



**MINUTES NO. 2022-20-RG  
REGULAR CITY COUNCIL MEETING  
OF MADISON, ALABAMA  
October 24, 2022**

*To protect the public health during the COVID-19 pandemic, and according to State and Federal Guidelines, the Madison City Council observed social distancing procedures at the Council meeting. Anyone who was sick, or was living with a quarantined family member was recommended against attending the meeting. The meeting was broadcast live on Wow! Channel 42 and online streaming at [www.madisonal.gov/viewmeetings](http://www.madisonal.gov/viewmeetings). Anyone who did not want to attend the meeting in person due to the COVID pandemic, but wanted to participate in Public Comments or Hearings were encouraged to contact the City Clerk or Mayor's Office via telephone or email to submit comments or questions, or text the word "Comment" to 938-200-8560*

The Madison City Council met in regular session on Monday, October 24, 2022, at 6:00 p.m. in the Council Chambers of the Madison Municipal Complex, Madison, Alabama. Noting that a quorum was present, the meeting was called to order at 6:00 p.m. by Council President Greg Shaw.

City Clerk-Treasurer Lisa D. Thomas provided the invocation followed by the Pledge of Allegiance led by Greg Shaw.

**ELECTED GOVERNING OFFICIALS IN ATTENDANCE**

Mayor Paul Finley	Present
Council District No. 1 Maura Wroblewski	Present
Council District No. 2 Connie Spears	Absent
Council District No. 3 Teddy Powell	Absent
Council District No. 4 Greg Shaw	Present
Council District No. 5 Ranae Bartlett	Present
Council District No. 6 Karen Denzine	Present
Council District No. 7 John Seifert	Present

City Officials in attendance were: City Clerk-Treasurer Lisa D. Thomas, City Clerk Administrative Assistant Mari Bretz, City Attorney Brian Kilgore, Information Technology Director Jason Colee, Information Technology Support Technician Garrett Gillott, Information Technology Coordinator Toby Jenkins, Police Chief Johnny Gandy, Fire Chief David Bailey, Revenue Director Cameron Grounds, City Engineer Michael Johnson, Director of Development Services Mary Beth Broeren, and Recreation Director Kory Alfred

Public Attendance registered: Henry W. Massie, Katie Beasley, Tiffany Knox, Bill Schmidt, Mitzi Adams, Kandie S. Talz, Nicholas Tate, Eddie Lobdell, Larry Vannoy, Jocelyn Broer, Joey

Ceci, Audrey Groger, Elizabeth Swaine, F. Denise Swaine, Sandy Groger, Jewnnifer Coe, and Charity Stratton

### **AMENDMENTS TO AGENDA**

None

### **APPROVAL OF MINUTES**

#### **MINUTES NO. 2022-19-RG DATED OCTOBER 10, 2022**

Council Member Powell moved to approve Minutes No. 2022-18-RG. Council Member Spears seconded. The roll call vote taken was recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

### **PRESENTATIONS AND AWARDS**

#### **PRESENTATION OF BOYS AND GIRLS STATE BY POST COMMANDER LARRY VANNOY AND VICE COMMANDER JEAN DOWNS FROM AMERICAN LEGION POST 229**

Post Commander Larry Vannoy addressed Mayor Paul Finley and Council regarding what is currently happening with the American Legion and its community outreach. Post Commander Larry Vannoy reminded everyone that Veterans week is coming up and that they are hosting a prayer breakfast at the YMCA in Madison.

Post Commander Larry Vannoy introduced Vice Commander, and President of the Auxiliary of Post 228, Jean Downs. Vice Commander, and President of the Auxiliary, Jean Downs gave a brief overview of the American Legion Boys State and Girls State programs and then introduced the attendees.

The Boys State attendees recognized this evening were:

- Jaxon Yamagushi – James Clemens
- Noah Little – Bob Jones
- Andrew Millar – James Clemens
- Nathan Tate – Bob Jones

The Girls State attendees recognized this evening were:

- Audrey Kroger – Bob Jones
- Katie LaFerrera – Bob Jones

- Elizabeth Swaine – James Clemens

Girls State attendee, Elizabeth Swain thanked Mayor Paul Finley and Council for being recognized. Elizabeth also thanked the Auxiliary and the American legion for providing the opportunity for her and all the other attendees. Elizabeth said that State reminded her of the beautiful diversity that not only exists in Madison but in other parts of Alabama.

