



MINUTES NO. 2018-09-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
APRIL 23, 2018

The Madison City Council met in regular session on Monday, April 23, 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.

Youth Pastor Joseph Fowler with Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Tommy Overcash.

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	Present

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

Public Attendance registered was John Ryberg, Bette Moore, Jason Scrivner, Pam Honeycutt, Michael Murch, Sarah Sledge, Don Webster, Kenny Roberts, Aaron Jones, Butch Parris, Madison County Commissioner Steve Haraway, Board of Education member David Hergenroeder, Brad Ryder, Jared Cassidy and one illegible signature

APPROVAL OF AGENDA

REMOVAL OF ITEM

Engineering Department line item: Resolution No. 2018-156-R; approving agreement with Croy Engineering for traffic signal modification and intersection design in the amount of \$10,750 and approval of construction costs in the amount of \$36,601.80 for installation of a pedestrian signal at Palmer/County Line Road intersection

APPROVAL OF MINUTES

MINUTES NO. 2018-08-RG, APRIL 9, 2018

Council Member Smith moved to approve Minutes No. 2018-08-RG. 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	Abstain

Motion passed.

PRESENTATIONS AND AWARDS

SWEARING IN OF SEVEN NEW FIREFIGHTERS; CODY WHITE, TIMOTHY HALL, OLIVER CLEMONS, CODY NOWAKOWSKI, CHRISTOPHER MCEVOY, TYLER DREW AND JONAH COWAN

Fire Chief David Bailey administered the oath of office for the Fire Department's newest recruits: Cody White, Timothy Hall, Oliver Clemons, Cody Nowakowski, Christopher McEvoy, Tyler Drew and Jonah Cowan.

DONATION FOR CHILDREN'S GARDEN AT THE MADISON PUBLIC LIBRARY

Marc Jacobson, President of the Rotary Club of Madison, announced that this is their signature project at the library. A landscape architect has offered to donate her time, Turner Construction has donated the concrete, Southern Scape, LLC is donating the installation of the rubber material and Senator Bill Holtzclaw is working on a grant for this project. The total projected value of the project is estimated to be \$50,000. The Rotary Club has offered to take a lot of this project on as a service

project. As the property is owned by the City and managed by the Library, the Rotary Club asks for Council approval to move forward with the project. It was the consensus of Council to move forward with the project.

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.

MADISON RESIDENT MIKE MURCH; ARNETT STREET DRAINAGE ISSUE

Mr. Murch requested that Council table Resolution No. 2018-133-R under the Engineering Department line of business until his neighbors have had an opportunity to provide input.

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	\$842,407.94
Special General Operating Accounts	\$49.99
ADEM Storm Drainage	\$77.70
Gasoline Tax and Petroleum Inspection Fees	\$35,488.31
Street Repair and Maintenance	\$512.46
2013 and 2015 Bond Checking	\$27,377.51
Library Building Fund	\$4,859.60
½ Cent Infrastructure	\$1,460.00

- Approval of payment for Invoice No. 18345 (partial payment No. 2) on Purchase Order No. 2018-0660 in the amount of \$475.00 to OMI, Inc. for work completed to date on Project 17-019, Shalerock Drive bridge over Moore’s Branch to be paid from 2015 Bond account
- Resolution No. 2018-135-R authorizing the Public Works Department to purchase a drum roller in the amount of \$33,997 to be paid from FY 18 departmental budget
- Resolution No. 2018-138-R declaring 2000 Jeep Cherokee (Fixed Asset No. 03527) formerly used by the Parks & Recreation Department and authorizing that it be sold through online auction website Govdeals.com

- Approval of payment in the amount of \$31,152.50 to Dudley Construction for installation of sidewalk at the Madison Movie Theater approved by Resolution No. 2017-144-R to be paid from Public Works Department special projects budget
- Approval of final payment for Invoice No. 14 on Purchase Order No. 2017-488 in the amount of \$106,688.74 to Pearce Construction Company for construction costs for Madison Public Library Facility to be paid from 2015 Bond account
- Approval of payment for Invoice No. 200226456 on Purchase Order No. 2018-706 in the amount of \$3,074.70 to Spectra Contract Flooring for extra flooring (attic stock) for the Madison Public Library Facility to be paid from 2015 Bond account
- Resolution No. 2018-151-R declaring 5 printers, 2 monitors and 3 laptops formerly used by various departments as negligible value and authorizing the disposal of said property
- Resolution No. 2018-152-R declaring 2 printers, 7 switches and 15 personal computers no longer being used by various departments as surplus and authorizing their disposal via online auction website Govdeals.com
- Approval of payment for Invoice No. 180086-01 on Purchase Order No. 2018-876 in the amount of \$44,660 to Turner Construction Company for pre-construction – schematic re-design and value engineering phase (Resolution No. 2017-318-R, multi-use venue) to be paid from 2015-A Bond account

DONATIONS:

- Acceptance of donation in the amount of \$33.32 from Chambers Bottling Company to be deposited into Fire Department donation 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	Aye
Council Member John Seifert	Aye

Motion passed.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY:

MISCELLANEOUS ANNOUNCEMENTS

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

- Attended two meetings regarding School Growth Committee report

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

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

- ReadyFest and Taste of Madison events held on April 14, 2018
- Quarterly luncheon at Best Western with guest speaker Madison County Commissioner Steve Haraway on May 10, 2018

COUNCIL DISTRICT NO. 2 STEVE SMITH

RESOLUTION NO. 2018-157-R; APPROVING AN UPDATED CAPITAL IMPROVEMENT PROJECT LISTING

Council Member Smith moved to approve Resolution No. 2018-157-R, with the additions of library property purchase not to exceed \$180,000 and Morris Street bridge repair not to exceed \$200,000. Council Member Powell seconded. The roll call vote was taken and recorded as follows:

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

Motion failed.

After further discussion, Council Member Smith moved to approve Resolution No. 2018-157-R, as presented. 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.

COUNCIL DISTRICT NO. 3 TEDDY POWELL

Council Member Powell thanked Communications Specialist Samantha Magnusson, City Attorney Megan Zingarelli, Director of Development Services Mary Beth Broeren and the Mayor's Office for information they compiled in connection to the Town Madison project.

COUNCIL DISTRICT NO. 4 GREG SHAW

Council Member Shaw thanked Madison County Commissioner Steve Haraway for his assistance in the funding and placement of street lights along Palmer Road.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

APPROVAL TO HIRE AN EXPERIENCED DOT SIGNAL SUPERINTENDENT AT A HIGHER STEP IN PUBLIC WORKS DEPARTMENT

Council Member Wroblewski moved to approve the hiring of an experienced DOT Signal Superintendent at a Step 3. 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.

COUNCIL DISTRICT NO. 6 GERALD CLARK

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

- Board of Education applicant interviews will be held this week
- Various other board and committee openings

COUNCIL DISTRICT NO. 7 JOHN SEIFERT

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

- Attended Madison County Vietnam Veterans Memorial on April 7, 2018

- Thanked Public Works Director Kent Smith and his department for the work they completed at Hillchase Subdivision
- Thanked the Parks & Recreation Department for the work they completed at Palmer Park

BOARD/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS

RESOLUTION NO. 2018-139-R; APPROVE REQUEST FOR A RESTAURANT RETAIL LIQUOR LICENSE FROM ANDEN, INC., DOING BUSINESS AS BEIGNET CAFÉ FOR THEIR LOCATION AT 1591 HUGHES ROAD, SUITE A

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. 2018-139-R, contingent upon final approval from the Building and Fire Departments. 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.

RESOLUTION NO. 2018-140-R; APPROVE REQUEST FOR AN ON OR OFF-PREMISE BEER AND WINE LICENSE FROM 9225 MADISON BOULEVARD, LLC., DOING BUSINESS AS HAMPTON INN MADISON-HUNTSVILLE AIRPORT FOR THEIR LOCATION AT 9225 MADISON BOULEVARD

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 Seifert moved to approve Resolution No. 2018-140-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	Aye
Council Member John Seifert	Aye

Motion passed.

DEPARTMENTAL REPORTS

ENGINEERING DEPARTMENT

RESOLUTION NO. 2018-133-R, AUTHORIZING AN AGREEMENT WITH JOHNSON & ASSOCIATES FOR PROFESSIONAL DESIGN SERVICES RELATED TO ARNETT STREET DRAINAGE IMPROVEMENTS, NOT TO EXCEED \$5,300 TO BE PAID FROM DEPARTMENTAL FUNDS

Council Member Clark moved to adopt Resolution No. 2018-133-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	Aye

Motion passed.

PRESENTATION REGARDING PENDING UPDATES TO FLOOD ORDINANCE

City Engineer Gary Chynoweth made a PowerPoint presentation regarding pending updates to the Flood Ordinance.

RESOLUTION NO. 2018-156-R, APPROVING AGREEMENT WITH CROY ENGINEERING FOR TRAFFIC SIGNAL MODIFICATION AND INTERSECTION DESIGN IN THE AMOUNT OF \$10,750 AND APPROVAL OF CONSTRUCTION COSTS IN THE AMOUNT OF \$36,601.80 FOR INSTALLATION OF A PEDESTRIAN SIGNAL AT PALMER/COUNTY LINE ROAD INTERSECTION TO BE PAID FROM COUNCIL SPECIAL PROJECTS

This item was removed from the agenda at the beginning of the meeting.

RESOLUTION NO. 2018-155-R, APPROVAL TO INSTALL STREET LIGHTS ON PALMER ROAD IN THE AMOUNT OF \$15,862 WITH COSTS TO BE DONATED BY MADISON COUNTY COMMISSIONER STEVE HARAWAY TO BE FUNDED THROUGH COUNCIL SPECIAL PROJECTS

Council Member Shaw moved to adopt Resolution No. 2018-155-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	Aye

Motion passed.

INFORMATION TECHNOLOGY DEPARTMENT

RESOLUTION NO. 2018-134-R; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANNUAL SMARTNET AGREEMENT WITH CISCO SYSTEMS THROUGH TEKLINKS IN THE AMOUNT OF \$10,104.43 TO BE PAID FROM DEPARTMENTAL BUDGET

Council Member Smith moved to approve Resolution No. 2018-134-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	Aye
Council Member John Seifert	Aye

Motion passed.

POLICE DEPARTMENT

RESOLUTION NO. 2018-149-R; AUTHORIZING THE PURCHASE OF COBAN BODY WORN CAMERAS FOR USE BY MADISON POLICE DEPARTMENT. FUNDING IN THE AMOUNT OF \$65,490 TO BE PAID FROM DEPARTMENTAL BUDGET AND \$6,750 FOR CONTINUED MAINTENANCE OF IN-CAR CAMERA SYSTEM FOR 2018 TO BE PAID FROM DEPARTMENTAL BUDGET

Council Member Wroblewski moved to approve Resolution No. 2018-149-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	Aye

Council Member John Seifert

Aye

Motion passed.

RESOLUTION NO. 2018-158-R; AUTHORIZING SUBMISSION OF BULLETPROOF VEST GRANT APPLICATION. FUNDING FROM DEPARTMENTAL BUDGET

Council Member Wroblewski moved to approve Resolution No. 2018-158-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 DEPARTMENT

RESOLUTION NO. 2018-144-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2018-143: REZONING CERTAIN PROPERTY OWNED BY MADISON-WEST, INC. AND LOCATED AT THE NORTHEAST CORNER OF MADISON BOULEVARD AND RESEARCH BOULEVARD FROM M-1 (RESTRICTED INDUSTRIAL) TO B-3 (GENERAL BUSINESS DISTRICT). FIRST PUBLICATION MAY 2, 2018. SYNOPSIS MAY 9, 2018 AND PUBLIC HEARING MAY 29, 2018

Council Member Clark moved to approve Resolution No. 2018-144-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.

RESOLUTION NO. 2018-146-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2018-145: REZONING CERTAIN PROPERTY OWNED BY DR. JAMES G. MCMURRY AND LOCATED ON THE SOUTH SIDE OF MADISON BOULEVARD AT THE SOUTHERN TERMINUS OF HUGHES ROAD FROM M-1 (RESTRICTED INDUSTRIAL) TO B-3 (GENERAL BUSINESS DISTRICT). FIRST PUBLICATION MAY 2, 2018. SYNOPSIS MAY 9, 2018 AND PUBLIC HEARING MAY 29, 2018

Council Member Powell moved to approve Resolution No. 2018-146-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	Aye
Council Member Greg Shaw	Aye
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

RESOLUTION NO. 2018-142-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2018-141 ZONING CERTAIN PROPERTY OWNED BY MICHAEL R. & NOELLE DEHMLOW AND LOCATED AT 210 PATRICIA ROAD TO R-2 (MEDIUM DENSITY RESIDENTIAL). FIRST PUBLICATION MAY 2, 2018. SYNOPSIS MAY 9, 2018 AND PUBLIC HEARING MAY 29, 2018

Council Member Powell moved to approve Resolution No. 2018-142-R. 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.

PARKS & RECREATION DEPARTMENT

RESOLUTION NO. 2018-137-R; AUTHORIZING FIREWORKS DISPLAY AGREEMENT WITH J & M DISPLAYS, INC. IN THE AMOUNT OF \$14,998.50 TO BE PAID FROM DEPARTMENTAL BUDGET

Council Member Smith moved to approve Resolution No. 2018-137-R. Council Member Shaw seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Absent @ time of vote
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.

RESOLUTION NO. 2018-150-R; AUTHORIZING AGREEMENT WITH ARIZON STRUCTURES FOR AIR STRUCTURE DISASSEMBLY IN THE AMOUNT OF \$15,835 TO BE PAID FROM DEPARTMENTAL BUDGET

Council Member Smith moved to approve Resolution No. 2018-150-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	Absent @ time of vote
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

RESOLUTION NO. 2018-148-R; AUTHORIZING A FACILITIES USE AGREEMENT WITH ASF FOUNDATION TO HOST THE 2018 ALABAMA STATE GAMES

Council Member Smith moved to approve Resolution No. 2018-148-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	Absent @ time of vote
Council Member Tommy Overcash	Aye
Council Member Gerald Clark	Aye
Council Member John Seifert	Aye

Motion passed.

RESOLUTION NO. 2018-153-R; AUTHORIZING AN AGREEMENT WITH LEE BUILDERS FOR INSTALLATION OF DIVING BLOCKS AT DUBLIN PARK INDOOR POOL IN AN AMOUNT NOT TO EXCEED \$28,757 TO BE PAID FROM DEPARTMENTAL BUDGET FROM DONATED FUNDS

Council Member Seifert moved to approve Resolution No. 2018-153-R. 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.

LEGAL DEPARTMENT

PUBLIC HEARING

PUBLIC HEARING REGARDING BUSINESS LICENSE OF SEQUEL TSI HOLDINGS, LLC (THREE SPRINGS FACILITY) PUBLIC HEARING CONTINUED FROM MARCH 26, 2018 COUNCIL MEETING

City Attorney Megan Zingarelli stated that in February, Council had passed a resolution to set this public hearing in March, and that the City had provided Sequel timely notice of the hearing. She gave a brief background on issues of concern related to Three Springs, including records of escape incidents, the conviction of two Sequel employees for assault, and the pending trial of another Sequel employee for engaging in sex with a student. She noted that Sequel had fired the employees after the criminal charges. She presented police reports of the escape incidents, the assault conviction records of the two former Sequel employees, and an affidavit of the Chief of Police regarding security deficiencies he observed at the facility following an August 2017 escape incident that resulted in the arrest of two Sequel DHR residents on murder charges (pending trial as of the Council meeting date) to the City Clerk for the hearing record. Next, Police Chief David Jernigan gave an update and overview on security deficiencies he had observed at the facility following the August 2017 escape incident and improvements that Sequel staff had made since that time. Both the Chief and the City Attorney noted that no escapee or runaway incidents had occurred since August of 2017.

Mr. Brad Ryder, counsel for Sequel TSI Holdings, LLC, Ms. Betty Moore, Regional Director, Mr. Jason Scrivner, Executive Director, as well as other representatives from Sequel TSI Holdings appeared before Council and outlined additional security measures, community involvement measures, and Advisory Board additions that have been put in place at the facility and asked that the City allow them to continue to operate under their current business license.

Mr. Ryder requested that the City not consider any incidents prior to September 2017 and stated that Sequel is not legally or criminally liable for the murder that occurred.

The following individuals spoke before Council:

- Joseph Pettus; spoke in support of license revocation
- Steve Haraway; spoke in support of license revocation and relocation
- Dale Strong; spoke in support of whatever decision Council makes
- John Ryberg; spoke in support of renewal of license
- Jacqueline Pettus; spoke in support of license revocation

Council Member Powell asked how many Madison City residents are residents of the Three Springs facility currently. Sequel representatives stated that the numbers indicated on information provided by Sequel show that 71% of the residents are from Madison County, while the rest of the

residents are from Cullman, Morgan, Lauderdale, Houston, Franklin, Jefferson, Limestone, Marshall, Montgomery, Russell, Dale, and Etowah Counties.

Council Member Shaw asked why adjustments to security of the facility weren't made when runaways became a consistent problem, back in 2012 instead of waiting until after this tragedy occurred? A representative from Sequel, who did not give his name, stated that the facility did make major upgrades to their security such as fencing around the perimeter several years ago, not just after August 2017. Council Member Shaw also asked that if they did make "considerable upgrades" to their facility then why were there five runaways the following year followed by a continuing runaway problem each year? The representative stated that security was evaluated after each incident and what additional steps needed to be taken. He did add that there was a distinct difference between DYS (Department of Youth Services) and DHR (Department of Human Resources) in terms of required security.

Council Member Seifert asked, per Sequel's contracts, how often are they required to test the security measures? The Representative stated that DYS typically visits every six months to review the security measures but they also have maintenance personnel who inspect the security on a monthly basis. Council Member Seifert inquired as to what industry accepted standards are in terms of runaways. The Representative stated that he is unable to definitively answer that question. Council Member Seifert asked what kind of community involvement initiatives has Three Springs put forth. Mr. Scrivner stated that prior to this they've been in the community quite frequently by being involved in volunteering at Burritt on the Mountain, the Autism Fun Run/Walk, involvement in MLK Flag Football Day alongside the city kids, they've participated in various community-gym openings and been invited to numerous church breakfasts and mentoring events.

Council President Overcash stated that he feels the City was being reasonable in putting together a proposed conditional Resolution in terms of Three Springs license renewal but that Three Springs has fought back on two very reasonable proposed conditions that they mostly have already conformed to. He asked what are they trying to resist by not agreeing to these extra conditions. Council President Overcash added that it is a privilege to hold a business license, not a right.

Mayor Finley stated that the group before Council this evening has worked diligently to accomplish most of what the City has asked them to, especially within the Resolution. He stated that one question he has asked, continuously, and has yet to hear any discussion on is 'what is the game plan for finding a new home'? The Three Springs representative stated that they had not discussed relocating their facility because currently they are focused on obtaining their business license and ensuring that they have no more escapees.

Council Member Powell repeated Mr. Ryder's opening comment in that Three Springs was not legally or criminally responsible for the murder that had occurred following an escape of two Sequel residents in 2017. He wondered why it is that the kids who escape from the facility are responsible for their actions but the facility who is in charge of them and held accountable for their attendance and ensuring that they remain within the confines of the property are not held responsible for preventing escapes. Council Member Powell asked how many children are at the facility today and was told that there are 54 currently residing at the facility. He then asked how many of them are from the City of Madison. The representative did not know off the top of his head but added that he can get him that information; they typically break their numbers down by county, not by City. Council Member Powell

then asked him how many children are from Madison County and was told that 5 – 6. Council Member Powell pointed out that if there are 54 children at the facility and only 5 – 6 of them are from Madison County then the statistic mentioned earlier of 71% is inaccurate. Council Member Powell is concerned about whether or not our immediate community is being served by this facility's location in our city limits and wonders why it cannot be located in another city or county.

Council Member Clark stated that while he was growing up his parents decided that they would foster children and he is still close to many of those children. They knew their backstories; they knew where they came from and why they were in foster care. Three Springs facility is a business and these children are just numbers to them. He stated that there is a tipping point where the business environment changes and the facility itself needs to change. He believes this is a wakeup call to them and what he is not hearing is that these are children with stories as to why they have found themselves at the facility, they are not numbers. Nor is he hearing a game plan as to what is being done to make the situation better. Mr. Scrivner stated that if he had a list before him tonight he could tell them what their story is and where they are from and argued that Council Member Clark was using a pretty broad generalization and is basing his decision purely on feeling. The people that work with these children know them and their background. Council Member Clark asked again how many of the children are from Madison County and Council Member Powell added that this is a fact and not a feeling. Mr. Scrivner stated that although he understands what he is asking, he believes you could go into any high school or elementary school and ask every teacher that same question and not be able to get an accurate answer. Several members of Council disagreed emphatically. Mr. Scrivner stated "you asked me a number and I'm trying to give you a number, you didn't ask me about the kids".

Council Member Clark asked if they were to look at opening a new facility, would they look in an urban area or a rural area? Mr. Scrivner stated that he operates nine programs in Florida and they are not in a rural area. Council Member Clark urged them to look once again at their security/fencing perimeter and believes that they are just scratching the surface.

Council Member Smith asked, if during the six-month inspection with DYS, the number of escapees/runaways in a certain period of time are reviewed and discussed. Ms. Moore stated that they do have an incident reporting process that they follow in which they have two hours to get the report out and they do have to notify the state agency immediately, followed by a review process afterwards. They also have a service-monitor from the State who is on-site every other week. If an event rises to a certain level, they do have to submit a plan of action report.

Mayor Finley asked what an appropriate timeframe would be if Council were to say that the time has come to look for other locations that would be more feasible to their facility. The Three Springs representative stated that he would have to meet with their CEO and put a plan together. He is unable to provide the Mayor with a specific timeframe this evening.

City Attorney Zingarelli made the following statement:

"As an attorney licensed to practice law in Alabama and as City Attorney for the City of Madison, it is my opinion that Alabama Code § 36-25A-7 which allows the Council to enter into Executive Session applies to certain matters related to the public hearing in progress tonight. The first

ground is to discuss the security and safety of persons, structures, and facilities. The second is to deliberate and discuss evidence or testimony presented during a public hearing. This declaration shall not be deemed to constitute any waiver of the attorney-client privilege.”

Council Member Wroblewski moved to go into Executive Session. 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. Council President Overcash stated that Council would reconvene in open session in approximately one hour.

Council went in to Executive Session at approximately 9:00 PM and returned at approximately 10:40 PM. Council Member Clark moved to come out of Executive Session. 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.

Council Member Smith moved to approve Resolution No. 2018-136-R with the amendment to Paragraph 1, by stating “the security audit will be completed and returned to the City within 90 days of the motion passing”. City Attorney Zingarelli stated that this is a Resolution placing security conditions on the business license of Sequel TSI Holdings, LLC doing business as Three Springs. Council Member Clark seconded. The roll call vote was taken and recorded as follows:

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

Motion passed.

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 10:43 p.m.

Signatures on following page.

Minutes No. 2018-08-RG, dated April 9, 2018, read, approved and adopted this 14th day of May, 2018.



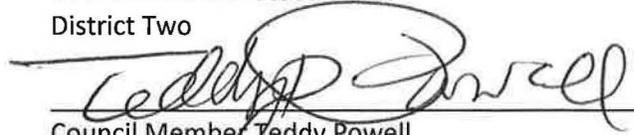
Council Member Maura Wroblewski

District One



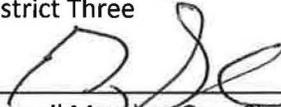
Council Member Steve Smith

District Two



Council Member Teddy Powell

District Three



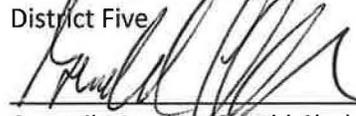
Council Member Greg Shaw

District Four



Council Member Tommy Overcash

District Five



Council Member Gerald Clark

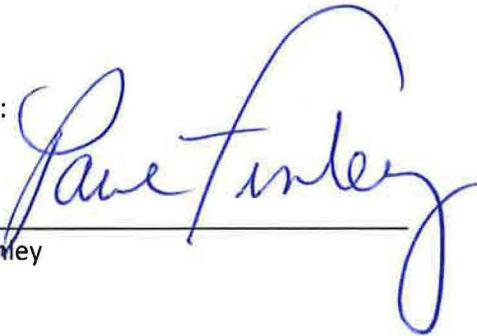
District Six



Council Member John Seifert

District Seven

Concur:



Paul Finley

Mayor

Attest:



Melanie A. Williard

City Clerk-Treasurer



Kristen N. Bruseth

Recording Secretary