

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, AUGUST 27, 2015

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, August 27, 2015, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

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

President Russell called the meeting to order.

Pastor Tim Milner led the invocation;

Councilwoman Robinson led the pledge of allegiance.

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

The minutes of the Regular Meeting of the Council on August 13, 2015, were approved as submitted.

President Russell stated that the Administration had asked that an item be added to the agenda, under "New Business Items for Consideration or Action," and that this was a request for authorization to advertise and fill vacant budgeted position of Legal Secretary II, at a higher than minimum salary if

necessary.

President Russell moved that this item be added to the agenda, which motion was duly seconded by Councilman Showers and was unanimously approved.

President Russell stated that this item would be added to the agenda as 15.r.

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

President Russell recognized Mayor Battle.

Mayor Battle asked Ms. Regina Parker, Executive Director of Lilies of the Valley, to come forward.

Ms. Parker came forward, along with other members of the organization.

Mayor Battle stated that at this time they were recognizing Ovarian Cancer Awareness Month. He stated that this was a very serious disease that this group was working very hard on, and he asked Ms. Parker to tell the Council and members of the public something about the disease.

Ms. Parker stated that they were the Lilies of the Valley, the ovarian cancer support and awareness group for Huntsville and North Alabama. She stated that they held support meetings for women who had been diagnosed with ovarian cancer, noting that members of this group were all ovarian cancer survivors. She stated that they also went into schools, churches, civic groups, et cetera, to educate women about the signs and symptoms of ovarian cancer, because there was not a reliable

screening test for it. She continued that the annual test women received from their doctor each year did not check for ovarian cancer, that they just had to be aware of the symptoms, know their body, be aware of when something was wrong, and go to their doctor to be checked out.

Ms. Parker stated they were very pleased that the City was giving them this proclamation. She stated that for the second year in a row, they were participating in a statewide event called "The State of Teal." She continued that persons would see some buildings around the city lit teal this month for awareness, including Huntsville Hospital, Calhoun Community College, the Botanical Garden, Northeast Alabama Community College, the AL.com Building, and also the City of Scottsboro.

Mayor Battle stated that the proclamation noted that in the average year 22,000 women were diagnosed with ovarian cancer and that 14,000 died from the disease. He stated that this support group had brought a great deal of knowledge of this disease to the community and thanked them for the job they had done.

Mayor Battle asked Mr. Peter Beucher of BizTech to come forward. He presented a proclamation to Mr. Beucher declaring August 24-29, 2015, as Innovation and Entrepreneurship Week in Huntsville. He stated that innovation and entrepreneurship was what drove the economy in the city and made the city a prosperous place to be. He stated that as far as industry, there had been three Fortune 500 companies that had come out of

persons' basements, and that most likely they would have more than this in the future.

Mayor Battle stated to Mr. Beucher that he appreciated what they did to encourage entrepreneurship and innovation in the city and asked Mr. Beucher to comment on this.

Mr. Beucher stated that BizTech had been in the business of supporting entrepreneurial enterprise in the city for almost 20 years. He continued that he was proud to say that in the prior six months, Lance Gilbreath and Bob Ludwig had really reached out to the community and were working with a host of different agencies, such as Rocket Hatch, and with Brandon Kruse, and they had really brought the spirit of entrepreneurship back into the city.

Mr. Beucher stated that they had gotten some advice from some outside groups and stated that Lance Gilbreath was now reaching down into the fourth and fifth grades, across the city, and that the response he was getting from young school children about starting their own businesses was outstanding. He stated that Brandon Kruse could buy and sell him a couple of thousand times, and he believed he had started his business when he was in the 9th or 10th grade.

Mr. Beucher stated that BizTech was really about creating exciting opportunities for entrepreneurial enterprise to flourish in Huntsville, to create jobs.

Mayor Battle thanked Mr. Beucher for the job BizTech did.

Mayor Battle asked Mr. Steve Ivey, Director of Parks and

Recreation, to come forward.

Mayor Battle stated that they would like to recognize Mary Jones at this time, noting that she had won a Gold Medal in the 2015 Pan Am Games and that she hoped to make the USA Rowing Team for the 2016 Olympics. He congratulated Ms. Jones for this outstanding achievement.

Mayor Battle asked Mr. Ivey to comment on this.

Mr. Ivey stated to Ms. Jones that they were very proud of her and her accomplishments and that they were very glad to have her back in the city.

Ms. Jones expressed appreciation for the recognition.

Councilman Kling read and introduced a resolution commending Mary Jones as a Gold Medal winner for Team USA at the 2015 Pan Am Games, as follows:

(RESOLUTION NO. 15-629)

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

Mayor Battle presented a copy of the resolution to Ms. Jones, congratulating her on her achievements.

Mayor Battle stated to the Council members that in front of them at this time was the FY 2016 Proposed Budget, which he noted came from the City of Huntsville, or more specifically, from Mr. Randy Taylor, the Finance Director. He stated that he had told Mr. Taylor he would not be doing anything special for him at this meeting, but that that was not correct. He asked

Mr. Taylor to come forward, along with Mrs. Taylor.

Mayor Battle stated that Mr. Taylor had been the Finance Director for the City over the past seven years while he had been in office, as well as prior to that time. He stated that Mr. Taylor had given great guidance to him and to the City of Huntsville, and to members of the Council, on many occasions. He stated that he had been affectionately nicknamed "Dr. No," as well as some other names.

Mayor Battle stated that Mr. Taylor was the reason the City had gotten the Standard & Poor's and Moody's AAA ratings for several years. He stated that what this meant was that for the prior seven years, every bond issue the City had put out had had a AAA rating, which he noted was the highest rating any municipality could have, and that this was because of the financial management Mr. Taylor had provided. He stated that Mr. Taylor was moving on to greener pastures, and that he would certainly be missed. He continued that it was going to take two people to do what Mr. Taylor had done.

Mayor Battle presented a proclamation to Mr. Taylor, stating that it was in recognition of 17 years of outstanding service to the City of Huntsville. He continued that September 3, 2015, would be "Randy Taylor Day" in the city of Huntsville. He thanked Mr. Taylor for the great work he had done.

Mayor Battle stated that he also had a plaque to present to Mr. Taylor, thanking him for his 17 years of service to the

City, and especially the prior seven years. He stated that many people could be a Finance Director and a lot of people could count the numbers, et cetera, but that very few people could be a financial manager, to be able to manage money and to see what the future would hold and to talk about the future and what the trends were and to make sure the City worked properly.

Mayor Battle stated that one of the things Mr. Taylor had accomplished during the 2008 and 2009 timeframe, during the recession, was that the City had not had to lay anyone off. He continued that very few cities had been able to do this. He stated that the City had not had to lay anyone off because Mr. Taylor had set them up as conservatively as possible and had made them work along some very hard lines to make sure they made their budgets so they could keep everyone working in the City. He stated that this was something for which he believed they all owed Mr. Taylor a big round of applause, because the City had not laid persons off during the biggest recession the country had ever seen, that they had made sure everybody still had a job and everybody was taken care of.

Mayor Battle presented the plaque to Mr. Taylor and thanked him for what he had done during the past 17 years. He continued that he also had a coin from the City to present to Mr. Taylor. He again thanked him for his service.

Councilman Kling read and introduced a resolution congratulating Chief Lewis Morris upon his retirement from the Huntsville Police Department, as follows:

(RESOLUTION NO. 15-630)

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

Councilman Kling asked Chief Morris to come forward.

Councilman Kling stated that he had certainly been proud to have known Chief Morris during all the years he had served on the Council. He stated that Chief Morris had begun working with the Police Department in 1976, that he had started as a patrol officer and had worked his way through the ranks, holding positions such as Investigator, Sergeant, Lieutenant, Captain, Deputy Chief, and then Chief of Police, having been appointed to that position in 2012 by Mayor Battle. He continued that he had had many great achievements during his service with the Police Department.

Councilman Kling stated that when the police precinct system had been set up, he had been fortunate enough to have Chief Morris at the West Police Precinct. He stated that he had meant so much to that area of the city, that he had come into that precinct and had been welcomed by the citizens in the area. He stated that the community relations he had had as the Precinct Captain and the community relations he had instilled throughout the city as the Chief of Police were really great.

Councilman Kling stated that the police business was a tough business and that sometimes the media tended to take pot shots at them, but that he believed the support in the city for

the Police Chief and for the Police Department was very strong, especially as compared to what was seen in other communities. He stated that he believed the reason for the bond between the community and the Police Department largely rested with the great job Chief Morris had done.

Councilman Kling stated that it was his privilege to present this resolution to Chief Morris and to thank him for what he had done for the community, noting that it had been outstanding.

Chief Morris stated that he had had a very long and enjoyable career and he certainly appreciated the opportunity he had had to finish his career as Chief. He stated that all the accomplishments that had been achieved during his tenure were not because of him but because of the employees of the Police Department, that they were the ones who deserved the credit. He continued that they should get a round of applause.

President Russell stated that at this time he would ask Mayor Battle to present his Fiscal Year 2016 Proposed Budget.

Mayor Battle stated that the Council members had in front of them the Fiscal Year 2016 Budget. He continued that this budget had \$192 million in Operating funds, which represented an approximate \$4 million, or 2 percent, increase over the 2015 Operating Budget. He stated that it projected a 3 percent increase in Sales Tax Revenues, which he noted would be largely absorbed by employee costs and mandatory increases in Operating costs.

Mayor Battle stated that this was a lean budget, but it did have modest increases in funding for some departments. He continued that it also included a 1 percent COLA, a Cost of Living Allowance increase, for all City employees.

Mayor Battle stated that to the Council members this was really more of the same, noting that they ended up with a budget that came out every year with a little more money to be spent, but that most of it was already spent before they got to this point because of some of the employee costs, including health care costs, retirement costs, and making sure they provided one of the best health care systems they could provide, through daily maintenance. He stated that the City payroll was a large portion of the budget.

Mayor Battle stated that Huntsville was one of the few cities that could provide a payroll package for each of its employees, where they provided approximately 14 percent of the revenue for retirement and the employees provided approximately 6 percent. He stated that they provided a very, very rich plan in making sure that the employees had proper medical care and insurance, noting that this was something they felt they were obliged to do.

Mayor Battle stated that during the week, the Administration had met with some of the firefighter officials and had discussed the retirement plan with them and what the State was attempting to do with this plan. He stated that they would be working with them to make sure the City employees were

taken care of and that they did not move toward some of the moves Montgomery was attempting to do, so that they would not pay their fair share and would put the burden back on the employees. He stated that this was something important, that the City was only as good as its employees. He stated that, as a community, they would make sure they had good employees and that they worked with them.

Mayor Battle stated that the highlights of the Fiscal Year 2016 Budget were as follows: \$4.3 million for road resurfacing; funding for three new police officers, noting that six had been funded in the prior year's budget; \$37.9 million for road construction, as part of "Restore Our Roads"; \$3.5 million for Parks and Recreation, quality-of-life projects; \$1.8 million for Fleet purchases; \$21 million for Huntsville City Schools, to make the School System one of the finest in the state of Alabama and to make the city competitive on a national basis; and \$12.3 million for Outside Agencies.

Mayor Battle stated that one thing one would not see in the budget was body cams. He continued that everyone had committed they were going to do body cams, and they had to work through this process, noting that this would come out of year-end funds. He stated that they had not forgotten their promise to the community, that everyone on the Council and in the Administration wanted body cams, and the community wanted body cams, that everyone was in agreement on this.

Mayor Battle stated that at this time he would turn the

presentation over to Mr. Taylor.

Mr. Taylor stated that he would just add a little detail to what Mayor Battle had previously outlined, being things for the Council members to consider as they evaluated the Mayor's proposal.

Mr. Taylor stated that what the Council members had in front of them was a very brief snapshot of the most significant things the Mayor's proposal represented, which he noted the Mayor had just enumerated. He stated that the Budget Ordinance was being introduced at this meeting, noting that it was a lengthy document. He stated that also being introduced were the two Capital Improvement plans, the 1990 Plan and the 2014 Plan. He stated that what was not being introduced at this time but did travel with the budget was the 1 percent COLA, Cost of Living increase, Ordinance, which he noted would be before the Council at the next Council meeting and would require unanimous consent. He continued that this was included in the Mayor's proposal, noting that Mayor Battle had previously stated this.

Mr. Taylor stated that, as Mayor Battle had previously mentioned, there was considerable pressure that still existed in the Operating budgets. He stated that he would remind the Council why this was the case and why it would continue to be something that would be important for them to keep thinking about as they moved forward in this process and saw what the consequences of this had been. He continued that this was not

intended to be negative but just for the Council to be realistic about what the City's financial position was and how they should think about additional revenues when they became available.