Boys State attendee, Jaxon Yamagushi addressed Mayor Paul Finley and Council regarding his opportunity in Boys State and how he was able to learn different things regarding government and the passing of bills through the Senate.

Mayor Paul Finley thanked the American Legion for all their continued support and how fully engage there are with the city which citizens benefit from.

### **SOLAR ECLIPSE PRESENTATION FROM NASA ASTROPHYSICIST, MITZI ADAMS**

NASA Astrophysicist, Mitzi Adams addressed Mayor Paul Finley and Council regarding the partial solar eclipse happening on October 14, 2023 and April 8, 2024. While this one is not going to be a total eclipse such as the one in 2017, but you will notice partial darkness. The eclipses are going to criss-cross the United States. Ms. Adams provided a handout with information on how to view the eclipse in a safe manner. Ms. Adams hopes that promotion of the eclipse will encourage folks into events that are of Science, Technology, Engineering, Mathematics, and Arts.

### **PUBLIC COMMENTS**

*Public Comments were limited to three minutes per speaker. Anyone who wanted to sign up prior to the Council meeting were able to contact the City Clerk at [cityclerk@madisonal.gov](mailto:cityclerk@madisonal.gov) or text the word "**Comment**" to 938-200-8560. Anyone who wanted to submit a presentation to the City Council were able to email it to the City Clerk by noon last Friday. Those who could not attend the meeting in person and wanted to email their written comments were advised to do so no later than noon this date via email to [citycouncil@madisonal.gov](mailto:citycouncil@madisonal.gov).*

### **MS. JOCELYN BROER**

Ms. Broer appeared before Council and Mayor Finley to voice her concerns on the following items:

- Thanked Council and Mayor Finley for the traffic light at Hardiman and Burgreen Road.
- Capital Improvement Plan not including any pedestrian accommodation in the form of sidewalks at the intersection of Hardiman and Burgreen Road. Ms. Broer asked Council and Mayor Finley whom she should contact about additional funding so that children can cross the street safely. Ms. Broer also requested an additional warning light by the blind corner as you approach the light.
- Work Session/Executive Session held on September 7, 2022: the lack of notification when Council came out of Executive Session and went back into Work Session.

Council President Shaw explained to Ms. Broer that when they finished their Executive Session some Council Members started to talk about the school board. At that time Council

President Shaw advised that if they were going to talk through it, they would have to do it formally or disperse as they could not do it there. At that time Council Member Wroblewski was called back to the council chambers. Once Council Member Wroblewski arrived, they got legal confirmation from City Attorney Brian Kilgore to discuss it. Council President Shaw advised Ms. Broer that it was not planned, and that the discussion was done legally as City Attorney Brian Kilgore and City Clerk-Treasurer Lisa D. Thomas were present.

Mayor Finley confirmed with Ms. Broer that her concern about crosswalks by the intersection of Hardiman and Burgreen would become his responsibility to investigate it.

**MS. MARGI DALY:**

Ms. Daly appeared before Council and Mayor Finley to voice her concerns on the following items:

- Bond issuance for the building of the on ramp to I-565
- Inconsistent microphone usage during meetings
- Town Madison progress
- The amount of committee meetings
- Council management, city management, and the laws

**MS. JENNIFER COE:**

Ms. Coe appeared before Council and Mayor Finley to voice her concerns on the following items:

- Inconsistent microphone usage during Finance Committee meeting
- Denial of Finance Committee report
- Donation by Madison Visionary Partners for pavilion
- Funding agreement for Town Madison

**MS. HEATHER MORGAN**

Ms. Morgan speaking on the behalf of I Vote Madison appeared before Council and Mayor Finley to voice her concerns on the following items:

- Thanked Council for recording and archiving of the meetings, but feels more work on transparency needs to be done
- Inconsistent microphone usage during meetings
- Work Session/Executive Session held on September 7, 2022: the lack of notification when Council came out of Executive Session and went back into Work Session.
- Lack of transparency regarding Board of Education
- Minimal amount of Work Session
- More time on notification of Work Session meetings

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Bartlett reported on the Finance Committee that was held on Tuesday, October 18<sup>th</sup> the following items:

- Issuing a Request for Proposal (RFP) for banking services to compare rates in early 2023 since we have had the same banking services since 1998
- American Rescue Plan Act (ARPA) funding discussion with Fire Chief Bailey and Police Chief Gandy for the use of a Fire station and a Police Substation south of I-565 with inclusion of bike patrol for Town Madison. Possible resolution for Council on the November 14<sup>th</sup> meeting.

