

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
THURSDAY, AUGUST 24, 2017

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, August 24, 2017, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Robinson
Councilpersons:	Keith, Russell, Culver
Councilperson Absent:	Kling
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Riley
City Clerk-Treasurer:	Benion

President Robinson called the meeting to order.

Reverend Carol Tate led the invocation; Councilman Keith led the Pledge of Allegiance.

President Robinson stated that the next item on the agenda was Approval of Minutes. The minutes of the Regular Meeting of the Council held on August 10, 2017, were approved as submitted.

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

President Robinson recognized Mayor Battle.

Mayor Battle asked Mr. Bill Steiner to come forward, noting that he was part of the Cyber Huntsville group. He

stated that some great things had happened in Huntsville through the Cyber Huntsville group, and there were a group of supporters in the audience that he would like to have come forward at this time.

Mr. Steiner stated that hardly a week went by without some sort of big announcement for Huntsville and that everybody had most likely heard recently about some money coming from Montgomery for something called "Cyber Camp." He stated that the group that had come forward was the driving force behind this successful endeavor.

Mayor Battle thanked the group for their work on this. He thanked Dr. Deborah Barnhart, CEO, U.S. Space & Rocket Center, for letting them use her "home" as the new home for Cyber Camp USA, to match Space Camp. He also thanked Ms. Alicia Ryan, VP, Cyber Huntsville, and Mr. Pat Sullivan, VP, Cyber Huntsville, and all the team for the work they had done, noting that this was something that helped put Huntsville on the map. He stated that eight years prior, they had started out as Cyber Huntsville, and that the past year they had had the National Cyber Symposium. He continued that they had just had their first Cyber Camp, with 32 young campers coming in from all over the state of Alabama.

Mayor Battle stated that Ms. Ryan had kind of put this together and asked her to tell the audience and the Council a little bit about it.

Ms. Ryan stated that in truth, this was really an idea

that had come from Mayor Battle. She thanked him for his leadership and everything he had done in putting together Cyber Huntsville and giving them the ability to know how to help these children as they moved forward on this.

Ms. Ryan stated, on behalf of Cyber Huntsville and the Chamber and Dr. Barnhart, this was something they had dreamed up about a year prior. She continued that they had worked through the Chamber and through Cyber Huntsville and their industry partners to come up with this dream to help children learn about cyber. She continued that they had found a phenomenal home, and they had also found a partnership with UAH, and that at this time they had a great program. She stated that the next camp would be in October, that they would have another 32 kids, and hopefully they would have six camps the following year.

Mayor Battle stated to Dr. Barnhart that she might want to tell about the gift they had received the prior week.

Dr. Barnhart stated that the truth of the matter was that she had wanted to do a cyber camp approximately five years prior, but she had not known how, so she was very grateful to the persons who had come in and given them the corporate knowledge and academic knowledge to actually do it. She stated that they had been working for a long time with people at the State about getting money to connect the two main buildings, the Davidson Center and the original building. She continued that the two initiatives had kind of conjoined at a good time,

and Governor Ivey had come and given them \$10 million of economic development money to build a home for not only the Cyber Camp but also for the engineering hardware for the Space Launch System. She stated that Mr. Todd May, Director, Marshall Space Flight Center, was going to provide that to them and the community, and they were going to make a huge building to put it in, which would also house Cyber Camp.

Mayor Battle stated that, also, UAH was going to help them out.

Dr. Tommy Morris, Director of the Center for Cybersecurity Research and Education at UAH, stated that UAH was the curriculum partner for the U.S. Cyber Camp, so they were developing the curriculum, and it was going to be different from a lot of other cyber camps. He stated that Huntsville was a town that made a lot of things, a lot of systems, such as rockets and helicopters, so they were going to concentrate on cyber security education that would defend those type systems. He stated that they were very happy to be members of this partnership.

Mayor Battle stated that Mr. Mike Ward, Senior VP of Government & Public Affairs at the Chamber of Commerce of Huntsville/Madison County, was the person who had gotten this into the State agenda, had gotten them to Montgomery, and Mr. Sullivan had helped them make the "ask," and the ask had become reality. He continued that, also, Mr. Ward had been helping with the whole cyber effort with Cyber Huntsville.

Mayor Battle thanked them for the work they had done on this. He stated that when one looked at what Huntsville had done in the cyber world, one would find that students started coding in second grade, they started doing programming in middle school, and in high school they were on cyber teams, and the two-year college systems were giving certifications for cyber expertise, and the four-year colleges had bachelor's and master's programs in cyber, that Huntsville was developing its own work force for this multi-billion-dollar industry.

Mayor Battle stated to the members of the group that they were helping to make the entire North Alabama area that much stronger economically and thanked them for the work they had done.

Mr. Steiner presented certificates to members of the group.

Mayor Battle asked Mr. Ward to remain on the podium and asked Mr. Chip Cherry, President and CEO of the Huntsville/Madison County Chamber of Commerce, and Ms. Rose Allen of the Executive Committee to come forward. He stated that there was big news for the Chamber because, again, they were No. 1. He asked that they tell the audience and the Council about being No. 1.

Ms. Allen stated that she had been very honored to be Chair, but that this was certainly a reflection of the Chamber and the whole community. She stated that it was not one person or even one team, that, in fact, in going through this whole

"Chamber of the Year" process and evaluation and competition, the thing that had really set them apart was that their success in the community was driven by the fact that they all came together, that they were able to rise above all their differences, political or otherwise, and really do what was in the best interest of the community. She stated that to have the Chamber serve as the catalyst for this togetherness for the community was just a very special thing.

Ms. Allen stated that they were all very grateful to Mr. Cherry and his team for the amazing job they did behind the scenes and for all of their success in the community, in terms of making a contribution, with the Mayor and the other elected officials. She stated that this was a great time to recognize them and let them stand out on center stage and to thank the Chamber for all they had done. She stated that they were very proud.

Mayor Battle stated that this was a resolution congratulating the Huntsville/Madison County Chamber of Commerce, noting that they had been looked at by their peers from throughout the nation and chosen to be the No. 1 Chamber of Commerce in the United States. He stated that that was a great honor and congratulated them for this.

Councilman Russell read and introduced a resolution commending the Huntsville/Madison County Chamber of Commerce for its recognition as the 2017 Chamber of the Year by the Association of Chamber of Commerce Executives, as follows:

(RESOLUTION NO. 17-638)

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

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

Councilman Culver read and introduced a resolution celebrating Oakwood University Church on their 40th Anniversary at the same location, as follows:

(RESOLUTION NO. 17-639)

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

President Robinson recognized Councilman Culver.

Councilman Culver stated that he was looking forward to presenting this resolution, on behalf of the Council and the Mayor, to Oakwood University Church on their 40th anniversary at the same location.

President Robinson called for the vote on Resolution No. 17-639, and it was unanimously adopted by the Council members present.

Councilman Culver read and introduced a resolution celebrating the 5th Annual Black Tie Adult P.R.O.M., hosted by Wiley L. Day, Jr., and sponsored by Day Capital, Inc., and A New Day Foundation, to be held September 9, 2017, at the

Von Braun Center, as follows:

(RESOLUTION NO. 17-640)

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

President Robinson recognized Councilman Culver.

Councilman Culver stated that he was looking forward to this celebration of the 5th Annual Black Tie Adult P.R.O.M., hosted by Wiley L. Day, Jr., and sponsored by Day Capital, Inc., and A New Day Foundation. He continued that this would be held September 9, 2017, at the Von Braun Center. He stated that he had had the pleasure of attending this event for the prior four years.

President Robinson called for the vote on Resolution No. 17-640, and it was unanimously adopted by the Council members present.

President Robinson stated that the next item on the agenda was Announcements.

President Robinson stated that they would excuse Councilman Kling from this meeting, noting that he had advised her that this was only the third meeting he had missed in recent memory. She stated that they would miss him at the meeting.

President Robinson stated that item 15.b had been deleted from the agenda.

President Robinson stated that the Administration had

asked that the Council consider item 15.af on the agenda, which she noted was an ordinance for a bond issuance, out of order on the agenda at this time. She stated that this would require unanimous consent for consideration at this meeting. She stated that they had also been asked to consider this item earlier in the meeting since the winning bidders for these warrants were in New York, an hour ahead, and needed to know the sale had been approved. She stated that she would propose that the Council address this at this time unless there was any objection.

President Robinson read and introduced an ordinance authorizing issuance of the City's General Obligation Refunding Warrants, Series 2017-D, and General Obligation Refunding School Warrants, Series 2017-E, as follows:

(ORDINANCE NO. 17-679)

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

AYES: Keith, Russell, Culver, Robinson

NAYS: None

ABSENT: Kling

President Robinson stated that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried by the Council members

present.

Councilman Russell thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Culver.

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

President Robinson recognized Councilman Russell.

Councilman Russell asked for an explanation of the ordinance.

President Robinson recognized Ms. Peggy Sargent, Director of Finance.

Ms. Sargent stated that the City of Huntsville had gone to market on the current date to refund, as noted, General Obligation Warrants for both the City and the School System. She stated that this was purely a refunding, that there was no extension to the life of the bonds, and there was no new money borrowed. She stated that the total amount of money saved was approximately \$5.5 million. She stated that that was approximately 8.5 percent for both series of debt. She stated that they had refunded approximately \$65 million during this process, between the two obligations.

President Robinson stated that if the Council had any questions for Mr. Phil Dotts or Mr. Josh McCoy, they were in the audience at this time.

President Robinson stated that she believed the most important thing to note was that this was not new debt, that it

was refinancing existing debt, that it would not add to the debt, but it would save the City \$5.5 million.

President Robinson asked if there were any further questions or any discussion of the above ordinance.

There was no response.

President Robinson called for the vote on Ordinance No. 17-679, and it was unanimously adopted by the Council members present.

President Robinson stated that a month or so prior, the Council had approved a new procedure to appoint Municipal Judges, and that, also, they had approved an additional full-time Municipal Judge position. She stated that the Council had held interviews earlier in the current week, noting that they had had 26 applicants, and they had interviewed nine of the applicants. She stated that she was really impressed with the caliber of persons who were interested in serving in that position and grateful to them for offering themselves for public service.

President Robinson stated that the Council would hold a Special Session on the following Monday, August 28, at 3 p.m., to nominate and select two Municipal Judges. She stated that this meeting would be in the Council Chambers and would be open to the public.

President Robinson stated that they had the exciting time of year coming up when they started to look at the Budget. She asked Mr. Hamilton to explain the timeline for this.

Mr. Hamilton stated that they were in the process of building the Budget, and they expected to have a Budget passed prior to October 1 if at all possible. He stated that so far this was going very well, and they were comfortable that they would be able to present to the Council a good, balanced Budget that would meet the basic needs of the City. He continued that the Budget was never as large as one might want it to be, and the Council would see the details of that, but that it was certainly one that they believed continued to meet the needs of the City.

Mr. Hamilton stated that they expected to introduce the Budget ordinance to the Council at the Regular Scheduled Meeting of the Council on September 14. He continued that the Council would call a Work Session for September 18. He stated that this was on a Monday, noting that it was not normal for Council Work Sessions to occur on a Monday, but because of some scheduling conflicts during that week, the Work Session would occur on that date. He stated that the Work Session was where the Administration would provide a detailed explanation of the entire Budget and answer any questions the Council members might have.

Mr. Hamilton stated that they were requesting that the Council consider and vote on the Budget at the Regular Meeting of the Council on September 28. He continued that this would leave sufficient time to have it ready to go on October 1.

Mr. Hamilton reiterated the schedule as follows:

Introduction on September 14, Work Session on September 18, and to be considered for a vote by the Council on September 28.

President Robinson asked if the Council members had any questions for Mr. Hamilton.

There was no response.

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

President Robinson 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 Robinson recognized Ms. Michelle Jordan, Director of Community Development.

Ms. Jordan stated that this resolution identified 29 properties that were in violation of the City's grass and weed ordinance. She stated that all 29 owners had received written notification, by first-class mail, that they were in violation of the ordinance and had been given 14 days to correct the violations. She stated that all 29 had failed to respond, and Community Development had cut their properties. She continued that at this time they were asking for the Council's approval to assess the cost for this, for each property.

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

There was no response.

President Robinson stated that the public hearing was closed.

Councilman 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. 17-641)

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

President Robinson asked if there were any questions for Ms. Jordan or any discussion of the above resolution.

There was no response.

President Robinson called for the vote on Resolution No. 17-641, and it was unanimously adopted by the Council members present.

President Robinson stated that it was the time and place in the meeting for a public hearing to hear and consider all objections or protests, if any, to the proposed removal of a nuisance at 812 Rison Avenue, NE, Huntsville, AL.

President Robinson recognized Ms. Jordan.

Ms. Jordan made a PowerPoint presentation.

Ms. Jordan stated that the Council was looking at pictures of 812 Rison Avenue, NE, that were taken on the current afternoon. She continued that they would be asking for the

Council's authorization to abate the nuisance at this location in the following item on the agenda. She stated that one could see what remained on the property, noting that the property owners had made tremendous strides in removing the majority of the public nuisance. She continued that, however, there was still some debris remaining on the property, and she would like to have Council approval to go on this private property and remove it.

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

There was no response.

President Robinson stated that the public hearing was closed.

Councilman Russell read and introduced a resolution ordering abatement of a nuisance at 812 Rison Avenue, NE, Huntsville, Alabama, as follows:

(RESOLUTION NO. 17-642)

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

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

There was no response.

President Robinson called for the vote on Resolution No. 17-642, and it was unanimously adopted by the Council

members present.

President Robinson stated that it was the time and place in the meeting for a public hearing on Ordinance No. 17-486, amending the City of Huntsville Air Pollution Control Rules and Regulations, which hearing was set at the July 13, 2017, Regular Council Meeting.

President Robinson recognized Mr. Scott Cardno, Director of Natural Resources.

Mr. Cardno stated that the proposed amendments to the City's Air Pollution Control Rules would provide updates and reflect changes to Federal and State regulations since the last time the City's rules had been amended. He stated that the proposed changes included updating the definition of "All Organic Compounds" in Chapter 1; modifying the public notice requirements for various types of permitting actions in Chapter 3; changes to the requirements for consideration of commercial and industrial solid waste in Chapter 5; incorporation of additional Federal Resource Performance Standards and National Emission Standards for Hazardous Air Pollutants in Chapters 13 and 14; and amending Chapter 18 to incorporate changes to the control of municipal solid waste landfill gas emissions.

Mr. Cardno stated that they had sent out letters to permitted facilities advising them of the changes, and they had not received any comments.

Mr. Cardno stated that the Air Pollution Control Board had

recommended that the Council adopt the proposed changes.

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

There was no response.

President Robinson stated that the public hearing was closed.

President Robinson moved for approval of Ordinance No. 17-486, amending the City of Huntsville Air Pollution Control Rules and Regulations, which ordinance was introduced at the July 13, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-486)

Said motion was duly seconded by Councilman Russell.

President Robinson asked if there were any questions for Mr. Cardno or any discussion of the above ordinance.

There was no response.

President Robinson called for the vote on Ordinance No. 17-486, and it was unanimously adopted by the Council members present.

President Robinson stated that it was the time and place in the meeting for a public hearing on Ordinance No. 17-488, rezoning 24.35 acres of property lying on the west side of Sockwell Drive and south of Haysland Road from Residence 1-A District to Residence 2 District, which hearing was set at the July 13, 2017, Regular Council Meeting.

President Robinson recognized Ms. Ashley Nichols of the

Planning Division.

Ms. Nichols made a PowerPoint presentation.

Ms. Nichols stated that this zoning request had begun in May 2017. She stated that the property was currently zoned Residence 1-A District, which was the original zoning designation for the property. She stated that the proposed developer and recent property owner of this particular area would like to add onto this property, noting that it would be a part of the Jackson's Bend Addition. She continued that the Council had seen a portion of this development the prior month, the piece located to the west of this property, which she noted was highlighted in yellow on the display. She stated that this property was newly annexed property that had no previous zoning designation, and that it had since been zoned as Residence 2 District, with applicable plat restrictions.

Ms. Nichols stated that the property owner had requested that the highlighted property, bordered in red, which was currently zoned Residence 1-A District, be rezoned to Residence 2 District, with the same plat restrictions. She continued that both of these properties would make up the entire Jackson's Bend new addition.

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

Ms. Elizabeth O'Halloran, 2400 Rothmore Drive, appeared before the Council, stating that her home abutted behind this

proposed rezoning. She continued that it was the Jackson's Bend and Whitesburg Estates associations that wished her to tell the Council that they did not wish to have this area rezoned as Residence 2 District, even with restrictions, from Residence 1-A District. She continued that this development would change the aesthetics of the surrounding neighborhood. She stated that this was the first objection that they had to this.

Ms. O'Halloran stated that the second objection was because in developing these communities, the City needed to create water retention ponds. She continued that these water retention ponds were sold to the prospective buyers as these nice little amenities they would get, that it was not explained to these homeowners that they were part of the City's plan to mitigate flooding. She continued that these homeowners had no idea how to take care of these great big ponds, either the cost or the future costs, that it was told to them that these were just nice, pretty-looking ponds.

Ms. O'Halloran stated that in this particular area, there were going to be two large lakes. She continued that when the City Council allowed this development, that, No. 1, the developer would assume no responsibility, that he would not have any responsibility for the future homeowners. She stated that they had asked Mr. Enfinger what he was going to do to help inform prospective buyers about this, because it had happened to residents in her area, and it had happened to

Tamera, and he had advised them that this was not his problem, that he was just the developer. She continued that it was not the developer's problem, it was not the builder's problem, it was not the City Council's problem; however, it was the problem of the persons she was representing. She stated that they would like to know what the Council was going to do about it.

Ms. O'Halloran stated that another thing was that the persons she represented felt there had to be a better way of notifying communities. She continued that the City had already advised her community that they were aware that this was a problem. She stated that before they had allowed this developer to go this far, they should have had the community involved. She stated that the community had been told that the City could not have the developer change these plans because he met requirements which the community did not know anything about. She continued that they certainly had a problem with not being informed about this.

Ms. O'Halloran stated that the community just wanted to make sure the Council knew that this practice of developing land using water mitigation ponds was not a good thing because there was no way of informing future homeowners as to what to do, as her community was now well aware of.

Ms. Susan Leighton, 2002 Danbury Circle, appeared before the Council, stating that she was present representing the Whitesburg Estates Civic Association. She stated that ground had already been broken on this project, so the community knew

where this matter was headed. She continued that they had one question, and they would like to have it answered. She stated that at the Council meeting when the west end of this property had been zoned as Residence 2, they had been told several times that this was not spot zoning and stated that they wanted the Council to explain why it was not spot zoning.

Ms. Leighton stated that she lived on Danbury Circle, adjacent to the property that was being considered for rezoning at this time, that she lived in the very corner. She stated that across the ditch from her property, one would see that there was some Residence 2-A property, noting that that had been zoned when Mr. Hays was going to develop a multi-residence apartment complex, some single-family homes, and put in a city park, where one could see the yellow area on the display. She continued that this was never going to happen, that all of this property, the Residence 2-A, was currently occupied by the Grissom sports fields, so they would never build apartment complexes there, or anything else. She stated that this was the land that was adjacent to this property that was being considered as the Residence 2-A. She stated that the only other Residence 2-A in her neighborhood was near the Parkway, over by Meadow Brook.

Ms. Leighton stated that she wanted an answer as to why this was not considered spot zoning.

Mr. Clay Parikh, 2323 Rothmore Drive, appeared before the Council, stating that he first wanted to apologize to the

Council for the tone and delivery of his comments at the Council meeting when this matter had previously been discussed. He continued that he cared a lot about his city and his neighborhood. He stated that as President Robinson could attest, he and his wife volunteered a lot for the community because they cared about the community. He stated that he was born in Huntsville Hospital, had started school at East Clinton and graduated from Johnson, so he cared about his home. He continued that when he had originally been told at that previous meeting that he would not be able to present, he had gotten somewhat agitated because he was passionate and cared about his home. He stated that he wanted to thank the Council for providing the City representatives at that meeting, especially Mr. Shane Davis, noting that he had stayed and answered everyone's questions, and that he was very polite and very professional.

Mr. Parikh stated that he wanted to express a few things on this matter. He stated that, first and foremost, he hoped the Council members realized they were first representatives of the communities that had elected them to their office, and that they were the collective leadership to take care of the city and the communities. He continued that he hoped they considered themselves public servants first, just as the great men and women who served in the Huntsville Police and Fire departments, as well as the men and women who served in HEMSI, because their goal every day they did their job was nothing

other than to protect the citizens, as a community. He continued that he certainly hoped the Council members saw themselves in that way.

Mr. Parikh stated that, secondly, he wanted the Council members to know that everyone in his community had researched, read, and had done nothing but state the facts because they were concerned about their neighborhood. He continued that during this time, they had been called "trespassers," even when they had the property owner's permission and had been given a key. He continued that the bottom line of this was that the persons in his community felt that the Council had put the net profit of the developer before the concerns of the community. He continued that that was just the simple fact of it, that that was how they felt. He stated that he was sure his neighbors agreed with this because there was no other reason for the decision that was made.

Mr. Parikh stated, concerning the water mitigation plan, that he hoped that soon the Council would let the community know when the City would start attending the homeowners associations' meetings to provide guidance on how to care for these retention ponds, or lakes, or whatever the developers might want to call them, to provide guidance on how to care for them and what the City's plan was to take care of them, considering that this was part of the City's water mitigation plan.

Mr. Parikh stated that Mr. Enfinger had stated several

times that he was willing to work with the community and he did not want persons upset with him. He stated that he hoped that while the recent dust from this development was coming through the community that he would at least provide the residents free car wash coupons to take care of their vehicles.

Ms. Carmen Covey, 2324 Rothmore Drive, appeared before the Council, stating that she was not going to argue against the rezoning of the property to Residence 2, noting that she realized it was an effort in futility. She continued that she would like to, on the record, request that Mr. Enfinger provide Jackson's Bend Homeowners' Association with a recorded deed, with easement access to their west property. She continued that Mr. Enfinger had stated that he would do this sometime in the future and stated that they just wanted to make sure this got taken care of before he was no longer the property owner.

Ms. Covey stated, concerning the retention ponds, that Jackson's Bend had no amenities, that they had no clubhouse, no pool, that they had retention ponds and surrounding wetlands and areas, and that for that, they spent approximately \$10,000 per year, to take care of it. She stated that, in her opinion, this was part of the City's responsibility even though it was private property. She continued that she was sure the residents would be more than willing to give this property to the city because they could not do anything with it but were required to maintain it. She stated that they had to mow it, that they had to keep the ponds clear of debris. She continued

that from what she had read on the internet, that every 10 to 15 years, retention ponds had to be dredged. She stated that that could cost thousands of dollars. She stated that they had 35 homes in their homeowners' association, and that if they had to spend thousands of dollars to get these ponds, which were part of the flood water mitigation, dredged, she did not know how they were going to do it.

Mr. Jim Cape, 2405 Rothmore, appeared before the Council, stating that he had not been a part of the meetings that had gotten the Residence 2 zoning in and that he did not understand why it would be an exercise in futility to rise in opposition to this proposed zoning. He continued that he was present at the meeting to state that he did not like the change in the character of the neighborhood as a result of this zoning, and he did not like the fact that the new high school was being given as a reason for this proposed zoning, and he did not like the fact that the land in yellow on the display had been zoned first and then used for why the property outlined in red would also be zoned that way. He stated that this appeared to him to be a little disingenuous.

Mr. Cape stated that perhaps the residents in this area were asleep at the wheel and stated that he believed the City ought to be doing something more when a change to a neighborhood such as this was going to be made. He stated that one's biggest investment was one's house, and that the residents in this area cared a lot about their houses, and when

they found out that their investment was substantially changed and going to be impacted negatively, perhaps a lot of additional traffic, et cetera, it did not sit well with them. He continued that he would like to concur with all the salient points that had been brought up by the other speakers and just say that he was hoping this was not a done deal and that the profit of the developer would not be put before the persons in this community.

Ms. Kathy Parikh, 2323 Rothmore Drive, appeared before the Council, expressing appreciation for having this opportunity to express her opinion. She stated that when they had purchased their home, they had verified that the zoning was Residence 1-A and that the adjoining property was zoned Residence 1-A. She stated that she just wanted to say that the City really needed to look at the practice of zoning downgrades because it was not fair to current homeowners. She stated to Councilman Russell that she was aware he had expressed that, and she believed he understood how the residents felt about this.

Ms. Parikh stated that she understood there were going to be plat restrictions on this area but noted that when one pulled the maps up, which were pulled up in the Planning meetings and the City Council meetings, they would not say "Residence 2, P.S. There are special plat restrictions, by the way," that it would just show that it was Residence 2. She continued that when persons dug further, they would be able to see there were special plat restrictions, but this would never

show up on the maps. She continued that, also, every time the residents in her area had attended Planning meetings and Council meetings, when the maps were pulled up, the Residence 2-A, which was not even a part of their neighborhood, that was separated by the blue line ditch, kept being thrown into it as a reason to rezone the area to Residence 2-A. She stated that she believed this really needed to be looked at.

President Robinson 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 Robinson asked Mr. Shane Davis, Director of Urban and Economic Development, if he would like to address the questions that had been raised by the previous speakers, particularly with regard to the plat restrictions and the Residence 2 zoning, its impact on the aesthetics of the neighborhood, the issue regarding water retention ponds and lakes, spot zoning, and the impact on property values.

Mr. Davis stated that he would first address the zoning and the spot zoning issue. He stated that the map that was being displayed for this proposed development of property had two options: The current Residence 1-A or the Residence 2 zoning. He continued that the property was contiguous to both of those zones. He stated that the property owner had requested Residence 2 zoning, noting that the first zoning piece which the Council had considered at a previous meeting

was a piece of newly annexed property. He continued that by law, they must bring before the Council as quickly as possible recommended zoning, through the Planning Commission and the City Council. He stated that he did not believe the Planning staff, or City staff, was trying to do any switcheroo, that it was just the process due to the annexation approval, that that was the next piece that had to go through the annexation and get the property zoned.

Mr. Davis stated, concerning the retention facilities, that the City would continue to assist, as they had done in the past, the Jackson's Bend Homeowners' Association, as they did all HOAs throughout the city. He continued that he believed they had a top-notch Drainage department and Engineering department and a phenomenal Public Works department that assisted HOAs every day. He stated that there was still some work they wanted to assist the Jackson's Bend community with, and they would be doing that. He stated that Ms. Kathy Martin and Mr. Marty Calvert were continuing these conversations. He stated that he was aware that there was some work that the City had agreed to do to offset some costs so that this would not be burdened on the HOA. He stated that this relationship would continue, that it had existed for his entire 17-year career with all HOAs, no matter where they were in the city of Huntsville, that this was part of the service to the taxpayers, and that would never change.

Mr. Davis stated, concerning the Haysland Road Extension,

that he had had great conversations with several residents, and he appreciated the comments that had been made about the working relationship, and that that would not change so long as he was part of Urban Development and the departments that fell under his command. He stated that as they continued to build out Haysland Road and make these connectivities, they would guarantee that all residents in the area would have a say in this connectivity, both from a pedestrian standpoint and a vehicular standpoint, that they wanted it to be a great place to live. He continued that he believed the City had no choice other than to make it a great place to live because the City depended on it, that property taxes and retail taxes were what they lived on, were what they passed a budget based upon, noting that Budget would be presented in a couple of weeks. He stated that the City had the same focus point as the homeowner: To make sure they maintained property values. He stated that they would do everything they could to be a partner in this.

Mr. Davis stated that if he had missed anyone's question, to please advise him.

President Robinson stated that she believed Mr. Davis had covered most of them.

President Robinson asked if there was anyone else in the audience who would like to address the Council on this particular matter, with any follow-up questions.

Ms. Elizabeth O'Halloran again appeared before the Council, asking who was going to protect the future homeowners

in this area, noting that she had not been protected, that she had had no idea what joining this homeowners' association entailed, that she had no idea that the ponds in the area were not just pretty ponds, that they had to be cared for, maintained, and would cost a lot of money.

Ms. O'Halloran stated that she had been told that residents in this area had buyer's regret. She continued that she would like to explain what buyer's regret was. She stated that she might drive down the Parkway and see Talbot's, and there would be a pretty green sweater in there, which was like \$250, on a size 0 mannequin, and she would go in and buy it, and she would get home, and she would put it on a 5 foot 11, 165-pound frame, and she would go, "Hmm." She stated that that was buyer's regret. She continued that buyer's regret was not that she would go to a community and buy a home and be told that she would have an HOA fee and that it would be "X" amount, and then she would find out later that she was part of a water mitigation plan, and the cost would go up, and she had no idea what it was. She stated that she appreciated that the City was going to help them, but noted that they had no idea what it was going to be in the future.

Ms. O'Halloran stated that she objected to the City allowing this practice, that she believed it was the wrong thing to do. She stated that going forward, the City did not know how much it was going to cost, let alone the homeowners knowing this. She stated that there was no way to make

informed consent on something one did not know, so they were basically doing something after the fact.

Ms. O'Halloran stated that she would like to say that the City Council might not have known that this was a problem but noted that they were now aware of this. She stated that she wanted to know what they were going to do going forward to protect the homeowners, who were not going to be informed at the time they purchased their homes.

Ms. Jackie Reed, 303 Jack Coleman, appeared before the Council, stating that when she saw a lot of people coming before the Council, after being before Zoning and Planning, and she saw them begging and pleading before the Council, it concerned her. She asked if the developer had given these persons a Master Plan as to what he was going to do if the City changed the zoning on this property, if the developer had laid the facts out for the public to see what he was going to do. She continued that the City should tell the property owners what the City was going to do. She stated that she heard every day from persons that the City would not return their phone calls, and she was tired of hearing that. She continued that she was working for the public and the people, and that she did not care if they liked her or did not like her.

Ms. Reed stated that if the developer did not have a Master Plan and could lay it out as to what he was going to do when the City annexed this, the Council was not doing their homework. She asked that they start doing their part in

helping these citizens, noting that they were who they were supposed to be working for.

President Robinson stated that there was a plan, that they had all seen it, and the neighbors had made comments on it, and that, in fact, the developer had changed some things on the plan as a result of these comments.

President Robinson recognized Mr. Davis.

Mr. Davis stated that he was going to make that exact point. He stated that it was not required for the developer to submit that to request zoning, that when they approved zoning for certain areas of the city, the Planning Department would say what the proposed use was but not in detail. He continued that in this particular instance, they had actually asked for a full set of design plans, for retention ponds, road layouts, and lot layouts, so that it was ready for construction before they would even consider bringing any type of zoning request to the Planning Commission, and ultimately to the City Council.

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

Ms. Carmen Covey again appeared before the Council, stating that she would like to comment again on retention ponds. She stated that she had been the treasurer of the Jackson's Bend Homeowners' Association for seven years and the president for one year, so she was aware of what went on there. She continued that when she said they spent \$10,000 per year to

take care of their ponds, that while doing this, they were doing the work, that they were buying the chemicals and putting the chemicals in the ponds, et cetera. She stated that they had hired someone to do the bushhogging and the mowing of the surrounding area, but they were taking care of the ponds.

Ms. Covey stated that they had actually looked into hiring a firm to take care of the ponds for them, but it would have cost them about \$15,000 a year, for only 35 homes, and that would be in addition to the \$10,000 they were already spending. She stated that if they got a bunch of homeowners in that did not want to take care of yards, they were definitely not going to want to take care of ponds. She asked if they could see such persons paying \$15,000 per year to take care of two retention ponds. She questioned if they were aware of what their HOA dues would be and how that would affect the home values. She stated that she agreed with Ms. O'Halloran, that the Council needed to look at this practice of making homeowners responsible for these types of water bodies.

President Robinson stated that the Council had heard a lot about the retention ponds, that she believed there had been some good input on this. She stated that the matter before the Council at this time was regarding the Residence 2 zoning but thanked Ms. Covey for her input.

President Robinson asked if there was anyone else in the audience who would like to address the Council in regard to the Residence 2 zoning issue.

Mr. Clay Parikh again appeared before the Council, stating, concerning the Residence 2 zoning, that yes, Mr. Enfinger probably did provide plans and all that, as everyone had stated, but his plans were not the way the community was, and the homes would not be built the same, that they would not look the same.

Mr. Parikh stated that they were all grown adults, and they had picked their neighborhood, that he had known where he wanted to live, and he had known the type of neighborhood he wanted to go into, and that was what he had done. He stated that he had known he wanted his son to go to Grissom High School, and he had picked his community, that he knew what he wanted it to be like.

Mr. Parikh stated that the development that was under discussion was not what their community was, and they would not become accustomed to it because it was not going to change, that the short driveways for the plat restriction would not. He stated that the City representative had said that it did not matter whether it was zoned Residence 2 or Residence 1-A, so that the only thing the residents could think of, because it was not presented by the developer, was that it was all about his net profit, and that that was what it was, that there could not be anybody to say anything different.

Mr. Parikh stated that as far as the City saying that they would work with them, he hoped they would work with them in getting them back their \$15,000 that they went in on with the

City to do the project, which he noted was a repair project to a failed water plan.

Mr. Parikh stated that as far as the Residence 2 and the short driveways, that the restrictions were not the way their neighborhood was. He stated that there were older homes with bigger lots, and they did not have the short, high driveways. He reiterated that it was all about the profit, because it could have been Residence 1-A, that the developer had even stated that.

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

Ms. Toni Cowart, 2322 Rothmore Drive, appeared before the Council, stating that one of the retention ponds was actually going to be behind her house, so that she would be at the mercy of whatever the homeowners' association would be. She stated that she did not have a problem with someone wanting to develop, but that just like her neighbors, she had done the research. She stated that she had no problem with District 1-A, and she had bought her house, but that now the Council wanted to rezone this, and that some of them did not seem to think that was an issue. She continued that she thought it was an issue. She stated that she was going to have a pond behind her house, and that some persons might think that that was wonderful, that it was lovely. She continued that it would be lovely if it were maintained, that it would be lovely

if the people that were going to be living there had the funds to maintain it, but asked if they did not have the funds to maintain it, where that would leave her when she wanted to sell her house and there was a pond that was overgrown and was not being taken care of. She asked where it would leave her if they were not maintaining it, where it would leave her property in terms of the water mitigation.

President Robinson asked if there was anyone else in the audience who would like to comment on the Residence 2 zoning issue.

There was no response.

President Robinson stated that the public hearing was closed.

Councilman Culver moved for approval of Ordinance No. 17-488, rezoning 24.35 acres of property lying on the west side of Sockwell Drive and south of Haysland Road from Residence 1-A District to Residence 2 District, which ordinance was introduced at the July 13, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-488)

Said motion was duly seconded by Councilman Keith.

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

There was no response.

President Robinson stated that there were plat restrictions, and she believed these plat restrictions would

hold, and that they were for single-family. She stated that she was thinking in terms of the future, noting that this had raised an issue. She asked if there was zoning that was for just multi-family homes. She continued that persons looking at this would not see the plat restrictions on there, and it would look like multi-family property.

Mr. Davis stated that that was a very good question. He stated that he believed they had to be really, really careful, noting that spot zoning in Alabama was illegal. He stated that if they had a zone that the Planning Department had created that said, "You must be in this zone to have multi-family; if you are not in this zone, it does not apply," it would be hard to create a character community. He continued that whether it was South Huntsville, North Huntsville, East Huntsville, or West Huntsville, what made a great community was a blend of livability options, a blend of shopping options, work options, so this was why a community had some limited single-family but also allowed mixed-use, for lack of a better term. He noted that what was under discussion currently certainly did not allow mixed-use.

Mr. Davis stated that he believed in order to have a great community, it had to have some of all of it. He stated that to have a zone created that said that it was RM 2, that it was only for multi-family, and they had no multi-family zone it was contiguous to, he believed they would be on a slippery slope of creating a spot zoning situation, with which they would be in

violation of State law.

President Robinson stated that spot zoning had been brought up as an issue and asked Mr. Davis if it was his belief that this did not violate the spot zoning law.

Mr. Davis stated that it was not spot zoning.

President Robinson asked if Mr. Davis was very cognizant of that law.

Mr. Davis replied in the affirmative. He stated that they took it very seriously.

President Robinson asked if there were any other questions of Mr. Davis or any discussion of the above ordinance from the Council members.

President Robinson recognized Councilman Keith.

Councilman Keith asked, concerning the retention ponds, if it got to a point where persons would call Community Development or Engineering, and they went out and reviewed it, if it was correct that they would act upon it.

Mr. Davis replied in the affirmative, stating that they absolutely would. He stated, concerning the City maintaining common areas or ponds, that he was not aware of any city in America that did that. He continued that most HOAs maintained those. He stated that HOAs maintained them at different quality levels, that some used it as open green space, that they congregated and had picnics, or they had walking trails, and others just wanted to make sure that it functioned. He stated that there were different levels of maintenance, and

costs were associated with the different levels of maintenance. He stated that, irregardless, if the City was contacted, they were going to help, that that was what they got paid to do, and that was what persons paid their taxes for.

President Robinson asked if it was correct that they had HOAs and they had retention ponds all over town, and they were functioning.

Mr. Davis stated that he had been with the City for 17 years, and there were thousands upon thousands of subdivisions, and he did not know of a case where the City had been called, and it was said, "This is silted in and not working." He stated that where there would be a pond, whether it would be a dry pond or a wet pond, that they would have to do that heavy maintenance would typically be where, for example, there had been a 100-lot subdivision, and the subdivision got put on the ground, and the City C.O.'ed it, and they started building houses, and they got 20 or 30 houses built, and maybe a recession came in, or something happened that changed the characteristics, and the lot sales started slowing down, and there were a lot of bare lots, and then run-off started bringing sand and mud and dirt into that pond and started filling it up.

Mr. Davis stated that when there was a case like Jackson's Bend and Whitesburg Estates, where it was a desired place to live and the lots got built on very, very quickly, and the people established yards, you typically would not have that

siltation problem, to where they would have to dredge out the ponds. He stated that it really depended upon how quickly the subdivision got built out and developed.

President Robinson asked if there were any other questions or comments from the Council members.

There was no response.

President Robinson called for the vote on Ordinance No. 17-488, and the following vote resulted:

AYES: Keith, Culver, Robinson

NAYS: Russell

ABSENT: Kling

President Robinson stated that it was the time and place in the meeting for a public hearing on Ordinance No. 17-490, rezoning 1.31 acres of property lying on the east side of 1st Street and on the south side of Freeman Road from Heavy Industry District to Village Business C-6 District, which hearing was set at the July 13, 2017, Regular Council Meeting.

President Robinson recognized Ms. Nichols.

Ms. Nichols made a PowerPoint presentation.

Ms. Nichols stated that this rezoning request was for approximately 1.31 acres of property. She stated that this was currently zoned Heavy Industry District, which she noted was the original zoning designation of this area. She stated that the current property owner was requesting that this property be rezoned from Heavy Industry District to Village Business C-6 District. She continued that they would like to propose a

small, multi-family development on this property, and they would like to make use of some of the design and density controls that Village Business C-6 District accommodated. She continued that Village Business C-6 District permitted multi-family dwellings.

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

There was no response.

President Robinson stated that the public hearing was closed.

Councilman Russell moved for approval of Ordinance No. 17-490, rezoning 1.31 acres of property lying on the east side of 1st Street and on the south side of Freeman Road from Heavy Industry District to Village Business C-6 District, which ordinance was introduced at the July 13, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-490)

Said motion was duly seconded by Councilman Keith.

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

There was no response.

President Robinson called for the vote on Ordinance No. 17-490, and it was unanimously adopted by the Council members present.

President Robinson stated that it was the time and place

in the meeting for a public hearing on Ordinance No. 17-492, zoning 2.63 acres of newly annexed property lying on the north side of Governors West and north of Interstate 565 as Commercial Industrial Park District, which hearing was set at the July 13, 2017, Regular Council Meeting.

(Councilman Culver is no longer present in the Council Chambers.)

President Robinson recognized Ms. Nichols.

Ms. Nichols stated that this zoning request was for newly annexed property, noting that the property had been annexed in May of 2017 and that it was approximately 2.63 acres. She stated that the proposed zoning designation was Commercial Industrial Park District, which she noted would accommodate the proposed commercial use that would locate on the property.

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

There was no response.

President Robinson stated that the public hearing was closed.

Councilman Russell moved for approval of Ordinance No. 17-492, zoning 2.63 acres of newly annexed property lying on the north side of Governors West and north of Interstate 565 as Commercial Industrial Park District, which ordinance was introduced at the July 13, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-492)

Said motion was duly seconded by President Robinson.

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

There was no response.

President Robinson called for the vote on Ordinance No. 17-492, and it was unanimously adopted by the Council members present.

President Robinson stated that it was the time and place in the meeting for a public hearing on Ordinance No. 17-494, zoning 96.20 acres of newly annexed property lying on the east side of Old Big Cove Road and on the north side of Paul Drive as Residence 2 District, which hearing was set at the July 13, 2017, Regular Council Meeting.

President Robinson recognized Ms. Nichols.

Ms. Nichols stated that this zoning request was also for newly annexed property and that it was approximately 96.20 acres. She stated that there was currently a single-family, detached dwelling on the property, which she noted would be removed from the property. She continued that the property would be used for a proposed single-family, detached subdivision. She stated that it did not have any plat restrictions that would be applied.

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

There was no response.

President Robinson stated that the public hearing was closed.

(Councilman Culver is present in the Council Chambers.)

President Robinson moved for approval of Ordinance No. 17-494, zoning 96.20 acres of newly annexed property lying on the east side of Old Big Cove Road and on the north side of Paul Drive as Residence 2 District, which ordinance was introduced at the July 13, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-494)

Said motion was duly seconded by Councilman Russell.

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

There was no response.

President Robinson called for the vote on Ordinance No. 17-494, and it was unanimously adopted by the Council members present.

President Robinson stated that it was the time and place in the meeting for a public hearing on Ordinance No. 17-496, zoning 2.06 acres of newly annexed property lying south of Hobbs Island Road and south of Railway Lane as Residence 2-A District, which hearing was set at the July 13, 2017, Regular Council Meeting.

President Robinson recognized Ms. Nichols.

Ms. Nichols stated that the subject property was newly

annexed land, and that it was approximately 2.06 acres. She stated that this property would adjoin the adjacent proposed Riverside at Butler Basin Subdivision, which was zoned Residence 2-A District, so the Planning staff would like to propose a zoning designation of Residence 2-A so that the zoning would be consistent.

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

There was no response.

President Robinson stated that the public hearing was closed.

Councilman Russell moved for approval of Ordinance No. 17-496, zoning 2.06 acres of newly annexed property lying south of Hobbs Island Road and south of Railway Lane as Residence 2-A District, which ordinance was introduced at the July 13, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-496)

Said motion was duly seconded by Councilman Culver.

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

There was no response.

President Robinson called for the vote on Ordinance No. 17-496, and it was unanimously adopted by the Council members present.

President Robinson stated that the next item on the agenda

was Communications from the Public.

Mr. Thomas Piff, 11314 Dellcrest Drive, appeared before the Council, stating that he had corresponded with the Council members in regard to Big Spring Park. He stated that he was imploring them to expand Big Spring Park with the very ground he was standing on at this time. He stated that this opportunity to do so was a once-in-a-lifetime opportunity, and that it was vital in order to meet the needs of the city's growing population with this central park.

Mr. Piff asked the Council to go out and survey their constituents and ask them what they wanted to do with this property. He stated that the bank building that had been built was a rather private building that never really met any of the promises that had been made concerning the building.

Mr. Piff stated that he believed they needed to find the highest use for this property for all Huntsvillians, not for the developers, not for profiteering. He stated that persons could go and eat elsewhere, that they could go and have fun elsewhere, but the park belonged to everyone in the city. He stated that he believed they were contemplating an outright sale to an individual developer, that it was not even being competed for. He stated that if the Council members were the custodians of the citizens' public trust and interest, then they should have the developers compete for this resource. He continued that he really believed this belonged to all the citizens and should remain with the citizens. He stated that,

just as with the persons who had appeared before the Council in a previous public hearing, this appeared to be a done deal, that everything was a done deal before citizens heard about it.

Mr. Piff stated to the Council members that if they cared about their city and loved their city, he did not believe they needed to have another coffee shop that closed at five, another bank that was basically a private building that would displace what belonged to all the citizens. He stated that this spring and this park were symbols of the community.

Mr. Piff stated that he would be happy to meet with the Council members and tell them more about the developer and the special considerations the developer that was being considered for this job had gotten in the past. He stated that if Mayor Battle was going to run for governor, he believed he should worry about the people first.

Mr. Piff stated that he believed if the Council members would ask the people they served what they wanted on this location, they would find that they could go somewhere else to get their dinner, and then come to the park, that they did not have to have everything at this location.

Mr. Piff asked the Council to please think about this.

President Robinson recognized Mayor Battle.

Mayor Battle stated to Mr. Piff that he believed his idea was exactly right, noting that when they had had the Master Planners, UDA, come in and do the Downtown Plan, they had looked at that, at both options. He continued that they

had looked at the idea of taking this property from Fountain Circle all the way down to the park and leaving it open as a park. He continued that there was approximately a 30-foot fall upon leaving the area, when one went from the street all the way down to the end of the park.

Mayor Battle stated that after looking at it, UDA had said that a much better use of this was to give them an urban feel, an urban use, on this, to give them a building that would be iconic, one that would be timeless and one that would go with the neighborhood year after year after year, and also give one a reason to come to the park, a reason to stop by and shop, or perhaps stop by and get something to drink at the fountain. He continued that they had talked to them a long time about the idea of a park versus actually having a development at this location, and that they had been very strong in their push, and they were very strong in saying, "You need reasons to come here."

Mayor Battle stated that some of the reasons they already had the park was that persons had reasons to come to the park, that they had the Museum of Art, a coffee shop, and a pizza place, noting that these were some of the reasons to come to the park. He continued that eventually they would have CityCentre, which would be another reason to come to the park. He continued that that would give persons a reason to go to the other section of the park. He stated that the Planner had said that the section of the park that was under discussion needed

to have something that was an attraction for bringing people in. He stated that the Planner had said they should have a very busy park, a very active park, which he noted they were starting to have at this time. He continued that as they had done the development of Big Spring Park, they had had a very active redevelopment. He stated that they had activity in the downtown area day and night, and one could see people walking.

Mayor Battle stated that UDA, who were the Master Planners, were the ones who had come through, and after having numerous public hearings and telling persons about plans and showing persons plans and going through those plans, they were the ones they were leaning on and depending on to do their planning for what they were going to do in this part of the city.

Mayor Battle stated that they had looked at this both ways, that they had considered both ways, but after coming through and looking at it, he had to agree with them that there had to be a reason for having this urban environment, that they had to have something that would bring people into the area, and not only just into Big Spring Park East but perhaps over to where City Hall would be, perhaps over to that parking area, and perhaps over into the Constitution Hall Village area. He stated that all of this kind of fit together as they looked at the development of what they were going to be doing through the Master Plan.

Mayor Battle stated, concerning why they had picked the

developers they had picked, that it was because they were the ones who had said they would follow the plan that UDA had given them, that they would follow that and put this together. He continued that they had said they believed they could put this together very well. He stated that they were a reputable group, that they had a good reputation throughout the Southeast and had done this time and time again, that they had spent thousands and thousands of dollars to make sure they came in with this and it looked right, that they could give them renderings of what it was going to look like.

Mayor Battle stated that there was still another bite in this apple, that when the development agreement came before Council, that would be the other bite at the apple. He stated that they wanted to tell the citizens that they had listened to them, that they had had numerous public hearings as they went through the BIG Picture, as they went through the downtown planning, and that they would continue to listen. He stated that at this point they were working with the developers, and they were working on a development agreement that would come before this Council and be voted on by the Council.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, stating that she did not know where Mr. Piff was when the Master Plan was being presented so many times.

Ms. Reed stated that she had her rattlesnake jacket on at this time, so the Council should look out. She stated that when the rattlesnakes started crawling, that would be the

Council members sneaking downtown and doing things that were not brought before the public. She continued that that would be the Council and the School Board.

Ms. Reed stated that she had just left the School Board meeting before coming to this meeting, and they were discussing a budget, and it appeared to her that they might be in some trouble with all the new buildings and everything that was going on. She stated that she had seen that the City was refinancing their bonds for them. She asked if it was true that the City had borrowed some money when they had refinanced some of their bonds. She stated that if they had done so, she would like for them to tell the public about it. She stated that she did not know about this at this time, nor was she asking for it at this time. She stated that the citizens did not know much about the Budget anymore, noting that they had not had a six-month review in the current year. She stated that this was the first time in 30 years that there had not been a six-month Budget review.

Ms. Reed stated that things were getting bad at City Hall, that they were changing too many things, as far as she was concerned. She stated that there were no work sessions, no Budget hearings, et cetera.

Ms. Reed stated that they had had a meeting recently, and the Master Plan for John Hunt Park had not been presented. She stated that she believed they had hired a person for \$12,500 when the golf course had come up for a give-away, to get rid of

it, which was what they had done. She stated that she thought they had paid \$12,500 for someone to tell them what to do with John Hunt Park. She continued that they had not yet seen what to do with it.

Ms. Reed stated that she would like to thank the Zoning and Variance Board. She stated that she had recently attended a meeting there, and there had been a proposal on the agenda about a nine-story condo being built right down by the Methodist Church downtown, which she attended. She stated that they had not said anything, that they had let it go. She stated that she was told that the developer could build a four-story condo, and he had been promised a nine-story parking garage. She stated that the rumor had come to her that the City owned the parking garage behind the building that the developer was wanting to build, and the City was going to give him the land and buy the parking garage.

Ms. Reed stated to Mayor Battle that she had stood up and spoken for him, that she had said that the Mayor was not going to give him that land and build that parking garage for him. She stated to Mayor Battle that if she was out of character, he had better tell her. She continued that when he did so, she wanted that accounted for to the public, if they did that for this developer, like they had done across the street from the Federal Courthouse.

Ms. Reed stated that, also, they were going to stop the church bells because of the condo.

Ms. Reed stated that the item had never been voted on, that it had gone down. She continued that Steve Hettinger was at that meeting, and that he was the first one to stand up and speak.

President Robinson stated to Ms. Sargent that some questions had been asked with regard to the Budget. She stated that she believed it had been stated earlier that the Council would be having a Budget hearing, and then a work session, and another Budget hearing, on the dates of September 14, September 18, and September 28. She stated that they hoped Ms. Reed would join them for these meetings.

President Robinson stated that a question had also been asked with regard to the School System debt, if the City had acquired additional debt for the School System.

Ms. Sargent replied in the negative, stating that during the refunding, there was no additional debt acquired. She stated that they had refunded approximately 8.5 percent of the prior debt, and that if she recalled, it was 2011, 2012, and 2013 debt that was refunded. She stated that this reduced their principal and interest amounts from 2018 to 2032 and 2033, respectively.

Mayor Battle asked Ms. Sargent how much it had lowered the amount.

Ms. Sargent stated that it was just over \$5.5 million total, with approximately \$3.9 million belonging to the School's debt and the remainder belonging to the City's.

President Robinson asked if the City would save money.

Ms. Sargent stated that that was correct. She stated that the City was the steward of the School's debt, so they were obligated to do any refunding necessary for their obligations.

Mr. Tom Devenish, 2807 Castle Pines Circle, appeared before the Council. He stated that he was present to bring up some points, some questions, regarding the new Fountain Circle. He stated that he had looked and had not been able to find an RFP or any kind of published requirement where they went out for either the 5-year plan that was given by UDA or the new City Hall, quote, iconic building.

Mr. Devenish stated that there had been no disclosure of the architect involved in the City Hall design and asked who the architectural firm was. He continued that there was no disclosure of the architect involved in the iconic building design and asked who this firm was. He stated that there was no discussion of the UDA final design. He continued that this had suddenly become the gospel. He stated that there was no one from UDA that lived in Huntsville, so they were accepting the gospel from someone in Pittsburgh.

Mr. Devenish stated that the City of Huntsville was going to use UDA's five-year plan as an avenue/excuse to give away downtown Huntsville property. He stated that the property they were standing on at this time was the absolute prime property in Huntsville, and they were going to give a developer that no one had had any voice in the selection of the opportunity to

lease/buy this property.

Mr. Devenish asked where the Letter of Intent was that was promised on July 27. He stated that this Letter of Intent was going to go to Triad Properties/Crunkleton & Associates. He continued that the general public had the right to read this Letter of Intent before Mayor Battle signed it. He stated that he would like to see a copy of this LOI on the following day, whether it was in a draft stage or finished.

Mr. Devenish stated that a final design iconic building was an idea. He stated that the public should be able to know who the architects were and what they were designing. He continued that the citizens would have to live with this building for the next 50 years, but the property would be gone because it would become the property of Triad.

Mr. Devenish asked if the iconic building design was a streetscape rendering by some young architect that UDA had told to "have a design by the end of the week." He stated that all streetscape drawings that were provided by UDA were signed by the same person.

President Robinson advised Mr. Devenish his time was up.

Mr. Devenish stated that he would send the Council members the questions he had on the following day.

Mr. Devenish stated that he believed this entire project should be brought up to some national architectural firms, to have a competition.

President Robinson asked Mayor Battle if he would like to

address the difference between the Master Plan and final building designs.

Mayor Battle replied in the affirmative.

Mayor Battle stated that they had a Letter of Intent, noting that a Letter of Intent was not a binding contract at all. He stated that it set out the initial wants and needs and how they designed and what they actually did as they did their design. He continued that it set out the square footage and the floors and everything else.

Mayor Battle stated that the Council had authorized him to go into a Letter of Intent, noting that letters of intent were usually followed by development agreements. He stated that development agreements would give the final design. He stated that part of the development agreement was that the company would bring in a scale model to look at, something that could be scaled, to make sure they did not overpower the park or underpower the park. He stated that, also, they would have renderings, and the renderings would tell them what the building would look like as it was built and what it would look like in context to the City park and the City buildings that were around it. He continued that it would also tie in with City Hall, because City Hall needed to tie into that also, so that there could be a continuity, that they would have buildings that had continuity from one building to another building to another building. He stated that letters of intent were just designed as such, the intent of where they were going

with this.

Mayor Battle stated to Mr. Devenish that if he would like to have a copy, they would be more than glad to give him a copy of it. He asked that he come by on the following day, and they would have it downstairs.

Mayor Battle reiterated that letters of intent were just that, and from that they went to development agreements, that development agreements were the binding agreements. He stated that this would come before the Council, and there would be presentations on this, so that people would understand what was actually being done. He stated that this was the important thing. He stated that they had started on this process more than a year prior, as to how to redesign the city and redesign downtown, and at this time they were coming down to some actual actionable items on this.

Mayor Battle stated that as they had done this, they had done it in such a way as to be as transparent as possible. He stated that they had had numerous public hearings so that the public could listen and understand what was going on, and they could have the talks, and persons could also come back with things. He stated that he was sorry that Mr. Devenish had not heard about this, but they had had these, and they had had them on numerous times. He stated that as they had moved through these, they had done it in such a way as to make sure that it was an open, transparent process. He reiterated that they had done this numerous times, that they had started six months

prior, and it was two months prior when they had started talking about the Letter of Intent, and they had shown the renderings of what it would look like.

Mayor Battle stated that the reason for going to a Letter of Intent was so that the developers would spend the money on the modeling, that they would spend the money on actually giving them the final renderings and architecture, about what they planned on doing. He continued that then they could make the decision as to whether they would go forward on this. He stated that that would be the Council's decision at that point. He stated that once they did that, then they would move forward with the building. He stated that until they got to the development agreement point, there were no set parameters of the project, that there was nothing there, that there was nothing in a contract that would make them move forward.

Mayor Battle stated that he did want to let persons know that they had worked from the very first to make sure this was an open and transparent process, that they had worked over eight months to make sure it was an open and transparent process. He stated that he was sorry if Mr. Devenish had missed that portion of this, but that it had been done. He stated that he had been to many, many meetings on this, just so they could make sure it was open and transparent.

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

President Robinson read and introduced a resolution

reappointing Philip W. Bentley, Jr., to the Health Care Authority of the City of Huntsville, for a term to expire August 15, 2023, as follows:

(RESOLUTION NO. 17-643)

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

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

There was no response.

President Robinson called for the vote on Resolution No. 17-643, and it was unanimously adopted by the Council members present.

President Robinson asked if there were any Board Appointment Nominations.

There was no response.

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

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

(RESOLUTION NO. 17-644)

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

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

There was no response.

President Robinson called for the vote on Resolution No. 17-644, and it was unanimously adopted by the Council members present.

President Robinson asked if there was any Finance Committee report.

Councilman Keith replied in the negative.

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

President Robinson recognized Mayor Battle.

Mayor Battle stated that he would like to remind everyone that there was Music Under the Lights going on at this time, in front of U.G. White and Pints and Pixels, which would continue until 8 p.m. He stated that, also, Greene Street Market would be open until 8 p.m.

Mayor Battle stated that Movies in the Park would be on the following day at Big Spring Park, at 6 p.m.

Mayor Battle stated that they had had the 100 mile/100 day walking challenge kickoff on the previous day at the Botanical Garden. He stated that the next walk was scheduled for Tuesday, September 12, at HudsonAlpha Institute at 12:15. He stated that the weather had changed a little bit, and it would be much nicer and would be a good time to go out and walk.

Mayor Battle stated that on September 2, UAB would play their first game of football since their team had been

re-established, and they would play the Alabama A&M Bulldogs in Birmingham. He stated that it should be a great game, and they hoped to see a lot of Huntsville people there.

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

President Robinson recognized Councilman Keith.

Councilman Keith stated that he would be having a redevelopment introduction for the Johnson property, noting that this was off Winchester, and that it would be on the following Tuesday at 6 p.m. He stated that he wanted to thank the Administrative staff, everyone that had helped him start this conversation. He stated that he believed this would be a very unique meeting, and that he was very excited about it. He stated that he believed this would be unique to North Huntsville and thanked everyone who had made this possible.

President Robinson recognized Councilman Russell.

Councilman Russell stated that it was football season and that Huntsville High School had kicked off at 7 p.m. against Hazel Green, their first jamboree game of the season, which he was hoping to attend. He stated that the rest of the local teams were starting to play on the following Saturday, and that the public needed to show they cared about their schools, that it was a great way to build community, so he encouraged everyone to attend these games.

President Robinson recognized Councilman Culver.

Councilman Culver stated that he would be having a special

Town Hall meeting on Tuesday, September 12, at 6 p.m., for the purpose of discussing a company that was coming in to potentially develop a senior citizen property. He stated that this meeting would be held at Hope Church, off Balch Road. He stated to Mayor Battle that they probably needed only limited staff for this meeting, and that he would communicate this to Mr. Hamilton. He stated that they would probably need just Police, as a protocol, and Ms. Jordan and her staff from Planning.

President Robinson stated that she wanted to thank the Council, Mr. Riley, and Mr. Thomas for their efforts for the Council to interview and carry out the process for appointing Municipal Judges. She stated that the process the Council had approved a month or so prior had worked very well. She continued that it had required a lot of commitment and a lot of time from the Council members and from Mr. Riley and Mr. Thomas. She stated that it was a good process, that they had had nine great candidates, and they looked forward to concluding this process on the following Monday, August 28, at 3 p.m., when they would nominate and appoint two Municipal Judges.

President Robinson stated that she would like to remind everyone that she would be holding a Town Hall meeting on August 28. She stated that frequently at these Town Hall meetings, she would invite department heads to come and talk about issues that were of concern or interest to the community,

but at this time she was inviting the new School Superintendent, Dr. Matt Akin to come and speak. She stated that this meeting would be held at the new Grissom High School. She stated that if anyone would like to meet the new superintendent and also take a tour of Grissom, that at 5 p.m. they would have student ambassadors who would take people on tours of the new school, followed at 6 p.m. by Dr. Akin, with an opportunity to meet him and to ask questions and learn more about the School System.

President Robinson stated that they were working on setting up some public meetings regarding the new Haysland Road, noting that there had been a lot of questions about the design. She continued that there was a lot of excitement and a lot of positive feedback about connectivity, potentially, that this road would give for the neighborhoods, connectivity to the Arsenal, connectivity to the new park that was going to go in across from Grissom, and Grissom itself, and the new commercial developments that would be taking place in that area. She stated that they wanted the neighborhoods to know what this was going to look like and what opportunities were there for them, and to get their feedback on this. She stated that that would be announced at a later date, but they were working on putting that together.

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

Councilman Russell moved for approval of Ordinance

No. 17-596, annexing 0.86 acre of land lying east of Highway 431 South and on the east side of Wade Road, which ordinance was introduced at the August 10, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-596)

Said motion was duly seconded by Councilman Culver.

President Robinson recognized Ms. Nichols.

Ms. Nichols made a PowerPoint presentation.

Ms. Nichols stated that this annexation request was for approximately 0.86 acre of land located on the east side of Highway 431 South and on the east side of Wade Road. She stated that the property owner would like to annex in this small portion. She continued that he owned the property south of this area, which was shaded in red on the display, which she noted was already in the city limits. She stated that he would like to eventually combine both parcels into one lot and would like to develop a future medical office on the property.

President Robinson asked if there were any questions or any discussion of the above ordinance.

There was no response.

President Robinson called for the vote on Ordinance No. 17-596, and it was unanimously adopted by the Council members present.

President Robinson moved for approval of Ordinance No. 17-597, approving the naming of an unnamed street, to be known as "Joe's Place," which ordinance was introduced at the

August 10, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-597)

Said motion was duly seconded by Councilman Culver.

President Robinson recognized Ms. Nichols.

Ms. Nichols made a PowerPoint presentation.

Ms. Nichols stated that the subject street was currently unnamed. She stated that this property had been originally platted with the subdivision back in 1942. She continued that when the developer had laid out the initial lots, this particular property was never named, and it had not had any homes that faced this unnamed street. She stated that they had received a request from a very eager citizen who would like to have this street named "Joe's Place" in honor of a friend who was named "Joe."

President Robinson asked Ms. Nichols where this property was located.

Ms. Nichols stated that it was near the Mayfair area. She indicated Thornton Circle on the display.

President Robinson asked if it was correct that there was no one living at this location, and this was not going to impact anyone, such as in having to have addresses changed.

Ms. Nichols stated that that was correct. She stated that there were no homes affected by this, that this was just an observation by a citizen that this road in the neighborhood was unnamed, and she thought it was very fitting for Joe to have his name on this unnamed street.

President Robinson asked if there were any other questions for Ms. Nichols or any discussion of the above ordinance.

There was no response.

President Robinson called for the vote on Ordinance No. 17-597, and it was unanimously adopted by the Council members present.

Councilman Culver moved for approval of Ordinance No. 17-598, approving the following street name change: "Chase Farm Boulevard" to "One Aviation Way," which ordinance was introduced at the August 10, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-598)

Said motion was duly seconded by President Robinson.

President Robinson recognized Ms. Nichols.

Ms. Nichols made a PowerPoint presentation.

Ms. Nichols stated that this was just a name change request for a street name that was currently listed as "Chase Farm Boulevard." She stated that the property owner had requested that this name be changed from "Chase Farm Boulevard" to "One Aviation Way." She stated that this item was recommended by the Planning Commission.

President Robinson asked if there were any questions for Ms. Nichols or any discussion of the above ordinance.

There was no response.

President Robinson asked Ms. Nichols if there was anyone who would be impacted by this change.

Ms. Nichols stated that she did not believe there was anyone who had a physical address on Chase Farm Boulevard at this time.

Mr. Jim McGuffey, Manager of Planning Services, stated that this was the road leading to the new GE Aviation Plant off Greenbrier Road.

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

There was no response.

President Robinson called for the vote on Ordinance No. 17-598, and it was unanimously adopted by the Council members present.

Councilman Culver moved for approval of Ordinance No. 17-599, condemning property and authorizing disposal, trade, sale, or destruction of surplus property, which ordinance was introduced at the August 10, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-599)

Said motion was duly seconded by Councilman Russell.

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

There was no response.

President Robinson called for the vote on Ordinance No. 17-599, and it was unanimously adopted by the Council members present.

Councilman Russell moved for approval of Ordinance

No. 17-600, declaring property located at 2446 Shepherd Drive, Huntsville, Alabama 35810, surplus, which ordinance was introduced at the August 10, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-600)

Said motion was duly seconded by Councilman Culver.

President Robinson recognized Ms. Jordan.

Ms. Jordan stated that this lot was located next to the Meadow Hills Initiative Office in Meadow Hills. She stated that the Neighborhood Association was maintaining the property and would use it for neighborhood activities. She continued that the long-term plans for this property were for a park for the neighborhood.

President Robinson asked if there were any questions for Ms. Jordan or any discussion of the above ordinance.

There was no response.

President Robinson called for the vote on Ordinance No. 17-600, and it was unanimously adopted by the Council members present.

Councilman Culver moved for approval of Ordinance No. 17-601, amending Article III, Storage and Collection, Chapter 22, Solid Waste, of the Code of Ordinances, which ordinance was introduced at the August 10, 2017, Regular Council Meeting, as follows:

(ORDINANCE NO. 17-601)

Said motion was duly seconded by Councilman Keith.

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

President Robinson recognized Councilman Russell.

Councilman Russell stated that he would like to have an explanation of the above ordinance.

President Robinson asked if there was someone present from Public Works or if Mr. Hamilton would like to handle this.

Mr. Hamilton stated that, essentially, this was intended to clarify materials that were not allowed to be put into a bin. He stated that the ordinance at this time did not allow persons to put dirt in their bins, but that the way it was written, it was easily interpreted that it meant only construction-related dirt. He stated that the intent was that any sort of dirt could not be used to fill bins. He stated that this amendment would clarify that, to make it clear that persons could not fill their bins with dirt and have Public Works haul it away for them.

Mr. Chris McNeese, Director of Public Works, appeared at the microphone.

Mayor Battle asked Mr. McNeese if this included rocks as well.

Mr. McNeese replied in the affirmative. He stated that they were kind of past the period now, but they had had some problems with residents during the summer. He stated that before this modification, which prohibited construction material and construction dirt, 2 by 4's, that kind of thing,

when they would go into some of the cans, they would have potting soil and a lot of topsoil from around the house and mulch that was removed from beds. He continued that it was straining their workers to have to pick up those 32-gallon cans that were filled with this dirt material, so they had modified the ordinance to account for those materials as well. He stated that when this got into the trucks, it would, obviously, fall to the bottom and restrict the amount of garbage that could be collected and compacted because it was being compacted on the bottom part of the truck. He stated that, therefore, they were wasting a lot of space up top. He continued that this hindered their ability to collect, and they wanted to restrict this material and leave it up to the homeowner to find a way of disposing of it without it going through their collection procedures.

President Robinson asked if there were any questions for Mr. McNeese.

President Robinson recognized Councilman Keith.

Councilman Keith asked Mr. McNeese how they would let persons know about this change.

Mr. McNeese stated that they had cards that they gave out whenever they would go to correct an action that some people were doing. He stated that they would knock on their doors and verbally tell them about an activity that was going on. He stated that they would kind of transition into it, that they would tell them that they would let it slide that time, that

they would take it and make some kind of arrangement, but that they should not repeat the action. He stated that they would slowly do it by word of mouth at first. He continued that they would be coming out with some informative videos that would be on the web, and that would be one of topics they would discuss, to hopefully educate the public so they would not have this action the following summer.

President Robinson asked if it would be appropriate to dispose of potting soil with other yard waste or if this was something that persons should absolutely not do.

Mr. McNeese stated that the yard waste that they had was limbs, clean-up around the house, and that kind of thing, and that persons could put potting soil out there, but they did want to kind of restrict that also, to a point. He stated that if there were a couple of pots thrown out, that did not really cause a bleep, but if there were large piles of dirt, where someone was doing a large landscaping project, like they had gotten in there and rented equipment, and they were in there kind of scooping up the first four or six inches of organic material and piling it up at the road, that was what they were really trying to restrict with this.

Mr. Hamilton stated that one of the things they would not want to do would be to fill the landfill with dirt, that they wanted to fill the landfill with waste and then cap it off with dirt. He stated that they had dug dirt out in order to create the landfill, and they did not want to fill it back up with

dirt. He stated that this was not a widespread problem, that there were a few citizens that had struggled with this issue, and they had been working with them for awhile, and this just helped to clarify exactly what the intent was on this. He stated that the Green Team also did a good bit of training on this, in helping persons to better understand how to recycle their yard waste. He continued that potting soil was certainly something that was easily recycled back into the beds and things around one's yard, that this was not something that should be a significant issue for citizens.

President Robinson asked if there were any other questions or any discussion of the above ordinance.

There was no response.

President Robinson called for the vote on Ordinance No. 17-601, and it was unanimously adopted by the Council members present.

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

President Robinson read and introduced Ordinance No. 17-645, annexing 15.48 acres of land lying on the south side of Harbin Road and west of Nance Road.

President Robinson read and introduced Ordinance No. 17-646, declaring equipment surplus and authorizing disposal of said equipment.

President Robinson read and introduced Ordinance No. 17-647, declaring equipment surplus and authorizing it to

be sold to Tennessee Valley Recycling.

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

President Robinson asked if there were any items that any Council member wished to hold from the consolidation.

Councilman Russell asked to hold item 15.ag.

Councilman Keith asked to hold item 15.al.

President Robinson stated that she would like to hold item 15.ae.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute an adjustment to the Original Agreement between the North Alabama Highway Safety Office (NAHSO) and the City of Huntsville, Alabama for an additional \$11,870 in Project Funds, as follows:

(RESOLUTION NO. 17-648)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Business Associate Agreement between the City of Huntsville and Health Cost & Risk Management, LLC, for the purpose of analyzing claims data in partnership with CareHere and Springbuk, as follows:

(RESOLUTION NO. 17-650)

Councilman Russell moved for approval of the foregoing

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and John C. Calhoun State Community College for the facilitation of Emergency Medical Technician (EMT) program training, as follows:

(RESOLUTION NO. 17-651)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to accept the 2017 EMPG grant from the Alabama Emergency Management Agency, as follows:

(RESOLUTION NO. 17-652)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to accept a grant from the American Society for the Prevention of Cruelty to Animals (ASPCA) in the amount of \$5,000, as follows:

(RESOLUTION NO. 17-653)

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

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke Southern Community Bank Letter of Credit No. 1000038671 for Braewick 3 at McMullen Cove Subdivision, as follows:

(RESOLUTION NO. 17-654)

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

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke BancorpSouth Bank Letter of Credit No. 362000890255 for Silo Hill Phase 2 at McMullen Cove Subdivision, as follows:

(RESOLUTION NO. 17-655)

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

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke Bank Independent Letter of Credit No. 20894709 for Stratford Phase 2 at McMullen Cove Subdivision, as follows:

(RESOLUTION NO. 17-656)

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

Councilman Russell read and introduced a resolution authorizing the City Attorney to settle the claim of Southside Christian Church, Claim No. FY17-58, as follows:

(RESOLUTION NO. 17-657)

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

Councilman Russell read and introduced a resolution authorizing the City Attorney to settle the claim of Janice Ray, Claim No. FY17-106, as follows:

(RESOLUTION NO. 17-658)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final between the City of Huntsville and Dunn Building Company, LLC, for concrete installation for the HPD Firing Range at 325 Wall Triana Highway, as follows:

(RESOLUTION NO. 17-659)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final between the City of Huntsville and Premier Structure, Inc., for construction services for the Hays Nature Preserve Restroom Facility at 7153 Highway 431 South, as follows:

(RESOLUTION NO. 17-660)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 and Final between the City of Huntsville and Huntsville Fence Company for construction services for a HPD Firing Range Fence at 325 Wall Triana Highway, as follows:

(RESOLUTION NO. 17-661)

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

Councilman 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 EUL Multi-use Path and Parking Area, Project No. 71-17-SP40 and ALDOT Project Nos. TAPHV-TA14(953) and TAPHV-TA16(948), as follows:

(RESOLUTION NO. 17-662)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Garver, L.L.C., for Acquisition Services for Martin Road Additional Lanes from Laracy Drive to Zierdt Road, State Project No. PLH-8512(603) and City Project No. 65-10-RD06, as follows:

(RESOLUTION NO. 17-663)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Non-Reimbursable Agreement between the City of Huntsville and XFINITY for Relocation of Existing Utility Facilities on Public Right-Of-Way Work associated with ALDOT Project No.

ACAA60160F-ATRP (012), Additional Lanes, CR-11 (Martin Road), from Old Jim Williams Road to CR-7 (Zierdt Road), Project No. 65-10-RD07, as follows:

(RESOLUTION NO. 17-664)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Non-Reimbursable Agreement between the City of Huntsville and WOW for Relocation of Existing Utility Facilities on Public Right-Of-Way associated with ALDOT Project No. ACAA60160F-ATRP (012), Additional Lanes, CR-11 (Martin Road), from Old Jim Williams Road to CR-7 (Zierdt Road), Project No. 65-10-RD07, as follows:

(RESOLUTION NO. 17-665)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and OMI, Inc., for Construction Testing Services for Copperrun Branch, Project No. 71-17-SP41, as follows:

(RESOLUTION NO. 17-666)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Non-Reimbursable Agreement between the City of Huntsville and Huntsville Utilities for Relocation of Existing Utility Facilities on Public Right-Of-Way associated with ALDOT Project No. ACAA60160F-ATRP (012), Additional Lanes, CR-11 (Martin Road), from Old Jim Williams Road to CR-7 (Zierdt Road), Project No. 65-10-RD07, as follows:

(RESOLUTION NO. 17-667)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Non-Reimbursable Agreement between the City of Huntsville and Century Link for Relocation of Existing Utility Facilities on Public Right-Of-Way associated with ALDOT Project No. ACAA60160F-ATRP (012), Additional Lanes, CR-11 (Martin Road), from Old Jim Williams Road to CR-7 (Zierdt Road), Project No. 65-10-RD07, as follows:

(RESOLUTION NO. 17-668)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Non-Reimbursable Agreement between the City of Huntsville and AT&T Alabama for Relocation of Existing Utility Facilities on Public Right-Of-Way associated with ALDOT Project No. ACAA60160F-ATRP (012), Additional Lanes, CR-11 (Martin Road), from Old Jim Williams Road to CR-7 (Zierdt Road), Project No. 65-10-RD07, as follows:

(RESOLUTION NO. 17-669)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Geo Solutions, L.L.C., for Geotechnical Consulting Services near North Huntsville Industrial Park for proposed industry, Project No. 71-17-SP44, as follows:

(RESOLUTION NO. 17-670)

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

members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and S&ME, Inc., for Engineering Surveying Services near North Huntsville Industrial Park, Project No. 71-17-SP44, as follows:

(RESOLUTION NO. 17-671)

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

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 2 to the agreement between the City of Huntsville and Arcadis, U.S., Inc., for Engineering Design Services for Dallas Branch/Pinhook Creek, Phase I, Project No. 65-13-DR03, as follows:

(RESOLUTION NO. 17-672)

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

Councilman 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. 17-673)

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

Councilman Russell read and introduced a resolution authorizing travel expenses, as follows:

(RESOLUTION NO. 17-674)

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

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 16-659 by changing the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 17-675)

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

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

(RESOLUTION NO. 17-676)

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

Councilman Russell read and introduced an ordinance

amending Budget Ordinance No. 16-659 by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 17-677)

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

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

(RESOLUTION NO. 17-681)

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

Councilman Russell moved for approval of a request for authorization to advertise and fill four Sanitation Worker positions, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and fill three Secretary II positions, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and fill one Regular Full-Time

Special Populations Recreation Supervisor position, Grade 15, at a higher than minimum rate if necessary, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and hire for the position of Public Safety Dispatcher in order to bring manpower up to authorized strength, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and fill one position of Traffic Engineer I, Grade 17, at a higher than minimum salary if necessary, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and fill the position of Accreditation Coordinator, Grade 15, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise the position of Payroll Supervisor, Grade 17, and to fill at a higher than minimum rate if necessary, which motion was duly seconded by President Robinson and was unanimously approved by the Council members present.

President Robinson stated that the Council would now consider the items that had been held from the consolidation.

President Robinson read and introduced a resolution authorizing and approving the Amended Charter and Amended Bylaws combining the Cullman Area Mental Health Authority, Inc., and the Huntsville-Madison County Mental Health Board, Inc., to create a comprehensive mental and behavioral health care system, as follows:

(RESOLUTION NO. 17-678)

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

President Robinson stated that she believed Mr. Jeremy Blair, CEO, WellStone Behavioral Health, was in the audience and could explain the above resolution.

Mr. Blair stated that in 2009, the Department of Mental Health had received an approximate \$40 million cut, and that they were serving approximately 7300 clients at that time. He continued that in the prior year, they had served approximately 9300 clients. He stated that their revenue had pretty much stayed stagnant, in addition to the cut they had received in 2009.

Mr. Blair stated that as part of their core values as a company, they came to work with a can-do attitude, so they had looked at ways to grow their revenue outside of relying on those sources. He continued that at this point, one of the best ways to do this was to seek partnerships and mergers and acquisitions. He stated that they had found a great partner in

Cullman Mental Health Center, and they believed this partnership would be of benefit to not only Madison County residents but also residents of Cullman County and would result in a stronger company.

Mr. Blair stated that everything would operate under WellStone, and that he would remain the CEO of the combined entity, and the current Executive Director of the Cullman Mental Health Center would join their organization as Chief Operating Officer. He stated that they believed this would really strengthen their delivery of care throughout these two communities.

President Robinson asked if the Council members had any questions for Mr. Blair.

President Robinson recognized Councilman Russell.

Councilman Russell asked how the Board structure would work for this.

Mr. Blair stated that currently the Board structure was that there were six appointees from the Huntsville City Council and six appointees from the Madison County Commission. He stated that that would remain intact, and that, also, there would be three appointees from Cullman County and three appointees from Cullman City.

President Robinson asked if it was correct that the appointees would meet together and govern as one body.

Mr. Blair replied in the affirmative.

Mr. Blair stated that he would also like to point out that

any local funding, from either Huntsville City, Madison County, or Madison City, would specifically stay in this area. He stated that there was language in the merger agreement to that effect, and they had the accounting ability to make sure this was tracked. He continued that the same would be true for Cullman as well.

President Robinson asked if this model worked well, if the plan was to perhaps bring in other counties to also benefit from joint services.

Mr. Blair stated that this was a trend in behavioral health across the nation, and they would certainly be open to additional partnerships in the North Alabama area.

President Robinson asked if it was correct that this was an effort to leverage shrinking resources.

Mr. Blair replied in the affirmative.

President Robinson stated that she wanted to commend both WellStone and Cullman Mental Health Services for being willing to explore this. She stated that everyone would have to let go a little to make this work, but in the process, everyone would benefit.

President Robinson asked if there were any other questions for Mr. Blair or any discussion of the above resolution.

There was no response.

President Robinson called for the vote on Resolution No. 17-678, and it was unanimously adopted by the Council members present.

President Robinson read and introduced a resolution authorizing the Mayor to enter into a Phased-In Compliance Agreement among the City of Huntsville, Mirabeau Gated Community, and The Villages at Lennox Square, as follows:

(RESOLUTION NO. 17-680)

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

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

President Robinson recognized Councilman Russell.

Councilman Russell stated that he had some questions concerning this resolution. He stated that any time they saw "Mirabeau," they should ask questions. He stated that he needed someone to assure him on this.

Mayor Battle stated that he agreed with Councilman Russell, noting that this was one that they had kept asking and asking on, and they had worked very hard to get to the place where hopefully they were close to seeing the last days they would have to see this on the Council's agenda.

President Robinson recognized Mr. Riley.

Mr. Riley stated that this was an apartment complex, the rehabilitation of which was a cooperative venture between HUD and the City of Huntsville. He continued that this had a long and storied history, a story which they did not necessarily want to repeat at all times.

Mr. Riley stated that the idea on this from the beginning had been to rehabilitate the complex, and that much of that had been accomplished. He stated that, however, over the prior two or three years, a number of Code violations, et cetera, had been identified, and the current owner had simply not been in a financial position to be able to address the repairs and things that were needed. He stated that, fortunately, a buyer who was interested in taking over the complex had been identified, but that, obviously, a buyer would not want to walk into a situation where they would immediately be beset by huge, immediate expenses and threats of Code violations and such.

Mr. Riley stated that wishing to facilitate this change in ownership to an owner who would be able to operate the facility and make the needed repairs, the City had agreed to a phased-in compliance agreement with the new owner that would allow him to address the many violations and things that were present in an orderly fashion. He continued that this was well set out in the agreement, which would be monitored and modified. He stated that it was also important to note that serious health and safety concerns would be addressed immediately under the process. He stated that, in fact, the new owner was already undergoing a lot of these things. He stated that in facilitating this process, that hopefully the City would move this complex on to the end goal, which was to have a good, financially responsible owner in charge of a fine facility that would increase the rental options available to persons in that

area.

Mayor Battle stated that simply put, they wanted to sell it.

Councilman Russell asked if this was costing the City any additional money, in addition to the money they had already put into it.

Mr. Riley replied in the negative, stating that this did not involve any additional input of City funds or anything of that nature. He continued that it was just an agreement whereby the City extended the time to allow necessary corrections and repairs to be made so that the new owner could do so in a fashion that would not put him under to begin with.

Councilman Russell asked if the City currently had any ownership interest in this gated community.

Mr. Riley stated that he believed the City had some interest in connection with the Federal funds that had been involved in this, so that was engaged in the process. He stated that it was fairly complicated. He continued that the goal in this was to get all those strings untied so that the City would be apart from this and it would be a fully self-operating complex. He stated that the City wanted to sell it.

Councilman Russell stated that for years and years, he had voted "No" on anything about this project and had felt really good about it, but it appeared that on this he needed to vote "Yes," so he would do so.

President Robinson asked if there were any other questions or comments concerning the above resolution.

There was no response.

President Robinson called for the vote on Resolution No. 17-680, and it was unanimously adopted by the Council members present.

President Robinson moved for approval of a request for authorization to advertise and hire for the position of Police Officer for the 58th Session of the Police Academy in order to bring manpower up to authorized strength, which motion was duly seconded by Councilman Keith.

President Robinson asked if there was any discussion of the above request.

President Robinson recognized Councilman Keith.

Councilman Keith asked when they said "in order to bring manpower up," how this was gauged. He asked if this was just budgetwise, that they could not get to the optimal number of police officers that it was believed they needed.

Mr. Hamilton stated that there were two different issues here. He stated that, first, in terms of the number of officers the Police Department was authorized, that would be determined during the Budget process. He stated that for the prior two or three years, the Council had added some number of slots, additional authorizations. He continued that he believed the prior year it had been four, and the year before that it was seven. He stated that they had added additional

authorizations to grow the police force. He continued that, in fact, he fully expected that the Budget that would be recommended to the Council the following month would include some additional authorizations to continue to grow the Police Department.

Mr. Hamilton stated that that was separate from what was before the Council at this time. He stated that what was before the Council at this time was authorization for them to begin the hiring process. He stated that, as the Council members were aware, getting into the Police Academy was a multi-month process. He stated that, hopefully, who they would end up offering jobs to would be sufficient cadets to fill any vacancies they had.

Mr. Hamilton stated that assuming the Council approved the Budget that would add authorizations, that as soon as they did that, on October 1 they would immediately have vacancies, so any slots that were added on that date would be vacant at that point in time. He continued that, also, they had persons who had retired or who had departed for whatever reason, that throughout the year these vacancies accumulated.

Mr. Hamilton stated that what they typically did was if, for example, there were 20 vacancies, they would actually offer jobs to a few more than that number. He continued that how many more would be a judgment call on the part of the Chief and the Mayor, based on the wash-out rate from the Academy as well as the anticipated new retirements that would occur while the

Academy was in session.

Mr. Hamilton stated that the goal was that when the Academy graduated, they would have brought the Police force back to 100 percent. He continued that they did a pretty good job getting pretty close to that. He stated that they were constantly having persons retire from the Police Department, and that was why they were constantly running the Academies, in order to keep these positions filled. He stated that they would probably never be at exactly 100 percent, that he believed that realistically if they were doing it the right way, they would stay in the 95 to 98 percentile range. He continued that this was really what the goal was.

Councilman Keith stated that his concern was how to answer when someone said, "We need more police officers." He continued that he could agree with this but say that the process itself was a little more complicated, that they would always have openings because of retirements, but then they had to fill that through a cadet class.

Mr. Hamilton stated that when someone was saying they needed more police officers, what they were saying was that the Council needed to add more authorizations. He continued that then the Administration would work to fill those vacancies. He stated that if, for example, the Budget the Council passed for the upcoming year added 10 police officers on October 1, they would then have 10 vacancies, in addition to the ones they already had, that these brand-new positions would be vacant,

and they would not be filled until the Academy class graduated the following summer. He stated that from start to finish on that process, they would not have really added police officers to the street for almost a year.

President Robinson asked if any of the Council members had any other questions or comments on the above request.

There was no response.

President Robinson called for the vote on the above request, and it was unanimously approved by the Council members present.

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

Ms. Jackie Reed, 303 Jack Coleman, again appeared before the Council, stating that she hoped she did not just hear that they were going to hire only 10 police officers in the upcoming Budget. She asked that they please not tell her that.

Ms. Reed stated that she wanted to be given a copy of the proposed Budget, noting that if she had to buy it she would do so because she wanted to know what they were doing with the taxpayers' money. She stated that they would not let the employees come in the Council Chambers anymore, and that she was hearing that some of them did not have the equipment they needed to do their jobs, and that some of them needed more employees in order to do their jobs. She stated that most likely she could tell the Council a whole lot more than they knew about City Hall.

Ms. Reed stated that she had heard from a City employee that the Budget was tight. She stated that she had said that of course it was tight, that it was always tight when it came to City employees. She stated that the Council needed to stop and take a look at what the employees needed and give them a raise and help them. She stated that some of them did not have what they needed to do their jobs. She reiterated that she had stated that of course the Budget was going to be tight. She stated that this was said every year, but they were giving all this property away. She stated that if someone came in and wanted a piece of land, et cetera, they would give it to them, and they would get a little lease and not a lot of money. She stated that, of course, they could not give the employees anything because they were not taking in anything, and they were giving the city away.

Ms. Reed stated that she was still lobbying for the City Hall to be built right back where it was at this time. She stated that she hoped the Council would remember this and not take away the parking garage, so that the jurors would have to walk all the way down the street.

Ms. Reed stated that she had a real problem, and she had called Governor Kay Ivey, and she had gone to the Department of Transportation about the bicycle sidewalks. She stated that this was bothering her. She stated that she was trying to find out where the money was coming from for these bicycle sidewalks when the roads in the city looked like death traps. She asked

that persons go down Holmes Avenue, or go anywhere they wanted to in the city, because it was terrible that they were putting their money in bicycle paths. She stated that she had been told that this was grant money, and that a committee in Montgomery was making a decision. She stated that of course they were, that the City went down there and knew some of them and told them what to do.

Ms. Reed stated that they had been paving Jordan Lane, and it was a nightmare. She stated that they were working at night, at 10, 11, and 12 o'clock. She stated that Reed got all the construction work, so he could not do it in the daytime, that he had to do it in the middle of the night.

Ms. Reed asked the Council members to go and look at the white lines that were on Jordan Lane, noting that she could not see them when the sun was shining and asked how they could be seen when it was raining and a storm was coming up. She stated that she had called the Mayor's office and had been told that this was with the Department of Transportation. She stated that she guessed the Council did not work with the Department of Transportation, and they could not say if the lines were not good or they needed to be marked better, or anything.

Ms. Reed stated that she would like to know about Pinhook Creek.

Ms. Reed asked that the public be given more information about what was on the agendas rather than her trying to outguess them.

President Robinson asked Mr. Hamilton if there would be copies of the Budget available for the public when the Council held their Work Session and presentation on the Budget. She asked if this was something they normally shared.

Mr. Hamilton stated he did not believe that in the past they had printed off copies for all the public. He stated that it would be hyperlinked on the website.

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

There was no response.

Upon motion, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER