



MINUTES NO. 2019-17-SP
OF A
SPECIAL CALLED MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
AUGUST 14, 2019

The Madison City Council met in a special called session on Wednesday, August 14, 2019, at 6:00 p.m. in the Council Chambers of the Madison Municipal Complex, Madison, Alabama.

A Waiver of Notice was signed by the Mayor and Council Members prior to the beginning of the meeting being called to order. Noting that a quorum was present, the meeting was called to order at 6:00 p.m. by Council President Smith.

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

City Officials in attendance were: City Clerk Treasurer Melanie Williard, Deputy City Clerk-Treasurer Lisa Thomas, Building Department Director Dustin Riddle, City Attorney Megan Zingarelli, Police Captain Steve Wilkerson, Information Technology Director Jason Colee, City Administrator Marc Jacobson, Police Captain John Stringer, Police Chief David Jernigan, Revenue Director Cameron Grounds, Police Captain Terrell Cook, Fire Chief David Bailey, and Media Communications Specialist Samantha Magnuson.

Public Attendance registered: Senator Tom Butler, Madison County Commissioner Steve Haraway, Wilson and Thea Coats, Bebe Oetjen, Dawn Turner, Kaye Goldthorpe, Linda Wade, Rickey Huber, Bryan Merry, Tim Farrell, A. Edge, Jason Srivner, Mike (illegible last name), Jacquelyn Pettus,

Bette Moore, Mattie Jackson, Opie Balch, Ashvin Patel, Terri Johnson, and one illegible name. There were others in attendance who did not sign the attendance register including Brad Ryder, Esq., Dudley Perry, Esq., Pat Pendergast, and a representative of the Department of Human Resources.

PUBLIC HEARING

RESOLUTION NO. 2019-234-R; AUTHORIZING THE REVOCATION OF SEQUEL TSI BUSINESS LICENSE

Council President Steve Smith informed the public in attendance that they would all be given an opportunity to speak tonight.

Mayor Paul Finley stated that his office has received a lot of e-mails and phone calls regarding this issue. He assured them that their voices have been heard, and he thanked everyone for coming to the meeting this evening.

City Attorney Megan Zingarelli read a prepared statement. Police Chief David Jernigan outlined his department's responses to incidents and procedures of the department and presented pictures of the facility showing the location of the latest escape incident that occurred last month.

City Attorney Zingarelli stated that given these incidents, the City's Mayor, staff, and administration recommend revocation of Sequel's business license, with a wind-down period anywhere from 30 days – 180 days if security is increased.

Mr. Kenny Roberts, Senior Vice-President of Sequel TSI read a prepared statement. Mr. Brad Ryder, attorney for Sequel TSI, encouraged Council to read the position statement from Sequel prior to making a decision. The City Attorney confirmed that the position statement was given to the City Council members at the meeting.

The Council President opened the public hearing, inviting public officials to speak first. Senator Tom Butler and Madison County Commissioner Steve Haraway spoke in favor of license revocation. Department of Youth Services counsel Dudley Perry briefly spoke.

The following members of the public spoke in favor of the City revoking the business license:

- Stuart Anderson
- Gregg Travis
- Hanu Karlapalem
- Dawn Turner
- Rickey Huber
- Jacquelyn Pettus
- Hunter Vaughn
- Lynda Locke
- Steve Johnson
- Laura Wooten
- Ashley Engles-Ross
- Angela Gary
- Bebe Oetjen

- Lois Brown

Having no further comments from the public, Council President Smith closed the public hearing, and opened the floor for comments from the Mayor and Council members.

Mayor Finley stated that he stood behind the Council with their first vote back in early 2018 regarding Sequel and he stands behind the department heads and Police Chief when they talk about what to do next. He added that there is no question that the City does not feel safe with this facility in the community. The City did work diligently to work on a timeframe that would help them. He thanked Betty, Kenny and Jason at Sequel who work with the children at the facility and it's clear they care about them and yet it's not the same place anymore and they said it themselves. Sequel corporate has made a decision not to work with the City.

Council Member Wroblewski stated that this facility is in her district. She stated that at the first Public Hearing, in a 4-3 vote, the determination was made to give Three Springs a second chance. It is now clear that while those were good intentions, in her opinion, it was not in the best interest of those living nearby Three Springs specifically and those living in Madison generally. It is her hope, through the actions of Council this evening, the residents of the facility can be relocated as soon as possible for the safety of the community.

Council Member Teddy Powell stated that he is not ashamed of how he voted back in 2018 regarding Sequel's license. He voted the way he did last year to give the young men of the facility an opportunity, and to give the facility an opportunity. He will not be voting tonight out of fear but what he does fear is what could happen to a member of the community or to a resident of the facility and added that tonight's vote will be the toughest he's had to make since he took office. He has thought about it a lot and while it is unfortunate that he's being asked to vote on it again he will not be voting like he did last year.

Council Member Greg Shaw stated that when the topic of safety comes to mind he looks at everything as a risk/reward type of situation. The City and its residents, as well as the young men at the facility are taking all the risk. The only reward is going to Sequel corporate in terms of profitability. It makes no sense for the City to bear all the risk and some corporation gets all the reward. In conclusion, he stated that what is in question this evening is whether to revoke Sequel's business license but there is nowhere on the license that says *business*. It states *privilege* license and in his opinion Sequel has used up all of their privileges in the City of Madison.

Council Member Tommy Overcash stated that this facility is not the same as it was when it was first built and operated twenty-five years ago. Not only has the geography around the facility changed, in terms of schools and neighborhoods, but the type of facility has changed. The Council and Mayor, as a group, do what they believe is in the best interest of the City and he does not apologize for his vote last time. All seven Council Members in 2018 went in to executive session to come up with what they felt was the best possible solution, even the ones who voted against it helped craft the plan. He feels like the City as a whole has done all it can to help this facility.

Council Member Gerald Clark stated that earlier in the meeting the question of how long it would take to relocate the children was asked. He feels that the clock started ticking the moment the City gave Sequel a second chance back in 2018 and their time is now up. The expectations of safety

have not been met by Sequel and they were given numerous second chances. He understands that facilities like this are needed but a level of safety is expected and those levels are not being met here.

Council Member John Seifert stated that Sequel has failed their facility's residents that the State has entrusted them to and it is the Council's responsibility to protect its citizens and they will do that. Sequel is a contractor with the State of Alabama but that doesn't mean they have a right to operate in the City. He remembers when he toured their facility and although he isn't a security expert he was able to identify the lack of security cameras in the specific area that the young men escaped from recently and it would appear as though Sequel did not think it was important enough to address all those months ago when he first pointed it out.

Council President Steve Smith thanked everyone for attending the meeting this evening and those who reached out via email and phone calls. He also thanked Senator Butler for all of the time he has given regarding this issue, Commissioner Haraway's continued support of the City in this issue, and Speaker of the House Mac McCutcheon. Council President Smith stands by his last vote back in 2018 and added that the real losers tonight are the kids at the facility but believes that at this time the City needs to look for other solutions for this type of facility in the community because Sequel has not shown the resolve to remain operating in Madison.

Council Member Wroblewski moved to approve Resolution No. 2019-234-R; authorizing the revocation of the business license of Sequel TSI of Madison immediately but gives a 30-day wind-down period. Council Member Shaw seconded.

Council Member Shaw moved to amend Resolution No. 2019-234-R by giving a 7-day wind-down period rather than 30-days. Council Member Wroblewski 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 carried.

Council Member Shaw moved to approve amended Resolution No. 2019-234-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 carried.

ADJOURNMENT

Having no further business to discuss Council Member Seifert moved to adjourn. 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	Aye

Motion carried.

The meeting was adjourned at 7:40 p.m.

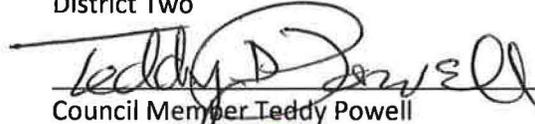
Minutes No. 2019-17-SP, dated August 14, 2019, read, approved, and adopted this 26th day of August 2019. A certified transcript of the proceedings of the public hearing by Alabama Court Reporting, Inc., is hereby incorporated into these minutes as if fully set out herein and shall be kept on permanent file in the office of the City Clerk.



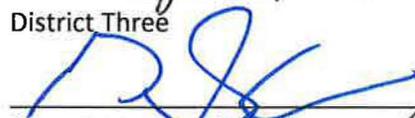
Council Member Maura Wroblewski
District One



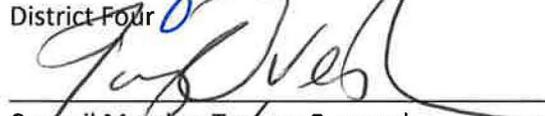
Council Member Steve Smith
District Two



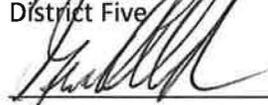
Council Member Teddy Powell
District Three



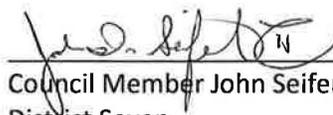
Council Member Greg Shaw
District Four



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



**WAIVER OF NOTICE
SPECIAL CALLED MEETING
MADISON CITY COUNCIL
CITY OF MADISON, ALABAMA**

We, the undersigned Members of the City Council of the CITY OF MADISON, ALABAMA, hereby waive notice of the calling of a Special Called Meeting of the City Council of the CITY OF MADISON, ALABAMA.

Public Hearing regarding the business license of Sequel TSI Holdings, LLC

And do consent that said meeting will be held on **Wednesday, August 14, 2019** at **6:00 pm** in **Council Chambers** on the upper level of the Madison Municipal Complex in the City of Madison, Alabama.

Signed:

Maura Wroblewski
Council District No. 1

Steve Smith
Council President
Council District No. 2

Teddy Powell
Council District No. 3

Greg Shaw
Council District No. 4

Tommy Overcash
Council District No. 5

Gerald Clark
Council District No. 6

John Seifert
Council District No. 7

CONCUR:

Paul Finley
Mayor

ATTEST:

Melanie A. Williard
City Clerk-Treasurer

ATTACHMENT TO
MINUTES NO. 2019-17-SP
AUGUST 14, 2019

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SPECIAL CALLED MEETING
OF THE CITY COUNCIL OF THE
CITY OF MADISON, ALABAMA

IN RE:

Sequel TSI Holdings, LLC
Resolution Number 2019-234R
August 14, 2019
6:00 p.m.

The hearing for Sequel TSI Holdings, LLC, was taken before Sarah Carlton Stimpson, CCR, RPR, on August 14, 2019, commencing at approximately 6:00 p.m., at the Madison Municipal Complex, in Madison, Alabama.

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A P P E A R A N C E S

MEGAN ZINGARELLI, ESQ.
City Attorney
Legal Department
City of Madison
100 Hughes Road
Madison, AL 35758

CITY COUNCIL MEMBERS:

District 1 - Maura Wroblewski
District 2 - Steve Smith, Council President
District 3 - Teddy Powell
District 4 - Greg Shaw
District 5 - Tommy Overcash
District 6 - Gerald Clark
District 7 - John Seifert

ALSO PRESENT:

Chief of Police David Jernigan
Senator Tom Butler
Commissioner Steve Haraway
Brad Ryder, Esq.
Various representatives for Sequel TSI
Various representatives for DYS and DHR
Various members of the public

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1 I, Sarah Carlton Stimpson, a Registered
2 Professional Reporter, and a Notary Public for
3 the State of Alabama at Large, certify that on
4 this date, there came before me at the Madison
5 Municipal Complex, in Madison, Alabama,
6 commencing at approximately 6:00 p.m. on August
7 14, 2019, the hearing for Sequel TSI Holdings,
8 LLC, on Resolution Number 2019-234R, whereupon
9 the following proceedings were had:

10
11 COUNCIL PRESIDENT SMITH: Okay. I
12 would like to call tonight's specially called
13 meeting to order. Can we get the roll call,
14 please?

15 THE CLERK: Mayor Finley?

16 MAYOR FINLEY: Here.

17 THE CLERK: Council Member Wroblewski?

18 COUNCIL MEMBER WROBLEWSKI: Here.

19 THE CLERK: Council President Smith?

20 COUNCIL PRESIDENT SMITH: Here.

21 THE CLERK: Council Member Powell?

22 COUNCIL MEMBER POWELL: Here.

23 THE CLERK: Council Member Shaw?

1 COUNCIL MEMBER SHAW: Here.

2 THE CLERK: Council Member Overcash?

3 COUNCIL MEMBER OVERCASH: Here.

4 THE CLERK: Council Member Clark?

5 COUNCIL MEMBER CLARK: Here.

6 THE CLERK: Council Member Seifert?

7 COUNCIL MEMBER SEIFERT: Here.

8 COUNCIL PRESIDENT SMITH: Okay. Looks
9 like everybody is here, so we can proceed. Did
10 everybody sign the waiver of notice that went
11 by?

12 COUNCIL MEMBER SHAW: Yes.

13 COUNCIL PRESIDENT SMITH: Okay. All
14 right. Before we get started, I want to
15 welcome everybody here tonight. I would just
16 like to make a couple of comments for
17 everybody. I know this is a very emotional
18 issue for a lot of us. I ask that as we go
19 through these proceedings, everybody here that
20 has something to say will be given that
21 opportunity. So if someone else is at the
22 microphone speaking, I ask that you hold all
23 your comments until it's your time to speak.

1 Just try to be respectful, and let's just get
2 through this in an orderly fashion.

3 So Mayor, do you have anything to add?

4 MAYOR FINLEY: Other than, you know,
5 we've received a lot of e-mails. I know some
6 of you guys -- phone calls. Any e-mails have
7 been forwarded on to the city attorney. You
8 have been heard and read. And what a great
9 crowd, but we appreciate everybody coming out
10 and letting us know what they think. And from
11 there, we'll back to you.

12 COUNCIL PRESIDENT SMITH: Okay. We
13 will call up our city attorney, and we'll get
14 started.

15 MS. MEGAN ZINGARELLI: Good evening.
16 Two weeks ago, you all set a public hearing to
17 consider whether to revoke Sequel's business
18 license and determine whether it is operating
19 as a public nuisance to the residents of the
20 city of Madison County. That means, the
21 questions before tonight are: Does the
22 operation of this business have a history of
23 causing hurt, inconvenience, or damage to the

1 city and its residents, especially within the
2 past year, and is this business endangering the
3 public health, safety, and welfare?

4 Tonight, the hearing will proceed as
5 follows: I will briefly present the findings
6 and recommendations of the city's
7 administration, and the chief of police will
8 also make a statement regarding the events of
9 the July 25th escape incident. Sequel's
10 representatives will then have an opportunity
11 to state their proposals to you all. After
12 that, Council will take public comments and
13 then Council can discuss and take action on the
14 matter.

15 The city clerk has copies of the council's
16 information packet, which includes copies of
17 the notices provided to Sequel's
18 representatives, Sequel's position statement,
19 an affidavit of the chief of police, copies of
20 the Madison Police Department reports of three
21 escape incidents over the past year, and copies
22 of e-mails from concerned citizens who couldn't
23 be here tonight.

1 Sequel is a government contractor that
2 holds contracts for the State's Department of
3 Youth Services as a medium security juvenile
4 detention facility, as well as the Department
5 of Human Resources, to provide care for at-risk
6 youth. In 2018, Council's original concern
7 centered around a history of escape incidents
8 that were risking harm to city residents,
9 causing them great inconvenience and burdening
10 the police department's time and resources.

11 Those culminated in a high-profile escape
12 incident that occurred two years ago to date.
13 In April of 2018, four of you voted to give the
14 business another chance to improve security at
15 the facility. And since then, communication
16 with the police department has improved and
17 some additional security measures were taken.

18 However, the police department has
19 responded to three escape incidents over the
20 past year. So a pattern of escapes has been
21 reemerging. The most significant incident a
22 few weeks ago showed that there were security
23 gaps at the facility that enabled the escape.

1 For example, there was no interior razor wire
2 on one of the gates, and three DYS residents
3 were able to scale the gate and run across the
4 roof during a recreational period to escape.
5 The chief of police also has confirmed that
6 there was no security camera coverage of that
7 gate.

8 Sequel did not call 911 for approximately
9 16 minutes until after the escape was
10 discovered, and we do not know how long it took
11 to discover that it happened. Once alerted,
12 the police department involved the entire
13 on-duty shift and the next shift, called in the
14 SWAT team and other local law enforcement
15 agencies to respond. They found the escapees
16 within an hour and a half.

17 At this time, I will ask the chief of
18 police to describe the response to the incident
19 in more detail. Chief Jernigan.

20 CHIEF JERNIGAN: Good evening, Council.
21 The Madison Police Department exists to protect
22 and serve the stakeholders in the city of
23 Madison and surrounding communities.

1 Stakeholders include citizens, civic
2 organizations, schools, government, and
3 businesses.

4 Since the escape of two Sequel residents
5 that were arrested for capital murder on or
6 about 8/14/2017, the Madison Police Department
7 instituted procedures for escapes and runaway
8 cases from this facility, Three Springs. This
9 included a public announcement of all runaways
10 or escapees via the Nixle public information
11 system. We know that our media follows that,
12 so they could certainly help us get the
13 information out to our residents. And this is
14 regardless of the individual's status as either
15 a Department of Youth Services' resident or a
16 Department of Human Resources' resident.

17 Our procedures included holding additional
18 patrol shifts on duty to help out to locate
19 these two young men, early call of the oncoming
20 patrol shift, or recalling of personnel across
21 the agency -- to include our investigations
22 division and our SWAT team. Our communications
23 division automatically notifies on-duty MPD

1 personnel and all surrounding law enforcement
2 agencies -- to include Huntsville Police
3 Department, Madison County Sheriff's Office,
4 Limestone County Sheriff's Office, and the
5 state troopers -- of the event and descriptions
6 of those persons that are wanted.

7 On-duty supervisors ensure the
8 biographical data, photos, and subject status
9 at the facility are e-mailed via communication
10 to all sworn personnel working the incident.
11 The Madison police administrators ensure that
12 the mayor and the city council are promptly
13 notified and updated on the progress of the
14 incident until its conclusion. This is exactly
15 the blueprint that we did on 7/25 on -- 2019.
16 We rolled everything that we had out on looking
17 for the three young men that escaped from the
18 facility.

19 I've got some slides I'd like to go ahead
20 and talk to you about at the current time.
21 This is a photograph of the Sequel facility on
22 Brownsferry. Let's see if I can get this to
23 work. Brownsferry Road is here. This is the

1 facility consisting of two buildings, and the
2 -- there is security fencing that goes around
3 the property. This area right here is called
4 the -- the top court. The basketball court is
5 here, but this is just a long rectangle piece
6 of grass for outdoor recreation.

7 On the 25th, Sequel is required by their
8 own policy to have a one-to-six ratio of staff
9 to students when they are in the recreation
10 area, or multiples thereof. In this particular
11 instance, they had twelve DYS children there,
12 and they had two supervisors. So it was a
13 two-to-twelve, which is within their policy and
14 guidelines. The group was throwing a football
15 over this rectangled area from about this area
16 all the way down in this area. And the group
17 of twelve kids kind of got a little long. And
18 three of the young men had, kind of, hid
19 themselves behind here, and there's a little
20 bit of a blind spot. And then right at that
21 location where I've got the pointer is a gate.
22 And they took advantage of the fact that they
23 weren't being watched, held back, and scaled

1 the gate.

2 The gate -- next slide, please. The gate
3 is here. This wire -- security barbed wire was
4 not on there the evening before when they
5 escaped. The directors of the facility told me
6 that they added the wire the morning of my
7 arrival, certainly, to prevent a future escape.
8 But what happened is, there was no wire here
9 which made it very easy -- next slide -- to be
10 able to scale. Let me go back one. I'm sorry.
11 Easy for them to go ahead and scale up over the
12 top of the roof. And Jason, if you'll go back
13 one more. They were able to pop up at this
14 location, walk across the roof. They couldn't
15 jump down in this area because that's a secure,
16 fenced area. But they were able to jump on
17 this -- or walk over on this side of the roof,
18 jump down into an unsecured area, and then
19 escape in that direction down Brownsferry Road.

20 Next slide, and next. The gate is
21 located, probably, about right here, give or
22 take a little bit. But this top court area,
23 this would be the furthest, I guess, probably

1 east. This area here is not under any type of
2 camera surveillance. Next slide -- or that is
3 all my slides, I think. Yes. But the area
4 from the top court has a large gap where there
5 was not camera coverage, so the escape would
6 not have been covered by any kind of electronic
7 means.

8 The night that this occurred, I was having
9 dinner with my wife, and I received a telephone
10 call from one of the directors at Three Springs
11 who notified me at 7:37 p.m. of the escape. I
12 immediately said, you need to hang up and call
13 911 and give a full description so we can get
14 units in the area. 911 received the call at
15 7:41 p.m. and our first unit arrived at
16 7:50 p.m. My immediate call after -- that I
17 got the call from Three Springs, I called my
18 commander of special operations and I told him
19 to activate the SWAT team. And we have a
20 protocol in place to go ahead and get the
21 calvary, pretty much, started in that
22 direction.

23 The first subject was apprehended after

1 the initial 7:41 p.m. call, at 8:53, with an
2 elapsed time of an hour and 12 minutes. Second
3 subject was apprehended at 9:03 p.m., an
4 elapsed time of an hour and 22 minutes. And
5 the third subject at 9:07 p.m., with an elapsed
6 time of an hour and 26 minutes that we had them
7 in custody and we turned them back over to
8 Three Springs.

9 Looking back on a history at this
10 location, on July 15th, 2017 -- which was about
11 ten days after I started as chief of police in
12 2017 -- we had an escapee that was apprehended
13 not too far from the facility, but certainly
14 across County Line Road in the old Overton Road
15 area. It's the subdivision directly across the
16 street from Redstone Federal Credit Union on
17 Old Madison -- on County Line Road.

18 Four days later, we took a report -- an
19 internal report of a school employee engaged
20 with sex with a student under the age of 19.
21 That was on 7/19/2017. Roughly a month later,
22 on 8/14/2017, we had the two escapees that are
23 alleged to have been involved in the homicide

1 that occurred behind the Publix. On 9/7/2018,
2 a little over a year later, we had one resident
3 that was being transferred from custody by the
4 transport personnel into Three Springs. That
5 young man did not want to go to the facility.
6 He jumped out of the vehicle, and we just so
7 happened to have a unit that was -- rolled up
8 on the scene and identified what happened,
9 stopped, and was able to talk the young man
10 into getting into our vehicle and taking him
11 back to Three Springs. So he did not get very
12 far. Just from what I understand, not too far
13 from the property before we were able to get
14 him back.

15 On 3/5/2019, back in March of this year,
16 we had a Three Springs young man who was being
17 transported to Madison Hospital for medical
18 evaluation. That was a one-on-one transport --
19 one staff to one young man -- and he was able
20 to escape. And again, the protocol that I just
21 had mentioned to you for response, we rolled
22 out. In fact, I had one-fourth of the
23 department -- and roughly, I have about 82

1 employees on the enforcement side. One-fourth
2 of the department responded, and we found that
3 young man about two miles from Madison Hospital
4 on the other side of town near Hughes in the
5 Waffle House.

6 And then, of course, on 7/25/2019, as I
7 just discussed, we had the three young men
8 escape and were located about approximately six
9 miles in distance in Limestone County just off
10 of County Line Road.

11 MS. MEGAN ZINGARELLI: Given this
12 history, the city's mayor, staff, and
13 administration do recommend revocation of
14 Sequel's business license. The city does not
15 have to wait for someone to get hurt, and the
16 police department should not be in the position
17 of being Sequel's back-up security any longer.
18 We are mindful of the logistical challenges
19 that DYS and DHR face in moving residents to
20 another location, so we think it is reasonable
21 to grant a wind-down period from 30 to 180
22 days, if security is increased at the facility.
23 DYS has particularly told us that nine months

1 to one year would be optimal for them. Now I
2 would like to turn it over to Sequel's
3 representatives.

4 MR. KENNY ROBERTS: I guess I'm going
5 to start with a statement and then let the
6 attorney go from there, so bear with me.
7 There's something that I've prepared. Good
8 afternoon, Council President Smith and council
9 members, Mayor Finley, members of the
10 community. Thank you for allowing me to speak
11 with you all tonight. My name is Kenny
12 Roberts. Of course, I'm the senior vice
13 president for Sequel Youth and Family Services.
14 As its senior vice president, I actually manage
15 the juvenile justice programs in our company.
16 I'm responsible for programs, not only here in
17 Alabama, but Florida, and also New Jersey. And
18 I'm also responsible for the program, Sequel
19 TSI of Madison.

20 In fact, as many of you know, I am a proud
21 member of the community here in Madison County
22 and have been for over 15 years. I actually
23 started my career out with Three Springs, which

1 was the predecessor of Sequel, in 1994 and
2 actually was the administrator at the Sequel
3 program for two years. I have been -- I have
4 been deeply involved with the youth and
5 residents of this community for more than 20
6 years. Here -- I'm here tonight to let you
7 know that, at Sequel, we hear and appreciate
8 the concerns expressed in this room. We are
9 committed to working with the mayor's office
10 and the council and the community to address
11 them, beyond the measure we've already taken to
12 significantly increase the security in the
13 recent -- in recent years.

14 First and foremost, I'm here to express to
15 you the concerns of over 50 young men that we
16 actually have in our program cared to or are in
17 the process of being educated, of being helped
18 through the worst kinds of trauma, and being a
19 value for -- what they can offer to the world.
20 While many of our kids are here for making poor
21 decisions, they finally have a home where
22 people care enough to help them learn and make
23 better decisions. It's our mission and our

1 commitment to give these young men the tools,
2 the help that they need to turn their lives
3 around and become productive members of our
4 society.

5 I'm standing here tonight in the shoes of
6 Sequel in the middle of two important concerns;
7 those of the community and those of the young
8 men that we serve. For so many of them,
9 everything is going very right since coming to
10 our program. The state and Sequel are working
11 together to try and find a solution that values
12 both concerns -- not just one or the other.

13 That's why Sequel's leadership and the state
14 are exploring options to relocate the facility
15 from Madison. However, the kind of facility
16 and programs we offer are unique, and we can't
17 just pack up and move elsewhere. Trying to
18 create something new somewhere else that
19 functions as well as our current facility that
20 has succeeded for over two decades, well, that
21 literally cannot happen overnight and in a few
22 months. Relocating safely and legally, that
23 will take a lot. It will require us to find a

1 facility that is much like a school, and those
2 are not available, you know, everywhere.

3 We might have to build something new or
4 retrofit something to fit the demands of the
5 services the state requires for us and our
6 kids. And while we do all of this -- while
7 here or somewhere else -- the state has to keep
8 these services going without interruption. We
9 are responsible, again, for over 50 kids, and
10 every one of them must be educated according to
11 a specific state plan. Most of them are
12 receiving services that cannot be abruptly
13 stopped or postponed. That continuum of care,
14 finishing what we start with these young men,
15 it's mandatory.

16 No matter what -- no matter what, no
17 matter who it upsets, one thing is absolutely
18 certain: Sequel is going to do the right thing
19 for the kids that the state put in our care.
20 It's not just a legal duty or contractual
21 obligation, it's the right thing to do.
22 Sequel, with the state, will do the right
23 thing.

1 I appreciate your attention in hearing
2 concerns that I've talked about tonight. I
3 believe that everyone is concerned; the people,
4 the city, the state, Sequel. Your concerns are
5 important. They're all valid and worthy of
6 respect. Sequel stands sincerely ready to work
7 with the city under the authority of the state
8 to work out a solution that will honor all
9 concerns of the community presented here
10 tonight and concerns of the community of the
11 kids we have in our home here at Sequel.
12 Everyone can win. Everyone's concerns can be
13 respected and understood and hopefully
14 satisfied. We can do what -- we can do this
15 without a fight. That's what Sequel would like
16 to see happen.

17 Thank you for the opportunity to speak
18 tonight. I want to sincerely thank this
19 community for the support you've shown us for
20 over two decades which has enabled us to
21 support thousands of at-risk kids in our
22 facility. I hope we can continue to work
23 together and resolve these concerns with the

1 state for the good of everyone involved. Thank
2 you. I'll turn it over to Brad.

3 MR. BRAD RYDER: Good evening. My name
4 is Brad Ryder. I'm one of the attorneys who
5 represents Sequel in relation to this matter.
6 We had provided Megan Zingarelli with our
7 position statement. I'm assuming that each of
8 you has a copy of it?

9 MS. MEGAN ZINGARELLI: Yes.

10 MR. BRAD RYDER: And I don't know if
11 you've had time to read it or not, but I would
12 ask and I would encourage each of you to read
13 what we've put in there before you make a
14 decision. It states the applicable legal
15 principles that you need to follow -- you must
16 follow. Not that it would be a good idea, but
17 this is what the law requires under these
18 circumstances.

19 We are respectful --

20 COUNCIL MEMBER SHAW: Does the law
21 require for y'all to keep people restrained?

22 MR. BRAD RYDER: Keep people
23 restrained?

1 COUNCIL MEMBER SHAW: Yes, sir. Are
2 they inside your fenced area? Is that part of
3 the law also? I'm just trying to understand --

4 MR. BRAD RYDER: Sure.

5 COUNCIL MEMBER SHAW: -- what's going
6 on. So is that --

7 MR. BRAD RYDER: What do you mean by
8 restrained?

9 COUNCIL MEMBER SHAW: Is it a two-sided
10 thing? So if we're following the law, should
11 y'all also follow the law?

12 MR. BRAD RYDER: I agree with that.

13 COUNCIL MEMBER SHAW: Okay.

14 MR. BRAD RYDER: And according to DHR
15 and DYS, Sequel is --

16 COUNCIL MEMBER SHAW: Okay.

17 MR. BRAD RYDER: -- fully in compliance
18 with both the contracts.

19 COUNCIL MEMBER SHAW: Okay.

20 MR. BRAD RYDER: So --

21 AUDIENCE MEMBER: Can you turn the
22 microphone up?

23 AUDIENCE MEMBER: We can't hear him.

1 AUDIENCE MEMBER: Yeah, we can't hear
2 him.

3 COUNCIL MEMBER POWELL: That microphone
4 or these?

5 MR. BRAD RYDER: Can you hear me now?

6 COUNCIL MEMBER POWELL: Yeah, there you
7 go.

8 MR. BRAD RYDER: Okay.

9 COUNCIL MEMBER POWELL: Thanks, Brad.

10 MR. BRAD RYDER: I understand the
11 circumstances that you face. Sequel
12 understands that.

13 AUDIENCE MEMBER: That's worse.

14 MR. BRAD RYDER: We realize that --

15 AUDIENCE MEMBER: We can't hear you.
16 It's worse.

17 AUDIENCE MEMBER: Speak into the mic.

18 AUDIENCE MEMBER: It's worse.

19 COUNCIL MEMBER POWELL: Speak into the
20 mic.

21 MR. BRAD RYDER: I would think there's
22 almost a conspiracy or something and you don't
23 want me to be heard.

1 COUNCIL MEMBER POWELL: We've got to
2 speak into the mic too.

3 AUDIENCE MEMBER: We were thinking kind
4 of the same thing.

5 MR. BRAD RYDER: I understand. Okay.
6 Is it better now?

7 AUDIENCE MEMBER: Yes.

8 AUDIENCE MEMBER: Yes.

9 MR. BRAD RYDER: I just have to lean
10 down. I apologize.

11 MAYOR FINLEY: And we'll know you're
12 not yelling at us. Just go ahead and --

13 MR. BRAD RYDER: All right. I
14 appreciate that.

15 MAYOR FINLEY: If they can hear it,
16 that'd be great. Thank you.

17 MR. BRAD RYDER: Don't want to offend
18 you.

19 We are sensitive to this situation.
20 Sequel understands that this is less than ideal
21 for all parties concerned. But there are
22 obligations that Sequel has that they are
23 required to abide by -- contracts that they

1 have with the state that they have an
2 obligation to make sure that they uphold what
3 it is they're responsible for doing. You're
4 talking about minors who are wards of the
5 state. I mean, the state is literally their
6 custodian, their parents, and this is where the
7 state has selected to put them. And as a
8 result, Sequel has an obligation to make sure
9 that they are accounted for and that they are
10 provided the services that they require. Not
11 entirely different than someone putting their
12 child in the public school system.

13 I only ask that you take and consider what
14 the underlying law is in relation to your
15 obligations, Sequel's obligations, and the
16 State's obligation. All of those should be
17 taken into consideration. We ask that a
18 decision not be made simply based on pressure
19 being applied by the community. We understand
20 that that is a factor for concern, but it
21 doesn't override the law. It simply doesn't.

22 Again, if you would just look at what we
23 have provided, I think it explains our

1 position. I'm sure you don't want me to go
2 over it item-by-item. You can read it much
3 quicker than I could stand up here and try to
4 summarize it. Keep in mind that we're talking
5 about an extensive network of state and federal
6 regulations and statutes, that govern the
7 operation of Sequel, and that Sequel, by
8 maintaining physical custody of these children,
9 is acting on behalf of the state of Alabama.
10 It is acting as an instrument of the state of
11 Alabama. I hope that you take that into
12 consideration. Thank you.

13 MS. MEGAN ZINGARELLI: Mr. Ryder, can
14 you -- before you leave, would you mind
15 explaining what a reasonable wind-down period
16 would be from Sequel's perspective?

17 MR. BRAD RYDER: Well, if Sequel was to
18 leave the facility -- and that's what you're
19 asking, Megan?

20 MS. MEGAN ZINGARELLI: Right.

21 MR. BRAD RYDER: I do not have
22 authority to speak on behalf of my client in
23 terms of whether they would be willing to do

1 that voluntarily. But so as far as based on
2 our discussions with DYS and DHR, we think that
3 we're looking at at least a period of 12 months
4 before this could be phased out.

5 COUNCIL MEMBER POWELL: Do you have the
6 authority to speak on it?

7 MR. KENNY ROBERTS: No. I think he hit
8 exactly what I'm going to say.

9 COUNCIL MEMBER POWELL: So who has the
10 authority to speak on that?

11 MR. KENNY ROBERTS: He's saying exactly
12 what Sequel is representing.

13 COUNCIL MEMBER SHAW: What would happen
14 in the case of a fire or tornado damage?
15 You're saying it takes a year. What if a
16 tornado came in there tomorrow and blew the
17 roof off or if there was fire damage, what
18 would you do with those children at that point?
19 You don't tell the tornado to wait a year. So
20 I mean, what happens at that point? Is there a
21 contingency plan y'all have in place for that
22 type of situation?

23 MR. BRAD RYDER: You want to go ahead

1 and --

2 MR. KENNY ROBERTS: Yeah. As far as
3 any -- where we would put the kids, that's
4 where we would have to get with --

5 COUNCIL MEMBER CLARK: Speak into the
6 microphone.

7 MR. KENNY ROBERTS: Oh, sorry. We
8 would have to get with DYS or DHR or whatever
9 contract the kids are with and come up with a
10 plan exactly where the kids are going to be
11 placed and how they're going to be housed at
12 that time.

13 COUNCIL MEMBER POWELL: No contingency
14 plans?

15 MR. KENNY ROBERTS: No. We would have
16 to plan it out as it occurred.

17 COUNCIL MEMBER SEIFERT: So a couple --
18 a couple of questions. Do you consider city
19 ordinance law?

20 MR. BRAD RYDER: That's a question for
21 me?

22 COUNCIL MEMBER SEIFERT: Yes, sir.

23 MR. BRAD RYDER: Absolutely, but it

1 does not override state or federal law.

2 COUNCIL MEMBER SEIFERT: It comes from
3 the state law in which we have powers from.
4 With the analogy you made of -- you're state
5 contractor. You understand government
6 contracting, right, with the federal
7 government? As a contractor, I have a contract
8 with the government, but I have a privilege
9 within the area that I operate in to operate.
10 I'm not an agent of the government. I have the
11 right to operate based on the contract with the
12 government. But as a municipality, I have a
13 privilege to operate within that area. You
14 understand the difference between those two;
15 right?

16 MR. BRAD RYDER: It is not our position
17 that Sequel is an agent of the state of
18 Alabama. It is our position that Sequel is an
19 instrumentality of the state of Alabama. They
20 are acting on behalf of the state.

21 COUNCIL MEMBER SEIFERT: As --

22 COUNCIL PRESIDENT SMITH: I think at
23 this point, let's let the council hold their

1 comments. Just make notes, and a little bit
2 later on, the council will be given the
3 opportunity to question and make remarks.
4 Let's just move on. Thank you, guys.

5 Okay. Before we move on to public
6 comments, I'd like to have some of our public
7 officials come up and say a few words. I'd
8 like to start with Senator Tom Butler.

9 SENATOR TOM BUTLER: Thank you,
10 Mr. President, members of the council, and
11 Mayor. I've had an opportunity to work on this
12 thing for the last few weeks. We had the
13 opportunity to have the mayor, Commissioner
14 Steve Haraway, and Megan down to meet with
15 officials from DHR and DYS, and I want to make
16 a few comments relative to that. I pulled
17 their contract, and I've been looking at it and
18 read it last night again. Some of the points I
19 want to make, we are at a point here in the
20 city of Madison -- and I'm proud to be a
21 resident of the city of Madison for more than
22 30 years. I'm the state senator for this area,
23 and I understand this situation very much.

1 Two years ago, the relationship with
2 Sequel as a contractor with the state changed.
3 It was a very deadly incident. It is why
4 people today in the area around Sequel that
5 live there are irate -- up in arms. Some of
6 them are armed. The chief mentioned a few
7 minutes ago that, in his dispatch and after the
8 telephone call he got, he included the SWAT
9 team for juveniles. Some people say, well,
10 that's drastic. Well, the incident we had two
11 years ago was very drastic. When you beat a
12 man's brains out with a hammer, you steal his
13 cell phone, his wallet, and his car and leave,
14 that is drastic.

15 The relationship with Sequel changed at
16 that time. They were given one more
17 opportunity to make things right. Obviously,
18 security seemed to be okay. The police chief
19 mentioned that one whole area was not secure.
20 They added wire to a -- the place where they
21 escaped the morning after the event. And at
22 this point right now, we are not talking about
23 education. We are not talking about mental

1 health. We are not talking about delinquency.
2 We are talking about public safety. It's not
3 about the residents there. It's not about the
4 corporation. It's about the residents in this
5 town and in Limestone County and Madison County
6 or wherever they may fly to if they get out.

7 I want to point out a couple of things in
8 their contract and as Councilman Shaw mentioned
9 quite aptly, what if a tornado hit? Well, I'll
10 tell you right now, a legal tornado needs to
11 hit this company. I don't know how many
12 facilities they have in the state of Alabama,
13 but I would be expecting people to visit those
14 over the next year. The next time they come
15 before the contract review committee, they will
16 have a litany of questions to answer.

17 I want to point out in here that, in their
18 contract, either party -- DYS, DHR, or
19 Sequel -- can terminate this contract by a
20 30-day written notice. The contract stays in
21 force for 30 days. So in my opinion, Greg, the
22 tornado has hit. They've got 30 days, in my
23 opinion, to get in order. And I would urge

1 this council tonight to revoke their business
2 licenses for operation. One of the things in
3 the contract they have is that they will
4 maintain and possess all required licenses for
5 operation of this facility. If they do not
6 have a business license, they are in violation
7 of this contract with the state of Alabama.

8 I understand this contract actually
9 expires September 30, 2019. That's about 45
10 days away. One of the things I mentioned the
11 other day, that, if there was a period to
12 adjust to leave, that we couldn't actually
13 physically expect -- if the council revoked the
14 license tonight, that a Greyhound bus would
15 pull up in the morning and haul the kids off.
16 We all are compassionate about the kids, but I
17 want to get back to the point. This is not
18 about the kids right now. This is about a
19 company and security and a community. It's
20 about public safety, and this council, this
21 mayor, has the obligation to ensure the
22 public's safety of this city.

23 I notice that they have a court reporter

1 here. When I heard they were going to bring a
2 court reporter, I sort of went up in the air
3 about three feet. I was driving my car. It
4 was hard to do. But I'm just going to tell
5 you, if they want to go to court, so be it.
6 But I think this council needs to do what's in
7 the best interest of the public and revoke
8 their license.

9 COUNCIL PRESIDENT SMITH: Thank you so
10 much. Next up, I'd like to ask Commissioner
11 Steve Haraway to come forward and say a few
12 words.

13 COMMISSIONER HARAWAY: Mayor Finley,
14 members of the council, I thank y'all for
15 acting in a timely manner on this issue. This
16 is something, as Senator Butler said, that
17 needs to be addressed immediately. And you
18 guys have done that, and I appreciate you
19 holding this public hearing. The public wants
20 to talk about this tonight, and I look forward
21 to hearing from them. I've heard from them
22 over the last few weeks numerous times. I've
23 ran into them in restaurants out in the

1 community, and they're concerned about this --
2 as I was the night that I got a phone call when
3 these individuals escaped from this facility.
4 I was not at home. My wife was at home alone.
5 I had called; she didn't answer. I called
6 again. It went on for about eight to ten
7 minutes. She finally answered, and I said,
8 what is going on? I said, I've been trying to
9 call you. And she said, I was outside watering
10 the flowers and the bushes. And I said,
11 they've had three guys escape from this
12 facility. You need to get inside. And she
13 said, well, I'd left my phone in the house and
14 didn't bring it with me. I said, get inside
15 and lock the doors.

16 That's not the kind of community that we
17 need to be living in -- that we have to call
18 our wives and tell them, get in the house and
19 lock the doors. Individuals who live in the
20 adjoining neighborhood, officers were riding
21 through the neighborhood telling them that, you
22 need to go inside and lock your doors. We've
23 had someone escape from this facility. You

1 guys all know this. I'm not telling you
2 anything you don't know. That's not what we
3 need to be living in.

4 And Councilman Shaw made a point just a
5 minute ago that, what's your contingency plan?
6 It's concerning to me that we have a state
7 agency -- two state agencies that did not even
8 ask that question to this facility. What is
9 your contingency for these individuals if
10 something happens; a fire, the building floods,
11 a tornado? I don't understand how we have that
12 and we don't have a contingency plan. They all
13 talk about, they're concerned about the kids,
14 they're concerned about the youth, but they
15 don't have a plan.

16 This is something that needs to take place
17 quickly. And I -- and Senator Butler touched
18 on a lot of items that I wanted to talk about,
19 so I'm not going to sit here and repeat them.
20 And you guys know I spoke at the previous
21 public hearing. You know where I stand and you
22 know how I feel about this matter, and so I'm
23 not going to repeat all that. But I will say,

1 I hope that you guys act on this quickly, it
2 doesn't drag on for a year, nine months. That
3 it's done -- maybe sometime around October,
4 this facility is done and over with. And I
5 know it can't happen overnight, like Senator
6 Butler said. I realize that it can't happen
7 first thing in the morning. But they cannot
8 operate without a business license, as he said.
9 That matter needs to be addressed as soon as
10 possible.

11 So I would ask each of you tonight, this
12 is your meeting. It's a council -- a city
13 council meeting and do not let you -- you do
14 not let anyone intimidate you into making a
15 decision that you know is not right. You
16 guys -- I've sat in that -- one of those seats
17 before, and I appreciate what you're doing, and
18 I know exactly where I would be if I got the
19 opportunity to vote tonight. So thank y'all,
20 and I'll step aside and let the public speak.

21 COUNCIL PRESIDENT SMITH: Thank you,
22 Commissioner. Do we have someone here from
23 DYS?

1 MAYOR FINLEY: Do you guys want to say
2 anything? No? Okay.

3 MR. DUDLEY PERRY: I will tell you
4 this --

5 COUNCIL PRESIDENT SMITH: Okay. Come
6 up to the microphone, please.

7 MR. DUDLEY PERRY: The contingency plan
8 is the departments.

9 AUDIENCE MEMBER: Speak up.

10 AUDIENCE MEMBER: It's what?

11 MR. DUDLEY PERRY: I said, the
12 contingency plan is the departments.

13 MAYOR FINLEY: Okay. Thank you.

14 COUNCIL PRESIDENT SMITH: Thank you,
15 sir. Okay.

16 So now we are going to go into the public
17 comment time. I will ask that you try to hold
18 your comments under three minutes. I will ask
19 that you stick to the subject, and the subject
20 tonight is to -- whether to revoke or not
21 revoke the business license of Sequel. I will
22 ask that you do not stray from that narrative.
23 We don't need to talk about the previous vote.

1 We don't need to talk about council members or
2 any elected officials. All we want to know is
3 your opinion on whether to revoke or not
4 revoke.

5 I would ask that you listen to other
6 people respectfully as they come speak. And I
7 know there's a lot of people here that want to
8 talk, but we need to try and get through this
9 at a reasonable -- reasonable -- reasonable
10 manner. And if you're just going to repeat
11 what's being said time and time before, please
12 feel free to get up and say it's like the --
13 add on to what everybody else is saying, that
14 you want to revoke or not revoke. So I
15 guess --

16 THE CLERK: Name and address.

17 COUNCIL PRESIDENT SMITH: All right.
18 Yes. And when you come up, if you can just
19 start with your name and address and then get
20 into your comments and then we'll just proceed
21 as quickly as we can. With that being said, if
22 anyone is here that would like to speak on this
23 matter, I will open the public hearing and just

1 come forward. I know there's a lot of people,
2 so you can all stand up and wait in line if you
3 want to, or you can just say seated and come up
4 when you can.

5 COUNCIL MEMBER POWELL: Speak into the
6 mic too.

7 STEWART ANDERSON: Thank you, Council.
8 Mr. Smith, Mayor, councilmen, ma'am. Thank
9 y'all for y'all's time here tonight. I live
10 directly behind Three Springs school.

11 MAYOR FINLEY: Would you state your
12 name, please?

13 STEWART ANDERSON: Stewart Anderson.
14 523 Thoreau Spring Court, Madison, Alabama.
15 Directly behind the school -- Sequel, Three
16 Springs, whatever it is. The institution is
17 what we like to think about it because that's
18 what it is. Too many times we have sat at our
19 house and watched the fine officers -- men and
20 women of this city have to come through our
21 subdivision -- dogs, drones, SWAT team, full
22 tactical gear. I stood at the bus stop two
23 years ago with a 40 on my side, not concealed,

1 as police officers came by to see if we were
2 okay. Dogs in our community. Telling us to go
3 back inside. Waiting on buses to come pick up
4 the kids. Kids.

5 This is my son, Spencer, 15 years old.
6 Pitcher, James Clemens baseball. Kids. Behind
7 you are the kids. They need a chance. They're
8 doing the right thing. They're abiding by the
9 laws. They're going to school. They're making
10 contributions to the community. They shouldn't
11 have to live in fear. There's enough going on
12 in the world with a known risk.

13 One thing that scares me to death, as the
14 chief said, protocol. There is a term for what
15 goes on behind my house. Protocol. That
16 should scare the hell out of all of us -- that
17 that's been there, that it's existing. I know.
18 I've lived it.

19 I was out of town in D.C., just like
20 Mr. Haraway was out of town. My phone is
21 ringing off the hook, wondering what's going
22 on. Finally, somebody gets me. Where are you
23 at? I can't get your wife. I can't get your

1 son. Three people escaped. It's too much.

2 It's too much.

3 This right here is the fifth generation --
4 not to live in Madison -- I know people move
5 into Madison, and I love the fact people want
6 to come to Madison -- fifth generation born in
7 the city of Madison with the Madison address.
8 I am Madison. People here are Madison. The
9 tax payers, the residents, the patrons of
10 everything that makes our city good, we're here
11 because we want to be here. We're here because
12 we believe in the school. We believe in our
13 legal system here. We believe in the jobs that
14 you, and ma'am, do to protect us. And so I'm
15 asking, I'm pleading with you, do the right
16 thing. Revoke this license, make our community
17 safer again, and we'll support you one hundred
18 percent if you make that decision. I give you
19 my word. Thank you.

20 COUNCIL MEMBER SHAW: Thank you, sir.

21 GREGG TRAVIS: Mr. Mayor, council
22 members, my name is Gregg Travis -- two Gs on
23 the end of Gregg. I live two miles from

1 Sequel. I am in one of those dead-end streets
2 that technically is not in the city of Madison,
3 but it is in the county.

4 COUNCIL PRESIDENT SMITH: Will you
5 state your address, please?

6 GREGG TRAVIS: 122 Evans Lane, Madison
7 Alabama. My wife works at Publix. Thankfully,
8 she doesn't work at the one at County Line.
9 She does work at the one on -- in Madison,
10 however, the new one. I will get right to the
11 point. I ask the council to revoke the
12 business license of Sequel. I can appreciate
13 the position of Sequel, that when they came
14 here, it was them and a bunch of farm land.
15 Guess what? That's changed. We cannot reject
16 reality now. We can't afford, as a city, to
17 believe changes will work now. We've been told
18 that before. The changes aren't working.

19 I will say this: Number One, I would like
20 to commend the Madison Police Department for
21 their quick recovery of the last set of
22 escapees. I appreciate the work that they do.
23 I will also say, I have the means and I have

1 the training to protect my family. And if it
2 comes down to me and one of them, I will be
3 left standing. I'm asking you, I'm begging
4 you, don't put me in that position. Revoke
5 this license.

6 COUNCIL MEMBER SHAW: Thank you, sir.

7 COUNCIL PRESIDENT SMITH: Thank you.

8 SHAWN GRAHAM: Your name and address?

9 HANU KARLAPALEM: Hanu Karlapalem. 229
10 Watterson Way. I already sent an e-mail. I
11 don't know what happened to my e-mail. I
12 already asked -- I requested for time at this
13 meeting. I hope -- it looks like rules have
14 changed. Anyway, Hanu, H-A-N-U. Hanu
15 Karlapalem. 229 Watterson Way. Mr. Mayor and
16 the council members, please shut down this
17 for-profit prison. Secondly, stop this
18 school-to-prison pipeline that goes through
19 Madison city. This detention center or prison
20 camp, you know, whatever you want to call it,
21 is a grave public safety and security threat
22 for us -- for the people of Madison city. Shut
23 it down. But please do it in a way -- in a

1 humane way because there are lives at stake.
2 There are employees involved at the facility.
3 Their families, their kids, like you said just
4 mentioned. 50 kids. So keep them in mind, but
5 shut it down. Thank you.

6 COUNCIL PRESIDENT SMITH: Thank you.

7 DAWN TURNER: Good evening, Council
8 President, Mayor Finley, City Council. I am
9 Dawn Turner. I live at 185 Emerson Road.
10 That's in the Walden community. Thank you for
11 hearing me. I don't want to restate what has
12 already been said. But I do want to state my
13 position, and I believe it's the position of
14 our family that we do not feel like we can have
15 a continued relationship with the Three Springs
16 facility in our community. I do understand
17 that this facility was there before the Walden
18 community was built. However, things have
19 changed, and we no longer can continue the
20 relationship as it should continue. I did a
21 little bit of research, and I looked at the
22 website that is associated with the facility.
23 I looked at some of the guiding principles that

1 were supposed to be -- that should be
2 associated with the operation of this facility,
3 and they do not parallel what has happened or
4 what's been happening.

5 I can go back to the case where a worker
6 was indicted in April of 2018 for sexual abuse
7 of one of the residents. We can go on and on.
8 If you look at any website -- I just happened
9 to look at the Indeed website for people who
10 would be considering employment at that
11 facility. The comments of former workers --
12 one of our news outlets recently interviewed a
13 former worker, and she had been there for eight
14 years. And she reiterated the patterns of
15 abuse and neglect, so there is a concern for
16 the residents as well. They are not
17 fulfilling -- its clear there is a pattern
18 where the needs of the residents aren't been
19 fulfilled. Perhaps that contributes to the
20 residents not wanting to be there anymore.
21 We-- we could imagine that that is possible.

22 Not to mention, in the most recent one, I
23 was at home with our five-year-old by myself.

1 My husband was on TDY. Can you imagine what
2 it's like to get notifications on your phone
3 when your husband is 3,000 miles away? What
4 are the thoughts that go through your mind when
5 you have no neighbors behind you or beside you,
6 your house backs up to a place where someone
7 who is looking to conceal themselves from being
8 caught, that is a likely location for someone
9 to hide? Can you imagine? And I ask everyone
10 to consider what that fear is like when you
11 don't know if they'll be caught. And that
12 night, we were getting ready to catch a flight
13 to go join my husband. If they weren't caught,
14 I wasn't going to be able to go to sleep. When
15 I called my husband, he told me to go to the
16 safe. What am I doing? What -- that's not
17 something that I do -- that I would even want
18 to consider. To go to the safe and do what?

19 I just want to live in my home. I want to
20 do my civic responsibility and be a good
21 citizen. And so council members, President,
22 Mayor, I ask you to consider the -- the
23 feelings of the community. Not just the

1 feelings of the community, but also the
2 residents because they're not performing as
3 they said they would, as they committed to
4 perform. Thank you so much for the time.

5 COUNCIL PRESIDENT SMITH: Thank you,
6 ma'am.

7 COUNCIL MEMBER POWELL: Thank you.

8 RICKEY HUBER: Rickey Huber. I live in
9 106 Preserve Court, Madison, Alabama. I did
10 look at the facility from the outside as you
11 had the graphic there. I am familiar with a
12 layered defense. The problem is, is no matter
13 what they do, they have a single point of
14 failure. Since they don't have layer defense,
15 like an external fencing outside for a
16 controlled area, one mistake, one slip -- and
17 we all know that happens -- you don't have that
18 capability to do that. So I think it's an
19 insurmountable task because that facility isn't
20 large enough to allow for a layered environment
21 and a positive -- well, a positive environment
22 for the students -- because they refer to them
23 as students.

1 The other point is, there's been a lot of
2 discussion and you see a lot of anger going out
3 here about the idea of protecting the
4 community. Now, those students are in an
5 environment which they can easily leave that we
6 are calling out SWAT because of what's happened
7 in the past. There is danger that the students
8 are being failed because now you've put them in
9 an environment -- you have a lot of residents
10 very concerned and nervous. And because like
11 most of us, before two years ago, I thought,
12 okay, it's a troubled juvenile. You're not
13 thinking about someone as graphically expressed
14 by the police officer -- I mean, chief of
15 police, sorry, sir. The idea that someone was
16 going to be beat in the head with a hammer.

17 If you have one manned door open in your
18 garage and you have it unlocked and somebody
19 comes in there, that's what -- that's the
20 environment that we have. And it's unfortunate
21 for the -- for those students. It's scary for
22 the students. You come in, you're in my place
23 and if you have someone that is armed and is

1 nervous, you can have a terrible thing happen.

2 So I think the students are in danger.

3 And I don't believe the facility -- because
4 there's laws of physics now, gentleman. You
5 cannot expand that property. They've been
6 pinned in, and so the original design was
7 flawed in 1995. However, I'm sure back then,
8 they weren't thinking -- like none of us were
9 thinking when I bought the home in 2006. I did
10 not think about the idea that juveniles coming
11 out of there -- maybe vandalize a car, break a
12 windshield. But now you have this mind set. I
13 don't see how that's a viable option.

14 And last but not least, there is a
15 disaster recovery from a government contract
16 perspective. There is a disaster recovery
17 plan. Now, the contractor did not want to say
18 the disaster recovery plan is DHS. So that
19 means, DHS has the capacity to solve the
20 problem if there was a tornado or a flood.
21 Now, I don't know what timeline we are marching
22 to. However, it's interesting, they have a
23 little bit of a conflict of interest because

1 they don't bring that point up, and they also
2 project the idea of -- that it's a legal deal.
3 And I appreciate your statement about contracts
4 and government contracts and the idea of how
5 that works. So that's my perspective there.
6 Thank you very much for my -- for your time.

7 COUNCIL MEMBER SHAW: Thank you.

8 COUNCIL PRESIDENT SMITH: Thank you,
9 sir.

10 JACQUELYN PETTUS: Hi there. I am
11 Jacquelyn Pettus. This is my husband Joe
12 Pettus. We live at 234 Avian Lane. We more or
13 less share the woods with Three Springs. The
14 first -- I can't say it better than the first
15 speaker said. The kids I'm worried about are
16 the four that live under my roof. I'm reading
17 this -- I pulled this straight from the Three
18 Springs website. This is the profile of the
19 juveniles Three Springs is unable to detain in
20 their facility.

21 This is the profile: Impulsive,
22 irresponsible behavioral tendencies, denies
23 and/or justifies negative behavior, has

1 problems with anger and aggression,
2 demonstrates a low degree of empathy, is
3 noncompliant with authority.

4 My understanding is that, primarily, these
5 dangerous juveniles are not from Madison or
6 even Madison County. They are being shipped in
7 from other areas in the state. So please
8 consider this: When they escape -- and they
9 will escape. That has been established -- they
10 have no family or friends in Madison. So what
11 do they need immediately to elude capture?
12 Well, they need money, they need a vehicle,
13 and/or a cell phone. Where are they going to
14 get these items? Well, they're going to take
15 them by force from whomever they encounter
16 first -- just like they did two years ago when
17 they brutally murdered Mr. Van Johnson in the
18 back parking lot of Publix Super Market.

19 Who will it be next time? Will it be my
20 daughter, a James Clemens senior, who's sitting
21 in the Sonic drive-thru on her way home from
22 cheer practice? Will it be my son as he's
23 unloading his drum in the JC parking lot after

1 a late night football game? Or will these
2 thugs simply skulk through the woods and break
3 into my house as my family sleeps?

4 Mayor and city council, I believe you
5 would be hard-pressed to find any of your
6 constituents who believe you did the right
7 thing in renewing this license last year. I
8 hope that I have made the very last call to my
9 children urging them to lock the doors and be
10 alert because we have impulsive, noncompliant,
11 angry, aggressive juveniles on the loose again.
12 Enough is enough. It's time to end this once
13 and for all. No second chances. 30 days. I
14 ask that you revoke their license. Thank you.

15 COUNCIL PRESIDENT SMITH: Thank you.

16 HUNTER VAUGHN: Good evening. My name
17 is Hunter Vaughn. I live in the Walden
18 subdivision. It's right behind. The address
19 is 208 Merrimack Court in Madison. I agree
20 with everyone that's come up here before. This
21 has been a hot topic in our neighborhood.
22 Everyone is pretty much on the same page to
23 revoke the license as quickly as possible. We

1 also have concern for risk, but there's also
2 some concern for the city. This doesn't look
3 like a situation that's going to resolve itself
4 unless action is taken. There's only two
5 possible paths. It sounds like they're arming
6 up for legal action on their side. But if
7 there's another incident after everything
8 that's been going on, I feel like there's a
9 situation where the city could be held liable
10 for a second incident. So I think it's really
11 in the best interest of the city just to take
12 action. And it's the best action for all the
13 constituants of the city, and they would
14 support you 120 percent all the way. Thank
15 you.

16 COUNCIL PRESIDENT SMITH: Thank you.

17 MAYOR FINLEY: Thank you, sir.

18 LINDA LOCKE: Mayor Finley and members
19 of this city council, my name is Linda Locke,
20 and I live at 216 Grove Village Way. That's in
21 the Grove Park subdivision, less than one mile
22 from the Three Springs facility. I watch with
23 pride as Madison continues to improve our

1 schools, our parks, and to supply funding for
2 improved walkways and multi-use paths. We
3 improved the trailhead to Bradford Creek, the
4 greenway, which is a beautiful place to walk.
5 Unfortunately, it's located almost in the front
6 door of Three Springs' facility.

7 It would be so nice if it wasn't located
8 there because then I might not be afraid to
9 walk on it. We've also recently announced that
10 Mill Creek is being improved, and we funded new
11 sidewalks. My question to you is: It seems
12 counterproductive, isn't it, to spend this
13 money, this time, and this effort to make
14 Madison a walkabout community when we have this
15 dangerous facility located smack-dab in the
16 middle of our community.

17 During the last escape just a few weeks
18 ago, the Madison Police Department drove
19 through the subdivision of Walden announcing
20 people -- or telling people to lock their -- go
21 inside, lock their doors, and turn on their
22 alarms. How are they going to notify the
23 people on greenways?

1 However, greenways and multiuse paths pale
2 in importance to our schools. Three Springs is
3 located right in the middle of the majority of
4 our schools in Madison where 12 -- almost
5 12,000 students go. Does it make sense to
6 allow thugs from across the state to be
7 imported here, for profit to a business, at the
8 expense of safety and security of our students?
9 To me, the answer to that is abundantly clear.

10 We can't keep putting a Band-Aid on a
11 gaping wound. We know what happens when we do.
12 They keep escaping, and again, we will have a
13 very seious incident on our hands again. So to
14 the members of the city council who last year
15 voted to revoke the license, I applaud you. To
16 those who didn't, I say, get on board and let's
17 once and for all revoke this license of a
18 dangerous facility that houses murdering
19 individuals. Thank you very much.

20 MAYOR FINLEY: Thank you.

21 STEVE JOHNSON: Hi. My name is Steve
22 Johnson. I'm at -- in the Walden subdivision.
23 I'm at 524 Thoreau Spring Court, and I'm here

1 just speaking on behalf of my children. I have
2 a 16-year-old, a 13-year-old, and a 12-year-old
3 daughter. And a few weeks ago, my daughter
4 asked me, she said, Dad, can I bike down the
5 street by myself? And I said, you know, trying
6 to make the right decision, yes. Yeah, I think
7 you're old enough that you can do this.

8 Well, it turns out later that day, it's
9 the same day the three individuals escaped from
10 the facility. And, you know, my wife looked at
11 me and said, you know, did we make the right
12 decision here? And this is something we think
13 about on our street. You know, are kids going
14 out walking, biking, are they safe? Is the --
15 is -- you know, when you've had an incident
16 like this, it's something you think about every
17 time you make that decision when you let them
18 go out.

19 And I also looked at their website, and
20 the one word that got to me was the
21 characteristic of some of these 17-,
22 18-year-olds is a lack of empathy. A lack of
23 empathy. That's a lack of compassion when you

1 come up across somebody. That's exactly what
2 we saw at Publix. It was a lack of empathy.
3 And if this keeps happening, we're going to be
4 back here and it's going to be another event --
5 it's going to be a kid, it's going to be some
6 kind of assault, and we're going to be sitting
7 here looking -- what have we done? What choice
8 did we make for the kids in this community?
9 Make the right decision and -- strongly will
10 support you. Thank you.

11 COUNCIL PRESIDENT SMITH: Thank you.

12 MAYOR FINLEY: Thank you.

13 LAURA WOOTEN: Hello. Thank you for
14 your time. My name is Laura Wooten. I live in
15 the 205 Walden Glen Road in Madison, very close
16 to the Three Springs. I do feel strongly about
17 what Three Springs does for those 50 kids. I'm
18 a teacher myself, so I think it's a good thing
19 that it exists. But having said that, it is,
20 to me, a matter of the public safety. My
21 husband and I moved here from Europe to live
22 in -- here in Madison, and, yeah, we think this
23 is a beautiful place to live.

1 I think, and I'm convinced, that all the
2 incidents -- well, they all happened, one too
3 many. And I know Madison city and America is
4 safety first. And my husband and I and my
5 kids, well, we kind of don't feel safe, and
6 that's not good, of course. It's been said by
7 Three Springs that the Three Springs cannot
8 easily be moved to another location because of
9 special requirements. I am not convinced that
10 it is the case. I think it has to be possible,
11 like in the case of a tornado event or in any
12 other situation that I -- they just -- I don't
13 think -- I'm not convinced that those special
14 requirements are that special. I'd like you to
15 think about these things when you take your
16 decision, and I would like to revoke the
17 location. So thank you so much for your time.
18 Thank you.

19 COUNCIL PRESIDENT SMITH: Thank you
20 very much.

21 ASHLEY ENGLER-ROSS: Good evening to
22 all of you. My name is Ashley Engler-Ross.
23 I'm at 309 Walden Glen Court. I was asked by

1 Maura to participate in the community group --

2 COUNCIL MEMBER WROBLEWSKI: Advisory.

3 ASHLEY ENGLER-ROSS: -- advisory

4 whatever-we-were board at Three Springs. I

5 understand what you all do and I value it.

6 I've worked in those facilities myself, and

7 it's because of that that I know, it is a

8 corporation and there are other facilities

9 around the state and around this country where

10 these children can go. It's an industry. As

11 you listen to all of these people, I can't help

12 but think, you're talking about these children

13 getting out and the fear that it raises in

14 everyone because of what's happened in the

15 past. And then you also fear -- hear people

16 wanting to protect themselves. The police are

17 sending a SWAT team to my backyard. My

18 neighbor is standing on the corner, escorting

19 his children on the school bus that my kids get

20 on, with a weapon on his hip. These are my

21 neighbors. This is my community.

22 When this event happened, I wasn't home.

23 You know who was home? Lily. You all know

1 Lily. Not 15. 16. Watching her brother and
2 sister, who I had to call and say, keep your
3 mouth shut, get everyone inside, lock the
4 doors, and set the alarm. And then call anyone
5 I could think of that could get to my kids
6 faster than me if something happened. That's
7 not right and I know you all know that. Please
8 revoke their business license.

9 COUNCIL PRESIDENT SMITH: Thank you.

10 ANGELA GARY: Good evening, Mayor
11 Finley, President Smith, and council members.
12 My name is Angela Gary. I live at 113 Lillians
13 Way, and I know you all are sick to death of
14 hearing this, but this is my city. This is my
15 hometown. I've been here longer than you want
16 to know and longer than I'll admit.

17 I'm here tonight to honor the life of Van
18 Johnson whose life -- he was brutally partially
19 decapitated two years ago tonight. His family
20 still doesn't have justice. What if it was one
21 of you guys? Every one of you have children.
22 I have a child. What if I got the call that,
23 Angela, I've got to tell you something. You

1 might need to go tell your son his dad doesn't
2 have a head. He's going to have to be buried.
3 There's not an easy way to do that.

4 We may not be Mayberry anymore. We've
5 grown past that. We are getting ball teams,
6 you know. We're moving up with the big
7 leagues. We're doing everything and that's
8 wonderful. We need to keep it real, people.
9 We don't need people that are -- if the -- the
10 first -- well, first of all, Chief Jernigan,
11 thank you. If you are the person that brought
12 the SWAT team back together and brought it so
13 that Madison is back in with the SWAT team,
14 every one of us owes you. We need to bow at
15 your feet because without the SWAT team,
16 Madison Police Department wouldn't have had all
17 the resources they had. They had extra dogs.
18 They had extra manpower. Think, the whole
19 county -- well, more than the county.
20 Limestone County was even involved -- was
21 pulling together to capture these criminals.

22 When Van Johnson was murdered, there was a
23 differentiation -- a differentiation, and it

1 was said that runaways don't have bad things on
2 their record and escapees are what you're
3 supposed to be afraid of. My Lord in Heaven,
4 if it could've gotten any worse than what
5 happened to Van Johnson, that's bad. That's
6 bad. You know, there's some of you in here
7 that live alone. You don't know what's in your
8 house when you come in. I, too, was home
9 alone. And my family has often said I would
10 open the door and invite the devil in for tea
11 and crumpets because I just think, you know,
12 better to face it head-on than whatever. I
13 don't feel that way about Three Springs. If
14 their license had been revoked last time -- and
15 thank you for the people that voted to do the
16 right thing last time. If those licenses had
17 been revoked -- that business license had been
18 revoked, we wouldn't be here tonight.

19 I'm begging you, please, please, please,
20 please, please, please, please do the right
21 thing and not only will you give answer to the
22 people in this audience and to the city that
23 you represent, the constituents in your

1 districts, but one day, every knee will bow
2 before God and you're going to answer to him
3 for how this was handled. Let's get these kids
4 out. I feel sorry for the parents there, but
5 they don't belong in Madison. Thank you for
6 your time.

7 COUNCIL PRESIDENT SMITH: Thank you.

8 PHOEBE ICHEN: One more. Phoebe Ichen,
9 109 Radisson Lane. I do not live near this
10 place, and I have been to these council
11 meeting -- I can't even count how many times.
12 I have never been moved like I have at this
13 one. Council, do not let this congregation
14 come here again. Vote unanimously to revoke
15 this license.

16 COUNCIL PRESIDENT SMITH: Thank you.

17 LOIS BROWN: Good evening. I'm Lois
18 Brown. I'm at 110 Telluride Drive, and I don't
19 know some of the addresses, but it sounded like
20 most of the people that have spoken were, like,
21 close around the facility. And I just want to
22 speak for those of us that are a little bit
23 further out and just as scared to death as the

1 people that are living right next door to it.
2 I'm 64 years old. I've been in Madison 20
3 years, and I sat in my bed -- because I live
4 alone -- and I sat in my bed and shook for 45
5 minutes that night. And I just want to speak
6 for everybody in Madison. I just don't want
7 y'all to think that it's just the group around
8 that facility. But everybody in the city of
9 Madison is scared, and we never thought we
10 would have to come and tell you how scared we
11 are to live in this community.

12 So if there's something that you can do to
13 bring our comfort back to our homes that we
14 chose this community to live in, we sure would
15 appreciate it. Thank you for your time
16 tonight.

17 COUNCIL PRESIDENT SMITH: Thank you,
18 ma'am. Anyone else like to take a couple of
19 minutes?

20 Okay. Seeing no one, we will now close
21 the public hearing. And what I would like to
22 do is -- well, close the public comments, not
23 the public -- what I would like to do is take

1 time for each of the council to say a few
2 words, and we'll just start with the mayor and
3 then go to District 1 and just work down the
4 line. And then afterwards, we will bring up
5 the resolution to vote on it. So Mayor, I
6 guess you're up first.

7 MAYOR FINLEY: And I'll start -- and
8 first and foremost for everybody who spoke, you
9 know, thank you for coming up here and for --
10 you know, for those of you who have sent
11 e-mails, thank you. You know, we listen. And
12 I will say this, going back -- you said not to
13 go too far back. But I will say, I stand with
14 this council in the first vote. And as someone
15 who doesn't get to vote -- and they don't let
16 me have money either -- I stand with them in
17 this one -- or stand with our department heads
18 and our chief of police when they talk about
19 what to do next.

20 I greatly appreciate, first and foremost,
21 the folks from DYS -- the two folks that are
22 here and we met with Friday. They are trying
23 as hard as they can to manage an incredibly

1 hard situation with these kids, and there isn't
2 one of us who doesn't feel the same way. With
3 that said, there is no question we don't feel
4 safe with this facility in our community. And
5 we worked diligently as a team trying to
6 negotiate a time frame that would help them.

7 I also want to personally thank Betty and
8 Kenny and Jason at Sequel. They care about
9 these kids more than anybody will ever know,
10 and yet, it's not the right place anymore.
11 They said it themselves. They know it. And
12 what's frustrating to me is, corporate Sequel
13 has made a decision not to work with us and put
14 us in a position of how much time we give them
15 if we make this decision as a council and you
16 vote that way.

17 So I'll simply say, I will work with Megan
18 on whatever you guys decide, from a time frame
19 standpoint, we'll adhere to and work with. And
20 lastly, I want to say this: When we didn't do
21 something -- or we did do something the first
22 time, we had the ability to work with our chief
23 of police to put the safety aspects in place

1 that helped us this second time when something
2 did happen to catch these guys as quickly as we
3 did, and they did an incredible job. We are
4 safe in this community, and they are in -- and
5 Chief, to you and everyone who was out there
6 that night with everything that you had, thank
7 you.

8 So with that said, thanks for giving me a
9 chance to, at least, start this process. I'm
10 proud of our team. We stand with you guys, and
11 we'll move forward as you decide. But as we
12 bring this forward, as a mayor and in our
13 administration, we think it's time.

14 COUNCIL PRESIDENT SMITH: District 1?

15 COUNCIL MEMBER WROBLEWSKI: My name is
16 Maura Wroblewski, and I represent District 1,
17 and this facility is in my district. And like
18 many of you that spoke, I wanted to go ahead
19 and prepare my remarks, so I wrote them down
20 because it is so important and I didn't want to
21 miss anything. Like others have said, I'd like
22 to begin by thanking those in attendance
23 tonight that have spoken so eloquently and so

1 clearly. Thank you also to the many that have
2 sent us e-mails. We've all received e-mails
3 from out constituents expressing your
4 objections to the Three Springs continuing
5 their operation in Madison. Through e-mail and
6 voice, your words have been heard. You have
7 spoken loudly and clearly.

8 It should not be lost on any of us today,
9 August 14th is the two-year anniversary of Van
10 Johnson, a resident of Riverdale, Georgia. He
11 was 61 years old. He was working at the Publix
12 on County Line Road, as many have mentioned.
13 He was robbed, brutally murdered, and nearly
14 decapitated by the three -- two escapes from
15 Three Springs -- all for a few dollars and his
16 cell phone.

17 In an effort to protect the residents of
18 Madison and response to public outcry, a few
19 months after this murder, this council sitting
20 before you met to vote on the revocation of
21 their license. After much discussion during
22 the public hearing and deliberation and
23 executive session, we recommended a

1 probationary period be granted, whereby Three
2 Springs would undergo an inspection by both MPD
3 and a qualified security organization. And it
4 was also a detention facility representative.

5 During that inspection, several security
6 lapses were identified and remedied by Three
7 Springs. However, one security issue was not
8 corrected, and that was the addition of a
9 camera in the back northwest corner near the
10 basketball court. It's my understanding, as
11 Chief mentioned today, this is the area where
12 they escaped, so they've known for two years
13 that there was no camera in that area and it
14 was not remedied. They have assured council
15 that they would -- I'm sorry. I lost my place.
16 Okay.

17 It's my understanding, it was from that
18 area that the men escaped to murder
19 Mr. Johnson. Furthermore, during that hearing,
20 we also asked the representatives of Three
21 Springs about the demographics of those being
22 held in the facility. We asked how many of
23 those incarcerated were from Madison County and

1 specifically from the city of Madison. The
2 representatives didn't know the answer at that
3 time but assured us they would provide us that
4 information. As a member of the advisory
5 council, I can attest that, to this date, they
6 have not provided that information.

7 In the two years since the murder, the
8 escapes have continued. We just learned today
9 of the escape that was on -- in September of
10 '18. There was no Nixle. There was no report
11 given. We just learned of it today as council.
12 In March of this year, during a medical
13 appointment at Madison hospital, an inmate
14 escaped the custody of Three Springs and was
15 found hours later at the Waffle House on Hughes
16 Road. It's not clear where he went during that
17 time or what he did while he was free.

18 Just a few weeks ago, three inmates
19 escapes from Three Springs' facility during the
20 evening hours of about 7:30. MPD responded as
21 soon as they were notified and immediately
22 began patrolling in the area. They also called
23 in their second shift to assist with the

1 search. By the grace of God, an officer
2 reporting early for that shift -- he was a
3 third -- he worked third shift. They called
4 him in early. By the grace of God, he saw them
5 driving -- or walking on Segers Road while he
6 was driving. I shudder to think what would've
7 happened if the officer had left his home a few
8 minutes earlier or a few minutes later. These
9 escapees are desperate. It's unlikely, since
10 they have no friends and family in the area,
11 and as was mentioned, they would elude capture
12 and possibly rob or assault just to get a cell
13 phone or a vehicle.

14 As I mentioned previously at the public
15 hearing, the determination was made to give
16 them a second chance. It's now clear that,
17 while those were good intentions, in my
18 opinion, it's not now in the best interest of
19 those living, specifically, near Three Springs,
20 but really all of us living in Madison. While
21 this facility resides in my district -- but
22 even if it did not, I would feel strongly that
23 it does not belong in our city limits

1 surrounded by schools and residential
2 neighborhoods.

3 When I consider what could've happened
4 just a few weeks ago during the couple of hours
5 that those men were on the run, my blood runs
6 cold. History tells us, murder of yet another
7 innocent person is a real possibility. But
8 there is another scenario that we need to
9 consider -- and what if the inmates could be
10 killed by a Madison resident as they escaped?
11 I have no doubt that some residents, especially
12 in surrounding areas of Walden, Heritage
13 Station, my neighborhood, Chapel Hill -- I know
14 this personally -- are armed and ready to
15 protect their families.

16 There'll be very little mercy for
17 escapees, and those residents may very well
18 shoot to kill should they encounter an escapee
19 from that facility. The current location of
20 Three Springs is a danger, not only to the
21 residents of Madison, but to those very
22 juveniles that are housed in that facility.
23 It's my hope that through this council, these

1 men can be relocated as soon as possible for
2 the safety of us all. Thank you.

3 COUNCIL PRESIDENT SMITH: District 2?

4 COUNCIL MEMBER POWELL: You are
5 District 2.

6 COUNCIL PRESIDENT SMITH: Oh, District
7 3 then.

8 COUNCIL MEMBER POWELL: You want me to
9 speak for you too?

10 COUNCIL PRESIDENT SMITH: No. I'll
11 take my --

12 COUNCIL MEMBER POWELL: Does that mean
13 I get twice the amount of time?

14 COUNCIL PRESIDENT SMITH: No, no.

15 COUNCIL MEMBER POWELL: I'm not going
16 to be as quite together as Maura is on this.
17 You know, I was given the unfortunate
18 opportunity to vote on this last time. And we
19 -- we voted on that, and I'm not ashamed of the
20 vote I took. It's put us in the position to
21 come here again, unfortunately, but it's
22 allowed us to have a better case. And
23 obviously, we have plenty of support, so

1 whatever will be, will be at this event. But
2 the couple of things that come in my mind --
3 and I have to make outlines because I'm not
4 real good at speaking. I know you guys know I
5 talk a lot, but that doesn't mean I'm good at
6 speaking.

7 Safety is the word that comes to mind. It
8 came to mind for me. You know, and you guys
9 have said it, Three Springs, Sequel and the
10 community has said it. Everyone speaks of
11 safety. Safety of the community, safety of the
12 kids that are held in that facility, safety of
13 the employees. A large part of that
14 responsibility of safety relies on the
15 corporation that houses the children there --
16 kids, young men. It's also their
17 responsibility for the employees.

18 And obligations -- we talked about
19 obligations. That's the next word. The
20 attorney -- Mr. Ryder, you spoke about, you
21 know, obligations that are in contracts and
22 what's legal and law and what-have-you. We
23 have attorneys that will advise us on that.

1 They have. We've read it. We understand it,
2 and we know what our obligation is. And I
3 think, maybe, some of the representatives in
4 corporate need to realize what their
5 obligations are in those contracts. One of
6 those obligations are to keep those students in
7 and keep them safe. Obviously, they've not
8 been kept in, and I would dare to say, they're
9 not safe when they get out. They are not --
10 it's not safe for them to get out. It's not
11 safe for the community.

12 So those are things that come to mind.
13 And, you know, the question that I had is, how
14 many facilities does Sequel have in the state?
15 Can we ask questions or -- I mean, are we
16 allowed to do that, or do we just make the
17 statement?

18 COUNCIL PRESIDENT SMITH: What do you
19 think?

20 MS. MEGAN ZINGARELLI: That's fine.

21 COUNCIL PRESIDENT SMITH: If you'd like
22 to ask questions, I'll allow that.

23 COUNCIL MEMBER POWELL: Thank you.

1 Does someone from the corporation, would they
2 like to answer? I think you have to come to
3 the mic.

4 COUNCIL PRESIDENT SMITH: Would you
5 guys be willing to answer a question?

6 MR. KENNY ROBERTS: I mean, most of the
7 information you asked for was in the packet.

8 COUNCIL MEMBER POWELL: Probably come
9 to the mic though. They're recording us, so we
10 need everything on the mic and we need to make
11 sure that we can --

12 MR. JASON SCRIVNER: We have five.

13 COUNCIL MEMBER POWELL: Five
14 facilities?

15 MR. JASON SCRIVNER: Yep.

16 COUNCIL MEMBER POWELL: Can you tell me
17 where those are located, please?

18 MR. JASON SCRIVNER: The facilities,
19 aside from the Madison facility, are located in
20 Owens Cross Roads, Courtland, Montgomery, and
21 Tuskegee.

22 COUNCIL MEMBER POWELL: Okay. Real
23 quick. Please don't leave. How many students

1 or individuals do those house?

2 MR. JASON SCRIVNER: I don't have that
3 answer.

4 COUNCIL MEMBER POWELL: Okay. All
5 right.

6 COUNCIL PRESIDENT SMITH: Thank you for
7 answering, sir.

8 COUNCIL MEMBER POWELL: Thank you. And
9 I guess, you know, the other thing that we
10 talked about with poor decisions, you know,
11 that the children -- we're trying to teach --
12 the young men in those facilities, we're trying
13 to teach them to have better decisions and not
14 make poor decisions. I think we've made some
15 poor decisions at that facility because,
16 obviously, we're not keeping up with the things
17 that we said we would do there. And the other
18 comment was made is, we can do this without a
19 fight, and I hope that we can. I hope that we
20 can. But we may be past that point because,
21 obviously, we've got a community that's ready
22 to do that.

23 You know, last time I voted, I did that to

1 give these young men an opportunity, to give
2 the facility an opportunity. I didn't vote out
3 of fear. I'm not voting out of fear this time.
4 I won't vote out of fear. The only thing I
5 fear is something happening to someone in our
6 community or something happening to one of
7 those kids. This is -- this was the -- one of
8 the toughest votes that I ever had to make the
9 whole time I've been here, and I've thought
10 about it a lot of times. And it's unfortunate
11 that I get to take this vote again, but I can
12 promise you, I will not vote the way I voted
13 last time. That's all I've got to say.

14 COUNCIL PRESIDENT SMITH: Thank you.
15 District 4?

16 COUNCIL MEMBER SHAW: Going off what
17 Teddy was talking about with safety -- and I
18 look at everything as a risk/reward-type
19 situation. And when you look at this, the city
20 and the residents, and even the children in
21 that facility, are taking all the risk. We get
22 nothing out of it from -- we've asked for
23 years -- or for two years, I guess, how many

1 children are from Madison city? I've heard
2 it's less than one percent. I don't know what
3 that is. So if it was our own children, I
4 think this would be a different situation but
5 it's not. It's not our children. But yet, we
6 have all the risks. And the only reward is
7 going to Sequel corporate. So I -- it makes no
8 sense for us as a city to bear all the risks
9 and some corporation get all the reward.

10 So I just -- I don't see how we can
11 continue to let them be here. And I think the
12 lawyer from Sequel said, don't let the
13 residents put pressure on us to make a
14 decision. Y'all are the ones putting pressure
15 on us. They -- the residents have never called
16 me when everybody was safe in bed at night.
17 They're calling us whenever y'all make
18 mistakes. Y'all's pressure is causing us
19 pressure. It's not the residents.

20 So I just -- with that being said, I don't
21 see how in the world we can continue a
22 relationship when it's so one-sided. And I
23 voted no on this last time, and I'll absolutely

1 not -- not be for it again tonight. And
2 everybody calls it a business license, but if
3 you look at Madison City business licenses,
4 it's not even -- it's called a -- a privilege
5 license and there's -- it's not business on
6 here anywhere. And in the way I see it, all --
7 y'all have used all of y'all's privileges up in
8 this city. And we appreciate what you've done,
9 but it's time to find a different place. And
10 with that, that's all I have.

11 COUNCIL PRESIDENT SMITH: District 5?

12 COUNCIL MEMBER OVERCASH: Going back to
13 a few things that were mentioned, you know, the
14 existence of the facility for decades, not only
15 has the geography around the facility changed,
16 I believe the facility has changed. It's not
17 the same type of facility that it was 20 or 25
18 years ago. So that situation has drastically
19 changed. One of the things I thought about
20 was, not only the potential escapees, but what
21 if one of our citizens, say, particularly a
22 young man was out and had car trouble that
23 night and had to -- didn't have a cell phone

1 and had to go up and ring a doorbell? You
2 know, what if he had run into the police? So
3 there's a tremendous risk that either one of
4 the students there or one of our own youth
5 could have easily been killed or injured that
6 night.

7 The last time around -- and I love the
8 law. I'm an engineer. But I've felt like from
9 the get-go, their lawyer came out as a bully.

10 AUDIENCE MEMBER: Yes.

11 COUNCIL MEMBER OVERCASH: And I don't
12 remember whether you're the same or not --

13 AUDIENCE MEMBER: He is.

14 MR. BRAD RYDER: I am.

15 COUNCIL MEMBER OVERCASH: But I've
16 scanned about the first five lines -- first
17 five pages of the report, and I feel like it's
18 the same thing over again. But I can assure
19 the citizens, like Teddy mentioned -- and I
20 appreciate what Maura and Paul said -- we as a
21 group do what we think is right for this city,
22 and I don't apologize for my vote last time. I
23 kind of resent getting picked on it, but I

1 understand it's an emotional issue. We as a
2 group, all seven of us, sat back there for,
3 what, hours to come up with the best possible
4 solution. Even the ones that voted against it
5 helped craft the plan. You know, and that's
6 not the first time that's happened. I've sat
7 up here while a previous counselorperson helped
8 modify an ordinance to the last minute, and I
9 thought, well, he's going to vote for it. And
10 at the last minute, after helping make it
11 better, he voted against it. And that's what
12 these people that -- were allowed to vote
13 against it because the rest of us did vote for
14 it. But I feel like we did what was absolutely
15 in the best interest of the entire city.

16 But at this point, I'd like to quote a
17 previous nonelected city official who deals
18 with the public, and occasionally, they would
19 have to make decisions that the public wouldn't
20 like or a particular group or individual -- and
21 he would say, we feel like we've done what we
22 should do as far as the law is concerned and
23 more, but if you don't think we're right, sue

1 us. And if we're proven wrong, we'll apologize
2 and try to make it better.

3 But at this point, I feel like we as the
4 city have done all that we can to help this
5 facility, and that's all I have to say.

6 COUNCIL PRESIDENT SMITH: Thank you.
7 District 6?

8 COUNCIL MEMBER CLARK: A little bit at
9 the beginning of the meeting, we started
10 talking about time -- about how much time it
11 would take if you had to relocate the kids or
12 something like that. And I feel like the time
13 for that, the clock started ticking after we
14 gave you guys a second chance -- that had you
15 taken that seriously and -- well, I'm not going
16 to say that you didn't take that seriously, but
17 we sort of have expectations. And when -- one
18 thing we expect is safety, and you guys talked
19 about the safety of the children and that's
20 important. I agree that the kids need to be
21 well taken care of, but the citizens of the
22 community have an expectation of safety too.
23 And we have a -- people mess up sometimes.

1 Have these kids messed up? They wound up in
2 the situation they were in, in a youth
3 facility. And they would be given a second
4 chance in their life. And we kind of did that
5 with this ordinance we crafted the last time.
6 It was a second chance for Sequel.

7 So I kind of feel like that clock started
8 ticking back then and that the time is up.
9 The -- y'all touched a little bit on the cost
10 of it, and we didn't get an exact number on
11 that, but the cost for the city probably far
12 outweighs the benefit of having the facility
13 here when there's -- that expectation of safety
14 is not met. So I get that we need a facility
15 like this -- that no community is perfect --
16 and that bad things don't happen. But bad
17 things do happen and we do need these
18 facilities, but we expect a level of safety to
19 go along with that. So I'm sort of at the
20 point where I'm -- I think I've talked more
21 than I thought I was going to talk about this
22 because it's sort of open and shut with me on
23 this issue. So that's really all I have to

1 say.

2 COUNCIL PRESIDENT SMITH: Thank you.
3 District 7?

4 COUNCIL MEMBER SEIFERT: I really wish
5 we weren't here tonight. You know, I think --
6 I don't know -- I'll say at the top of this,
7 but I mean, I think out of the council, I
8 probably live closest to your facility.

9 COUNCIL MEMBER WROBLEWSKI: I'm going
10 to object to that. I'm, like, two hundred
11 yards.

12 COUNCIL MEMBER SEIFERT: All right.

13 COUNCIL MEMBER OVERCASH: Second
14 closest.

15 COUNCIL MEMBER SEIFERT: Second
16 closest, whichever. The night of the incident,
17 I'm in Huntsville with some friends that live
18 in Walden. And I'm glad, once I saw the
19 notice, that one our of friendly police
20 department folks was not on the road because I
21 would've gotten a ticket trying to get home
22 from where I was because I was scared that my
23 ten-year-old son was outside with his

1 babysitter while your individuals under your
2 care were not in your care. You failed your
3 residents.

4 Kenny, you speak to the point that it's
5 your responsibility to protect your kids that
6 the state has entrusted to you. You're right.
7 You failed. It's our responsibility to protect
8 our citizens. We're going to do that. You are
9 a state contractor. You have a contract with
10 the state. It doesn't mean you have a right to
11 operate in the city. Just like Councilman Shaw
12 said, it's a privilege license. Just like when
13 you're a kid, you have a privilege. If you
14 screw it up, you lose the privilege. You
15 screwed up, multiple times.

16 Specifically, the area that the young men
17 left in, I remember when we toured your
18 facility -- I'm not a security expert, but I
19 actually identified that area without the
20 camera and brought it to your attention, Jason.
21 Didn't seem like it was a bother. Might
22 have -- should have looked at that. No
23 contingency plan. I think we've heard DYS is

1 your contingency plan. I know what my vote is.
2 It's the same as last time. I would suggest
3 that you consult your contingency plan
4 immediately. That's all I have to say.

5 COUNCIL PRESIDENT SMITH: Okay. So I
6 guess I'll finish it up real quick, and then
7 we'll go in to make a vote. I just want to say
8 thanks to all of you guys for showing up
9 tonight. Like everybody up here has said,
10 we've read your e-mails -- every single one of
11 them. We gave generic responses because we
12 just couldn't go any deeper than what we could
13 at the time. But we appreciate you reaching
14 out to us and letting us know that you're here,
15 and so thank you. I want to thank Senator Tom
16 Butler for all the work he's done. He's spent
17 a lot of time with the mayor and our city
18 attorney last week in Montgomery trying to get
19 answers and trying to get some results. I
20 appreciate the -- Commissioner Steve Haraway
21 for being here again tonight and offering his
22 support from the county, just like he did last
23 time as well.

1 Also, I want to thank Speaker of the House
2 Matt McCutcheon, who is not here tonight, but I
3 know he's been working closely with the mayor
4 and our attorney as well in Montgomery trying
5 to find answers and, you know, work through
6 these issues. So, you know, it takes a team.
7 And we've got a good team here in the city, and
8 we've got a great support system at the state
9 level. And I just want to thank everybody
10 that's been working on it.

11 I agree with Teddy and Tommy on, you know,
12 the last vote. I stand by my vote. I think it
13 was the right thing to do. At that time, we
14 actually voted on two businesses that had
15 situations that needed to be addressed. It was
16 Three Springs, and it was another business.
17 And we put the same conditions, basically, on
18 both of them, and one business has complied.
19 They've gone, kind of, over and above what we
20 requested and required, and they're being very
21 successful right now. And Three Springs has
22 not had that same level of success. And I hate
23 that, out of everything that's going on, that

1 the losers in this -- it's not Three Springs.
2 It's not anybody -- it's the kids. These are
3 kids. Yes, they have problems. Yes, they have
4 issues. But, you know, my kids had problems
5 too, you know. We just all have to work
6 through them in different ways. And I'll
7 always support the kids, and -- but I do think,
8 at this time, we just need to look for other
9 solutions for this type of facility in Madison
10 because they've not shown the resolve needed to
11 stay here in town and showing, you know, as a
12 privilege.

13 So and I won't go on. I won't delay
14 anything else, but with that being said, I'd
15 like to bring up the resolution that Megan has
16 prepared for us.

17 MS. MEGAN ZINGARELLI: The resolution
18 before you is Resolution Number 2019-234R.
19 This is a resolution authorizing the revocation
20 of the business license of Sequel TSI of
21 Madison. This resolution revokes the business
22 license immediately, but it give a 30-day grace
23 period in enforcement. And then after that

1 period, or within it, at the mayor's
2 discretion, it authorizes us to take legal
3 action to see this decision through.

4 COUNCIL MEMBER WROBLEWSKI: Move to
5 approve with discussion on the date amount.

6 COUNCIL PRESIDENT SMITH: Just make a
7 motion on the resolution first.

8 COUNCIL MEMBER WROBLEWSKI: Okay. Move
9 to approve.

10 COUNCIL MEMBER SHAW: Second.

11 COUNCIL PRESIDENT SMITH: Okay. We
12 have a motion and a second.

13 COUNCIL MEMBER POWELL: And another
14 confirm.

15 COUNCIL PRESIDENT SMITH: Do we --

16 MS. MEGAN ZINGARELLI: No. The motion
17 is now on the table, and you can discuss it.
18 If you would like to make an amendment to the
19 motion, then you may do that and then vote on
20 the amended -- on the amendment to make it a
21 part of the main motion and then vote on the
22 final product.

23 COUNCIL MEMBER SHAW: I would like to

1 make a motion for seven days instead of 30.

2 COUNCIL MEMBER WROBLEWSKI: Second.

3 COUNCIL PRESIDENT SMITH: We've got a
4 motion on seven days instead of 30.

5 AUDIENCE MEMBER: Seven?

6 COUNCIL MEMBER SHAW: Seven days.

7 COUNCIL PRESIDENT SMITH: Any
8 discussion on that?

9 COUNCIL MEMBER WROBLEWSKI: Megan, from
10 our side, is that possible?

11 MS. MEGAN ZINGARELLI: It's your
12 choice.

13 COUNCIL MEMBER WROBLEWSKI: I stand by
14 it.

15 MS. MEGAN ZINGARELLI: But --

16 COUNCIL MEMBER POWELL: Well, I do want
17 to --

18 MS. MEGAN ZINGARELLI: -- I've
19 recommended some extra time for a wind-down
20 period.

21 COUNCIL MEMBER SHAW: I'd rather them
22 find a location than us find their escapees.

23 COUNCIL MEMBER WROBLEWSKI: Do you need

1 that wind-up period -- or wind-down period? Is
2 that something that you need?

3 MS. MEGAN ZINGARELLI: No.

4 COUNCIL MEMBER POWELL: I think seven
5 days is -- is perfectly fine, you know. And
6 one thing I do want to -- I want to thank the
7 mayor and his office and legal and everyone.
8 Particularly, the police department. Seven
9 days is plenty of time. We've had a year.
10 We've had a year to get this right. We didn't
11 get it right. And quite honestly, I think
12 y'all are being graceful with seven days. I'm
13 okay with it tonight. But I'll go with the
14 motion that's on the table.

15 COUNCIL PRESIDENT SMITH: Can we get
16 the vote please on the amendment?

17 THE CLERK: Council Member Shaw?

18 COUNCIL MEMBER SHAW: Aye.

19 THE CLERK: Council Member Wroblewski?

20 COUNCIL MEMBER WROBLEWSKI: Aye.

21 THE CLERK: Council President Smith?

22 COUNCIL PRESIDENT SMITH: Aye.

23 THE CLERK: Council Member Powell?

1 COUNCIL MEMBER POWELL: Aye.

2 THE CLERK: Council Member Overcash?

3 COUNCIL MEMBER OVERCASH: Aye.

4 THE CLERK: Council Member Clark?

5 COUNCIL MEMBER CLARK: Aye.

6 THE CLERK: Council Member Seifert?

7 COUNCIL MEMBER SEIFERT: Aye.

8 COUNCIL PRESIDENT SMITH: Motion passes
9 on adding the seven days --

10 So now we need to vote on the amended
11 motion which is the resolution and instead of
12 30 days, seven days. So can we get a motion on
13 that?

14 COUNCIL MEMBER POWELL: Move to
15 approve.

16 COUNCIL MEMBER SHAW: Second.

17 COUNCIL PRESIDENT SMITH: We have a
18 motion to and a second. Any discussion? Can
19 we get the vote, please?

20 THE CLERK: Council Member Shaw?

21 COUNCIL MEMBER SHAW: Aye.

22 THE CLERK: Council Member Powell?

23 COUNCIL MEMBER POWELL: Aye.

1 THE CLERK: Council President Smith?

2 COUNCIL PRESIDENT SMITH: Aye.

3 THE CLERK: Council Member Wroblewski?

4 COUNCIL MEMBER WROBLEWSKI: Aye.

5 THE CLERK: Council Member Overcash?

6 COUNCIL MEMBER OVERCASH: Aye.

7 THE CLERK: Council Member Clark?

8 COUNCIL MEMBER CLARK: Aye.

9 THE CLERK: Council Member Seifert?

10 COUNCIL MEMBER SEIFERT: Aye.

11 COUNCIL PRESIDENT SMITH: Motion

12 passes. So I guess with that, we are done.

13 And motion to adjourn?

14 COUNCIL MEMBER SEIFERT: So moved.

15 COUNCIL MEMBER WROBLEWSKI: So moved.

16

17 HEARING CONCLUDED.

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C E R T I F I C A T E

STATE OF ALABAMA

AT LARGE

I hereby certify that the above and foregoing hearing for Sequel TSI Holdings, LLC, was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription; transcribed by me or overseen by me, and that the foregoing represents a true and correct transcript of the testimony given by attendees upon said hearing.

I further certify that I am neither of counsel, nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

I further certify that I am duly licensed by the National Court Reporters Association as a Registered Professional Reporter and by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the NCRA and ACCR numbers following my name found below.

So certified on this date, August 14, 2019.

/s/ Sarah Carlton Stimpson
Sarah Carlton Stimpson, CCR, RPR
NCRA No. 45087, AL No.612
Commissioner and Notary Public
Alabama State at Large

My Commission Expires: September 30, 2019