Council Member Bartlett advised that the donation from Representative Mike Ball for the new Madison Senior Center is \$17,000.00 not \$170,000.000. Council Member Bartlett thanked Representative Mike Ball for the generous donation.

Council Member Bartlett moved to approve the Consent Agenda and Finance Committee report as follows:

General Operating account	\$1,425,852.02
1/2 Cent Infrastructure	\$225.00
Gasoline Tax & Petroleum Inspection fees	\$36,753.37
Street Repair and Maintenance	\$576.15
Library Building Fund	\$80,326.09
Water Distribution and Storage	\$1,100.00

Approval of payment to Croy Engineering, LLC in the amount of \$626.50 for work completed to date on traffic and erosion control plans (Project No. 20-028, Celtic Drive middle school infrastructure, Invoice No. 25974 on PO No. 2022-0448) (to be paid from 2020-A Bond account)

Approval of payment to Croy Engineering, LLC in the amount of \$1,322.50 for construction, engineering, and inspection services performed through September 27, 2022 (Project No. 18-023, Sullivan Street Widening, Invoice No. 25973) (to be paid from 2018-C Bond account).

Resolution No. 2022-275-R; Providing for the disposition of personal property of negligible value (outdated computer equipment) via online auction through Govdeals website pursuant to Section 16-108 of the City of Madison Code of Ordinances

Resolution No. 2022-284-R:: Providing for the disposition of personal property of negligible value (desk task chairs) pursuant to Section 16-108 of the City of Madison Code of Ordinances

## **ACCEPTANCE OF DONATIONS AND APPROPRIATIONS**

Acceptance of Donation from Madison Visionary Partners, Inc, in the amount of \$15,833.00 for the Rotary Performance Pavilion - Home Place Park - CIP Project #18-007 to be deposited into the (2015-A Bond Checking Account)

Acceptance of \$17,000.00 Donation from Representative Mike Ball for the new Madison Senior Center.

Council Member Seifert seconded. The roll call vote to approve the Consent Agenda was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

## **PRESENTATION OF REPORTS**

### **MAYOR PAUL FINLEY:**

#### **RESOLUTION NO. 2022-290-R: RATIFICATION OF AN AGREEMENT WITH SMARTDOLLAR FOR A DEBT REDUCTION PROGRAM WITH EMPLOYEES (\$10,201 ANNUAL PAYMENT TO BE PAID FROM THE MAYOR'S DEPARTMENT BUDGET)**

Council Member Wroblewski moved to approve Resolution No. 2022-290-R. Council Member Seifert seconded. Council President Shaw asked for discussion. Mayor Finley explained that SmartDollar is a program by Dave Ramsey that will be offered to all employees as a debt management program. Council Member Seifert thanked Mayor Finley for providing the program to employees. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

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

- Attended the Big Ten Mayor's meeting in Auburn where they spoke about Aniah's Law. Mayor Finley asked for everyone to vote yes. Passing of this law would give judges more discretion on revoking a bond for those who have committed a dangerous crime. At the same meeting they discussed marijuana dispensaries coming to the state of Alabama and that it will be brought to Council for discussion in the future.
- Reminded everyone that Celebrate Madison is Friday, November 4<sup>th</sup> at Toyota Field, gates open at 5:30pm with the start of the celebration starting at 6:45pm. Open to everyone at no cost.

- Explained about Madison Visionary Partners and how they are set up as a 501 C3 which gives people the ability to support the City of Madison through monetary support. It allows people to receive a tax benefit for their support. The organization has raised over half a million dollars for Kids Kingdom. Mayor Finley said they will continue to utilize the support that they give to the city.

#### **COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI**

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

- Thankful for the huge benefit of Dave Ramsey's SmartDollar program for employees as her family has been through that program as well.
- Concerns about cable installation where other utilities has been severed. Asked citizens to reach out to council if they come across situations where fire hydrants are blocked or other concerns.
- Reminded everyone that signs in the round-about or in the area are distracting to drivers and that they should not be placed in that area.

#### **COUNCIL DISTRICT NO. 2 CONNIE SPEARS**

Absent

#### **COUNCIL DISTRICT NO. 3 TEDDY POWELL**

Absent

#### **COUNCIL DISTRICT NO. 4 GREG SHAW**

No new business to report

#### **COUNCIL DISTRICT NO. 5 RANAE BARTLETT**

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

- Congratulated all the Boys and Girls State attendees
- Clarified that Amendment 7 that is on the November 8<sup>th</sup> ballot does not affect a city's deb limits

#### **COUNCIL DISTRICT NO. 6 KAREN DENZINE**

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

- Visited a resident in the Victoria neighborhood to confirm that there is not enough light with the new streetlights

Council Member Denzine asked Mayor Finley if there is anything that is being done to fix the concerns of many citizens regarding the streetlight and their lack of light. Mayor Finley said that they are going to finish Phase 1 of the project and in Phase 2 they will

address those areas and the need for additional posts. Concerned citizen from the audience also asked about the streetlighting and Mayor Finley advised to send his office their concern and they will address it. Mayor Finley advised Council Member Denzine that Victoria is on the list of projects that they would look at after the first of 2023.

- Thanked the public comment speakers from earlier in the night for holding the Council accountable

#### **COUNCIL DISTRICT NO. 7 JOHN SEIFERT**

No new business to report

#### **BOARD/COMMITTEE APPOINTMENTS**

None

#### **PUBLIC HEARINGS**

*Speakers and public hearing applicants who wanted to address agenda items listed under this section of the agenda were instructed to reserve their comments for the public hearing. Before or during the Council Meeting they were asked to sign up for the public hearing at which they wanted to address Council by texting the word "COMMENT" to the City's automated SMS system at 938-200-8560 or by filling out a card available in the vestibule or from the City Clerk. The project initiator, applicant, owner or agent of the business or property that is the subject of the hearing was allowed to speak for 15 minutes. Residents within the noticed area of the subject property, as well as all other members of the public, were allowed to speak for 5 minutes.*

#### **RESOLUTION NO. 2022-279-R: APPROVING A REQUEST FOR AN ON- OR OFF-PREMISE BEER AND WINE LICENSE FROM GOODLAND POUR HOUSE, LLC, DOING BUSINESS AS GOODLAND POUR HOUSE, FOR THEIR LOCATION AT 12110 COUNTY LINE ROAD, SUITE A**

Revenue Officer Cameron Grounds informed Council that everything is in order for Council to vote on this item tonight. Council President Shaw opened the floor for public comments regarding this request. Council President Shaw then closed the floor after no comments and entertained a motion from Council. Council Member Wroblewski moved to approve Resolution No. 2022-279-R. Council Member Seifert seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried



**PROPOSED ORDINANCE NO. 2022-230: ZONING CERTAIN PROPERTY OWNED BY POINTE PLACE, LLC LOCATED AT 151 FORREST DRIVE TO R-1A (LOW DENSITY RESIDENTIAL DISTRICT) UPON ANNEXATION (FIRST READING SEPTEMBER 12, 2022)**

Director of Development Services Mary Beth Broeren presented proposed Ordinance 2022-230 to Council. Later on in the evening Council will be voting on whether or not to annex this property. Planning Commission and staff does recommend this zoning request. The property is currently occupied by a single-family home. No concerns were expressed at the Planning Commission meeting. Council President Shaw opened the floor for public comments regarding this request.

Madison resident Margi Daly asked for clarification on the R-1 and the single home.

Mayor Finley confirmed to Ms. Daly that it is only one home.

Council President Shaw then closed the floor after no comments and entertained a motion from Council. Council Member Seifert moved to approve Ordinance No. 2022-230. Council Member Wroblewski seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried

**PROPOSED ORDINANCE NO. 2022-232: REZONING CERTAIN PROPERTY OWNED BY DON BURGREN, JOEY BURGREN AND SHAWN L. BURGREN LOCATED ON THE SOUTH SIDE OF HUNTSVILLE-BROWNS FERRY ROAD, WEST OF CITY OF MADISON, ALABAMA PAGE 3 OCTOBER 24, 2022 MORRIS DRIVE, FROM AG (AGRICULTURE) DISTRICT TO TND (TRADITIONAL NEIGHBORHOOD DEVELOPMENT) DISTRICT (FIRST READING SEPTEMBER 12, 2022)**

Director of Development Services Mary Beth Broeren presented proposed Ordinance 2022-232 to Council. The proposed Ordinance is to rezone almost 98 acres from agriculture to traditional neighborhood development (TND) zoning category. The property is located on the southside of Huntsville-Browns Ferry between Village of Oakland Springs and Morris Drive. It is already in the city. Part of the zoning ordinance requires that an applicant submit a concept plan which has been submitted. The concept plan shows 382 lots for sale, 33,000 square feet of commercial space, 24.24 acres for city park, and connections to existing and future development which is required by the city. Planning Commission and staff does recommend this zoning request as it is compatible with adjacent zoning and uses. It is consistent with the goals of the Westside Master Plan for the city. No concerns or oppositions were expressed at the Planning Commission meeting. Council President Shaw opened the floor for public comments regarding this request.

Madison resident Margi Daly asked for clarification on TND.

Director of Development Services Mary Beth Broeren explained that TND stands for Traditional Neighborhood Development that was created back in 2014 specifically for The Village at Oakland Springs. The neighborhoods usually have smaller lots, are walkable communities, mix of housing, and include commercial as part of it.

Madison resident Jocelyn Broer expressed that it looks like a very nice development. Ms. Broer advised that citizens would feel more comfortable if they could see how many houses and apartments are coming. Ms. Broer thanked Director of Development Services Mary Beth Broeren for her hard work on the beautiful park and commercial.

Council Member Wroblewski responded to Ms. Broer that there are numbers on the plan for the number of houses and apartments.

Ms. Broer said she would like the amount that Council approved because it throws people off with the different phases.

Council President Shaw then closed the floor after no comments and entertained a motion from Council. Council Member Seifert moved to approve Ordinance No. 2022-232. Council Member Wroblewski seconded.

Mayor Finley let everyone know that Director of Development Services Mary Beth Broeren works side-by-side with Dr. Nichols from the school board to keep our schools covered with the additional development.

Council Member Denzine asked if Director of Development Services Mary Beth Broeren could explain the difference between Mixed-Use and TND. Director of Development Services Mary Beth Broeren explained that there is not a lot of difference and that they are basically the same.

Council Member Denzine asked why it was not split up into residential and commercial. Director of Development Services Mary Beth Broeren responded that they looked into doing it that way, but when they looked at the type of product that the developer was proposing they realized that TND would be a better product with more flexible zoning category versus R-3 or R-2.

Council President Shaw asked if there was any other discussion, with none the vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried

**PROPOSED ORDINANCE NO. 2022-234: AMENDING SECTION 4-9 M-1 RESTRICTED INDUSTRIAL DISTRICT AND SECTION 4-10 M-2 GENERAL INDUSTRIAL DISTRICT OF THE ZONING ORDINANCE TO INCREASE THE MAXIMUM BUILDING HEIGHT (FIRST READING SEPTEMBER 12, 2022)**

Director of Development Services Mary Beth Broeren presented proposed Ordinance 2022-234 to Council. The proposed Ordinance is to increase the maximum height allowed on a M-1 Restricted Industrial District and M-2 General Industrial District from 35 and 45 feet to 65 feet, unless the lot abuts to a residential use or zone within 200 feet, at that point it would be 35 feet. It is consistent with what the consultants for the Industrial Area Plan recommended. No concerns or questions came up during the planning commission meeting. Planning Commission and staff does recommend the approval of the Ordinance. Council President Shaw opened the floor for public comments regarding this request.

Madison resident Margie Daly asked what the location in town and for what business the change was for. Mayor Finley responded that he would find out if information about the business could be made public. With regards to the location, Mayor Finley referred to the map that was projected.

Ms. Daly expressed her concern that she does not get the packet due to having to print it up herself. The map was placed back on the screen for Ms. Daly to view.

Council President Shaw then closed the floor after no more public comments.

Director of Development Services Mary Beth Broeren went through the map that was up for viewing to show the possible industrial areas in the city and advised that the city has a small amount of industrial land. Director of Development Services Mary Beth Broeren explained she could not give too many details but that the project is going to be near County Line Road and that there is residential anywhere near that area. It is going to consist of a large warehouse-type project and it is consistent with that area.

Council President Shaw asked for a motion from Council. Council Member Wroblewski moved to approve Ordinance No. 2022-234. Council Member Bartlett seconded. Council Member Wroblewski asked if the city had a firetruck that could reach the new height. Director of Development Services Mary Beth Broeren responded that she had consulted with the fire department, and they did not express any concerns. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried

## **DEPARTMENTAL REPORTS**

### **ENGINEERING DEPARTMENT**

#### **RESOLUTION NO. 2022-274-R: AUTHORIZATION OF A PROFESSIONAL SERVICES AGREEMENT WITH CDG, INC. FOR ENGINEERING DESIGN FOR WALL TRIANA HIGHWAY AND GILLESPIE ROAD IN THE AMOUNT OF \$31,400 (TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)**

Council Member Wroblewski moved to approve Resolution No. 2022-274-R. Council Member Seifert seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried

### **LEGAL**

#### **RESOLUTION NO. 2022-280-R: AUTHORIZATION OF A SUBSCRIPTION RENEWAL AGREEMENT WITH BENTLEY SYSTEMS, INC. FOR E-BID EXCHANGE PROCUREMENT SOFTWARE IN THE AMOUNT OF \$8,556.00 (TO BE PAID FROM FINANCE DEPARTMENT BUDGET)**

Council Member Wroblewski moved to approve Resolution No. 2022-280-R. Council Member Seifert seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

#### **PROPOSED ORDINANCE NO. 2022-287: ASSENTING TO THE ANNEXATION OF THE CLIFT FARMS PUBLIX INTO THE CITY OF MADISON (FIRST READING)**

This was a first reading only of proposed Ordinance No. 2022-287.

**RESOLUTION NO. 2022-288-R: AUTHORIZATION FOR RECORDING AND ARCHIVING OF OCTOBER 19, 2022 WORK SESSION AND SPECIAL SESSION COUNCIL MEETINGS**

Council Member Wroblewski moved to approve Resolution No. 2022-288-R. Council Member Denzine seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

**RESOLUTION NO. 2022-289-R: RATIFICATION OF FUNDING AGREEMENT FOR TOWN MADISON (FIRST READING)**

City Attorney Brian Kilgore provided Council and Mayor Finley with Financial Advisor Rush Rice's updated financial plan for the Town Madison Cooperative District discussion. In the notebook is a copy of the resolution and the proposed funding agreement.

Council Member Bartlett introduced Rush Rice, an independent Financial Advisor and President of Rice Advisory LLC, who the Council engaged in his services in March of 2021. Council Member Bartlett explained that the reason why the Council sought out an independent Financial Advisor is because of potential deals happening with respect to Town Madison and some of the financial documents that were being proposed to the city. Council did not want to rely on the underwriters of the bonds to tell us it was a good deal. Council Member Bartlett explained that she wanted to make sure that everyone understood Rush Rice's role and the independence of the advice he gives to the city whether they decide to do the deal or not.

Financial Advisor and President of Rice Advisory, LLC Rush Rice gave a brief introduction of what his firm does. Mr. Rice provided a brief overview of the updated financing plan.

City Attorney Brian Kilgore addressed Council and Mayor Finley with regards to the Amendment No. 772 and the drafted proposed resolution.

City Attorney Brian Kilgore addressed Council and Mayor Finley regarding the drafting of the publication for the funding agreement.

Council Member Denzine asked if in the funding agreement still includes a time limit of completion. City Attorney Brian Kilgore responded that it has been removed and that they have more favorable term. Council Member Denzine asked if it was a set price and if there is any kind of overage built into the agreement. City Attorney Brian Kilgore responded that there is no limit, but if they go over what they have bid for building the interchange the city can find them in default and make a claim against their bid bond. City Attorney Brian Kilgore also advised Council that they would have to stick to what they bid and that it would be up to Council if they wanted to accept the change orders or find them at fault.

Council Member Denzine asked if the change orders would be coming out of General Funds. City Attorney Brian Kilgore and Mayor Finley confirmed that they will come out of that account.

Council Member Denzine advised her constituents that she does regrets that she will not be at the November 14th meeting due to prior family obligations.

This was a first reading only of Resolution No. 2022-289-R.

## **PLANNING**

Director of Development Services Mary Beth Broeren clarified Council Member Denzine's concern about funds coming out of General Funds for change orders and how this type of project typically would not be put on a contingency budget as there is no deadline but that they still have set money aside that would be available if Council decides to approve a change order. Council Member Denzine thanked Director of Development Services Mary Beth Broeren for the explanation.

### **PROPOSED ORDINANCE NO. 2022-228: ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY OWNED BY POINTE PLACE LLC LOCATED AT 151 FORREST DRIVE (FIRST READING SEPTEMBER 12, 2022)**

Council Member Wroblewski moved to approve Ordinance No. 2022-228. Council Member Seifert seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

### **PROPOSED ORDINANCE NO. 2022-260: VACATION OF A PORTION OF A UTILITY AND DRAINAGE EASEMENT LOCATED AT 223 COACH LAMP DRIVE WITHIN WILLOW CREEK SUBDIVISION (FIRST READING OCTOBER 10, 2022)**

Council Member Wroblewski moved to approve Ordinance No. 2022-260. Council Member Seifert seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

**PROPOSED ORDINANCE NO. 2022-265: VACATION OF A UTILITY AND DRAINAGE EASEMENT LOCATED WITHIN WANN PROPERTY SUBDIVISION, WEST OF COUNTY LINE ROAD AND SOUTH OF HUNTSVILLE-BROWNS FERRY ROAD (FIRST READING)**

This was a first reading only of Ordinance No. 2022-265.

**RECREATION**

**RESOLUTION NO. 2022-281-R: AUTHORIZATION OF A MEMORANDUM OF UNDERSTANDING WITH FOUR HORSEMEN, LLC FOR THE PROVISION OF MARS BUS SERVICES TO THE RAILYARD BARBEQUE BRAWL TO BE HELD ON OCTOBER 29, 2022**

Council Member Wroblewski moved to approve Resolution No. 2022-281 -R. Council Member Bartlett seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Recused himself
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

**RESOLUTION NO. 2022-282-R: AUTHORIZATION OF A MEMORANDUM OF UNDERSTANDING WITH SOUTHEASTERN CLIMBERS' COALITION FOR PROVIDING SIGNS AND MAINTENANCE OF THE RAINBOW MOUNTAIN PRESERVE**

Council Member Wroblewski moved to approve Resolution No. 2022-282 -R. Council Member Seifert seconded. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

**RESOLUTION NO. 2022-292-R: AUTHORIZATION OF PURCHASE OF PLAYGROUND EQUIPMENT (\$323,107.86) TO BE PAID FROM DEPARTMENT OF RECREATION BUDGET)**

Recreation Director Kory Alfred presented to Council and Mayor Finley that Palmer Park (\$242,755.69), Hardiman Place Park (\$42,427.08), and Silver Creek Park (\$37,925.09) will receive new playground equipment with the given budget assigned to each project. Recreation Director Kory Alfred advised that he would come back in the Spring with a plan to purchase more playground equipment.

Council Member Wroblewski moved to approve Resolution No. 2022-292 -R. Council Member Denzine seconded. Council President Shaw asked if GameTime would be the ones who would be installing the equipment. Recreation Director Kory Alfred advised that GameTime would give them a price and they will put it out for bid. The price listed does include the install cost. The vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

#### **MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

#### **ADJOURNMENT**

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

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Absent
Council Member Teddy Powell	Absent
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

The meeting was adjourned at 7:57 p.m.



Minutes No. 2022-20-RG, dated October 24<sup>th</sup>, 2022, read, approved and adopted this 14<sup>th</sup> day of November 2022.

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Council Member Maura Wroblewski  
District One

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Council Member Connie Spears  
District Two

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Council Member Teddy Powell  
District Three

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Council Member Greg Shaw  
District Four

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Council Member Ranae Bartlett  
District Five

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Council Member Karen Denzine  
District Six

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Council Member John Seifert  
District Seven

Concur:

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Paul Finley, Mayor

Attest:

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Lisa D. Thomas  
City Clerk-Treasurer

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Mari Bretz  
Recording Secretary