



**MINUTES NO. 2023-13-RG
REGULAR CITY COUNCIL MEETING
OF MADISON, ALABAMA
July 10, 2023**

The meeting was broadcast live on Wow! Channel 42 and online streaming at www.madisonal.gov/viewmeetings. Anyone who did not want to attend the meeting in person, 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, July 10, 2023, 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 Ranae Bartlett.

Pastor Troy L. Garner from Fellowship of Faith Church provided the invocation followed by the Pledge of Allegiance led by Ranae Bartlett.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE

Mayor Paul Finley	Present
Council District No. 1 Maura Wroblewski	Present
Council District No. 2 Connie Spears	Present
Council District No. 3 Teddy Powell	Present
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, Deputy City Clerk-Treasurer Kerri Sulyma, City Attorney Brian Kilgore, Information Technology Director Chris White, Information Technology Support Technician Garrett Gillott, Information Technology Support Technician Rhianna O'Reilly, Police Chief Johnny Gandy, Fire Chief David Bailey, City Engineer Michael Johnson, Deputy Revenue Officer Ivon Williams, Director of Parks & Recreation Kory Alfred, and Director of Development Services Mary Beth Broeren.

Public Attendance registered: Margi Daly, Mark Lambert, Pastor Troy Garner, Jeff Boone, Bernadette Mayer, Matt Mullins

AMENDMENTS TO AGENDA

City Attorney Brian Kilgore requested the following amendment be removed from the agenda for further review:

- **Under Recreation, Item B, Resolution No. 2023-222-R**, Authorizing a contract with Baseline Sports Construction, LLC in the amount of \$128,253 for Intergraph Park LED lighting installation (to be paid from Fund 38)

Council President Bartlett approved removal of item from agenda.

APPROVAL OF MINUTES

MINUTES NO. 2023-06-WS, DATED JUNE 21, 2023

Council Member Spears moved to approve Minutes No. 2023-06-WS. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

MINUTES NO. 2023-12-RG DATED JUNE 26, 2023

Council Member Powell moved to approve Minutes No. 2023-12-RG. Council Member Spears seconded. The roll call vote taken was recorded as follows:

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

Motion carried.

PRESENTATIONS AND AWARDS

None

PUBLIC COMMENTS-AGENDA RELATED

*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 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.*

BERNADETTE MAYER (DISTRICT 5) HEATHERWOOD SUBDIVISION

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

- ADA sidewalks and ramps
- Mid-year city budget
- Change order with AECOM contract
- Recreation and street LED lighting

MARGI DALY (DISTRICT 6)

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

- Change Order with AECOM contract
- Franchise agreements and fees
- Contracts with no bid
- Flooding concerns from sewers
- Liquor- Manufacturer and Media Streaming Distribution

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Shaw shared the Finance Committee reviewed all the periodic bills to be paid and found them all in order.

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

General Operating account	\$1,669,516.93
Gasoline Tax & Petroleum Inspection fees	\$29,742.89
CIP Bond Accounts	\$133,199.67
Library Building Fund	\$77,268.42

Regular and periodic bills to be paid

Resolution No. 2023-225-R: Providing for the disposal of personal property of negligible value (2008 Nissan Xterra and 2012 Jeep Liberty) via online auction through GovDeals website pursuant to Section 16-108 of the Code of Ordinances of the City of Madison

Resolution No. 2023-226-R: Providing for the disposal of personal property formerly used by the Police Department (Scan Snap Color Imaging Scanner Serial #029561 Model #S500 City Asset Tag 05000 and Dell Laptop Model# PP04X City Asset Tag 0554) that is declared surplus as it has no useful life or fixed asset value pursuant to Section 16-108 of the Code of Ordinances of the City of Madison

Approval of payment to Midsouth Paving Inc. in the amount of \$103,838.14 for Project No. 21-017 | Hughes Road at Will Halsey Way (Invoice No. 403235-001RevI) (to be paid from 2020-A Bond account)

Approval to solicit bids for construction of ADA sidewalk ramps in Homeplace Subdivision

Council Member Powell 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	Aye
Council Member Teddy Powell	Aye
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:

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

- Public meeting on redistricting maps by Slaughter and Associates on July 17 at 5:30 p.m. in City Council Chambers
- Significant savings on LED street lighting changeover:
 - FY 2021 \$535,922
 - FY 2022 \$614,844
 - FY 2023 to June \$165,303
- Record breaking attendance at Trash Pandas baseball games this past week and July 4th
- Thanked Parks and Recreation, Police, Fire and Public Works for their hard work on the July 3rd Star-Spangled Celebration at Dublin Park.
- Thanked citizen Bebe Oetjen for taking the time to contact City Hall on Mondays before Council Meeting for questions she has on agenda items

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

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

- Enjoyed with family July 3rd Star-Spangled Celebration at Dublin Park
- Friends of the Library meeting cancelled for July 11, next meeting scheduled for August 8th
- Madison Arts Alliance Sounds of Summer concert at Home Place Park scheduled for Thursday, July 14 at 7p.m. featuring local band Calypso Vision

COUNCIL DISTRICT NO. 2 CONNIE SPEARS

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

- TARCOG (Top of Alabama Regional Council of Governments) Board meeting July 11th
- City of Madison Former first lady Dana Trulock's artwork on exhibit tomorrow July 11th at 6 p.m. at the Madison Library, reception to follow with meet and greet

COUNCIL DISTRICT NO. 3 TEDDY POWELL

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

- Thanked Madison Fire Department for their quick response to the fire at Main Street Café. Possibly opening back up in a few months
- Disrespect from citizens addressing Council

COUNCIL DISTRICT NO. 4 GREG SHAW

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

No new business to report.

COUNCIL DISTRICT NO. 5 RANAE BARTLETT

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

- Thanked Dwayne Craft for his years of service representing District No. 5 with the Madison Police Citizens Advisory Committee (MPCAC)

COUNCIL DISTRICT NO. 6 KAREN DENZINE

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

- Congratulated Madison Police Department (MPD) for the outstanding assessment letter from CALEA (Commission on Accreditation for Law Enforcement Agencies) which was read to Council. MPD recently completed a new accreditation where only (5) law enforcement agencies in the country are accredited and less than 3% in the State of Alabama. Accreditation consisted of patrol operations, E911 communications and dispatchers, departmental budgeting, handling of property and evidence, and investigations operations and techniques. MPD was in full compliance with 183 CALEA standards resulting in a perfect assessment due to the hard work and dedication of the Department's CALEA Management Team, Captain Terrell Cook and Lieutenant Greg Dees, and the oversight and direction provided by command staff to achieve excellency and dedication from every member of the Department.
- Advised Police Chief Johnny Gandy to share with all members of the Department Council's congratulations.

COUNCIL DISTRICT NO. 7 JOHN SEIFERT

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

No new business to report.

BOARD/COMMITTEE APPOINTMENTS

APPOINTMENT OF MEMBER TO THE MADISON POLICE CITIZENS ADVISORY COMMITTEE

Council President Bartlett appointed Dr. Yeqing Bao to represent District No. 5 of the MPCAC with a term expiration of April 26, 2025

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. 2023-223-R: AUTHORIZING A MANUFACTURER LIQUOR LICENSE FOR GUAJANA DISTILLERY LLC. (DOING BUSINESS AS GUAJANA DISTILLERY) FOR THEIR LOCATION AT 9582 MADISON BOULEVARD, SUITES 1, 2, AND 3

Deputy Revenue Officer Ivon Williams informed Council that this is a new request for this location and added that everything is in order for Council action and if any questions the owner is here in attendance. Council President Bartlett opened the floor for public comments regarding this request. City resident Margi Daly asked whether they are going to have multiple licenses from the city and state and if manufacturing liquor is a distillery. With no other questions or comments Council President Bartlett closed public comments and asked Deputy Revenue Officer Ivon Williams to explain the distributor liquor license.

Deputy Revenue Officer Ivon Williams stated that the city requires the same license as the state requires in order to stay in compliance. Mayor Finley asked if any additional fees are charged from the city. Deputy Revenue Officer Ivon Williams replied, "no". Council Member Wroblewski added that this is probably very similar to what Black Patch Distilling Company has. Deputy Revenue Officer Ivon Williams confirmed Council Member Wroblewski comment. Council Member Wroblewski asked if they are making tequila. Deputy Revenue Officer Ivon Williams responded that it will be rum.

Council President Bartlett asked if there were any other questions from Council. With none, Council Member Seifert moved to approve Resolution No. 2023-223-R. Council Member Wroblewski seconded. The roll call vote was taken and recorded as follows:

Council Member Maura Wroblewski	Aye
Council Member Connie Spears	Aye
Council Member Teddy Powell	Aye
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

RESOLUTION NO. 2023-227-R: AUTHORIZING CHANGE ORDER NO. 2 ON CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR PROJECT NO. 2022-009-ITB: CITY OF MADISON INTERCHANGE (\$259,751.80 TO BE PAID FROM 2022 FLYOVER BOND ISSUE)

Council Member Powell moved to approve Resolution No. 2023-227-R. Council Member Shaw seconded. Council Member Denzine commented that she contacted City Administrator Steve Smith and City Engineer Michael Johnson today regarding the change order, and City Engineer Michael Johnson provided her with a lot of information. Council Member Denzine asked City Engineer Michael Johnson if he would share that information. City Engineer Michael Johnson provided the brief summary:

- Route change of dump trucks from quarry to project site
- Eliminate trucks driven on Madison Boulevard and making them use the Interstate
- Due to weight restrictions (22 tons to 17 tons) from Alabama Department of Transportation (ALDOT) on the interstate, additional trucks will be required
- Up to 700 additional loads/trips required, at a maximum of 36 loads per day
- 36 truckloads for 19 days will run approximately \$380 dollars per load

Mayor Finley commented about the weight of trucks traveling on the portion of Madison Boulevard with it being redone and the safety hazard for citizens. Mayor Finley also stated after the project is completed the parking lot they would have been travelling through would probably need to be replaced, costing the city more. Council Member Spears added that the parking lot they would be using has several businesses adjacent and the dump trucks going in and out would hamper their place of business. Council Member Seifert asked City Engineer Michael Johnson how much is coming out of the contingency fee. City Engineer Michael Johnson did not know the exact figure, but the change order will increase the budget by 0.6%. Council Member Shaw added bond money is performing better than expected so the funds are available.

Council Member Denzine read the following information provided by City Administrator Steve Smith:

"52,000 tons of backfill for foundation and wall. Average 12 trucks a day at 3 rounds is 36 loads a day. At 22 tons per load is 792 tons a day. So 66 days. 36 loads a day at 17 tons is 576 tons a day. So 85 days. 85 days minus 66 days is 19 days difference.

19 working days difference for wall

4 days for undercut removal

2 days drill shaft concrete

2 days bridge concrete

27 workings days equates to 54 calendar days."

Council Member Denzine thanked City Engineer Michael Johnson for providing such details for a thorough understanding. The vote was taken and recorded as follows:

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

Motion carried.

Mayor Finley added that he hopes to have the AECOM provide an update on progress of the flyover to council at the next council meeting.

LEGAL

PROPOSED ORDINANCE NO. 2023-128: AUTHORIZING A FRANCHISE AGREEMENT WITH CROWN CASTLE FIBER, LLC FOR SMALL CELL PLACEMENT AND INSTALLATION OF FIBER LINES (FIRST READING)

This is a first reading only

PROPOSED ORDINANCE NO. 2023-134: AUTHORIZING A FRANCHISE AGREEMENT WITH KNOLOGY OF HUNTSVILLE, INC (DOING BUSINESS AS WOW!) FOR THE OPERATION AND MAINTENANCE OF A CABLE AND BROADBAND SYSTEM WITHIN THE CITY OF MADISON (FIRST READING 06/26/2023)

City Attorney Brian Kilgore pointed out the city has had this franchise agreement with WOW!, for some time, and that this is just a renewal including the 5% franchise fee, previously paid for compensation to run fiber lines through our rights-of-way. Council Member Seifert moved to approve Ordinance No. 2023-134. Council Member Powell seconded. Council President Bartlett asked City Attorney Brian Kilgore what media streaming means. City Attorney

Brian Kilgore replied that the media streaming question is in regard to a new licensing which is in the Revenue department report on the agenda and is not associated with this ordinance. The vote was taken and recorded as follows:

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

Motion carried.

PLANNING

PROPOSED ORDINANCE NO. 2023-220: VACATION OF UTILITY AND DRAINAGE EASEMENT LOCATED WITHIN 120 LAKE CREST DRIVE, LOT 29 OF SILVER CREEK SUBDIVISION PHASE V (FIRST READING)

This is a first reading only

PROPOSED ORDINANCE NO. 2023-221: VACATION OF UTILITY AND DRAINAGE EASEMENT LOCATED WITHIN LOTS 26-38 OF THE HEIGHTS AT TOWN MADISON PHASE 5 (FIRST READING)

This is a first reading only

RECREATION

RESOLUTION NO. 2023-211-R: AUTHORIZING A CONTRACT WITH OGLE TREE SERVICE, LLC FOR THE REMOVAL OF HAZARD TREES ON THE BRADFORD CREEK GREENWAY IN THE AMOUNT OF \$18,000 (TO BE PAID FROM RECREATION DEPARTMENT BUDGET)

Council Member Spears moved to approve Resolution No. 2023-211-R. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

REVENUE

PROPOSED ORDINANCE NO.2023-210: AMENDING CHAPTER 10 OF CITY CODE TO ADD NAICS BUSINESS LICENSE TITLES (LIQUOR- MANUFACTURER AND MEDIA STREAMING DISTRIBUTION) (FIRST READING)

This is a first reading only

Mayor Finley asked if liquor manufacturing and media streaming distribution are separate. Deputy Revenue Officer Ivon Williams affirmed they were and clarified with Council Members this is for internet content creators such as podcasts. Council Member Denzine asked if it was only businesses involved and not individuals on the internet doing live stream. Deputy Revenue Officer Ivon Williams replied to just internet content creators mainly for podcast. City Attorney Brian Kilgore added one would have to generate income to qualify for a business license. Council Member Denzine confirmed with Deputy Revenue Officer Ivon Williams that only businesses would apply.

PUBLIC COMMENTS

MARK LAMBERT (DISTRICT 2)

Mr. Lambert appeared before Council and Mayor Finley to voice his concerns on the following items:

- Quality of life
- Additional pickleball courts than tennis courts
- Appropriate equipment for pickleball courts

JEFF BOONE (DISTRICT 7)

Mr. Boone appeared before Council and Mayor Finley to voice his concerns on the following items:

- Zoning policies to prevent gun stores opening close to schools
- Thanked Council for listening and showing concern from citizens
- Thanked Council and Police Department for providing Student Resource Officers in schools and pushing the School Board to improve safety measures.

BERNADETTE MAYER (DISTRICT 5) HEATHERWOOD SUBDIVISION

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

- City improvements other than recreational pickleball
- Use of recreational facilities
- Increase of homeowners' property tax
- Improvements to streets and sidewalks

MARGI DALY (DISTRICT 6)

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

- LED lighting in older neighborhoods, poles to far apart
- City improvements than recreational services
- Safety on sidewalks and roads
- Timeframe to begin/cancel contracts
- Flooding concerns from sewers
- Council President Bartlett resignation from the Chess Club

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

President Bartlett asked Mayor Finley if he would like to address Mr. Boone's question about zoning plans. Mayor Finley stated the comprehensive zoning plan is in process and should be in place by the end of the summer which should include the topics Mr. Boone addressed. Mayor Finley further stated they are looking at property south of Journey Middle School which can be developed taking all in consideration moving forward to finish what has been started and combine everything together.

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	Aye
Council Member Teddy Powell	Aye
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 6:52 p.m.

Minutes No. 2023-13-RG, dated July 10, 2023, read, approved and adopted this 24th day of July 2023.

Council Member Maura Wroblewski
District One

Council Member Connie Spears
District Two

Council Member Teddy Powell
District Three

Council Member Greg Shaw
District Four

Council Member Ranae Bartlett
District Five

Council Member Karen Denzine
District Six

Council Member John Seifert
District Seven

Concur:

Paul Finley, Mayor

Attest:

Lisa D. Thomas
City Clerk-Treasurer

Lisa Ritz
Recording Secretary