



MINUTES NO. 2018-07-RG
OF A REGULAR MEETING OF
THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
MARCH 26, 2018

The Madison City Council met in regular session on Monday March 26, 2018 at 6:00 p.m. in the Council Chambers of the Madison Municipal Complex, Madison, Alabama.

Noting that a quorum was present, the meeting was called to order at 6:00 p.m. by Council President Overcash.

Pastor Vince Stiffler of Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Overcash.

ROLL CALL OF ELECTED GOVERNING OFFICIALS

Roll Call of Elected Governing Officials was conducted by City Clerk-Treasurer Melanie A. Williard and recorded as follows:

Mayor Paul Finley	Present
Council District No. 1 Maura Wroblewski	Present
Council District No. 2 Steve Smith	Present
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Present
Council District No. 5 Tommy Overcash	Present
Council District No. 6 Gerald Clark	Present
Council District No. 7 John Seifert	Present

Also in attendance were: City Clerk Treasurer Melanie Williard, City Attorney Megan Zingarelli, Deputy Fire Chief Cary Sadler, Police Captain Steve Wilkerson, City Administrator Marc Jacobson, IT Director Jason Colee, Deputy City Clerk Treasurer Lisa Thomas, Finance Director Roger Bellomy, Recreation Program Assistant Kelly Johnson, Communications Specialist Samantha Magnuson, Planning Director Mary Beth Broeren, Police Chief David Jernigan, Human Resource Director Terri Towry, Police Major Jim Cooke, Revenue Director Cameron Grounds, and Engineering Director Gary Chynoweth

Public Attendance Registered: BeBe Oetjen, Wayne Reynolds, Tim Holcombe, Pam Honeycutt, Beth Moore, Jared Cassidy, Chris Townsend, Joanna White, Jim McKee, Terry Dumas, Jason Scriver, Sheila Peoples, and several illegible signatures.

AMENDMENTS TO AGENDA:

Public Comments: Ms. Daly called and requested that she be removed from the agenda.

APPROVAL OF MINUTES

MINUTES NO. 2018-06-RG, MARCH 12, 2018

Council Member Smith moved to approve Minutes No. 2018-06-RG. Council Member Seifert seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

PRESENTATION AND AWARDS

PRESENTATION OF PROCLAMATION BY MAYOR DESIGNATING THE MONTH OF APRIL 2018 AS AUTISM AWARENESS MONTH

Mayor Finley read a portion of the proclamation that designates the month of April as Autism Awareness Month in the City of Madison.

PRESENTATION OF PROCLAMATION BY MAYOR DESIGNATING THE DAY OF MARCH 30, 2018 AS WOMEN OWNED BUSINESS (WOB) DAY

Mayor Finley read a proclamation that proclaimed the day of March 30, 2018 as Women Owned Business Day in the City of Madison.

PRESENTATION BY TRICIA BOBO WITH LIBERTY LEARNING FOUNDATION IN CONNECTION WITH THEIR ANNUAL APPROPRIATION

Tricia Bobo updated Council on the program activities and goals. She also explained how the appropriation money is used. She thanked Council for their continued support.

PRESENTATION OF AWARDS BY POLICE CHIEF JERNIGAN

Police Chief Jernigan stated that on September 24, 2016, Officers Bryce Taets and Matthew Kingsolver responded to a suicide attempt at Bradford Health Services. Upon arrival, they immediately started CPR and continued until the arrival of medical personnel. Because of the officers' effort, a life was saved. Chief Jernigan then presented them with a Life Saving medal for their heroic actions. A round of applause and standing ovation was given for these Officers.

Officer Dave Templeton was recognized for his response to a drowning call on Equestrian Lane on June 10, 2017. Because of his efforts at the scene, the life of a five-year-old child was saved from drowning. He was presented with a Life Saving medal for heroic actions. A round of applause and standing ovation was given for Officer Templeton.

Officer Josh Collins and Officer Garland responded to a domestic violence situation in October 1, 2017. Their vehicles were intentionally struck by the offender, sending both officers to the hospital. Officer Collins was not in attendance this evening so Officer Garland came forward while Chief Jernigan read the state resolution commending the officers as nominees for the 2018 Alabama Legislative Medal of Honor for Law Enforcement for extraordinary courage in the line of duty. A round of applause and standing ovation was given for these Officers.

PUBLIC COMMENTS

MARGARET DALY, ADDRESS COUNCIL REGARDING ISSUES AT NEW LIBRARY AND ITEMS REGARDING THE LEASE AGREEMENT FOR THE MULTI-USE VENUE

This was removed from the agenda because Ms. Daly was unable to attend tonight's meeting.

Wayne Reynolds, a resident of Athens, Alabama and a candidate for State Board of Education District 8, appeared before Council stating that as part of preparation for the office he is attending every City Council, City Commission, and School Board meeting. Mr. Reynolds outline the platform of his campaign.

Rebecca Brown, 137 Spotted Fawn Lane updated Council on details regarding the Ready Fest even that will be held at the Church of Jesus Christ of Latter Day Saints on April 14 from 10AM – 2:00 PM. The focus will be on the following eight areas: financial, health and wellness, natural disasters, community, education, career, home and family, and spiritual.

Joseph Pettus, 234 Avian Lane requested that Council vote to not renew Three Springs business license.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Smith moved to approve the consent agenda as follows:

General Operating Account	\$832,405.28
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Special General Operating Account	\$49.99
ADEM Storm Drainage	\$51,051.92
½ Cent Infrastructure	\$91,769.63
Gasoline Tax and Petroleum Inspection Fees	\$33,271.75
Street Repair and Maintenance	\$6,408.62
2013 and 2015 Bond Checking	\$214,809.61
Library Building Fund	\$264.41
State Forfeiture	\$14.99

Approval of payment for Invoice #005 on PO # 2017-1322 in the amount of \$303,199.49 to Miller & Miller - removal/installation of curbs & gutters, roadway, parking lot, landscaping, for CIP Project #13-020 Downtown Streetscape Phase III {to be paid from 2015 Bond Account}

Resolution No. 2018-100-R approving travel advance of \$76.50 for meals for Officer Jonathan Siskoff to attend Courtroom Security and Threat Assessment in Birmingham, AL on April 5-6, 2018 {to be paid from departmental budget}

Resolution No. 2018-101-R approving travel advance of \$168.50 each for Detective Tanner Wilkerson and Detective Adam Beasley to attend ATF/ROCIC/USAO 2018 Conference in Chattanooga, TN on April 16-19, 2018 {to be paid from department budget}

Resolution No. 2018-102-R approving travel advance in the amount of \$76.50 each for Jesse Scroggin, Kevin Clark, Jeffrey Landrom, Ray Edwards, Ruby Jewell, Elam Wallace, Kevin Walter and Jasmin Carthen to attend VALOR Officer Safety and Wellness Training in Trussville, AL on April 17-18, 2018 {to be paid from departmental budget}

Resolution No. 2018-95-R approving an expenditure in an amount not to exceed \$11,300 from Council Special Project Budget for payment to Brailsford & Dunlavy for design work completed on Multi-Use Venue Project

DONATIONS

Acceptance of monthly donation of 2 large bags of dog food to be used by Police K-9 Unit with a value of \$110 from the K9 Unit voucher program Sponsored by Hollywood Feed {total yearly amount of donation \$1,320}

Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

RESOLUTION NO. 2018-94-R APPROVING ANNUAL APPROPRIATION AGREEMENT WITH LIBERTY LEARNING FOUNDATION (LLF). FY18 APPROPRIATION IN THE AMOUNT OF \$7,500.00 TO BE PAID FROM GENERAL FUND

Council Member Wroblewski moved to approve Resolution No. 2018-94-R. Council Member Seifert seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

UPDATE ON MADISON SCHOOLS GROWTH IMPACT COMMITTEE

Mayor Finley advised that all the information from the joint meeting with the Mayor, Council, and School Board is on the City's website. There will be a meeting on April 10 at Bob Jones High School, time is to be determined.

Mayor Finley also announced that a shadow box for the "Bury the Hatchett" between the Mayor and City Council will be hung in the lobby in the near future.

Mayor Finley advised that there will be a meeting on the proposed industrial park plan on March 27 at 6:00 PM at Rocket Republic.

Mayor Finley stated that Planning Director Mary Beth Broeren has been promoted to the position of Director of Developmental Services.

Lastly, Mayor Finley announced that Fire Department Emergency Manager Steve Perry is working with the community to find facilities that can be used as a tornado shelter.

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

Council Member Wroblewski announced that Madison Market Shopping Day will be held on Saturday, April 14 from 9:00 AM – 2:00 PM.

COUNCIL DISTRICT NO. 2 STEVE SMITH

RESOLUTION NO. 2018-88-R TO AMEND THE FY 2018 OPERATING BUDGET OF THE CITY OF MADISON, ALABAMA

Council Member Smith moved to approve Resolution No. 2018-88-R. Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

RESOLUTION NO. 2018-107-R: AUTHORIZING AGREEMENT WITH GEO SOLUTIONS, LLC, FOR MULTI-USE VENUE PROPERTY SITE STUDY (\$3,500 FROM COUNCIL SPECIAL PROJECTS)

Council Member Seifert moved to approve Resolution No. 2018-107-R. Council Member Wroblewski seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Nay
Council District No. 7 John Seifert	Aye

Motion carried.

COUNCIL DISTRICT NO. 3 TEDDY POWELL

Council Member Powell was not in attendance at this meeting.

COUNCIL DISTRICT NO. 4 GREG SHAW

No business to report.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

Council Member Overcash reminded everyone that the deadline to submit applications for consideration for appointment to the School Board is Friday, March 30 at 5:00 PM.

Council President Overcash also advised that there will be a Council work session on Wednesday, April 18 at 5:30 PM in Conference Room 130 of City Hall.

COUNCIL DISTRICT NO. 6 GERALD CLARK

No business to report.

COUNCIL DISTRICT NO. 7 JOHN SEIFERT

Council Member Seifert noted the improvements made to Palmer Park.

Council Member Seifert also announced that Dublin Park would be closed on Sunday due to the Easter Holiday. In addition, on Saturday, March 31, there will be two events: the Madison Easter Eggstravaganza and Kite Festival and the Special Needs Easter Eggstravaganza. Details about these events can be found on the City's website.

BOARD/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS

RESOLUTION NO. 2018-99-R APPROVING REQUEST FOR AN OFF-PREMISE BEER AND WINE LICENSE FROM 9225 MADISON BOULEVARD, LLC, DOING BUSINESS AS HAMPTON INN MADISON-HUNTSVILLE AIRPORT, LOCATED AT 9225 MADISON BOULEVARD

Revenue Director Grounds advised that if Council votes to approve this license that is should be approved contingent upon Building and Fire Department approvals.

Council President Overcash opened the public hearing for comments regarding this request. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Seifert moved to approve Resolution No. 2018-99-R with the issuance of the license contingent upon receiving approval from the Building and Fire Departments. Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

PROPOSED ORDINANCE NO. 2018-35 RE-ZONING CERTAIN PROPERTY OWNED BY OLD TOWN INVESTMENTS, LLC AND LOCATED SOUTH OF I-565 AND WEST OF ZIERDT ROAD FROM AG (AGRICULTURE) TO TND (TRADITIONAL NEIGHBORHOOD DEVELOPMENT) AND FROM AG AND R4 (MULTI-FAMILY RESIDENTIAL) TO UC (URBAN CENTER) {FIRST READING 02/12/2018}

Director of Development Services Broener advised Council that it is the recommendation of the Planning Commission that this rezoning be approved.

Council President Overcash opened the public hearing for comments regarding the rezoning request. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Seifert moved to approve Ordinance No. 2018-35-R. Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

DEPARTMENT REPORTS

ENGINEERING

RESOLUTION NO. 2018-93-R ACCEPTANCE OF BURGREN PLACE, PHASE 2 INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Council Member Shaw moved to approve Resolution No. 2018-93-R. Council Member Smith seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
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Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Absent at vote

Motion carried.

RESOLUTION NO. 2018-104-R ACCEPT PUBLIC UTILITY AND DRAINAGE EASEMENT FROM MA PROPERTIES, LLC

Council Member Shaw moved to approve Resolution No. 2018-104-R. Council Member Smith seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Absent at vote

Motion carried.

PLANNING

RESOLUTION NO. 2018-96-R AMENDING CONTRACT WITH CDG ENGINEERS & ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR DOWNTOWN PHASE III IN THE AMOUNT OF \$5,000 (TO BE PAID FROM 2015 BOND ACCOUNT)

Council Member Wroblewski moved to approve Resolution No. 2018-96-R. Council Member Clark seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Nay
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

REVENUE

PROPOSED ORDINANCE NO. 2018-73 AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES RELATING TO AN ELECTRONIC FILING OF RETURNS {FIRST READING 03-12-2018}

Council Member Clark moved to approve Ordinance No. 2018-73. Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

PROPOSED ORDINANCE 2018-92: AN ORDINANCE OF THE CITY OF MADISON, ALABAMA TO EXEMPT CERTAIN "COVERED ITEMS" FROM THE MUNICIPAL SALES AND USE TAX DURING THE THIRD FULL WEEKEND OF JULY, 2018, GENERALLY REFERRED TO AS THE "STATE SALES TAX HOLIDAY" {FIRST READING}

This was considered as the first reading of Proposed Ordinance No. 2018-92 and no official action was taken by Council.

LEGAL

RESOLUTION NO. 2018-106-R REJECTING BIDS SUBMITTED FOR BID #2018-004-ITB, BULLET RESISTANT VESTS AND AUTHORIZING RE-ADVERTISEMENT

Council Member Wroblewski moved to approve Resolution No. 2018-106-R. Council Member Seifert seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

PUBLIC HEARINGS

PUBLIC HEARING REGARDING BUSINESS LICENSE OF SEQUEL TSI HOLDINGS, LLC (THREE SPRINGS FACILITY) {PUBLIC HEARING TO BE CONTINUED TO APRIL 23 COUNCIL MEETING}

Council Member Wroblewski moved to continue the public hearing regarding the business license of Sequel TSI Holdings, LLC to the April 23 Council Meeting. Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

PUBLIC HEARING REGARDING BUSINESS LICENSE OF OPERATOR OF MADISON INN & SUITES {TOWN CENTER SENIOR LIVING, LLC}

City Attorney Zingarelli recommended leaving the license in place subject to certain security conditions. The conditions are set forth in the resolution presented to Council, Resolution No. 2018-98-R.

Chief Jernigan outlined Police Department concerns with the property in question. He noted that since new ownership in 2016 there has been a reduction in incident reports. Chief Jernigan recommended that Council give the business owner a timeline with which to improve the property.

Fire Marshall Sadler reported that all violations included in the report for an inspection of the property that was conducted in November of 2017 have been corrected, and eight subsequent violations have been corrected as well. His concern is that the building is not maintained properly.

John Baggett, attorney for the property owner, addressed Council stating his client has a long history of developing properties and there has been substantial progress since he took ownership. He also noted that the hotel generates lodging tax for the City.

Council President Overcash opened the public hearing for comments from the public in attendance regarding this business license.

BeBe Oetjen addressed Council and voiced her opposition to this business license being allowed to remain in place.

Having no further comments, Council President closed the public hearing and entertained a motion from Council.

Following discussion by Council, Council Member Wroblewski moved to approve Resolution No. 2018-98-R with the inclusion of 2 additional conditions: that a maximum of 70 rooms may be rented, and that the property will be revisited in 90 days to recheck compliance with the conditions. Council Member Shaw seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None.

ADJOURNMENT

Having no further business to discuss Council Member Wroblewski moved to adjourn. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Maura Wroblewski	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 John Seifert	Aye

Motion carried.

The meeting was adjourned at 8:16 PM.

Signatures on the following page:

Minutes No. 2018-06-RG, dated March 26, 2018 read, approved and adopted this 9th day of April 2018.



Council Member Maura Wroblewski
District One

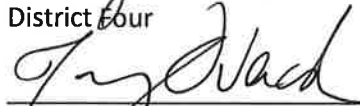


Council Member Steve Smith
District Two

Council Member Teddy Powell
District Three



Council Member Greg Shaw
District Four



Council Member Tommy Overcash
District Five



Council Member Gerald Clark
District Six

Absent

Council Member John Seifert
District Seven

Concur:



Paul Finley
Mayor

Attest:



Melanie A. Williard
City Clerk-Treasurer



Recording Secretary Lisa Berry