



**MINUTES NO. 2018-08-RG**

**OF A**

**REGULAR MEETING**

**OF THE CITY COUNCIL OF**

**THE CITY OF MADISON, ALABAMA**

**APRIL 9, 2018**

The Madison City Council met in regular session on Monday, April 9, 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 Aaron Calhoun with Restoration Church provided the invocation followed by the Pledge of Allegiance led by Boy Scout Troop 8.

**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	Present
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	Absent

Also in attendance were: Information Technology Director Jason Colee, Public Works Director Kent Smith, Parks & Recreation Director Kory Alfred, City Engineer Gary Chynoweth, Revenue Officer Cameron Grounds, City Administrator Marc Jacobson, City Attorney Megan Zingarelli, Fire Chief David Bailey, Police Chief David Jernigan, Director of Development Services Mary Beth Broeren, Deputy City Clerk-Treasurer Lisa D. Thomas and City Clerk-Treasurer Melanie A. Williard

Public Attendance registered was BeBe Oetjen, Jeanetta Wilson, Pam Honeycutt, Pam Clasgens, Howell Lee, Madison Public Library Branch Manager Sarah Sledge, Pastor Aaron Calhoun,

John Roberts, Jon Howell, Russ and Cindy {illegible last name}, C.C. Wilson, Madison Board of Education member David Hergenroeder, and Larry Livingston Stanberry

**APPROVAL OF AGENDA**

The agenda was approved as presented

**APPROVAL OF MINUTES**

**MINUTES NO. 2018-05-WS, MARCH 22, 2018**

Council Member Smith moved to approve Minutes No. 2018-05-WS. Council Member Wroblewski seconded. The vote was taken and recorded as follows:

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

Motion carried.

**MINUTES NO. 2018-07-RG, MARCH 26, 2018**

Council Member Wroblewski moved to approve Minutes No. 2018-07-RG, as amended. Council Member Shaw seconded. The 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	Absent

Motion carried.

**PRESENTATIONS AND AWARDS**

**PRESENTATION OF PROCLAMATION BY MAYOR DESIGNATING THE MONTH OF APRIL 2018 AS CHILD ABUSE PREVENTION MONTH**

After reading a portion of a proclamation declaring the month of April 2018 as "Child Abuse Prevention Month" in the City of Madison, Mayor Finley presented said Proclamation to a representative of the National Children's Advocacy Center.

**PRESENTATION OF PROCLAMATION BY MAYOR DESIGNATING JUNE 8, 2018 AS FIRST RESPONDERS DAY**

After reading a portion of a proclamation declaring June 8, 2018 as "First Responders' Day" in the City of Madison, Mayor Finley presented said Proclamation to Mr. Howell Lee.

**JEFF BIRDWELL, EMA DIRECTOR, PRESENTATION IN CONNECTION WITH ANNUAL APPROPRIATION**

EMA Director Birdwell outlined their activities and projects from this past year as well as future projects.

**CHIP CHERRY, EXECUTIVE DIRECTOR, HUNTSVILLE/MADISON COUNTY CHAMBER OF COMMERCE, PRESENTATION IN CONNECTION WITH THEIR ANNUAL APPROPRIATION**

Mr. Cherry thanked Council for their continued support throughout the years. He updated them on various projects they are working on and outlined their plans for the coming year.

**SARAH SLEDGE, BRANCH MANAGER OF THE MADISON PUBLIC LIBRARY; NATIONAL LIBRARY WEEK**

Mrs. Sledge presented preliminary numbers for the new Madison Library usage. Ms. Jeanetta Wilson, on behalf of the "Friends of the Library", presented a check in the amount of \$16,000 to Mrs. Sledge for the Madison Public Library.

**PUBLIC COMMENTS**

*Public Comments are limited to five minutes each if the speaker requested to be added to the Agenda prior to deadline. Individuals requesting to speak at the meeting who did not make the agenda deadline are limited to three minutes.*

None

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Smith moved to approve the Consent Agenda and Finance Committee Report, as amended. Council Member Shaw seconded.

