

MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,  
HELD THURSDAY, DECEMBER 3, 2015

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, December 3, 2015, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

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

President Culver called the meeting to order.

Rev. Tim Tyson led the invocation; Councilman Showers led the pledge of allegiance.

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

The minutes of the Regular Meeting of the Council on November 19, 2015, were approved as submitted.

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

President Culver recognized Mayor Battle.

Mayor Battle asked Mr. Kenny Anderson, Director of Multicultural Affairs, to come forward for recognition of the STAR 99.1/CAFY Young Citizen of the Month.

Mr. Anderson, along with members of his group, came forward.

Mr. Anderson stated that the STAR 99.1/CAFY Young Citizen of the Month was Peter Schmitz and asked him to come forward.

Mr. Anderson stated that Peter was a 10th grade student at Huntsville High School, and that he was a recent Eagle Scout. He continued that Peter had spent approximately 500 hours in community service, and that he had also spent substantial time working on a major project at Hampton Cove that yielded a garden which at this time produced vegetables for the Huntsville City School System lunch program. He stated that Peter was very interested in attending college and going into the Armed Forces as a commissioned officer.

Mr. Anderson stated that they were delighted to present at this time the December STAR 99.1/CAFY Young Citizen of the Month, Peter Schmitz, and congratulated him.

Mr. Anderson stated that on behalf of one of their new partners, the Optimist Club, he wanted to present Peter a \$25 gift certificate, noting that this was the first of several things he would be receiving.

Mr. Joe Gehrdes of Huntsville Utilities thanked Peter for his leadership and his example. He continued that on behalf of Huntsville Utilities, he wanted to offer him several things as tokens of his appreciation for what he was doing for the community and for his peers, noting that leading by example was a wonderful thing. He thanked him for his outstanding service.

Mr. Tom Panucci of STAR 99.1 congratulated Peter and thanked him for his service, stating that they had a few things to present to thank him for his service.

Ms. Clarene Teague-Johnson stated that on behalf of the Human Relations Commission of the City of Huntsville, CAFY, Huntsville Utilities, STAR 99.1, and the Huntsville Police Department, she was presenting him the CAFY certificate, and congratulated him.

Capt. Jeffery Rice stated that on behalf of Chief Mark McMurray and the entire Huntsville Police Department, he was presenting Peter with a certificate and a token for his leadership. He challenged him to continue to be a leader and an innovator in the community and thanked him for the job he had done.

Mayor Battle presented a coin from the City to Peter, noting that this coin was for persons who had shown leadership and shown value for the community and made the community a better place. He continued that Peter had definitely done that. He thanked him for everything he had done and congratulated him.

Councilman Showers read and introduced a resolution congratulating New Life Seventh-Day Adventist Church on their Grand Opening Celebration, to be held December 5-6, 2015, as follows:

(RESOLUTION NO. 15-905)

Councilman Showers moved for approval of the foregoing

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

President Culver recognized Councilman Showers.

Councilman Showers stated that he would be presenting the above resolution at the time of the event. He stated that this was a newly launched church on Pulaski Pike, noting that the church had originally been on Blue Spring Road. He stated that the ribbon-cutting and dedication would be held on the following day, and that at that time he would present the resolution on behalf of the Council and Mayor Battle.

President Culver stated that Item 10.b.7 and Item 15.s had been deleted from the agenda.

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

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance amending Article 92, Board of Adjustment, Section 92.5, Powers and Duties, Subsection 92.5.3, Permitted Uses as Special Exceptions, by amending Subsection 92.5.3(38), to delete Neighborhood Business C-1A District and add Village Business C-6 District as a permitted district, at the January 28, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 15-906)

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

Councilman Russell read and introduced Ordinance No. 15-907, amending Article 92, Board of Adjustment, Section 92.5, Powers and Duties, Subsection 92.5.3, Permitted Uses as Special Exceptions, by amending Subsection 92.5.3(38), to delete Neighborhood Business C-1A District and add Village Business C-6 District as a permitted district.

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

President Culver asked that when persons' names were called, they should come to the microphone and state their name and address. He continued that persons would have approximately three minutes to address the Council.

Mr. Earl Jordan, 2605 Carlsbad Drive, appeared before the Council, stating that he had had the shock of his life recently, stating that he had gone to the Dollar Tree, and a little lady was coming out of the store and was crying. He stated that he asked her what was wrong, and she had said that she had to use the bathroom. He continued that she had gone in the Dollar Tree and had asked to use the bathroom, and they had said it was out of order.

Mr. Jordan stated that he had started checking on this and had gone to every dollar store, Dollar Tree, and they were all saying that they were out of order. He stated that it was a shame, that these stores would take their money but would not let them use the bathroom. He asked if they were going back to the 40's and 50's, when they could not use the bathroom but

could spend their dollars. He stated that this was not right. He continued that the lady he had met was about 80 years old, and they would not let her use the bathroom. He reiterated that when she had asked, they had said the bathroom was out of order. He stated that there were plenty of plumbers in town who could take care of that, but every time they went back, it was the same answer, that they could not use the bathroom.

President Culver asked if there was anyone who could get with Mr. Jordan and address this issue. He stated that he knew that these places of business that had been mentioned did not serve food, so he was not sure if they had to provide a restroom. He asked if perhaps someone from Community Development or the Inspection Department could do this.

Mayor Battle stated that perhaps Ms. Michelle Jordan could handle it.

President Culver stated that Ms. Jordan could come to the microphone and address this matter at this time or she could speak privately with Mr. Jordan.

President Culver recognized Councilman Showers.

Councilman Showers stated that this was not just a situation in the North, that it was happening all over the city, where these proprietors were saying to citizens that their facilities were not working. He asked Mr. Joffrion if he was aware of anything the City had on the books that would address this matter.

Mr. Joffrion stated that, as President Culver had

mentioned, all food service establishments were required to have accessible restrooms, but that he did not know whether just retail commercial establishments were required to have them accessible to the public. He stated that they would look into this and report back to the Council concerning it.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, stating that she would like for the Council to advise the public as to the date of their next meeting, noting that she, as well as other citizens, had a hard time keeping up with the holiday schedule. She stated that a lot of people did not read the newspaper and asked them to put this information on al.com and everywhere they could.

Ms. Reed stated that she had had trouble parking, that there were a lot of persons in the downtown area. She continued that, of course, it was Christmas time.

Ms. Reed thanked Councilwoman Robinson and Councilman Russell for the beautiful cards they had sent her about being on the Today Show. She continued that it was a big honor for her to be on this show. She stated that if persons had missed this, it was on al.com and Channel 48. She reiterated that it was a big honor and stated that she had to brag on herself just a little. She stated that she appreciated persons being nice to the producer when he had come to a recent meeting.

Ms. Reed stated that she had attended Councilman Showers' Town Hall meeting the prior week, noting that she learned more

at his meetings than she did at Council meetings. She stated that this meeting had been one of the best meetings she had attended, noting that most of the department heads were present. She stated that this meeting should have been televised so the public could know some of these people. She stated that it was a very informative meeting, and she had enjoyed it very much. She stated that persons needed to be aware of who the directors of the City departments were.

Ms. Reed stated that something had to be done about the traffic in the city, noting that it was not getting any better. She stated that they talked about developing, developing, and developing, but they did not talk about the chaos and traffic, with jam-ups here and there. She stated that they should do an inner/outer loop around the city, or at least do something different. She stated that the Parkway was like a roller coaster. She continued that they had put all these businesses out of business, and now they wanted to buy the businesses. She stated that they had to think of something different than what they were doing.

Ms. Reed stated that Stone Middle School had been a steal, that whoever had sold that property had surely not known what they were doing. She continued that she believed it was a shame they had given the school away.

Ms. Reed stated that she would like for the Council to hold out of the consolidation the items on the agenda concerning the lobbyists, noting that she wanted them to tell

the public what the salaries would be.

Ms. Reed stated that this was Mayor Battle's birthday and that she wanted to wish him a Happy Birthday and would also like to present a gift to him.

Ms. Reed presented a sock doll to Mayor Battle, noting that it said "Sock it to Me." She stated that she wanted the Mayor to take it and that when he did things he knew she was going to object to, he should play it, because he would know she was going to sock it to him.

Mayor Battle thanked Ms. Reed for the gift.

President Culver recognized Councilman Kling.

Councilman Kling stated that he believed Ms. Reed had raised a valid issue concerning the traffic in the city. He stated that he had asked that this matter be included on the agenda for the next work session of the Council. He stated that he had been studying up on this and stated that for the current year, there was approximately \$62 million included in the budget for roads, arteries, et cetera. He stated that this would not solve the problem, obviously, but that it appeared they were going in a positive direction.

Councilman Kling asked President Culver if a decision had been made as to the date of the work session.

President Culver stated that he believed it would be the first Thursday in January, January 7. He stated that he wanted to make sure that all of Councilman Kling's items and Councilman Showers' items, as well as the staff's items, were

ready for presentation. He stated that he would be sending out emails to confirm the date.

President Culver stated that the next item on the agenda was Huntsville Utilities Items. He stated that five of these items were for introduction only. He stated that Mr. Gehrdes would answer any questions the Council members might have.

President Culver read and introduced Ordinance No. 15-908, amending Chapter 26, Article II, Electric Service, Division 2, Service Regulations, Section 26-84, Standards of Customer's Wiring, Section 26-87, Deposit, Section 26-89, Billing, Section 26-96, Notice of Trouble, 26-102, Right of Entry, Section 26-103, Termination of Contract by Customer; Division 3, Rates, Charges and Service Classifications, Subdivision II, Residential Rate, Section 26-143, Character of Service, Section 26-146, Payment; Subdivision IV, Outdoor Lighting Rate, Section 26-193, Payment, Section 26-195, Rates-Generally, of the City of Huntsville Code of Ordinances, (Utilities: Electric).

President Culver read and introduced Ordinance No. 15-909, amending Chapter 26, Article III, Natural Gas Service, of the City of Huntsville Code of Ordinances, consisting of 21 sections to be amended, (Utilities: Gas).

President Culver read and introduced Ordinance No. 15-910, amending Chapter 21, Article II, Sewers and Sewage Disposal, Section 21-276, Billing, of the City of Huntsville Code of Ordinances, (Utilities: Joint).

President Culver read and introduced Ordinance No. 15-911, amending Chapter 22, Article IV, Solid Waste, Section 22-187, Penalty for Nonpayment, of the City of Huntsville Code of Ordinances, (Utilities: Joint).

President Culver read and introduced Ordinance No. 15-912, amending Chapter 26, Article IV, Water Service, Division 4, Deposits, Section 26-581, Generally; Division 5, Meters, Section 26-607, Fire Protection and Fire Service Lines and Systems, Section 26-608, Tests; Division 6, Rates and Charges, Billing and Collection Procedures; Subdivision II, Billing and Collection Procedures, Section 26-641, When Consumers Billed, Section 26-644, Penalties; Division 7, Water Conservation Plan, Section 26-677, Mandatory Conservation Stage Implementation, of the City of Huntsville Code of Ordinances, (Utilities: Water).

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson thanked Mr. Gehrdes for providing the Council members with a marked-up copy concerning these items, noting that it was extremely helpful when changes were made in ordinances that they got this perspective of what the changes were. She continued that she had noted that there was a change in rates, stating that these rates had already been approved, that this was simply codifying them and making them all consistent, as she understood it.

Mr. Gehrdes stated that that was correct. He stated that what the Council saw before it represented quite a few years' worth of changes in policies and procedures that had been

adopted by the Council but had not been reflected in the City Code. He stated that he would characterize this as housekeeping and stated that the reason they wanted to do this at this time was because they were about to publish a Customer Care Manual that included all their customer service policies in one place so their customers could access it at any time. He stated that as they had begun going through this process, they had realized there were some inconsistencies between adopted policies and City Code. He continued that they had wanted to make sure this was all cleaned up before they published the document he had mentioned, and that that was what was before the Council at this time.

President Culver recognized Councilman Kling.

Councilman Kling stated that he had received calls concerning the new bills that had come out that had a notation of "Availability Charge" for water, electric, et cetera. He asked if Utilities could put some sort of explanation of this in the booklet Mr. Gehrdes had mentioned. He stated that perhaps they could underline the fact that this was not any type of rate increase, that it was just basically the old charges being broken out so that the public could understand it better.

Mr. Gehrdes stated that they would do so. He stated that the reason the availability charges seemed new to people was because they had gone to a full-page invoice, whereas previously they had been doing a postcard bill and all the

charges had been lumped together on a "per service" line. He continued that when they had broken the charges out, the perception was that it was new, but that it was not new.

Mr. Gehrdes stated that what he wanted to do when they came for approval on these items was to spend a few minutes addressing the Council concerning the availability charges. He continued that the reason for these charges was to cover all the hard costs associated with delivering service to their customers, noting that these were costs Utilities incurred whether or not the services were consumed. He stated that from time to time, as the cost of doing business went up, these fees did increase. He stated that the ordinance provisions on the agenda for this meeting did not represent any increases in rates or fees of any kind.

Councilman Russell read and introduced a resolution authorizing approval for the purchase of software for Customer Care optimization, (PR 10201180) (Utilities: Electric), as follows:

(RESOLUTION NO. 15-913)

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

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

There was no response.

President Culver called for the vote on the above

resolution, and it was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing approval for the purchase of outside services to make building insulation repairs, (PR 10201558) (Utilities: Electric), as follows:

(RESOLUTION NO. 15-914)

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

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

There was no response.

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

President Culver stated that the next item on the agenda was Board Appointment Nominations. He asked if there were any nominations to be made at this time.

Councilman Kling asked that the record reflect that the Council had affirmed Madison County's reappointment of Dr. Carl Gessler to the Huntsville-Madison County Airport Authority.

President Culver stated that a letter had been sent concerning this from the Council.

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

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

(RESOLUTION NO. 15-915)

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

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

Councilman Showers stated that there were several items on the agenda to be approved at this time.

President Culver read and introduced a resolution approving travel for Will Culver to attend the Municipal Leadership Institute and Expo meeting on December 9, 2015, Montgomery, Alabama, as follows:

(RESOLUTION NO. 15-916)

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

President Culver read and introduced a resolution approving travel for Will Culver to attend the Alabama League of Municipalities 2016 Annual Convention from May 14-17, 2016, Huntsville, Alabama, as follows:

(RESOLUTION NO. 15-917)

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

President Culver read and introduced a resolution approving travel for Richard Showers, Sr., to attend the

Alabama League of Municipalities 2016 Annual Convention from May 14-17, 2016, Huntsville, Alabama, as follows:

(RESOLUTION NO. 15-918)

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

President Culver read and introduced a resolution approving travel for Mark Russell to attend the Alabama League of Municipalities 2016 Annual Convention from May 14-17, 2016, Huntsville, Alabama, as follows:

(RESOLUTION NO. 15-919)

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

President Culver read and introduced a resolution approving travel for Jennie Robinson to attend the Alabama League of Municipalities 2016 Annual Convention from May 14-17, 2016, Huntsville, Alabama, as follows:

(RESOLUTION NO. 15-920)

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

President Culver read and introduced a resolution approving travel for Bill Kling to attend the Alabama League of Municipalities 2016 Annual Convention from May 14-17, 2016, Huntsville, Alabama, as follows:

(RESOLUTION NO. 15-921)

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

President Culver recognized Councilman Kling.

Councilman Kling stated that he would say, for public clarification, that the Council was following the process where they approved travel for attending these conferences, but that, obviously, for the five Council members attending the Alabama League of Municipalities 2016 Annual Convention being held in Huntsville, there would be no air fare, taxi fare, hotel, et cetera, that this was just simply registration.

President Culver thanked Councilman Kling for making the public aware of this.

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

President Culver recognized Mayor Battle.

Mayor Battle thanked Ms. Reed for the petit fours she had furnished for the party earlier in the day, as well as the present she had given him earlier in the meeting. He thanked everyone for having attended his birthday event and for all the food they had brought.

Mayor Battle stated that the Christmas tree had also been lit earlier in the day and stated that there were many Christmas season activities that would be happening in the downtown area, everything from Tinsel Trail, to Ice Skating in

the Rink, to Santa's Village. He stated that there was also the Burritt Museum program and the Botanical Garden's Galaxy of Lights. He stated that there was a lot going on at this time and he hoped that everyone would take advantage of it. He stated it was a great time for the community to come together, and also a great time to take the children out so they would have something to do.

Mayor Battle stated that he certainly hoped everyone enjoyed the holiday season. He urged persons to slow down as far as the traffic, noting that the roads would get very busy because everyone was out rushing around, trying to shop.

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

President Culver recognized Councilman Showers.

Councilman Showers stated that he would be attending an economic development meeting on the following day at Alabama A&M, in the College of Business Department.

Councilman Showers stated that, also, he would be attending the Leadership Academy, Serving the Community, at Hampton Cove Middle School on the following day.

Councilman Showers stated that there would be the Huntsville Country Club's 90th anniversary reception on the upcoming weekend.

Councilman Showers stated that the Redstone Update would be on the following Monday at 8:15 a.m. in the North Hall of the Von Braun Center.

Councilman Showers stated that on the following Tuesday, the City would be recognizing all the City employees who had worked 25 years or more, and that this event would be at 7 p.m. at Burritt Museum.

Councilman Showers stated that he had attended the graduation exercise of the DLC Cohort Colloquium that had been held at Huntsville Utilities in its training room.

Councilman Showers stated that he was delighted to report at this time that the Town Meeting he had held on the prior Tuesday had certainly been well-attended. He thanked Mayor Battle and all the department heads who had attended this meeting, noting that they had answered questions and given directions.

Councilman Showers stated that the Lincoya Estates Neighborhood Association had met on the same night he had held his town meeting, and he thanked all the members of this association who had met and done their planning. He stated that on December 12, they would be having a clean-up day, working with the Green Team, Joy McKee and her staff. He asked all the persons who lived in Lincoya Estates to be available on Saturday, December 12, for this event.

President Culver recognized Councilman Russell.

Councilman Russell thanked AT&T for bringing Road Trip Nation to the city, noting that this was a group of people that came to high schools and taught the students about careers. He continued that they had met with the 9th graders at Lee High

School, and that he had been honored to be able to participate in this program. He stated that it was certainly a great event.

Councilman Russell thanked DealNews for sponsoring the lights on Clinton Avenue, noting that this made it a very festive area in front of the U.G. White retail store. He also thanked Downtown Huntsville and Mayor Battle for putting this together.

Councilman Russell stated that he had been pleased to join Councilwoman Robinson at the Ditto Landing announcement on the previous day, noting that persons had talked about this for a long time, and that it now appeared they were actually going to do something. He stated that he was certainly thrilled to hear that something was going to be done toward this effort, and that he was looking forward to the results.

Councilman Russell stated that Huntsville High School was hosting a wrestling tournament on the upcoming weekend and that the Sports Commission was assisting with this. He continued that there would be teams from all over the South participating in this and stated that he was looking forward to it.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that, as Councilman Russell had mentioned, there had been a press release on the previous day concerning Ditto Landing, and she thanked Kelly Schrimsher and the Chamber for hosting this for the Ditto Board. She stated that they had announced that a search was beginning for

an executive director for Ditto Landing. She stated that Ditto was moving from a small marina with a few campsites to a hundreds-of-acres recreation destination project. She stated that it would take a very different kind of leader to lead this effort and to carry out the vision and plans that had been put together. She stated that this project was being led by Dennis Madsen and the BIG Picture. She stated that there were a lot of things to be happening at Ditto, but that they could only happen with the right leadership in place. She stated that the job posting was on the Ditto website, [dittolanding.org](http://dittolanding.org). She noted that this closed on January 16. She stated that the qualifications were listed, as well as the job responsibilities. She stated that if anyone was interested in what would be a really exciting opportunity to change the face of Ditto, to actually bring to fruition the potential that was on this riverfront, it would be a very exciting opportunity.

Councilman Russell stated that she and Mayor Battle had had the opportunity to visit with the Chaffee Neighborhood Association, noting that this was the oldest neighborhood association in the city. She continued that, however, she had been very excited to see some young persons at this meeting, that she was very encouraged to see these young people who were willing to step up and take leadership, and that she felt it had been particularly appropriate for these young people to be there and hear the Mayor's vision for the city, as he talked

about what had been accomplished and all that was planned to be accomplished that would enhance the quality of life of neighborhoods and strengthen the city. She stated that it had been a great meeting. She continued that she would like to applaud all the neighborhood associations in the city for the work they did.

Councilwoman Robinson stated that she wanted to recognize Ms. Reed, stating that the persons who had not seen the piece on the Today Show needed to see it, because it was a montage of the stories of four different people who had had significant challenges in their lives and who had persevered and not given up. She stated that there was a great moral story in that piece, and that she would certainly suggest that persons take a look at it.

President Culver recognized Councilman Kling.

Councilman Kling stated that, as Mayor Battle had mentioned, this was a great time of year, with all the great events that were taking place for the holidays, in the downtown area, as well as throughout the community. He stated that one thing he was really excited about was that he was going to get to go out and participate with local police officers, fire fighters, heroes throughout the city, and that they were going to be going out shopping with various at-risk children who were in the Huntsville and Madison County school systems. He stated that this would be taking place on December 12. He stated that this would provide him the opportunity to make a new friend,

and that he felt it would get persons back to what Christmas was supposed to be about, noting that it was not all about commercialism, although the City did like the sales tax revenue from this. He continued that he was certainly looking forward to participating in this event.

Councilman Kling stated that he, as well as the residents of the Rocket View neighborhood, wanted to express appreciation for the upgrade that had taken place on several street lights in the area. He stated that this neighborhood was located just to the east of UAH, between Holmes Avenue and I-565. He stated that residents in this area had been working really hard to improve their neighborhood and that these updated street lights would be a great thing for safety and security.

Councilman Kling stated that he would be leaving the meeting rather quickly to attend an event in the Merrimack neighborhood, their Christmas Cookie Exchange. He stated that he was certainly looking forward to this.

Councilman Kling stated that at the prior Council meeting, there had been a legitimate question asked concerning downtown projects, and he believed they could provide public information concerning it. He stated that there were four downtown projects that were under way, and that the City had made investment in those projects. He stated that the City was not a benevolent organization, that they were expecting growth in sales tax and property tax that would give them a return on their investment.

Councilman Kling asked Mayor Battle to comment on this and asked him what the numbers were on this over a 20-year payback period on these projects, as to what they were putting in and what was coming out.

Mayor Battle stated that rather than looking at a 20-year payback period, they had looked at what the break-even period was, how quickly they could break even on these projects.

Mayor Battle stated, concerning the BelK Hudson Lofts, that the Council had put up \$150,000 per year for three years for a facade easement on this, and that this was a total of \$450,000, and that they had \$123,650 coming in each year off of property tax on this, so that this would be approximately a 3.6 year return on their money on this project, and that it had already been paid back.

Mayor Battle stated that many persons in the city had been to the Twickenham Square development, noting that before this was Twickenham Square, it was Councill Court public housing. He stated that the City had invested \$12 million in a parking garage for this project, noting that \$2 million of this had come from Huntsville Hospital because they wanted the top deck of the parking garage. He continued that \$1.6 million had been taken off this price because that was the sales tax that had been brought in for the development of the property into the multi-family apartments and the hotel, the office building, and the retail.

Mayor Battle stated that this left an approximate

\$8.4 million investment in this property. He continued that this investment paid back \$1.633 million per year, so that it would be a 5.04-year payback on this. He stated that this provided a very good payback on the investment.

Mayor Battle stated that there was also CityCentre, which was the Holiday Inn site. He stated that a lot of the numbers they would be providing on this had to be estimated numbers, noting that they were not allowed to go in and look at retail numbers of individual retail stores, that it was against the law. He stated that they ran these numbers off of average store sales.

Mayor Battle stated that for this development they were going to invest approximately \$2.5 million in streetscape improvements and approximately \$118,000 in the clearing and grubbing of the property. He stated that the first-year estimate for property tax, sales tax, and lodging tax revenues was \$2,051,000. He continued that this investment would be paid off in approximately a year and a quarter and then be past the break-even period.

Mayor Battle stated that on each of these projects, they had tried to make sure the City investment was a proper investment, a proper way to invest taxpayer dollars. He stated that if this money was invested properly, there would be a payback that would be a very quick payback, and then the City would get to the point where they would be making money on the development. He continued that, also, it was an asset for the

community.

Mayor Battle stated that the longest payback of the four developments in the downtown area was the Twickenham development. He stated that this was the first big development they had had and was one that they had had to work very hard to make happen. He continued that it had a five-year payback.

Mayor Battle stated, concerning the Holiday Inn site, that they also had \$144,000 per year coming in off of rental, plus the \$1 million that would be paid for the sale of the Williams Aquatic Center and the Scruggs Center. He stated that the payback on this was a very quick payback, especially for what they were investing in it, noting that it was a streetscape improvement that they would be doing anyway at some point within the next five years.

Mayor Battle stated that, in their opinion, from everything they had been able to look at, these investments had been good, sound investments.

President Culver thanked Councilman Kling and Mayor Battle.

President Culver stated to Councilman Showers that he would have to agree with Ms. Reed, noting that he had attended Councilman Showers' Town Hall meeting and that it had been a very impeccable meeting. He continued that he agreed that it most likely was more informative than the Council meetings.

President Culver thanked Mr. Tommy Brown, Director of Parking and Public Transit, and his employees for providing the

transportation for the Feed the Homeless Thanksgiving Dinner. He stated that they had taken six buses of persons from various locations in Huntsville to the Macedonia PB Church off of Dupree Worthey Road. He stated that this had been a great event, noting that the church personnel had also been very instrumental in helping with this.

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

President Culver read and introduced Ordinance No. 15-922, amending Section 27-91, Definitions, of the Code of Ordinances.

President Culver read and introduced Ordinance No. 15-923, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance.

President Culver read and introduced Ordinance No. 15-924, amending Budget Ordinance No. 15-642, to modify authorized strength of departments.

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

Councilman Russell moved for approval of a request for authorization to advertise Public Safety Dispatcher positions to bring manpower up to authorized strength, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Mayor to amend the FY 2014 Emergency Solutions Grant (ESG) program budget for the City of Huntsville, Alabama,

Community Development Department, as follows:

(RESOLUTION NO. 15-925)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Family Services Center, Inc., using Community Housing Development Organization (CHDO) proceeds to purchase property located at 2714 Barbara Drive for single-family construction, as follows:

(RESOLUTION NO. 15-926)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Huntsville Emergency Medical Services, Inc., (HEMSI) regarding Advanced Life Support Service Protocols, as follows:

(RESOLUTION NO. 15-927)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and John C. Calhoun Community College to provide Emergency Medical Technician training to Huntsville Fire & Rescue personnel, as follows:

(RESOLUTION NO. 15-928)

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

President Culver moved for approval of a request for authorization to advertise and fill one (1) full-time position of Municipal Records Coordinator in the City Clerk-Treasurer Department, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke First Commercial Bank Letter of Credit No. 1019 for Oakhurst Subdivision, 4th Addition, as follows:

(RESOLUTION NO. 15-929)

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

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke BancorpSouth Bank Letter of Credit No. 362000834003 for Legendwood Subdivision, Phase 5, as follows:

(RESOLUTION NO. 15-930)

Councilman Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the City Attorney to settle the claim of George and Debra Harriman, as follows:

(RESOLUTION NO. 15-931)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the Alabama Department of Transportation for Cooperative Maintenance of Public Right-of-Way along Alabama Highway 1, Milepost 333.144 R to 333.146 R, and to maintain 81 linear feet of existing 15" RCP downstream of new drainage inlet, Project No. 71-16-SP08, as follows:

(RESOLUTION NO. 15-932)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 3 to the agreement between the City of Huntsville and Land Design Solutions, Inc., for Landscape Design and Construction Administration Services for Maple Hill Cemetery, Project No. 65-14-SP01, as follows:

(RESOLUTION NO. 15-933)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Amiri Engineering for Engineering Services at the Huntsville Aquatic Center, as follows:

(RESOLUTION NO. 15-934)

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

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

(ORDINANCE NO. 15-935)

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

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642 by changing the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 15-936)

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

Councilwoman Robinson and was unanimously adopted.

Councilwoman Robinson read and introduced a resolution authorizing the acceptance of donation, as follows:

(RESOLUTION NO. 15-937)

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

Councilman Russell moved for approval of a request for authorization to advertise and fill one (1) regular, full-time position of Animal Services Shelter Attendant, Grade 8, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Kling read and introduced a resolution authorizing the Mayor to award Community Action Partnership of Huntsville/Madison and Limestone Counties, Inc., with 2014 Community Development Block Grant (CBDG) funds for their Weatherization/Rehabilitation Assistance Program (WRAP), as follows:

(RESOLUTION NO. 15-938)

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

President Culver recognized Ms. Michelle Jordan of Community Development.

Ms. Jordan stated that this item would allow Community Development to make a grant of \$350,000 to the Community Action

Partnership for their WRAP program, their Weatherization Rehabilitation Assistance Program. She stated that this program assisted in reducing energy costs for low-income families and elderly residents. She stated that they were hopeful that the Council would approve this resolution at this time.

President Culver expressed appreciation to Ms. Jordan for bringing this resolution before the Council. He stated that, as Ms. Jordan was aware, he served on the Community Action Partnership, and that all of the things Ms. Jordan had said as related to enhancing the quality of life of residents was certainly correct, because it afforded persons to have the opportunity to have a lower utility bill and use their money to do other things.

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

There was no response.

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

Councilman Showers read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 to the agreement between the City of Huntsville and Reed Contracting Services, Inc., for Wynn Drive Project Relocation, Project No. 65-15-RD02, as follows:

(RESOLUTION NO. 15-939)

Councilman Showers moved for approval of the foregoing

resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver recognized Ms. Kathy Martin, Director of City Engineering.

Ms. Martin stated that this was a change order for the Wynn Drive relocation project. She continued that this was due to unsuitable soils that were encountered along Old Madison Pike, as well as repairing some of the existing sections of Old Madison Pike once they were on the scene. She stated that the change order was in the amount of \$63,348. She stated that the anticipated construction completion date was January 2016.

Councilman Russell inquired of Ms. Martin as to why the City had not known about the unsuitable soil conditions, noting that surely they had tested before commencing the project.

Ms. Martin stated that that was a good question. She stated that that section of Old Madison Pike was within the State right-of-way, so that they were unable to test the soil prior to commencing construction.

Councilman Russell asked if that was a common situation.

Ms. Martin stated that within the State right-of-way, without a permit, they did not allow any testing.

Councilman Russell asked if it was correct, then, that that was just a normal situation, where if the City started a project and had problems, they would just have to fix them.

Ms. Martin stated that they were trying to get ahead of Calhoun Community College's expansion, so that they had to go

ahead and begin the Wynn Drive section of construction, and they had situated the contract to where they would not issue a notice to proceed on Old Madison Pike until they had the State permits.

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

There was no response.

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 to the agreement between the City of Huntsville and Reed Contracting Services, Inc., for Weatherly Road Extension, aka Haysland Road, Base Bid and Option No. 2, Project No. 65-14-RD01, as follows:

(RESOLUTION NO. 15-940)

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

President Culver recognized Ms. Martin.

Ms. Martin stated that this was the final adjusting change order for the Weatherly Road Extension, also known as the Haysland Road Extension. She stated that this was mainly for an approximate 1600 linear feet of electrical conduit that needed to be extended from South Parkway to the new road through the Haysland Square development. She stated that this

was in the amount of \$117,021.81.

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

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson asked Ms. Martin if even though they had this change order, the entire project had still come in substantially under budget.

Ms. Martin replied in the affirmative, stating that even with this change order, it was \$1.3 million under budget.

President Culver recognized Councilman Russell.

Councilman Russell asked Ms. Martin why they had not been aware of this need.

Ms. Martin stated that it was part of the project scope where Huntsville Utilities had a transformer out on South Parkway, and that through the development it had not been extended in the project scope to connect with the new section of road. She reiterated that it was approximately 1600 feet to get the electrical service back to the new section.

Councilman Russell stated that he was a novice on this, but that it seemed to him that this would be something that someone would be taking into account before they did the project.

Ms. Martin stated that Councilman Russell was absolutely right, noting that it would have been included in the original project had they seen it during design.

President Culver asked if there was any further discussion

of the above resolution.

There was no response.

President Culver called for the vote on the Resolution No. 15-940, and it was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement among the City of Huntsville, Alabama, General Electric Company, and Advanced Silicon Carbide Fibers, LLC, as follows:

(RESOLUTION NO. 15-941)

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

President Culver recognized Mr. Shane Davis, Director of Urban Development.

Mr. Davis stated that they were bringing before the Council another development agreement for an industrial development project. He stated that during the two-year period of recruiting this project, it was known as "Project Badge," but that at this time the community was more familiar with it as GE Aviation.

Mr. Davis stated that Project Badge was a competitive economic development project by GE Aviation to evaluate several locations throughout the United States for the production of ceramic matrix composite materials for the commercial aerospace industry.

Mr. Davis stated that GE Aviation, a provider of jet

engines, components, and integrated systems for commercial and military aircraft, would produce silicon carbide materials for ceramic matrix composite components. He continued that he would show the Council these products momentarily.

Mr. Davis stated that this type of production facility would be the first of its kind in the United States. He stated that the technology was developed in Japan, with GE's cooperation, and that this would be their first factory to mass-produce this material to make many, many components in the commercial airline industry.

Mr. Davis stated that, as he had just mentioned, this was new technology, and that it was shaping the future of producing lighter and stronger components for the airline industry. He continued that the sky was the limit on this. He stated that they were mainly doing next-generation engines and rotary fan blades, but that in talking with them since the announcement, it appeared that every year they were finding more and more components they could make lighter and more efficient.

Mr. Davis stated that GE would construct two manufacturing facilities on a single 100-acre campus. He continued that the project would be constructed in a two-phase approach due to the manufacturing conditions of making the product. He stated that Phase One would be the Fiber Facility, noting that to the right on the display, one could see the finished product of the fiber rolls. He stated that one could think of this as a twine, but a very high-tech twine. He stated that this capital investment

would be \$136 million, and that it would provide 200 jobs.

Mr. Davis stated that as this plant came on line, that on the same campus construction would continue seamlessly into Phase Two, which would be the Composite Tape Facility. He stated that this was where they would take the composite ceramic matrix twine and form it into a Kevlar-like material. He stated that this would produce another \$57 million minimum capital investment and 98 jobs, on the same campus.

Mr. Davis stated that, like most of the City's economic development projects, they had a partnership. He stated that the partnership for GE Aviation included the City of Huntsville, Madison County, Limestone County, and the local Industrial Development Board. He stated that this local partnership was providing the site and utilities to the site.

Mr. Davis stated that the breakdown for the site was \$3.5 million for a 100-acre site. He stated that the Industrial Development Board would be providing \$1.5 million of this, and that if the Council should approve the development agreement that was before it, the City would provide \$1 million; Madison County would provide \$.5 million; and Limestone County would provide \$.5 million. He stated that Limestone County's portion of this would be divided between a portion of the land purchase and getting the necessary utilities to the site.

Mr. Davis stated that they always wanted to bring before the Council what the return on investment of a project would

be. He continued that the GE Aviation campus would lie within the newly created TIF-6 District, noting that the Council had recently passed this district, with a pretty significant capital plan in it. He stated that the property tax generated from the \$200 million capital investment would greatly advance the projects in this plan. He continued that this project would produce somewhat more than \$22.4 million in new property taxes over a 20-year period in that TIF District.

Mr. Davis stated that the development agreement required GE Aviation to create a minimum of 298 full-time employment positions, and that these positions must carry, through the life of the development agreement, a minimum average wage of \$23.55. He continued that GE Aviation would also have a minimum annual payroll, per the development agreement, of \$14.6 million.

Mr. Davis displayed a map, stating that he would point out the location. He stated that if one would look in the southwest corner of the map, it was the area depicted in green, which he noted was within the TIF-6 District which had recently been created. He continued that, of course, Polaris was also in this district. He stated that the TVA megasite would remain outside the district.

Mr. Davis stated, concerning the protection on investment, should the Council approve this agreement, that he believed in all the development agreements they brought before the Council, they protected the taxpayers' money. He stated that the

development agreement had provisions within it to protect the local partnership, not just the City, but Limestone County, the Industrial Development Board, and Madison County.

Mr. Davis stated that should GE Aviation fall short in the minimum employment level of 298 full-time jobs, there was a provision in the development agreement where the City would get a percentage of that investment back, based on these jobs. He stated that, for instance, if the figure were 300 jobs rather than 298, and GE Aviation produced 100 jobs, the City would get back two-thirds of its investment. He stated that this was proportional to the jobs versus investment. He continued that this was what they had done with Polaris, what they had done with Boeing, and what they had done with Remington, that it was kind of the formula they used, and that they demanded that industries they brought in abide by it, as a form of protection for the citizens.

Mr. Davis stated that should the wage rates fall below \$23.55, the same would apply. He continued that it was proportional as to what that would be. He stated, concerning the Capital investment, that should GE Aviation fall short of the Capital investment, there was a penalty to pay so they would get back some of the investment.

Mr. Davis stated that, also, this had a 10-year reverter, that should the plant close or relocate within the first 10 years, the City would get back 100 percent of its money. He continued that there was no pro rata on this, that it could be

9 years, 11 months, and 29 days, and it would be 100 percent.

Mr. Davis stated that they felt they were very well protected concerning the taxpayers' money. He stated that these provisions, or "clawbacks," as they liked to call them, were very similar to what they had brought before the Council previously in other development agreements.

Mr. Davis stated, concerning the project location, that what was being displayed was a little more zoomed-in view of Exit 3, noting the Chase Farm Boulevard Extension. He stated that they had received a grant for this road, and should the Council approve this development agreement, they would move forward with using that grant, through Industrial Access Funds through the State of Alabama, in the amount of \$2.3 million. He stated that they would have no cost in this road extension, which he noted also provided more industrial sites, both north and south of Chase Farm Boulevard, just west of the GE site. He continued that they were getting both infrastructure benefits and jobs with this.

Mr. Davis stated that what was being displayed at this time was a rendering that GE had provided, which depicted the proposed manufacturing facility. He stated that there would be some Engineering and Research and Development in the center quad, with the glass atrium, and that to the left and right there would be manufacturing space.

Mr. Davis stated that at this time he would answer any questions the Council members might have.

President Culver recognized Councilman Kling.

Councilman Kling stated to Mr. Davis that he was aware he was talking about 298 jobs, and that he believed they would be talking about, roughly, 46 or 47 thousand dollars, minimum, per job.

Mr. Davis stated that it would be \$48,000 without benefits, and that it would be right at \$60,000 with benefits.

Councilman Kling asked if these would be new people who would be coming into the city of Huntsville or if these would be jobs that would be available to current citizens. He continued that he was assuming that there were not any persons in the area that were currently doing these jobs.

Mr. Davis stated that that was correct. He stated that GE would bring in a few people, and that they had said this would be approximately 10 percent. He continued that they would be looking, then, at 20 to 25 GE personnel to come and set up the factory and do training. He stated that the majority of these jobs would be new jobs available to the community.

President Culver stated that when the Governor had made the announcement concerning this project, he had been in Montgomery with Mayor Battle, and that he had had the opportunity to obtain a sample of the new part they were going to make and compare it to metal of the same size, and that the difference in the weight was amazing. He continued that this particular material was approximately 10 times stronger than

steel, but, yet, it weighed much, much less. He stated that he had engaged in some further discussion with some of the persons there, and that he was hoping that one day they would take this technology and put it into automobiles, that perhaps this would be coming down the pike at sometime in the future.

Mr. Davis stated that in 2014, GE Aviation had a \$160 million backlog in parts to be made out of composite ceramic materials. He stated that this was a very viable business model for them, and that he believed they would do very well for a very long time in Huntsville. He continued that, also, it was kind of in the wheelhouse of what was done in Huntsville.

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

There was no response.

President Culver called for the vote on Resolution No. 15-941, and it was unanimously adopted.

President Culver recognized Councilman Showers.

Councilman Showers asked Mr. Davis to remain at the microphone.

Councilman Showers asked Mr. Davis for the tentative schedule for the first phase of Dr. Joseph E. Lowery Boulevard.

Mr. Davis stated that the sign had been put up on this date, and that they would be back on the following morning. He continued that all the landscaping was on site, the trees were in, and that Saturday they would be planting sod, and on Monday

they would put in the final wearing surface. He continued that by the following Friday, the section from Governors Drive to Pelham Avenue would be ready to be opened to the public.

Councilman Showers stated that they were planning to have a program, a dedication ceremony, and that he would be getting with Ms. Michelle Jordan concerning this the following week, and that they would be ready to go ahead and move on getting Dr. Lowery's family to the city.

Mr. Davis stated that everything would be completed by the end of the following week.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Direct Communications for consulting services, as follows:

(RESOLUTION NO. 15-942)

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

Mr. Harrison Diamond, Business Relations Officer of the City of Huntsville, appeared at the microphone.

Councilman Russell asked Mr. Diamond to advise the Council as to the principal of Direct Communications, as well as the value of the contract.

Mr. Diamond stated that the principal of Direct Communications was Steve Raby, and that the amount of the contract was \$168,000.

Councilman Russell inquired as to the purpose of the contract.

Mr. Diamond stated that it was for government relations and economic development support. He stated that Mr. Raby did quite a bit of work for the City, building up coalitions, as well as making sure that Huntsville's interests were best represented in Montgomery. He stated that as persons had seen in the last legislative session, it was very challenging, and they had had to play a lot of defense. He continued that they did not believe anything was going to get easier in the next session. He stated that Mr. Raby helped in keeping the interests of the city in front of the key decision-makers.

Councilman Russell stated that he certainly agreed with Mr. Diamond but asked why the City could not rely on its legislators to do this, why they had to hire someone.

Mayor Battle stated that they needed someone who worked specifically for the City of Huntsville. He continued that legislators had many other interests, the interests of lots of different groups, et cetera, and they needed someone who worked specifically for them and who could be very effective.

Mayor Battle stated that, as Mr. Diamond had said, one of the most important things was blocking, because there was so much that came out of Montgomery that, quite frankly, was not in the interest of the citizens of Huntsville. He continued that they needed a way to make sure they could keep certain things from happening and stated that Mr. Raby was very, very

effective in Montgomery. He continued that he worked in economic development, that he had worked on the GE project, working with other cities and other counties throughout the area, and that he had worked on the Polaris project and on the Remington project. He stated that Mr. Raby was one of the key reasons they were able to get \$2.3 million in Industrial Access money for the GE project. He stated that the return on what the City invested in him was many, many times over.

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

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that one point she had noticed was that the figure of \$168,000 was all-inclusive, so there would be no expenses, and that she would think there would be quite a bit of expense involved in travel and other expenses.

Mr. Diamond stated that it was correct that it was all-inclusive.

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

There was no response.

President Culver called for the vote on Resolution No. 15-942, and it was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and FTI Consulting for consulting services,

as follows:

(RESOLUTION NO. 15-943)

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

President Culver recognized Councilman Russell.

Councilman Russell asked Mr. Diamond who the principal was of FTI Consulting.

Mr. Diamond stated that it was former Congressman Bud Cramer.

Councilman Russell inquired as to the amount of the contract.

Mr. Diamond stated that it was \$108,000.

Councilman Russell inquired as to what this was for.

Mr. Diamond stated that it was for Federal Government relations. He continued that Mr. Cramer was also instrumental in helping them work with a lot of aerospace and defense companies that had major presences in the national capital region.

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

There was no response.

President Culver called for the vote on Resolution No. 15-943, and it was unanimously adopted.

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

Councilman Russell read and introduced an ordinance authorizing the vacation of Utility and Drainage Easements for Lot 99, Heritage of Monte Sano, Gaslight Way (Nuwayhid), as follows:

(ORDINANCE NO. 15-944)

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

Councilman Russell read and introduced an ordinance authorizing the vacation of Utility and Drainage Easements for Lot 58, 4650 Saddle Ridge Drive (Wright Homes), as follows:

(ORDINANCE NO. 15-945)

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

Councilman Russell read and introduced an ordinance authorizing the vacation of Utility and Drainage Easements for Common Area and Lot 54, Inspiration on Green Mountain Phase 2, 56 and 58 Bluff View Drive (Diltina Development), as follows:

(ORDINANCE NO. 15-946)

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

Councilman Russell read and introduced an ordinance authorizing the vacation of Utility and Drainage Easements for Lots 34 and 35, Inspiration on Green Mountain Phase 2, 18 and

20 Bluff View Drive (Diltina Development), as follows:

(ORDINANCE NO. 15-947)

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

Councilman Russell read and introduced an ordinance authorizing the vacation of Utility and Drainage Easements for Lot 2, Walden Run at Indian Creek Phase 2 (Walden Run at Indian Creek, LLC), as follows:

(ORDINANCE NO. 15-948)

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

Mr. Joffrion submitted the following deeds for approval:

(DEEDS)

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

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated to Mr. Joffrion that there had been some meetings with persons who were interested in having the City Council pass an ordinance mandating minimum wage. She asked if Mr. Joffrion could comment on the appropriateness of the Council considering this or their power to do it.

Mr. Joffrion stated that he could provide at this time his

best educated guess, but that he would probably have to do a little more research on this. He stated that he did know that municipalities had only what authority was given to them under State law. He stated that he was not aware of any enabling legislation that would authorize the City of Huntsville's governing body to adopt legislation to regulate wages at all. He stated that it might be that in other jurisdictions, such as Birmingham or Jefferson County, they might have special legislation that was applicable only to that class municipality and gave them the authority to do so. He continued that he was not aware if this were true, but that it was possible. He stated that without such legislation, the City of Huntsville would not have that authority.

Councilwoman Robinson stated that she believed there were some municipalities that had done this but had been challenged on it.

Mr. Joffrion stated that he believed that was correct, noting that, however, he did not know the litigation history behind this. He stated that he could provide this information to the Council.

Councilwoman Robinson thanked Mr. Joffrion.

President Culver stated that the next item on the agenda was Non-Roster Communications From the Public.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, stating that some residents in Holiday Homes were happy that a new park was going to be located there, but they

were complaining that promises had been made that some lights were going to be put up in the neighborhood and this had not been done. She stated that if they promised people something, they should do it.

Ms. Reed stated that she had heard that two-way traffic was going to be returned to some downtown streets. She stated that she did not want to get into this at this time but stated that she could not understand what they were doing downtown. She stated that persons had told her they were going to put \$100 million into downtown. She stated that she certainly hoped they did not do like the State of Alabama.

Ms. Reed stated that she was for good economic development and good jobs in the city, but that she had never understood why corporations that had been in business for years and years did not have to lay some money on the table when they came to the city and the state. She stated that the State had taken the Trust Fund, the Rainy Day Fund, and at this time they were after the education money, but that when companies came in to bring jobs in, they would hand out money. She stated, concerning services, that they were letting persons out of prison, that there was no highway patrol, and they were cutting all the services for the public, and cutting people from jobs. She stated that she was for good jobs, but the big money people had the banks behind them, and that they should let them lay some money on the table, rather than putting it on the City and the taxpayers. She stated that they had to quit giving the

city away.

Ms. Reed stated that they had discussed the Holiday Inn property and noted that the City had paid \$6.8 million for that property. She continued that no one had told her anything about the Aquatic Center, as to what it appraised for, that no one knew. She reiterated that they could not give the city away. She stated, concerning the \$144,000 a year for 90 years, that she would not be there to see that, and neither would the Council members. She stated that she had a problem thinking that the City was going to come out ahead on this.

Ms. Reed stated that she did not know about the apartments and complexes where they had given the property away across from the Federal Courthouse. She stated that she would have the real picture, that they could keep the BIG Picture.

President Culver recognized Councilman Kling.

Councilman Kling stated that it was not within the district he represented, but he believed there had been some good things downtown. He stated that he believed they had stepped up and done some good projects that looked like they had some good investment, but that they were not putting all their eggs into one basket in downtown. He stated that he believed one could see a lot of things taking place throughout the community, that, in fact, in giving something back to the community, he was excited about the approximate \$90 million that was going to be spent on recreational facilities for the people in the community at John Hunt Park. He stated that he

believed at the last Council meeting they had authorized a very big commitment for the new Natatorium that would be going in adjacent to the existing Natatorium. He stated that things were going into the community, and that was the way it should be. He reiterated that there were a lot of other things going on in the community other than in the downtown area.

Ms. Dionne Smith, 2514 Norman Terrace, appeared before the Council, stating that on Tuesday she had presented her concern at the Showers Center, but that she did not feel it had been satisfactorily addressed, and that was why she was appearing before the Council at this time.

Ms. Smith stated that she was not going to preach a sermon, but that she did want to say the following: "These six things doth the Lord hate: Yea, seven are an abomination unto him: A proud look, a lying tongue, and hands that shed innocent blood; an heart that deviseth wicked imaginations, feet that be swift in running to mischief, a false witness that speaketh lies, and he that soweth discord among brethren."

Ms. Smith stated that the reason she had read the above was because of her concern about the abortion clinic on Sparkman Drive. She continued that persons knew that abortion was a very hot and contentious issue in the nation. She stated that the clinic had been a problem when it was in another location, and that she did not know what the rationalization or the practicality was of putting it in the location it was in at this time. She continued that it was close to two schools,

Highlands and AAA, being across the street from AAA, and not too far from Oakwood. She stated that at many different times, at various locations, there had been violent acts at such clinics. She stated that this put the students, the parents, the educators, local businesses, and the neighborhood in possible imminent danger.

Ms. Smith stated her concern was why the City would put this clinic at that location, regardless of what side of this issue they were on.

Ms. Smith stated that she would like for this matter to be addressed.

Ms. Smith stated that she would also like to say that, as everyone was aware, Margaret Sanger and her eugenist friends had wanted to target certain groups of the population, that they believed in population control. She stated that there should be no ignorance on anyone's part that this was her agenda. She stated that she had Ms. Sanger's original autobiography, unabridged and unaltered, published in 1938.

Ms. Smith stated that the reason she had read the scripture above was that Ms. Sanger epitomized all those things that God said was an abomination to him.

Ms. Smith stated that Ms. Sanger's targeted groups were minority groups, and that at this time there was a predominantly black neighborhood that had an abortion clinic across the street from a middle school. She stated that she was not saying that this was Planned Parenthood, but that it

was an abortion clinic.

Ms. Smith stated that she would like for the Council or someone to give her a rationalization as to why they had put this clinic at that location, endangering all these people if there were to be a bomb or active shooter, or whatever.

Ms. Smith thanked the Council for their time.

President Culver stated to Ms. Smith that he would later ask Mr. Joffrion to address this issue, either publicly at this time or privately.

Ms. Angela Boyd, 3708 Lakewood Drive, appeared before the Council, stating that she was following up on Ms. Smith's comments, noting that she was a new friend she had met at Councilman Showers' Town Hall meeting. She stated that she loved the City of Huntsville, noting that she had lived in the city for 25 years.

Ms. Boyd stated that they talked a lot about enhancing the quality of life in the city, particularly in North Huntsville, where she lived. She stated that they had a blight in that area, which was the abortion clinic. She asked how they could enhance the quality of life when they were killing people, noting that this was what the abortion clinic did. She continued that it was a huge industry.

Ms. Boyd stated that Ms. Smith had been talking about Margaret Sanger, who had started Planned Parenthood. She stated that it was estimated that 1.5 billion children had been killed just based on what this woman had started. She stated

that there were tons of lies and deceptions about when human life began.

Ms. Boyd stated that she knew for a fact that between 75 and 80 percent of the aborted babies at this clinic were black. She stated that one might wonder why, noting that God had made all human beings created in His image. She stated that it was a travesty that in the city there was not better education about life.

Ms. Boyd stated that she was aware there had been a bill before the State Legislature about limiting the abortion clinics to within a certain number of feet from a school, but she did not believe it had passed. She continued that that was a travesty. She stated that it seemed to her that the City Council could have had a voice in getting this to the floor or getting it moved forward when it had reached the State House.

Ms. Boyd stated that God liked justice, and that abortion was injustice. She stated that the government was designed by God to be a protector of people, not the facilitator of murdering babies.

Ms. Boyd stated that they were talking about bringing all this industry into Huntsville, and that she felt this was a great thing, but that one industry they could do away with was the abortion industry. She stated that perhaps they should just ship that overseas.

President Culver asked Mr. Joffrion if he would like to

address this matter at this time publicly or if he would prefer to meet with Ms. Smith and Ms. Boyd.

Mr. Joffrion stated that he would go ahead and respond at this time. He stated that he would not get into the issue of abortion because that was not an issue the City Council had any jurisdiction over, that it was currently legal within the United States. He stated that it was a medical procedure, and that this was a medical clinic. He stated that the City did not put the business at that location, or put the use there, that a medical clinic was a permitted use within that zoning classification. He continued that the City really had no authority to deny anyone the right to put a permitted use within a particular zoning district if it was allowed within that zoning district. He stated that that was a decision the owner of the facility had made, and the City Council and the City administration had no authority to deny that.

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

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

---

PRESIDENT OF THE CITY COUNCIL

ATTEST:

---

CITY CLERK-TREASURER