

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, DECEMBER 18, 2014

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, December 18, 2014, 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.

Deacon Don Baccus of the Mayfair Church of Christ led the invocation; President Russell led the pledge of allegiance.

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

The Minutes of the Regular Meeting of the Council on December 4, 2014, were approved as submitted.

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

President Russell recognized Mayor Battle.

Mayor Battle asked Mr. Terry Hatfield, Director of Public Works, to come to the podium.

Mayor Battle stated that many of the persons who were in attendance at the meeting had seen a sweeper machine that was out in front of the building. He stated that this machine was being given as a Christmas gift to the City. He stated that Mr. Hatfield would explain the use of this machine and talk a little about it.

Mr. Hatfield asked Mr. Mark Hedden and his guest to come forward.

Mr. Hatfield stated that this was another example of how great the city was, when they had citizens who wanted to step up to the plate and help out at times when people needed some things. He stated that Mr. Hedden had seen that the City had the need for a power brush. He stated that he was excited about this because it was his department which would get the most use out of it. He continued that it would also be used by Landscape Management and General Services. He stated that Mr. Hedden's family had been in business in the community for many years and had also given back to the community. He thanked Mr. Hedden for continuing this tradition.

Mr. Hatfield stated that the power brush would be used on snow and ice and would also be used to clean up after the ducks and geese in the park.

Mr. Hatfield stated to Mr. Hedden that the gift was certainly appreciated. He stated that Mr. Hedden operated Hedden Lawn Care, located on Metro Circle. He stated that Mr. Hedden could tell persons more about the power brush.

Mr. Hedden stated that he would like to thank the Ariens Company and Mr. Tom Gargis for choosing his company, noting that they had a promotion with these machines and had chosen his company to have a machine to give away. He stated that the first thing he had thought of in regard to the machine was that the City could most likely get the most use out of it. He stated that his company wanted to help the City out in any way they could.

Mayor Battle asked Mr. Greg Patterson, Director of Parks and Recreation, to come to the podium, noting that he had a recognition of a State champion.

Mr. Patterson stated that he would like to honor Abbey Weitenbeck of Huntsville High School at this time. He continued that she was the Class 7A Cross-Country Champion, noting that this event had occurred in November. He stated that Abbey was an 8th grader at Huntsville Middle School and that she ran for Huntsville High. He stated that it was likely that she would be back before the Council in the future to be recognized. He asked Mr. Jeff Weitenbeck, her father, to stand, noting that Mr. Weitenbeck had been the 1979 State Cross-County Champion at Huntsville High School.

Mayor Battle asked Mr. Kenny Anderson to come forward, noting that they would be recognizing the STAR 99.1/CAFY Young Citizen of the Month.

Mr. Anderson asked the members of his group to come forward, as well as the Young Citizen of the Month to be

recognized, Haleigh Briggs.

Mr. Anderson stated that this recognition of youth in the city had been commenced approximately a year prior, and that since that time they had honored quite a few youth in the community.

Mr. Anderson stated that it was their privilege at this time to present Haleigh Briggs the December Young Citizen of the Month award.

Mr. Anderson stated that several entities in the community worked with this award, including STAR 99.1, Huntsville Utilities, the Human Relations Commission, DynCorp, and the City Office of Multicultural Affairs.

Mr. Anderson asked Ms. Debra Jenkins, who had nominated Haleigh for this award, to come forward and tell the Council and the audience about this young person who had done great things in the community and say why she had nominated her for this honor.

Ms. Jenkins stated that they were very proud of Haleigh. She continued that at Merrimack Hall they were lucky enough to have hundreds of teenagers that volunteered with them in their program of arts education for persons with special needs. She continued that all of these volunteers were exceptional but Haleigh was by far the most exceptional of all of them. She stated that if Haleigh was any indication of what wonderful servant leaders they had coming up in the next generation in the community, Huntsville had a really bright future.

Ms. Jenkins stated that they were so very grateful to Haleigh for her service to persons with special needs and so proud of all she had accomplished. She stated that Haleigh volunteered with them every day of the week and the weekends, year round. She stated that she worked with children who had Down syndrome, cerebral palsy, autism, et cetera, and they just could not make it without her. She stated that she was a wonderful friend to these children, as well as a tremendous leader.

Mr. Anderson stated that they had also learned that Haleigh was an extraordinary dancer.

Ms. Jenkins stated that Haleigh was a national title holder, Teen National Prodigy.

Ms. Sara Crocker stated to Haleigh that they were very proud of her and had a certificate to present to her, which she noted read "CAFY/STAR 99.1 and the Human Relations Commission of the City of Huntsville are proud to honor Haleigh Briggs as the CAFY/STAR 99.1 Young Citizen of the Month."

Mr. Buzz Stephens stated that he was with STAR 99.1 and congratulated Haleigh, stating that they were very excited to be a part of this. He stated that the young citizens brought so much to the area. He stated that he was very proud of Haleigh.

Mr. Joe Gehrdes of Huntsville Utilities stated that they were proud to be a part of this recognition. He continued that he was standing in for Dr. Hobbs at this time. He stated that

they were very proud of Haleigh. He made a presentation to Haleigh and thanked her for her leadership and her dedication, noting that the community would need her going forward.

Mr. Anderson stated that it was a simple, on-line process to make nominations for this recognition and urged the citizens to participate in this.

Mayor Battle asked Chief McFarlen of Huntsville Fire & Rescue to come forward, along with Deputy Chief McComb. He stated that they had a Medal of Valor presentation to make at this time.

Chief McFarlen stated that at this time he would be presenting a Citizen's Medal of Valor, noting that this was the first one he had ever presented.

Chief McFarlen stated that in November there had been a house fire on Montdale Road and two gentlemen had come by the residence and had seen a woman outside with a garden hose and that there was smoke and flames coming out of a window and some other areas. He stated that the woman was attempting to spray the hose toward the fire. He stated that these gentlemen had stopped to see if they could help and that the woman was in a panic, and they were attempting to stop her from going back into the residence. He stated that then they had found out that there was another woman who was still in the house. He stated that the fire trucks were on the way, noting that they had about a three-and-a-half-minute response time but that during that time a lot of things could take place.

Chief McFarlen stated that after finding out there was another person in the house, one of the gentlemen had stayed with the lady and the other gentleman had gone in the house, through the smoke and flames, and had gotten the other woman and brought her to safety.

Chief McFarlen stated that these gentlemen had not only saved those two lives but could have quite possibly saved the lives of some of his responders, noting that they would have gone in to do the initial search to make sure the house was clear. He continued that upon the arrival of his men, they were aware the house was clear and they could concentrate on putting out the fire.

Chief McFarlen asked that Adam Dixon and Jeff LaRose come forward.

Chief McFarlen presented medals of valor to Mr. Dixon and Mr. LaRose.

Mayor Battle stated that there was a presentation to be made by the Huntsville Firefighters to the Liz Hurley Fund. He asked the crew to come forward and join Chief McFarlen. He asked all the members of the Pink T-Shirt Committee to come forward. He recognized Local 1833 President Steve Jones, asking him to tell the Council and the audience about the work they had done, as well as to present the check.

Chief McFarlen asked Liz Hurley to come forward also.

Captain Jones stated that he would like to thank Chief McFarlen, noting that this program had been a joint

venture for the prior five years and had been a very successful venture. He stated that without the support of Chief McFarlen and his office, it would not have been as successful as it had been.

Captain Jones stated that in October, when this project was begun, they had been allowed to wear the pink shirts on shifts. He stated that when the firemen went out on call during this time, they would appear on the scene in their pink shirts, and that whether persons understood this or not, it did have a calming effect on persons with EMS calls. He stated that often persons would ask where they could get a shirt like the firemen were wearing.

Captain Jones stated that they had been having this project for the prior five years, and that including the check they would be presenting at this time, they had raised a total of \$79,000. He stated that they had been honored by the Breast Center, noting that they had given them a waiting room in the name of Huntsville Fire & Rescue and the Huntsville Firefighters Association for the work they had done in raising this money. He stated that none of this could take place without the citizens of Huntsville and Madison County purchasing these shirts, so they certainly appreciated their participation.

Captain Jones introduced the head of the committee, Tracy Christa, as well as other members of the committee. He stated that the planning and preparation for this project

involved a lot of man hours and that persons put in this time and effort, and they had always been successful.

Captain Jones asked Ms. Hurley to come forward. He presented a check to her in the amount of \$12,000.

Ms. Hurley stated that that was amazing, that it certainly involved a lot of t-shirts. She stated that the Fire & Rescue personnel were in the business of saving lives every single day, and that this money was going to save lives at Huntsville Hospital's Breast Center, noting that this was the largest single-site breast health center in the state of Alabama. She stated that this would help women in the city in getting a diagnosis of breast cancer, or hopefully not getting a diagnosis of breast cancer. She stated that this would go toward the purchase of two 3-D mammography machines. She continued that this would go a long way in helping a lot of women. She stated that, on average, one woman every single day was diagnosed with breast cancer at the Breast Center. She continued that if they could help these women and find it earlier, at a more curable stage, that would also be saving lives.

Ms. Hurley thanked Huntsville Fire & Rescue for continuing to support the Liz Hurley Breast Cancer Fund.

Mayor Battle asked Chief Morris of the Police Department to come forward for an employee incentive award.

Chief Morris stated that it was always an honor for him to recognize his employees that did an outstanding job. He asked

Lt. Dewayne McCarver to come forward.

Chief Morris stated that the City of Huntsville had an employee incentive program that recognized employees that performed at an outstanding level. He continued that, in addition to this, they took it a step further, being that if they came up with an innovative idea or approach, or equipment that benefitted the department in its public safety mission, they implemented it.

Chief Morris stated that Lt. McCarver had seen a need for something they had been discussing a long time, being an individual medical kit. He continued that this was a medical kit that would be carried by each officer, each law enforcement officer in Madison County. He stated that Lt. McCarver had researched this idea with the medical community and the first response community and then had made contact with Huntsville Hospital, and that through the benevolence of the Huntsville Hospital Foundation, they had assembled the kits and provided kits to every police officer in the county. He continued that the police officers would have an individual medical kit, in the event they found themselves in a position where they were required to render life-saving first aid.

Chief Morris stated that this could not have a dollar value put on it. He stated to Lt. McCarver that they certainly appreciated what he had done, that it was a job well done.

Chief Morris made a presentation to Lt. McCarver.

Mayor Battle asked Mr. Bill Steiner, Director of

Information Technology Services, to also come forward, noting that there were other employee incentive awards. He stated that there were many employees who had been working great for the City of Huntsville.

Mr. Steiner stated that, as Mayor Battle was aware, AssetWorks was a commercial off-the-shelf software product that the City had purchased for Fleet Management. He stated that he had some outstanding employees that had done a lot of hard work on this and asked Linda Marler-Parker, Keysha Erskine, and Duane Sanders to come forward.

Mr. Steiner stated that, as he had mentioned, this was a commercial off-the-shelf product that helped them manage the entire fleet across the city, that it helped them manage the fuel, the repair costs, parts, et cetera. He stated that, as always happened, any commercial software that was purchased would not always fit into what they needed for the City. He stated that it was the computer programmers, behind the scenes, or behind the screens, that tweaked this software to make it do what the City needed for it to do. He stated that their hard work had been very successful and thanked them for this.

Councilman Showers read and introduced a resolution congratulating Pastor Mylon Burwell upon his 20th Anniversary as pastor of the Mt. Zion Primitive Baptist Church, as follows:

(RESOLUTION NO. 14-952)

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

and was unanimously adopted.

Councilman Showers stated that he would be presenting the resolution at the Commemorative Banquet to be held at the Holiday Inn Huntsville-Research Park on December 19, 2014, at 7:00 p.m.

Councilman Showers read and introduced a resolution commemorating the life of Bishop Kenneth L. Tate, as follows:

(RESOLUTION NO. 14-953)

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

Councilman Culver stated that he would like to share part of the resolution at this time. He stated that Bishop Tate had passed away on December 16, 2014, and that funeral services would be held on the following Saturday, December 20, at Progressive Union Missionary Baptist Church, located at 1919 Brandontown Road.

Councilman Culver stated that Bishop Tate had been educated in the Madison County School System and had attended Alabama A&M University and had received a Bachelor of Science Degree in Biblical Studies at American Baptist College, Nashville, Tennessee.

Councilman Culver stated that the City and the citizens of the entire city were joining with the family and enumerable friends in mourning the passing of Bishop Tate and wished to commemorate his life and service to his family and to his

fellow man.

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. 14-859, amending the approved Development Plan for Providence Planned Development, LUI Rating 56, by adding to the permitted uses in the various transects, which hearing was set at the November 6, 2014, Regular Council Meeting.

President Russell recognized Lisa Leddo of the Planning Department.

Ms. Leddo stated that this was a major change to the Providence Planned Development. She stated that this development was based on SmartCode, and was divided into transects, with each transect being representative of different uses and densities.

Ms. Leddo stated that on the display, the areas appearing in purple were permanent open space, and that the green was Transect 3, for single-family homes only. She continued that the yellow that was seen throughout the development was Transect 4, which she noted was various housing types, with limited commercial uses. She continued that the orange color was Transect 5, which was primarily commercial in nature, with some residential uses. She stated that the white was Transect 6, which was the commercial core area, the downtown area. She stated that the pale blue areas were the civic

areas, that this was open for public use.

Ms. Leddo stated that the major changes that had been requested included adding uses within the various transects of Providence Planned Development. She stated that the first one that one could see was within Transects 4, 5, and 6, excluding Transect 4(B) and Transect 5©. She stated that this would be Assisted Living Facilities, Specialty Care Assisted Living Facilities, and Nursing Homes, as defined by the Alabama Department of Public Health.

Ms. Leddo stated that the highlighted areas were changes that had been made based on neighborhood meetings after the first public hearing before the Planning Commission. She stated that after these meetings were held and the changes made, there were other public hearings held at the Planning Commission, and the neighbors had agreed that these changes had met their needs.

Ms. Leddo read as follows: "Within Transects 5 and 6, excluding Transect 5©, banquet halls, banquet establishments, and meeting places when incorporated within a multi-story building. Special event retailers. Mobile food vending units, subject to the following regulations." She continued that the list of regulations was the same as the recently adopted citywide mobile vending unit regulations. She stated that the only changes had to do with the times. She stated that within the Providence Planned Development, the times would be 6 a.m. to 10 p.m. Sunday through Wednesday, and 6 a.m. to 11:30 p.m.

Thursday through Saturday.

Ms. Leddo stated that there would also be street vendors, including food kiosks, on private property, subject to regulations. She stated that, again, these regulations were the mobile food truck vending regulations.

Ms. Leddo stated that within Transects 5 and 6 and Civic, excluding Transect 5©, there would be outdoor retail sales, including, but not limited to, Christmas tree sales, farmers markets, art shows, and car shows, outdoor performances of music, plays, festivals, and movies, in parks, amphitheaters, and other common areas.

Ms. Leddo stated that Transect 6 was an inventory storage facility, where the primary physical use of the structure was for on-site inventory storage of the business's product, provided, however, that the total square footage allowable for the entire planned development district shall not exceed a maximum total of 25,000 square feet of floor area. She stated that no outside storage of goods, wares, or merchandise was permitted on the premises.

Ms. Leddo read as follows: "Within Civic, excluding Civic (D) and Civic (F), Carnivals by special exception. Within all Transects: Community gardens in common areas."

Ms. Leddo stated that the exceptions that one could see were the areas that were already developed within Providence, noting that these were the ones on the east side of the creek. She stated that the major changes would be in the undeveloped

areas on the west side of the creek.

Ms. Leddo stated that the Planning Commission had recommended approval of these changes.

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.

Councilman Showers moved for approval of Ordinance No. 14-859, amending the approved Development Plan for Providence Planned Development, LUI Rating 56, by adding to the permitted uses in the various transects, which ordinance was introduced at the November 6, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-859)

Said motion was duly seconded by Councilman Culver.

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

Mayor Battle stated that Ms. Leddo was retiring and this would be her last meeting with the City. He stated that it would be very sad that she would not be able to come to Council meetings anymore.

Mayor Battle thanked Ms. Leddo for 25 great years of service to the City.

President Russell stated that it was the time and place in

the meeting for a public hearing on Ordinance No. 14-861, rezoning property lying west of U.S. Highway 231 South and north of Green Cove Road from Light Industry District to Residence 2-B District (43.42 acres) and from Residence 1-B District to Residence 2-B District (25.62 acres), which hearing was set at the November 6, 2014, Regular Council Meeting.

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

Ms. Nichols stated that the property was a total of 69.04 acres and was located west of U.S. Highway 231 South and north of Green Cove Road. She stated that the rezoning request was from Light Industry District to Residence 2-B District, noting that the property was located in the red areas on the displayed map. She stated that there was also a portion that was requested to be rezoned from Residence 1-B District to Residence 2-B District.

Ms. Nichols stated that this request had been recommended for approval by the Planning Commission.

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, stated that he was concerned about changing a zoning district from Light Industry to Residence 2-B District, noting that this would possibly be taking away opportunities for permanent jobs, noting that the job of building houses would not be permanent. He stated that

his concern was especially in light of the location of this particular property, noting that it was very near the river. He stated that he understood there was not a good access to the river but stated that it appeared that an industry near the river would be a plus. He stated that, also, there was rail service in close proximity, although it was across the Parkway. He stated that there were these two services that could possibly be of benefit to Light Industry.

Mr. Cox stated that he had met with Ms. Nichols concerning this matter and that he had found Ms. Nichols to be very knowledgeable concerning this and she had been very friendly and very helpful. He stated that he certainly appreciated the time she had spent with him.

Mr. Cox stated that he believed "Light Industry" could possibly be a misnomer, that most likely everything in the world could be put in that location except industry, so that he could not be certain they would be losing jobs with the rezoning. He stated that there was the opportunity at many different locations throughout the City to have residential property, but that there were few locations that could be zoned for industry.

Mr. Cox stated that perhaps it might be too late for this consideration, as he was certain that a lot of the property surrounding this area had previously been zoned Industrial and had already been rezoned to Residential. He stated that he just wanted to note that he always had concern about taking

away property that was zoned Industrial and zoning it as Residential.

President Russell asked if there was anyone else 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.

Councilman Showers moved for approval of Ordinance No. 14-861, rezoning property lying west of U.S. Highway 231 South and north of Green Cove Road from Light Industry District to Residence 2-B District (43.42 acres) and from Residence 1-B District to Residence 2-B District (25.62 acres), which ordinance was introduced at the November 6, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-861)

Said motion was duly seconded by Councilman Kling.

President Russell asked Ms. Nichols if she would comment on some of the questions that Mr. Cox had asked. He asked her to comment particularly on why it would be advantageous to the City to change a Light Industry District into a Residential District.

Ms. Nichols stated that the location of a subdivision in this area had previously been zoned Light Industry and had been rezoned in 2012, at the request of the current property owner. She stated that the proposed rezoning was for the development

of additional phases of the subdivision.

President Russell asked Ms. Nichols if the City had any problem in finding land for any company that wanted to come into the city.

Ms. Nichols replied that she did not believe there was any problem in this regard.

Ms. Nichols stated that, also, approval of this request would also make the zoning consistent for the entire subdivision, rather than being three different zoning districts.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-863, rezoning property lying on the north side of Old Highway 431 and west of Mill Run Road from Residence 1-A District to Neighborhood Business C-1 District, which hearing was set at the November 6, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that this property was a total of 1.32 acres and was located on the north side of Old Highway 431 and west of Mill Run Road. She stated that the current zoning was Residence 1-A District and that the property owner had petitioned to rezone the property to Neighborhood Business C-1 District, which was consistent with the zoning of the adjacent property, which she noted was highlighted in green on

the displayed map. She stated that this was currently vacant land and that it would be used for future residential development.

Ms. Nichols stated that the request had been recommended for approval by the Planning Commission.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 14-863, rezoning property lying on the north side of Old Highway 431 and west of Mill Run Road from Residence 1-A District to Neighborhood Business C-1 District, which ordinance was introduced at the November 6, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-863)

Said motion was duly seconded by Councilman Showers.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-865, rezoning property lying on the south side of U.S. Highway 72 and on the east side of Moores Mill Road from Neighborhood Business C-1 District to Highway Business C-4 District, which

hearing was set at the November 6, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that the property was a total of 10.23 acres and that the current zoning was Business C-1 District and the proposed rezoning request was for Highway Business C-4 District. She stated that this was consistent with the zoning of the surrounding property south of U.S. Highway 72 East. She stated that the property was located on the east side of Moores Mill Road, noting that it was highlighted in green on the displayed map. She stated that this would be for future commercial development.

Ms. Nichols stated that the request had been recommended for approval by the Planning Commission.

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

There was no response.

President Russell stated that the public hearing was closed.

Councilman Kling moved for approval of Ordinance No. 14-865, rezoning property lying on the south side of U.S. Highway 72 and on the east side of Moores Mill Road from Neighborhood Business C-1 District to Highway Business C-4 District, which ordinance was introduced at the November 6, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-865)

Said motion was duly seconded by Councilman Culver.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-867, zoning newly annexed property lying on the east and west sides of Mooresville Road and on the north side of Huntsville Browns Ferry Road as Highway Business C-4 District, which hearing was set at the November 6, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that this was newly annexed property and that it was approximately 104.63 acres. She stated that the property was located on the east and west sides of Mooresville Road and on the north side of Huntsville Browns Ferry Road and that it was currently vacant land and would be used for future commercial development. She stated that the proposed zoning district was Highway Business C-4, which she noted was consistent with the zoning of the adjacent property in the area.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance

No. 14-867, zoning newly annexed property lying on the east and west sides of Mooresville Road and on the north side of Huntsville Browns Ferry Road as Highway Business C-4 District, which ordinance was introduced at the November 6, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-867)

Said motion was duly seconded by Councilman Showers.

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

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-869, zoning newly annexed property lying on the south side of Parsons Road and east of Hobbs Island Road as Residence 1 District, which hearing was set at the November 6, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that the property was newly annexed land and was approximately .61 acre, and that it was located on the south side of Parsons Road and east of Hobbs Island Road. She stated that the proposed zoning was Residence 1 District, which she noted was consistent with the surrounding zoning. She stated that there was currently one single-family, detached dwelling located on the property.

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

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 14-869, zoning newly annexed property lying on the south side of Parsons Road and east of Hobbs Island Road as Residence 1 District, which ordinance was introduced at the November 6, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-869)

Said motion was duly seconded by Councilman Showers.

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

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

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

Mr. Benion stated that the resolution identified 32 properties that were in violation of the City's grass and weed ordinance. He stated that these properties were identified on Attachment A by the owner and location. He stated that the owners had received written notification, by regular mail, that they were in violation of the ordinance and were given 14 days to correct the violation.

Mr. Benion stated that all 32 owners had failed to respond

and that Community Development had issued work orders to cut the properties, at a total cost of \$7,142.97, and an average cost of \$223.22. He stated that Attachment A also identified the date and cost of cutting these properties.

Mr. Benion stated that the owners had received a written request, by regular mail, for payment, and had failed to respond. He stated 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 some might wish to speak at this time.

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

There was no response.

President Russell stated that the public hearing was closed.

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

(RESOLUTION NO. 14-954)

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

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

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

President Russell read and introduced a resolution to set a public hearing on a resolution approving of and assenting to vacation of, and vacating, a portion of National Boulevard and Meadowbrook Drive abutting the new Grissom High School campus, at the January 22, 2015, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-955)

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

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

President Russell read and introduced Resolution No. 14-956, approving of and assenting to vacation of, and vacating, a portion of National Boulevard and Meadowbrook Drive abutting the new Grissom High School campus.

President Russell stated that the next item on the agenda was Communications from the Public. He stated that persons who would like to speak at this time would have three minutes to address the Council.

Mr. Dennis Martin, 3409 Venona Avenue, appeared before the Council, stating that he wished to comment concerning sidewalks and bus shelters on Venona Avenue, Elizabeth Street, and Glen Park Drive, in Northwest Huntsville, in Councilman Showers' district. He stated that he was trying to determine if they

could get some sidewalks and if bus shelters could be put in in the Glen Park area, specifically on Venona Avenue just south of Mastin Lake Road, by the U.S. Post Office, south of Elizabeth Street.

Mr. Martin stated that in August of 2012, he had presented to the Council a petition with more than 250 names of area residents wanting these sidewalks and bus shelters. He stated that after that date, they had gotten some potholes covered and had gotten one bus shelter, after they had brought this to the attention of the Council.

Mr. Martin stated that he had some photographs of the area if any of the Council members would like to see them.

Mr. Martin stated that, also, he would like to state that Congress had enacted the Americans With Disabilities Act, ADA, in 1990, to ensure all citizens the right to participate equally in society. He continued that the ADA required Federal, State, and local governments to provide equal access to public building facilities.

Mr. Martin stated that in the United States, most sidewalks were constructed and maintained by local governments. He stated that by providing ADA-compliant sidewalks, local governments would allow all citizens safe access to participate in public life. He stated that currently his neighborhood did not have adequate sidewalk access for their community, which he noted had a substantial population of school-aged children and disabled individuals, particularly the veterans. He continued

that these persons must travel to and from schools, retail establishments, and government facilities on a daily basis, either on foot, by wheelchair, or motorized scooter.

Mr. Martin stated that without sidewalks, it was inevitable that there would be injuries caused by traffic or the poor condition of the pavement on which they traveled. He stated that the Council members could ask some of the first responders, the police, the fire department, the EMT's, who had to travel down Venona, about the situation. He stated that there was a deep curve there, and one could not see traffic, and there were no sidewalks so that the children could safely negotiate this road.

Mr. Martin reiterated that this was the second time he had appeared before the Council asking them to assist with this issue in the neighborhood. He asked that they advise him as to what they could do concerning this matter.

President Russell asked Mr. Hamilton if he could address this matter.

Mr. Hamilton stated that he and Mr. Hatfield had visited this site earlier in the day. He stated that approximately 300 or 500 yards south of Mastin Lake, there was an apartment complex that would obviously be the greatest density of residents who would need to be able to walk up to the post office, which was on the corner on Mastin Lake Road. He stated that there were some challenges there, noting that some of the elevation changes, et cetera, would make it difficult to put in

a sidewalk.

Mr. Hamilton stated that they needed a traffic engineer to assist in this and to find where would be the appropriate place to put the crosswalks, et cetera. He stated that where the bus stop was and where the apartment complex was was in a deep curve, and it would not be a safe place to have a crosswalk. He stated that they would have to have an engineer to determine how this could be done in a way that would be safe. He stated that it would not be an inexpensive project, that it would likely require a fair amount of excavation. He stated that the hillside went all the way down the road in that area, and that there would be a need for some retaining walls and things, in addition to the sidewalk. He stated that they just needed to get it designed and determine what would be the best way to accomplish what Mr. Martin had asked for.

Mr. Hamilton stated that he had not been aware of the concern about the bus shelters, noting that there was one located right outside of the apartment complex he had mentioned. He stated that they would take a look at this and see what the need was and the appropriate places to put bus stops.

Councilman Showers stated that he had spoken with Mr. Martin concerning this matter earlier in the week, and that he had then spoken to Mr. Hatfield about it. He stated that he wanted to assure Mr. Martin that this situation would be addressed. He stated that he had been out several times to

look at the site, noting that it was a unique site in terms of the terrain and how it was located, but that the City had engineers that could design for this situation. He stated that Mr. Hamilton was correct, that the engineers would develop a plan to give them the ability to be able to serve this neighborhood so that persons would be able to make their way back and forth to the post office, et cetera.

Councilman Showers stated that there was another matter concerning this area, noting that there was a resident home for young ladies.

Councilman Showers asked Mr. Martin to give the Council the opportunity to respond to this situation, stating that, as Mr. Hamilton had indicated, this matter would be addressed.

Mr. Kelly McCauley, 10218 Melanie Drive, appeared before the Council, stating that he would like to address the Council concerning some comments he had read in the newspaper earlier in the day from Councilman Kling regarding the percentage of minority religions that were represented in invocations in front of the Council. He stated that he did agree with Councilman Kling that often there was a lot of controversy and the messenger sometimes drowned out the message.

Mr. McCauley stated that when he had appeared before the Council a few months prior to give the invocation, there had been thousands of comments on social media and on line, far exceeding his expectations. He continued that this had even eclipsed sports stories that were being discussed at that time.

He stated that he would agree that that was too much attention to this matter.

Mr. McCauley stated that he believed time would ease this problem, as the community would become more familiar with minority religions that would like to stand up and present their views to the Council in the form of an invocation.

Mr. McCauley asked that the Council not seek to proportion the number of leaders that would give invocations merely on the number of persons who attended churches in the community because, as the article had pointed out, a very large population of Madison County, 49 percent, simply did not attend church and were not part of an established religion.

Mr. McCauley stated that a number of his Christian friends had indicated to him that they wished the Council would not have invocations. He asked that the Council consider this in the future if they endeavored to change their practice.

Ms. Jackie Reed, 1001A Bob Wallace Avenue, appeared before the Council, stating that she wished they could buy some new microphones, noting that persons were having a hard time hearing the speakers.

Ms. Reed thanked all the City employees for the great job they did. She stated that she would like to thank the Council members for the job they did but that she would get to that later.

Ms. Reed stated that she was still concerned about the area where condos were going to be constructed and the property

was going to be leased for 50 years at \$100 a year. She stated that this really bothered her. She stated that then the City had purchased another piece of property and that she had driven by to check out this property. She asked if the developer had deeded this property to the City so that they could tear down the brick building.

Ms. Reed asked if persons developed on City property, they would pay property taxes.

Ms. Reed stated that the jail matter was really bothering her, noting that she had been trying to keep up with this for years and had been asking about it. She asked that they explain every item on the agenda that was related to the jail matter. She stated that they had kept telling the public that the City was going to get money from this but that she had never believed it. She noted that there was a \$50 million overrun and asked if the elected officials were not keeping up with what was going on in the City. She stated that it was an absolute disgrace that the City and the County would build a jail like that. She stated that she was glad they did not work for the Arsenal, that they would be shut down in a New York minute.

Ms. Reed stated that she was still concerned about the Scruggs Center and the Aquatic Center, noting that they did not have anything going on in Downtown Huntsville. She asked that they not give the city away, noting that they did not need to be giving the city away.

President Russell asked Mr. Joffrion if the property that had been gifted to the City was anything more than a parking lot.

Mr. Joffrion stated that the property that was gifted to the City had a building on it and that it would be torn down by the developer so that he could redevelop it as part of the larger tract of land.

President Russell asked Mr. Joffrion if he would answer Ms. Reed's question concerning property taxes. He stated that she had asked if someone developed on City property, they would pay property taxes.

Mr. Joffrion stated that they would, that if there were private improvements, property taxes would be assessed against those improvements. He continued that there would be property taxes on whatever was built above ground.

President Russell stated that the next item on the agenda was Huntsville Utilities Items.

President Russell read and introduced a resolution authorizing approval to purchase annual Alabama One Call membership dues (PR 10168499) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-957)

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

President Russell read and introduced a resolution

authorizing approval to purchase three natural gas detectors (PR 10169381) (Utilities: Gas), as follows:

(RESOLUTION NO. 14-958)

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

President Russell read and introduced a resolution authorizing approval to purchase a current transformer (CT) analyzer (PR 10169976) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-959)

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

President Russell read and introduced a resolution authorizing approval to purchase a power factor test set (PR 10169977) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-960)

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

President Russell read and introduced a resolution authorizing approval to purchase outside professional services for digital imagery (PR 10169779) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-961)

President Russell moved for approval of the foregoing

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

President Russell read and introduced a resolution authorizing approval to purchase annual OnBase Software Maintenance (PR 10169983) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-962)

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

Councilman Kling stated that at the prior Council meeting a speaker had asked about the natural gas rates and stated that in the past two weeks the natural gas rates had continued to decline. He stated that the question that was asked at the last meeting was if there was any effort, planning, or process going on to decrease these rates to the public.

Mr. Gehrdes stated that he was only vaguely aware of specific rates. He stated that he was aware that their rates had been secured through some purchases they had made, going forward for some extended period of time. He stated that for a very specific answer concerning this, he would have to get back with Councilman Kling on this. He stated that he was not prepared to comment on whether or not they had a decrease coming. He stated that they had secured a very affordable rate, which he noted he was not prepared to quote at this time. He stated that at the next Council meeting he would be prepared to address that specific item.

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

Councilman Showers read and introduced a resolution to appoint George T. Hamilton to the Advisory Commission on Accessibility, for a term to expire January 10, 2018, as follows:

(RESOLUTION NO. 14-963)

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

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

Councilman Kling read and introduced a resolution to reappoint James R. Ledbetter to the Solid Waste Disposal Authority of the City of Huntsville, Third Director, for a term to expire January 1, 2019, as follows:

(RESOLUTION NO. 14-964)

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

Councilman Kling read and introduced a resolution to reappoint Dr. Eddie Greene to the Advisory Commission on Accessibility, for a term to expire January 10, 2018, as follows:

(RESOLUTION NO. 14-965)

Councilman Kling moved for approval of the foregoing

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

Councilman Kling read and introduced a resolution to reappoint Roberta Ray to the Advisory Commission on Accessibility, for a term to expire January 10, 2018, as follows:

(RESOLUTION NO. 14-966)

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

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

President Russell stated that the first item was a resolution to reappoint James L. Splawn to the Solid Waste Disposal Authority of the City of Huntsville, First Director, for a term to expire January 1, 2019.

President Russell stated that Ms. Stamper had advised him that the Solid Waste Disposal Authority had requested that Mr. Splawn be appointed at this meeting. He asked if the Council members wanted to do this, noting that he was not informed as to whether this was important or not.

Councilman Kling stated that he would support this, although he did not like acting on something that was not on the agenda.

Councilwoman Robinson stated that she would also support it.

Mayor Battle stated that he might be speaking out of turn but that it might be important to do this because there was an RFP that was going forward with the Solid Waste Authority for the garbage-to-steam facility and it might be important to have Mr. Splawn on board for this, noting that he had been very instrumental in this.

President Russell asked Mr. Joffrion if Mr. Splawn would stay in this position as long as the Council did not appoint someone else to the position.

Mr. Joffrion replied in the affirmative, stating that his term would expire and he would hold over until a successor would be appointed.

President Russell asked if then the Council would be all right either way with this.

Mr. Joffrion stated that he would assume so, noting that he did not have the enabling legislation before him. He continued that typically members would hold over until successors were appointed.

Councilman Kling stated that he would let it be known just for the record that he had no intent or interest in supporting anyone besides Mr. Splawn for this position. He stated that perhaps every member of the Council could say they would not vote on this matter at this time but they would not oppose Mr. Splawn or nominate anyone else for the position.

President Russell stated that he would go ahead and make the motion.

President Russell read and introduced a resolution to reappoint James L. Splawn to the Solid Waste Disposal Authority of the City of Huntsville, First Director, for a term to expire January 1, 2019, as follows:

(RESOLUTION NO. 14-967)

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

AYES: Showers, Robinson, Culver, Kling, Russell

NAYS: None

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

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

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

President Russell nominated H. Harold Stephens for reappointment to the Special Care Facilities Financing Authority of the City of Huntsville, Redstone Village, for a term to expire November 11, 2019.

President Russell nominated Jeff Johnson for appointment to the Land Trust of North Alabama Board of Directors, for a

term to expire December 21, 2016.

President Russell asked if there were any further nominations.

There was no response.

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. 14-968)

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

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

Councilman Showers asked Mr. Randy Taylor, Director of Finance, to present the Finance Committee Report.

Mr. Taylor stated that he could give the sales tax report for the month of November. He stated that the collections had been .9 percent, almost 1 percent, higher than the previous November. He stated that for the year, this put them at 4.5 percent above the first two months of FY 14. He stated that the budget requirement was 3 percent, so that they had started off in good shape. He stated that as he had mentioned previously, October had included some unusually high items which did not happen very often. He stated that they really needed for the numbers to get a little stronger in order to meet their budget goal.

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

President Russell recognized Mayor Battle.

Mayor Battle stated that this would be the last meeting of 2014.

Mayor Battle stated that it had been a year of a lot of achievements and stated that he would like to thank the Council, noting that they had been very good partners in these achievements. He stated that they had been able to see good things happen on the jobs side, and that they had been able to see great things happen on the education side. He continued that they had also seen great things happen concerning quality of life. He stated that as a community, he believed they had a lot to be thankful for this Christmas, noting that it was a great Christmas season. He wished everyone a Merry Christmas, Happy Holidays, and a Happy and Prosperous 2015.

Mayor Battle announced the following reappointments:

Kyle Collins to the Planning Commission of the City of Huntsville, for a term to expire October 27, 2017.

Carlos Matthews as a Supernumerary Member of the Planning Commission of the City of Huntsville, for a term to expire November 17, 2017.

Mayor Battle stated that he would like to remind all the City employees that they would be holding an open house in Administration, from 3 p.m. to 5 p.m., on December 19.

Mayor Battle stated that there would be Christmas on North

Side Square from Friday through Sunday, from 5 p.m. to 7 p.m. and a candle light community Christmas Eve service at 5:30 on North Side Square. He stated that, also, there was skating in the park until January 4. He continued that there had been double the attendance they had had previously.

Mayor Battle stated that there were 243 trees on the Tinsel Trail that persons could go and look at, noting that there were trees from businesses, communities, and individuals. He stated that this was a great way to get into the holiday season.

Mayor Battle stated that there would be a New Year's Eve Cotton Ball Drop and fireworks sponsored by Terrame, in honor of Operation Green Team. He congratulated Joy McKee on the ball drop. He stated that that was too late for him to stay up but that he wished all well who would be up at midnight.

Mayor Battle stated that he would see everyone in 2015.

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

Councilman Kling stated that he understood there was a work session scheduled for January 15. He asked Councilman Culver if this was correct.

Councilman Culver stated that he had requested this.

Councilman Kling stated that whenever the next work session would be held, he would like to add discussion of the John Hunt Park plan. He stated that the Council members had received a memo from Mr. Hamilton and that part of this had to

do with Joe Davis Stadium. He asked that this be added to the agenda for discussion at the next work session of the Council.

Councilman Kling stated that he had been having questions put to him concerning the Rescue Mission relocation issue that had taken place along University Drive. He stated that persons had had questions, that they wanted to know what the involvement of the City had been in this matter. He asked Mr. Joffrion if City Government had chosen the specific site where the Rescue Mission had relocated, or how that process had worked.

Mr. Joffrion stated that the City had not been involved in the selection of the new location for the Rescue Mission at all, that this was a choice that had been made by the owners of the Rescue Mission. He stated that the City had merely purchased the property where the Rescue Mission had been located, off Seminole Drive.

Councilman Kling stated that he had another matter that he would like to address to Mr. Joffrion. He asked Mr. Joffrion if he could explain the process the Council was in as far as the opening prayer at Council meetings. He stated that he felt it would be helpful to the public to understand this. He asked if, also, Mr. Joffrion could explain what involvement Council members could have and where they were on this matter at this time.

Mr. Joffrion stated that the process had evolved over the prior three or four years, in light of response from

organizations that had been critical of the Council's process and in light of one or more Supreme Court decisions. He stated that the way this had evolved was that, principally, a member of the Interfaith Mission Service had volunteered to assist the Council in creating a roster of clergy and others interested in providing invocations. He stated that this had been in response to kind of a declining roster the Council had of persons willing to participate in this. He stated that he believed the same two, three, or four persons had continued to give the invocation at each Council meeting, and that it was very Christocentric, that most everyone had been Christian and it had not included representatives of other faiths. He stated that there were exceptions, but that, for the most part, it was the same three or four persons. He continued that this had generated a lot of criticism and some correspondence from organizations that promoted religious freedom.

Mr. Joffrion stated that the Interfaith Mission Service had volunteered and helped the Council with this matter. He stated that, with the approval of the Council or the Council president, they had created a roster and developed some general guidelines for persons who were willing to participate in providing invocations. He stated that they could not dictate what went into the prayers and could not tell these persons what they could or could not say, but they would generally encourage them to provide messages that were

uplifting and that encouraged community unity and supported good government. He stated that they had gathered names of persons and contacted said persons to determine if they were willing to participate. He continued that they would then provide either a list of the names to the Council staff or submit a name based upon a calendar they had generated for the next Regular Council Meeting and succeeding Council meetings.

Mr. Joffrion stated that the Supreme Court, within the past year or year and a half, had come out with a decision that had affirmed a local governing body's right to have prayer at the beginning of their meetings, so long as no one was coerced into participating, so long as the Council did not direct what was said and what was not said, and so long as it included those who wished to participate. He stated that it did not necessarily have to include every conceivable religious group, or a religious group, but persons who expressed an interest and wanted to participate should be included in the list.

Mr. Joffrion stated that this was how they had evolved into the practice as it was at this time. He stated that there was a calendar of persons who were scheduled to participate at least for the next several Council meetings, and there were many open spots, as well.

Councilman Kling stated that there were five Council members and they represented the community as a whole. He continued that within the district he represented, there were

Christian churches, and, in addition, there was a Korean church, as well as Oriental faiths. He asked if he could be involved in the process of inviting or encouraging these persons to be added to the list, to basically expand the representation of the community.

Mr. Joffrion replied in the affirmative, stating that this was a Council decision. He stated that he would encourage all Council members to get together and decide what kind of process they were comfortable with concerning this matter. He stated that the process at this time was not written in stone, and that any three members of the Council could choose to alter the process. He continued that they would not even have to vote on this, that they could just get together and decide what they wanted the process to be.

Councilman Kling stated that the idea was not to turn their back on the Interfaith Mission Service but just to see if they could add in. He stated that one thing that had seemed kind of glaring to him was that there was a Council meeting, he believed the second meeting in November, where he had presided, and there was a gentleman whom he often saw in the Council Chambers who had never been called upon to deliver the invocation. He stated that this person was a leader in the community, a very renowned pastor, and it just seemed to him that it would be right to have this person do the invocation. He stated that he had called upon him, and he believed he did a great job.

Councilman Kling reiterated that he would just like to see the Council members be able to participate in the process but not to hurt or elbow out the Interfaith Mission Service, to just let the Council members, as representatives of the people, be involved to help in this process.

Mr. Joffrion reiterated that that would be totally a Council decision. He encouraged that whatever process they might adopt would be somewhat organized so that there would be no duplication of effort.

Councilman Kling thanked Mr. Joffrion for his input on this matter.

Councilman Kling stated that he hoped everyone would have a great Christmas and that he was looking forward to seeing everyone in the following year.

Councilman Showers stated that Mr. Tony Smith was present in the audience and asked him to comment concerning a vacancy on one of the City Boards, noting that there had been some confusion about this matter. He stated that he had nominated Dr. Terrance Vickerstaff at the prior Council meeting and had been told that there was not a vacancy on that Board. He asked Mr. Smith if he could help him with this.

Mr. Tony Smith appeared before the Council, stating that he was a former member of the EarlyWorks Board. He stated that Dr. Camille Wright, who was part of the City of Madison School System, had taken his spot, but that since that time, she had become the City Superintendent in Enterprise, Alabama,

so that that particular slot on the EarlyWorks Board was vacant.

Councilman Showers stated that he would still like to submit the name of Dr. Terrance Vickerstaff to fill that position. He stated that he had put resumes in all the Council members' boxes concerning Dr. Vickerstaff. He stated that at the next Council meeting, he would like for this to be voted on. He stated that he could introduce this again, noting that he had already nominated Dr. Vickerstaff.

President Russell stated that he was not aware of the particulars of this matter, that they would have to determine if there was an open slot on this board. He stated that he would check on this and notify Councilman Showers if there was an opening on this Board.

Councilman Showers thanked President Russell.

Councilman Showers stated that he had recently visited the Highlands Elementary School. He stated that a program in the City had honored 100 fifth graders at this school. He continued that their main thing was citizenship. He stated that he had participated on behalf of the city and the Council in this event, supporting the program at the school.

Councilman Showers stated that he had also attended a reception for Gen. Dennis Via on the prior weekend.

Councilman Showers stated that a historical thing had happened during the week concerning a pioneer in the city, Dr. Sonnie Hereford, III. He stated that where the old

Terry Heights Elementary School was, a new elementary school was being constructed and would be named the Sonnie Hereford Elementary School. He stated that the Mayor and several City officials had been present to participate in the groundbreaking for this school.

Councilman Showers stated that Sonnie Hereford, III, had made history in the city, that he had made it possible for children to attend schools they had not been able to attend in the past. He stated that he was on record, that he was in the history books as having enrolled his son in a Huntsville City School, to integrate a school that had never had black children attend.

Councilman Showers stated that he had attended the HEA reception, noting that he had done this for many years, since 2005.

Councilman Showers wished everyone a Merry Christmas and a Happy New Year.

Councilwoman Robinson stated that she would like to thank Public Works and Traffic Engineering for being so responsive to questions that had come from constituents in her district. She stated that their responsiveness helped her to do her job and that for this she was very grateful.

Councilwoman Robinson stated that she had attended a great dinner for City employees and that she wanted to extend her congratulations to all the persons who had been working for the City for a long time. She stated that she had made

the comment that she now knew why these employees did such a great job working for the City, that they had been practicing for 25 years or more. She congratulated them on this.

Councilwoman Robinson stated that she had had the opportunity to have lunch at the South Precinct with the officers there, as well as at the Airport and the VBC, and that she had learned so much about what the City was doing.

Councilwoman Robinson stated that she had certainly enjoyed having breakfast at 6:30 in the morning with the Sanitation workers, noting that she appreciated the opportunity to be able to sit down and talk with them. She stated that she had been able to meet the persons who had served her family and that it made her very, very grateful for all the persons who were serving the city.

Councilwoman Robinson wished everyone a Very Merry Christmas and Many Blessings for the New Year.

Councilman Culver stated that he had intended to send an email regarding a possible work session on January 15. He stated that hopefully all the Council members would be available for this, that things should slow down after the holidays. He stated that one item he wanted on the agenda was the parity pay as it related to the Fire Department. He stated that he hoped Mayor Battle and Mr. Hamilton could be in attendance at a meeting that might be scheduled in order to look at this matter more in depth.

Councilman Culver stated that on December 5, Oakwood

University students, in conjunction with other local universities and persons from afar, had participated in what is called a "Die-In," noting that they had done this in honor of two American citizens who had been killed, for lack of a better description, by law enforcement.

Councilman Culver stated that he would like to applaud Chief Morris of the Police Department, noting that the police officers had handled this situation very well. He stated that he was aware that Mayor Battle was involved in this, and that he was also involved in it, along with the University President, Dr. Leslie Pollard; Pastor T.C. Johnson; and other members of the community. He stated that this was a great event.

Councilman Culver thanked the Police Department for the way they had handled this matter, noting that there had been some miscommunication about why the police were there. He stated that the State troopers were also at the event, and that he wanted to thank them for this. He continued that the Madison County Sheriff's deputies were also there, and thanked them for this. He stated that their purpose in being there was to protect all the protestors, the students, so that they could peacefully exercise their freedom of expression. He stated that the Police present were also protecting the motorists, noting that he was aware there were some inconveniences involved with this.

Councilman Culver stated that without regard to where one

might stand on this issue, it was certainly incumbent upon them to protect the Constitutional rights of all people. He continued that that was the purpose of this.

Councilman Culver wished everyone a Very Merry Christmas and a Very Prosperous New Year.

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

Councilman Showers moved for approval of Ordinance No. 14-930, transferring one Mental Health Center Driver position to the City Public Transit Paratransit Program, which ordinance was introduced at the December 4, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-930)

Said motion was duly seconded by Councilwoman Robinson.

President Russell called for the vote on the above ordinance, 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. 14-969, annexing land lying north of Zierdt Road and on the east and west sides of Arnett Road.

President Russell read and introduced Ordinance No. 14-970, amending Chapter 3, Article II, Subsection ©, of Section 3-27, Arts and Entertainment District Ordinance, of the Code of Ordinances of the City of Huntsville, Alabama, to establish the Quigley District and Entertainment District II,

Meridian District.

President Russell read and introduced Ordinance No. 14-971, amending Section 2 of Ordinance No. 11-259, regarding the Beautification Board.

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

President Russell read and introduced an ordinance declaring property surplus and conveying said property to Friends of 400 Foundation, Inc., as follows:

(ORDINANCE NO. 14-972)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the Huntsville-Madison County Mental Health Center to provide public transit services, as follows:

(RESOLUTION NO. 14-973)

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

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

President Russell read and introduced a resolution authorizing the Mayor to sign the plat entitled "A Resubdivision of Block 301 of the Quigley Map," as follows:

(RESOLUTION NO. 14-974)

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

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

(RESOLUTION NO. 14-975)

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

President Russell read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 14-976)

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

(ORDINANCE NO. 14-977)

President Russell moved for approval of the foregoing

ordinance, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced an ordinance amending Budget Ordinance No. 14-665 by changing the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 14-978)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement for Consulting Services between the City of Huntsville and Jo Somers, as follows:

(RESOLUTION NO. 14-979)

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

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

(RESOLUTION NO. 14-980)

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

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement between the City of Huntsville, dba Huntsville-Madison County Emergency Management Agency, and the City of Decatur, for the transfer of grant funds, as follows:

(RESOLUTION NO. 14-981)

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

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement between the City of Huntsville, dba Huntsville-Madison County Emergency Management Agency, and the City of Madison, for the transfer of grant funds, as follows:

(RESOLUTION NO. 14-982)

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

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement between the City of Huntsville, dba Huntsville-Madison County Emergency Management Agency, and the City of Fort Payne, for the transfer of grant funds, as follows:

(RESOLUTION NO. 14-983)

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

Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement between the City of Huntsville, dba Huntsville-Madison County Emergency Management Agency, and the Marshall County Commission, for the transfer of grant funds, as follows:

(RESOLUTION NO. 14-984)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Reed Contracting Services, Inc., for Highway 72 West Traffic Improvements Project, Project No. 65-14-TI04, as follows:

(RESOLUTION NO. 14-985)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Wiregrass Construction Company, Inc., for Downtown Gateway (Harvard Road Extension)-REBID, Option No. 1, Project No. 65-11-RD03, as follows:

(RESOLUTION NO. 14-986)

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

President Russell read and introduced a resolution authorizing the Mayor to execute Professional Services Agreement between the City of Huntsville and Columbia Telecommunications Corporation, dba CTC Technology & Energy, as follows:

(RESOLUTION NO. 14-987)

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

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke CB&S Bank Letter of Credit No. 555582 for Anslee Farms Phase 1A Subdivision, as follows:

(RESOLUTION NO. 14-988)

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

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

President Russell read and introduced a resolution

authorizing the Mayor to enter into an agreement between the City of Huntsville and Community Action Partnership of Huntsville/Madison and Limestone Counties, in the amount of \$72,000 for the operation of a homeless prevention and assistance program, as follows:

(RESOLUTION NO. 14-989)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and North Alabama Coalition for the Homeless, Inc, in the amount of \$10,000.00, for the operation and maintenance of the Homeless Management Information System, as follows:

(RESOLUTION NO. 14-990)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Crisis Services of North Alabama, Inc., in the amount of \$32,500, for the operation of an emergency shelter for victims of domestic violence and their children, as follows:

(RESOLUTION NO. 14-991)

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

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Crisis Services of North Alabama, Inc., for services to the homeless (domestic violence) population, as follows:

(RESOLUTION NO. 14-992)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and New Futures, Inc., in the amount of \$33,000, for essential and supportive services for an emergency shelter housing program for homeless families, as follows:

(RESOLUTION NO. 14-993)

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

President Russell read and introduced a resolution authorizing the Mayor to accept \$200,000 of FY 2014 State of Alabama Emergency Solutions Grant funds and assume responsibility for the total amount of local matching funds,

as follows:

(RESOLUTION NO. 14-994)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Family Services Center, Inc., in the amount of \$32,500, for the operation of an emergency/transitional housing program for homeless families, as follows:

(RESOLUTION NO. 14-995)

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

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and RiahRose Home for Children, in the amount of \$17,000, for essential and supportive services for a 24-month emergency/transitional housing program for homeless mothers, especially teen mothers, as follows:

(RESOLUTION NO. 14-996)

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

President Russell read and introduced a resolution

authorizing the Mayor to enter into an Employment Agreement between the City of Huntsville and Patricia McCarter for assistance in preparing the 2015-2020 HUD Consolidated Plan Preparation and Analysis of Impediments Plan, as follows:

(RESOLUTION NO. 14-997)

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

Councilman Showers read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final to the agreement between the City of Huntsville and Jake Marshall Services, Inc., for LED lighting Conversions, located at various locations in the city, as follows:

(RESOLUTION NO. 14-998)

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

President Russell asked Mr. Jeff Easter, Director of General Services, for an explanation of the above resolution.

Mr. Easter stated that this was the final change order for an LED swap-out, noting that this was a project where they took out the florescent lighting in approximately 35 buildings and converted the lighting to LED's. He stated that the deduction on this was \$72,110. He continued that changing these lights out would result in an approximate 41 percent reduction in energy lighting use.

President Russell asked Mr. Easter if they had changed out every light they could change out.

Mr. Easter stated that they had changed out every light that had a pay-back of five years or less.

President Russell thanked Mr. Easter, stating that that appeared to be a great program.

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

President 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. 14-999)

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

President Russell asked Mr. Harrison Diamond, Business Relations Officer, for an explanation of the above resolution.

Mr. Diamond stated that this was a contract with Steve Raby, their government relations consultant who focused mainly on Montgomery activities.

President Russell inquired as to the total amount of the contract.

Mr. Diamond stated that it was \$168,000.

President Russell inquired if that amount was more or less than the amount for the prior year.

Mr. Diamond stated that the Council had previously approved an amendment to Mr. Raby's contract that added money to it, because of the additional responsibilities he had assumed. He continued that this contract consolidated the prior two contracts.

President Russell inquired as to why the taxpayers of the city needed Mr. Raby.

Mr. Diamond stated that what happened in Montgomery was more and more affecting Huntsville, that they needed to have adequate representation in Montgomery so they could make sure the roads stayed funded and the voice of Huntsville stayed known in Montgomery.

President Russell called for the vote on the above resolution, 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 FTI Consulting/C2 Group, for consulting services, as follows:

(RESOLUTION NO. 14-1000)

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

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

Mr. Diamond stated that this was the contract with Bud Cramer, the Washington, D.C., consultant, who had served

the city for several years. He stated that this contract was in the same amount as the contract that had been approved the year prior. He stated that it was a total of \$108,000.

Councilman Showers stated that the reason he had asked for this item to be held was that in the document that had been submitted to the Council, there was not an identifiable representative attached to the document. He stated that he understood that Mr. Diamond had indicated that Bud Cramer was the one handling this. He asked if that was correct.

Mr. Diamond replied in the affirmative.

Councilman Showers stated that he would have liked to have seen the representative included in the documentation, as had been done with the previous one, concerning Mr. Raby.

President Russell 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 a Settlement Agreement among the Public Building Authority, Dawson Building Contractors, Inc., and the design parties, 2WR/Holmes-Wilkins Architects, Inc., W. Michael Watson, Michael Rutland, Davis Engineering, Inc., and Gordon Davis, as follows:

(RESOLUTION NO. 14-1001)

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

President Russell asked Mr. Joffrion for an explanation

of the above resolution.

Mr. Joffrion stated that this item and the following three items on the agenda were all related to the beginning of the end of the jail litigation matter. He stated that these were settlement documents, agreements with four separate entities.

Mr. Joffrion stated that the resolution on the floor at this time was with the design team, the architect, structural engineer, and others involved on the team. He stated that the design team and two of the other parties, Bibler Masonry and Fibrebond, subcontractors to the general contractor in the jail project, were contributing funds toward the settlement pool that would be used to effect a settlement among all the parties. He stated that there would be no contribution from the City of Huntsville toward this pool of money.

Mr. Joffrion stated that, as persons might have read in the newspaper, under the agreement, Dawson General Contractors would receive the first \$2.3 million out of the settlement proceeds, with any remaining funds being split 50-50 between Dawson and the City. He stated that the reason Dawson was being paid some of these monies was that they had a \$9 million counterclaim against the Public Building Authority because of the termination of their contract and payments that were left due at the time, and expenses related to the termination of that contract.

Mr. Joffrion reiterated that all the agreements that

would be before the Council were related to the settlement. He stated that, obviously, there was quite a bit more detail concerning this embedded in each of the agreements.

Mr. Joffrion stated that if the Council had any further questions, he would answer them to the extent he could.

Councilman Kling stated he was aware that with all the litigation going on, the Council members had been advised not to make statements that might be inflammatory while litigation was still ongoing. He asked at what point the Council members could freely comment to the public concerning this process.

Mr. Joffrion stated that what was before the Council at this time would not conclude the settlement process with regard to all parties, that there were still two major defendants, one being a subcontractor and one being a design professional, that had not been completed. He stated that they were hopeful to be able to conclude these in a way that would be positive for the Public Building Authority and the City. He stated that until this was done, he would ask that the Council members refrain from commenting on this matter. He stated further that he would encourage them, under any circumstances, not to speak disparagingly of any of the parties to the litigation.

Mr. Joffrion stated that the two agreements to which he was referring would come before the Council at such time as they were prepared to effect them, and that he anticipated that would happen within the following month or two. He

stated that after that time, the Council members would be released to make some comments concerning the matter.

President Russell called for the vote on Resolution No. 14-1001, and it was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute a Settlement Agreement among the Public Building Authority, Dawson Building Contractors, Inc., Zurich North America Insurance Company, and Bibler Masonry, Inc., as follows:

(RESOLUTION NO. 14-1002)

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

President Russell asked Mr. Joffrion to comment on the above resolution.

Mr. Joffrion stated that this was one of the four agreements that he had referenced in his previous comments.

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

There was no response.

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

President Russell read and introduced a resolution authorizing the Mayor to execute a Settlement Agreement among the Public Building Authority, Dawson Building Contractors, Inc., Zurich North America Insurance Company, and Fibrebond

Corporation, as follows:

(RESOLUTION NO. 14-1003)

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

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

There was no response.

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

President Russell read and introduced a resolution authorizing the Mayor to execute a Settlement Agreement between the Public Building Authority and Dawson Building Contractors, Inc., as follows:

(RESOLUTION NO. 14-1004)

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

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

There was no response.

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

President Russell stated that he would like to have a moment of privilege to ask some questions of Mr. Jeff Easter, Director of General Services.

Mr. Easter appeared at the microphone.

President Russell stated that one of the questions he had was what lessons they had learned from the jail process. He stated that the public certainly wanted to know this also. He asked Mr. Easter what they had learned in this process and what they were doing better at this time. He stated that he did want to preface this with stating that Mr. Easter had had no involvement in this initially, that he had actually come in and saved the City on this, and that this was certainly appreciated.

Mr. Easter stated that there had been a lot of improvements and changes that had resulted from the experience of going through the jail project. He stated that he would like to mention a few of the top items concerning this. He continued that the first thing was that they now had an architect on staff, noting that this provided them a licensed architect that would look at issues only from the City's perspective. He stated that this was a huge improvement that they had not had at that time, that there had been no architect on staff for the City.

Mr. Easter stated that at this time they also had an on-staff estimator, which he noted they had not had previously. He stated that the title "Estimator" did not really explain the overall job of this position. He stated that the estimator monitored and managed all the documents that had a dollar value associated with them. He stated that

this person would monitor all the pay requests, the pay applications, the dollar values, to match the amount of work that had been completed, and monitor all the change orders, to ensure that every item had the proper amount of material take-off. He stated that this position almost paid for itself, just from ensuring that the City got the right value for the amount of money it paid.

Mr. Easter stated that, also, they had established some new policies and procedures in selecting architects. He stated that he believed this was one of the major items that was new at this time. He stated that they now required that the architect of record, or the primary architect in the firm, had to be a local firm. He stated that they wanted to deal with a firm that was vested in the community, that they wanted a firm that had a reputation in the community at risk just like the City of Huntsville. He stated that this also applied to all the subcontractors and all the professional engineers that worked for that architect.

Mr. Easter stated that his department had worked with the Legal Department to make changes to all the documents they dealt with, noting that these were numerous, that there were contracts with architects, contracts with contractors.

Mr. Easter stated that they had established a pre-qualification process for the contractors that wanted to perform construction work for the City of Huntsville. He stated that they had a pre-qualification process and if the

contractors did not meet their requirements, they would not be allowed to bid. He stated that the requirements were based on higher levels of experience and more complex jobs than the one they would be asking them to do for them. He continued that they did not want a contractor coming in that it would be the most complex and most expensive job they had ever done. He stated that, therefore, they had set new thresholds of what contractors would be allowed to do.

Mr. Easter stated that, in addition to that, as persons were aware, the Finance Department was initiating a finance system that had project management modules. He stated that this would help them tremendously in keeping up with the dollars and managing all the dollars. He stated that he was looking forward to that system coming live.

Mr. Easter stated that since the jail project, the Project Office had completed more than \$67 million worth of projects that had been on time and within budget. He stated that some of these were very high profile, such as the Baron Bluff Building, the Art Museum expansion, the Veterans Memorial Park, and the new parking deck at Twickenham. He stated that, from his experience, he believed there had been a tremendous improvement. He continued that it was not just with his department, but that it had been a team effort with Legal, Finance, Procurement, and the Administration.

Councilman Kling asked Mr. Easter if he was aware of or if he could obtain for the Council the projected cost savings

for the Police Department as a result of having the joint jail with the County. He stated that when the jail had first been discussed, the Council had been told that the operating and personnel costs of the Police Department were going up and that by consolidating with the County in a jail over a certain period of time, which he was not certain of at this time, there would be a cost savings. He asked Mr. Easter if he was aware of what this cost savings would be. He stated that he was not trying to stump Mr. Easter with this if he was unaware of this, but that perhaps he could provide this information to the Council at a future meeting.

Mr. Easter stated that his department was a facilitator, to build the project, and then turn it over to the operational department.

Councilman Kling asked if perhaps the Police Chief would be aware of this information, noting that this was most likely just a drop in the bucket, but that he believed it would be helpful to be aware of this information.

Chief Morris appeared at the microphone.

Councilman Kling asked Chief Morris what the projected life of the jail was supposed to be.

Chief Morris stated that it was a 50-year facility.

Councilman Kling stated that he was just curious as to what the 50-year savings would be for the Police Department as a result of doing this project. He stated that this information could be furnished at a later time.

President Russell asked if any of the other Council members had any questions for Mr. Easter.

There was no response.

Councilman Showers read and introduced a resolution authorizing the Mayor to execute the Master Agency Appropriation Agreement between the City of Huntsville and various agencies, as follows:

(RESOLUTION NO. 14-1005)

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

President Russell asked Councilman Showers if he had questions concerning this resolution.

Councilman Showers asked if Mr. Reggie McKenzie was still present in the meeting.

Mr. McKenzie indicated his presence.

Councilman Showers stated that Mr. McKenzie was a Board member on the Harris Home for Children and stated that he was delighted that he had been able to attend this meeting. He stated that, of course, the City's Finance Director would be in touch with Mr. McKenzie, as a Board member, and the leader very soon.

Councilman Showers stated that this action would provide the Harris Home the opportunity to continue to serve the boys and girls in the city.

Councilman Showers asked President Russell if

Mr. McKenzie could be allowed to comment at this time.

President Russell replied in the affirmative.

Mr. Reggie McKenzie, 106 Heatherspring Court, appeared before the Council, stating that he would like to thank the Council, the Mayor, and the city for their support of the Harris Home for Children over many years. He stated that they had just celebrated their 60-year anniversary, that the community had come in and supported it very well, noting that they were still receiving checks daily from this event.

Mr. McKenzie stated that they really appreciated a community like Huntsville and that they definitely wanted to thank Councilman Showers for his support and leadership in pushing this matter forward. He stated that they were looking forward to many, many more good things, not only from Harris Home, but in collaboration with the City, as well.

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

Councilwoman Robinson asked what the accountability process was concerning the organizations that would be receiving these grants, if they reported back in any way, if there was a specific metrics for them.

Mr. Joffrion stated that most of the agencies were agencies that had been receiving funding from the City of Huntsville for a number of years. He continued that, just procedurally, under State law, the City was required to enter into a contract with them, as opposed to just giving them

money, because they were private entities. He continued that the City might have to ensure that they were providing some legitimate public service in order to receive this.

Mr. Joffrion stated that at one time, the City had had an attachment, that was a report to fill out and send back, but he did not believe the organizations really provided much detail under that attachment. He stated that he was not certain what information was submitted each year by the organizations for review. He stated that he believed this was simply an administrative or Council decision to determine whether organizations would receive funding and in what amount. He stated further that, in terms of accountability, perhaps the Finance Director or the Administration could better answer that question.

President Russell stated to Councilwoman Robinson that the Council received all the annual reports of these organizations, noting that they were sent to each Council member, and this was the manner in which they were kept informed.

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

There was no response.

President Russell called for the vote on Resolution No. 14-1005, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into Modification 004 to the

Lease Agreement between the City of Huntsville and Bailey Cove, LLC., for office space lease contract renewal, as follows:

(RESOLUTION NO. 14-1006)

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

President Russell asked Chief Morris to come to the microphone.

Chief Morris appeared at the microphone.

President Russell stated that his question concerned the length of the lease, noting that he believed it was two years. He continued that he was aware there had been some talk of plans to move the police precinct into the old Grissom High School building. He asked if the Police Department had made a decision as to where they wanted to go in two years. He asked if Chief Morris could advise him as to why they had decided on a period of two years for the lease.

Chief Morris stated that the lease actually had a three-year opt out, that they could get out of it after 36 months. He stated that that was for future plans, in case they did want to move.

President Russell asked if it was correct that it was a three-year lease, noting that he had read it as a two-year lease, that he must have misread it.

President Russell asked Chief Morris when they were

planning on moving to the Grissom facility, of if they were planning to do so.

Chief Morris stated that he would let Mr. Hamilton answer that question.

Mr. Hamilton stated that, as persons were aware, once Grissom High School and Johnson High School were vacated by the School System, the intent was for the City to gain possession of those facilities and re-utilize them. He stated that the planning for them was in the early stages.

Mr. Hamilton stated, concerning the old Grissom High School site, that there were a number of different uses that were being considered. He stated that at this time the master plan still envisioned a new police precinct on that property, for the South Precinct, although they were not locked into that.

Mr. Hamilton stated that the Planning Department had recently engaged with a firm to assist in helping them work through the master plan for that particular property. He stated that there were a number of other outside agencies, such as the Library, the Arts Council, and others, that were looking at some opportunities at that location, as well. He stated that they would need a planning process for this over approximately the next 12 months or so, to really visualize how it would materialize.

Mr. Hamilton stated that the Police Precinct could also stay where it was or they could find another property if they

determined that would be the appropriate answer, although they did have the flexibility to move them onto the old Grissom site. He stated that the decision would have to be made if it would be more appropriate to renovate space in the old school building or if it would be more appropriate for it to be torn down and then build something new. He stated that they were a long way from really being able to make that kind of decision.

President Russell stated that what he was concerned about and what he wanted to be assured of was that everyone believed this was the right length for the subject lease. He asked if this was for five years.

Mr. Joffrion stated that it was a five-year lease, with an opt-out after three years.

President Russell asked if this sounded right, noting that it sounded like it was too long a time period to him.

Mr. Hamilton stated that they did not believe this was too long because they did not expect to gain possession of the property until probably late January of 2017. He continued that then there would be at least a year, or most likely, 18 months, of a construction time line, so that he believed it would mesh pretty well.

President Russell asked if there were any further questions concerning this matter.

Councilman Showers stated that he did not have a question concerning the Grissom site but that since Mr. Hamilton had been working on both sites, the Grissom site and the Johnson

site, he did have a question of him.

Councilman Showers stated that they had been told of some of the proposed opportunities that would go into the vacated Johnson High School. He asked if Mr. Hamilton could briefly provide the Council with another description of what was being proposed for that site after the school was moved to Pulaski Pike.

Mr. Hamilton stated that some of this had commenced before he had arrived at the City, that Mr. Reynolds had actually led some of the early discussions on this matter. He stated further that he had also engaged with some of the agencies that had considered occupying the site. He stated that in addition to the City's Police and Fire academies potentially moving there, there had also been some discussion with State agencies, to include the National Guard, some law enforcement agencies, and others, concerning potentially going into the premises. He stated that he would say that this was still a possibility, although at this point he was not extremely optimistic that they would have others that would come in at that location.

Mr. Hamilton stated that as he had looked at the site, he thought there was also great potential to leverage the existing recreational facilities, that he believed there was a lot of opportunity to do more than just the things that had been discussed previously. He stated that on this site they were in the same position they were with the old Grissom site,

that they were in the very early stages of it. He stated that he felt they should be able pick up the pace on this, and that was an effort he would lead.

Councilman Showers asked Mr. Hamilton if they would be involving the public in what they were going to be proposing for the vacated building.

Mr. Hamilton replied in the affirmative.

President Russell called for the vote on Resolution No. 14-1006, and it was unanimously adopted.

President Russell stated that the next item on the agenda was Non-Roster Communications from the Public. He stated that any persons who wished to address the Council at this time would have three minutes to speak.

Mr. Jerry Cox again appeared before the Council, stating that it had been some time since he had talked about the wars that were ongoing and that he was catching a lot of flack out in the community for not doing this.

Mr. Cox stated that, as a veteran of the United States Army, he wished to respectfully acknowledge that in the past few weeks, there had been five United States Army soldiers; one United States Navy sailor; one United States Air Force airman; and two United States Marines, one a 19-year old from California, and one a 21-year-old from Indiana, that had died in the wars. He stated that as he celebrated the birth of his Savior the following week, he would not forget the members of the military who were still dying in wars in Afghanistan and

now again in Iraq.

Mr. Cox stated that Councilman Kling had brought up the Downtown Rescue Mission relocation, noting that this relocation had been many years prior. He stated that his question was what had happened to the City's need to straighten a curve that had been set forth when they purchased the Mission property. He stated that there was never a curve there, that there was an intersection there, one road heading east and west and one road heading north and south. He stated that it was not a perfect intersection and was sort of curved, but it was not a matter of straightening out a curve, that it would be doing something to an intersection.

Mr. Cox stated that since the property had been purchased by the City, he would like to know what percentage of the property was being used by the City, and, also, how much the City had spent to maintain the property and the utility costs since the City had purchased it. He asked if the City had planned its usage for the property.

Councilman Kling stated to President Russell that he did not know if Joy McKee was present, noting that she might be able to answer some of Mr. Cox's questions.

President Russell stated that he did not know if they could answer all Mr. Cox's questions at this time but that they could get back to Mr. Cox with the answers. He stated to Mr. Cox that he would get him an answer, in email or written form, and Mr. Cox could read it at a Council meeting if he

would like to do so.

Mr. Reggie Hill, 3813 Starbridge Drive, appeared before the Council, thanking the Council for the privilege of being able to speak at this time.

Mr. Hill stated that he had attended the groundbreaking for the Sonnie Hereford school and that this had been a very important occasion for him. He stated that he was a native of Mobile, Alabama, and a graduate of the first high school in the State of Alabama, and that it had been 120 years before there were any persons of color attending that school and 152 years before a person of color had become the valedictorian.

Mr. Hill stated that he had not always been in favor of decisions of the School Board, but this was one thing that he was very pleased to see, that he was happy to see the City move forward in such a manner.

Mr. Hill stated that one of the things that Dr. Hereford had mentioned was the strain of relations between people of color, whether it be white, black, Oriental, any nationality, for them to be able to cohesively work together. He stated that they had seen incidents across the nation as this had begun to escalate. He stated that they had also witnessed a Huntsville Times report earlier in the week on the excessive amount of money that was spent for infrastructure to expand incarceration for a stereotype that believed they would need to expand incarceration in the future.

Mr. Hill stated that he was appearing at this time to present an opportunity to the Council, as well as the City, for them to invest in programs that would dilute the need for incarcerating individuals. He stated that he would like for them to be able to work cohesively together on programs that could change mindsets so that citizens could be contributing in a positive manner.

Mr. Hill stated that he had had the privilege of meeting with a few of the Council members earlier in the day, and they had discussed the idea, and that he believed it was something that was appealing and it could move forward. He stated that he would hope they could open a dialogue in the City about how they could properly move forward.

Mr. Hill stated that the City was investing funds heavily on buildings, infrastructure, and things that really had no substantive value, and that they could surely invest in kids and young people and their mindsets, so they could grow up to not be these delinquents and individuals that caused so much crime, violence, and negative situations in the communities.

Mr. Hill stated that he would be forwarding the information to the Council members in the upcoming week, hoping that this matter could appear on the next Council agenda, so that they could invest in something either as a committee, a commission, or if they went into business in the city as a non-profit, whatever initiative they needed to take. He stated that this needed to be done, that they were in a

time now that if they did not prevent this, once it came, it would be hard to dilute it. He stated that they would rather have a plan in place at this time than to have to deal with a situation where they had to put even more pressure on the chief and captains who worked so tirelessly to make sure they had a safe community.

Mr. Hill stated that he certainly hoped they could have a discussion on this and thanked the Council for its time.

Councilman Showers inquired of President Russell as to whether they had decided when the next work session of the Council would be held.

President Russell replied in the negative, stating that Councilman Culver had requested that a work session be held on January 15, and that perhaps he would look into this and confirm it with the Council.

Councilman Culver stated that they could also entertain the date of February 5 for a work session.

President Russell stated that he would contact the Council members and try to set a date for a work session as soon as possible.

Councilman Showers stated that at the prior Council meeting, he had asked that a document be provided to the Council members, and that he had a document that he had received from the City Attorney just prior to the Council meeting. He continued that he had not had a chance to review it to determine if everything he had asked for was there. He

asked that until he could determine that the three vendors in question for towing services had complied with the request, that they not move on these contracts. He stated that he might be able to do that on the following day or that it might be at the next Council meeting. He asked the Council if they would provide the time for him to look at the document before they moved forward on this matter.

Councilman Showers stated that he was not saying it was not going to be approved, that he believed all three vendors were reputable, but he just needed some time to look at the document. He stated that he would get with the City Attorney as soon as he did so.

Mr. Joffrion stated that these documents were in order, had been determined to be in order by the Finance Department, and the contracts had been awarded. He stated that he believed the old contract had expired and stated that he did not know that they had any reason to delay proceeding with the other contracts, nor was he even sure they could do so. He stated that he would discuss this with Mr. Easter and with the Procurement Division and with Councilman Showers.

Ms. Jackie Reed appeared before the Council, stating that she had also attended the Sonnie Hereford school groundbreaking. She continued that usually she was not in favor of changing the names of the schools in the city, but that this one was so well-deserved that she was in favor of it. She stated that it had been a history lesson to sit there

at the groundbreaking and listen to what had happened in the city, that it was a great honor, and one of the best such events she had ever attended.

Ms. Reed stated that she had a few questions concerning the jail matter. She asked who was supposed to be paying the \$2.3 million, if it was the insurance company. She stated that she saw the insurance company's name on a settlement and she was not aware if the taxpayers were paying the \$2.3 million or the insurance company was paying it.

Ms. Reed stated that she also had another question concerning this matter, noting that for eight years they had paid attorney's fees, noting that that was a long time. She asked how much the attorney's fees had been for those eight years and who had paid them.

President Russell asked Mr. Joffrion to explain where the \$2.3 million would come from.

Mr. Joffrion stated that it was coming from insurance companies representing the private defendants in the lawsuit, that it was not coming from City taxpayer funds.

President Russell asked Mr. Joffrion if he had an estimate as to the amount of attorney's fees the City of Huntsville had paid in this matter in the prior eight years.

Mr. Joffrion stated that he had a general idea of the amount of money that was spent on litigation-related expenses, but that almost half of that was diagnostic work to determine the extent of the damages and how to propose and redesign the

fix for the jail as it was constructed, moving forward. He stated that the total was approximately \$3.5 million, and that about half of that was the diagnostic and redesign fees for the other professionals, that not all of it was legal expenses.

Councilman Showers stated to Mr. Joffrion that he had furnished some documents to the Council members earlier that gave some numbers. He asked if he could tell them at this time, once all this was completed, a tentative amount that the City would derive from the jail settlement.

Mr. Joffrion stated that, as he had previously mentioned, they had not at this time resolved things with regard to all the defendants, but that with regard to the defendants that were parties to the agreements the Council had approved earlier in the meeting, the City would receive \$22,000 net, after the split of the monies that were put into the pool. He stated that after the \$2.3 million that was being paid over to Dawson, that as a result of splitting the remainder, the City at this time had \$22,000 in that pot. He stated that, however, that number could change significantly or nominally, depending on how things would go with regard to the other defendants.

Councilman Showers asked who would share in this, other than the ones that had been approved earlier in the meeting.

Mr. Joffrion asked if Councilman Showers was asking what other defendants were remaining.

Councilman Showers replied in the affirmative.

Mr. Joffrion stated that Raley was a design firm that had worked with the module construction firm and American Pan & Engineering was a concrete and masonry subcontractor. He stated that there were also several other very small defendants, but they did not have much responsibility and really did not have much to contribute.

Councilman Showers asked if it was correct that they would, however, share in the \$2.3 million.

Mr. Joffrion replied in the negative, stating that the \$2.3 million concerned the agreements that had been approved earlier in the meeting, involving Bibler Masonry; Fibrebond, the manufacturer of the modules; and 2WR/Holmes-Wilkins, the architect and design team. He stated that these were the three entities whose insurance proceeds were going into the pot.

Councilman Kling stated that just so the year did not end on such a negative note, with all the things that had been discussed in the meeting, he would like to thank the people of the Merrimack, Rocket View, and Triana Village neighborhood associations for the great Christmas events they had held and he had been invited to over the prior two weeks.

Councilman Kling wished everyone a great holiday season and a great Christmas, as well as great football team success.

President Russell asked if there was any other business to come before the Council.

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER