



**MINUTES NO. 2023-16-RG
REGULAR CITY COUNCIL MEETING
OF MADISON, ALABAMA
August 28, 2023**

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. 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, August 28, 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 Cody Edger, Cornerstone Word of Life 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 Toby Jenkins, Police Chief Johnny Gandy, Fire Chief David Bailey, City Engineer Michael Johnson, Director of Public Works Kent Smith, Director of Development Services Mary Beth Broeren and Police Lieutenant Christie Gover

Public Attendance registered: Margi Daly, Jocelyn Broer, Jennifer Coe, Linda Theusch, John Cole, and Grant Carodine

AMENDMENTS TO AGENDA

City Attorney Brian Kilgore requested the following amendment be added to the agenda:

- Resolution No: 2023-215-R; Authorizing the streaming and archiving of the August 28th Work Session Meeting. Line item will be added under Council President Ranae Bartlett report.
- Resolution No: 2023-294-R; Authorizing funds from Council Special Projects line-item for the purchase of two portable picnic tables in the amount of \$3,300.00. They have a chess inlay on top of them. To be added to the consent agenda.
- Resolution No: 2023-295-R; Authorizing funds from Council Special Projects line-item for the construction of a kennel on Celtic Drive in the amount of \$14,000.00. To be added to the consent agenda.

With no other amendments Council President Ranae Bartlett approved the agenda.

APPROVAL OF MINUTES

MINUTES NO. 2023-08-WS DATED AUGUST 14, 2023

Council Member Wroblewski moved to approve Minutes No. 2023-08-WS. 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	Not present at vote
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

MINUTES NO. 2023-15-RG DATED AUGUST 14, 2023

Council Member Shaw moved to approve Minutes No. 2023-15-RG. Council Member Seifert seconded. Council Member Spears requested a correction on the Consent Agenda page 4 where there is discussion about the Enfinger Development payment, it should say Madison Branch Boulevard not Madison Boulevard. With the correction accepted 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	Aye

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.*

JOHN COLE (DISTRICT 4) 1070 BROWNS FERRY ROAD

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

- Browns Ferry Road culvert bridge vehicle accident concerns
- Timeline for culvert bridge replacement
- Speed limit concern through the area of the culvert bridge
- Reflectors on the road need to be replaced
- Additional lighting
- Adding Madison Police patrol in the area

JENNIFER COE (DISTRICT 5) ASHLEY ESTATES

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

- Toyota Field expenditures on Consent Agenda
- Public Hearing for weed abate on vacant lot
- Resolution No: 2023-281-R
- Proposed Ordinance No: 2023-180

MARGI DALY (DISTRICT 6)

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

- Resolution No: 2023-275-R
- Proposed Ordinance No: 2023-164
- Proposed Ordinance No: 2023-180
- Proposed Ordinance No: 2023-246
- Toyota Field expenditures on Consent Agenda

LINDA THEUSCH (DISTRICT 5) 180 DUSTY TRAIL

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

- Resolution No: 2023-259-R

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	\$1,985,362.32
Special General Operating Accounts	\$1,183.19
ADEM Storm Drainage	\$7,775.00
1/2 Cent Infrastructure	\$501,255.47
Gasoline Tax & Petroleum Inspection fees	\$58,779.10
Street Repair and Maintenance	\$1,365.52
CIP Bond Accounts	\$2,043,054.66
Library Building Fund	\$80,638.61
Water Distribution and Storage	\$1,000.00
Fire CPR	\$545.40

Regular and periodic bills to be paid

Resolution No. 2023-254-R: Acceptance of AMIC Settlement Claim No. 059920AH in the amount of \$8,905.01, with a deductible of \$500.00, for damages caused while pursuing a suspect

Resolution No. 2023-290-R: Providing for the disposal of personal property of negligible value (2 lots of desktop and laptop computers) via online auction through GovDeals website pursuant to Section 16-108 of the Code of Ordinances of the City of Madison

Resolution No. 2023-291-R: Providing for the disposal of personal property of negligible value (2001 Jaguar S-Type 4D VIN# 3592) via online auction through GovDeals website pursuant to Section 16-108 of the Code of Ordinances of the City of Madison

Approval of Purchase Order for an evaporative cooler in the amount of \$4,749.00 for Phase 1 Improvements at Toyota Field (Resolution 2023-052-R) (to be paid from Multi-Use Venue Maintenance Fund Checking)

Approval of Purchase Order for closed mesh windscreen in the amount of \$1,511.10 for Phase 1 Improvements at Toyota Field (Resolution 2023-052-R) (to be paid from Multi-Use Venue Maintenance Fund Checking)

Approval of Purchase Order for installation of fenced area for MLB storage in the amount of \$1,670.00 for Phase 1 Improvements at Toyota Field (Resolution 2023-052-R) (to be paid from Multi-Use Venue Maintenance Fund Checking)

Approval of Purchase Order for batting cage lighting in the amount of \$6,751.15 for Phase 1 Improvements at Toyota Field (Resolution 2023-052-R) (to be paid from Multi-Use Venue Maintenance Fund Checking)

Approval of payment to CDG Engineers & Associates in the amount of \$3,000.00 for professional services through July 25, 2023, on Project No. 23-008 | County Line Road and Royal Drive Extension (Invoice No. 4) (to be paid from Fund 38)

Authorization to solicit bids for repairs to Main Street Café as a result of the fire that occurred on June 29, 2023

Approval to accept donations from M.C. Flurer in the amount of \$25.00, and L. Tucker in the amount of \$30.00 (to be deposited into Senior Center Donation account)

Approval to accept anonymous donation paid directly to Safe Haven for the installment of an infant safe box at Fire Station No. 1 (estimated cost of between \$11,000 and \$16,000)

Resolution No: 2023-294-R: Authorizing funding from Council Special Projects line item for the purchase of two portable outside chess tables in the amount of \$3,300.00

Resolution No: 2023-295-R: Authorizing funding from Council Special Projects line item for the construction of a kennel on Celtic Drive in the amount of \$14,000.00

Council Member Powell seconded. Council Member Denzine asked for clarification on the authorization to solicit bids for repairs to Main Street Café as they are already reopened. City Attorney Brian Kilgore responded that the original bid for 100% of the work had to be pulled due to some changes after the insurance adjuster went out and found that some of the work had already been completed, so they need to solicit bids again for what is left. Council Member Powell asked if approval to solicit for bids needs to be taken off and revisited as there are some questions that need to be answered. City Attorney Brian Kilgore responded that this is more of a notification for council as there is no resolution for council to vote on and that they could discuss it further before a resolution gets put in place. Council Member Powell agreed that they could leave it on and discuss it further. Council Member Shaw thanked M.C Flurer, L Tucker, and the anonymous donor for their donations. The roll call vote to approve the Consent Agenda was taken and recorded as follows:

Council Member Maura Wroblewski
Council Member Connie Spears

Aye
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.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY:

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

- Thanked Chamber of Commerce for putting on the Celebrate Madison at Toyota Field
- Invited everyone to check out the website for the video on Celebrate Madison
- Budget update: hopes to have it to Finance Committee by the end of the week
- Thanked department heads, Finance Director Roger Bellomy, and Finance Deputy Jon Howard for their work on the budget

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

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

- Attended U.S. Representative Dale Strong's Washington update and appreciated Chamber of Commerce for the invite
- Celebrate Madison
- Appreciated all of HR for hosting the health screening that keep employee insurance cost down

COUNCIL DISTRICT NO. 2 CONNIE SPEARS

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

- Celebrate Madison
- BJ's has opened a membership office where you can sign up for membership and get extra coupons and savings located in the shopping center of Dirt Cheap

COUNCIL DISTRICT NO. 3 TEDDY POWELL

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

- Apologized for missing last council meeting due to working out of town
- Thanked Public Works for their hard work keeping things clean and flowing
- Reminded everyone to please do not set things out in the ditches as it stops the draining

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

RESOLUTION NO. 2023-238-R: REAPPOINTING PRESIDING MUNICIPAL JUDGE THOMAS PARKER, JR. AND ASSOCIATE MUNICIPAL JUDGE AARON RYAN

Council Member Wroblewski moved to approve Resolution No. 2023-238-R. Council Member Spears 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.

RESOLUTION NO. 2023-215-R: AUTHORIZING VIDEO RECORDING AND ARCHIVING OF THE AUGUST 28, 2023 CITY COUNCIL WORK SESSION

Council Member Wroblewski moved to approve Resolution No. 2023-215-R. Council Member Spears 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.

COUNCIL DISTRICT NO. 6 KAREN DENZINE

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

- Attended groundbreaking of Kids to Love for their extra warehouse space

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

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. 2023-259-R: ASCERTAINING, FIXING, AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A WEED LIEN FOR 180 DUSTY TRAIL (\$669.70 TO BE ASSESSED)

Property owner Linda Theusch appeared before Council and Mayor Finley to state that her notice she received was mailed August 15, 2023 and that the property is to be left natural per Judge Wolf from the City of Madison Municipal Court. Ms. Theusch spoke with someone from the court office who is working on getting her a copy of the paperwork. Ms. Theusch asked if they could continue it to allow for time to get her paperwork from the court. Council President Bartlett asked City Attorney Brian Kilgore if they could continue it to another date. City Attorney Brian Kilgore responded that would be ok and added that based on his review, they have met everything statutory but that they would like to see what she has.

Council President Bartlett asked for a motion to continue. Council Member Wroblewski motioned to continue the Public Hearing for Resolution No: 2023-259-R. Council Member Powell 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 to continue the Public Hearing at a later date.

DEPARTMENTAL REPORTS

ENGINEERING

RESOLUTION NO. 2023-260-R: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MULLINS, LLC IN AN AMOUNT NOT TO EXCEED \$2,800.00 FOR LEGAL DESCRIPTIONS AND EXHIBITS FOR TEMPORARY CONSTRUCTION EASEMENT ON PROJECT NO. 23-021 KYSER GREENWAY (TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Shaw moved to approve Resolution No. 2023-260-R. Council Member Powell 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.

RESOLUTION NO. 2023-267-R: DESIGNATING A TRANSPORTATION PLAN FOR GAS TAX FUNDS TO BE USED FOR THE CONSTRUCTION OF A NEW BRIDGE LOCATED ON WALL TRIANA HIGHWAY (\$360,000 ESTIMATED FOR 2024 FISCAL YEAR)

Council Member Shaw moved to approve Resolution No. 2023-267-R. Council Member Powell seconded. Council Member Spears asked how they can say they want to use this money in 2024 when they have not seen a 2024 CIP list. Council Member Spears added that they should know all the projects that are planned so that they can determine if this is a priority which is why they have asked for a CIP list. City Engineer Michael Johnson asked for a clarification on the CIP list question. Mayor Finley responded that Council would like a list of all the things that Engineering has presented that will be going to the Finance Committee at the end of the week and suggested maybe continuing it. City Engineer Michael Johnson explained that the reason he is bringing it to Council right now is because he is obligated to do the required presentation of the plan by the end of August. City Engineer Michael Johnson added that the plan can be changed going forward because there is another presentation at the end of next year. City Attorney Brian Kilgore explained that this is them estimating what the gas tax could be going forward, but that in January they will come back with a detailed report as to what was spent and that this just what they are planning on spending. Council Member Wroblewski asked if there is a problem with the bridge which is causing the urgency of the plan. City Engineer Michael Johnson explained there is none. Council Member Wroblewski added if this would be considered a placeholder for those tax funds. City Engineer Michael Johnson did not know. Council Member Denzine asked why he chose this specific project. City Engineer Michael Johnson responded that with talking to Planning and Public Works and from what they have heard from the community widening Wall Triana Hwy is a long-term goal and one major hurdle is that the bridge is too narrow. The idea is to get it started by widening the bridge first and break up the cost. Council Member Denzine and Wroblewski understand and that it makes sense. Council Member Spears understands but she just wants to make sure that this can be revised after they see the CIP list and is ok with voting on it tonight, but that it would be easier for Council to make decisions if they had the

information before they voted on something like this. Council Member Seifert asked how they decide which bridge replacements are more important since a citizen asked about another bridge. City Engineer Michael Johnson responded that they do have funding for the Huntsville-Browns Ferry Road bridge. Mayor Finley asked City Engineer Michael Johnson if at some point he could provide a timeframe for the Huntsville-Browns Ferry Road bridge. City Engineer Michael Johnson responded he would. 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.

RESOLUTION NO. 2023-273-R: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH S&ME, INC IN AN AMOUNT NOT TO EXCEED \$24,180 FOR ENVIROMENTAL CONSULTING SERVICES RELATED TO OUTFALL INSPECTIONS (TO BE PAID FROM ENGINEERING STORMWATER BUDGET)

Council Member Spears moved to approve Resolution No. 2023-273-R. Council Member Wroblewski 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.

RESOLUTION NO. 2023-276-R: ACCEPTANCE OF BARNETT'S CROSSING PHASE 1 INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Council Member Spears moved to approve Resolution No. 2023-276-R. Council Member Powell seconded. Council Member Spears asked City Engineer Michael Johnson if all was ready to go. City Engineer Michael Johnson responded yes. 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.

RESOLUTION NO.2023- 278-R: AUTHORIZING AN AGREEMENT FOR THE OWNER OF PROPERTY LOCATED AT 102 CASTLEBERRY COURT TO INDEMNIFY THE CITY FOR ANY DAMAGES AND/OR CHANGES TO A RETAINING WALL PLACED IN THE CITY'S EASEMENT

Council Member Spears moved to approve Resolution No. 2023-278-R. Council Member Powell seconded. Council Member Spears asked if the reason why this agreement is needed is due to all the entities involved. City Engineer Michael Johnson responded, yes. Council Member Shaw asked if the retaining wall was done as an accident. City Engineer Michael Johnson could not speculate, but he said that many retaining walls are built on the side yard without a permit, and they can work with those, but this one was built in the front on top of other entities right on the right-of-way line. Council Members, Mayor Finley, City Engineer Michael Johnson, and City Attorney Brian Kilgore discussed removal of the wall, the affects to the city if the wall fails, concerns with neighbors, drainage concerns, and the owners' responsibilities. Mayor Finley asked City Engineer Michael Johnson how they found out this occurred. City Engineer Michael Johnson said the contractor came in to permit the wall after it was built. The retaining wall was found by an inspection done and the wall was not on the plot plan. Council Member Seifert asked City Engineer Michael Johnson what's the difference of the retaining wall on the easement line versus a privacy fence that are placed on the easement. City Engineer Michael Johnson responded that fences are not permitted. City Engineer explained that this is the last step for the contractor to move ahead and get it permitted. He added that building the retaining wall away from the easement is not possible as the house is already built. Council Member Seifert added that while this fixes the problem with the current homeowner, what is going to happen to the next homeowner. Mayor Finley added that it is not necessarily the homeowner he is concerned about, but the neighbors because there are other areas where people have built something on the right-of-way, and it has caused drainage issues. City Engineer Michael Johnson added that he does not foresee this becoming a drainage issue and suggested that a retaining wall ordinance might be a good idea in the future. Council Member Powell expressed his concern about passing along someone else's bad decision to another person. Council Member Wroblewski expressed her concern for the taxpayer's burden if something failed. City Engineer Michael Johnson explained that passing this resolution does not make the city responsible and that the owner is responsible for anything that happens if the retaining wall was to fail. He also added that it would also set a precedence for future situations like this. City Attorney Brian Kilgore explained that this agreement will be recorded with the county which will set an encumbrance for future owners of the property that they will be held responsible. Council Member Shaw asked if they didn't approve this resolution would the wall have to come down. City Engineer Michael Johnson responded that if they decline, he could not permit the wall and is not sure what their next steps would be. Council Member Spears asked for clarification on who built the wall. City Engineer Michael Johnson explained the side walls was done by the contractor and the front was requested by the homeowners, but neither was permitted. Council Member Wroblewski raised her concerns that they should not be issuing permits after the fact. Council Member Powell expressed that if this was a safety concern, they would not approve it. Council President Bartlett asked if the vote fails and they are unable to grant the permit, would the wall need to be taken down. City Engineer responded that if it does not pass, they would not be granted a certificate of occupancy and they would need to find another option or take the wall down. Council Members Spears, Powell, and Shaw shared their concerns about due diligence and the lack of process when it came to getting permits before building a wall and possible fines. The vote was taken and recorded as follows:

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

Motion failed.

RESOLUTION NO. 2023-281-R: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH TTL, INC IN AN AMOUNT NOT TO EXCEED \$22,250.00 FOR DEVELOPMENT OF CONSTRUCTION PLANS FOR FLOODWAY FILL REMOVAL AT 180 RAINBOW GLEN CIRCLE (TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Powell moved to approve Resolution No. 2023-281-R. Council Member Shaw seconded. Council Member Denzine asked for clarification. City Engineer explained that the person who bought the adjacent lot filled the floodway with several hundred yards of fill without a permit or approval from FEMA. City Engineer Michael Johnson explained that they have tried to work with them about the amount of fill that needs to be removed and the owners have tried getting notarized certificates from professional engineers stating otherwise but they were unsuccessful. City Engineer Michael added that they have been to court and there was an agreement that the city would work to fix the problem and the defendants will reimburse the city. Council Member Wroblewski asked if the total cost would be their responsibility. City Attorney Brian Kilgore explained that the city has a court order for reimbursement and if they do not pay, they can follow it up with a judgement lien. City Engineer Michael Johnson added that this is a major FEMA violation and that this puts in place a plan to reestablish the stream. Council Member Wroblewski asked about adding a completion date to this. City Attorney Brian Kilgore responded that he could so that if they failed to pay by a certain date, they could follow it up with a lien as they have the leverage. 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.

Mayor Finley asked City Engineer Michael Johnson to provide an update for the Huntsville-Browns Ferry Road bridge timeframe. City Engineer responded that he spoke with the resident and explained that at the last council meeting approval was received for the purchase of the other piece of right-of-way and that now the next process is coordinating with utilities to relocate and cutting trees before they can start the bid process. City Engineer Michael Johnson added that he could not provide an exact timeframe but that they were progressing forward on it and that it is in the budget for this year. Council Member Bartlett added that she looks forward to seeing the bridge replaced.

Council Member Powell asked about the process for reimbursement for the work on the floodway fill removal. City Attorney Brian Kilgore explained that they can file a motion through the municipal court and if that fails, they go through the motions of a lien against the property itself. City Attorney Brian Kilgore expressed he would like to first see it remedied through some sort of payment plan acceptable to the city through the municipal court. Council Member Powell shared his concern about the people not wanting to move quickly and he would like to move quickly on this. Council Member Wroblewski asked City Attorney Brian Kilgore to keep them posted.

COURT

PROPOSED ORDINANCE NO. 2023-261: AMENDING THE MUNICIPAL COURT'S SCHEDULE OF FINES TO INCLUDE NEW OFFENSES ENACTED BY THE ALABAMA LEGISLATURE (FIRST READING 08/14/2023)

Council Member Spears moved to approve Proposed Ordinance No. 2023-261. Council Member Seifert seconded. Council Member Denzine asked City Attorney Brian Kilgore about who decides what the fine will be if the range of the fines are no less than \$50.00 and no more than \$200. City Attorney Brian Kilgore responded that it is up to the discretion of the judge. 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.

FIRE & RESCUE

RESOLUTION NO. 2023-284-R: AUTHORIZING A CONTRACT WITH SAFE HAVEN FOR THE INSTALLATION OF AN INFANT SAFE BOX TO BE INSTALLED AT FIRE STATION NO. 1 (\$300 A YEAR AFTER INSTALLATION TO PERFORM AT NO COST TO THE CITY)

Council Member Wroblewski moved to approve Resolution No. 2023-284-R. Council Member Spears 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.

LEGAL

RESOLUTION NO. 2023-282-R: AUTHORIZING A QUITCLAIM DEED TO VARDAN, LLC IN PROPERTY LOCATED AT 8721 MADISON BOULEVARD FOR THE PURPOSE OF CLEARING QUESTION TO TITLE FOR WYNDAM GARDEN INN SALE

Council Member Wroblewski moved to approve Resolution No. 2023-282-R. Council Member Spears 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.

PLANNING

PROPOSED ORDINANCE NO. 2023-180: VACATION OF FLOODPLAN EASEMENT LOCATED WITHIN COMMON AREA 4 AND LOTS 27, 65-82 AND 91-96 OF THE ACADIA AT ARLINGTON PARK SUBDIVISION (FIRST READING 08/14/2023)

Council Member Shaw moved to approve Proposed Ordinance No. 2023-180. Council Member Powell 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.

PROPOSED ORDINANCE NO. 2023-246: VACATION OF UTILITY AND DRAINAGE EASEMENT LOCATED WITHIN LOT 3 OF HERITAGE HILLS, PHASE 1, SUBDIVISION (FIRST READING 08/14/2023)

Council Member Shaw moved to approve Proposed Ordinance No. 2023-246; Council Member Seifert 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.

RESOLUTION NO. 2023-274-R: AUTHORIZING A PERMISSIVE USE AGREEMENT FOR THE PLACEMENT OF A SIGN FOR TOWN MADISON AND BJ'S WHOLESALE CLUB, INC IN THE CITY'S RIGHT-OF-WAY ALONG GRAPHICS DRIVE

Council Member Wroblewski moved to approve Resolution No. 2023-274-R: Council Member Powell 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.

RESOLUTION NO. 2023-275-R: SETTING A PUBLIC HEARING FOR THE VACATION OF UNDEVELOPED RIGHT-OF-WAY ON GRIGGS ROAD AND CONCORD DRIVE (FIRST PUBLICATION 9/6/2023, SECOND PUBLICATION 9/13/2023, THIRD PUBLICATION 9/20/2023, FOURTH PUBLICATION 9/27/2023, PUBLIC HEARING 10/9/2023)

Council Member Powell moved to approve Resolution No. 2023-275-R: Council Member Spears 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.

PUBLIC WORKS

PROPOSED ORDINANCE NO. 2023-164: AMENDING THE GROUNDS REGULATIONS FOR CLEANING, RESTORING HEADSTONES IN THE CITY OF MADISON MUNICIPAL CEMETERIES (FIRST READING)

This is a first reading only

Council Member Spears advised everyone that the website on the Proposed Ordinance No. 2023-164 has a misspelling and provided the correction.

PUBLIC COMMENTS

MARGI DALY (DISTRICT 6)

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

- Toyota Field expenditures
- Cemetery fencing
- Public records request denials

JOCELYN BROER (DISTRICT 4)

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

- Thanked council for livestreaming and archiving the work session
- Redistricting maps availability
- Redistricting Town Hall request

Council President Bartlett addressed Ms. Broer's concerns about the availability and clarity of the redistricting maps and the schedule that has been available for public input regarding redistricting. Council President Bartlett also added that Map 2 did have the public input because they had been forwarding the emails and the public comments from work sessions were all taken into account.

JENNIFER COE (DISTRICT 5)

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

- Streetlighting
- Road reflectors

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	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 7:15 p.m.

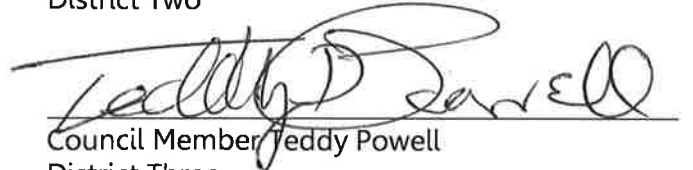
Minutes No. 2023-16-RG, dated August 28th, 2023, read, approved and adopted this 11th day of September 2023.



Council Member Maura Wroblewski
District One



Council Member Connie Spears
District Two



Council Member Teddy Powell
District Three



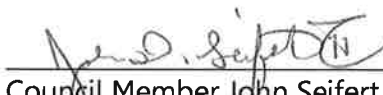
Council Member Greg Shaw
District Four



Council Member Ranae Bartlett
District Five

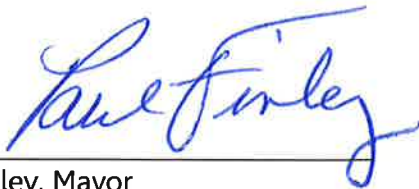


Council Member Karen Denzine
District Six



Council Member John Seifert
District Seven

Concur:

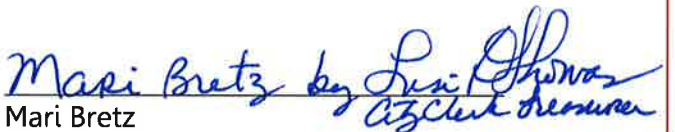


Paul Finley, Mayor

Attest:



Lisa D. Thomas
City Clerk-Treasurer



Mari Bretz
Recording Secretary