Mr. Taylor stated that the vast majority of the expenses went to the No. 1 most important resource: people. He stated that they had been able to maintain the level of staffing and the level of public services even through difficult times several years prior. He stated that not all municipalities and counties had been able to do this, nor state governments. He continued that that came with a cost, and that cost was in the budget. He stated that they had step raises, cost-of-living increases, and health care, and that these things used up most of the budget growth every year. He stated that, as he had explained to the Council numerous times, those things had grown faster, as a percentage, than the sales tax revenue had grown, noting that that was the most significant source of revenue and grew the most.

Mr. Taylor stated that during the recession, as the Council members were aware, revenues had gone down, so that they had experienced what the school systems would call "proration." He continued that prorations were permanent, that when revenues went down and then there was a rebound, they did not go back to where they were prior to the recession, that money that was lost was lost forever.

Mr. Taylor stated that they had reset the base, that they

had started to grow again, and the budgets were certainly larger than they had been during the post-recession years. He continued that it had taken several years before they had actually surpassed what they had been before, but that costs had continued to rise during that entire period, particularly Personnel costs.

Mr. Taylor stated that when Mayor Battle had proposed a fairly significant restructuring in 2011, they had eliminated \$27 million of costs, that they had had to cut that much in the budget. He stated that this had all been pushed to the sideline, and that most of it was Capital, with most of that being Fleet. He stated that they had not bought a police car, a fire truck, a pickup truck, or a garbage truck in the Operating Budget for the departments since 2007. He stated that for this money, they had been using carry-over funds, that they had been paying for this in the Capital budgets, which now had some amount of funding for this. He stated that this was very important for the Council to remember, noting that it had been put on the bench and sat on the sideline, and had not gotten back into the game, so to speak. He stated that the Capital Plan had borne the brunt of the cuts.

Mr. Taylor stated that in the document the Council had before it, including the Fiscal Year that was about to be closed, there was \$119 million that had been transferred from the Capital Plan to the General Fund, over a 10-year period, projected. He continued that there was \$7.4 million in the

budget Mayor Battle had proposed. He stated that the reality of the revenue decline had resulted in a significant impact on the quality-of-life projects and other infrastructure projects that were just as important to the City as the Operating activities.

Mr. Taylor stated that the Council members should keep these things in mind, noting that they had not gone away, that there was still a lot of money that had been eliminated from the budget which was not people, for the most part. He stated that it was some Operating costs, but that it was largely the things that the departments and employees depended on every day in order to be able to do their jobs. He reiterated that this had been set aside, as well as infrastructure demands that the citizens expected and that would continue to keep Huntsville vibrant and growing. He stated that this was a dynamic that was part of the budget. He stated that the budgets would always be tight, noting that Personnel costs were rising and using most of the approximately \$4 million in new revenue. He stated that they were glad they had seen a 3 percent revenue increase thus far in sales tax, and that they were projecting the same.

Mr. Taylor stated that the upcoming year's budget proposal from Mayor Battle was essentially what they had thought it might be a year prior. He stated that they had had a reasonable year, that the numbers had stayed pretty close to budget, as had been previously reported. He continued that

they had had some overages and some shortages, but overall they believed they were going to be okay. He stated that this was translating into a budget for the upcoming year that looked pretty much like they had thought it would, that there were not a lot of significant changes. He stated that this \$4 million of additional revenue represented a conservative 2 percent increase overall, and a 3 percent growth in sales tax. He stated that they believed this was a reasonable figure, based on everything that was happening in the local economy at this time.

Mr. Taylor stated that there was a 1 percent cost-of-living increase that Mayor Battle had proposed and stated that this would cost the General Fund approximately \$1.2 million of this \$4 million. He stated that health care costs were increasing 9.6 percent in the upcoming budget, noting that this was a \$1.9 million increase, and that this was the largest increase they had seen in at least six years. He stated that these costs had actually been up 13 percent in the current year, but they had had some cushion in the budget that was insulating them a bit on this. He continued that, however, this meant they had to adjust the upcoming year's budget.

Mr. Taylor stated that the City was self-insured, so that for every medical care cost employees incurred, the City paid the bill, and that the current year had been a difficult year for this. He continued that this would command an additional \$2 million of the \$4 million.

Mr. Taylor stated that, also, there would be step raises.

Mr. Taylor stated that, fortunately, they had also had some decreases, that fuel costs were down, and they were using \$1 million in savings from this in the upcoming budget. He continued that this had helped them fund the significant needs the departments had requested for operating purposes. He stated that utilities were going up, and there were repairs to fleet, repairs to facilities, and other Capital needs that the departments had that they had tried to accommodate. He stated that they had not been able to accommodate everything, but that they had used some of the fuel savings to help with the things that had been really strained for a long period of time.

Mr. Taylor stated that, as Mayor Battle had previously mentioned, there were three new positions of police officers, and that that would be included in the upcoming budget as well.

Mr. Taylor stated that the Capital budgets had a variety of changes, which they would be discussing in detail in another session, or with the Council members in whatever the right setting might be. He stated that there were two Capital plans, and that they had to make changes in these each year, based on changes in plans and changes in revenue. He stated that the Council members had these, as well, and could look at all the projects that were included.

Mr. Taylor stated that this concluded his presentation, but he would be glad to answer any questions the Council members might have, if there were any, or if not, they would

wait for another session of the Council to do this.

President Russell asked if the Council members had any questions for Mr. Taylor.

President Russell recognized Councilman Kling.

Councilman Kling asked Mr. Taylor if he could provide any correlation as to why they were having such a great increase in health care costs since one of the reasons for going with a City clinic was for a cost savings.

Mr. Taylor stated that he would have to defer to Byron Thomas and his staff in Human Resources on this. He stated that the Council had previously had a presentation on the clinic and where they were in regard to it. He stated that it was correct that they had expected to see savings, but noted that they were just about to finish their first full year, and that it would take awhile to get traction in this regard. He stated that they were definitely saving money, noting that just because the numbers were up did not mean they were not saving money, that it meant this was not as high as it possibly could be if they were not doing this.

Mr. Taylor stated that he would add, with regard to the employee clinic, that it was not an immediate cost savings they would see, but that this was doing something to benefit the lives of employees, and, therefore, the costs to the City, over a long period of time. He stated that however they managed health care, they needed to think about the long-term costs, particularly for persons who needed to have health situations

identified at this time. He continued that the City could help them intervene at this time and provide the treatments they needed so they did not have catastrophic health events and costs 20 or 30 years from this time. He stated that the clinic was certainly having success in this regard.

Mayor Battle stated that when they had first gone into the clinic, they were aware that the first year would be somewhat more expensive, that it would cost them money the first year, mainly because persons would be getting doctor's care that had not had this care previously, and that upon having this care, they would have perhaps gotten on medications they should be on, et cetera. He stated that there were a lot more employees who had actually gotten care by doing this, and that long term they might be able to avoid some of the diseases which were so expensive, and that they might be able to have more productive employees, as well. He stated that this was one of the reasons they had established the health clinic.

Mayor Battle stated that at the end of the first year, they would compare their numbers at the clinic against Huntsville Utilities' numbers for its clinic, noting that they were using a different health care provider than their clinic. He continued that they would look person to person and see what the cost was of theirs versus the cost of the City's, and see what these results would be. He stated that he believed this would be a good way to compare apples to apples and see if the costs were where they should be.

Councilman Kling stated to Mr. Taylor that he believed Mayor Battle had touched on this and asked what percentage of funding for the employees' retirement pensions was included.

Mr. Taylor asked if Councilman Kling was asking what percentage of funding they had for the retirement plan overall.

Councilman Kling replied in the affirmative.

Mr. Taylor stated that the City was 63 percent funded for its long-term cost of retirement care. He stated that this was a very complicated economic matter that was managed by the State retirement system, RSA, and that the City paid 100 percent of what they were required to pay every year. He stated that there had been cost increases, that it was related to the investment performance of RSA, but that most of it had to do with costs, and the number of persons that were retired from the City. He stated that cost-of-living increases for retirees had affected this over the years, as well as the DROP program, and things such as this.

Mr. Taylor stated that it was important to know the significance of retirement in the budget. He stated that when he had started with the City, the City's contribution, to match the employees', was 4 percent of City payroll costs, but that at this time it was 14 percent, noting that it had continued to rise. He stated that they would spend approximately 14 or 15 million dollars on retirement in the City's Operating budget, noting that this was almost as much as health care, that it was a very significant factor. He stated that they had

seen some improvement, that the funding had improved somewhat over the prior year, per RSA's figures. He stated that they had paid what they were required to pay, but they had not covered the long-term costs.

President Russell stated to Mr. Taylor that he had mentioned they would transfer \$119 million from the Capital Budget to the Operating Budget over a period of 10 years, with \$7 million being proposed in the upcoming budget. He asked what projects were being removed.

Mr. Taylor stated that there were so many it was difficult to say. He stated that they had done a restructuring in 2011 and in the 2015 budget, and that a lot of changes had been made. He stated that some of these were over a three-year period of time, as they continued to adjust. He stated that in the later years, which represented 30 to 40 million dollars that was just now coming into the Capital Plan, these were not in the window of consideration when they had made the cuts. He continued that what they had lost was the ability to add projects, which he noted equated to perhaps one-third of this. He stated that Shane Davis and John Hamilton would have to talk to them about the things that had been funded previously and that had been either deferred or removed.

President Russell stated to Mr. Davis that they did not need to go into great detail but asked if he would touch on this matter.

Mr. Davis stated that the projects that had been lost in

the Capital Plan had been two and three budget cycles previously, as they had come to them year after year and had cut the Capital plan to subsidize the General Fund. He stated that for the proposed FY 2016 Budget, they needed to do a little of this, but they were not canceling any projects, that they had just deferred them, pushed them out. He stated that the projects were still in the Plan, that they were just not at the accelerated pace they would like to see.

President Russell asked that the Council members keep this in mind as they went through the budget process. He stated that over the years, they had changed the Capital Budget to booster the Operating Budget, and that he believed one day they would have to pay the piper for this.

President Russell recognized Councilman Showers.

Councilman Showers stated to Mr. Taylor that he was aware they had gone to a new format in the Finance Department and that he had noticed on the FY 2016 Budget that they did not show the FY 2015 budget, as they had done in the past. He asked if there was any reason why that was not being shown in this particular format.

Mr. Taylor stated that that was a good question. He stated that he had neglected to tell the Council members that within the next few days he would provide them the details of this. He stated that what they had before them at this time was the ordinance only, and that the ordinance showed only the current year. He stated that he did owe them the package so

they could see the comparison between the upcoming year and the prior year. He stated that this would show them the budget, it would show them where they believed they would land in the current year, and what the upcoming year's budget would be, so that they could see the changes in all the numbers.

Mayor Battle asked Mr. Taylor if he would advise the Council as to the format, as the format would be changing.

Mr. Taylor stated that there were significant changes that would be coming with the new financial reporting system, which he noted would take place on October 1. He stated that this was going to bring the Finance Department out of the 19th Century and into the 21st Century, that all the departments would have much better tools with which to do their jobs in managing their budgets. He stated that this had broken the City up into lots of different pieces, noting that at this time they had identified 44 different earmarks on revenues that came into the City. He continued that some of this was from the State, some of it was Federal sources, and some of it was Council sources, money that they had pledged to the School System or the Capital Plan.

Mr. Taylor stated that they were isolating all these earmarked revenues so they could fully understand "This money is to be used only for this," rather than aggregating it, which served to confuse them at times. He stated that the Council would see a different budget, that the ordinance was lengthy, and they could see all these different pots of money for which

they were being asked to approve the budget. He stated that it would be different, but that the numbers were the same, that they were just allocating them differently so that everyone would better understand how they had to use the money that had strings attached.

Mr. Taylor stated that the financial system itself would be very powerful. He stated that Ken Benion, the Acting Finance Director; the Finance Department staff; the Clerk-Treasurer; and even the departments would have considerably more powerful tools to help manage the City.

Mr. Taylor stated to Councilman Showers that he would be provided the details he had requested.

President Russell stated that the Council would most likely hold a work session the following week, that he would try to coordinate this with the Council members' schedules, and asked them to think about the following Thursday. He stated that if that date could not be worked out, they would find an alternative date.

Mayor Battle stated that if any Council member needed to meet with the Administration individually, they would be glad to meet with them individually, with Mr. Davis, Mr. Hamilton, and Mr. Benion, and go through whatever portion of the budget they would be asked to discuss. He continued that they could also do this in a work session.

President Russell asked if there were any further questions concerning the budget.

There was no response.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 15-477, zoning newly annexed property lying east of U.S. Highway 431 South and on the west side of Goose Ridge Drive as Residence 1-A District, which hearing was set at the July 9, 2015, Regular Council Meeting.

President Russell recognized Ms. Ashley Nichols of the Planning Division.

Ms. Nichols stated that this was newly annexed property, consisting of approximately 2.74 acres, located east of U.S. Highway 431 South and on the west side of Goose Ridge Drive, and that it was part of the existing Meadows at Hampton Subdivision. She continued that this would be an addition to this subdivision that was presently being developed. She stated that the proposed zoning designation for this property was Residence 1-A District, which she noted was consistent with the adjacent zoning.

