffer of Screen Planting and 10-foot Utility and Drainage Easement, Lots 33 & 34, The Sanctuary at River Ridge Phase 2 Subdivision (Northbrook: Old Big Cove Road), as follows:

(ORDINANCE NO. 13-647)

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

President Russell read and introduced a resolution consenting to the vacation of a portion of Carl T. Jones Right-of-Way, Valley Bend East at Jones Valley Phase 2, as follows:

(RESOLUTION NO. 13-648)

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

President Russell read and introduced an ordinance authorizing the vacation of a portion of Carl T. Jones Right-of-Way, Valley Bend East, at Jones Valley Phase 2, as follows:

(ORDINANCE NO. 13-649)

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

Mr. Joffrion submitted the following deed for approval:

(DEED)

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

members present.

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

Ms. Jackie Reed again appeared before the Council, stating that she appreciated the fact that they were working with the School System on the parking problem. She stated that the School Board had heard from her previously about long-range planning, noting that they had taken 975 parking spaces from Huntsville High, not 170. She stated that the School Board had just not done any long-range planning on this matter and that it was going to cause chaos before it was over. She stated that she believed they would have to go to the shopping center, also, noting that they had lost a lot of parking spaces. She stated that it did not appear that long-range planning was a part of the vocabulary of any leaders anymore.

Ms. Reed stated that she wanted to go back to Mr. Johnny Harris, noting that the Mayor and others had recently gone to Guntersville and met with him, and she inquired as to why they had not brought up the traffic problem that would result from the proposed Walmart. She stated that that was a major issue. She continued that she had contacted Mr. Harris and that he had told her personally that if the City signed off on anything on this, they would go along with it. She stated that somebody was misleading somebody somewhere. She stated that the City had not tried to stop the Walmart, that they had not wanted to stop it, that they had not talked about it, and that no one had

done a traffic study on it. She stated that they just did not care about this. She stated that they should have brought up to Mr. Harris that they had a problem in the city regarding this, that the people did not want Walmart but they met all the qualifications. She stated that if there was a traffic problem, that was what was called planning.

Ms. Reed stated that the public was upset about the location of this Walmart, noting that they had fought one on Airport Road. She stated that a traffic study was never done on this property and asked who she could blame this on, if anybody cared. She stated that Walmart did not need to go onto that property. She asked who was going to build the roads to get traffic into that location. She stated that she would blame the Council and the Administration if they let Walmart go on that property.

Ms. Reed stated that she was going to telephone Mr. Harris on the following day and ask him if he had told her the truth concerning this matter. She asked if Planning and the City had signed off on this. She asked if any one of the Council members knew if the City had to sign any piece of paper for Walmart to go into this proposed location. She asked if anyone knew who had signed off on it and why.

Councilman Kling stated that the reason they had been successful with the Airport Road issue and not so far on the Walmart location at this time was because the property on Airport Road was in two parcels and that one of the parcels had

to be rezoned in order for the Walmart to go in at that location, and that this had come before the Council and the Council had voted not to rezone the property, so that that had taken care of that matter. He stated that the property for the Walmart location at this time was already zoned Commercial.

Councilman Kling stated that he had seen e-mails from members of the Piedmont neighborhood, the Midtown Huntsville Association, and that they had contacted the State Highway Department in Guntersville and they had been told that the gentleman was not at all happy with them calling and they were given negative feedback.

Councilman Kling stated that, as he understood it, the traffic study for this area had been funded by Walmart. He asked Ms. Reed to guess how that had turned out. He continued that the Highway Department had accepted that.

Councilman Kling stated that there would be nothing to prohibit Walmart from obtaining a building permit as long as they met the criteria for construction. He continued that there were good City departments that were going to watch this.

Councilman Kling stated that he had been blown away about the traffic study, noting that if he funded a traffic study, he believed it would say pretty much what he would like for it to say.

Mr. Jerry Burnet again appeared before the Council, stating that he was more puzzled at this time than he had been when he first arrived at the meeting. He stated that

Mayor Battle had spoken about attempting to get money from the State to provide funding for the highways. He stated that persons knew that the State got its money from the Federal government. He stated that Councilman Kling had mentioned there was \$200,000 that was going to lobbyists to do what the local congressman should be doing. He stated that it was like the citizens were paying taxes and not being represented.

Mr. Burnet stated that the amount being paid to the lobbyists was almost a quarter of a million dollars and stated that perhaps that did not seem like much to the City of Huntsville but that it was a lot more money than he had ever had in his bank account. He stated that if the City had that kind of money to pay to a lobbyist and they had a congressman that was blocking the bill, that it just did not make sense to him. He asked if they realized what that sounded like, to pay \$200,000 to a lobbyist to try to get Federal funding that the congressman was sitting up there blocking. He stated that that was disgusting, that it just did not make any sense. He stated that he believed the Council members knew that that did not make any sense.

Councilman Kling stated that he understood what Mr. Burnet was talking about and that he was just trying to give him what information he knew. He stated that a large amount of the money that the City was looking at from Montgomery was from gasoline taxes. He stated that previously Councilman Culver and he had contacted some of the gubernatorial candidates and

that the County Commissioners had contacted some of the candidates and that all they had asked for was that Huntsville and Madison County would get 80 cents on the dollar from the gas tax money that they sent to Montgomery. He stated that that was a different source, although he was sure there was some Federal money involved also. He stated that he just wanted to advise Mr. Burnet as to the pot that they were trying to work on in this matter.

Councilman Kling stated that he appreciated very much the great work that Mayor Battle had been doing on this and that the Council was trying to show their support for his effort on this. He stated that they had agreements with the State and the State had pulled back.

Mr. Walter Jones, 3414 Darlene Circle, appeared before the Council, stating that he was a junior at Johnson High School and was one of the selected panelists to go to Washington, D.C., for the Youth Speaking Out program. He stated that he was supposed to address the United States on national television and represent the South.

Mr. Jones stated that from his understanding, the School Board said that if they left and were gone Monday, Tuesday, and Wednesday of the following week, this would be marked as an unexcused absence. He continued that from what he understood from his teachers, they would not have to give them their work to make up, which he noted would affect their grades.

Mr. Jones asked that the Council urge the School Board to

mark these as excused absences as they were representing Alabama at the March on Washington Anniversary. He stated that this was a once-in-a-lifetime opportunity, as the Council members were aware. He stated that on August 28, 1963, Dr. Martin Luther King had been working for justice and jobs in Washington, D.C., and had given the "I Have a Dream" speech. He continued that Huntsville was the first city in the South to desegregate the schools, before the 1964 Civil Rights Act.

Mr. Jones reiterated that he was asking the Council to ask the School Board to excuse their absence, and to also give his group some funding to be able to go to Washington. He stated that they were to leave on the following Saturday, after the Back-to-School Parade, and return on the following Wednesday, August 28.

Councilman Showers stated that Johnson High School was in his district, District 1, and stated that there was a School Board member that represented Johnson High School in District 1, North Huntsville. He asked if anyone from this group had contacted Ms. Laurie McCaulley, the School Board representative for that district.

Mr. Reginald Hill again appeared before the Council.

Councilman Showers asked Mr. Hill if his committee had contacted the School Board representative for Johnson High School about this issue.

Mr. Hill replied in the affirmative, stating that they had contacted their School Board member, as well as the other

School Board members, as well as many other persons in the City School System. He stated that he had several e-mails concerning this matter that he could share with the Council, as well as anyone else who would like to see them, on the issue of why these students would be unexcused. He stated that they had communicated with every channel possible.

Councilman Showers asked if the group was saying that they had not received any help from their School Board representative.

Mr. Hill stated that that was correct, that they had not.

Councilman Showers asked if it was correct that they had talked to the School Board representative.

Mr. Hill replied in the affirmative.

Mr. Hill asked if it was all right if he addressed the Council at this time.

President Russell replied in the affirmative.

Mr. Hill asked what percentage of the City budget was allocated to non-profit organizations and asked what the qualifications were for groups to receive assistance, and how organizations would access the credentials for receiving such funds and determine how to go about doing it. He asked if there was a requirement that an organization had to be established for a certain amount of time and if there was investigation as to what an organization actually did, kind of the criteria for this, if it existed in the budget, and that if it did not, if the Council could push the Mayor into allocating

more funds for non-profit organizations.

President Russell stated that the Council had just received the Mayor's proposed budget for the upcoming year and stated that, generally, approximately 7 percent of the budget went to non-profits. He continued that he would double-check that number. He stated that an organization had to be a 501(c)(3) organization and they would be given an application, and the application usually contained the organization's budget and the source of their funds.

Mr. Antoine Godfrey, 6038 Lincoya Drive, appeared before the Council, stating that, basically, his friend, Walter, had pretty much said everything concerning this situation but that one thing he wanted to mention was that they were the future of this society. He questioned what they could learn in school that was not taught when they could go out in the real world and learn this. He stated that there were certain things that were not being taught in school and that this was one of the things that was not being taught. He begged the Council to help them out on this and make this trip happen.

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

There was no response.

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

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER