



MINUTES NO. 2020-02-RG

OF A

REGULAR MEETING

OF THE CITY COUNCIL OF

THE CITY OF MADISON, ALABAMA

JANUARY 27, 2020

The Madison City Council met in regular session on Monday, January 27, 2020 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 Smith.

Pastor Joseph Fowler of Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by St. John's second grade class.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE

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

Mayor Paul Finley	Absent
Council District No. 1 Maura Wroblewski	Present
Council District No. 2 Steve Smith	Present
Council District No. 3 Teddy Powell	Present
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

City Officials in attendance were: City Clerk Treasurer Melanie A. Williard, City Administrator Marc Jacobson, Deputy City Clerk Treasurer Lisa Thomas, Director of Development Services Mary Beth Broeren, Engineering Director Gary Chynoweth, IT Director Jason Colee, City Attorney Megan Zingarelli, Public Works Director Kent Smith, and Assistant Recreation Director Kelly Johnson.

Public attendance registered: Connie Spears, Clark Owen, Bill Holtzclaw, Tim Holcombe, Kay Goldthorpe, Alice Lessmann, Leah Lessmann, Ben Lessman, Steve Lessmann, Jon Howell, Donnie Spencer, Alex Maxwell, David Hergenroeder, Greg Williams, Sri Maradadapu, and Karen Denzine.

CHANGES TO THE AGENDA:

APPROVAL OF MINUTES

MINUTES NO. 2020-01-RG, JANUARY 13, 2020

Council Member Shaw moved to approve Minutes No. 2020-01-RG, dated January 13, 2020.
Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

MINUTES NO. 2020-01-WS, JANUARY 22, 2020

Council Member Shaw moved to approve Minutes No. 2020-01-WS, dated January 22, 2020.
Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Abstain
Council Member John Seifert	Aye

Motion passed.

PRESENTATION AND AWARDS

PRESENTATION OF CITY COIN

Council Member Seifert presented a City Coin to former State Senator Bill Holtzclaw. Mr. Holtzclaw is a former Council member serving from 2008 – 2010. He also served as State Senator from 2010 – 2018. He was a 20-year Marine and currently serves on the Semper Fi Community Task force as well as being active in his church. Council Member Seifert thanked him for his service to our county and our community. A round of applause was given.

PRESENTATION OF 2020 FAMILY OF THE YEAR

A representative of the Madison Family of the Year Committee acknowledged the Lessmann family as the 2020 Family of the Year. They are owners and proprietors of Signalink. Signalink was recognized as both Best Business of the Year and Best Professional Services business. The family does volunteer work as well as being active in the school community where their children attend. A round of applause was given.

PUBLIC COMMENTS

CLARK OWEN, ADDRESSED COUNCIL REGARDING ISSUE WITH MADISON UTILITIES

Clark Owen, 907 Highland Drive appeared before Council and gave a brief presentation with pictures. He stated that he has concerns that Madison Utilities has neglected to clean up debris from repair sites and also left a sidewalk with too steep of a drop off. These issues are a safety hazard and he has repeatedly called Madison Utilities to no avail.

Council Member Clark requested the PowerPoint presentation and stated that he would follow up with Madison Utilities.

Cherelle Fletcher, 100 Martin Road came before Council and advised that the January 13, 2020 meeting minutes under Public Comments stated that a woman who did not give her name used her time in silence in remembrance of the Dana Fletcher incident. That woman referenced in the January 13 minutes was Deborah Fletcher, mother of Dana Fletcher. Cherelle Fletcher then stated that she was Mr. Fletcher's wife, and would use the time remaining in her three minutes in silence.

Melvin Hasting, a lawyer from Cullman, Alabama residing at 1400 County Road 1422, appeared before Council. He stated that he is a candidate for Court of Criminal Appeals. He briefly explained how the Court of Appeals works and asked for votes in the upcoming election in March.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Powell moved to approve the Consent Agenda and Finance Committee Report as amended. Council Member Overcash seconded.