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

Mr. Ralph Timberlake, 2117 Atkins Drive, appeared before the Council, stating that he was rising to seek information and state possible opposition to this particular zoning. He asked

what impact this would have on the City's budget and ability to render equitable service to these new residential dwellings and how this would affect the current issue before the Council dealing with pay, as they overworked the City employees with this type of expansion, causing some type of deleterious effect. He stated that he felt this needed to be spelled out, and that he had not heard it. He asked that they share with him what this might be.

President Russell asked Mr. Hamilton if he could answer Mr. Timberlake's questions.

Mr. Hamilton stated that the process they had inside the City when a property owner requested that their property be annexed was that it was reviewed by all the departments that delivered services to the properties, and they did an analysis to make sure they could deliver the service at the same level they were currently delivering it. He stated that in this particular case, it was being brought before the Council because these departments had recommended approval and the Planning Commission had recommended approval and the City did have the resources, within the current construct of the City, in terms of personnel, equipment, and budget, necessary to add this property into the city.

President Russell asked if there was anyone else 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. 15-477, zoning newly annexed property lying east of U.S. Highway 431 South and on the west side of Goose Ridge Drive as Residence 1-A District, which ordinance was introduced at the July 9, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-477)

Said motion was duly seconded by Councilman Showers.

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

There was no response.

President Russell called for the vote on Ordinance No. 15-477, 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. 15-479, amending Article 50, Research Park District Regulations, Section 50.1, Uses Permitted; Article 51, Research Park West District Regulations, Section 51.1, Uses Permitted; Article 52, Research Park Applications District Regulations, Section 52.1, Uses Permitted; Article 54, Research Park Applications 2 District Regulations, Section 54.1, Uses Permitted; and Article 73, Supplementary Regulations, amending regulations concerning mobile food vending units, which hearing was set at the July 9, 2015, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that this proposed zoning ordinance was to add mobile food vending regulations for Research Park, Research Park West, Research Park Applications, and Research Park Applications 2 districts. She stated that when the Mobile Food Vending Ordinance had been created in 2013, the Research Park Board had asked the Planning staff if they would omit the Research Park districts so they would have a little more time to evaluate the mobile food vending regulations, as well as how they would tie in with several of the businesses and vendors in the Research Park area. She stated that they had requested at this time that they include them.

Ms. Nichols stated that Planning would like to include these four particular districts. She continued that the regulations would remain the same, as was being shown on the screen. She stated that there were separate days and times, as far as hours of operation, for the Research Park districts. She continued that the hours proposed were Monday through Friday, 10 a.m. to 2 p.m., noting that these could be adjusted at a later time. She stated that they had had some requests for earlier morning breakfast hours, as well as some dinner hours, but that the Planning staff would like to start out with the more popular demand of lunch and expand in the future if necessary.

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

Ms. Jackie Reed, 1000-A Bob Wallace, appeared before the Council, stating that she had some questions concerning this matter. She asked what was meant by "Uses Permitted." She asked if anybody and everything could go out there, with a license, and do what they wanted to do. She stated that her other concern was about the food trucks. She stated that she worked in a restaurant, and that the food trucks were really hurting the restaurant business in the city. She stated that she would like for someone to show her the licenses of the persons operating the trucks, when the Health Department had inspected these trucks, and how much taxes the City had taken in from the trucks since they had okayed the trucks to go throughout the city. She stated that now they were wanting to also add breakfast hours. She stated that having worked in a restaurant and seeing what the Council was doing with the food trucks, she was concerned.

Ms. Reed stated that she might not be opposed to the food trucks, but they were saying that big cities were doing it and that was why they were wanting to do it. She stated that they should just move there.

Ms. Reed stated that she wanted to know how much taxes were being paid, or if they were paying taxes. She reiterated that the food trucks were hurting the restaurant businesses. She stated that they could believe this or not, but she could walk them around town and show them on the nights they had the food trucks downtown.

President Russell stated to Ms. Nichols that Ms. Reed's questions were what "Uses Permitted" meant and if the food trucks were licensed, just like any other restaurant.

Ms. Nichols stated to Ms. Reed that the only uses that were being added with this proposed ordinance were the mobile food vending units, which were commonly known as "Food Trucks," and also mobile food vending sites. She continued that if the Cummings Research Park Board decided they wanted to add a Research Park food truck area in the future, this would permit them to do so. She continued that, also, if, for instance, Raytheon wanted to have a mobile food truck come in, they would basically comply with these regulations, Monday through Friday, 10 a.m. to 2 p.m., and they would also have to provide the food truck owner with a written lease, or written permission, giving them permission to be on the property, along with the fact that they would have to have a Health Department license, as well as an actual City of Huntsville business license, showing each address where they were permitted to be.

Mayor Battle stated that they had had the same concern as Ms. Reed, and that they had looked at what the food truck business had done in the downtown area. He continued that when they had first gotten started, they had worried about taking away from persons who paid for brick and mortar restaurants in the downtown area, but after they first came down and 5,000 persons had shown up and only five food trucks were there, and they could not feed everybody, and then everybody had eaten

downtown and in other places, all the downtown restaurant owners were asking for the food trucks to come down, because it gave them more capacity, and they could take care of their customers, and more people were in the downtown area, and there were more people to be served. He stated that they did check very closely with the owners, that they had been very cautious as they moved this ordinance through. He reiterated that it did serve as a benefit to bring more people to the area where the food trucks were, and then persons would often not wait in line at the food trucks but would go and eat at a restaurant that was close by.

President Russell asked if there was anyone else 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.

Councilman Showers moved for approval of Ordinance No. 15-479, amending Article 50, Research Park District Regulations, Section 50.1, Uses Permitted; Article 51, Research Park West District Regulations, Section 51.1, Uses Permitted; Article 52, Research Park Applications District Regulations, Section 52.1, Uses Permitted; Article 54, Research Park Applications 2 District Regulations, Section 54.1, Uses Permitted; and Article 73, Supplementary Regulations, amending regulations concerning mobile food vending units, which

ordinance was introduced at the July 9, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-479)

Said motion was duly seconded by Councilwoman Robinson.

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

Councilman Kling asked Ms. Nichols if this had come from the Research Park Board or if it was something that was being done as an option for the Research Park Board if they wanted to get into this.

Ms. Nichols stated that this was being done as an option. She stated that with anything the Planning staff would like to add to the Research Park area, they did present it to the Research Park Board first, to get their approval or work out any kinks. She stated that initially with the mobile food vending, there was an issue as far as the restroom requirement and with security in certain businesses. She stated that, basically, this would give businesses the option to have it or not have it, particularly in a multi-tenant building where one business operation might have a different security requirement versus another. She stated that this was merely another food establishment option.

Mr. Hamilton stated that he and Councilman Culver served on the Research Park Board, and that they had only brought this matter forward because the Research Park Board had recommended approval. He continued that Planning had come before the Board

multiple times with presentations, and that the Board had asked for some changes, and those changes had been applied, and that was what was before the Council. He stated that it came to the Council only because the Board had recommended approval of the version before the Council at this time.

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

There was no response.

President Russell called for the vote on Ordinance No. 15-479, 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. 15-481, amending Article 53, Research Park Commercial District Regulations, Section 53.5, Parking and Loading Areas (7), amending regulations concerning retail parking, which hearing was set at the July 9, 2015, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that this proposed zoning ordinance was to amend the current retail parking regulations for the Research Park Commercial District, noting that this district was commonly found in the Bridge Street area. She stated that currently for retail sales and service establishments, the parking requirement was one space for each 200 square feet of gross area. She stated that the Planning staff was proposing that this ordinance be amended to read "One space for each 300 square feet of gross area." She stated that the

Bridge Street staff had done a planning study, as far as parking, during their peak hours and peak days of the year, such as Black Friday, and they had realized they had an excess of parking spaces. She stated that, also, each retailer there had a different parking requirement, and that this was causing some conflict. She stated that this change to the parking ordinance would help to temporarily alleviate some parking stress that they had. She continued that it was something that the Planning staff would work on with Bridge Street and other Research Park districts in the future, to assist with any parking concerns they might have.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 15-481, amending Article 53, Research Park Commercial District Regulations, Section 53.5, Parking and Loading Areas (7), amending regulations concerning retail parking, which ordinance was introduced at the July 9, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-481)

Said motion was duly seconded by Councilman Showers.

President Russell asked if there was any further

discussion of the above ordinance.

President Russell recognized Councilman Culver.

Councilman Culver stated that he was assuming that this was applicable only to Bridge Street and asked if this was correct.

Ms. Nichols replied in the affirmative. She stated that this was the only area in town that was zoned Research Park Commercial District, and that for each use located there, they all had a different parking requirement, with, of course, retail sales being the largest parking requirement.

Councilman Culver asked Ms. Nichols if an individual business owner could make a request to have the square footage increased per however many people there might be, if a business were to get more people. He stated that he was aware that this was not the same as Commercial, but asked if, for example, a club could make a request to have the ordinance amended to reflect more guests, with fewer parking spaces.

Ms. Nichols stated that they could make a request and the Planning staff would look into that issue and see if there was a problem as far as parking citywide, but if there were no issue or no excess in parking, that more than likely the Planning staff would not recommend a change in the parking ordinance. She stated that with this particular ordinance, there was an excess of 1,000 plus spaces on the peak holiday, being Black Friday, and it would basically be taking away additional spaces that other businesses could use, and, also,

other proposed business that were planning to relocate to Bridge Street in the near future.

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

There was no response.

President Russell called for the vote on Ordinance No. 15-481, 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 for suspension of licensure of certain taxpayers, which hearing was set at the August 13, 2015, Regular Council Meeting.

President Russell recognized Mr. Taylor.

Mr. Taylor stated that he would like to explain this item, as well as the next one on the agenda, since they were very similar public hearings. He stated that, as he had explained to the Council previously, compliance with the tax laws was important and that the Finance Department had to enforce this. He stated that there was a requirement to file and a requirement to pay taxes, noting that these were two independent requirements.

Mr. Taylor stated that when taxpayers had developed a pattern of not complying with these things, whether it be an agreement the City had with them to make their payments over time or other more long-term compliance issues, he would come to the Council and ask that their licenses be suspended. He stated that the suspension could not be enforced as long as the

taxpayer complied with whatever the requirements were that they were behind on.

Mr. Taylor stated that in this case, this particular public hearing was for a group of five taxpayers. He continued that the next item on the agenda involved one taxpayer. He stated that all these persons had been contacted and all of them understood what the City expected them to do and that they understood that the City would not do anything as long as they followed through with what was expected of them.

Mr. Taylor stated that that was what they had at this time and he was asking the Council to consider these.

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

Mr. Ralph Timberlake, 2117 Atkins Drive, again appeared before the Council, stating that he wanted to respectfully request that the Council elucidate more on what was being done. He stated that it appeared to him that they were absconding from giving detailed information that a prudent person could rely on to understand what was going on. He stated that he did not understand anything that was being done on his behalf, as a taxpayer in the city, from what information had just been given. He asked if President Russell would ask Mr. Taylor to give a little more information.

President Russell stated that they had reached an agreement with the taxpayers to make tax payments, and that if

they did not make these tax payments, they would receive punishment.

Councilman Showers stated to Mr. Taylor that in the past, he had listed the businesses that were derelict, but he had noticed that in these particular items, 6.a.4, Resolution No. 15-631, and 6.a.5, Resolution No. 15-632, they had not listed the names of the individuals that were losing the opportunity to continue to serve.

Mr. Taylor stated that they had often provided the name of the taxpayer, but that given the recent sensitivity to the confidentiality laws the State imposed upon the City and its ordinances, they did not provide these names in the public documents, but that they had provided the Council members this information under seal. He stated that he could provide Councilman Showers a copy of this if he would like for him to do so, but that it had been provided separately to each Council member.

President Russell asked Mr. Joffrion to advise the Council concerning this matter.

Mr. Joffrion stated that Mr. Taylor was absolutely correct, that the State law had become much more strict about the release of information regarding individual taxpayer entities and did preserve the confidentiality of that information, so that it was not to be shared. He continued that there could be penalties imposed against the City of Huntsville or individuals who released such information

inappropriately.

President Russell asked if there was anyone else from the public 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 suspending licensure of certain taxpayers, as follows:

(RESOLUTION NO. 15-631)

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

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

There was no response.

President Russell called for the vote on the above resolution, 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 for suspension of licensure of a certain taxpayer, which hearing was set at the August 13, 2015, Regular Council Meeting.

President Russell stated that Mr. Taylor had previously explained this resolution.

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

Mr. Ralph Timberlake, 2117 Atkins Drive, again appeared before the Council, stating that he was bemused by the fact that there was a name on this particular tax delinquent individual, however it appeared that someone was trying to hide the others, as if there would be a breach of confidentiality. He stated that he believed, as far as the delineation between what was confidential and what was not confidential, that the public had a right to know what was being held out as confidential and what was not. He stated that had not been provided concerning the last item, and that he trusted that someone could explain the difference between the two items.

President Russell asked if Mr. Joffrion or Mr. Taylor could explain this to Mr. Timberlake.

Mr. Taylor stated that he was looking at the agenda and was looking at both of the actions before the Council, and there were no names.

Councilman Kling asked Mr. Taylor if it would be helpful for Mr. Timberlake to know if it were something the City could release on its public documents, they would do so, but they were being prohibited by the State. He asked if that was correct.

Mr. Taylor replied in the affirmative.

Councilman Kling asked if it was correct that they would do it if they could, but that the State had said if they did, it would be a violation of State law.

Mr. Taylor stated that that was correct and noted that

they had not done so in either of these cases.

President Russell asked if there was anyone else 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.

Councilman Kling read and introduced a resolution suspending licensure of a certain taxpayer, as follows:

(RESOLUTION NO. 15-632)

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

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

There was no response.

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

President Russell stated that it was the time and place in the meeting for a public hearing for Turkessa Jefferson and Brian Ball, d/b/a Party Life, LLC, on an application for the issuance of a special shuttle license for the operation of one special shuttle vehicle, which hearing was set at the August 13, 2015, Regular Council Meeting.

President Russell recognized Mr. Tommy Brown, Director of Parking and Public Transit.

Mr. Brown stated that this was an application from a new company for a special shuttle license to operate one vehicle, a 15-passenger bus, to be used for parties, weddings, graduations, et cetera. He stated that the paperwork was in order, that background checks had been done.

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 read and introduced a resolution granting Turkessa Jefferson and Brian Ball, d/b/a Party Life, LLC, a special shuttle license for the operation of one special shuttle vehicle, as follows:

(RESOLUTION NO. 15-633)

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

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

There was no response.

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

President Russell stated that it was the time and place in the meeting for a public hearing for Cecilio Kentish, Jr., and

Tiffany Kentish, d/b/a KTI Express Courier, on an application for issuance of a luxury vehicle license for the operation of one luxury vehicle, which hearing was set at the August 13, 2015, Regular Council Meeting.

President Russell recognized Mr. Brown.

Mr. Brown stated that this was an application from a new company for a luxury vehicle license, for the operation of one luxury vehicle. He continued that the paperwork was in order, that background checks had been done.

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.

Councilman Showers read and introduced a resolution granting Cecilio Kentish, Jr., and Tiffany Kentish, d/b/a KTI Express Courier, a luxury vehicle license for the operation of one luxury vehicle, as follows:

(RESOLUTION NO. 15-634)

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

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

There was no response.

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

President Russell stated that it was the time and place in the meeting for a public hearing for Charlie Pat Reynolds, d/b/a Trans Care, on an application for the issuance of a special shuttle license for the operation of one dedicated wheelchair-accessible service vehicle, which hearing was set at the August 13, 2015, Regular Council Meeting.

President Russell recognized Mr. Brown.

Mr. Brown stated that this was an existing business, already in operation, that came under the new ordinance that had been passed by the Council several months prior, and that this action would bring this business into compliance with the new ordinance. He stated that this was for one wheelchair-accessible vehicle. He stated that the application was in order, that background checks had been done.

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.

Councilman Showers read and introduced a resolution granting a special shuttle license to Charlie Pat Reynolds, d/b/a Trans Care, for the operation of one dedicated wheelchair-accessible service vehicle, as follows:

(RESOLUTION NO. 15-635)

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

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

There was no response.

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

President Russell stated that it was the time and place in the meeting for a public hearing for Tonia Butler, d/b/a ElderRide, Inc., on an application for the issuance of a special shuttle license for the operation of seven dedicated wheelchair-accessible service vehicles, which hearing had been set at the August 13, 2015, Regular Council Meeting.

President Russell recognized Mr. Brown.

Mr. Brown stated that this was the same situation as the prior item, that it was for wheelchair-accessible vehicles, and that they were already operating six vehicles. He stated that they had made the application in accordance with the requirements of the Council, and that background checks had been done.

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

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that in the legal advertisement that had been

in the newspaper for this item, it had said that the question was whether public convenience and necessity justified the issuance of a special shuttle license to these people. He stated that his question was why this service was not already being provided by the Handi-Ride system, and if it was provided, if this was not a duplication of this service that was provided. He asked if these rates were set by the City as taxicab rates were and if they were inspected as taxicabs were, and if not, why not.

President Russell stated to Mr. Brown that Mr. Cox's questions had been how this competed with Handi-Ride and why there was a need for this service from this company, and if the City regulated the rates and inspected the vehicles, such as they did with taxicabs.

Mr. Brown stated that those were all good questions from Mr. Cox. He stated that, actually, this was a supplemental service to Handi-Ride, that it was the exact same type service, and that they operated 24/7, seven days a week, and that they provided additional services the City did not provide. He stated that every one of the private companies that came on lessened the burden on the City to provide this transportation, so that they were welcomed openly. He continued that they did not have any type of restrictions on the type of transportation they could provide or the time they provided it. He stated that when they came under this ordinance, they were under the Vehicle For Hire regulations. He continued that the City would

inspect these vehicles, that they would have to have annual wheelchair-lift inspections, that they would come under the ordinance, just as taxicabs, limousines, and other vehicles did.

President Russell asked if there was anyone else 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.

Councilman Showers read and introduced a resolution granting a special shuttle license to Tonia Butler, d/b/a ElderRide, Inc., for the operation of seven dedicated wheelchair-accessible service vehicles, as follows:

(RESOLUTION NO. 15-636)

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

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

President Russell recognized Councilman Kling.

Councilman Kling stated to Mr. Brown that approximately a month prior, there had been a matter before the Council where the City had ended up paying a \$70,000 settlement for a company that was in violation of the City's guidelines, with two large of a vehicle size, and the City had tried to enforce it. And

the company had gone before the Board of Zoning Adjustment and had been denied, and then they had sued the City, and the next thing was the City was paying them. He asked if this would again be opening up this type of can of worms with this situation.

Mr. Brown stated to Councilman Kling that these companies had to submit their business addresses and that they were reviewed by the Zoning department and approved. He stated that he could not say that they would not have a vehicle in an area where it was not supposed to be overnight, but that the City would certainly respond to that. He stated that these were companies that their vehicles were for hire only, so that this was a different situation. He continued that the one to which Councilman Kling was referring involved a group home type of situation, where the vehicle was parked there all the time. He stated that this was different, and he believed they could enforce this very easily, without getting into some of the issues they had gotten into on the other matter.

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

There was no response.

President Russell called for the vote on the above resolution, 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, Manager of Community Development.

Mr. Benion stated that the resolution identified 50 properties that were in violation of the City's grass and weed ordinance. He stated that the properties were identified on Attachment A, by the owner and location. He stated that written notifications had been sent, by regular mail, to the owners that they were in violation of the ordinance, and that they had been given 14 days to correct the violation. He stated that all 50 owners had failed to respond, and Community Development had issued work orders to cut the properties, at a total cost of \$10,684.93 and an average cost of \$213.70. He stated that Attachment A identified the date and cost for cutting these properties.

Mr. Benion stated that the owners had been sent written requests, by regular mail, for payment, and they had failed to respond. He continued that he was requesting that property assessments be placed on these properties in order to collect the costs.

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

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

Mr. Leroy Hanks appeared before the Council, stating that

he lived at 12145 Highway 231 North, Meridianville, Alabama. He stated that he had purchased a property approximately a year prior, and that it was closed by Moring, Schrimsher & Riley, Attorneys. He stated that they had given the address that he had just stated, and that he had the deed and everything with him at this time.

Mr. Hanks stated that earlier in the day, he had received a notice in the mail that had been mailed on the 18th of August, stating what was going to happen at this meeting. He stated that he had not received any prior notices concerning this. He stated that the notice he had received had been sent to that address, 12145, Huntsville, Alabama.

Mr. Hanks stated that he had gone by Community Development earlier in the day to pay the charges incurred for mowing the property. He stated that he felt they had overcharged him, but he would pay that charge. He stated that the gentleman had told him that he could not do that, that he had to pay the \$150 administrative fee for sending out notices.

Mr. Hanks stated that he had then gone by the post office and asked what happened when a misaddressed letter came in from the City of Huntsville, and they had stated that it was returned, that they did not hold it, that they did not put it in a box, that it would go back to the distributing center, and it would go back to the City of Huntsville. He continued that he had asked this person if he was certain of this, and the person had told him that the post office did not keep them,

that they sent them back.

Mr. Hanks stated that he was prepared to pay the \$47.50 that they said it had taken for a person to go out and spend 10 minutes cutting the yard, but he felt he should not have to pay the \$150 administrative fee. He stated that people were surely working and getting paid without having to put a fee on somebody when they did not give a notice. He stated that after the second notice, they should have realized that something was going on. He stated that they should have sent a registered letter, to make sure it was going to the person. He stated that he had several properties, and that he abided by the notices. He continued that several years prior he had gotten a registered letter from them because something had gotten misplaced. He stated that they did have the courtesy to send it registered, to make sure he was getting it.

Mr. Hanks reiterated that he was prepared to pay the \$47.50 but he should not have to pay the administrative fee for sending out the letters.

Mr. Hanks stated that he had a letter with the correct address on it from the attorney who closed the property. He stated that in talking to the Tax Collector and Tax Assessor, they had said that it could have been a typo. He stated that it could have been a typo, because earlier in the day he had given the City the right address. He stated that he had told them that everything was right except "Meridianville," that it was 12145 Highway 231 North, Meridianville. He stated that

they had told him they would change it, and they had done so, but when he had gotten down to his truck, he had looked at it, and it had "Meridianville" right but had the address wrong. He stated that they did make typos, and that he had the one that had been made earlier in the day with him if anyone would like to see it.

Mr. Hanks again stated that he would pay the cost incurred for cutting the property if they would waive the administrative fee.

President Russell asked Mr. Hanks what he was cited for.

Mr. Hanks stated that it was weeds and grass.

President Russell stated that they got many complaints from neighborhoods, and that they wanted Mr. Hanks to make sure he maintained his property to City standards so that citizens would not complain about it. He asked if he could maintain his property to City standards so they would not have to go through this procedure.

Mr. Hanks stated that he did this all the time. He stated that the one in question was a vacant lot out on Carters Gin Road, and that it had grown up a little bit.

President Russell recognized Councilman Kling.

Councilman Kling stated that this gentleman had driven all the way from Meridianville, and it appeared that he had some documentation. He asked if they could carry this particular item over to the next meeting of the Council and provide Mr. Hanks the opportunity of meeting with Mr. Benion concerning

this matter, so they could let someone look into it and determine if the administrative fee could be waived on this, since Mr. Hanks had documentation about the address and the notices going to the wrong address.

Mr. Benion stated that he had met with Mr. Hanks earlier in the day. He continued that the administrative charge was put on each lien they placed on properties they cut. He stated that Mr. Hanks had essentially told him that he waited to get a notice from the City before he would go out and cut the property.

Mr. Benion stated that it was his position that persons knew that grass would grow, and that when it rained a lot, it would grow more, and that persons should not wait on the City to notify them that their grass should be cut. He stated that the ordinance had established this administrative fee, and this had been charged since well before he arrived at the City of Huntsville. He continued that he did not feel they should start the slippery slope of starting to waive administrative fees at this time.

President Russell asked Mr. Joffrion to advise the Council concerning this matter.

Mr. Joffrion stated that he believed Mr. Benion was correct, that there was a clear violation. He continued that every property owner was responsible for maintaining their own yard, making sure it was kept up to City standards. He stated that the administrative fee was tacked onto every such item,

that it always had been and always would be. He stated that it was his advice to the Council that it remain in this particular case, but that that would ultimately be the decision of the Council.

President Russell recognized Councilman Culver.

Councilman Culver stated to Mr. Benion that his department had done a great job, and that he would, no doubt, cite everyone, including himself, if he did not cut his property. He asked Mr. Benion if they knew whether or not there was a mistake in terms of perhaps the communications went to the wrong address, or anything of that nature. He stated that Mr. Benion did not have to state this publicly, that what he was asking was that he just look into this, and if there was something the City did differently, he believed it could warrant the Council considering that, but that absent something on the part of the City, then, by all means, the administrative fee should rightfully be paid.

Mr. Benion stated that the address they had received from the Tax Assessor was the address that was on the letters. He stated that the confusion had happened at the Tax Assessor's office, not with Community Development.

Mr. Benion stated that when his department got a property like this, they had to do research on the title, et cetera, and that, essentially, the administrative cost was the charge they were placing back on the citizens for the additional work they had to do prior to cutting the property.

Councilman Culver stated that they would have to load up and go out and cut just one property, and that that would certainly cost the taxpayers a lot of money, and that he could understand that. He thanked Mr. Benion for the clarification.

President Russell asked Mr. Hanks if he wanted to address the Council further.

Mr. Hanks replied in the affirmative.

Mr. Hanks stated that he had gone to Community Development earlier in the day to find out what was going on, because the letter he had received earlier in the day was the first letter he had received. He stated that at that time Mr. Benion had given him a copy of two letters that they said they had sent, which went to the wrong address. He stated that he did not know where it came from, but it was the wrong address, that it was going to "Huntsville," not "Meridianville." He stated that it had on it "12145 Highway 231 North, Huntsville," and that there was no such address in Huntsville. He stated that his feeling was that they should have sent him a certified letter, that after the second one came back, they would know it was the wrong address.

President Russell stated that the Council's position was that all citizens should abide by the law and cut their grass, and then they would not have to go through any of this. He stated that if they did send certified letters, they would have to charge everybody for that, and then persons would complain about that also.

Mr. Hanks stated that once before he had had a house that had had several things written up on it, and that he had fixed them right away, and the inspector had come out and had called him and told him he had missed one. He stated that he had had that courtesy phone call that it needed to be fixed, and he had fixed it. He stated that that was all they would have had to do. He continued that they did not have to stomp somebody just because they had the upper hand. He stated that if they wanted to charge him \$200, they could do so. He asked what the lady had been doing that she didn't do a search on his property. He stated that he was sure she was getting paid and asked why there was another charge on there. He stated that they were funded somehow, and he was sure the fees they made were not the funding for the office.

Mr. Hanks reiterated that he was willing to pay the \$47.50 but would like to have the administrative fee waived.

President Russell recognized Councilman Showers.

Councilman Showers asked Mr. Hanks if he was saying to the Council that the billing had been sent to the wrong address.

Mr. Hanks replied in the affirmative. He stated that they had sent the letters, which he had copies of at this time, to the wrong address, so that they should have been returned to the City.

Councilman Showers stated to President Russell that in that Mr. Hanks had not received the communications at his home address, and there was an error, they should not force him to

pay this.

President Russell stated to Councilman Showers that they were in the middle of the public hearing and asked if they could go ahead with the public hearing and then discuss this particular issue.

Councilman Showers replied in the affirmative.

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

Mr. Ralph Timberlake, 2117 Atkins Drive, again appeared before the Council, stating that the issue that had just come before the Council was similar to what he wanted to talk about. He stated that as the Council members well knew, the delivery of mail was inside the United States Constitution, that it was the only business that he had been able to locate that resided within the United States of America's Constitution. He stated that in that the Post Office had the obligation to deliver mail, under the Private Express Statute. He continued that they were talking about a third-party entity, as to whether they had done their due diligence. He stated that if they had not, it was unconscionable that the City would charge someone because of an entity which they relied upon, which had proven itself to be unreliable, in that they do not do their due diligence.

Mr. Timberlake stated that he was aware that this was an era of electronic data, but the basic American venue of

communication was the United States Postal Service, whose officials seemed to be employed in a way that they absconded from their lawful judiciary responsibility.

Mr. Timberlake stated that he would entreat the Council, in light of the fact that it appeared that this was one of those cases where this entity might not have done its due diligence and might have caused this gentleman some unnecessary trepidation, that they find it within their wisdom to ensure, first of all, that the Post Office officials would do their due diligence, and that his trepidation be ameliorated by the Council granting his request, because he had offered to pay for the actual work.

Mr. William Walker, 1024 Antietam Road, appeared before the Council, stating that he had received a notice about some vegetation that had been removed from a property that he formerly owned. He stated that this property had been discharged as a result of a bankruptcy, he believed in the prior January. He stated that he had been through the legal process to get this taken out of his name and asked why he was being billed for this and how he could get out of it.

President Russell asked Mr. Benion if he could explain this.

Mr. Benion stated that he was not familiar with this particular property, but noted that they took all their records from the Tax Assessor's Office. He stated that if the property was still listed in Mr. Walker's name with the Tax Assessor's

Office, that was where they had gotten it, and that that was what they were obligated by law to use to notify owners of property.

President Russell asked Mr. Joffrion if he could add anything to this.

Mr. Joffrion stated that he could not, but that if there was some confusion or some discrepancy about this, the Council could delete this particular property from the list, by voice motion, and Community Development could take another look at it.

President Russell asked Mr. Walker for the address of the property in question.

Mr. Walker stated that it was 1015 Vicksburg Lane, Huntsville 35803.

Mayor Battle stated that it was not Mr. Walker's property, that it was under bankruptcy, and that whoever had the lien on the property would have to cut it.

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

Ms. Jackie Reed, 1000-A Bob Wallace, again appeared before the Council, asking what happened to the letters that were sent back to the City from the Post Office. She asked what they then did with the letters and how they handled a situation such as Mr. Hanks'.

President Russell stated to Mr. Benion that Ms. Reed's

question was what they did with returned letters.

Mr. Benion stated that they worked all returned letters, that if there was a bad address on a property and a letter came back to them, that notified them that they needed to do further research to find the correct address.

President Russell asked if that would mean going to the courthouse and looking at the Tax Assessor's records.

Mr. Benion stated that that would mean trying any other means to try to find a good address for the owner. He stated that they had originally gotten it from the Tax Assessor, and that it could mean using some search engines, and so forth, to see if they could find the property owner.

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.

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

(RESOLUTION NO. 15-637)

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

President Russell recognized Councilman Showers.

Councilman Showers stated that in light of the information that Mr. Hanks had provided to them, the fact that he was mailed a letter to an incorrect address, he did not believe he should have to pay the fee that was being required. He stated that he had agreed to pay for the cutting service, and that because the system did not work for him this time, with the right address, he did not believe he should be made to pay the additional fee.

President Russell asked Mr. Benion if he could explain the matter concerning the address again. He asked if his department had gotten the address from the County Tax Assessor.

Mr. Benion stated that they still had the address that was listed with the Tax Assessor's Office, that there was not an error made in Community Development.

President Russell asked Councilman Showers if that changed his opinion any. He stated that the City had done what it had to do, which was to go to the County Courthouse for this information.

Councilman Showers stated that the fact remained that they had the wrong address, that the address was not correct. He stated that he did not know how this had happened, but that according to Mr. Hanks, the address was incorrect.

Councilman Showers asked Mr. Hanks if he would come back to the microphone.

President Russell advised Councilman Showers that the

public hearing had been closed.

Councilman Showers stated that according to what Mr. Hanks had said in his earlier statement, the address was incorrect.

Councilman Showers asked Mr. Benion how the address that he had was different from the address Mr. Hanks was alleging was his address.

Mr. Benion stated that he believed Mr. Hanks' said "Meridianville," and the one the City had said "Huntsville."

Councilman Showers stated that he did not believe the City should fault Mr. Hanks for a mistake, regardless of where it came from. He stated that if it was not correct, it was not correct. He stated that Mr. Hanks knew where he lived, and that his address was in Meridianville. He stated that he just did not believe they should charge Mr. Hanks, because the address was wrong. He stated that it was not a fault of Mr. Hanks nor a fault of Community Development.

President Russell stated that it certainly wasn't Community Development's fault, that they had checked the records, and that if the records had the wrong address, he would think it would be the property owner's fault, although he might be mistaken on this.

President Russell recognized Councilwoman Robinson.

Councilwoman Robinson asked Mr. Benion if the letters that had been sent to Mr. Hanks had come back to his office.

Mr. Benion replied in the negative. He stated that the one Mr. Hanks had, that he said he had received on this day or

the prior day, had arrived, although it had arrived late. He stated that they had not gotten the letter back.

Councilwoman Robinson asked if, therefore, there was no indication to Community Development that it was a bad address, so they would not have gone through their regular process.

Mr. Benion stated that that was correct.

Councilwoman Robinson stated that Mr. Hanks in his comments had indicated that he had numerous properties. She asked if Mr. Benion had any record of having sent repeated notices to Mr. Hanks in the past. She stated that she believed Mr. Benion had said that Mr. Hanks waited for notices on such properties.

Mr. Benion stated that that was what Mr. Hanks had explained to him. He continued that they did have records of having sent notices to Mr. Hanks in the past, not necessarily on this particular property but on some of his other properties.

Councilwoman Robinson stated that her other question was concerning the Vicksburg property. She stated that Mr. Joffrion had stated that the Council could possibly delete the Vicksburg property from this resolution until an investigation could be made concerning it. She asked if it was possible to make a motion in that regard.

President Russell stated that it was very possible, if Councilwoman Robinson would like to do so.

Councilwoman Robinson moved to delete 1015 Vicksburg Lane,

Huntsville, Alabama 35803, from the list of properties in the above resolution, for further study and investigation.

Said motion was duly seconded by Councilman Showers.

President Russell asked if there was any discussion concerning the above amendment.

President Russell recognized Councilman Kling.

Councilman Kling stated that when this had first come up and he was asking about it, he had wanted Mr. Benion to take a look at it, and then he had found out in further discussion that he had already taken a look at it. He stated that Mr. Benion had a pretty good track record, as far as he was concerned, at being a very competent department head and taking care of things. He continued that he would be willing to follow Mr. Benion's recommendation on both of these motions. He stated that if it turned out that they did keep the full administrative fee involved, they could possibly provide some assistance to Mr. Hanks as far as letting the County know that there was a problem due to their information, and they might possibly want to make some adjustment to Mr. Hanks, although that certainly was a long shot. He reiterated that he would support Mr. Benion's recommendation on both of these items.

Councilwoman Robinson asked Mr. Benion if it was correct that he had not known about the Vicksburg property, the one that was in bankruptcy, and that he had had no conversation with the property owner.

Mr. Benion stated that he had not. He stated that the

lien would be on the property, and that if the property was not in Mr. Walker's name, the notification should have gone to someone else. He stated that they could take this off the list of properties at this time, and they would find out who the property was actually listed with and send it to them.

Councilwoman Robinson asked if it was correct that this one would merit further investigation.

Mr. Benion replied in the affirmative.

President Russell stated that the motion on the floor was to delete 1015 Vicksburg Lane 35803 from the list of properties contained in the above resolution. He asked if there was any further discussion of this motion.

There was no response.

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

President Russell stated that they would now discuss the main motion, as amended by removing 1015 Vicksburg Lane. He stated that he believed the discussion at this time should be on what to do concerning Mr. Hanks' property. He asked how the Council felt concerning this particular property.

Councilman Showers stated that he had expressed how he felt concerning this, that based on the fact that Mr. Hanks did not get the notice at the correct address, he should not have to pay, that it was as simple as that.

President Russell asked Councilman Showers if he wanted to make a motion concerning this property.

Councilman Showers asked Mr. Culver if he would like to make such a motion.

Councilman Culver stated that what he was looking for and trying to ascertain was whether or not the City of Huntsville had made a mistake in this matter, and that what he was hearing from Mr. Benion was that a mistake had not been made by the City of Huntsville as related to this matter.

Mr. Benion stated that the City of Huntsville had not made a mistake.

Councilman Culver stated that while he truly empathized with Mr. Hanks and he understood Councilman Showers' point of view and appreciated it, he was concerned about where this might take them if someone else were to come before the Council and say a mistake had been made somewhere else other than on their behalf.

Councilman Culver stated that he felt strongly that if the City had made the mistake, it would certainly be incumbent upon them to rectify it and make it right. He continued that he believed Mr. Hanks' problem was with the Tax Assessor's Office and not with the City of Huntsville. He stated that it would appear to him that they would probably be paying for it with taxpayers' money, for something the Tax Assessor's Office did.

Councilman Culver stated that having said that, he would make the motion but probably would not support it.

President Russell stated that it would probably be better not to make the motion if he was not going to support it.

Councilman Culver stated that he wanted to support his colleague, Councilman Showers.

President Russell asked Councilman Showers if he wanted to make the motion.

Councilman Showers moved to delete the administrative fee attached to Mr. Hanks' property on Carters Gin Road from the list of properties contained in the above resolution.

Said motion was duly seconded by Councilman Culver.

President Russell asked if there was any discussion of the motion.

There was no response.

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

AYES: Showers

NAYS: Robinson, Culver, Kling, Russell

President Russell stated that the motion had failed.

President Russell asked if there was any further discussion on the main motion, as amended, with the Vicksburg Lane property deleted.

There was no response.

President Russell called for the vote on Resolution No. 15-637, as amended, and it was unanimously adopted.

President Russell stated that the next item on the agenda was Communications from the Public. He stated that persons would have three minutes to address the Council.

Mr. Earl Jordan, 2605 Carlsbad Drive, appeared before the

Council, stating that he had a big problem. He stated that there was an empty lot next to his house, and that the grass was waist high at this time. He stated that in the prior three weeks, he had killed three snakes, one in his garage and two on his lawn. He stated that he had called about this, and they had told him it would take 14 days, and he stated that that was unacceptable. He stated that his life was at stake because he did not know if the snakes were poisonous or non-poisonous, and that this was ridiculous. He stated that his community was a well-kept community, that he would put it up against anyone's community, but that they had one bad apple, and he was going to spoil the whole community.

Mr. Jordan reiterated that this was an empty lot and stated that it seemed that the owner wanted to cut it at his convenience, and that that was unacceptable. He stated that he could not wait 14 days, that something had to be done, because he was not going to put up with this situation. He stated that he was asking the Mayor and his Councilman, Dr. Showers, to come up with something to eliminate these snakes from coming onto his property.

Councilman Showers asked that Mr. Benion come to the microphone.

Mr. Benion appeared at the microphone.

Councilman Showers asked Mr. Jordan to tell Mr. Benion the address of this property.

Mr. Jordan stated that the address of the bad property was

2607 Carlsbad Drive.

Councilman Showers asked Mr. Benion if he had any record that this property had already been cited.

Mr. Benion stated that he was not familiar with that particular property but they could get someone out there the following morning, and if it had not been not cited, they would get it written up.

President Russell asked Mr. Benion to meet with Mr. Jordan at this time and go over this matter.

Mr. Jordan stated that he could not wait two weeks on this, that he could not wait until a snake bit him, that he was a diabetic, and if a snake bit him, he was gone.

Mr. James Bolden, 9350 Highway 53, Ardmore, Alabama 35739, appeared before the Council.

President Russell stated that Mr. Bolden had furnished an accident report to them and that each of the Council members had a copy on their desk.

(Submission by Mr. Bolden, consisting of two pages.)

Mr. Bolden stated that the accident had happened the prior year, that the police had not taken his statement, and that the insurance company had told him they had settled it, but they had not told him they had not settled it for him, and he had gotten sued. He continued that by the police not taking his side in a statement, he could not get an attorney.

President Russell asked Mr. Bolden what he was asking of the Council.

Mr. Bolden stated that they had held court at the scene of the accident, that the other person's attorney was there, and the police had talked to the attorney. He continued that he had a front row seat to the accident, but no one asked him anything.

President Russell asked Mr. Bolden if his problem was that a year ago at this traffic accident, he did not believe the police behaved properly.

Mr. Bolden stated that there were three police officers there, and they acted like they were at a social event.

President Russell recognized Councilman Showers.

Councilman Showers asked Mr. Bolden if he had written his version of what happened at this accident.

Mr. Bolden stated that he had, and that he had furnished this to the Council members.

Councilman Showers asked Mr. Bolden if he was saying that the police did not acknowledge his position on this matter.

Mr. Bolden stated that a policeman had asked him for his drivers license, insurance, and registration, and that the one that had asked him for it had brought it back. He continued that Appleton, the one that had written it up, was standing by his car, and he had gone up there to give him his side, but he had gotten in his car and left.

Councilman Showers asked if it was correct that the policeman had not taken Mr. Bolden's side.

Mr. Bolden replied in the affirmative. He stated that by

them not taking his statement, he could not get an attorney to represent him, that every attorney he had talked to had told him they could not help him.

Councilman Showers asked Mr. Bolden if he had the name of the officer who had written this up.

Mr. Bolden stated that it was "Appleton," that it was on the report he had submitted to the Council.

Councilman Showers asked President Russell if he could ask Chief McMurray a question.

President Russell asked Mr. Joffrion if he could advise the Council concerning this.

Mr. Joffrion stated that it might need to be a private conversation between Councilman Showers and Chief McMurray if he had a question to ask him.

Councilman Showers asked if Chief McMurray was present.

President Russell asked Mr. Joffrion if it was correct that this needed to be a private conversation.

Mr. Joffrion stated that it might need to be. He continued that he was not sure what the issue was. He stated that if it was just the alleged failure of the police officer to write down Mr. Bolden's statement and include that as part of the report, that had already been made public. He stated that, however, if it was something more than that, it might need to be private.

President Russell asked Councilman Showers to confer with Mr. Joffrion concerning what his question would be.

(Consultation between Mr. Joffrion and Councilman Showers.)

Councilman Showers stated that he had been told he could ask his question.

President Russell asked Chief McMurray to come to the microphone.

Chief McMurray appeared at the microphone.

Councilman Showers asked Chief McMurray if it was normal in the process of writing up an accident report to not get both sides, both vehicles that were involved.

Chief McMurray stated that they did interview both drivers, both vehicles, if possible.

Councilman Showers asked if they still allowed a person in an accident to write down what had happened, or if this was done by the officer.

Chief McMurray stated that it was the officer's opinion, the officer's judgment, as it said at the bottom of the report. He stated that it was an officer's opinion, based on the evidence, and that this would come from a combination of how the vehicles crashed, the impact, and perhaps witness statements. He stated that if they talked to other people, they listened to both, and they looked at the damage. He stated it would just depend on the circumstances, as to whether it was intersection related or perhaps speed related. He stated that there might be different circumstances involved.

Chief McMurray stated that they used what was called an

"eCrash," which he noted was an electronic form the officer filled out on his mobile laptop and could submit at that time. He stated that it was just that, that it was just the officer's opinion. He stated that it was true that attorneys would use that as a tool to non-represent certain people, when in reality those were just officers' opinions. He stated that they did not hold the weight of law, even though a lot of attorneys would like for them to, and they could be litigated. He stated that attorneys would tell persons they could not be, but they could be. He stated that it was strictly a person's insurance company's option as to whether or not they wanted to take the weight of that officer as fact or just his opinion.

President Russell stated to Councilman Showers that perhaps the Chief and one of his officers could speak with Mr. Bolden, and if they could not come to some kind of agreement, then Mr. Bolden could speak to the Council at the end of this meeting.

President Russell asked Mr. Bolden if he would meet with the police officers and explain his problem to them, and then if he did not feel like he had been answered properly, he could come back before the Council at the end of the meeting.

Mr. Bolden stated that he would meet with Chief McMurray.

Ms. Jackie Reed, 1000-A Bob Wallace Avenue, appeared before the Council, stating that she wanted to congratulate Chief Morris and the others who had retired. She stated that whatever Mr. Randy Taylor had wanted in order to stay with the

City, they should have given it to him. She stated that she had watched him for 17 years and was very impressed with his service.

Ms. Reed stated that they did not have any work sessions on the budget anymore. She continued that they used to hold meetings on the budget and that the department heads would meet with them and tell them what they needed to do their jobs. She stated that they needed to know what they needed, but they had not done this in the prior seven years. She stated that they brought the budget in and laid it on the table, and it was not discussed too much.

Ms. Reed stated that there were a lot of hungry employees sitting in the audience at this time. She stated that they should be given at least a 3 to 5 percent raise. She stated that she did not know what the Council members made, and she did not care, but that these employees needed a 3 percent raise. She stated that they should not give them a 1 percent raise, that that was really nothing. She stated that they did what they wanted to for who they wanted to in the City. She stated that they had a Communications Director making \$99,900 a year, and that they should let that Director go and let her do that job, that she would not charge them anything, and that they could give that to the City employees.

Ms. Reed stated that they had waived the fee for Polaris, and that it was more than \$450,000. She stated that she did not know what else they were giving all these developers, that

they were giving them everything in the world. She stated that neither she nor the employees would live to see all the development they were trying to do in the city, that they did not have time to wait on them to line up all this stuff for the developers.

Ms. Reed stated that there was a resolution on the agenda for this meeting authorizing the Mayor to enter into an agreement between the City of Huntsville and the Limestone County Commission to acquire parcels of property outside the corporate limits of the city. She stated that they should keep it in the city and take care of what they had. She continued that they could not take care of what they had and that they should get real and use some common sense on this.

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

President Russell read and introduced a resolution to appoint Terrance Vickerstaff to the Alabama Constitution Village/Historic Huntsville Depot Board, for a term to begin August 27, 2015, and expire June 26, 2018, as follows:

(RESOLUTION NO. 15-638)

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

President Russell read and introduced a resolution to appoint Kerry Fehrenbach to the Health Care Authority of the City of Huntsville, for a term to begin August 27, 2015, and

expire August 15, 2021, as follows:

(RESOLUTION NO. 15-639)

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

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

Councilman Kling nominated Tobby Scheer for appointment to the Beautification Board for a term to begin September 10, 2015, and expire October 1, 2017.

Councilman Kling nominated Carl Scheer for appointment to the Beautification Board for a term to begin September 10, 2015, and expire October 1, 2018.

Councilman Showers nominated Bernice Burnett for reappointment to the Beautification Board for a term to begin October 1, 2015, and expire October 1, 2018.

Councilman Showers nominated Donald Hodge for reappointment to the Beautification Board for a term to begin October 1, 2015, and expire October 1, 2018.

President Russell nominated Cynthia Masucci for reappointment to the Beautification Board for a term to begin October 1, 2015, and expire October 1, 2018.

Councilwoman Robinson nominated Shannon Windsor for appointment to the Beautification Board for a term to begin September 10, 2015, and expire October 1, 2017.

President Russell nominated John Eagan for appointment to

the Burritt Memorial Committee for a term to begin September 30, 2015, and expire October 1, 2016.

President Russell nominated Dianne Reynolds for appointment to the Burritt Memorial Committee for a term to begin October 1, 2015, and expire October 1, 2018.

Councilman Kling nominated Jim Link for reappointment to the Burritt Memorial Committee for a term to begin October 1, 2015, and expire October 1, 2018.

President Russell nominated Lowell Zoller for reappointment to the Burritt Memorial Committee for a term to begin October 1, 2015, and expire October 1, 2018.

Councilman Showers nominated Tony Smith for reappointment to the Burritt Memorial Committee for a term to begin October 1, 2015, and expire October 1, 2018.

Councilwoman Robinson nominated Jon Sharpe for reappointment to the Burritt Memorial Committee for a term to begin October 1, 2015, and expire October 1, 2018.

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

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

(RESOLUTION NO. 15-640)

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

President Russell asked Councilman Showers if there was a

Finance Committee Report.

Councilman Showers replied in the negative.

President Russell stated to Councilman Showers that he would get with him concerning budget work sessions and they would agree to some times and dates and announce those publicly.

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

Mayor Battle stated that the Greene Street Market would be going on until 8 p.m. this evening, and that Music on the Square was held on Thursday and Friday evenings. He stated that the following Sunday, there would be a Jazz in the Park event in Big Spring Park East, beginning at 6 p.m.

Mayor Battle stated that they would be having the Healthy Huntsville 100-mile walk during the next three months. He stated that they were challenging everyone to walk 100 miles during this period of time, noting that with this they were trying to get a jump on the holiday season.

Mayor Battle stated that there was a matter he would like to mention at this time, noting that he had put this out in emails. He stated that it was tough talking about someone's salary, about what someone deserved to have, what someone should have. He continued that everyone would like to have everything they could have in the salary field.

Mayor Battle stated that he appreciated everybody who worked for the City of Huntsville because they were part of the

City family. He stated that they were like a family, and that at some point they might have some discussions about different things, and they might have some different opinions, but at the end, they all came back together and worked to do the job they were hired to do, and they did that for the City of Huntsville.

Mayor Battle stated that he wanted to tell everyone that he appreciated them being here at the meeting. He continued that they might have some clashes, they might have some different opinions, but that that was part of the process as they went through budget time.

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

President Russell recognized Councilman Culver.

Councilman Culver stated to Mayor Battle that he certainly shared his view that they valued all their employees. He stated that as Ms. Reed had said, he wished they could give all employees a raise of that magnitude. He stated that he believed it was in 2012 that they had attempted to give a 5 percent pay raise.

Councilman Culver stated that perhaps what he had should come under Unfinished Business. He continued that at some point he would like to make a motion to take the parity pay ordinance, Ordinance No. 15-155, off the table. He asked if President Russell would prefer that he do that at this time.

President Russell stated that a motion to take that ordinance off the table was inappropriate at this time, that it

was not proper parliamentary procedure. He stated that if Councilman Culver had an ordinance he wanted to introduce, he could introduce it if he had it written out. He stated that once an item was put on the table, it had to come up at the next Regular Council Meeting after being tabled or it went away.

Councilman Culver stated that he wanted to reintroduce the parity pay ordinance.

Councilman Culver asked Mr. Joffrion if when he reintroduced the parity pay ordinance in this meeting, it would require unanimous consent from the Council.

Mr. Joffrion stated that it would not require unanimous consent to introduce it, that Councilman Culver could introduce it if he had a copy of it. He continued that it would require unanimous consent for it to be considered at this meeting.

Councilman Culver stated that it appeared that if he wanted to introduce it and take action on it, he would have to have unanimous consent.

Councilman Culver stated that with that being said, what he would like to do would be to reintroduce the parity ordinance.

President Russell asked Councilman Culver if he had the ordinance in written form.

Councilman Culver replied in the affirmative, noting that, however, it was going to require some modification. He stated that he would like to just re-call the former ordinance,

Ordinance No. 15-155.

President Russell asked the other Council members if they were in agreement with Councilman Culver introducing this ordinance, noting that they were all aware of what it was since it had been introduced previously

There was no negative response.

Councilman Kling asked if the Council members could get a copy of it emailed to them in the next day or so if it was not available at this time.

Mr. Joffrion stated that he had a copy of it available at this time if that would be helpful. He stated that the ordinance would no longer have the previous number, that it would have a new number.

President Russell stated that Councilman Culver's parity pay ordinance would be properly introduced at this meeting.

Councilwoman Robinson asked if she understood correctly that it would not be the same ordinance, that it would have changes to it.

Councilman Culver stated that it would be amended when it came up on the agenda.

President Russell stated that what would be introduced at this meeting was the ordinance that had been introduced previously, Ordinance No. 15-155.

Councilman Kling asked how the ordinance Councilman Culver was introducing was different from the ordinance he had previously introduced.

Councilman Culver stated that, basically, it would be the same ordinance he had introduced back in March, Ordinance No. 15-155, with some amendments that he would make at the time it came up on the agenda.

President Russell recognized Councilman Kling.

Councilman Kling stated that he would like to thank the persons from the Mayfair neighborhood who had come out to the neighborhood meeting they had had on the previous Tuesday. He stated that this was a very active neighborhood that was very involved, noting that it was really good to see people get involved and care about their neighborhoods. He stated that he would like to tell Chief McMurray that his community relations officers from the South Precinct had done a very good presentation and that it was very much appreciated.

Councilman Kling stated that at his recent town meeting, there were some good discussions, and that they had followed up on the requests for information, et cetera.

Councilman Kling stated that he was looking forward to some fun events during the upcoming weekend.

President Russell recognized Councilman Showers.

Councilman Showers stated that he would like to announce that a public meeting concerning the Northern Bypass would be held on the following Tuesday, September 1. He stated that the purpose of the meeting was to discuss the Northern Bypass and that it would be held at 3703 North Memorial Parkway, at the Fellowship of Faith Church, from 5 to 7 p.m. He stated that

persons who were interested in the Northern Bypass should come to this meeting.

Councilman Showers stated that he had planned on having his town meeting on the following Tuesday, but because of several things going on that day, including the BIG Picture, this meeting had been changed to September 18, at the Showers Center, at 6 p.m.

Councilman Showers stated that on the following day he would have the opportunity to do a walk-through at the Iceplex. He stated that the Indian Creek Presbyterian Association would observe its 145th annual session at the VBC North Hall on September 18 at 7 p.m.

Councilman Showers asked if Chris McNeese, Director of Public Works, was present at the meeting.

Mr. McNeese appeared at the microphone.

Councilman Showers stated to Mr. McNeese that he would like to thank the Public Works Department for the street paving. He stated that he had received many comments on the completion of the section of Pulaski Pike from Sparkman Drive to Mastin Lake Road. He stated that, also, from Andrew Jackson Way, they were already to Meridian Street, and that he had had many comments on this project being done.

Councilman Showers stated that in addition to the positive comments from these citizens, there was another group of citizens who wanted to know how they were going to handle from that point to Jordan Lane. He stated that when one passed the

intersection at Pulaski Pike, that road was certainly in need of repaving. He stated that he could not tell persons when they were going to do this, that he just knew it was on the list to be done.

Councilman Showers stated that he just wanted to commend Mr. McNeese on what they were doing on the street paving and stated that he was telling the citizens that there was more to come.

Councilman Showers stated that he had been trying to get the City Administrator, Mr. John Hamilton, to address an issue that had become very dear to him. He stated that everyone was aware that Grissom High School was being built and Jemison High School was being built, that they were aggressively moving forward on both sites. He stated that, however, at the Jemison site, there were some citizens who were calling about the walking bridge, or the bridge that would go over the ditch there, so that students would not have to go all the way down to Winchester Road and then come back up Pulaski Pike in order to get to the new high school. He asked if Mr. Hamilton would address the City's position and the School Board's position on this and where they were with putting a walking bridge over the site he had mentioned.

Mr. Hamilton stated that what he had at this time was an interim report and that there would be more information to follow. He stated that this was an issue the Administration was actively working on with the School System. He stated that

there was a pretty large residential area directly behind the school site, behind Jemison and McNair Junior High, and that without access into the rear of the campus, the children from that neighborhood would have a pretty significant walk to get all the way around to the front of the campus.

Mr. Hamilton stated that they had been in discussion with the administration at the School System about getting them to include a pedestrian bridge over a significant ditch that essentially made up the rear boundary of that campus, so that students would be able to cross that ditch and get onto the campus without going all the way around the major road network and coming to the front of the school. He stated that he had not measured this, but his guess was that without the bridge, it would add a mile or more to the walk for the children in that neighborhood to get to the school.

Mr. Hamilton stated that it was the City's position that that bridge should be included as part of the school construction, and it would be the responsibility of the School System. He stated that that was only a portion of the solution, that there was also a large part of it that would remain the responsibility of the City, being the sidewalk network that would connect that neighborhood to the bridge. He stated that as they were in discussion concerning this with the School System, the position the City had taken was that the School System should include the pedestrian bridge over the ditch in their construction plans and the City would include

all the appropriate sidewalks, both in the rear and in the front of the school, to assure that the children throughout the area could walk to school if they were close enough.

Councilman Showers inquired as to who had made the decision as to where the bridge would cross the ditch for the children to cross.

Mr. Hamilton stated that he did not believe the precise location had been determined, that this was something they would talk with the School System concerning. He stated that they would be meeting the following week with key parties from the Administration of the Huntsville City Schools, and that part of that discussion would be making sure that as they looked at the appropriate pedestrian routes coming out of the neighborhood, the bridge that would be put in place would be convenient for the pedestrians.

Councilman Showers stated that the 20th anniversary of the Million Man March would be on Thursday, September 10, at the Showers Center.

President Russell recognized Councilwoman Robinson.

Councilwoman Robinson stated that she wanted to add her thanks to Randy Taylor for the work he had done for the City. She stated that she and Mr. Taylor were in Class 13 of Leadership Huntsville in 1999, that that was where she had first met him, and that she had had many occasions while serving on the School Board to come to his office and pick his brain about financial issues, and that he had always been very

generous with his time and his insight. She stated that he would certainly be missed.

Councilwoman Robinson stated that the prior evening she had had the opportunity to gather with the Community Watch organizations in South Huntsville to welcome Captain DeWayne McCarver, whom she noted would be the new precinct captain at the South Precinct. She stated that they were going to miss Captain Harris and wished him well in his new role as Deputy Chief, noting that she knew that he would serve the City as well in that position as he had at the South Precinct. She stated that they looked forward to working with Captain McCarver.

Councilwoman Robinson stated that she wanted to thank Kathy Martin, the City Engineer, noting that she had been incredibly generous with her time recently. She stated that Ms. Martin had created a great new road show that she had put together and shared with the South Huntsville Business Association at a Town Hall meeting the prior week and at the Chaffee Neighborhood Association in the current week regarding the South Huntsville overpasses. She stated that this was a complicated process, but Ms. Martin had gotten to the point at this time that she could express it in terms that everyone could understand. She stated that this would be a challenging process for a couple of years, but it would be a great project once it was completed. She stated that Ms. Martin was making it easier for persons to understand how this was going to

impact their lives.

Councilwoman Robinson stated that Grissom High School had recently been ranked in the top 500 high schools in the country by "Newsweek," noting that it was one of only two high schools in the state of Alabama to be ranked by "Newsweek." She stated that New Technology High School had been ranked by "Newsweek" in the top 500 schools for low-income students, and that this was also one of two high schools in Alabama to be so listed. She stated that there were great things going on in the city, and it was reflected in the students. She congratulated all of them.

President Russell recognized Councilman Showers.

Councilman Showers stated that he had failed to mention that the North Huntsville Business Association was on the move. He thanked the City Administration for their support, Michelle Jordan, Shane Davis, Ken Benion, Harrison Diamond, and others, who had been coming out to meet the people. He stated that they were trying to show the positiveness of North Huntsville, and that North Huntsville did matter.

President Russell stated that J.O. Johnson High School would be playing Lee Huntsville on Friday night at Milton Frank Stadium, and urged persons to come out to the game. He stated that if persons could not attend, it was going to be shown on Comcast 17, WOW 3, and etvhuntsville.com.

President Russell stated that there would be a recess at this time, until 8:15 p.m.

(Recess.)

President Russell reconvened the meeting.

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

President Russell moved for approval of Ordinance No. 15-598, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance, which ordinance was introduced at the August 13, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-598)

Said motion was duly seconded by Councilman Showers.

President Russell asked Mr. Bryon Thomas, Director of Human Resources, for an explanation of the above ordinance.

Mr. Thomas stated that this was an amendment to the Classification and Salary Plan ordinance, based upon some audits that had been conducted by Human Resources.

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

There was no response.

President Russell called for the vote on Ordinance No. 15-598, and it was unanimously adopted.

President Russell moved for approval of Ordinance No. 15-599, amending Budget Ordinance No. 14-665, to modify the authorized strength in various departments, which ordinance was introduced at the August 13, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-599)

Said motion was duly seconded by Councilman Showers.

President Russell recognized Mr. Thomas.

Mr. Thomas stated that this was just a corresponding Budget Ordinance.

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

There was no response.

President Russell called for the vote on Ordinance No. 15-599, and it was unanimously adopted.

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

President Russell read and introduced Ordinance No. 15-641, annexing land lying north of Caldwell Lane and on the east side of King Drake Road.

President Russell read and introduced Ordinance No. 15-642, adopting the City of Huntsville Annual Budget for Fiscal Year 2016, beginning October 1, 2015.

President Russell read and introduced Resolution No. 15-643, approving the City of Huntsville 1990 Capital Improvement Plan for Fiscal Years 2016-2025.

President Russell read and introduced Resolution No. 15-644, approving the City of Huntsville 2014 Capital Improvement Plan for Fiscal Years 2016-2025.

President Russell read and introduced Ordinance No. 15-661, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance, to provide parity of compensation

between positions within the Police and Fire Departments, which ordinance was originally introduced at the March 12, 2015, Regular Council Meeting as Ordinance No. 15-155, and was tabled at the March 26, 2015, Regular Council Meeting.

Councilman Showers asked that item 14.b, Ordinance No. 15-642; 14.c, Resolution No. 15-643; and item 14.d, Resolution No. 15-644, be put on a work session of the Council.

President Russell stated that they would do that, that they would work on a time the following week and hold a work session.

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

President Russell read and introduced a resolution authorizing the City Attorney to seek forfeiture of a surety bond issued by Hartford Fire Insurance Company, as follows:

(RESOLUTION NO. 15-645)

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

President Russell read and introduced a resolution authorizing condemnation proceedings to acquire permanent sanitary sewer easements for the Wilson Cove Sewer Project, as follows:

(RESOLUTION NO. 15-646)

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

and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Littlejohn Engineering Associates, Inc., for Surveying Services for Chase Farms Topo and Boundary, Project No. 65-15-SP56, as follows:

(RESOLUTION NO. 15-647)

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

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 9 to the agreement between the City of Huntsville and Johnson & Associates Consulting Engineers, L.L.C., for Utility Easement Acquisition for Church Street and Pratt Avenue Widening and Realignment, Phase I, State Project No. STPHV-4500(200) and City Project No. 65-01-RD05, as follows:

(RESOLUTION NO. 15-648)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into a Land Lease Agreement between the City of Huntsville and Timothy S. Beddingfield for the lease of farm land on Martin Road, adjacent to the City's Water Pollution Control Department, as follows:

(RESOLUTION NO. 15-649)

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

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

(ORDINANCE NO. 15-650)

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

President Russell read and introduced a resolution authorizing approval of travel expense reports, as follows:

(RESOLUTION NO. 15-651)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into a Special Employment Agreement between the City of Huntsville and Edith Mayes, as follows:

(RESOLUTION NO. 15-652)

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

President Russell read and introduced a resolution

authorizing the Mayor to enter into agreements with the low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance, as follows:

(RESOLUTION NO. 15-653)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Platinum Mortgage, Inc., as a Participating Lender for the Down Payment Assistance Program, as follows:

(RESOLUTION NO. 15-654)

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

President Russell moved for approval of a request for authorization to advertise and fill the budgeted position of Human Resources Analyst II, Grade 16, at a higher than minimum rate if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 22 to the Supplemental Development Agreement, TIF5-Series 2010-B, to the Annexation and Development Agreement between the City of Huntsville and LW Redstone Company, LLC, as follows:

(RESOLUTION NO. 15-655)

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

President Russell read and introduced a resolution making required certifications pursuant to Ala. Code §§ 11-99-4 creating tax increment financing district named "TIF D6" and approving the Project Plan for TIF D6, pursuant to Ala. Code §§ 11-99-1 et seq, as follows:

(RESOLUTION NO. 15-656)

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

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

Mr. Joffrion stated that this was the resolution creating Tax Increment Financing District 6, as had been presented to the Council in prior Council meetings. He stated that it adopted the Project Plan and indicated which taxes would be part of the TIF District and which ones would not. He stated that all of the applicable millage would be included within the Tax District, except for the 6.5 mills that went to the State of Alabama. He stated that Mr. Davis was present to explain any details the Council would like to have explained concerning this.

President Russell asked Mr. Davis if he had anything to

add to Mr. Joffrion's comments.

Mr. Davis stated that the acreage had not changed since the public hearing nor had the list of projects for the district.

President Russell asked if there were any questions from the Council members concerning this matter.

Councilman Showers asked Mr. Davis how other municipalities, Limestone and Madison, would benefit from the tax revenues from this.

Mr. Davis stated that should the Council approve this resolution, the next step would be for the Limestone County Commission to do the same, at their next regularly scheduled meeting. He stated that that would set the district, and then the City would, over the next several years, start the process of embarking on the Capital projects they had outlined within the District. He continued that over time, as this encouraged or induced development, Limestone County, the City of Huntsville, the Limestone County Schools, and the Huntsville City Schools would benefit from the increased revenues generated from the investment they were about to make in this TIF District.

Councilman Showers asked if it was correct that the Madison County Commission would not benefit from this tax revenue.

Mr. Davis stated that he would not necessarily say that, noting that indirectly he believed many municipalities in the

region would benefit from it. He stated that, naturally, as the City continued to create a job corridor there, that would provide opportunities for citizens from all parts of Madison County, Limestone County, Decatur, Athens, Huntsville, and the City of Madison to work, so that the surrounding metro area would benefit from the job creation in that corridor. He stated that as far as a direct tax benefit, Madison County would not benefit, that this property lay in Limestone County.

Mayor Battle stated to Councilman Showers that they were dealing with the Limestone County Commission on this, noting that they had had constant conversations with them, with Dr. Sisk, who was head of the Limestone County Schools, and with the Huntsville City School Board. He stated that they had sat down with three of the five members of the School Board in the prior week in a couple of meetings and had explained to them what this was doing and what they were looking for in growth in that area, just so everybody understood where everybody else was coming from and how this was going to affect each party. He stated that the Limestone County Commission had been exemplary in working with them in a partnership, that they were aware that as this area grew, it would make all of Limestone County grow, and they would benefit from this growth, so they were supporting the idea that this money could be put into infrastructure and the growth out of the area could be used to pay for this infrastructure.

Mr. Davis stated that over this process, he had personally received calls, and his office had received several calls, from citizens within the corporate limits of Huntsville in the area of Limestone County and in the unincorporated area of Limestone County, and that everyone he had spoken with had been in full support of this and had spoken to the County Commission, urging them to vote in favor of it, as well as the Huntsville City Council.

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

There was no response.

President Russell called for the vote on Resolution No. 15-656, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to submit an application to the Department of Defense, Office of Economic Adjustment, for grant funding for the Redstone Arsenal Joint Land Use Study, as follows:

(RESOLUTION NO. 15-657)

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

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

Councilman Kling asked if someone could provide a general explanation of it.

President Russell recognized Mr. Jim McGuffey, Manager of

Planning Services, for an explanation of the above resolution.

Mr. McGuffey stated that, if awarded, these grant funds would be used by the City of Huntsville to address compatible land uses between Redstone Arsenal and six surrounding jurisdictions. He stated that the Planning Department would serve as the study sponsor and primary administrator of this grant. He stated that the total value of the grant was \$505,295.

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

There was no response.

President Russell called for the vote on Resolution No. 15-657, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into a License Agreement between the City of Huntsville and Homegrown, LLC, as follows:

(RESOLUTION NO. 15-658)

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

President Russell recognized Mr. Steve Ivey, Director of Parks and Recreation.

Mr. Ivey stated that this was a license agreement for a wine tasting event in Big Spring East, noting that this was the second year for this event.

President Russell asked if there was any further

discussion of this matter.

There was no response.

President Russell called for the vote on Resolution No. 15-658, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and the Limestone County Commission to acquire parcels of property outside the corporate limits of the City of Huntsville for the Greenbrier Parkway Phase III Project, as follows:

(RESOLUTION NO. 15-659)

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

President Russell recognized Ms. Kathy Martin, Director of Engineering.

Ms. Martin stated that this was an agreement between the City and the Limestone County Commission to acquire right-of-way and easements for construction in areas outside the corporate limits of the city for the Greenbrier Parkway project.

President Russell asked if there were any questions for Ms. Martin or any discussion of this matter.

Councilwoman Robinson stated that she found it interesting that the City could legally acquire this property, noting that normally it was a process of annexation. She asked if this was

a process where they actually went out and purchased land.

Ms. Martin stated that it was for rights-of-way or easements for construction of the Greenbrier Parkway project. She stated that the agreement allowed them to jointly acquire these properties with the Limestone County Commission.

Councilwoman Robinson asked if this property would then become part of Huntsville.

Ms. Martin replied in the negative, stating that they simply got the rights-of-way in that area.

Mayor Battle stated that most of the Greenbrier Parkway was in the city of Huntsville, that there were just small sections which were outside. He continued that this gave the City the right to go ahead and move forward with this road. He stated that one of the agreements with Polaris was that the City was going to take the road up to Brownsferry so they would have ingress, egress, and access out of it. He stated that, secondly, this was going to be a very important corridor for the City to develop all the land in the 10 or 11 thousand acres that was City of Huntsville property. He stated that by being able to have that corridor there, they would be able to get workers in and out, and also product in and out, and it would be a major collector in that area.

President Russell asked if there was any further discussion on this resolution.

There was no response.

President Russell called for the vote on Resolution

No. 15-659, and it was unanimously adopted.

Councilman Showers read and introduced a resolution designating the park located at 2606 Clinton Avenue as the "Samuel Riley Butler Green," to be commonly referred to as "Butler Green," as follows:

(RESOLUTION NO. 15-660)

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

President Russell recognized Mr. Hamilton.

Mr. Hamilton stated that, as the Council members were aware, Butler High School, which had been named after Samuel Riley Butler, had closed. He continued that the school had been known as S.R. Butler High School, but they had felt it was appropriate to use Mr. Butler's full name for this. He stated that this high school at one point in its history was located on the piece of property on Clinton Avenue that the City had acquired, in the middle of what was now known as the "Campus 805" development, at the location of the old Stone Middle School.

Mr. Hamilton stated that Mayor Battle had recommended that they continue to memorialize Mr. Butler's service to the community, noting that he had many, many years of service that was critical in the education of children during his time in Huntsville. He stated that the official name would be using Mr. Butler's full name, but that the resolution also suggested that in common usage it be referred to as "Butler Green."

Mayor Battle stated that one of the things they were looking for was not only to memorialize S.R. Butler, but also to memorialize everyone who had attended Butler High School and who was part of that history. He stated that they wanted to leave something that would be Butler, and that "Butler Green" was a great thing for this. He stated that this was the location of the former Butler High School at one time, before it was moved up on the hill. He stated that they felt this was a great way to memorialize Butler High School.

Mr. Hamilton stated that for clarity for the public and for members of the Council, at the prior Council meeting, the Council had approved the contract for the construction of this park, that this was on land the City had acquired some months prior along Clinton Avenue, that was the middle part of what had been known as the "Stone Middle School Campus." He stated that the property on either side of the park was privately owned and was in private development, but the City had acquired the middle section in order to establish a park. He stated that this would be a city park, maintained by the City. He stated that in the construction document, this area had been referred to as a "Performance Lawn," because at that point it had not been named. He stated that this resolution was intended to give it its official name.

Councilwoman Robinson asked if they were going to acquire elements from the existing Butler facility, such as bricks or benches, or anything other than the name.

Mr. Hamilton stated that that was a great question. He stated that he had actually opened that conversation with Jason Taylor, about what might be existing at the high school that might be appropriate. He stated that, obviously, this was an outdoor venue, so that would have to be considered. He stated that he believed there were some options, and they were in conversation about that.

Councilman Kling stated that he had had some contact with members of some of the neighborhood associations in that area, and they had welcomed this idea, that they felt like it would bring back some of the neighborhood pride and the heritage that Mayor Battle had mentioned. He stated that it appeared to be a very good fit.

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

There was no response.

President Russell called for the vote on Resolution No. 15-660, and it was unanimously adopted.

President Russell moved for approval of a request for authorization to advertise and fill vacant budgeted position of Legal Secretary II, at a higher than minimum salary if necessary, which motion was duly seconded by Councilman Showers and was unanimously approved.

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

Mr. Ralph Timberlake, 2117 Atkins Drive, again appeared

before the Council, stating that he was rising to entreat the Mayor and the City Council to entreat the Police Department to implement some type of policy that would deal with trespass warnings on public property. He continued that the reason for this was that if an individual was warned of trespassing on public property, their rights to due process were jeopardized and denied. He stated that he trusted that this Council was not about the business of denying citizens their rights to move about without affording them due process.

Mr. Timberlake stated that, for example, concerning an individual trespassing at Huntsville Hospital or the Municipal Building or the Library, those were properties owned by the public, and to deny a citizen access to those properties without due process and just reason was a travesty. He continued that this would also constitute taxation without representation, because persons were paying taxes for the maintenance of these entities.

Mr. Timberlake stated that he was aware that warnings in and of themselves were not adversarial nor were they deleterious, but they did have the nexus of becoming culpable in a misunderstanding. He stated that, for example, if persons did not know when this was to expire, they could go onto public property, which they could erroneously be thinking was their right and privilege, and they would then find themselves in the crosshairs of having to go to court and cost themselves and the City money, and possibly lose their freedom.

Mr. Timberlake stated that this should not be so, that there was a much better way to do this, and that that was to train the officers to not become unwitting culprits in denying citizens their rights in traversing and in the utilization of the services which the Council had so graciously and wisely provided for them. He stated that no public servant who was given the stewardship, the custodial trust, should be allowed to misuse that trust in a way that any citizen could be harmed.

Mr. Timberlake beseeched the Council to do something about this.

Ms. Jackie Reed, 1000-A Bob Wallace, again appeared before the Council, thanking them for the signs that had gone up in the downtown area, providing directions. She stated that she thought this was a very good thing.

Ms. Reed stated that she would also like to thank the Council for Bob Wallace Avenue, noting that she could get through there at this time.

Ms. Reed stated that she had recently attended a Madison City Council meeting, and that she had done this for two reasons, with one of them being Old Madison Pike. She stated that she had advised them that they needed to partner with Huntsville on this. She stated that it had taken her almost an hour to get to Madison. She stated that they had been on that road way too long. She stated that persons should call Johnny Harris. She continued that she had told persons in Madison to call him, and she also wanted persons in Huntsville

to call him, so they could get that road open.

Ms. Reed stated that another reason she had attended the Madison City Council meeting was concerning a City manager, that she was back on that again. She stated that they had had that going on in Huntsville once, and they had stopped it.

Ms. Reed stated that the police officers and the firefighters needed to get together and take all of the Council on at once, that if it was about salary, they had to unite, in a partnership. She stated that the Council should meet them halfway and get these employees the salaries they needed to do their jobs.

Ms. Reed stated that she believed there should be a 3 percent COLA. She stated that a 1 percent increase was just like sneezing on someone, that they should not waste their time with a 1 percent increase. She stated that these employees should be given a raise. She stated that in order to get good jobs done, they had to thank their employees, respect them, and give them money. She stated that some employees got big money, and some never made enough. She stated that they wore badges or were fire fighters. She stated that persons in the city could not do without the firefighters or the police officers.

Ms. Reed stated that the City was doing a lot of developing, that they had money for all of that, that any time someone wanted something, or some of these people wanted their permits, they would give them to them, that they gave anybody anything they wanted. She stated that she was standing firm on

this and that they should start thinking and using common sense and do the right thing. She stated that she believed they needed to take a new look at this.

Ms. Reed stated that they needed some new microphones in the Council Chambers if they could afford it. She continued that, however, they could lay that to rest and give the employees a raise.

Mr. Rex Lindsey, 26178 Old Highway 20, Madison, appeared before the Council, stating that he believed he could discuss what he wanted to discuss, that it was about the Greenbrier Parkway.

President Russell stated that he could do so if it was not personal.

Mr. Lindsey stated that he was on Old Highway 20 in Greenbrier and the City was trying to purchase a right-of-way and easement on his property for, he believed, the merge lane on the actual exit on the Greenbrier Expressway onto Old Highway 20. He stated that his concern was about the communication with the people that were sending out the letters. He stated that he had been sent a letter on February 11 from Kathy Martin and Kelly Davis, wanting him to respond to an offer they had made for his property within two weeks because they had to get this moving. He stated that it had taken a week for them to return their phone calls if they had questions. He stated that he believed some gentleman who owned property in the area had come from Washington because

he could not get in touch with them.

Mr. Lindsey stated that they had sent in a counter-offer to the City, dated March 4, and they had not had a response from the City on that. He stated that there were six landowners out there, and they were all listed on the counter-offer, and they had not heard a word from the City.

President Russell asked Mr. Davis if he would get with Mr. Lindsey and discuss this matter.

Mr. Davis replied in the affirmative.

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

There was no response.

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

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER