



Agenda
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF MADISON, ALABAMA
6:00 PM
Council Chambers
September 09, 2024

AGENDA NO. 2024-017-RG

City Council meetings are broadcast live on local Wow! Channel 42 and online streaming (visit <https://www.madisonal.gov/709/view-city-council-meeting>) for access. Members of the public who would like to weigh in on a Council matter but do not want to attend, may contact the City Clerk's Office or the Mayor's Office (contact information on City website www.madisonal.gov) or text the word "comment" to 938-200-8560

1. CALL TO ORDER

2. INVOCATION

A. Pastor John Dees of CrossPointe Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL OF ELECTED GOVERNING OFFICIALS

5. AMENDMENTS TO AGENDA

6. APPROVAL OF MINUTES

A. Minutes No. 2024-16-RG, dated August 26, 2024

7. PRESENTATIONS AND AWARDS

8. PUBLIC COMMENTS

Public comments are limited to 3 minutes per speaker. Anyone who would like to sign up prior to the Council meeting may contact the City Clerk at cityclerk@madisonal.gov. Anyone who would like to submit a presentation to the City Council must email it to the City Clerk by noon on the Friday prior to the meeting. Anyone who cannot attend the meeting in person and would like to email written comments must do so by noon of the Council meeting date, and address comments to citycouncil@madisonal.gov

9. CONSENT AGENDA AND FINANCE COMMITTEE REPORT

A. Regular and Periodic bills to be paid

B. **Resolution No. 2024-306-R:** Authorizing a three-year Software License Subscription renewal agreement with Unico Technology, LLC (\$51,008.76 annually to be paid from IT Department budget)

C. Authorization of payment of Invoice No. A24176-01, PO 2024-1258 to Grayson Carter & Son Contracting, Inc. for construction for Project 22-036 | Brownsferry Road and Burgreen Road Roundabout (\$9,192.50 to be paid from Fund 38)

- D. Acceptance of donation of two mobility scooters from Mr. Jeff Little valued at \$3,500 to be placed at Madison Community Center located at 1329 Browns Ferry Road

10. PRESENTATIONS OF REPORTS

MAYOR PAUL FINLEY

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

- A. **Resolution No. 2024-304-R:** Authorizing funding for an ADA Accessible door for the Madison Library (not to exceed \$7,700.00 to be paid from Council Special Projects Fund)

COUNCIL DISTRICT NO. 2 CONNIE SPEARS

COUNCIL DISTRICT NO. 3 TEDDY POWELL

COUNCIL DISTRICT NO. 4 GREG SHAW

- A. **Resolution No. 2024-311-R:** appointing the City Attorney of the City of Madison, AL

COUNCIL DISTRICT NO. 5 RANAE BARTLETT

COUNCIL DISTRICT NO. 6 KAREN DENZINE

COUNCIL DISTRICT NO. 7 JOHN SEIFERT

11. BOARD/COMMITTEE APPOINTMENTS

12. PUBLIC HEARINGS

Public comments during public hearings are limited to 5 minutes per speaker. Anyone who would like to sign up prior to the Council meeting may contact the City Clerk at cityclerk@madisonal.gov. Anyone who would like to submit a presentation to the City Council must email it to the City Clerk no later than noon on the Friday prior to the meeting. Anyone would cannot attend the meeting in person and would like to email written comments must do so by noon of the Council meeting date and address comments to citycouncil@madisonal.gov.

- A. **Resolution No. 2024-291-R:** Ascertaining, fixing, and determining the amount of assessment to be charged as a weed lien for 8135 Old Madison Pike (assessment fee of \$875.97)
- B. **Resolution No. 2024-292-R:** Ascertaining, fixing, and determining the amount of assessment to be charged as a weed lien for 22 Stone Street (assessment fee of \$574.83)
- C. **Resolution No. 2024-293-R:** Ascertaining, fixing, and determining the amount of assessment to be charged as a weed lien for 180 Dusty Trail (assessment fee of \$674.83)
- D. **Resolution No. 2024-294-R:** Ascertaining, fixing, and determining the amount of assessment to be charged as a weed lien for 323 Pension Row (assessment fee of \$575.40)
- E. **Resolution No. 2024-301-R:** Request for a Restaurant Retail Liquor License from Entice Bar & Grill LLC., doing business as Entice Bar & Grill, for their location at 8694 Madison Boulevard Suite J, Madison, AL 35758

13. DEPARTMENT REPORTS

BUILDING

- A. **Proposed Ordinance No. 2024-276:** Amending the City of Madison Code of Ordinances by adding Chapter 24, Article 1, Section 11 entitled "Unattended Receptacles" (First Reading 08/26/2024)

COURT

- A. Proposed Ordinance No. 2024-277**: Amending the Municipal Court's Schedule of Fines to include new distracted driving law (First Reading 08/26/2024)

ENGINEERING

- A. Resolution No. 2024-267-R**: Authorizing conveyance of approximately 2,890 square feet of property for right-of-way acquisition from Felicia Regina Jones Johnson for the Maecille Road at Segers Road Intersection Improvement Project (\$5,785.78 to be paid from Engineering Department budget)
- B. Resolution No. 2024-299-R**: Authorizing Change Order No. 1 to contract with Grayson Carter & Son Contracting, Inc. for Project 22-036 | Huntsville-Brownsferry Road and Burgreen Road Roundabout for 300 LF of 36-inch steel casing installation and an additional 30 days (amount not to exceed \$180,256.40, to be paid from Fund 38)
- C. Proposed Ordinance No. 2024-303**: Vacation of utility and drainage easement located within Lot 2B of Madison Towne Centre Subdivision (First Reading)
- D. Resolution No. 2024-300-R**: Authorizing acceptance of a public utility and drainage easement located within Lot 2B of Madison Towne Centre Subdivision

FACILITIES AND GROUNDS

- A. Resolution No. 2024-273-R**: Authorizing the Mayor to amend an existing Professional Services Agreement with Amiri Engineering Corp. to provide supplemental subsurface exploration and geotechnical report to include rock coring at the proposed Outfield Building at Toyota Field (\$37,255) to be paid from Multi-Use Venue Maintenance Fund)
- B. Resolution No. 2024-307-R**: Authorizing Amendment No. 2 to a Professional Services Agreement with Gilbert, McLaughlin, Casella Architects for professional services needed to provide an Early Release Package | Demolition and Excavation at Toyota Field (\$30,700 to be paid from Multi-Use Venue Maintenance Fund)

HUMAN RESOURCES

- A. Proposed Ordinance No. 2024-241**: Amending Section 12, "Compensation and Benefits," of the City of Madison's Personnel Policies and Procedures (First Reading 08/26/24)

RECREATION

- A. Resolution No. 2024-275-R**: Authorizing a month-to-month agreement with the City of Huntsville for scheduling and dispatch services for MARS (to be paid from Recreation Department budget)

14. MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

15. ADJOURNMENT

Agenda Note: It should be noted that there are times when circumstances arise that require items be added to or deleted from the agenda at time of the Council meeting. Also all attached documents are to be considered a draft until approved by Council.

All attendees are advised that Council meetings are televised and that their statements and actions are therefore viewed by more than just those attending the meetings.



**MINUTES NO. 2024-16-RG
REGULAR CITY COUNCIL MEETING
OF MADISON, ALABAMA
August 26, 2024**

The Madison City Council met in regular session on Tuesday, August 26, 2024, 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 JC Hopkins of 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, Municipal Records Clerk Lori Spaulding, Assistant City Attorney Tim McFalls, Information Technology Director Chris White, Information Technology Support Technician Michelle Parker, Police Chief Johnny Gandy, Fire Chief David Bailey, City Engineer Michael Johnson, Finance Director Roger Bellomy, Deputy Court Clerk Beth Bellomy, Building Director Dustin Riddle, Human Resources Director Megan Zingarelli, Director of Parks & Recreation Kory Alfred, Police Captain Mike Allen, and Director of Development Services Mary Beth Broeren.

Public Attendance registered: Margi Daly, Bebe Outjen, Billie Goodson, Jennifer Coe, Johne Cole, Carissa Callan, Rachel Homolak, Kathy Young.

AMENDMENTS TO AGENDA

Council Member Connie Spears requested the following amendments to the agenda:

- Under Board/Committee Appointments, item B is going to be added to the agenda, appoint Seat 2 for the Madison Utilities Board.

- Under Board/Committee Appointments, item C is going to be added to the agenda, appoint Seat 5 for the Madison Utilities Board.

APPROVAL OF MINUTES

MINUTES NO. 2024-15-RG DATED August 12, 2024

Council Member Shaw moved to approve Minutes No. 2024-15-RG. Council Member Powell seconded. The roll call vote taken was recorded as follows:

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

Motion carried.

PRESENTATIONS AND AWARDS

MADISON POLICE DEPARTMENT PROMOTION CEREMONY FOR NEWLY PROMOTED LIEUTENANT RICARDO MCCANTS AND SERGEANT ANDREW DUTTON

Chief Gandy and Police Captain Mike Allen presented Sergeant Andrew Dutton with a promotion plaque. Sergeant Andrew Dutton always knew he wanted to be a Police Officer. He became an Officer with the Madison Police Department in 2020. A round of applause was given.

Chief Gandy and Police Captain Mike Allen presented Lieutenant Ricardo McCants with a promotion plaque. Lieutenant Ricardo McCants became an Officer with the Madison Police Department in 2013. He was promoted to Sergeant in 2019. A round of applause was given.

WARREN AVERETT - REVIEW AND UPDATE COUNCIL ON 9-30-2023 FINANCIAL AUDIT

Warren Averett Representative Mr. Lee Parks presented the findings of the 2023 Financial Audit. He reported to Council that the City has met the requirements established by the Federal Government. It is a clean audit, and no issues were found.

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 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.

BEBE OUTJEN (DISTRICT 7)

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

- Traffic
- Management of growth
- Infrastructure concerns
- Cemetery conditions

JOHN COLE (DISTRICT 4)

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

- Concerns over the culvert bridge on Brown's Ferry Road near the Mose Chapel Road intersection
- Requesting the culvert bridge be replaced
- Requesting additional signage, rumble strips, and lights

Mayor Finley requested Engineering Director Michael Johnson give an update regarding the culvert bridge.

Michael Johnson commented that the project had been bid and final coordination is finishing up with utilities. Adding lighting is on the to do list once feasible.

CARISSA CALLAN (LIMESTONE COUNTY)

Ms. Callan appeared before Council and Mayor Finley to voice her concern on the following item

- Inappropriate books in the library

RACHEL HOMOLAK (DISTRICT 4)

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

- Library funding

KATHY YOUNG (HARVEST)

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

- Library concerns

MARGI DALY (DISTRICT 6)

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

- City funding
- Traffic safety
- Baseball
- Would have liked to see more details with the 9-30-2023 financial audit

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Spears reported that the Finance Committee met at 5:00pm. The Committee reviewed the 9-30-2023 financial audit. Also reviewed were regular and periodic bills. Council Member Spears moved to approve the Consent Agenda and Finance Committee report as follows:

General Operating account	\$1,261,336.88
ADEM Storm Drainage	\$1,250.00
½ Cent Infrastructure	\$326,235.31
Gasoline Tax & Petroleum Inspection fees	\$7,366.62
Street Repair & Maintenance	1,954.37
CIP Bond Accounts	\$117,076.30
Library Building Fund	\$1,305.59

Regular and periodic bills to be paid

Resolution No. 2024-256-R: Acceptance of Madison Branch Roundabout into the City of Madison

Resolution No. 2024-259-R: Authorizing a Professional Services Agreement with Nichole Holladay for cookie decorating instructor services through the Parks & Recreation Department

Resolution No. 2024-260-R: Authorizing a Professional Services Agreement with Elena Guerrero for fitness instructor services through the Parks & Recreation Department

Resolution No. 2024-261-R: Authorizing a Professional Services Agreement with Lance Gilbreath for fitness instructor services through the Parks & Recreation Department

Resolution No. 2024-262-R: Authorizing a Professional Services Agreement with Rose Jeffries for Zumba fitness instructor services through the Parks & Recreation Department

Resolution No. 2024-263-R: Authorizing a Professional Services Agreement with Kristi Simpson for Learn to Paint instructor services through the Parks & Recreation Department

Resolution No. 2024-264-R: Authorizing a Professional Services Agreement with Marissa Weir for Parent Focused Child Development instructor services through the Parks & Recreation Department

Resolution No. 2024-265-R: Authorizing a Professional Services Agreement with Kristen Bumpas Troncone for Baton Lessons instructor services through the Parks & Recreation Department

