

HUNTSVILLE CITY COUNCIL MINUTES
Regular Meeting - December 5, 2024 - 5:30 p.m.
City Council Chambers, City Hall
Huntsville, Alabama

Members Present:	Mr. John Meredith, President Dr. Jennie Robinson Mr. Bill Kling Mr. David Little Ms. Michelle Watkins
City Administrator:	Mr. John Hamilton
City Attorney:	Mr. Trey Riley
City Clerk:	Ms. Shaundrika Edwards

President Meredith called the meeting to order at the time and place noted above.

The invocation was offered by Chaplain Zach Johnson; Councilmember Robinson led the Pledge of Allegiance.

APPROVAL OF THE AGENDA.

President Meredith said item 14.c had been withdrawn from the agenda, and item 8.a would be taken out of order, noting this was an ordinance the Administration had requested that the Council consider at this meeting, which would require unanimous consent of the Council.

President Meredith asked if there were any other changes to the agenda.

The agenda was approved as corrected.

APPROVAL OF THE MINUTES OF PREVIOUS MEETING.

President Meredith said the Council members had been provided copies of the minutes of the regular meeting of the Council held on November 21, 2024, and the minutes were approved as submitted.

President Meredith said the Council would at this time consider Item 8.a on the agenda out of order, noting this was the ordinance the Administration had requested that the Council consider at this meeting, which would require unanimous consent of the Council.

Ordinance No. 24-910, authorizing the City's General Obligation Warrants, Series 2024-A, to finance public capital improvements within the city, and the City's Taxable General Obligation Warrants, Series 2024-B, to refinance certain indebtedness of the City.

Motion for Unanimous Consent of the Council for immediate consideration of the above ordinance.

Motion by Robinson/Seconded by Little.

Roll-Call Vote:

Ayes: Kling, Robinson, Watkins, Little, Meredith

Nays: None

Motion Unanimously Carried.

Motion for approval of Ordinance No. 24-910.

Motion by Robinson/Seconded by Meredith.

Ms. Penny Smith, Director of Finance, said what was before the Council was an ordinance to approve Series A and Series B bonds, or warrants, they had turned in to the market on this date. She said this ordinance had Series A they would issue in the total amount of \$75,840,000. She said this had been discussed at a previous meeting, and the A Series was for Parks & Rec specifically, that this was for various parks and facilities that went along with those, which were being either renovated or built; and Series B was for taxable warrants, in the amount of \$16 million, and this dealt with TIF 5, at Redstone Arsenal, where the infrastructure had been placed into the ground. She said this was banked by the developer, but the

City was repaying these warrants as they became available. She said there was a statute that ran behind that and an agreement with the developer in place with it.

Ms. Smith said this was to approve those two warrants that were issued, that were in the markets on this date.

Ms. Smith asked a representative of PFM, the City's financial advisor, to talk about how they had gone into the markets on this date and the renderings from those bids, noting she was very excited about the results. She said after that, Rod Kanter, of Bradley Arant, the City's bond attorney, would talk about the warrants and what was in front of the Council, specifically the approval of this, and what would happen in the closing the following week.

Ms. Marcie Lewis of PFM said they had taken the City's bonds to market on this date, and Series A, the \$75 million series, had received 15 bids from 15 different banks, which was a record for the City. She said on Series A, this had resulted in a true interest cost of 3.51 percent, which was about .22 percent better than what they were estimating. She said some of this was due to market movement, and some of it was due to the high demand for the City's bonds, and because of that, they were able to lower the amount the City borrowed by approximately \$1.5 million, so that resulted in a good bit of savings for the City.

Ms. Lewis said the Series B was taxable, so higher interest rates, but they had still received seven bids, which was great for a taxable issuance. She said they got a true interest cost of 4.87 percent, which was .57 percent, or 57 basis points, lower than what they were estimating, so that resulted in better financing for the City as well.

Mr. Kanter said the ordinance before the Council was one authorizing the issuance of these two series of General Obligation Warrants, and included in this authorization was approval of the offering document, which they had used on this

date to market the debt, as well as what was called a "Continuing Disclosure Agreement," which the City had to enter into. He continued that the City had entered into one every time they did a financing, just as they had used the Offering Statement he had mentioned every time they did a financing through the public market.

Mr. Kanter said that was what was called for in terms of approval of this ordinance. He said if the Council was of the mind to approve this ordinance, then PFM would alert the winning bidders, who would be pretty happy, noting that as they had heard, this was incredibly competitive, more competitive than he had ever seen, with a great result. He said they would inform them they had won, and they would then meet with the Mayor, the Finance Director, and the City Clerk to get the financing documents signed the following week, and the closing would occur on December 19th, and at that time, the City would receive the funds to build the projects and refinance the debt Ms. Smith had mentioned.

Mr. Kanter said he wanted to note they had received a very good result here, and he said that in addition to the City's amazing rating, this type of result was, in his opinion, the best evidence of just how well run the City was. He said Wall Street broker and investment banking firms were on top of things like credit, risk, et cetera, and when they had five of them fighting for the City's debt, that was really good, but when they had 15, it was a good reflection, in addition to market conditions, on just how well run the City was, and he thought everyone deserved a pat on the back for the amazing management and administration of the City.

Councilmember Robinson said the AAA bond rating should mean something to the people in the community, noting that in this matter, it had saved them at least \$1.5 million.

Unanimously Adopted.

(ORDINANCE NO. 24-910)

ANNOUNCEMENTS AND PRESENTATIONS.

Presentation of Second Mile Development, by **Bill McDowell, Executive Director, and Tami Jordan, Director of the Terry Heights-Hillandale neighborhood organization.**

Mr. McDowell said he would like to thank the City for the partnership they had had for a number of years, and he said this date marked the second day of their 39th year of serving in the Terry Heights community.

Mr. McDowell said at this time, they would show a short video to address the things the City worked with them on.

(Video shown.)

Mr. McDowell said he would be happy to answer any questions the Council members might have, and he said they were grateful to be a partner with the City.

Councilmember Kling said Terry Heights was not within the district he represented, per se, but he had had the pleasure in the past of being a representative of that neighborhood, and he and Ms. Jordan went a long ways back, and her organization had done so much good work in that neighborhood. He said this was a wonderful example of great things that took place when the City was able to partner with the right agency to make things happen.

Councilmember Watkins said she had worked with Mr. McDowell and Ms. Jordan when she served on the school board, and they were passionate about the Terry Heights community, and she said the school score had gone up. She said she could see a visible difference from the good work they did in this community.

Councilmember Robinson said it took a long time to make things change, and Mr. McDowell and Ms. Jordan had committed to that change. She asked if they could speak specifically to what the City money had funded, how it had funded the Terry Heights-Hillandale neighborhood.

Mr. McDowell said the City money that was given to Second Mile went mostly to pay Ms. Jordan and the other worker, that it did not cover all of that but covered about 70 percent of it. He said Second Mile paid the other part, and also provided office space, utilities, et cetera, to that.

Councilmember Robinson said that was a great partnership, and she said she believed a neighborhood association was one of the best ways to ensure a safe neighborhood and a neighborhood that could increase property values because it established that neighborhood standard, as to what they wanted to see happen in the neighborhood.

Mr. McDowell said all the things they did were based on studies, as to what a healthy neighborhood was, and a lot of the definition of a healthy neighborhood was how often people spent time in their front yard and how many neighbors they knew. He said that according to that standard, Terry Heights had become a very healthy neighborhood.

Councilmember Robinson suggested that they might want to become involved with the Council of Neighborhood Associations, noting that it involved many neighborhood associations in the city, and they got together and shared concerns.

**Presentation of Huntsville-Madison County Public Library, by
Connie Chow, Interim Director.**

(Ms. Chow made a PowerPoint presentation.)

Ms. Chow said she appreciated this opportunity to share with them about the services and programs they offered to the community. She said they had ten branches in Madison County, and four of those were located in the city of Huntsville, that there was the Cavalry Hill Public Library, the Downtown Huntsville Library, the North Huntsville Public Library, and the South Huntsville Public Library, and, also, there was the Cove Holds Locker in the Hampton Cove area, as well as their Outreach

Services that were located in the Downtown Huntsville location.

Ms. Chow said the Huntsville-Madison County Public Library was the busiest library in the state of Alabama, that they had the highest number of items checked out, and number of programs offered, as well as program attendance.

Ms. Chow said the funding they received from the City of Huntsville supported their facilities, their staffing, their services, and programs, as well as the print and digital resources they had in their branch locations.

Ms. Chow said they had 65,000 registered cardholders in the city, and that accounted for 48 percent of their systemwide cardholders. She continued that they had 925,000 visitors in the past fiscal year, and the number of visitors they had in Huntsville was 70 percent of the visitors they had in their entire system.

Ms. Chow displayed a slide entitled "Read," and she said 1.3 million items were checked out within the city of Huntsville, and they offered over 2500 programs and had an attendance of over 58,000.

Ms. Chow discussed the various libraries in the city, providing statistics concerning programs and services offered, and she also discussed their Outreach Services, the Cove Holds Locker located in the Mark Russell Recreation Center in Hampton Cove, and the Makerspace Studios.

Ms. Chow said they also provided workforce development services, which were available at their Downtown and North Huntsville locations, and that the North Huntsville Library had recently done an Opportunity Expo, where they connected job seekers with local employers.

Ms. Chow said they also promoted local talent, and the City of Huntsville Music Office had supported local musicians they had in their streaming service. She said they had recently had an event at the Orion Amphitheater that highlighted photography, as well as some of the artists that were a part of Blast Music.

Ms. Chow said an event they had with Huntsville Parks & Rec was Rec and Read, and this was an annual event they had, connecting people with the local parks, as well as their librarians, who were doing Story Time and different activities.

Ms. Chow said one of the workforce partnerships they had was with Hatch Huntsville. She said there was a café at the South Huntsville Library that helped support Hatch Huntsville, which was a workforce training program for young adults, to teach them hospitality skills. She said young adults had the opportunity to practice their skills in the café, and the profits from the café went to support that training program.

Councilmember Robinson said when they were engaging in the capital campaign to raise the money to build the South Huntsville Library, one of the questions they were asked many times was in this age of electronic media, why they even needed libraries, if they were really relevant. She said Ms. Chow's numbers told them they were relevant. She said there was always something going on at the libraries, and it did not always involve books. She said she had held a meeting there, and there were always different things going on in various sections of the library, that it was really a gathering place, that they called it the community's living room when they were raising money and creating the vision for what the library could be, and it had become that and much more.

Councilmember Robinson thanked all the librarians and all the libraries that were pulling people together, connecting the community, and she thanked Ms. Chow for stepping up at a challenging time to assume a leadership role that she had handled with grace and courage, and she said things were working very well.

Councilmember Kling said he enjoyed having his monthly town meetings at the library, and he had noticed the board that listed all the different meetings that were taking place, with various groups. He said the library had a lot of high-tech

offerings versus the traditional books, although the traditional books were very good to have. He said they had certainly gone along with the times, but they were a wonderful resource. He said Ms. Chow had done a great job after she had taken over the reins, and they were fortunate to have her.

President Meredith asked, concerning internet use in the libraries, if it was mostly seniors who were utilizing it or if it was school-age kids, and he asked what the average length of time was they would be on the internet at the library, and anything else she might deem worthy to note.

Ms. Chow said she believed all ages were using it, especially during COVID, when there was incredibly high usage of their internet, that people were sitting in their parking lot to get access to it. She said they had had a WIFI hot spot program, but the federal funding for that had recently ended. She said it was hard to keep that type of device working, because it was not something that was very sturdy, to pass around, so they had ended up discontinuing that, but they had 24/7 wifi in all their library branches, and they had it available through their bookmobile when it was traveling out in the community. She said she did not have the numbers on it, but they had individuals in their study rooms or their meeting rooms in order to just have a quiet place to get some work done. She said this could range anywhere from two hours to the entire time they were open.

PUBLIC HEARINGS TO BE SET.

Resolution No. 24-911, to set a public hearing on the zoning of 30.67 acres of land lying east of Little Cove Road and north of Cobble Farms Drive to Residence 2 District, **at the January 23, 2025, Regular Council Meeting.**

Moved for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(RESOLUTION NO. 24-911)

Introduction of Ordinance No. 24-912, zoning 30.67 acres of land lying east of Little Cove Road and north of Cobble Farms Drive to Residence 2 District.

Resolution No. 24-913, to set a public hearing on the rezoning of 1.13 acres of land lying on the north side of Governors Drive and east of Brahan Avenue SW, from Residence 2-B District to Neighborhood Business C-2 District, **at the January 23, 2025, Regular Council Meeting.**

Moved for Approval by Robinson/Seconded by Little/Unanimously Adopted.

(RESOLUTION NO. 24-913)

Introduction of Ordinance No. 24-914, rezoning 1.13 acres of land lying on the north side of Governors Drive and east of Brahan Avenue SW, from Residence 2-B District to Neighborhood Business C-2 District.

Resolution No. 24-915, to set a public hearing on the rezoning of 19.35 acres of land lying west of Bell Road and north of Bell Manor Drive, SW, from Residence 1-B District to Residence 2 District, at the **January 23, 2025, Regular Council Meeting.**

Moved for Approval by Robinson/Seconded by Meredith/Unanimously Adopted.

(RESOLUTION NO. 24-915)

Introduction of Ordinance No. 24-916, rezoning 19.35 acres of land lying west of Bell Road and north of Bell Manor Drive, SW, from Residence 1-B District to Residence 2 District.

Resolution No. 24-917, to set a public hearing on the rezoning of 1.77 acres of land lying on the east side of Pulaski Pike NW and south of Bob Wade Lane from Highway Business C-4 District to Residence 2 District, and from Residence 2 District to Highway Business C-4 District, **at the January 23, 2025, Regular Council**

Meeting.

Moved for Approval by Robinson/Seconded by Little/Unanimously Adopted.

(RESOLUTION NO. 24-917)

Introduction of Ordinance No. 24-918, rezoning 1.77 acres of land lying on the east side of Pulaski Pike NW and south of Bob Wade Lane from Highway Business C-4 District to Residence 2 District, and from Residence 2 District to Highway Business C-4 District.

AGENDA RELATED PUBLIC COMMENTS:

President Meredith said this portion of the meeting was reserved for persons wishing to address the Council on matters relating to the specific content of items on the meeting agenda. He said people could sign up to speak on the Public Comments Roster prior to the meeting, and when called, they should approach the microphone and state their name, home address, and city of residence. He said each speaker could address the Council for three minutes, and that speakers shall refrain from entering into a dialogue with Council members or City staff and from making comments regarding the good name and character of any individual.

Ms. Joy Johnson appeared before the Council, stating she lived on West Arbor in District 1, in the city of Huntsville, and having signed up to speak concerning "20.Z."

COUNCIL MEMBER COMMENTS.

Councilmember Watkins said they had found out on the prior Tuesday morning that Walmart on Oakwood Avenue was closing, and this had come as a shock because they had not been aware of this beforehand. She said they had reached out to her, and 10 minutes later, the press release was out. She said she had discussed this with Shane Davis, Director of Urban and Economic Development, and he was

working to try to secure the building and find something to go into it so it would not remain empty and blighted. She said a lot of people had been asking her why they were closing, and she said the explanation from the company was they were losing revenue, and that was all she could share with the public. She said there were no hidden secrets. She said anyone who knew her knew she did not shy away from controversy, and she did not shy away from answering questions. She said a lot of people had the conspiracy theory that they knew and just did not tell them, but that was not the truth.

Councilmember Watkins said that anyone who was out there and had a grocery store, and they were ready to come in, they had a building.

Councilmember Watkins said District 1 was going to have a cause for celebration, that there would be a tree-lighting ceremony at the Johnson Legacy Center, on Sunday, December 8, from 5 to 7 p.m., and she invited everyone to come out, and she said the Jemison choir and band would be there, and saxophonist Alex Banks would be there, and they would be playing Christmas music, and there would be Santa Claus there, for the kids to have pictures, and there would be hot chocolate and cookies. She said this was not limited to District 1, and she had invited the Council members and the Mayor.

Councilmember Kling said a lot of great things were going on throughout the city, that there was the Tinsel Trail downtown at Big Spring Park East and Big Spring Park, with more than 300 trees decorated, and some beautiful music.

Councilmember Kling said there was also ice skating at the Art Museum, which was a fun thing to do.

Councilmember Kling said in the lower Piedmont neighborhood, on Lanier Road, there was a house that had Christmas music and lights that were synched, that people could pull up close to the house and tune into FM 101, and they could hear the

music and see the lights.

Councilmember Kling said he was continuing to do the walks through neighborhoods in his district and to call in matters of concern, and he appreciated everything that was done to make these neighborhoods a little nicer to live in.

Councilmember Little said he hated to miss the Christmas Parade, but he had been at the Blossomwood Valley Civic Association meeting. He said they had conducted an informal survey of the neighbors, and most of the items were standard matters, sidewalks, quality-of-life issues, speeding, et cetera, and he had gotten the survey over to Kathy Martin and her team, and they had put together a nice presentation, and they had some good dialogue with this group, to hear about some things they could work on, as well as some things that were really not possible to do at this time.

Councilmember Robinson thanked everyone who had turned out for the Christmas Parade, noting that it was very cold, and she was amazed at how many people had come out for the event.

Councilmember Robinson said there was a lot going on in Huntsville during this Christmas season, and one of these events was Christmas on the River at Ditto Landing, and she urged people to enjoy the many events that were going on there.

Councilmember Robinson said there would also be the 18th annual performance of the Huntsville Christmas Festival, and there would be a 50-voice choir selected from across North Alabama, and she had the honor of being a part of this choir. She said people could go to huntsvillechristmasfestival.org to learn the times of the performances.

Councilmember Robinson said people had been asking when they were going to complete the final connection of the Aldridge Creek Greenway to the Weatherly Multi-Purpose Path and the Hayes Farm Trails, to complete that 16-mile loop. She

said one of the last pieces was to do the crossing from the Aldridge Creek Greenway to connect to Weatherly, and she said there were a lot of businesses in the way, that it was not possible to continue the path there, so they were building islands and a traffic signal, so that people could cross safely, get to the other side of Bailey Cove, wrap around on the multi-use path to Weatherly, and connect on the multi-use path to Hays Farm. She said that was going to be a great addition, to make that loop possible. She continued that, also, as part of that same project, they were going to put another one of the traffic-crossing islands across from McGucken Park, so people could safely cross over to that park.

Councilmember Robinson said the final good piece of news for people who lived on Bailey Cove was that Bailey Cove had made the Phase 1 paving list for the section from Mountain Gap to Weatherly, which was at this time the worst section. She said that should be taken care of in Phase 1 Paving for 2025.

President Meredith said Old Monrovia Road, in the section over by Providence, was also on the list to be resurfaced.

President Meredith said Apollo Park was officially open, that they had cut the ribbon on the third and final phase of it, and even as cold as it was, there were already people in the water, in kayaks, so it was going to be used. He said they wanted everybody to work that park into their plans, that they wanted it to be available and a respite not only for the people who lived in MidCity and the surrounding areas but for all the people of the city of Huntsville.

FINANCE COMMITTEE REPORT.

Resolution No. 24-919, authorizing expenditures for payment.

Moved for Approval by Watkins/Seconded by Little/Unanimously Adopted.

(RESOLUTION NO. 24-919)

Ordinance No. 24-920, approving appropriations, goods, or services for District 1 Council Improvement Funds.

Moved for Approval by Watkins/Seconded by Robinson.

Councilmember Watkins said Jemison High School Athletics had been struggling for years, noting that a lot of people did not understand that Athletics was paid out of pocket, through booster clubs, through parents, or through donations. She said the coach had reached out to her, that they were trying to grow their program. She said she saw their vision and understood what they were trying to do, and they were doing a great job, and they were building morale with the students as well. She said this donation would go to the Jemison High School basketball and football program.

Unanimously Adopted.

(ORDINANCE NO. 24-920)

BOARD APPOINTMENTS TO BE VOTED ON.

Resolution No. 24-877, to appoint **Angela Mead to the Alabama Constitution Village and Historic Huntsville Depot Board, Place 4**, to fill the seat previously held by Kent Ballard, for a three (3) year term to expire June 26, 2027.

Moved for Approval by Meredith/Seconded by Robinson/

Unanimously Adopted.

(RESOLUTION NO. 24-877)

Resolution No. 24-878 to reappoint **Steve Rowley to the Huntsville Tennis Center Board of Control, Place 2** (his current seat), for a three (3) year term to expire November 28, 2027.

Moved for Approval by Little/Seconded by Robinson/ Unanimously

Adopted.

(RESOLUTION NO. 24-878)

Resolution No. 24-922, to appoint **Ethan Walker-Jones to the Beautification Board, Place 10**, to the seat previously held by Sherri Stroud, for the remainder of a vacant three (3) year term to expire September 30, 2025.

Moved for Approval by Kling/Seconded by Robinson/Unanimously Adopted.

(RESOLUTION NO. 24-922)

LEGAL DEPARTMENT ITEMS/TRANSACTIONS.

Vacation of Easements

Ordinance No. 24-923, authorizing the vacation of a Utility and Drainage Easement, Lot 1, Bailey Cove Office Plaza Phase 6.

Moved for Approval by Robinson/Seconded by Kling/Unanimously Adopted.

(ORDINANCE NO. 24-923)

UNFINISHED BUSINESS ITEMS FOR ACTION.

Resolution No. 24-887, as amended, authorizing the formation of an Energy Task Force to assist Huntsville Utilities and its selected consultants with preparation of a Community Energy Resource Plan, which resolution was postponed at the November 21, 2024, Regular Council Meeting to this meeting.

Motion for reconsideration of the amendment to Resolution No. 24-887 approved at the November 21, 2024, Regular Council Meeting.

Motion by Meredith/Seconded by Robinson/Unanimously Approved.

The vote was called for on the amendment to Resolution No. 24-887 approved at the November 21, 2024, Regular Council Meeting, and the following vote resulted:

Ayes: None

Nays: Kling, Robinson, Little, Watkins, Meredith.

Failed.

**The vote was called for on Resolution No. 24-887, and it was
Unanimously Adopted.**

(RESOLUTION NO. 24-887)

NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION.

(Items 20.x, 20.y, and 20.z were held from the consolidation.)

Motion for Consolidation and Adoption of the following items:

Moved for Approval by Meredith/Seconded by Robinson/

Unanimously Approved.

Consolidated Items:

Resolution authorizing travel expenses.

(RESOLUTION NO. 24-924)

Resolution authorizing the acceptance of donations.

(RESOLUTION NO. 24-925)

Ordinance amending Budget Ordinance No. 24-700, by changing appropriate
funding for various departments and funds.

(ORDINANCE NO. 24-926)

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

(RESOLUTION NO. 24-927)

Resolution authorizing the Mayor to execute Modification No. 1 to the
agreement between the City of Huntsville and James Monaghan, d/b/a Monaghan
Construction, to modify the Job Contracting Services for Community Development

contract awarded at the December 21, 2023, City Council meeting, via Resolution No. 23-1050.

(RESOLUTION NO. 24-928)

Resolution authorizing the Mayor to enter into an Professional Services Agreement between the City of Huntsville, Alabama and UES, LLC, for Cummings Research Park Property Improvements, Project No. 71-25-SP05.

(RESOLUTION NO. 24-929)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and United Controls Corporation, for Professional and Technical Services for Consulting, Installation, Repair, Maintenance, and Support Services for the City's SCADA and Control Panels, Project No. 71-25-SP03.

(RESOLUTION NO. 24-930)

Resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Garver, LLC, for WPC Sanitary Sewer Rehab Construction Observation Services 2024 - Contract 2, Project No. 71-25-SP04.

(RESOLUTION NO. 24-931)

Resolution authorizing the Mayor to execute Change Order No. 2 and Final to the Contract between the City of Huntsville and Mark Johnson Construction, LLC, for Western Area WWTP Phase I Expansion, Project No. 71-22-SF01.

(RESOLUTION NO. 24-932)

Resolution authorizing the Mayor to execute a Termination of Lease Agreement between the City of Huntsville and the Food Bank of North Alabama.

(RESOLUTION NO. 24-933)

Resolution authorizing the Mayor to enter into a Facility Use and Operation Agreement between the City of Huntsville and the Food Bank of North Alabama.

(RESOLUTION NO. 24-934)

Resolution authorizing the Mayor to execute Modification No. 6 to the Lease Agreement between Bailey Cove, LLC, and the City of Huntsville, for a Lease Previously Adopted by Resolution No. 99-351, for property at Bailey Cove Shopping Center.

(RESOLUTION NO. 24-935)

Resolution authorizing the Mayor to execute Modification No. 1 to the Contract between the City of Huntsville and Bostick Landscape Architects, for architectural services for the Big Spring Park Expansion.

(RESOLUTION NO. 24-936)

Resolution authorizing the Mayor to execute Change Order No. 3 and Final to the Contract between the City of Huntsville and Garber Construction, for the Huntsville Aquatic Center Phase 4.

(RESOLUTION NO. 24-937)

Resolution authorizing the Mayor to enter into a Consulting Agreement between the City of Huntsville and Robert Clark, d/b/a Twickenham Pixel.

(RESOLUTION NO. 24-938)

Resolution authorizing the Mayor to enter into a Professional Services Agreement between the City of Huntsville and Elizabeth Manning, d/b/a Elm DesignWorks.

(RESOLUTION NO. 24-939)

Resolution to adjust the salaries of employees in certain positions in assigned departments.

(RESOLUTION NO. 24-940)

Resolution authorizing the City Clerk to invoke Bank Independent Letter of Credit No. 30018076, for Riverside at Butler Basin Subdivision.

(RESOLUTION NO. 24-941)

Resolution authorizing the City Clerk to invoke Bank Independent Letter of Credit No. 30022514, for Preserve at Inspiration Phase IV Subdivision.

(RESOLUTION NO. 24-942)

Resolution authorizing the City Clerk to invoke Bank Independent Letter of Credit No. 30022510, for Preserve at Inspiration Phase IV Subdivision.

(RESOLUTION NO. 24-943)

Resolution authorizing the City Attorney to seek a forfeiture of the surety bond issued by Western Surety Company.

(RESOLUTION NO. 24-944)

Resolution authorizing the City Attorney to settle the lawsuit entitled "Kenneth Shields and Janet Shields v. City of Huntsville, et al., Civil Action No. CV-23-900754," in the Circuit Court of Madison County, Alabama.

(RESOLUTION NO. 24-945)

Resolution authorizing the City Attorney to settle the personal injury claim of Robert L. Rice (Claim FY23-161).

(RESOLUTION NO. 24-946)

Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Gary K. Miller.

(RESOLUTION NO. 24-950)

Resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Charles G. Hawk.

(RESOLUTION NO. 24-951)

Items Not Consolidated:

Resolution No. 24-947, authorizing the Mayor to enter into a predevelopment loan agreement by and between the City of Huntsville and Mill Creek Phase 1, LP, a limited partnership formed in the State of Alabama.

Moved for Approval by Robinson/Seconded by Kling.

Mr. Shane Davis, Director of Urban and Economic Development, said the Council had recently passed a Master Development Agreement among the City of Huntsville, the Huntsville Housing Authority, and McCormack Baron Salazar, for the Choice Neighborhood Mill Creek Redevelopment Project between Clinton Avenue and Governors Drive, just west of Memorial Parkway. He said this had been widely publicized, that they had been going through the master planning for several years, and at this time, they were in the information phase.

Mr. Davis said part of that development agreement had requirements of the HUD funds they had received, the \$50 million, the private investment, plus the City Housing funds of \$40 million, over those eight phases.

Mr. Davis said now that they had a development agreement and had received the HUD funds, they were ready to start the project, and part of that process was a small advancement of their Home Funds, such as the private funds and also the HUD funds, so the City funds. He said this was a predevelopment loan, and he said he thought this was very important, in that once the project stabilized and income was coming back, the development agreement had laid out the timeline and procedures for funds to come back to them. He said this was the first advancement of that, of \$2.1 million. He said the private development side was putting money in, and there were also the HUD funds. He said as to the use of these funds, it was to start architectural, civil site work, the soft costs it would take to get ready to go to construction, to start the architectural of the first two buildings.

Mr. Davis said the Council would see these periodically over the next eight years, as they went through building out this project.

Councilmember Kling asked if the loan was going to be backed by any assets the developer would have to put up, similar to what they had done with

Remington, if for some reason the project did not work out.

Mr. Davis said the short answer was no, that there was not collateral, in that the Huntsville Housing Authority retained ownership of the property. He said there was a collaboration of the Huntsville Housing Authority, the City of Huntsville, HUD, and McCormack, Baron, and Salazar, building the vertical pieces, so that was under a ground lease, and when that ground lease expired, those vertical structures would go back to the Housing Authority, many years from this date. He said what the loan was backed by was future revenue. He said there were three components of the residential piece, and the public housing replacement had a revenue stream through the voucher program, thorough HUD; and there was 60 percent AMI, based on income-based rent; and there was market-rate rent; and those revenues, or that rent, coming in was what the loan was backed by.

Councilmember Kling asked if Mr. Davis was comfortable that the City's interests were protected, noting he thought there was a very high likelihood this was going to fly.

Mr. Davis replied in the affirmative. He said Rod Kanter, their bond counsel, had helped them develop this development agreement, plus the loan documents.

Councilmember Robinson asked if it was correct that this \$2.2 million loan was being funded by the HUD grant.

Mr. Davis said this portion was actually the City's Housing Funds commitment, and in addition to their funds, there were other funds that were helping with this Phase 1, so this was just a small portion, that they were a small, small piece of it. He said the majority of those funds were private equity funds from the developer. He said they had \$50 million in HUD funds coming in, a small portion of City funds, and the rest was all private equity coming in. He said the City was a very small makeup of it.

Unanimously Adopted.

(RESOLUTION NO. 24-947)

Resolution No. 24-948, authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and the Huntsville City Board of Education.

Moved for Approval by Robinson/Seconded by Kling.

Councilmember Robinson said she had held this item because there had been a lot of concern nationally, just as recently as this date, regarding the security of children in schools, and she thought they were taking a big step to ensure the safety of their students.

Chief Kirk Giles, Chief of Police, said as Councilmember Robinson had mentioned, there had been incidents around the country with respect to schools where officers were not able to access the school itself, so with that in mind, they had sat down with Dr. Sutton and his staff to try to be proactive about this. He said he wanted to thank Dr. Sutton for working with them on this, because they would also get actionable intel through the cameras, to tell the officers where they needed to respond, and so forth. He said this would be only in emergency situations.

Councilmember Watkins asked Chief Giles how many fobs would be distributed.

Chief Giles said one would be distributed to each officer, and it would be just under 400.

Councilmember Watkins said it was her understanding that the officers would not go in the school buildings during the day, if there were not an emergency, without going through the front.

Chief Giles said that was correct. He said each one of the fobs would be identified to the officer, and they could do an audit, and if there were an issue, they

would take care of that issue.

Councilmember Watkins said she understood the Huntsville City Schools were going to incur half of the cost, and she asked if that was correct.

Chief Giles said that was his understanding.

Councilmember Watkins inquired as to the cost the City was going to incur for the fobs.

Chief Giles said there was no cost on their end that he had been made aware of.

Councilmember Watkins said she thought Huntsville City Schools was going to pay half, and the City of Huntsville was going to pay half.

Chief Giles said if they were, it was not in the agreement, that he did not see that. He said he could check on that for Councilmember Watkins.

Councilmember Watkins asked how this operated with FERPA, noting it was mentioned in the agreement, but it was not clear.

Chief Giles asked what part was not clear.

Councilmember Watkins replied that it was FERPA, which pertained to the rights of the students, to protect their rights.

Chief Giles said there was mention in the document that they would comply with all state and federal guidelines in regard to that.

Councilmember Watkins said it was not clear enough, that it was very vague. She said it just said FERPA would not be violated, and she asked how it would not be violated.

Chief Giles said he would get with the City Schools on that. He said the City Schools' legal staff had worked on this, along with the City's legal staff.

Councilmember Watkins asked if they were going to be accessing school cameras.

Chief Giles replied in the affirmative. He said the North Alabama

Multi-Agency Crime Center would have access to that. He said access was limited to the people who were assigned to that area.

Councilmember Watkins asked if with that program, they still had it that when someone logged in, it automatically tracked who was logging into that system.

Chief Giles replied in the affirmative.

Councilmember Watkins said she did not need to know the names, or anything like that, but she would like to know, on a monthly basis, how many times the system had been logged into, to have access to Huntsville City School students.

Chief Giles said it was in the agreement, also, that in the first, he believed, 30 days, they would perform an audit and provide that to the school, and after that it was every quarter.

Councilmember Watkins said she would like to have that as well.

Councilmember Watkins asked how many officers had access to log into that system.

Chief Giles said at this time, he would say no more than 10.

Councilmember Watkins asked what "FUSUS" was, noting that it was an acronym referenced in the MOU, on page 7 or page 8.

Chief Giles said he would have to find the one Councilmember Watkins was referring to.

Councilmember Watkins asked Chief Giles why they would need access to the cameras.

Chief Giles said if they were responding to an emergency situation, that, for instance, if there were a shooting going on, officers needed to know exactly where to respond. He said with the schools being as big as they were, and a lot of the officers not having access to floor plans, they might not be familiar with the interior of the school, and, also, this would allow them to have information as to injured people, and

if there were any offenders there, they would be able to identify them, so they would know who they were going after.

Councilmember Watkins asked if Chief Giles was telling her the only time they were going to access the cameras would be when there was an emergency, that other than that, they would not be accessing the cameras.

Chief Giles said that was correct.

Councilmember Watkins said, then, she should not be looking for a lot of reports when it came to the cameras, because if it was only one emergency a year, there should be only one login a year.

Chief Giles said they might have an initial call of, perhaps, a medical emergency, or some other type of threat, and it might not pan out to be that, but they could certainly identify why they were utilizing the cameras for that situation.

Councilmember Watkins asked why they would need to access them when they had SRO officers, as well as Security officers. She asked if it was a medical emergency, which happened all the time at the schools, why they would need to access the cameras, if these SRO officers were already in the building, as well as Security.

Chief Giles said that sometimes the SRO officer might not be available, that he might be tied up on something else, that he might be at another school, or he might need assistance, and that would be what they would be there to provide.

Councilmember Watkins said at Jemison High, Lee High, Grissom, Huntsville, New Century, as well as Columbia, they had at least six to eight Security officers in the building, and she asked why they would need to access the cameras if it was only a medical emergency. She said medical emergencies needed to be specified, because she did not want it to be an emergency where they could access the cameras at any time they got ready. She said she had a grandson who attended Huntsville City

Schools, and she did not feel comfortable with their having access to the cameras 24/7, so that was why she was asking these questions, and she wanted to be specific. She continued that, also, she did not want the City setting itself up for a lawsuit because they were prying into Huntsville City Schools' business, and that was her other question.

Councilmember Watkins said she was aware they were doing this because the Legislature came out with a bill, something about school security, but when she read that bill, she did not see where it said they needed access to those cameras 24/7. She said if it was cameras they needed, if it was a medical emergency, Huntsville City Schools could provide that to them, but she was talking about if there was a catastrophe, or something like that, that was different, but they should not be accessing their cameras whenever they felt like it.

Chief Giles said that was the case, that they would not be. He said he had used the term "medical emergency" as an example, and it might not have been a great example, but there were times when officers were called to a school for different reasons, and if it rose to the level of an emergency, they wanted to be able to have that intel, access to the cameras, to see exactly what was going on, that it might not even require them to be there. He said they had better things to do than to just sit there and monitor the school.

Councilmember Watkins said she had asked Chief Giles a specific question about how the cameras were going to be accessed because she wanted clarity. She said the Huntsville City Schools were separate from the City of Huntsville, that they should be clear about that.

Councilmember Watkins asked if anyone had taken into consideration the fact they were under a Federal Consent Order, if anyone had consulted with the DOJ, or the Judge, to ask about this before it was presented to the Council.

Chief Giles said that was a question for the legal team for the Huntsville City Schools, that he could not answer that.

Councilmember Watkins asked Mr. Riley if anyone had consulted with the DOJ, or the federal judge, before they entered into this MOU.

Mr. Riley said that to his knowledge, no one had. He said a member of his staff had worked on this agreement, worked with the Police, and he would be happy to check with her on that.

Councilmember Watkins said she would like to know, because they did not need to be drug into a federal consent order.

Councilmember Watkins said, to get back to the cameras, that unless it was an emergency, she did not think they needed to be accessing the cameras, that she thought they should only be accessed during emergencies, and as she had said, she would like to know, on a monthly basis, when they were accessed and what the emergency was.

Chief Giles said he was assuming that Councilmember Watkins had seen in the MOU what they defined as an emergency situation.

Councilmember Watkins replied in the affirmative, and she said she just wanted to make sure she would receive the tracking, as to what they were logging in for.

Chief Giles said they both wanted the same thing, and they would provide that.

Councilmember Watkins said it was good that they were on the same page on this, that she appreciated that.

Councilmember Robinson thanked Chief Giles and his team and Mr. Riley's team for the work they had done to coordinate with the School System to ensure that the students were safe, noting that she thought that was their first priority. She said they had students who were leaving the public school systems to go

to home schools because they did not feel safe, and this was one more step they could take to ensure families that their students would be safe in the case of an emergency. She said she did not think it was anyone's intent to use this other than in an emergency, such as an active shooter. She said she had spoken with Chief Giles about the shooting in Uvalde, where the police did not have the first idea where to go to find the shooter. She said access to the cameras would permit HPD to have a look at where the shooter was in the school, that there could be an SRO on one side of the building, and that would not do them any good if the shooter was on the other side, and they would not know where they were.

Councilmember Robinson said she was very confident, first of all, in the integrity of Chief Giles and his officers, in the use of those cameras in that kind of an emergency, and she thought they would all be very grateful they were there.

Councilmember Robinson said what Councilmember Watkins had referenced was on page 4 of the memorandum, the FUSUS system.

Chief Giles said that was referring to the computer software that facilitated this, that it was called FUSUS, that it was an acronym. He said this was the system they currently used and that they had used for the last few years.

Councilmember Robinson said it simply said if during the course of the MOU, the City needed to change systems, it could do so, as long as it informed the Board and ensured that the successor system would operate substantially similar to the FUSUS platform.

Councilmember Robinson said she thought this was a great step forward in ensuring the security of the students, and she appreciated all the work that had gone into making this happen.

Councilmember Watkins said she thought she was clear when she said if it was an emergency, where there had been a shooting, she understood their going into

the building, that she was not protesting that, so they should be clear about that. She said they should also be clear about home schools. She said parents had the ability to send their kids to virtual school through the Huntsville City Schools, and they did not have to come into the building, so that was another option.

Councilmember Kling said he was in support of this, that he liked the idea of the Huntsville City School System and the Huntsville City Government working together for the safety of the children in the classrooms. He said anything that would be a deterrent down the line would be good, that they hoped they would not need it, but if they did, it was good to be prepared. He commended Chief Giles for being proactive about this, noting that he would rather have this in place if something were to happen than to have to be scrambling around and trying to come up with a system after the fact.

Mr. Riley said he would like to add something to this. He said while he had not personally handled the negotiations, his staff member had, and he had heard a good deal about it. He said the Huntsville City Schools were ably and capably represented by their own legal staff, that this was not an agreement that the parties simply reached.

Mr. Hamilton said he had the opportunity to sit in on one of the work sessions with the Superintendent and his staff, along with the Police. He said this was something they had been working on together for quite some time. He said, concerning the questions about their legal review, he had left that meeting with the impression that the Superintendent and his attorneys had looked at it, but he did not think it would be appropriate for him to try to speak on their behalf, that their review was something they would need to speak to, so he thought it was important that Mr. Riley would engage directly with their legal team and ensure that they got the answers on exactly what they had worked out and what their recommendations were.

He said this was what he would recommend when moving forward, and he said he believed Mr. Riley was prepared to engage with them and make sure they got answers to those questions.

Mr. Hamilton said the point about using this when it was necessary for real law enforcement purposes, under emergency conditions, was absolutely the intent, and it was important that they ensure that would be the only way and time it would be used. He said under the current system, one of the challenges was that in an emergency situation like that, where the School System had requested police response, and response beyond just the Security officers, as well as the SROs, that with the responding officers, under the current system, there was a significant time lag in getting information to those responding officers as to where they needed to go. He said this was working collaboratively to get the technology in place where they could shorten that time and get the officers to the appropriate place on campus so they could hopefully save lives. He said it was important that this be the only purpose it was used for, that it would not be used for any other purposes outside that intent.

Mr. Hamilton said he would work with the Chief to put together kind of a standard report that would come back to all of the Council members and would give them regular updates on exactly how the system was being used, so they could look at it, and if they saw it was not being done the way it was supposed to be, they would need to change it. He said they would work to put that together, so the Council would see a report on exactly how it was being used and who was using it, and he thought that would answer any questions that had been asked.

The vote was called for on Resolution No. 24-948.

Roll-Call Vote:

Ayes: Little, Robinson, Kling, Meredith

Nays: Watkins

Passed.

(RESOLUTION NO. 24-948)

Resolution No. 24-949, authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and Providence Classical School.

Moved for Approval by Robinson/Seconded by Kling.

President Meredith said to Chief Giles that a previous speaker had questioned the separation of church and state concerning this item, and he asked Chief Giles to address that.

Chief Giles said the Police Department had a camera-share program that was available to businesses and to citizens. He said the school had reached out to them, asking if they could tie their cameras where they could view them, in a very similar situation as they had just discussed. He said they had then drawn up an MOU with them, and they had signed off on it, and that was the purpose of this item, that it was just a camera share. He said they were proactive about the same concerns they had with the City Schools, that if an emergency situation should arise, HPD would be able to respond accordingly.

President Meredith said he understood the school had asked them for this, that it was not the City of Huntsville saying they wanted to do this, that this was the school asking for this additional security measure.

Chief Giles said that was correct.

Councilmember Kling said he would point out that this was a good cooperative relationship, that they were not getting into religion, that it was just dealing with safety. He said this school, to its credit, did some giving back to the city of Huntsville, that they had a playground there, and the kids in the neighborhood got to use it, and the Old Town Neighborhood Association had events there. He said he

thought there were some other private schools throughout the community where they did traffic safety, signage-type things, that it was not picking one religion over another or making a favorite over another, that it was just trying to work for the big picture, and it was a cooperative thing.

President Meredith said he would like for the Council to be provided this school's use of the program as well, that he would like to compare it. He said he was aware this was a system versus one school, but he would still like to have that information if possible.

The vote was called for on Resolution No. 24-949.

Roll-Call Vote:

Ayes: Kling, Robinson, Little, Meredith

Nays: Watkins

Passed.

(RESOLUTION NO. 24-949)

NEW BUSINESS ITEMS FOR INTRODUCTION.

Introduction of Ordinance No. 24-952, to amend Ordinance No. 89-79, Classification and Salary Plan Ordinance.

Introduction of Ordinance No. 24-953, to amend Budget Ordinance No. 24-700, to modify the authorized strength of various departments.

Introduction of Ordinance No. 24-954, declaring certain property surplus and to be disposed of per Agreement with Managed Asset Recycling Solutions, LLC.

SECOND ROSTER PUBLIC COMMENTS.

President Meredith said this portion of the meeting was reserved for persons wishing to address the Council on matters relating to City business, whether or not such items were on the meeting agenda. He said persons could sign up to speak

on the Second Public Comments Roster prior to or during the meeting, and when called, they should approach the microphone and state their name, home address, and city of residence. He said each speaker could address the Council for three minutes, and speakers shall refrain from entering into a dialogue with Council members or City staff and from making comments regarding the good name and character of any individual.

Ms. Alyx Kim-Yohn addressed the Council, stating she was a resident of District 3 and her address was on file (12023 Chicamauga Tr., SE, HSV), and having signed up to speak concerning "School security."

ADJOURNMENT.

Upon motion, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK

(Meeting adjourned at 7:10 p.m. on December 5, 2024.)