General Operating Account	\$907,756.49
Special General Operating Accounts	\$97,015.76
ADEM Storm Drainage	\$46,042.64
½ Cent Capital Replacement	\$67,046.00
Gasoline Tax and Petroleum Inspection Fees	\$45,837.74
TVA Tax	\$3,413.21
CIP Bond Accounts	\$1,987,156.29
Library Building Fund	\$6,133.51
Water Distribution and Storage	\$77,324.00

Resolution No. 2020-16-R authorizing Mayor to accept quotation from ESRI, Inc. for GIS software maintenance services at a cost of \$8,700.00 for the time period of 3/20/2020 until 3/19/2021 (To be Paid from Engineering Dept. Budget)

Resolution No. 2020-26-R approving the disposal of certain Court Department records in accordance with Alabama Unified Judicial Records Retention Schedule

Approval of payment for Invoice #68968 on PO# 2018-1213 in the amount of \$43,223.25 Populous Group for construction administration construction services phase - Resolution 2018-160-R Multi-Use Venue Stadium CIP Project # 18-012 {To be Paid from 2018-A GO Taxable Bond }

Approval of payment to SJ&L General Contractors, LLC in the amount of \$358,403.65 representing partial payment #2 on PO 2020-0079 for work completed on CIP Project #18-025 Wall Triana Multi-Use Path through 01/02/2020 per Res. 2019-218-R, Bid #2019-005-ITB (To be Paid from 2018-C GO Warrant)

Approval of payment in the amount of \$750.00 to OMI, Inc., for Invoice #20258 for NPDES inspection services, -Palmer Park Rejuvenation - Phase I (To be Paid from 2015-A Bond Account)

Approval of payment for Invoice #30918 on PO #2019-156 in the amount of \$3,025.00 to Geo Solutions for material testing & inspection services - Resolution 2018-293-R Multi-Use Venue {To be Paid from 2018-A GO Taxable Bond Account}

Approval of payment for Invoice #31038 on PO #2019-218 in the amount of \$880.00 to Geo Solutions for NPDES monitoring for the month of December and consultations of the services phase - Resolution 2018-192-R Multi-Use Venue {To be Paid from 2018-A GO Taxable Bond Account}

Resolution No. 2020-34-R declaring service weapon and badge as surplus and further authorizing that it be given to Captain Steve Wilkerson upon his retirement from the Madison Police Department

Approval of payment in the amount of \$6,483.75 to Alabama Concrete Co., for Invoice #68131, 68210 and 38351 for concrete for material pads at new PW facility (To be Paid from 2018-C Bond Account)

Approval of payment in the amount of \$2,176.00 to Miller & Miller, Inc., for Invoice #6338 for bumper stops for Bradford Creek Trailhead parking lot (To be Paid from 2015-A Bond Account)

Approval of payment for Invoice #3179 on PO #2020-415 in the amount of \$1,375.00 to TruMark Athletics for EZ-70 field marker for the Multi-Use Venue Stadium Resolution #2019-379-R CIP Project #18-012 (To be Paid from 2018-A GO Taxable Warrant Fund)

Resolution 2020-40-R: authorizing location agreement with ALB1819 Productions, Inc.

The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

Absent

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

Council Member Wroblewski echoed her appreciation for Captain Wilkerson's service to the City of Madison and wished him well in his future endeavors.

COUNCIL DISTRICT NO. 2 STEVE SMITH

No business to report.

COUNCIL DISTRICT NO. 3 TEDDY POWELL

Council Member Powell thanked Steve Wilkerson for his service to the City.

COUNCIL DISTRICT NO. 4 GREG SHAW

RESOLUTION NO. 2020-36-R APPROVING THE USE OF FUND FROM COUNCIL SPECIAL PROJECT BUDGET FOR REPAIRS TO BROWNS FERRY BRIDGE {GENERAL FUND - COUNCIL SPECIAL PROJECT BUDGET}

Council Member Shaw moved to approve Resolution No. 2020-36-R. Council Member Wroblewski seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

Council Member Overcash, in referencing Mr. Owen's comments earlier, stated that the City and Madison Utilities needs to look at Highland Drive, as there seems to be a water break there frequently.

City Administrator Marc Jacobson reported that there is monthly coordination meeting with Madison Utilities and they have discussed Highland Drive. He suggested that the issue might need to take priority.

COUNCIL DISTRICT NO. 6 GERALD CLARK

No business to report.

COUNCIL DISTRICT NO. 7 JOHN SEIFERT

Council Member Seifert publicly recognized the retirement of Captain Steve Wilkerson whose last day is January 31. He expressed his appreciation for his service to the City of Madison.

BOARD/COMMITTEE APPOINTMENTS

APPOINTMENT TO CONSTRUCTION BOARD OF APPEALS PLACE 1 AND ALTERNATE PLACE 1

Council President Smith opened the floor for nominations to Place 1 and Alternate Place 1 for the Construction Board of Appeals.

Council Member Powell nominated Charlie Murphy to Place 1. With no other nominations being made, Council President Smith closed the nominations and Mr. Murphy was appointed by acclamation to Place 1 of the Construction Board of Appeals.

Council Member Powell nominated Jerry Pennington to Alternate Place 1. With no other nominations being made, Council President Smith closed the nominations and Mr. Pennington was appointed by acclamation to Alternate Place 1 of the Construction Board of Appeals.

PUBLIC HEARINGS

PROPOSED ORDINANCE NO. 2019-360 REZONING CERTAIN PROPERTY OWNED BY SOUTHERN LATITUDE INVESTMENTS, LLC AND LOCATED ON THE NORTH SIDE OF HUNTSVILLE-BROWNS FERRY ROAD, EAST OF HOLLADAY ROAD FROM AG (AGRICULTURE DISTRICT) TO RC-2 (RESIDENTIAL CLUSTER DISTRICT NUMBER 2) AND B2 (COMMUNITY BUSINESS DISTRICT) {FIRST READING 12/16/2019}

Director of Development Services Mary Beth Broeren advised that the Planning Commission recommend approval of this proposed rezoning.

It was noted that Council Member Clark recused himself from discussion and voting on this

item and left the meeting at 6:30 pm.

Council President Smith opened the public hearing for comments on this request from those in attendance. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Shaw moved to table Proposed Ordinance No. 2019-360 until after discussion and vote on proposed development agreement. Council Member Wroblewski seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion to table this item until later in the meeting was approved.

DEPARTMENT REPORTS

ENGINEERING

RESOLUTION NO. 2020-35-R ACCEPTING NATURE'S TRAIL SUBDIVISION, PHASE 2 INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Council Member Shaw moved to approve Resolution No. 2020-35-R. Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion passed.

POLICE

RESOLUTION NO. 2020-09-R: AGREEMENT WITH DON MONK FOR PROFESSIONAL CONTRACTOR SERVICES FOR INFORMATION TECHNOLOGY SUPPORT FOR THE MADISON POLICE DEPARTMENT {NOT TO EXCEED \$15,000 TO BE PAID FROM DEPARTMENTAL BUDGET}

It was noted that Council Member Clark returned to the meeting at 6:35 pm.

Council Member Wroblewski moved to approve Resolution No. 2020-09-R. Council Member Seifert seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

PLANNING

PROPOSED ORDINANCE 2020-02: VACATION OF UTILITY & DRAINAGE EASEMENTS FOR HILTON GARDEN INN SITE IN TOWN MADISON {FIRST READING 01-13-2020}

It was noted that Council Member Clark recused himself from discussion and voting this 6 items.

Council Member Shaw moved to approve Proposed Ordinance No. 2020-02. Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion passed.

RESOLUTION NO. 2020-27-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2020-28 REZONING CERTAIN PROPERTY OWNED BY CURRIER PROPERTIES, LLC AND LOCATED ON THE EAST SIDE OF COUNTY LINE ROAD, SOUTH OF BROWNS FERRY ROAD FROM MU (MIXED USE DISTRICT) TO B2 (COMMUNITY BUSINESS DISTRICT) (FIRST PUBLICATION 2/5/2020; SYNOPSIS 2/12/2020, PUBLIC HEARING 3/9/2020)

Council Member Shaw moved to approve Resolution No. 2020-27-R. Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye

Council Member Gerald Clark
Council Member John Seifert

Recused
Aye

Motion passed.

RESOLUTION NO. 2020-29-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2020-30 ZONING CERTAIN PROPERTY OWNED BY ANDREW AND KAREN JUMP AND LOCATED AT 403 STELLA DRIVE, WEST OF SLAUGHTER ROAD, TO R2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) UPON ANNEXATION (FIRST PUBLICATION 02-05-2020; SYNOPSIS 02/12/2020, PUBLIC HEARING 03/09/2020)

Council Member Shaw moved to approve Resolution No. 2020-29-R. Council Member Seifert seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion passed.

PROPOSED ORDINANCE NO. 2020-31 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY OWNED BY ANDREW AND KAREN JUMP AND LOCATED AT 403 STELLA DRIVE, WEST OF SLAUGHTER ROAD {FIRST READING}

As this was a first reading, no action was taken was taken by Council on Proposed Ordinance No. 2020-31.

RESOLUTION NO. 2020-01-R APPROVING DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADISON, ALABAMA AND DILTINA DEVELOPMENT CORPORATION AND SOUTHERN LATITUDE INVESTMENTS, LLC FOR PROPERTY LOCATED ON THE NORTH SIDE OF HUNTSVILLE-BROWNS FERRY ROAD, EAST OF HOLLADAY ROAD {CONTINUED AT 01-13-2020 MEETING}

Donnie Spencer, 11369 Morris Drive, who is a representative of Diltina, came before Council with an explanation of the increase in cost for the first phase.

Council Member Shaw moved to approve Resolution No. 2020-01-R with an amendment not to exceed 36 units. Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Nay
Council Member Steve Smith	Nay
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye

Council Member Tommy Overcash	Nay
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion failed.

Council Member Wroblewski moved to approve Resolution No. 2020-01-R. Council Member Shaw seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Nay
Council Member Greg Shaw	Nay
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion passed.

PROPOSED ORDINANCE NO. 2019-360 REZONING CERTAIN PROPERTY OWNED BY SOUTHERN LATITUDE INVESTMENTS, LLC AND LOCATED ON THE NORTH SIDE OF HUNTSVILLE-BROWNS FERRY ROAD, EAST OF HOLLADAY ROAD FROM AG (AGRICULTURE DISTRICT) TO RC-2 (RESIDENTIAL CLUSTER DISTRICT NUMBER 2) AND B2 (COMMUNITY BUSINESS DISTRICT) {FIRST READING 12/16/2019}

Council Member Shaw moved to approve Proposed Ordinance No. 2019-360. Council Member Wroblewski seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Recused
Council Member John Seifert	Aye

Motion passed.

It was noted that Council Member Clark returned to the meeting at 7:18 pm.

LEGAL

PROPOSED ORDINANCE 2020-39: AUTHORIZING VACATION OF EASEMENT BELONGING TO MADISON UTILITIES AND GRANTING IT TO THE HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY (FIRST READING)

As this was a first reading, no action was taken on Proposed Ordinance No. 2020-39.

PROPOSED ORDINANCE NO. 2020-10: AUTHORIZING RENEWAL OF FRANCHISE AGREEMENT WITH WOW! {FIRST READING}

As this was a first reading, no action was taken on Proposed Ordinance No. 2020-10

CITY CLERK - TREASURER

PROPOSED ORDINANCE NO. 2020-08 DESIGNATING VOTE TABULATING MACHINES FOR THE 2020 GENERAL MUNICIPAL ELECTIONS{FIRST READING 01-13-2020}

Council Member Shaw moved to approve Proposed Ordinance No. 2020-08. Council Member Powell seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

PROPOSED ORDINANCE NO. 2020-07 SETTING THE QUALIFICATION FEE FOR CANDIDATES RUNNING FOR MUNICIPAL OFFICE IN THE 2020 GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, AUGUST 25, 2020 {FIRST READING 01-13-2020}

Council Member Shaw moved to approve Proposed Ordinance No. 2020-07. Council Member Seifert seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

PROPOSED ORDINANCE NO. 2020-15 RELOCATING ELECTING POLLING LOCATION FOR CITY COUNCIL DISTRICT 6 TO THE MADISON PUBLIC LIBRARY {FIRST READING 01-13-2020}

Council Member Shaw moved to approve Proposed Ordinance No. 2020-15. Council Member Clark seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye

Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None.

ADJOURNMENT

Having no further business to discuss, Council Member Wroblewski moved to adjourn.
Council Member Overcash seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Steve Smith	Aye
Council Member Teddy Powell	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye


The meeting was adjourned at 7:21 pm

Signatures on following page.


Minutes No. 2020-02-RG, dated January 27, 2020, read, approved and adopted this 10th day of February 2020.


Council Member Maura Wroblewski

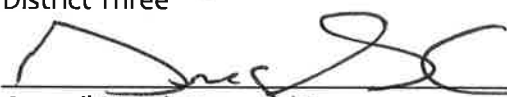
District One


Council Member Steve Smith

District Two


Council Member Teddy Powell

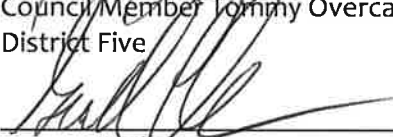
District Three


Council Member Greg Shaw

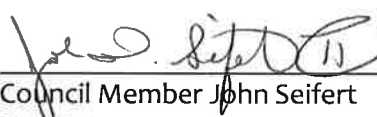
District Four


Council Member Tommy Overcash

District Five



Council Member Gerald Clark

District Six



Council Member John Seifert


District Seven

Concur:


Paul Finley
Mayor

Attest:


Melanie A. Williard
City Clerk-Treasurer


Lisa Berry
Recording Secretary