General Operating Account	\$1,156,059.95
Special General Operating Accounts	\$3,979.16
ADEM Storm Drainage	\$3,136.16
Gasoline Tax and Petroleum Inspection Fees	\$45,654.87

Street Repair and Maintenance	\$6,302.46
2013 and 2015 Bond Checking	\$303,199.49
Library Building Fund	\$64,788.22
State Forfeiture	\$72.98
½ Cent Infrastructure	\$3,370.40
TVA Tax	\$3,408.40
Water Distribution and Storage	\$78,861.00

- Approval of payment for Invoice No. 65728 on Purchase Order No. 2018-418 in the amount of \$26,242.75 to Populous Group, LLC for professional services phase of CIP Project No. 18-004 multi-use venue study to be paid from 2013 Bond account
- Resolution No. 2018-123-R authorizing a travel advance in the amount of \$168.50 each for Marcus Scroggin and Russell Owen to attend 2018 Law Enforcement Training Conference to be paid from department budget
- Approval of payment for Invoice No. 18302 in the amount of \$969.10 to OMI, Inc. for geotechnical engineering services rendered for Dublin Pool air-supported covering – 100% complete, to be paid from 2015-A Bond account
- Resolution No. 2018-112-R authorizing the purchase of CAT 420F2 backhoe and authorizing trade of 2006 backhoe to be paid from departmental budget
- Resolution No. 2018-124-R authorizing the purchase of mini-excavator to be paid from departmental budget
- Resolution No. 2018-126-R authorizing the purchase of one CAT 259D skid steer to be paid from departmental budget
- Resolution No. 2018-131-R authorizing the trade in of 2006 CAT 420E backhoe with trade in amount to be used on the purchase of new backhoe
- Resolution No. 2018-127-R authorizing the purchase of one Ford F450 truck as approved in FY 18 amended budget to be paid from departmental budget
- Resolution No. 2018-128-R authorizing the purchase of one tractor to be paid from departmental budget
- Resolution No. 2018-129-R authorizing the purchase of one Dingo to be paid from departmental budget

- Approval of payment for Invoice No. 193843 in the amount of \$165.66 to Fastenal for supplies to install Dublin Pool air-supported covering – 100% complete. To be paid from 2015-A Bond account

The roll call vote to approve the Consent Agenda 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	Nay
Council Member John Seifert	Absent

Motion carried.

**PRESENTATION OF REPORTS**

**MAYOR PAUL FINLEY:**

**MISCELLANEOUS ANNOUNCEMENTS**

Mayor Finley reported on the following activities, events and newsworthy items:

- School Superintendent Robby Parker and Mayor Finley will hold a public meeting tomorrow, April 10, 2018 at 6:30 PM at Bob Jones High School Auditorium to discuss the recent Growth Committee report as well as information regarding the Limestone County tax settlement issue
- All necessary right-of-way for the Zierdt Road project has been acquired by the Metropolitan Planning Organization. Mayor Finley will meet with representatives from ALDOT tomorrow to discuss this project further.

**RESOLUTION NO. 2018-110-R; APPROVING ANNUAL APPROPRIATION AGREEMENT WITH EMA FOR FY 18 IN THE AMOUNT OF \$53,000 TO BE PAID FROM GENERAL FUND**

Council Member Shaw moved to approve Resolution No. 2018-110-R. Council Member Powell seconded. The vote taken was 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

Absent

Motion carried.

**RESOLUTION NO. 2018-111-R; APPROVING ANNUAL APPROPRIATION AGREEMENT WITH HUNTSVILLE/MADISON COUNTY CHAMBER OF COMMERCE FOR FY 18 IN THE AMOUNT OF \$25,000 TO BE PAID FROM GENERAL FUND**

Council Member Powell moved to approve Resolution No. 2018-111-R. Council Member Shaw seconded. The vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-125-R; APPROVING AMENDED ANNUAL APPROPRIATION AGREEMENT WITH MADISON CHAMBER OF COMMERCE IN THE AMOUNT OF \$45,000 TO BE PAID FROM GENERAL FUND (INCREASE OF \$15,000)**

Council Member Wroblewski moved to approve Resolution No. 2018-125-R. Council Member Shaw seconded. The vote taken was 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	Absent

Motion carried.

**COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI**

Council Member Wroblewski reported on the following activities, events and newsworthy items:

- Madison Ready Fest to be held April 14, 2018 from 10 am – 2pm at Church of Jesus Christ of Latter Day Saints located at 1297 Slaughter Road
- Taste the Spirit of Madison to be held April 14, 2018 from 9am – 9pm at Insanity Skate Park, hosted by the Madison Chamber of Commerce

**COUNCIL DISTRICT NO. 2 STEVE SMITH**

No business to report

**COUNCIL DISTRICT NO. 3 TEDDY POWELL**

Council Member Powell thanked Mayor Finley for everything he's done to push forward the Zierdt Road project.

**COUNCIL DISTRICT NO. 4 GREG SHAW**

No business to report

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

**RESCHEDULE MAY 28<sup>TH</sup> REGULAR COUNCIL MEETING DUE TO MEMORIAL DAY HOLIDAY**

Due to the Memorial Day holiday on Monday, May 28<sup>th</sup>, the regularly scheduled Madison City Council meeting will be held on Tuesday, May 29<sup>th</sup>, 2018.

**COUNCIL DISTRICT NO. 6 GERALD CLARK**

No business to report

**COUNCIL DISTRICT NO. 7 JOHN SEIFERT**

Absent

**BOARD/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS**

**RESOLUTION NO. 2018-120-R; APPROVE REQUEST FOR A RESTAURANT RETAIL LIQUOR LICENSE FROM HC OUTDOORS, LLC. DOING BUSINESS AS HUNT CLUB BURGERS N GRILL FOR THEIR LOCATION AT 10871 COUNTY LINE ROAD, SUITE E**

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

Council Member Wroblewski moved to approve Resolution No. 2018-120-R approving the request for a restaurant retail liquor license from HC Outdoors, LLC doing business as Hunt Club Burgers N Grill. Council Member Shaw seconded. The vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-121-R; APPROVE REQUEST FOR AN OFF-PREMISE BEER AND WINE LICENSE FROM WALGREEN CO., DOING BUSINESS AS RITE AID #07054 FOR THEIR LOCATION AT 8000 MADISON BOULEVARD, SUITE B**

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

Council Member Powell moved to approve Resolution No. 2018-121-R, approving the issuance of the license by the ABC Board with the issuance of the local license to be contingent upon final approval from the Building and Fire departments. Council Member Shaw seconded. The vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-122-R; APPROVE REQUEST FOR AN OFF-PREMISE BEER AND WINE LICENSE FROM WALGREEN CO., DOING BUSINESS AS RITE AID #07053 FOR THEIR LOCATION AT 298 HUGHES ROAD**

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

Council Member Shaw moved to approve Resolution No. 2018-122-R, approving the issuance of this license by the ABC Board with issuance of the local license to be contingent upon final approval from the Building and Fire departments. Council Member Powell seconded. The vote taken was 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	Absent

Motion carried.

**DEPARTMENTAL REPORTS**

**ENGINEERING DEPARTMENT**

**RESOLUTION NO. 2018-108-R, ACCEPTANCE MOORE'S CREEK, PHASE 3 INTO THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Smith moved to approve Resolution No. 2018-108-R. Council Member Powell seconded. The roll call vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-130-R, ACCEPTANCE OF THE COVE AT EASTVIEW INTO THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Smith moved to approve Resolution No. 2018-130-R. Council Member Powell seconded. The roll call vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-119-R, AUTHORIZING PERMISSIVE USE AGREEMENT WITH MURPHY HOMES, INC.**

Council Member Powell moved to approve Resolution No. 2018-119-R. Council Member Powell seconded. The roll call vote taken was 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	Absent

Motion carried.

**FIRE DEPARTMENT**

**RESOLUTION NO. 2018-109-R; AUTHORIZING A CLINICAL AFFILIATION AGREEMENT WITH CALHOUN COMMUNITY COLLEGE**

Council Member Wroblewski moved to approve Resolution No. 2018-109-R. Council Member Smith seconded. The vote taken was 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	Absent

Motion carried.

**PLANNING DEPARTMENT**

**RESOLUTION NO. 2018-113-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2018-114 TO REZONE CERTAIN PROPERTY OWNED BY OLD TOWN INVESTMENTS, LLC/TM HOTEL GROUP A, LLC, LOCATED SOUTH OF I-565, EAST OF WALL TRIANA HIGHWAY FROM MU (MIXED USE) TO UC (URBAN CENTER). FIRST PUBLICATION APRIL 18, 2018, SYNOPSIS APRIL 25, 2018, PUBLIC HEARING MAY 14, 2018**

Council Member Powell moved to approve Resolution No. 2018-113-R. Council Member Shaw seconded. The vote taken was 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	Absent

Motion carried.

**UPDATE ON MADISON LIBRARY CHILDREN'S GARDEN PROJECT**

Director of Development Services Mary Beth Broeren updated Council on this project which consists of approximately 3,000 square feet of outdoor area.

**RECREATION DEPARTMENT**

**RESOLUTION NO. 2018-105-R; AUTHORIZING SOFTWARE LICENSE, MAINTENANCE AND SUPPORT AGREEMENT WITH VERMONT SYSTEMS, INC. FOR PARKS AND RECREATION SOFTWARE AND TRAINING TO BE PAID FROM DEPARTMENTAL BUDGET**

Council Member Smith moved to approve Resolution No. 2018-105-R. Council Member Powell seconded. The vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-117-R; AUTHORIZING A FACILITY USE AGREEMENT WITH KIMBERLY SHAW FOR AN INFANT SWIM PROGRAM**

Council Member Wroblewski moved to approve Resolution No. 2018-117-R. Council Member Smith seconded. The vote taken was recorded as follows:

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

Motion carried.

It was noted that Council Member Shaw left the dais during the discussion and voting on this agenda item.

**RESOLUTION NO. 2018-115-R; REJECT BIDS FOR 2018-003-ITB – PALMER PARK ADDITION**

Council Member Smith moved to approve Resolution No. 2018-115-R. Council Member Powell seconded. The vote taken was 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	Absent

Motion carried.

**REVENUE DEPARTMENT**

**PROPOSED ORDINANCE NO. 2018-92; EXEMPTING 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 MARCH 26, 2018**

Council Member Shaw moved to approve Ordinance No. 2018-92. Council Member Wroblewski seconded. The vote taken was 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	Absent

Motion carried.

**LEGAL DEPARTMENT**

**RESOLUTION NO. 2018-116-R; AWARDING BID FOR MADISON LIBRARY CLEANING SERVICES TO EAGLE CLEANING SERVICE, INC. – TO BE PAID FROM LIBRARY FUND**

Council Member Smith moved to approve Resolution No. 2018-116-R. Council Member Powell seconded. The vote taken was 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	Absent

Motion carried.

**RESOLUTION NO. 2018-132-R; SETTING A PUBLIC HEARING REGARDING BUSINESS LICENSE OF MAYO BIVENS (PICTURE PERFECT KUTZ)**

Council Member Wroblewski moved to approve Resolution No. 2018-132-R. Council Member Powell seconded. The vote taken was 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	Absent

Motion carried.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

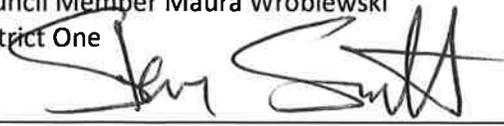
There being no further business to come before Council, Council Member Wroblewski moved to adjourn the meeting. Motion carried.

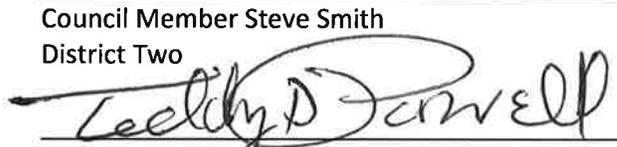
The meeting was adjourned at 7:00 p.m.

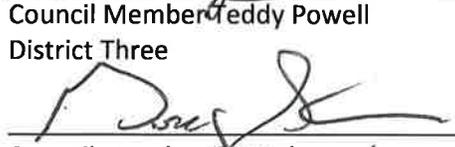
Signatures on following page.

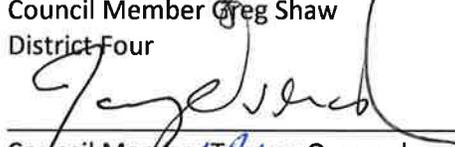
Minutes No. 2018-08-RG, dated April 9, 2018, read, approved and approved this 23<sup>rd</sup> day of April 2018.

  
Council Member Maura Wroblewski  
District One

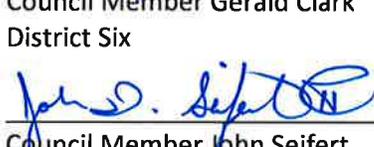
  
Council Member Steve Smith  
District Two

  
Council Member Eddy Powell  
District Three

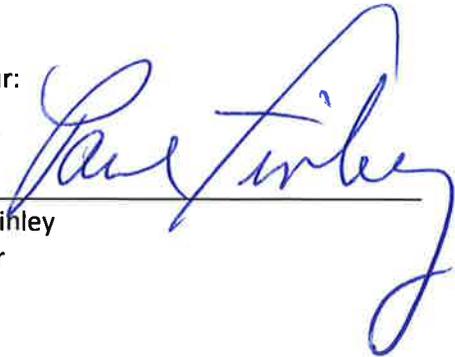
  
Council Member Greg Shaw  
District Four

  
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



Kristen N. Bruseth  
Recording Secretary