

HUNTSVILLE CITY COUNCIL MINUTES
Regular Meeting - January 27, 2022 - 5:30 p.m.
City Council Chambers, Municipal Building
Huntsville, Alabama

Members Present:	Mr. John Meredith, President Dr. Jennie Robinson Mr. Bill Kling Mr. Devyn Keith Ms. Frances Akridge
Mayor:	Mr. Tommy Battle
City Administrator:	Mr. John Hamilton
City Attorney:	Mr. Trey Riley

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

Rev. Frank Broyles of the Huntsville Association for Pastoral Care led the invocation; Councilmember Keith led the Pledge of Allegiance.

President Meredith stated the next item on the agenda was Approval of the Agenda.

President Meredith asked if there were any changes or additions any of the councilmembers wished to make.

Councilmember Akridge withdrew items 15.a and 15.d. under Board Appointments to be Voted On,

President Meredith stated that under Unfinished Business Items for Action, item 19.b would require four votes for adoption; and that item 20.a, under New Business Items for Consideration or Action, would be taken out of order.

Councilmember Kling moved to approve the agenda, with the changes enumerated, which motion was duly seconded by Councilmember Akridge and

unanimously approved.

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

The minutes of the regular meeting of the Council on January 13, 2022, were approved as submitted.

President Meredith stated the Council would consider item 20.a, under New Business Items for Consideration or Action, at this time.

Councilmember Robinson read and introduced a resolution approving Petition for Final Assessment of certain land located within MidCity Improvement District, as follows:

(RESOLUTION NO. 22-53)

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

President Meredith recognized Mr. Shane Davis, Director of Urban and Economic Development.

Mr. Davis stated that back in 2019, the Council had approved the creation of the MidCity district. He continued that what the district was allowed to do under guidelines of the State of Alabama was to assess themselves more than what the City would assess. He stated this would place no assessments on City property within the district, that it was all on private property. He stated what this would allow the district to do would be to take those assessments and put them back into the district, for things which would typically be paid for by the public, or the City, such as parking garages, public art, and public spaces, which would be enjoyed both by the public and the tenants within the district.

Mr. Davis stated in attendance at the meeting were representatives of the developer for the district who could answer any questions the councilmembers might

have. He stated they should think of this like an HOA, or a commercial fee, within the tenants or the ownership within the district, paying fees to make improvements within the development.

President Meredith recognized Councilmember Robinson.

Councilmember Robinson asked if the City would have any liability on the improvement district bonds.

Mr. Davis replied in the negative. He stated the City would have no nexus to the debt, that the debt was all private debt. He stated that by state law, the Council would just have to approve this in order to allow it to move forward. He stated that the City would have no obligation to the debt or the improvements that would be made within the district.

President Meredith recognized Councilmember Akridge.

Councilmember Akridge asked Mr. Davis to explain why this had to even come before the Council.

Mr. Davis stated state law required it to come before the Council so the Council would know a district was being created and fees were being levied within that district and what they would be used for.

Councilmember Akridge stated that, then, there was no dotted-line connection but a clear explanation of where they were getting their money for the improvements.

Mr. Davis stated that was correct.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 22-53, and it was unanimously adopted.

President Meredith stated the next item on the agenda was Public Hearings to be Held

President Meredith stated it was the time and place in the meeting for a public

hearing on the zoning of 15.94 acres of land lying south of US Hwy 72 West and east of Burgreen Road to Highway Business C-4 District, which hearing was set at the December 2, 2021, Regular Council Meeting.

President Meredith recognized Mr. Thomas Nunez, Manager of Planning Services.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated this property had recently been annexed into the city, and it was 15.94 acres, lying south of US Highway 72 West and east of Burgreen Road. He stated the petitioner was seeking to zone this property Highway Business C-4 District, which was consistent with adjacent properties.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

President Meredith stated that seeing none, the public hearing was closed.

Councilmember Robinson moved for approval of Ordinance No. 21-1186, zoning 15.94 acres of land lying south of US Hwy 72 West and east of Burgreen Road to Highway Business C-4 District, which ordinance was introduced at the December 2, 2021, Regular Council Meeting, as follows:

(ORDINANCE NO. 21-1186)

Said motion was duly seconded by Councilmember Kling and unanimously adopted.

President Meredith stated it was the time and place in the meeting for a public hearing on the zoning of 12.82 acres of land lying east of Old Big Cove Road and north of Camp Ground Road to Highway Business C-4 District, which hearing was set at the December 2, 2021, Regular Council Meeting.

President Meredith recognized Mr. Nunez.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated that this property was 12.82 acres, located east of Old Big Cove Road and north of Camp Ground Road, that it had been recently annexed into the city, and the petitioner was seeking to zone it Highway Business C-4 District, which was consistent with the zoning of adjacent property.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

President Meredith stated that seeing none, the public hearing was closed.

Councilmember Robinson moved for approval of Ordinance No. 21-1188, zoning 12.82 acres of land lying east of Old Big Cove Road and north of Camp Ground Road to Highway Business C-4 District, which ordinance was introduced at the December 2, 2021, Regular Council Meeting, as follows:

(ORDINANCE NO. 21-1188)

Said motion was duly seconded by Councilmember Kling and unanimously adopted.

President Meredith stated it was the time and place in the meeting for a public hearing on the zoning of 3.06 acres of land lying west of Little Cove Road and north of Persimmon Place to Residence 1-A District, which hearing was set at the December 2, 2021, Regular Council Meeting.

President Meredith recognized Mr. Nunez.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated this property had been recently annexed, that it was an existing single-family residence, located west of Little Cove Road and north of Persimmon Place, and the petitioner was seeking to zone the property Residence 1-A District.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

President Meredith stated that seeing none, the public hearing was closed.

Councilmember Robinson moved for approval of Ordinance No. 21-1190, zoning 3.06 acres of land lying west of Little Cove Road and north of Persimmon Place to Residence 1-A District, which ordinance was introduced at the December 2, 2021, Regular Council Meeting, as follows:

(ORDINANCE NO. 21-1190)

Said motion was duly seconded by Councilmember Akridge and unanimously adopted.

President Meredith stated it was the time and place in the meeting for a public hearing on the rezoning of 33.16 acres of land lying north of Plummer Road and west of AL Hwy 53 from Commercial Industrial Park District and Residence 2 District to Residence 2-B District, which hearing was set at the December 2, 2021, Regular Council Meeting.

President Meredith recognized Mr. Nunez.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated this was 33.16 acres of land, located north of Plummer Road and west of Alabama Highway 53. He stated the property was dual-zoned, with Commercial Industrial Park District to the north and Residence 2 District to the south, and the petitioner was seeking to zone the property Residence 2-B District. He continued that the petitioner had offered plat restrictions. He stated that as they were seeking to develop a multi-family development, the plat restrictions would be pertaining to a northern boundary buffer and a western boundary buffer, buffering from the industrial parks that currently existed to the north and to the west. He stated that, in addition, the property owner was seeing to reduce the density controls to Residence 2-A, while still allowing for the Residence 2-B height, to be in compliance.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

President Meredith stated that seeing none, the public hearing was closed.

Councilmember Kling moved for approval of Ordinance No. 21-1192, rezoning 33.16 acres of land lying north of Plummer Road and west of AL Hwy 53 from Commercial Industrial Park District and Residence 2 District to Residence 2-B District, which ordinance was introduced at the December 2, 2021, Regular Council Meeting, as follows:

(ORDINANCE NO. 21-1192)

Said motion was duly seconded by Councilmember Robinson.

President Meredith asked if there was any discussion.

President Meredith recognized Councilmember Keith.

Councilmember Keith asked if there was going to be an access point on Plummer.

Mr. Nunez replied in the affirmative, stating there were two points of ingress/egress on Plummer. He stated that would be assessed at the Planning Commission, via the subdivision development process. He stated that this property, as zoned R 2, currently would only allow single-family. He stated that based on the industrial development to the west, they did not deem it appropriate to allow for a single-family, so the property owner had come to them petitioning to rezone for multi-family. He continued that to stay consistent with the rezoning that was done across the street, from Commercial Industrial Park to Residence 2-A, the density would be exactly the same, although the height would not be. He stated they would be allowed the same amount of units per acre, but they would be allowed to have an additional story, because the property sloped down off the back of the hill, along Plummer, going northward.

Councilmember Keith asked if it was correct that they did not believe there would be any traffic issues, or anything like that.

Mr. Nunez stated that would be assessed at the subdivision component, that Nicholas Nene, a traffic engineer, would assess that. He stated they had asked Mr. Nene to look at it in advance, and he would see there was a potential of approximately a five-percent increase at the peak hours.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Ordinance No. 21-1192, and it was unanimously adopted.

President Meredith stated it was the time and place in the meeting for a public hearing on the rezoning of 7.82 acres of land lying south of Rochell Drive and east of Blue Spring Road from Residence 1-A District to Residence 2 District, which hearing was set at the December 2., 2021, Regular Council Meeting.

President Meredith recognized Mr. Nunez.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated this property was located south of Rochell Drive and east of Blue Spring Road, and the petitioner was seeking to rezone the property from Residence 1-A District to Residence 2 District, for a proposed townhome development.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

President Meredith stated that seeing none, the public hearing was closed.

Councilmember Robinson moved for approval of Ordinance No. 21-1194, rezoning 7.82 acres of land lying south of Rochell Drive and east of Blue Spring Road from Residence 1-A District to Residence 2 District, which ordinance was introduced at the December 2, 2021, Regular Council Meeting, as follows:

(ORDINANCE NO. 21-1194)

Said motion was duly seconded by Councilmember Keith.

President Meredith recognized Councilmember Keith.

Councilmember Keith stated this was a good day for District 1. He asked Mr. Nunez for a description of this development.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated with this particular development, there was some assessment of the land overall. He stated that as it was currently zoned, Residence 1-A District, it would allow for single-family only. He continued that this rezoning would allow them to move to a potential townhome development. He stated that as the assessment of the land was done, there were some wetlands found, some low points that would need to be preserved in their natural state, which would essentially hinder the land from being developed in a traditional, single-family form. He continued that this was also a pocket, and he stated that as they had looked at redevelopment in Huntsville overall, through the BIG Picture, they had found this area to be missing middle housing, and townhome development would fit appropriately.

Mr. Nunez stated some concerns had been raised in regard to the style of the homes, which he noted they did not get into on a traditional level, but, nevertheless, he had a proposal of what would be approximately 17 townhomes. He stated they could see that a substantial amount of the property, approximately four acres, would kind of be preserved in its natural state. He stated it was directly adjacent to the beginning point of what would be considered the original Blue Spring, which also had some natural conservative components as well.

Mr. Nunez stated additional concerns were related to traffic within the neighborhood, noting this was the ending portion of an adjacent road that tied to this

parcel. He stated it could not be accessed to the south because there were approximately four or five homes that blocked access to the north of that parcel, so the only point of egress/ingress would be the ending point of Rochell Drive, which had always been the terminus end and a point to access that landlocked parcel. He continued that there would be a road extended, with an alleyway proposed, for this development.

Mr. Nunez stated he would show a depiction of the proposed townhomes, which he noted would be mostly brick material, which they had deemed would fit into that market. He stated the homes on Rochell Drive were mostly brick homes, noting that they were from the 1970-1980 era. He stated they deemed it appropriate within this zoning to find some middle housing allowable in the area.

Mr. Nunez stated this was directly adjacent to the Richard Showers Center, and the petitioner had offered a plat restriction to create a buffer. He stated this was not required by ordinance or any other regulations, but he had offered to create a buffer between the current Richard Showers Center and the ball fields that existed just to the west.

Councilmember Keith stated Mr. Nunez was being very humble, that what he was basically saying was they had found a piece of land they thought no one could develop on and had found a way to do it. He stated that as many persons were aware, he had been pushing, with Mr. Davis, the Mayor, and the support of the Council, to infill North Huntsville with the best homes, because it was the best district in Huntsville, and they had found another opportunity to do so.

Councilmember Keith stated that why this was unique, in terms of the city, was finding people of the community to invest in the community, and he stated this was the development of the superstar himself, Mr. Trey Flowers. He stated this was an individual from the community who had gone off, and started his career, and then

looked to have his investments back in the community. He stated that when Mr. Flowers had come to them approximately two years prior, Mr. Nunez had sat with him and driven around with him, and they had found a piece of property that was adjacent to a City parcel and seemed like it could not be developed, but it was now being invested in, to bring something the North Huntsville community had not had in over a decade, or perhaps even more, at that high level of quality. He stated this was a big moment, and he was very proud of Mr. Nunez. He stated Huntsville was blessed to have the investment of people who were born in this community and were now back into the community, investing in the community. He stated that North Huntsville welcomed Mr. Flowers, and all of Huntsville was blessed to have him investing in the community.

Councilmember Robinson stated they needed more projects like this one in established neighborhoods, noting it would keep the neighborhoods strong and the schools strong.

Councilmember Akridge asked what the precipitating event was that had created the request for rezoning, from Residence 1-A to Residence 2.

Mr. Nunez stated it was the fact the land itself had some environmental constraints on it. He stated 1-A would allow for a maximum of 75-foot frontage, with 12,000 square feet per lot, so they could have gotten only about four lots on the property overall. He stated to extend the road approximately 600 or 700 feet was not an equitable point to extend for four lots. He stated that in addition to that, there would be some significant constraints on even potentially developing those four lots for single-family because of the hindrance of having wetlands and some natural components that already existed that they wanted to keep in place as well. He stated this was an opportunity they had nestled within the community that would sit vacant for decades to come, and currently had.

Mr. Nunez stated that through the BIG Picture and through Dennis Madsen and his staff, they were seeking to find these small components and opportunities to revitalize particular areas within the city, to have new investment and new opportunity of people purchasing homes, and staying for the long run.

Councilmember Akridge stated Mr. Nunez had mentioned "hindrance to development," and she stated this was a hindrance as to having a lot of lots, but it was something environmentally they wanted to preserve, as well as bring a product that was very much needed throughout the city. She stated this was a win-win, and she hoped they would do more of this, in many areas, and that people would begin to see that townhomes, and apartments, could be a good thing for the city; otherwise, they would keep spreading out. She stated this kind of density was what she had been looking for, with her concerns about spreading out. She stated that the fact they were doing both was very reassuring.

President Meredith recognized Councilmember Kling.

Councilmember Kling stated he loved it when they were able to do these types of projects in challenged areas, or areas that needed for something good to happen, or there was land that was being underused, and they would be able to come in with something like this.

Councilmember Kling congratulated Councilmember Keith on this, noting it was always great when a councilmember could roll up their sleeves and work with staff to make something happen. He stated it was great that instead of growing out, they were taking care of what they had on the inside.

Mr. Nunez stated they were going to continue to work with the Council to present such opportunities and make sure they continued to advance the city appropriately.

President Meredith called for the vote on Ordinance No. 21-1194, and it was

unanimously adopted.

President Meredith stated it was the time and place in the meeting for a public hearing on the repeal of the plat restrictions established on the Boundary/Minor Plat of "Wallstreet," as recorded in Plat Book G, Page 375, of the Probate Records of Limestone County, Alabama, which hearing was set at the November 4, 2021, Regular Council Meeting, and postponed at the December 16, 2021, Council Meeting to this meeting.

President Meredith recognized Mr. Nunez.

(Mr. Nunez made a PowerPoint presentation.)

Mr. Nunez stated this item was before the Council and postponed at the December 16, 2021, Regular Council Meeting. He stated the Council had heard many of the concerns of the constituents, and they were in attendance at this meeting. He stated he had been in constant contact with the representatives of the property and also the representative of the community. He stated that Mr. Peebles was seeking to lift a plat restriction that allowed for single-family detached only. He stated Residential 2 zoning allowed for a single-family detached and single-family attached, commonly referred to as "townhomes."

Mr. Nunez stated if they looked at the aerial photography, they would see there were other lands adjacent that had R 2 zoning. He stated Mr. Peebles was seeking to have the same opportunity as adjacent property owners.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

Ms. Patricia Ward, 2620 SW Rabbit Lane, Madison, Alabama 35756, appeared before the Council, stating that her property adjoined the Wall Street property, to the east of that property.

Ms. Ward stated that she and her husband had a small farm at the corner of

Wall Street and Rabbit Lane, and this property, when the City of Huntsville was seeking to annex into Limestone County, was extremely pivotal, that the developer of the Rockhouse Landing Subdivision was interested in annexing into the city and had approached them and asked them to please annex into the city of Huntsville.

Ms. Ward stated that after attending several of the planning meetings the Planning Commission was having, two of which she specifically remembered being held at the Airport, they had begun to realize there was some real value in the annexation, so they had annexed into the city.

Ms. Ward stated that with her at this meeting were some individuals who were residents and concerned citizens of Southeast Limestone County and Southwest Huntsville. She stated they had organized many years prior, and they had the opportunity to fight a landfill and also a garbage dump, as well as several other things.

Ms. Ward stated they were in attendance at this meeting to ask them, Huntsville City, if they would honor their original commitment in zoning this Wall Street property, for it to remain R 1, single-family detached homes. She stated their community was a very vested community, that they were small, and they were very humble and would very much like to see a property that was beautiful for this particular area, noting that, in their opinion, this area was extremely beautiful. She stated they would like to see quality homes, no more of the Hunter Homes and the like. She continued that they would like to see streets widened, and they would like to see sidewalks on the outside of the subdivision. She stated they would like to see Wall Street widened and probably Rabbit Lane widened.

President Meredith stated to Ms. Ward he hated to cut her off, but she was getting away from the plat restriction issue.

Ms. Ward stated their hope was that the Council would honor the original

zoning, R 1. She stated her group certainly wanted to thank them for providing them the opportunity to speak with the developer, or the property owner, which they had not yet had the opportunity to do. She stated they would certainly appreciate the Council if they would in fact do that. She thanked them for their position at the last meeting concerning this matter, to delay voting on this particular item.

Ms. Ruth Swan, 27576 SW Wall Street and 27624 SW Wall Street, appeared before the Council, stating she and her husband were part of a group that was concerned, noting they would like to keep the current zoning, R 1, single-family detached dwelling. She stated they were concerned they would have more Hunter Homes, prefab, manufactured homes, apartments, Jim Walter Homes, and they wanted high-quality homes, with people who were invested in their property. She continued that they wanted to maintain the woods that were currently there as they were, for a buffer for the people who owned along Rabbit Lane. She stated there were woods and a lot of animals out there, and they wanted to maintain that habitat for their environment. She stated they wanted to make sure the City did an environmental study, to see that they would not be endangering any animals or any plants.

Ms. Swan stated they had flooding along the southeast side.

President Meredith interrupted Ms. Swan, as to the subject matter.

Mr. Byron McGlathery, 2866 SW Rabbit Lane, appeared before the Council, stating there were a group of concerned citizens of Southeast Limestone County, Southwest Huntsville. He stated he wanted to go back into the communication issue. He stated that Mr. Nunez was stating he had communicated with them, but they had to reach out to the councilmembers before they got any communication on what was transpiring, that they had no idea. He stated the Council had told Mr. Nunez they needed to have a meeting prior to this date concerning what development was going

to take place. He stated they had sent emails and had reached out to Mr. Nunez before they could find out any information as to what was going on.

Mr. McGlathery stated he had another concern, and he stated he would go back to the planning/zoning committee. He stated when this issue came up again, communication was not forthcoming to all residents who bordered that particular property. He stated it had been referred to that communication that was supposed to be coming to him had been mailed to his previous address, and he stated that was not the case, because he was a friend of the family that was at that address at this time, and they kept his mail, and he went and picked it up, and that notification never happened.

Mr. McGlathery stated he had looked at the agenda, and especially the original agenda, when this item had first come up, and every single development that was changed to District 2 had been in northwest or southwest Huntsville, that he did not see anything over in Big Cove or in New Market.

President Meredith stated to Mr. McGlathery that he hated to interrupt him and cut him off, but that was something they could not talk about at this time.

Mr. McGlathery stated he was just giving them some references. He stated they had the information because, obviously, they had approved a lot of these things.

Mr. McGlathery stated that this New Hope community was families that had been there for years, that it was not people just moving in. He stated that when they had that first planning meeting, the Planning people appeared to be saying the citizens in that area really did not matter because they were not in Huntsville city, that the only ones they were concerned with were the ones that bordered this particular piece of land they were trying to get rezoned.

Mr. McGlathery stated he took offense to that, that the Council was there to look out for all citizens, not just the few that had the money, that they should be

looking out for everybody and making things equitable and fair all over. He stated they should not want to put all the apartments and duplexes in one area, noting that was what he saw.

Mr. McGlathery asked the Council when they voted on this to really consider changing this zone ordinance. He asked how many of the Council members would want duplexes put up in the back of their houses, their property, and how many of them wanted to have apartment buildings behind their property.

Mr. McGlathery stated they were sitting on several acres of land there, and they did not want to see it developed with anything. He stated the City was saying it was going to be quality, and he understood what they were talking about. He stated his group did not have a problem with the development, that that was not the issue. He stated the issue was what the Council would allow to be put in there. He stated that Councilwoman Akridge had said the Huntsville City Council had control over the zoning ordinance, and that was what they were asking, that they were asking that the Council just consider them and not just say that they were out there in the country, in a rural area, and they didn't matter, that they would just put anything out there and they would be satisfied.

Mr. McGlathery asked that when the Council made their decision on this matter, they please consider the citizens of Southeast Limestone County/Southwest Huntsville.

Mr. McGlathery stated to President Meredith that they were his constituents, that President Meredith represented them, and they wanted to know he was representing them and supported them.

Mr. Jason Edwards, New Hope Road, appeared before the Council, stating they appreciated the Council for having some reach-out with them. He stated they were all a unit from different genres of life, and they all had just one

understanding. He stated they knew something was going in this location, and they did not have a problem with what was coming, that it was just that they wanted it to be kept almost in its natural habitat. He stated they were in a rural area, and there were some things they saw daily, and it was kind of like, "Oh, my gosh, they are coming; they are coming." He stated they kind of wanted to keep their natural state, if so be it. He stated it was not that they didn't want to see anything coming; it was that they just wanted to be able to still have what they had before.

Mr. McGlathery stated he had lived in D.C. and other places, and it was just that there was no place like home. He stated it was not that they wanted to look at certain people in a certain way, that it was just that they wanted to try to keep the environment a certain type of way.

Mr. McGlathery stated that at this time, houses could be built, and as they saw it, that was going to open the door for something else. He stated they would love to have the houses, but they just did not know what taking the single-family homes out of that location would do.

Mr. McGlathery stated all the people in attendance at this meeting concerning this matter wanted to thank them for letting them be in the city of Huntsville. He continued that they just wanted to know what might happen.

President Meredith stated that as the councilmember for this district, he looked forward to meeting with these constituents and discussing some of the broader issues Ms. Ward had mentioned.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, stating that she had been to a lot of the Zoning and Variance and Planning Commission meetings, and people would show up and complain and beg for things not to be taking place. She stated it seemed to her that the developers were running things and telling everybody what to do. She stated that the Planning Department had to bring it

to the Council, and then the Council would have to okay it. She asked what about the public that cared about what was going on. She stated there needed to be more meetings, more communication, but that was not happening in the city. She stated they brought something up; it was presented; and it was voted on; and then out the door. She stated that somebody somewhere had to slow down the zoning and variance board and the Planning Commission in the City. She stated the Council was supposed to be working for the public and not the developers, and they should think twice before they just changed zoning and changed zoning, the variances and setbacks and everything.

President Meredith attempted to interrupt Ms. Reed.

Ms. Reed stated they were redoing everything in the city.

President Meredith stated it was not the fact that Ms. Reed was talking, that it was just that she was not talking about the issue before the Council at this time. He stated the Council appreciated her comments.

Mr. Tom House appeared before the Council, stating he represented the Peebles family and noting that Mr. Woody Peebles was in attendance at this meeting. He stated that the Peebles were not developers, that they were owners. He continued that Mr. Peebles was born and raised in southeast Limestone County, and his parents were from Limestone County, that they had been part of that community for many, many decades.

Mr. House stated the development they were talking about, Wallstreet, was a plat that had not been divided into lots. He stated the property was currently zoned R 2, but there was a restriction on the plat limiting it to R 1 because there was not adequate infrastructure at the time, noting this had been 10 or 15 years prior.

Mr. House stated it was understandable that the people living in the community wanted to know what was going to happen. He stated they were not the

developers, and they could not promise how many lots would be there, but he could tell them that their goals were going to be consistent with the goals of the people in this area.

Mr. House stated the property values in that area, because of the explosion of development, had gone up dramatically. He stated the owner felt the highest and best use of this property was residential. He continued that the way they thought the plan should be was if they did nice stuff, it kept the property values up, so this approximate 200 acres of farmland of the Peebles family would increase in value with development.

Mr. House stated it was their plan to do this and to cause it to be as nice as they could. He stated that was financially smart, that one would want to keep their property values up. He stated one of the worst things he could imagine would be in the part that was not zoned, for someone to come in there and put in a project that would destroy all the property values. He continued that, in his estimation, the best way to keep that from happening would be to have the property values as high as they could get them so it would discourage those types of developments.

Mr. House stated that "single-family detached" did not guarantee what type of housing they would have in there. He stated there were a lot of nice developments under R 2, that it depended on the developer.

Mr. House stated he thought it might help a little to just explain how they had gotten to this point. He stated they had a contract earlier in the year, but they did not have a contract at this time, that there was no site plan, there was no proposal to divide this property into lots.

Mr. House stated that they had an attorney for the developer propose to the Planning Commission to repeal this restriction, because it was very important to them to have the flexibility to put some R 2-type development in this broad acreage.

He stated they had started that in June, and the contract had fallen apart.

Mr. House continued that in talking with the Planning Commission, and with the petition that was started, what they were trying to do was remove this one hurdle so there would be more certainty, as far as another developer, that if they could manage to get another contract, they would know that the zoning was R 2.

Mr. House stated that whatever decision the Council might make at this time would help them have certainty on what to do concerning this matter. He stated they really believed this was a reasonable request. He continued that the property to the south was not zoned, and the property to the east was zoned R 2. He stated they were respectfully asking to be able to do with the Peebles property what their immediate neighbor, who had hundreds of acres zoned R 2 east of them, was doing.

Mr. House stated this was opinion, that the Council members knew their city, but, in his opinion, if they had a good development in that area, residential, that would justify the infrastructure being improved, the bigger roads, all the things that came with development.

Mr. House stated they believed their goals were very consistent with their neighbors' goals, and they wanted to be good neighbors.

Mr. House stated he would be glad to answer any questions at this time, and he stated he really appreciated the time, just being able to explain a little bit more about what they were doing.

President Meredith recognized Mr. Shane Davis, Director of Urban and Economic Development.

(Mr. Davis made a PowerPoint presentation.)

Mr. Davis stated he might be the only department head who was with the City when this had happened, noting that he was starting his 22nd year with the City.

Mr. Davis stated the councilmembers might recall that the City had done a

Western Annexed Land Master Plan with a national planning firm back in the mid 2000s, that they had master-planned their annexed lands of Limestone County, which he noted included properties north of I-565 and properties south of I-565, around the airport. He continued that part of that was the Rockhouse Landing development and companies around the airport, as they could see displayed on the screen.

Mr. Davis stated that in that planning process, like they did with any other portions of the city, they started with something that was heavy industry, like the airport and the Jetplex Industrial Park, and they started zoning compatible uses around that, and then they would get softer and softer and softer, until they got into pure residential.

Mr. Davis stated when they had gone through this master planning, they had residents wanting to be in the city of Huntsville, and they had petitioned to annex in. He continued that by state law, they had to zone these properties once they were annexed into the city. He stated that at the point when they started annexing and zoning this property, there was not adequate sewer infrastructure there. He stated the R 2 for this particular tract was one of the early annexations, and once it was annexed and zoned, they could not prevent a private property owner from developing their property. He continued that what they wanted to do was to protect the area, so the R 1 restriction would have allowed larger lots for septic tanks, much like they would have in the county, because they could not get sewer there.

Mr. Davis stated that as of this time, the City had put millions of dollars into this area, and sewer was available.

Mr. Davis stated the property owner had requested to take that plat restriction off, such that this property would be identically marketable, or in an identical form, to the adjacent R 2 zoning there.

Mr. Davis stated if they looked at the display, they would see there were heavier, denser uses close to the Airport, and then they would get R 2, which was single-family detached and attached, and then as they got further west, it got more traditional, with the R 1. He stated that was pretty traditional zoning throughout the city.

Mr. Davis stated he wanted to explain why that restriction was put on there, and it was that the City wanted to protect the environment and the conditions. He stated he understood the community's concern, that those were great concerns and concerns they should have. He stated the point he wanted to make was that on the adjacent R 2 property, the type of development they were concerned about could occur. He stated that whether the Council voted to lift or to keep the restriction, some of the concerns of the community could still occur in that existing R 2.

Ms. Jones, Rabbit Lane, appeared before the Council, stating it was her understanding that rezoning a subdivision required the City to notify the public.

President Meredith stated to Ms. Jones that was outside what was on the floor for discussion.

Ms. Jones stated their purpose was to protect the public health, safety, environment, and general welfare of their community. She stated that Article 73, Supplementary Regulations and Modifications, with emphasis on Article 73.17.3, 73.17.4, and 73.17.5, addressed these issues. She stated they required public hearings for all parts of the development process, and they also required clear communication on the development process. She stated they were requesting concept drawings for any development proposed. She continued that they were setting a standard for retaining tree buffers, screenings, and/or green space between future development and the community, cemeteries and all homes within 500 feet of the development. She stated they would like to minimize land development within such buffers by

establishing buffer zone requirements and requiring authorization for any such activities.

President Meredith stated that seeing no other speakers, the public hearing was closed.

President Meredith stated that Ordinance No. 21-1110 was on the floor for consideration.

President Meredith recognized Councilmember Keith.

Councilmember Keith stated he believed the reason this matter had been postponed was because of the uncertainty on notice, if he recalled correctly. He stated he just wanted to get some level of clarity. He asked if since the postponement of this matter, there had been contact between the individuals and the individuals who were seeking the petition. He stated that clarity had been given about the contract. He stated he would concede to the Councilman for that district, but he just wanted to get clarity because he had actually moved to postpone this matter. He asked if the individual had committed to reach out as to what the potential development would be. He asked if they could get a commitment in that sense, that if there was an approval of an agreement to a development, they would then give notice.

Mr. Davis stated, as a point of clarification, that what the Council would be voting on was not a request for rezoning, noting he believed there had been some confusion concerning that. He stated what was before the Council at this time was not to rezone the property, that it was simply on a plat restriction that had been placed. He stated Mr. Nunez had been in contact with the property owner, based on the last meeting, to see if there was a development plan they could share. He continued that he believed the Council had heard at this meeting that there was no contract for development. He stated that Mr. Nunez had also had conversations with members of the community.

Mr. Davis stated that whether the Council voted "Yes" or "No" on the plat restriction, the process that a previous speaker had described was still in place, so any development layout would go before the Planning Commission, with public notice, and with public comment, and then ultimately come before the Council to also have public comment and approval. He continued that whatever the Council would do at this time on this matter would not move anything forward in a secret-type fashion, that there would still be several public steps in order for the property to ever be developed, and adjacent properties, of course.

Councilmember Keith stated that the councilmembers understood that, that he just wanted to make sure the public understood that the process did not change, including Mr. Nunez and including the Council, and that when there was an agreement and there needed to be a change to the zoning of a potential development, the public would still have the opportunity to be heard, and to have the perspective of moving forward with any development agreement that would affect this property.

Mr. Davis stated that was absolutely correct.

President Meredith recognized Mr. Nunez.

Mr. Nunez stated he had been in contact with Ms. Ward, that he had not contacted every single individual within the neighborhood. He stated Mr. McGlathery's wife had contacted him, and he had responded immediately. He stated the responsibility he had from the Council was if there was a particular development, to provide that to the community. He stated he would continue to uphold that agreement. He stated there was currently no development, as Mr. House and Mr. Peebles had stated. He stated they were farm owners, they were landowners, and they were seeking to lift a plat restriction, to be equal to the neighbors within that area. He stated that once there was a proposal, once there was a development, Mr. Peebles or Mr. House would have to approach the Planning Commission. He

stated that at that point, the Planning staff would then contact Ms. Ward, as Ms. Ward was sitting as their civic association liaison, or president.

Mr. Nunez stated he had not contacted Mr. McGlathery directly, that Ms. Jacqueline McGlathery had emailed him, and he had responded immediately. He stated that at 11:30 the previous evening, he had emailed them and informed them that there was no development, and he had also emailed Mr. House, to let them know that the meeting at this time was a public meeting to continue to speak in regard to their concerns and the issues related to them.

Mr. Nunez stated they could not answer concerns related to development, that they could not answer questions related to roads and infrastructure at this particular time because there was no development. He stated he would continue to uphold the responsibility the Council had given him, and, in addition, his responsibility, as a planner, to inform the public. He stated he had direct contact with one individual, that he and Ms. Ward spoke, via email, one or two times every two weeks. He stated he had told her there was no new development. He continued that she had asked him to come and speak to the civic association and give them additional information. He stated he would continue to uphold those responsibilities. He stated that, in addition, they were seeing a significant amount of growth in this west Huntsville corridor, based off of what the City Council had approved, in northern portions and in this area. He stated they would continue to see more development, that there might be other requests. He stated that at this time he had a point of contact, so he could get to the community directly and have those engagements.

President Meredith recognized Councilmember Keith.

Councilmember Keith stated to members of this community that the Council wanted to get clarity for them, and he stated he wished everybody cared about their community the way these citizens did, to drive this distance to get to City Hall. He

stated what they had been doing with their dialogue was trying to understand how they could actually help these citizens. He stated he would concede on this to the councilmember who was their representative.

Councilmember Keith stated he did not want these citizens to ever think that Mr. Nunez was not an individual who would not fight for high standards and perspectives for their communities. He stated Mr. Nunez was a byproduct of communities such as theirs, and he would fight it in that way. He stated he did not want there to be tension between the Planning Department and these members of the public. He stated they should have the standards for their community they had, and he would promise them that Mr. Nunez was in his position because he kept those standards for the communities.

President Meredith recognized Councilmember Kling.

Councilmember Kling stated he believed it might be helpful for the neighborhood to know about something that might provide a little bit more of a comfort level for them, as far as communication. He stated they had talked to the Planning Department, and they had put in place that if there was any type of notification for a rezoning, et cetera, that would take place, it would not just be the developer saying, "Trust me. I have mailed it out to the property owners within 500 feet," that they had a process where the developer had to bring the letters down, and the Planning Department checked the list, and then they would be mailed out. He stated that all of this was done with adequate advance time as far as the mail, to ensure there would be notification to the residents within that proximity in the future should something come up. He stated it was a good process the Planning Department did, and he hoped this would give citizens just a little bit more comfort down the line, that these were good folks, and they were going to make sure that persons would have proper notification.

President Meredith recognized Councilmember Akridge.

Councilmember Akridge stated she needed to repeat some things that had been said that had clarified something for her, and she stated this property was already zoned R 2. She stated a Master Plan was to use the best brains of the Planning Department, plus the Engineering Department, to ask how they could make the city become the city they wanted it to be, once they were annexing.

Councilmember Akridge stated they were not taking this property. She asked if Mr. Davis had said this was in 2002.

Mr. Davis stated that it probably started then and finished up in about 2005.

Councilmember Akridge stated it was great there was this opportunity to have a Master Plan. She stated what was clear to her was that people really did not understand what R 2 was. She stated that maybe it came as a surprise to these people, but that whatever had happened, it had always been R 2, and the plat restriction they were being asked to lift, by the Peebles family, who were the landowners, was so it could go back to being able to be marketed as an R 2 community. She stated the only reason the restriction was on there was because there was no sewer out there, and they did not want somebody to say, "I now own this land, and you said I could put these kinds of houses out here in R 2, and you don't have sewer," and then force you to do sewer too soon. She asked Mr. Davis if that was a fair summary.

Mr. Davis stated that or to encapsulate, or impair, the property with too many septic tanks and to have problems in the future. He stated they were trying to protect the area. He noted that R 2 was a very common zoning throughout the city.

Councilmember Akridge asked if this allowed for townhomes.

Mr. Davis stated that it did, as well as single-family detached.

Councilmember Akridge stated that neither the Council nor the

Planning Commission had any control over the product. She stated to the residents of this area who were in the audience that she understood their fear, but the good thing about capitalism was that people would make a good decision about how to maximize their investment. She stated she did not want to lead them astray, to think if they kept the plat restriction, there would be some control over the product, that with the person who would come in doing R 1 homes, basically single-family homes, nobody would have any control over their product.

Councilmember Akridge asked if that was a fair summary.

Mr. Davis stated that it was, but he would add something, which President Meredith could attest to, being on the Planning Commission. He stated they had seen layouts come through, that the Planning Commission would ask for layouts and quality, and when there were concerns from the community, the Planning Commission would vote it down.

Councilmember Akridge stated she did not believe the Planning Commission could say they had to put up brick, that they could not put up aluminum siding.

Mr. Davis stated that was correct, but they could push for the buffers and the green space, those types of things that placed more cost and a higher elevated type development and bring that before the Planning Commission. He continued that if the developer was unwilling to do that and wanted to just put the bare minimum standards in, that in many cases, the Planning Commission would vote "No" for that moving forward.

Councilmember Akridge stated that what she was hearing was that people did not want that kind of a home, that they did not want that kind of a product. She stated that what the City public process could control was what kind of sidewalks, what kind of environmental protections, what kind of buffers, things that would make it a livable community that was integrated into the rest of the area. She stated they

had that protection, but nobody along the way could ever force a builder, or a developer who would sell to the builders the lots, what kind of siding to put up. She stated she just had faith that in this market, people would want to maximize their investment and make the most attractive units so they would get the highest price.

Councilmember Akridge thanked Mr. Davis and Mr. Nunez for explaining that the only reason the plat restriction was there was because there was no sewer in the area at that time, and there had always been the ability to have the R 2 zoning, which included, if the developer wanted, some townhomes. She stated she had to try to be as consistent as possible, and she stated she knew density was important so they did not keep spreading out, that that was what was helpful for the environment also, to make sure they used whatever land they could. She stated if some of the previous speakers were farmers, they wanted to get the most out of their yield, that whether it was corn or they were growing houses, they wanted to do the best they could with the land they had, and that was what was consistent in this matter.

President Meredith recognized Mr. Davis.

Mr. Davis stated there was one thing he wanted to say because he knew Mr. Nunez and himself and their staff really cared about the community, and there was a bad taste about a product that had been put in that area several years prior, and it was a bad taste in the City of Huntsville's mouth also. He stated they had some of that going on pre-recession. He stated the Planning staff and the Engineering staff had modified a lot of their regulations, such that they had not seen that type product or that type layout in over a decade because when that had started showing up in the community, they were not proud of it, and they had started making regulatory changes so that would not become a pattern.

President Meredith recognized Councilmember Robinson.

Councilmember Robinson asked, now that the conditions that required the

plat restriction no longer existed, that there was available sewer, if the plat restriction was lifted, the zoning would immediately become R 2 or if they would have to go through the process to apply for the R 2.

Mr. Nunez stated the property was currently zoned R 2, and the restriction would be lifted immediately.

Councilmember Robinson stated that, then, it would immediately become an R 2 property.

Mr. Nunez stated that was correct.

Councilmember Robinson asked if it was correct that R 2 zoning did not permit apartments.

Mr. Nunez replied in the affirmative.

Councilmember Robinson stated that, however, R 2 zoning permitted townhomes.

Mr. Nunez stated that was correct.

Councilmember Robinson stated that a concern she had heard over and over was regarding the quality of construction, that the Hunter Homes project was adjacent to this neighborhood, and that created a bad precedent, which she believed was what was being referred to by Mr. Davis.

Councilmember Robinson stated another concern she had heard was maintaining the natural environment. She stated that zoning of any kind did not determine the quality of construction, or whether there were buffers, or the tree line left up, or anything else, that that would come later on. She stated that once the restrictions were lifted, it would become R 2, and then the family could begin the process of finding a developer, and then it would go through the process, which would at every step provide for public input.

Mr. Davis stated that was correct.

Councilmember Robinson stated she believed that would actually result in a better product, since they would be better able to control the process, since there was no development on the table.

Councilmember Akridge asked Mr. Davis if it was correct that they had some control over the type of product.

Mr. Davis replied in the affirmative, stating they had modified their lot setbacks and their layouts, side yard easements, and rear yard setbacks, such that that highly dense, vertical product they would not see in the market. He stated Madison had a similar issue, and they had modified theirs also, and that was why people had not seen that product built in many, many years, that it was almost impossible, in the city's zoning, to build that.

Councilmember Akridge stated she believed the residents in this area wanted some input into what would get built, and she stated that would happen with both the subdivision layout process and the Planning Commission's decisions. She stated they would need to stay in touch with Mr. Nunez, who had been doing a good job with this, and they would get the sense of involvement they needed.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Ordinance No. 21-1110, and the following vote resulted:

AYES: Keith, Kling, Robinson, Akridge

NAYS: Meredith

President Meredith stated the motion had carried.

President Meredith stated the next item on the agenda was a resolution authorizing the City Clerk-Treasurer to assess the cost of cutting overgrown grass and/or weeds against certain properties.

President Meredith recognized Mr. Scott Erwin, Manager of Community

Development.

Mr. Erwin stated this was a public hearing on a resolution that would authorize the Clerk-Treasurer to assess the cost of cutting overgrown grass and weeds against certain properties. He stated the resolution covered 26 properties, for a total amount of \$7,959.91. He stated that 11 of the 26 properties had non-local owners.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

There was no response.

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

(RESOLUTION NO. 22-40)

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

President Meredith asked if there was any discussion.

Councilmember Robinson stated that more than half of these properties were non-owner occupied, assuming they were rentals, or investment properties. She stated she again had concern about particularly out-of-town landowners not caring for their properties. She stated she had a meeting the prior day with neighborhood associations to discuss where they were with some way to be able to contact out-of-town landowners and maintain the quality of rental properties, and the impact they were having on neighborhoods. She stated these numbers showed they had a concern that needed to be acted upon.

President Meredith recognized Councilmember Akridge.

Councilmember Akridge stated that to put an even more important name on, quote, out-of-town owners, that these were hedge funds, that this was Wall Street,

that it was where the money was, and it was on secondary money markets, that it was huge. She stated she could not imagine why they could not send notices to XYZ Corporation and LLC in California and hold them responsible. She stated they had the right to own property in this city, but they did not have the right to ignore it. She stated they needed to figure out a way that their existing ordinances were upheld by what she would call "Wall Street."

Councilmember Robinson stated they should also note that three of the properties were owned by the same investor.

President Meredith called for the vote on Resolution No. 22-40, and it was unanimously adopted.

President Meredith stated it was the time and place in the meeting for a public hearing in order to hear and consider all objections or protests, if any, for removal of a nuisance at 2111 Hill Street, NW, Huntsville, AL, which hearing was set at the January 13, 2022, Regular Council Meeting.

President Meredith recognized Mr. Erwin.

(Mr. Erwin made a PowerPoint presentation.)

Mr. Erwin stated this was a public hearing to hear any objections or protests to the removal of a nuisance at 2111 Hill Street. He stated the conditions that currently existed on this property were displayed on the screen before them. He stated that upon completion of the public hearing, the next item the Council would be asked to consider was a resolution to authorize the abatement of this nuisance.

President Meredith asked if there was anyone from the public who would like to address the Council on this particular matter.

President Meredith stated that seeing none, the public hearing was closed.

Councilmember Robinson read and introduced a resolution to order the abatement of a nuisance located at 2111 Hill Street, NW, Huntsville, AL, as follows:

(RESOLUTION NO. 22-41)

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

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

Councilmember Kling read and introduced a resolution to declare a public nuisance located at 3707 Grote Street, SW, Huntsville, AL, and to set the date for when objections would be heard, at the February 10, 2022, Regular Council Meeting, as follows:

(RESOLUTION NO. 22-42)

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

President Meredith stated the next item on the agenda was Agenda Related Public Comments.

President Meredith stated 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 stated that persons could sign up to speak on the Public Comments Roster prior to the meeting. He asked that when called, persons approach a microphone and state their name, home address, and city of residence. He stated each speaker could address the Council for three minutes, and that speakers shall refrain from entering into dialogue with Councilmembers or City staff and from making any comments regarding the good name and character of any individual.

Mr. Nathan Gilbert, 3623 Shay Circle, NW, appeared before the Council, having signed up to speak concerning "Red light 22-0027."

President Meredith stated the next item on the agenda was Mayor Comments.

President Meredith recognized Mayor Battle.

Mayor Battle announced the following appointment and reappointments:

Appointment of Acacia Moore to the Human Relations Commission, for a term to expire March 13, 2025.

Reappointment of Bryan Dodson to the Advisory Commission on Accessibility, for a term to expire January 10, 2025.

Reappointment of Mark Torstenson to the Huntsville Music Board, for a term to expire January 23, 2024.

Reappointment of Mario Maitland to the Huntsville Music Board, for a term to expire January 23, 2024.

Reappointment of Judy Allison to the Huntsville Music Board, for a term to expire January 23, 2024.

Reappointment of Codie Gopher to the Huntsville Music Board, for a term to expire January 23, 2024.

Reappointment of Ron Poteat to the Huntsville Music Board, for a term to expire January 23, 2024.

Mayor Battle stated that during the past week, they had activities at Mazda Toyota, where they had the milestone event of rolling the first Mazda CX-50 off the line, and approximately two months prior, they had rolled the first Corolla Cross off the line. He stated they were at this time in full production of automobiles at the plant. He thanked the Council for their support during this time, and he thanked the department heads for all the work they had done to get them from the state they were four years prior, noting that at that time there were cotton fields at the location, and at this time they were producing cars and providing jobs for 6400 people throughout the North Alabama area, and those 6400 people put approximately \$480 million back into the community, day in and day out, and back

into the communities across all of North Alabama.

Mayor Battle stated that the new music officer, Matt Mandrella, had come on board, by way of Memphis, Tennessee, where he was the marketing manager with Graceland Live, and having also worked in Austin, Texas, with some of the music scene out there.

Mayor Battle stated that Mr. Mandrella had a lot of the credentials they were looking for when they were looking for someone to be able to work with them through this.

Mayor Battle stated that the Huntsville Development Review for 2021 was out, and it showed growth in the residential side, commercial side, and office side. He stated they might recall that in 2010, Huntsville had 185,000 people; and in 2020, with the Census, Huntsville had 215,000 people. He continued that at this time, after looking at the Development Review, the city was at 220,668 people. He stated the city was still growing, and as it grew, they had to grow the infrastructure, grow the parks, grow the greenways, and all the amenities that added up to what they called "quality of life," so they could attract people to the city. He stated they had an enviable challenge at this time, that they had more jobs than they had people to fill them. He stated that was a great problem to have, but it was also something that had to be addressed, and they would continue to address it.

Mayor Battle thanked the Council for all their support in making this happen.

President Meredith stated the next item on the agenda was Councilmember Comments.

President Meredith recognized Councilmember Akridge.

Councilmember Akridge stated to her fellow councilmembers that she knew they had all seen their new agenda tool, and perhaps they had noticed that some of the agenda items did not have contracts attached. She stated she had noticed this

and had asked questions, and some of those contracts were at this time available, but they were not on Tuesday night.

Councilmember Akridge stated to Mayor Battle she was expressing some concern that in the transition of using this new tool, it seemed logical that the default toggle should be set to "Public Access" for any of the attachments or uploads that went with an ordinance or resolution, so that no one had to manually make these public. She stated they were a public organization, and anything that was on the agenda needed to be defaulted to "Public." She asked Mayor Battle to look into that, as it was a tool the Administration had adopted.

Councilmember Akridge stated she would also like to express concern that the Council staff, as well as the Councilmembers, could not see the agenda as it was being built, should they need to ask some questions; for example, what was changed in the ordinance that was coming through. She stated there were a lot of topics that required some time and scrutiny, and this simply could not be done between Tuesday at 5 o'clock and Thursday at 5:30.

Councilmember Akridge asked Mayor Battle to consider these two things, so that the public agenda was actually public.

President Meredith recognized Councilmember Robinson.

Councilmember Robinson thanked everyone who had participated in her first Town Hall of the year. She stated the focus of this particular Town Hall was on development in South Huntsville, that it was sort of a preview of what had been shared with the Planning Commission recently. She stated it was very interesting to see how Dennis Madsen had presented regarding the BIG Picture, noting he had shown specific developments in South Huntsville reflecting the work the BIG Picture had done, and then he talked about what would be next. She stated it was great to see how well that process had worked, and how it had borne fruit, particularly in

South Huntsville. She stated James Vandiver had presented a development review on South Huntsville development, noting he was one of the few people she knew who could take really boring numbers and make them so exciting, because he got excited about it, that she loved listening to him.

Councilmember Robinson stated that Jim McGuffey, just off the top of his head, without slides and without notes, had gone down Bailey Cove, up Green Cove Road, and Hobbs Island, and then up the Parkway, and he had talked about every opportunity site, the work that was being done, the possibilities that were coming, and he did this dancing all around non-disclosures. She stated she was grateful to him for showing them just what was possible and what could be coming. She stated that Brenda Conville, who was President of the South Huntsville Main Business Association Board and CEO of Freedom Real Estate, had talked about the role of the business association and the work they had done, helping make that development possible.

Councilmember Robinson thanked all the presenters, noting that she had received many emails and comments from people expressing how valuable this was. She stated that information would be going out in her February newsletter.

Councilmember Robinson also thanked the Council staff, noting that Kathy Rooker and Matthew Smith were there helping them, and the Communication staff was just terrific. She thanked everyone who had made the Town Hall a great success.

Councilmember Robinson stated that the April Town Hall would be on April 11, and it would focus on the Sandra Moon Complex. She stated the bid had been accepted the prior week on the renovations inside the big Sandra Moon building, which was actually the old Grissom High School piece, as well as the renovations for the office space for the various performing arts groups that would be

in residence there. She stated that she was at the State of the Arts with Mayor Battle the prior week, and when that was announced, a cheer had gone up, because the Huntsville Community Chorus, the Huntsville Brass Band, the Huntsville Youth Symphony, and Independent Music Productions, all of these great performing arts groups, were desperately in need of rehearsal and office space, and they were so looking forward to having that Performing Arts Center at the Sandra Moon Complex be their home. She stated there would be a report on that at the April 11th Town Hall meeting.

Councilmember Robinson thanked the Engineering Department for putting together an initial meeting to talk about the signal that was much needed at Oak Grove and The Dairy on the Parkway. She stated they were making that case to ALDOT, and she wanted everyone to know they were going to continue the conversation with ALDOT and try and make that signal happen. She stated it was frustrating to her that the City paid for the signal, the City maintained the signal, that the City did all the infrastructure work to create the turn lanes and everything else for the signal, but ALDOT had to sign off on it. She stated that made no sense to her. She stated they hoped they could get ALDOT to work with them on that because that signal was much needed because of all the development there.

Councilmember Robinson stated she wanted to give special thanks to the third-shift officers from the HPD South Precinct. She stated she had a sinus infection the prior week, and one night she could not sleep, and she had accidentally hit the emergency button on her phone, and she had quickly turned it off, thinking perhaps no one would notice, but 15 minutes later her doorbell had rung, and she had gone to the door, and Officer Tribble and three of Huntsville's other fine officers were at her door. She stated that at first she thought this was because they had thought, "Oh, this is a Councilwoman," but they had no clue who she was, because they were going

through name, driver's license, and what was going on, and she had told them it was a mistake and had thanked them for coming. She continued that they had very pointedly explained to her that frequently in domestic violence situations, there would be 911 hang-ups, and they wanted to make sure she was okay. She stated she had told them she certainly was, and they had asked if she had contact information, or a number they could call on the following day to check on her. She stated she had given them her cell number, and then she had said they could also reach her at her City Council office if they would like to do that, at which point they were surprised.

Councilmember Robinson stated she had realized they were not there because of who they thought she was, that they were there because she was a citizen, and they wanted to make sure she was okay. She stated the best part was that her cat got out, and they had tracked the cat down and brought him back in.

Councilmember Robinson stated she was reminded that when others were sick, in their beds sleeping, and it was really cold outside, there were officers who were out there taking care of people and making sure they were safe. She thanked Officer Tribble and the other officers who were with him.

President Meredith recognized Councilmember Kling.

Councilmember Kling stated the Development Review the Mayor had referred to had a breakdown for each of the five Council districts. He stated what he really liked about the review for District 4 was it showed one of the things he really loved talking about, the investment and things taking place in the older, central areas of the city, how they were sprucing things up. He stated there were improvements, there was a lot of revitalization taking place in West Huntsville. He stated he thought that was what made Huntsville the great city it was, compared to Birmingham, Mobile, and Montgomery. He stated he had been in all those cities, and there were challenges in the central area, and that was why people seemed to be moving to the outer areas,

while the inner area was sort of decaying. He continued that Huntsville had two sets of growing, growing on the inside, which was a very positive thing taking place, with a lot of new growth, for example, going into Lowe Mill, just within the past several months, and, of course, they were growing on the outside.

Councilmember Kling stated there were some projects that had really stood out, to kind of show the momentum of things that were taking place. He stated that McThornmor Acres was a subdivision that was built in the 1950s, and currently it was under consideration and very close to being placed on the National Registry of Historic Places because of its significance with the Von Braun Space Team. He stated that, also, enhancements were taking place at the Merrimack Hall Performing Arts Center and at the Lowe Mill Arts and Entertainment area. He stated The Range and The Foundry were two new properties that were bringing new development to Governors Drive, where there had been pretty much of a deserted shopping center and a substandard motel. He stated that Campus 805 and Stovehouse were also in that area, and they were among the most popular destinations in the city. He stated these were things they liked because they brought people to West Huntsville, and they had the opportunity to see the great things that were taking place.

Councilmember Kling stated they had also had a lot of good road resurfacing and sidewalk repairs and expansions that had taken place. He stated that over in the Mayfair neighborhood, there was a sidewalk that had been extended, that it went all the way from Whitesburg Drive to very close to Memorial Parkway, that, basically, it went to Merchants Walk, which he noted was just a little bit short of the Parkway. He stated that Merchants Walk and Merchants Square were two new developments that had taken place where there was an old transmission shop that was vacant most of the time.

Councilmember Kling stated they had a new skate park under way at

John Hunt Park, and Joe Davis Stadium was being renovated, and it was going to be a great facility for soccer and high school football.

Councilmember Kling stated that, also, housing was growing, that people were investing in their neighborhoods, and lots of people were coming in. He stated a lot of good things were taking place, and what he really liked was they could grow outward, but at the same time, they were taking care of what they had already, and he thought that was a very good thing.

Councilmember Kling stated that as they were aware, from the last Census, they had a larger Hispanic population in the city, and he would like to see if the City could look into either having a translator or a person who could be a part-time translator, a part-time employee. He stated he believed this would show they were trying to reach out and be available and accessible. He stated that the Hispanic population was very large, but there were certainly other nationalities that needed communication assistance, making those resources available. He stated he believed that was one step they could take, just to go a little bit further.

Councilmember Kling stated he had been walking in the downtown area, and he had noticed what seemed to be a very long process. He stated he liked the new 106 Jefferson Hotel that had gone in, that it had a lot of good things and was a beautiful facility, but the streetscape process across the street from it was still not complete, so he just wanted to see if there was something that could be done to speed up that process. He stated he was aware they were having bad weather, which would make things challenging, but if there was anything that could be done about this, he thought that would be just one final point that would help clear things up.

Councilmember Kling stated he believed Mr. Davis wanted to comment on this.

Mr. Davis stated the streetscape going on downtown had taken a little longer

than expected, that when they had gotten into ripping out the existing sidewalks, they had run into the same thing on Jefferson Street they had run into on Washington Street several years prior. He stated those buildings were heated with coal many years ago, and all the fronts of the buildings had coal chutes, so there had been coal chutes out in the sidewalk. He stated those were boarded up many years ago, and sidewalk poured on top of them, so not knowing or having any historical context they were there, they had to work with the property owners of the buildings, as to whether they wanted to keep them, and some had wanted to keep them and others wanted them to just go ahead and close them off, so they had to work through that.

Mr. Davis stated he could report that all of that had been fixed, and construction was progressing rather quickly at this time. He stated he believed they should finish up in early summer and give that portion of downtown back to the community.

Councilmember Kling stated that, then, it was an active work in process, and he stated he believed that was what they wanted to hear, that it was actually being worked on.

Councilmember Kling stated there was a medical office building that was located where Alabama Street and Bob Wallace kind of intersected, and that was causing extra on-street parking, which sometimes could impede traffic for neighborhood residents.

Councilmember Kling stated that, also, some concern had been expressed to him about the old Young Life property, noting that it had recently gone through a rezoning. He asked if with the new business there, Spectrum, there would be a way they could let people in the City kind of watch it and see if there was a problem with traffic, or cars parking on the street, if they could see about something being done about that. He stated this building did have some parking available on site, but he

thought that was a current concern that was expressed, based upon what was said at the public hearing, that there might be as many as 30 customers at one time, and that would definitely impact the neighborhood. He stated there was a big back yard area behind that building, and he thought that would be a great place where they could encourage the property owner to construct a parking lot to take care of that extra traffic, to just kind of keep the traffic off the streets as much as they possibly could.

Mayor Battle stated that Mr. Anderson, the head of Diversity, Equity, and Inclusion, had been meeting with the Hispanic Council and talking about translators, and they were going to come to the Administration with recommendations.

President Meredith recognized Councilmember Keith.

Councilmember Keith stated that he agreed with the perspective of the liaison for the Hispanic and Latino community.

Councilmember Keith stated that post-COVID, he wanted to thank his fellow councilmembers, as well as everyone else, for their concern.

Councilmember Keith stated the skating rink meeting would be on February 22nd.

Councilmember Keith stated that at some point, he would like for the Council to have a presentation from the new Director of Music, as to what his plans were. He stated he would certainly like to get that on the Council's agenda in the coming months.

Councilmember Keith stated he wanted to give a shout-out to U'Meeka Smith, who had been hired by the City to work with Mr. Kenny Anderson in Diversity, Equity, and Inclusion. He stated the Council wanted to welcome her into a very unique role, a very heavy and valued role, one that all five of the councilmembers, as well as the Mayor, were blessed to have her in, and one where she would get to set a tone and be an example for many communities that made up the city of Huntsville.

He stated they looked forward to hearing from her, and also meeting with her individually, or collectively as well, to hear her perspectives and get her input.

Councilmember Keith stated that recently they had recognized Ms. Brandon, who had lived a century in Huntsville and was a byproduct of the first African American to have been elected to the Council, prior to himself and his predecessor, and he had been elected as an alderman. He stated that Ms. Brandon had passed away earlier in the week, and her funeral would be on the following Sunday. He stated her family wanted to thank the City for recognizing Ms. Brandon and her family and to say they were blessed by the immense support and love that had been given to their family, and they also wanted to thank them for recognizing them for the sacrifices and impact Mr. Brandon, in 1896, had made on the city.

Councilmember Keith stated he also wanted to share a police story. He stated that on the prior Friday, his coffee shop, The Dark Side, had actually been robbed, and, unfortunately, it was very traumatic for the employees who were working there, that the cash register was even taken. He stated these employees were teenagers, and there were individuals who were enjoying a cup of coffee, and when the police had shown up, they had handled it with the highest level of customer service, and he was so proud to see that, with their not even probably knowing who he was or where they were. He stated that for these teenagers to be traumatized from what had happened to them, the police officers had done a good job. He stated he could tell from their tone, the questions they asked, and the process they went through, that they understood the magnitude of the fear and anxiety that probably would have come over a teenager who had just experienced what they had experienced.

Councilmember Keith stated he wanted to thank the Police Department for this, noting that was something that had to be taught and something they had to have inside their hearts, in the moment. He stated that for them, as a business,

it was frustrating, but it was more important for the employees to feel comfortable to be in the community.

Councilmember Keith stated a perspective had been given about where they were and how common this was in that area, and this had actually been rebutted, not by him but by one of the officers, that moments like these happened to mom and pop shops that offered opportunity. He stated this could happen at any time, and, more often, it was not because one was in a certain part of town that this would happen. He stated the police responded the same way in South Huntsville or West Huntsville, to councilmembers, to regular individuals. He stated in this instance, he would say as he held police officers and departments accountable, he should celebrate when those moments were in the 180 inverse, and they did a remarkable job, to be supportive in a moment of trauma. He stated they were always called at the worst of times, that at the worst moments, persons were dialing three numbers, and for his employees to say they felt comfortable, and they were very thankful, was a charge that he would set out and say thank you to the Police Department. He stated he hoped this would be the standard when they would show up on a scene where people were experiencing some of the worst moments of their lives.

President Meredith stated he believed Councilmember Akridge's points concerning the agenda had merit and should be considered, primarily because it went directly toward increased transparency for the citizens, to know that when the agenda came out on Tuesday at 5 o'clock, everything was going to be there, that they would not have to keep checking back to see what had been added later. He stated he concurred with Councilmember Akridge that they needed to tighten up their ability to ensure when the agendas came out on Tuesday, at 5:00, everything would be there, available for the public to see.

President Meredith stated that Councilmember Robinson's Town Hall was

phenomenal, and he was happy to say, and would readily admit, he planned on appropriating that format for his next Town Hall.

President Meredith stated he wanted to acknowledge the efforts of the folks who had talked about the Wallstreet plat issue, noting he thought their advocacy effort was well done and effective. He stated he knew they were feeling defeated, but they had put together a great effort that would serve them well once there actually was a developer that would come forward to develop that property. He stated they now had the contacts they needed and the organization within their community to make sure they could affect, in a positive way, the development that would happen there in the future.

President Meredith stated that this was National Holocaust Remembrance Day. He stated it might seem odd coming from him, that he was definitely not Jewish, but the Jewish community had been a significant ally in the civil rights movement, and there was a connection between the Jewish Community and the African American Community, and he wanted to acknowledge that and thank them for their support.

President Meredith stated the second President's Forum would be on February 1, at 4 p.m., in the Council Chambers, and the topic would be homelessness. He stated they would have representatives from the City, as well as community-based organizations, to talk in-depth about the issue. He invited everyone who was interested in this to either be present in person or to watch online or through Huntsville TV. He stated if persons were not able to join in while they were doing this live, they could certainly take a look at it, that it would be available on the City website. He stated he would highly encourage anyone who was interested in the homelessness issue to participate if at all possible.

President Meredith stated that on a more personal note, he wanted to let folks

know he would be speaking at Athens State University on February 3, at 11:30 a.m., on Black History Month, talking about his father and the impact he had on his life and career.

Councilmember Keith stated he wanted to make a correction, that the CNI grant update would be at the February 24 meeting of the Council, not the next meeting.

President Meredith stated the next item on the agenda was Finance Committee Report.

Councilmember Keith read and introduced a resolution authorizing Expenditures for Payment, as follows:

(RESOLUTION NO. 22-43)

Councilmember Keith moved for approval of the foregoing resolution, which motion was duly seconded by Councilmember Robinson and unanimously adopted.

President Meredith asked Councilmember Keith if he had a report from the Finance Committee or any other announcements.

Councilmember Keith stated that at their last meeting, they had discussed having a half-year review, and, obviously, they were following up on City Hall. He stated they had some very positive discussion about the commitment of monies to be received. He stated that perhaps Ms. Penny Smith, Finance Director, would like to comment on the funds coming in and the projects, and what the funds would be when they were received, the ARPA funds.

Councilmember Robinson stated she believed Ms. Smith was also going to give an overview of the revenues received and their general financial picture.

Ms. Penny Smith, Director of Finance, stated she was going to give a brief overview of some financial information and touch on the ARPA funds and the debt.

Ms. Smith stated it had been a busy week, and an important week, in the

financial world for the City of Huntsville. She stated that earlier in the day, they had met with rating agencies, Moody's and Standard & Poor's, and they had presented their economic and financial data, bringing current the financial picture of the City to them. She stated it was a good story to tell, and the rating analysts had really seen that at the meeting.

Ms. Smith stated she wanted to go through some Sales and Use Tax numbers, noting that the first quarter of the fiscal year had passed, October through December. She stated Sales and Use Taxes had performed well, at over 11 percent above budget. She stated that while this was the leader, it was not the only revenue that had outperformed the budget to date, that SSUT and Permits were outpacing the budget as well. She stated Property Taxes were also ahead of schedule, but she always cautioned that they wait until about the end of the second quarter to look at that, noting they would have a better picture at that time.

Ms. Smith stated, concerning Liquor and Lodging Tax funds, that as she had said numerous times, they were stair stepping their way out, but she was pleased to announce that December was the first month they had actually turned double digits, 16 percent over the pre-pandemic number.

Ms. Smith stated they were under budget in expenditures at the end of the first quarter, as was typical. She stated she would propose new budget adjustments at mid-year, as mentioned by Councilmember Keith, and they would be looking closely at that.

Ms. Smith stated that within the presentation at this time and the data, the rating agencies should be able to present them with ratings on February 8th, and they would be disseminating the preliminary official statement after that, pricing bonds the week of the 14th, and closing on those bonds at the end of February.

Ms. Smith stated that Moody's had commented earlier in the day as to how

impressed they were with the City's structure, and with the ARPA plan of spending, and the adoption earlier in the year. She stated they felt like Huntsville was way ahead of the game, from most cities.

Ms. Smith stated the first quarterly report under the plan was due in the current week, to the U.S. Treasury, and part of meeting that requirement was actually before the Council at this meeting. She stated there were subrecipient agreements on the Council agenda, with five different agencies in their plan of spending: The Huntsville Museum of Art, U.S. Space & Rocket Center, Botanical Garden, Burritt on the Mountain, and EarlyWorks Family of Museums. She stated they had worked with outside counsel, Baker Donelson, and the inside counsel to develop these agreements, and they met all the ARPA requirements, which were quite heady.

Councilmember Robinson stated she would add one note, and that was as they were reviewing those phenomenal numbers, Mr. Hamilton had pointed out they had not yet counted Christmas, so they were anticipating more good news to come.

President Meredith recognized Councilmember Akridge.

Councilmember Akridge stated that on the ARPA agreement, she did not notice a list of how much each of those entities was getting.

Ms. Smith stated it was in each agreement, and she asked if Councilmember Akridge wanted her to list out the numbers.

Councilmember Akridge stated that was not visible to her the prior evening when she was looking at the agenda. She stated she had an interest in knowing how that was divided up.

Ms. Smith stated they worked with each agency on this. She stated that part of it being ARPA was they could not just say, "Here's the money." She stated the agencies had to come up with a plan of action that had to fit within the ARPA guidelines, so each one of them had come up with a project description. She stated

the U.S. Space & Rocket Center was receiving about a million dollars; Huntsville Botanical Garden, \$550,000; Burritt on the Mountain, \$650,000; The Museum of Art, \$405,000; and EarlyWorks, \$608,000.

Councilmember Akridge stated it was helpful to know they had to pass scrutiny on what they were using the funds for. She stated they were not passing out candy, they were passing our reinvestment money, to help them recover a lot of their losses, which in turn brought money to the revenue Ms. Smith had just talked about.

Mayor Battle stated Ms. Smith had done a great job of putting in their Grants Administrator, who would be watching over this money as it was spent and making sure the reports were brought back in from their subagencies. He stated this was a very complicated project, and it should be complicated, that they were giving out money to help out these agencies, but they were also requiring guidelines, to make sure that money would be going specifically to things that were allowed under the ARPA financing. He stated Ms. Smith was watching that very closely and had meetings with each of those agencies, to explain to them what their responsibility would be in this matter. He stated it had been a good process to go through, that each of those agencies were agencies that fell kind of under the realm of what the City did. He stated that each of those agencies would have their own responsibilities, and they had all committed to doing that.

President Meredith recognized Councilmember Kling.

Councilmember Kling stated that when this matter had come up, a citizen had brought up the idea of their giving bonuses to employees, and he asked if they had had the opportunity to find out the legalities of that.

Ms. Smith stated she would defer to Mr. Riley, the City Attorney, to address that in depth.

Mr. Riley stated he had at this time the same document he had referred to

when they had previously addressed this issue. He stated this was advice received from the Office of the State of Alabama Attorney General. He stated they would often provide responses to inquiries as to legal questions, in this case proper usage of ARPA funds in specific areas. He stated this was about a 12-page document, so it was quite detailed. He stated in the context of this hearing, he would be very brief and state the conclusion that was reached by the Attorney General, which was that Section 68 of the Alabama Constitution precluded a local government from using recovery funds to retroactively grant premium or hazard pay to its officers and employees. He stated that was a summarization of what the finding was. He stated that even though they were receiving funds through ARPA, they, as a municipal government, were still obligated to utilize those funds in accord with not only the standards of ARPA but also their own statutory and constitutional restrictions.

President Meredith stated there would be a recess, and they would reconvene at 7:40 p.m.

(Recess.)

President Meredith reconvened the meeting.

Councilmember Robinson read and introduced a resolution authorizing travel for Councilmember Bill Kling to Montgomery, AL, March 8-9, 2022, for the Annual Huntsville/Madison Co. Chamber of Commerce State Capitol trip, as follows:

(RESOLUTION NO. 22-44)

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

Councilmember Robinson read and introduced a resolution authorizing travel for Councilmember Frances Akridge to Montgomery, AL, March 8-9, 2022, for the Annual Huntsville/Madison Co. Chamber of Commerce State Capitol trip, as follows:

(RESOLUTION NO. 22-45)

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

Councilmember Keith read and introduced a resolution authorizing travel for Councilmember Devyn Keith to Montgomery, AL, March 7-9, 2022, for the Annual Huntsville/Madison Co. Chamber of Commerce State Capitol trip, as follows:

(RESOLUTION NO. 22-46)

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

President Meredith stated the next item on the agenda was Board Appointments to be Voted On. He stated that items 15.a and 15.d had been withdrawn.

Councilmember Robinson read and introduced a resolution appointing Dr. Jan Harris to the Huntsville Public Library Board, to the seat previously held by Lee Jones, for a four (4) year term to expire February 10, 2026, as follows:

(RESOLUTION NO. 22-48)

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

Councilmember Robinson stated some people might recognize Dr. Harris, noting she had served as the principal at Huntsville High School for many years, and then she had been the superintendent in Cullman, and then in Georgia, and now she had come back to the community. She stated she was a great leader before, and she wanted to welcome her back. She stated that when Dr. Harris had told her she was interested in serving the city in some way, and she had found out about this opening, she thought it was a perfect fit, and certainly to follow Lee Jones, who was president of Friends of the Library for several years, and served on the Library Board as well. She stated they were fortunate to have good people serving in this community.

Councilmember Robinson read and introduced a resolution appointing Walter Lee Ellenburg to the Air Pollution Control Board, to fill a vacancy due to the resignation of Kenneth Arnold, for the remainder of a vacant five (5) year term to expire April 11, 2026, as follows:

(RESOLUTION NO. 22-49)

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

Councilmember Robinson read and introduced a resolution appointing Chris Hanks to the Housing Board of Adjustments and Appeals, to fill a vacancy due to the resignation of Kenneth Arnold, for the remainder of a vacant five (5) year term to expire August 22, 2025, as follows:

(RESOLUTION NO. 22-51)

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

Councilmember Robinson read and introduced a resolution appointing Frank Levy to the Human Relations Commission, Place 3, to fill a vacancy due to the resignation of Paul Pradat, for the remainder of a vacant four (4) year term to expire September 22, 2022, as follows:

(RESOLUTION NO. 22-52)

Councilmember Robinson moved for approval of the foregoing resolution, which motion was duly seconded by Councilmember Akridge and unanimously adopted.

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

President Meredith stated that Councilmember Robinson was nominating Jim Flinn to the Special Care Facilities Financing Authority of the City of

Huntsville-Redstone Village, to fill a vacancy due to the resignation of Henry Oldham, for the remainder of his term, to expire November 13, 2023.

President Meredith asked if there were any nominations from the floor.

There was no response.

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

President Meredith stated that Resolution No. 21-1273, in support of introducing state legislation allowing the use of automated traffic cameras for red-light enforcement in the City of Huntsville, had been postponed at the December 16, 2021, Regular Council Meeting to the January 13, 2022, Regular Council Meeting, and postponed at the January 13, 2022, Regular Council Meeting to this meeting, January 27, 2022, and it was at this time on the floor for discussion.

President Meredith recognized Councilmember Akridge.

Councilmember Akridge stated she would like for the Police Department to present some information that was salient to this topic. She stated she wanted the public to understand the Council would not be voting to implement red-light cameras, that they would simply be asking the State Legislators to be involved in this discussion because they would need their permission to even consider it.

Councilmember Akridge stated the process would be that the Council would offer a resolution asking the State legislators to consider it, and if it did not happen this year, it could happen some other year, and the information the Council could present to them to educate them and allay their fears would be presented.

Councilmember Akridge stated she wanted to address some concerns people had expressed. She stated the topics ranged from "It's just a moneymaker" to "It's not effective," and "It leads to falsifying or flawed," or "It hurts low-income people," and "There are increases in accidents, particularly in the rear-ending part of it," and "It

infringes on my privacy."

Councilmember Akridge stated she wanted to address these before the facts came out because this was an emotional topic rather than a fact-driven topic. She stated they had a lot of data from the Police Department that showed the nature of not only the numbers, but they should keep in mind that one of the reasons she had brought this matter up was because of the soft-tissue injury, including the brain, that happened, that even when a police officer would at the moment say there was no injury, they might find that a concussion had happened, and one would be living with that post-concussion syndrome, which she noted included months of problems, or even the rest of one's life.

Councilmember Akridge stated that as far as this being a moneymaker, that was simply not the reason they would do something like this. She stated there was no guarantee they would have a contractor, that they would have to decide how this would be done. She stated it might be that the money would be set aside for police initiatives, but making money had never been the objective of the Police Department, for traffic tickets. She stated that at this time it sat at 1/2 of 1 percent of the revenue. She stated that was a track record, and there was no reason to change that track record, that they were not out to fine people just to penalize them.

Councilmember Akridge stated that speaking of penalties, for people who were concerned about people with low income, she was once a person with low income, looking for ten cents to pay a toll. She stated that the fact it would hurt her more did not mean she would get a pass to not follow the law. She stated that changing behavior meant changing habits. She stated that with warnings, one started to change one's habits, and with fines, one definitely changed one's habits. She stated that some people said this was not effective, but there were other studies that said it was effective. She asked if it would increase some rear-ends, and she stated it could

for a while. She stated traffic engineers had a solution for that, that it was typically just an added second of a yellow light, which meant, "Slow down and come to a stop," that it did not mean, "Hurry up and go through it."

Councilmember Akridge stated that last was the privacy topic, and she stated she did not have much patience for that topic, that one was on a public street, with a public license plate, and a public driver's license, that there was no assumption of privacy. She stated some people would say, "I wasn't driving the car," that their kid or their uncle or their friend was, and her answer to that was to have whoever was driving the car pay the fine. She stated these were fines, that they were not tickets that went on someone's insurance or their driving record. She stated this was, in her opinion, a way to start to change behavior.

Councilmember Akridge asked Chief McMurray if he was prepared to help them with understanding some facts about the conditions his police officers had to deal with to enforce the law.

Chief McMurray stated he had with him a couple of subject-matter experts, Deputy Chief Kirk Giles, who had some relevant data from two major cities in Alabama he had actually been able to dial into and get some discussion from, and also his Traffic Division coordinator, Lt. Stephen Anderson, who could talk to them about crime-contributing circumstances and what caused accidents, what the major intersections were, and things such as that.

Chief McMurray stated if there were any of those specific questions, he had people present to provide the answers.

President Meredith asked Councilmember Akridge if she had any questions.

Councilmember Akridge stated she had sent them a list, and she believed Chief McMurray was saying if there were questions after the presentations.

Lt. Stephen Anderson appeared before the Council, stating he was with the

Special Operations Division. He stated that Councilwoman Akridge had sent them a few questions, on a few general topics, for which he had prepared, that this was more of a broad preparation for questions the councilmembers might have.

Lt. Anderson stated this was in reference to intersection crashes, all intersections and the five worst intersections, and he stated he had some specific crash statistics from those specific intersections, as well as some information concerning their Traffic Services Unit, and some pros and cons to “visual enforcement,” which he assumed Councilmember Akridge was referring to police officers being in person, watching the traffic signal for some sort of red-light violations. He stated that was what he had prepared for, that he did not have a formal presentation, but he was prepared for their questions.

Councilmember Akridge stated to Lt. Anderson if he would answer the questions she had sent, she would appreciate it.

Lt. Anderson stated he was not exactly sure what her questions were specifically aimed at. He stated he had the five highest crash intersections inside the city of Huntsville: Highway 72 and Balch, at 144 crashes in 2021; Governors Drive and Memorial Parkway, 114; Memorial Parkway and Drake Avenue, 95; Mastin Lake Road and Memorial Parkway, 89; and University Drive and Jordan Lane, 86. He stated that citywide, they had 8,597 crashes, and the ones that were considered to be at intersections were 7,257. He stated the distinction to make here was an accident that would be considered at an intersection would be one that happened at or inside the intersection, which was different from an intersection-related accident, which was also a different category in the accident reports.

Lt. Anderson stated an intersection-related crash might be related to a backup of traffic from an intersection but might not necessarily have occurred at that intersection, so there was a distinction to be made there.

Lt. Anderson stated there was some question about primary contributing circumstances, and the primary contributing circumstance of an accident was considered to be the chief factor, in the reporting officer's opinion, that contributed to the crash, but could have been influenced by other factors.

Lt. Anderson stated specific intersections were not categorized by primary contributing circumstance; however, he had statistics for the past several years, back to 2012, and the top five were: following too close; misjudging stopping distance; improper lane change or use; unseen object, person, vehicle; failure to yield right-of-way making a left or u-turn; and that running traffic signal was the sixth primary contributing circumstance.

Lt. Anderson asked if there were any questions about those, noting that was generally what he had.

Councilmember Akridge stated she was not as concerned about the numbers, although they did have to define how big a problem it was. She stated she understood that for all accidents, it was almost 8,000 a year. She asked Lt. Anderson if, in his estimation, reducing some of the accidents, especially in intersections, would benefit safety in the city.

Lt. Anderson stated he would say so.

Councilmember Akridge stated the reason this had started was because she kept hearing about speeding. She asked Lt. Anderson if it was correct that speeding was not one of the major reasons for accidents.

Lt. Anderson stated it was not generally a primary contributing circumstance to accidents.

Councilmember Akridge stated she believed the total number of crashes at intersections was 57,187 from 2012 to 2021.

Lt. Anderson replied in the affirmative.

Councilmember Akridge stated these were all things she thought led to the conclusion that it was a jungle out there, and she was simply looking for a way of making the roads safer. She asked if there was evidence about the controversy of it not being effective.

Chief McMurray stated they had to measure what they were going after. He stated their prime, No. 1, was traffic fatalities. He stated that in Huntsville, at one time, they had over 50 fatalities a year, and they were now holding it to 50 percent of that, about 25, roughly. He reiterated that their No. 1 target was traffic fatalities, that it was not crashes. He stated their No. 2 target was Class A injuries, noting these were crashes that resulted in serious injuries to people. He stated the third target was the general classification of crashes, fender-benders, which generally happened at intersections. He stated if they were to look at how they reduced fatalities and how they reduced injuries, which were their No.1 and No. 2 prime goals, they were very successful with those, and that was done with the technology they used. He stated they were trying to reduce fatalities, reduce injuries, slow people down. He stated that speeding was the No. 1 cause of fatalities, but not necessarily crashes. He stated that crashes were following too close, fender-benders, bumpers.

Chief McMurray stated what they were trying to do was make the roadways safe and not have these fatalities. He stated that came with education first, that you would evaluate, educate, and then enforce, and that was their method of success.

Councilmember Akridge asked how they might apply this process of evaluate, educate, and enforce to reduce t-bone accidents that created bodily injury.

Chief McMurray stated that traffic calming was a joint effort between HPD and Traffic Engineering. He continued that Traffic Engineering took the lead in the city of Huntsville, that they timed the red lights. He stated if they were to go to Traffic Engineering's website, they could see that they could fill out a form online and

file a complaint on how to slow speeders down in their neighborhood. He stated they had all the solutions for traffic calming, that HPD was one of the solutions they used.

Councilmember Akridge asked Chief McMurray what they had found out concerning the effectiveness, if red-light cameras reduced the behavior of running through red lights.

Chief McMurray stated Deputy Chief Kirk Giles would address that, noting he had actually talked to a couple of cities, and he would tell them what they had reported.

Deputy Chief Giles stated that currently there were six cities in Alabama that used red-light cameras, and the two major cities were Montgomery and Tuscaloosa, and those were the main two he had talked to. He stated he had asked them a series of questions, one of which was how long their respective cities had had red-light cameras and how many they currently had.

Deputy Chief Giles stated Tuscaloosa had had theirs since August of 2012, and they initially had nine, but due to road construction, they were down to five at this time. He stated Montgomery had started their program in 2008, and they currently had 20.

Deputy Chief Giles stated another question was how effective had they been in reducing red-light related crashes. He stated Montgomery had said that since installation, the cameras had helped decrease incidents of collision at intersections where cameras were installed by more than 50 percent, and more than 80 percent in one instance. He stated they also said the first municipality in the state to implement cameras was at this time the sixth safest-driving city in the U.S. He stated he did not know if this was just because of red-light cameras or if there was any other action they had taken.

Deputy Chief Giles stated Tuscaloosa was just the opposite, that they said they

had done several audits over the years, and the best answer was a minimal decrease in red-light related crashes. He stated the traffic engineers had found only slight decreases over the year, but they attributed that to a major influx of students coming to the campus. He stated they could not say they had made it any safer.

Deputy Chief Giles stated another question was if they captured just the front of the car or if they also captured the rear, and they only captured the rear of the car, which was the tag.

Deputy Chief Giles stated he believed Councilmember Akridge had mentioned concern about rear-end collisions, and he stated that was something Montgomery initially saw, because once the cameras were identified at the intersection, people were slamming on their brakes to try to avoid running the light, but that had started tapering off. He stated Tuscaloosa had not seen any evidence of an increase in rear-end accidents.

Deputy Chief Giles stated one thing Montgomery and Tuscaloosa both agreed on was they cited persons who turned left on red but not persons who made a right turn without stopping. He stated that when someone came to an intersection, facing a red light, they had to make a complete stop before they turned right on red.

Deputy Chief Giles stated the remainder of his questions had been geared toward the administrative side of the program.

Councilmember Akridge thanked Deputy Chief Giles for addressing the effectiveness, that effectiveness and/or increases was a split, that it depended.

Councilmember Akridge stated to the other councilmembers that if they did a contract, whether it was simply leasing the equipment in the future or hiring somebody else to do it, it would all boil down to contract requirements and contract management. She stated they had just heard about Ms. Smith having hired somebody to manage the contract, which was an appropriation. She stated that, in her opinion,

it depended on how well a contract was managed, what would be the expectations and the requirements going forward, and then how it would be managed.

President Meredith recognized Councilmember Keith.

Councilmember Keith stated he appreciated it when any councilmember brought anything before the Council to provide an educational perspective, and he thanked Councilmember Akridge for the work she had done to look into a safer city for Huntsville.

Councilmember Keith stated, about this being punitive, that \$25 was not the same for everybody. He stated his only perspective about this would be if there were an intersection that needed true review, that if they wanted to have a pilot perspective of a very bad intersection, that would probably be better received by individuals in the community. He stated he just did not see the plus and minus of it because the transactional cost had not been discussed, what would be the roll-out cost of it, and if they would do this in neighborhoods, if they would do it in feeders, if they would do it in five lanes.

Councilmember Keith stated, taking the citations out of it, if they just wanted to decrease fatalities, they would find the intersection that had the worst fatalities, and if they only looked at that intersection, and presented that to the public, that would have high value. He stated he did not think a red-light camera system as they had in other cities would have the same inherent value overall.

President Meredith recognized Councilmember Robinson.

Councilmember Robinson stated she would applaud Councilmember Akridge's commitment to keeping citizens safe, and she shared that commitment and would work with her in any way possible to make that happen, but she did not feel this would be the best way to do it. She stated the research was questionable, that they had seen even in the report from Deputy Chief Giles that there were mixed reviews,

and she thought that was why cities that adopted cameras sometimes decided not to use them, because they did not get the results they had expected to get. She continued that sometimes those results were promoted by companies that sold the equipment, and the cities would find out the results were something different.

Councilmember Robinson stated this was questionable, that she questioned the research. She stated that, also, it was a regressive tax, that \$25 had a greater impact for some communities. She stated when they looked at those five intersections, practically all of them were leading into or were main corridors to low-income neighborhoods, so she had a concern there.

Councilmember Robinson stated that, as Councilmember Akridge had pointed out, this was not a resolution to approve red-light cameras, that it was for the Council to encourage the Legislature to pass enabling legislation to let them have them. She stated she would have a hard time asking a legislator to support something she could not support.

Councilmember Robinson stated what had come out of this was they had identified five really dangerous intersections. She stated Chief McMurray had told them they had found a way to decrease fatalities and decrease Class A injuries, and she suggested they really focus on those five intersections, see if there were other means that could be used and really make those a target and a priority. She stated there were certainly some other options that were maybe not so invasive and would not have such an impact on the community.

Councilmember Keith stated technology integration had had a tremendous impact on the decrease of crime in certain neighborhoods, that he absolutely believed in the integration of technology, and he had seen it work.

Councilmember Keith stated to Councilmember Akridge that if she believed technology inherently had an impact directly on the decrease of crashes, it might be it

would be in line to discuss with the delegates, or even with Legal, having a pilot program to prove her point. He stated he did not know what that would look like, but if they would choose one of those five intersections and just do their own internal study, he did not know what the legalities would be, but it would not be sending tickets. He stated he believed that would have a higher value, to yield internal perspectives of the value of that.

Councilmember Akridge stated even a pilot project could not be launched without the State's permission. She stated a pilot was how she had envisioned this would happen, to use it as a tool. She stated people had written to her, "Just make the police do their job," and she stated they were doing their job.

Councilmember Akridge asked Lt. Anderson if they currently had enough people to be at the top-five intersections every day.

Lt. Anderson stated it was not their practice to station an officer at a specific intersection for a lengthy amount of time, that the work they were required to do made that impossible.

Councilmember Akridge stated it was a reality they did not have enough head count to have people stationed there and, frankly, babysitting people to not run a red light.

Councilmember Akridge stated people running red lights was a huge risk not only to bicyclists but also to pedestrians.

Councilmember Akridge stated a pilot would make sense, but they needed the State's permission to even do a pilot. She stated this was a tool, that it was nothing more than a tool, and Chief McMurray had said the traffic engineers would take the lead. She stated that recently they had finalized a review of the timing of all the cameras, and some of the cameras could be remotely changed, as to the timing, but it would take another 10 years for all of them to be remotely changed. She stated they

were hamstrung by the fact that all of these things cost money, and in the meantime, people suffered injuries, especially in a t-bone or an angle accident.

Councilmember Keith asked Mr. Henry Thornton, External Relations Officer, if he could explain what it looked like when the Council sent resolutions to the delegation, when they made requests to the delegation.

Mr. Thornton stated what they would be doing, essentially, would be turning over Councilwoman Akridge's resolution to the 13-member Madison County Legislative Delegation.

Councilmember Keith stated he believed if the Council were unanimous on this matter, it would have a higher value when they approached these delegates.

Councilmember Akridge stated that having unanimous support for permission to proceed was what they should do, or not at all.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 21-1273, and the following vote resulted:

AYES: Akridge

NAYS: Keith, Kling, Robinson, Meredith

President Meredith stated the motion had failed.

President Meredith stated the next item on the agenda was Ordinance No. 21-1279, amending Article III, City Council, Section 2-69, Composition and Duties of the Finance Committee, of the Code of Ordinances of the City of Huntsville, Alabama, which ordinance was postponed at the January 13, 2022, Regular Council Meeting to this meeting. He stated the ordinance was on the floor for discussion.

Councilmember Keith thanked Councilmember Akridge for her work on this ordinance. He stated he thought the Council's last budget meeting had been one of the most productive, and he did not think this process took away any of the flexibility.

He stated it was important for the Council to consider they were a separate body from the Administration, and the Council had an inclusive view of the budget because it was presented by the Mayor, and the Mayor taking input from the Council was very important. He stated the structure of doing this had the embodiment of what would be seen at the federal level, and that separation of power and perspective inherently fed into the most important part of the City, and that was the budget.

President Meredith recognized Councilmember Robinson.

Councilmember Robinson stated they had done this while she was serving as Council President, that the recommendation had come from the Finance Committee, and they had conversations with the Administration and with the Finance Department to see if it would work with their schedule and their process, and it had, and it had worked well. She stated her concern was that in the future, they would have a different Finance Department, with different processes, and they would be restricting that department to a process that had worked for the council in 2021. She stated this was perhaps putting too fine a point on what the council would be obligating another council to do. She stated she could not support this because it was at the level of just being too restrictive.

Councilmember Keith stated that any Council, at any time, could change any bylaw or act, that another Council could change the date on which they would meet. He stated he understood that maybe the language gave some discomfort, but the structure of the Council was that with three people, they could make decisions, as a majority, to do the things they felt were best for the time and place. He continued that COVID was probably the best example of that, noting they had changed structure, position, time, and place because of it. He stated he did not believe this would hamper anyone. He stated at some point all of them would not be on the dais. He stated they were just trying to put this in practice and place for the current

council, and they would let future councils make their decisions.

President Meredith asked if there was any further discussion.

President Meredith stated he would remind the Council that this ordinance would need four votes for passage.

President Meredith called for a roll-call vote on Ordinance No. 21-1279, and the following vote resulted:

AYES: Keith, Kling, Akridge

NAYS: Robinson, Meredith

President Meredith stated the motion had failed.

Councilmember Robinson moved for approval of Ordinance No. 22-36, amending Chapter 16, Municipal Court, Article 1, In General, Section 6, Municipal Court Administrative Agency, of the Code of Ordinances of the City of Huntsville, Alabama, which ordinance was introduced at the January 13, 2022, Regular Council Meeting, as follows:

(ORDINANCE NO. 22-36)

Said motion was duly seconded by Councilmember Kling.

President Meredith asked if there was anyone from Municipal Court to explain this item.

Mayor Battle stated this just addressed the idea of having warrant officers on duty 24 hours a day, noting this schedule would work much better with the courts.

President Meredith asked if there was any discussion.

President Meredith called for the vote on Ordinance No. 22-36, and it was unanimously adopted.

Councilmember Robinson moved for approval of Ordinance No. 22-37, annexing 3.58 acres of land lying on the south side of Cap Adkins Road and east of Norton Road, which ordinance was introduced at the January 13, 2022, Regular

Council Meeting, as follows:

(ORDINANCE NO. 22-37)

Said motion was duly seconded by Councilmember Kling.

President Meredith recognized Mr. Davis.

(Mr. Davis made a PowerPoint presentation.)

Mr. Davis stated this was in the southern portion of the city, and it was a single-family residence coming in for City services and City schools.

President Meredith asked if there was any discussion.

President Meredith called for the vote on Ordinance No. 22-37, and it was unanimously adopted.

Councilmember Robinson moved for approval of Ordinance No. 22-38, annexing 2.22 acres of land lying on the south side of Old Hwy 20 and east of Greenbrier Pkwy, which ordinance was introduced at the January 13, 2022, Regular Council Meeting, as follows:

(ORDINANCE NO. 22-38)

Said motion was duly seconded by Councilmember Kling.

President Meredith recognized Mr. Davis.

(Mr. Davis made a PowerPoint presentation.)

Mr. Davis stated this property was located southeast of the intersection of Greenbrier Parkway and Old Highway 20, that it was directly across the street from the Mazda Toyota campus, as they could see on the screen. He stated the petitioner wished to come in for City services. He stated their plan was to zone this Commercial Industrial Park, to support the area.

President Meredith asked if there was any discussion.

President Meredith called for the vote on Ordinance No. 22-38, and it was unanimously adopted.

Councilmember Robinson moved for approval of Ordinance No. 22-39, to amend Ordinance No. 89-79, Classification and Salary Plan Ordinance, which ordinance was introduced at the January 13, 2022, Regular Council Meeting, as follows:

(ORDINANCE NO. 22-39)

Said motion was duly seconded by President Meredith.

Mayor Battle stated this was standard when they had new positions coming in, that it was giving them a classification. He stated that, also, as employees wanted their position re-evaluated, it was looking at those. He stated he believed there were five who had been re-evaluated, and there were several new positions.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Ordinance No. 22-39, and it was unanimously adopted.

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

President Meredith asked if any of the councilmembers would like to hold any items from the consolidation.

After discussion, President Meredith stated items 20.e, 20.f, 20.g, 20.i, 20.j, 20.m, and 20.n would be held from the consolidation.

President Meredith moved for consolidation and adoption of the following items, which motion was duly seconded by Councilmember Robinson and unanimously approved:

Resolution authorizing travel expenses, as follows:

(RESOLUTION NO. 22-54)

Ordinance amending Budget Ordinance No. 21-867, by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 22-55)

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. 22-56)

Resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Midsouth Paving, Inc., for Periodic Bid for Concrete Work-2022, Project No. 71-22-SP07, as follows:

(RESOLUTION NO. 22-60)

Resolution authorizing the Mayor to accept a grant from the Alabama Law Enforcement Agency. 2021-FIL-007, as follows:

(RESOLUTION NO. 22-63)

Resolution authorizing the Mayor to accept a grant from the Alabama Law Enforcement Agency, 2021-LET-001, as follows:

(RESOLUTION NO. 22-64)

Ordinance amending Budget Ordinance No. 21-867, by changing the authorized personnel strength in a department and fund, as follows:

(ORDINANCE NO. 22-67)

Resolution requesting the Mayor enter into a Special Employee Agreement with Kim Smith, as follows:

(RESOLUTION NO. 22-68)

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

Councilmember Robinson read and introduced a resolution authorizing the Mayor to enter into a contract with Fifth Asset, Inc., d/b/a DebtBook, for financial software to implement GASB Statement 87 -Leases, as follows:

(RESOLUTION NO. 22-57)

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

President Meredith recognized Ms. Penny Smith, Director of Finance.

Ms. Smith stated she wanted to apologize for contracts being hidden, noting that was a miscommunication by her. She stated they would get that corrected, and it would no longer be a problem.

Ms. Smith stated the contract in front of the Council was with Fifth Asset, doing business as DebtBook. She stated this was a financial software, noting they had been looking for this software for a while, to help them with their GASB 87 implementation. She stated this was one of the statements by the Governmental Accounting Standards Board that brought them into GAAP issuance, Generally Accepted Accounting Principles, for lease environments. She stated they had to reassess all the leases in the City, whether they were the lessor or the lessee., and they had to maintain this moving forward. She stated this software would help them, and that, actually, this company was going to be a big asset to them, in helping them make sure this statement was implemented correctly, and that they had acquired all of their leases, and to keep track of them. She stated they were being kept in different departments at this time, that they knew their leases and knew where they were, that it was just a matter of bringing all that together for the accounting standard.

Ms. Smith stated that in addition to that, what they were very excited about was it would also help them with their debt. She stated at this time, their debt was maintained on a very large spreadsheet, and they were constantly saving it in different places, to make sure they did not lose it. She stated this would actually pull that into a formal software. She stated they were very excited about what that would bring. She stated the cost of this was \$22,750. She stated this was the initial cost,

and then there would be an annual update each year. She stated it was located in the Cloud, and IT had already approved it.

President Meredith asked if there was any discussion.

Councilmember Akridge asked, concerning the leases Ms. Smith had referred to, if it was correct they were not just property leases.

Ms. Smith stated it was everything. She stated there were certain thresholds the leases would come to, but in general, if they leased parking spaces, there were leases, or if they leased land for farming. She stated this was also on the other side, that they leased from Huntsville Utilities the space for IT to be in. She stated that all of those kinds of leases they had to look at and re-evaluate.

Councilmember Akridge asked what the benefit of this was to the taxpayers.

Ms. Smith stated that, No. 1, they would implement the new standard, which was required for them to come into compliance with Generally Accepted Accounting Principles. She stated if they did not meet those standards, they would not meet their audit standards, which would affect their ratings, et cetera.

Ms. Smith stated their standard was they were always in compliance with Generally Accepted Accounting Principles. She stated they actually had someone on staff who had done this in the private sector. She stated that the corporate world had already gone through these standards, that they were about three years ahead of them, and at this time the governments had to do this as well. She stated they were very excited to have that experience already on staff. She stated that with this purchase, they would start implementing this the following week.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 22-57, and it was unanimously adopted.

Councilmember Robinson read and introduced a resolution to comply with

Rebuild Alabama Act 2019-002, as follows:

(RESOLUTION NO. 22-58)

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

President Meredith recognized Ms. Smith.

Ms. Smith stated this was under the Rebuild Alabama Act. She stated gas taxes were implemented by the Legislature in 2019, and all municipalities received a portion of those taxes. She stated that was of the collected funds, that it was state-collected, and they would remit it to the cities, by apportionment.

Ms. Smith stated that in order to receive the funds and utilize the funds, the City must adopt the plan, so they had done that each year with their budget. She stated they had to actually report back to the State in January what they had done with the funds for the previous fiscal year.

Ms. Smith stated that for the past year, in FY 21, they had received a little over a million dollars, and they had chosen to utilize those funds to enhance their ability to resurface in the city, so what was attached was a listing of all the resurfacing roads. She stated this increased the larger budget, and these were the roads that were utilized in that resurfacing plan.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 22-58, and it was unanimously adopted.

Councilmember Robinson read and introduced a resolution authorizing the Mayor to enter into subrecipient agreements as they relate to the American Rescue Plan Act to fulfill the requirements of the American Rescue Plan Act, as follows:

(RESOLUTION NO. 22-59)

Councilmember Robinson moved for approval of the foregoing resolution,

which motion was duly seconded by Councilmember Kling.

President Meredith recognized Ms. Smith.

Ms. Smith stated the Council had adopted a plan on November 4th to implement spending for ARPA, which included funding to these outside agencies, and these were the agreements with them to ensure they properly documented everything they did, and that they adhered to all the restrictions and guidelines associated with ARPA.

President Meredith asked if there was any discussion.

President Meredith called for the vote on Resolution No. 22-59, and it was unanimously adopted.

Councilmember Kling read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, SJ&L General Contractor, for Resurfacing of Residential Streets-2022, Phase I, Project No. 71-22-RR01, as follows:

(RESOLUTION NO. 22-61)

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

President Meredith recognized Mr. Chris McNeese, Director of Public Works.

Mr. McNeese stated that what was before the Council was a contract for their Phase I, 2022 Resurfacing, with SJ&L. He stated this would cover approximately 50 streets, and it was in the amount of \$6,992,389.90.

Councilmember Kling stated this had been a pretty good meeting, that they had been talking about taking care of the inner city, what they already had, and everything like that, and he wanted to thank the Mayor for this.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 22-61, and it was

unanimously adopted.

Councilmember Robinson read and introduced a resolution authorizing the Mayor to enter into an Agreement with Arts Huntsville for the installation of public art in certain city parks, as follows:

(RESOLUTION NO. 22-62)

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

President Meredith recognized Mr. John Hamilton, City Administrator.

Mr. Hamilton stated the primary purpose of this resolution was the expression of support for this program, and it allowed them to provide guidance to the staff and to their partner, Arts Huntsville, to continue moving forward with this program.

Mr. Hamilton stated that Arts Huntsville had the opportunity to partner with a national fitness campaign to bring four separate installations of what he referred to as "functional art," that it was art, but it was art with a purpose, that it included fitness equipment and things that would contribute to those particular park projects.

Mr. Hamilton stated the four park projects that had been identified were all in different phases of design at this time, so at some point in the very foreseeable future, the Council would see the various construction contracts associated with these parks. He stated that Apollo Park, Legacy Park, California Park, and John Hunt Park were the four locations that had been identified for these installations. He stated that ultimately, with the Council's approval, not only here but also for the elements that would appear in the separate construction contracts, it would allow them to purchase the equipment, and then toward the conclusion of the construction, come in and install the art pieces, and then also come with some functional purpose behind them.

Mr. Hamilton stated each of the parks would have a unique piece of art, and two of them actually would have art from a world-class artist, a famous artist that

would be introduced into the community. He stated, concerning the other two, that Arts Huntsville was actually in a competitive process to select local artists, that the competition would be restricted to local artists only, to produce the art that would actually become a component of the equipment. He stated this was an opportunity to bring some world-class art into the community, as well as to help grow some of the city's art community.

Councilmember Akridge stated she was having a hard time visualizing "functional art," that it was almost a misnomer, such that art should exist in the eye of the beholder, et cetera. She asked if these were sports sites.

Mr. Hamilton stated it was the equipment itself, that it was actually a pretty large piece of equipment included in it, and some of the equipment was actually attached to a wall, but one side had the art. He stated they could think of a mural, that type of art work, and on the back side of it would be equipment, that it was outdoor-type, body weight, that one would use their body weight along with the different apparatuses for exercise. He stated they had purposely selected these four sites, that it was co-located with places that included infrastructure where the citizens liked to walk and run, so they could run a lap and stop and do some upper body exercises, and run another lap, that sort of thing. He stated they had other parks where there was that kind of exercise equipment, that it was just an opportunity for people to get physically fit.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 22-62, and it was unanimously adopted.

Councilmember Keith read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Habitat for Humanity of Madison County, Inc., for the installation of an infrastructure system for the

Mundy Meadows Subdivision, as follows:

(RESOLUTION NO. 22-65)

Councilmember Keith moved for approval of the foregoing resolution, which motion was duly seconded by Councilmember Akridge.

President Meredith recognized Mr. Scott Erwin, Manager of Community Development.

Mr. Erwin stated this item was for the purpose of adding additional affordable housing in the community, and the total amount of the contract was \$339,696.20. He stated the project would include installation of storm drain, sewer system, concrete, crushed stone, and asphalt, to create up to an additional 22 lots along the Mundy Meadows Subdivision, which was on the west side of Meridian.

Mr. Erwin stated that Ms. Myra Sanderson, with Habitat for Humanity, was in attendance at the meeting, and she would be glad to answer any questions the councilmembers might have.

Councilmember Keith stated the councilmembers heard all the time they were not doing enough to add affordable housing, and he stated he did not believe it should all be polarized in Northwest Huntsville, but this project had been about three years in the making, and Mr. Erwin's department had committed to helping with this, along with Mr. Davis and Ms. Kathy Martin. He stated they had literally put dollars, efforts, ingenuity, and engineering into helping with affordable housing in Huntsville, and especially in places that needed it the most, places like Northwest Huntsville.

Ms. Sanderson thanked the Council and the government for supporting Habitat For Humanity in their efforts for affordable housing in the community. She stated this development had two phases, that Phase I consisted of 12 homes, and the City had a very active role in that, in widening the street, making it a two-way, and it was beautiful, and that had really elevated that community tremendously. She stated

they would be starting Phase II, which would be putting in a road, and they would have an additional 19 to 22 homes there.

Ms. Sanderson stated that on the prior day, they had closed on two of the homes they had built in Phase I, and the two homeowners were very excited.

Ms. Sanderson stated that 10 of the homes in Phase I were already completed.

Councilmember Keith stated, concerning support, that Ms. Opal Meek was supporting this, and she was asking for more of these homes.

Ms. Sanderson stated this had been a community effort, that Ms. Meek had approached them, and they had worked with her organization, which was the Mastin Lake Homeowners/Renters Association. She stated they had their designs, and this group had input as to how they wanted the homes to look. She stated they had also worked with Councilmember Keith on those efforts, the design of the road, what it would look like, the streets, and they had worked with Community Planning. She stated everyone was really excited. She stated that when they had first started, they had some issue with the residents who lived in the area, that they did not want to see the trees removed, but they could not keep those and still supply affordable housing for homeowners.

Ms. Sanderson stated it had been a beautiful experience, that when they drove their supporters, volunteers, and potential donors through the community, they were impressed with the product they were currently building.

President Meredith asked if there was any further discussion.

Councilmember Akridge stated she had a question for someone in Planning or Engineering about the landscape requirements for that site. She asked if the landscape requirements were any different there than they would be in any other subdivision.

Mr. Davis stated that the development would follow the same subdivision

standards of any subdivision to come through the Planning Commission and through Engineering for approval and construction.

Councilmember Akridge stated she was very excited about having this housing, that the middle market was missing, and they were putting in solutions, but she was rather disappointed in the amount of landscaping that was there. She stated she had some former experience in residential real estate, where with FHA loans they had to put a certain number of bushes at the house, and there used to be a fully loaded lot with trees. She stated she usually was not that picky, but it just seemed barren. She asked if there was a requirement for street trees.

Mr. Davis stated there was a requirement for street trees, that those were out in the public right-of-way, typically between the curb and the sidewalk, and, typically, when one saw those installed, it was toward the end of the subdivision being completed. He stated they did not want to put them in early on because the contractor would be building houses, and they might get damaged. He stated they would see those once about 50 percent of the total lots had been completed.

Mr. Davis stated that internal to a lot, their requirements were just side-yard easements and what those would look like, and there must be a stand of grass to prevent erosion.

Councilmember Akridge asked if there was a requirement for trees or bushes on a lot.

Mr. Davis stated that internal to the private property, there was not, that that was a private property right.

Councilmember Akridge stated it was considered private property, but they were trying to establish a parcel with enough aesthetic value that people were inheriting something. She asked if it was correct that they could not require a developer to put a tree on someone's lot before they purchased the house.

Mr. Davis stated they could not. He stated a developer could put a \$100,000 landscape package on a new house and close on it, and the new owner could simply tear it up.

Councilmember Akridge stated she thought there was an opportunity for Operation Green Team, volunteers, and the homeowners to consider reforestation of that area.

Mr. Davis stated he thought that could be a conversation Habitat For Humanity could have with Landscape.

President Meredith asked if there was any further discussion.

President Meredith stated to Ms. Sanderson that it was a pleasure to support affordable housing in Huntsville. He stated the leadership Ms. Sanderson provided her organization, which was a great organization with a wonderful mission, was much appreciated. He thanked her all her hard work in this area.

President Meredith called for the vote on Resolution No. 22-65, and it was unanimously adopted.

Councilmember Robinson read and introduced a resolution authorizing the Mayor to enter into a Memorandum of Agreement between the City of Huntsville and the Solid Waste Disposal Authority of the City of Huntsville, as follows:

(RESOLUTION NO. 22-66)

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

President Meredith recognized Mr. Doc Holladay, Executive Director of the Solid Waste Disposal Authority.

Mr. Holladay stated he certainly considered it a privilege to be before the Council at this time, and he stated he owed an apology to every one of them on the dais. He stated he had heard the discussion about items being late getting to the

Council in full, and in this case, it was his fault. He stated he had reached out to the City late in the prior week and had requested a meeting to talk about how they could help get recycling back on track.

Mr. Holladay stated the City was ready to meet immediately, that they would have met on Monday, but he was out of the office, that he could not meet with them until Tuesday morning. He stated that between the Mayor, the City Administrator, the City Attorney, the Public Works Department, and the Sanitation Department, they had everything back to him to review by Tuesday afternoon.

Mr. Holladay stated the Memorandum of Understanding between the City and SWDA was just another example of how the City wanted to lead and move forward. He stated he wanted to make it clear to everyone in the audience that the City did not own the recycling program, that it was a program that was fully funded and operated by the Solid Waste Disposal Authority. He stated the City had extended an offer to assist the Authority with getting back on track and getting recycling on a normal schedule, and what was before the Council was the framework to start this process.

Mr. Holladay stated the City had offered to begin as early as the following day assisting with getting them back on schedule. He continued that the problem was they had to haul the recyclables from Huntsville to Chattanooga, and as the City had the potential in about a day-and-a-half to bring almost three-and-a-half days of recycling to them, they would have to get additional trucks and trailers to carry it out, since they did the transferring at the Waste to Energy plant.

Mr. Holladay stated that over the last two weeks, they had between 350 and 400 phone calls a day. He stated he was appreciative that people in the community cared that much, but he was aware some people were not able to get through to them, and the councilmembers might be getting some of those calls.

Mr. Holladay stated they had had COVID in their office, much like their

recycling contractor had, and about 25 percent of their staff had not been there in the last few weeks. He stated the issue they had locally with recycling was the exact same issue that was being seen all across the country.

Mr. Holladay stated that some of those issues were served locally, by the municipal governments, and others by contractors, small and large. He stated one of the questions they were asked was if the problem was because they had a smaller contractor, and he stated it was really not, that the same problems they were having were also problems Waste Management and Republic Services, who were the largest waste haulers in North America, were having.

Mr. Holladay stated the problems were a little more extensive than just having staff out. He stated it was hard to get parts for equipment at this time. He stated he believed the councilmembers were aware that they ground greenways, and he stated their grinder had gone down October 25th, and they were still waiting for parts to arrive for it. He continued that a loader used to load the recyclables into trucks had gone down December 28th, and the company that was repairing it said it would be the middle of April before that piece of equipment would be ready. He stated these issues were real.

Mr. Holladay stated that even with the assistance the City had offered, they might still have some bumps in the road along the way. He stated as part of what they were doing at this time, they had asked their hauler to go back through and evaluate every piece of equipment they had, that they had asked them to evaluate the inventory they had on site to replace equipment, and they wanted commitments that they would have sufficient mechanics on duty to get every piece of equipment in the best running shape they could so they could maintain the program. He stated they had had equipment issues, but the latest delay had been because of COVID, that they had had 78 percent of their drivers out in the last few weeks with COVID. He stated

they were saying that in five days, these persons should be able to go back to work, but this was not true for everybody, that they had had people out for 10 or more days.

Mr. Holladay stated that Phase I of what they were trying to do was to get back on schedule, to get things that were out at the curb collected, and then after that, they were going to sit back down with their collector, their contractor, and they were going to map out a plan, including if they were caused to pause for a short period of time in order to get all the equipment serviced the way it should be.

Mr. Holladay stated their program had grown from 45,000 households in August of 2019 to approximately 81,500 households at this time, and about 10 percent had a second container, so they were picking up approximately 90,000 containers. He stated in the areas where they were seeing all the growth, SWDA had seen it also, and they were having to rebalance those routes. He stated if they paused the program, one of the things they would do before starting it back up would be to get it balanced.

Mr. Holladay stated he hoped everyone in the community did not think the only recycling the community did was the curbside program, that they did so much more than that, that the prior year they had over 18,000 residents come by the household hazardous waste program. He stated in the curbside program the prior year, they had picked up approximately 326 tons of metals, and they had recycled over 3,000 tons of metals out of their metals recovery system, from the combustor ash the prior year. He stated when they looked at environmental impact and greenhouse gas offsets and energy conservation, metals were right at the top of that list. He stated to give some perspective, they had collected approximately 1,171 tons of nonferrous metals the prior year out of the combustor ash, and if all that nonferrous metal had been aluminum cans, they would have recycled more than 72,600,000 aluminum cans. He continued it was the same with the ferrous metals,

that the prior year they had pulled out approximately 1920 tons, and that would be the equivalent of about 58,112,000 soup cans.

Mr. Holladay stated that to reach that number of aluminum cans, every household that participated in the recycling program would have had to have put 890 cans in those containers the prior year.

Mr. Holladay stated they did a lot. He stated that the prior year they had donated 1850 gallons of paint that was recovered through the household hazardous waste program to Habitat for Humanity.

Mr. Holladay stated they had taken in approximately 8300 pounds of fluorescent light bulbs, which equated to almost 16,000 four-foot long fluorescent lights; and they had taken in over 25,500 pounds of household batteries, which he noted would be approximately 698,000 AA batteries.

Councilmember Kling stated he believed they were kind of getting off the subject, that what he thought they were trying to deal with was, basically, cooperation between the Solid Waste Disposal Authority and the Public Works Department, and he thought the councilmembers were all on board with this.

Mr. Holladay stated he appreciated that, that he just wanted them to know they did so much more than the curbside program, and they probably did not report back to the Council enough on that.

President Meredith thanked Mr. Holladay for the report, noting he really appreciated the work they were doing at SWDA.

President Meredith asked if there was any further discussion.

President Meredith called for the vote on Resolution No. 22-66, and it was unanimously adopted.

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

President Meredith read and introduced Ordinance No. 22-69, declaring certain equipment surplus and to be sold at public auction.

President Meredith read and introduced Ordinance No. 22-70, amending Section 8-195, Action against business license and certificate, and Section 8-272, Vehicles for hire rates.

President Meredith read and introduced Ordinance No. 22-71, amending Ordinance No. 89-79, to raise the minimum hiring rate for the Waste Water Treatment Plant Supervisor position.

President Meredith read and introduced Ordinance No. 22-72, amending Section 2-1422 of Division 7 of Article VIII of the Code of Ordinances of the City of Huntsville, to add place numbers to the Burritt Memorial Committee.

President Meredith stated that concluded the business portion of the meeting.

President Meredith stated the next item on the agenda was Second Roster Public Comments.

President Meredith stated 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 stated persons could sign up to speak on the Second Public Comments Roster prior to or during the meeting. He asked that when called, persons approach a microphone and state their name, home address, and city of residence. He stated each speaker could address the council for three minutes, and he stated that speakers shall refrain from entering into dialogue with Councilmembers or City staff and from making comments regarding the good name and character of any individual.

Ms. Jackie Reed, Jack Coleman Drive, addressed the Council, having signed up to speak concerning "G'ment issues."

Mr. Jerry Cox, 4029 Telstar Circle, addressed the Council, having signed up to

speak concerning "City Employee Recognition."

Dr. Chris Brown, 103 Highwood Court, addressed the Council, having signed up to speak concerning "HPD issues."

Ms. Sarah Colletti, 3701 Squaw Valley, addressed the Council, having signed up to speak concerning "19.a & protecting taxpayers."

Mr. Chad Chavez, 7512 Clubfield Drive, addressed the Council, having signed up to speak concerning "HPD Reform."

President Meredith stated that concluded the Second Roster Public Comments.

Upon motion, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER

(Meeting adjourned at 9:20 p.m. on January 27, 2022.)