Resolution No. 2024-266-R: Authorizing an agreement with Apple Inc. for the Parks & Recreation Department to submit an app to the Apple App Store (no cost to the City)

Resolution No. 2024-271-R: Authorizing a Participation Agreement with Madison Street Festival, Inc. for the 2024 Street Festival event to be held October 5, 2024

Authorizing payment of Invoice No. 27357 (PO No. 2024-1143) to Morell Engineering, Inc. for construction, engineering, and inspection work on Project 22-002 | Madison Blvd. Resurfacing and Signal Improvements (\$1,344.41, to be paid from Fund 38)

Authorizing payment of Draw No. 9 to Enfinger Development, Inc. for work performed on Project No. 22-034 | Madison Branch Boulevard roundabout (\$125,408.45 to be paid from Fund 38 - Hardiman Roundabout checking account)

Authorizing reimbursement payment to Madison County for Slaughter Road Improvements design (Project No. 22-041) in the amount of \$102,008.13 to be paid from the Engineering Department Budget.

Acceptance of donation from St. Matthew's Episcopal Church and Madison Community Volunteer Festival Team to be used towards the first annual Madison Community Volunteer Festival (\$50, to be deposited into Senior Center Donation account)

Acceptance of donation from L. Tucker (\$30.00 to be deposited into the Senior Center Donation account)

Acceptance of donation from M. Flurer in the amount of \$25.00 (to be deposited into the MSC Senior Donation Fund)

Approval of quote from Trav-Ad Signs for the purchase and installation of light pole banners for Town Madison Arts & Entertainment District (\$3,285.00 to be paid from Planning Department budget)

Council Member Shaw seconded. Council Member Denzine asked if the fees and the schedule have been set for the new classes being offered by Parks and Rec. Parks and Rec Director Kory Alfred responded that schedule and fees will be announced soon. Mayor Finley asked Kory to speak some on the new app. Kory responded the app will allow residents to register for team sports, make room reservations, and notifications can be received through the app such as weather conditions. Council Member Denzine asked if October 1, 2024, was

the opening date for the Community Center? Kory responded that October 1, 2024, is the tentative opening date for the Community Center. The roll call vote to approve the Consent Agenda was taken and recorded as follows:

Council Member Connie Spears	Aye
Council Member Greg Shaw	Aye
Council Member Ranae Bartlett	Aye
Council Member Maura Wroblewski	Aye
Council Member Teddy Powell	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:

- Civic Awareness Academy is receiving applications for Fall registration
- Congratulations to Information Technology Director Chris White, on his 20-year milestone as an employee of the City of Madison
- Information Technology Director Chris White and his team are pro-active and constantly aware of cyber security
- Information Technology Director Chris White is very much appreciated

COUNCIL DISTRICT NO. 1 MAURA WROBLEWSKI

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

- Thanked Madison City Schools for the invitation to attend their Back-to-School Luncheon. It was a great way to celebrate the start of the school year
- Attended the monthly EMA meeting
- Notifications can be received from the EMA regarding emergency management situations in the area
- Notifications can also be received through notify me from the City of Madison. This is especially helpful to be in the know on road and traffic conditions

COUNCIL DISTRICT NO. 2 CONNIE SPEARS

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

- Top of Alabama Regional Council of Governments has a new program, Live and Live Well that is focused on Senior citizens
- The program makes recommendations on healthy aging, staying active, immunizations

COUNCIL DISTRICT NO. 3 TEDDY POWELL

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

No new business

COUNCIL DISTRICT NO. 4 GREG SHAW

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

No new business

COUNCIL DISTRICT NO. 5 RANAE BARTLETT

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

- Special called Meeting on Wednesday August 28, 2024, at 5:00pm
- Work Session on the budget will be postponed until Monday September 9, 2024
- The Work Session will be held after the City Council Meeting, with a 15-minute break in between

COUNCIL DISTRICT NO. 6 KAREN DENZINE

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

- The School Board breakfast was wonderful
- When going over the budget it was surprising to learn they have a 6.4-million-dollar unfunded mandate currently
- Attended the Food bank of Northern Alabama's ribbon cutting
- The food bank supplies 8.9 million pounds of food a year
- The food bank has seen a 45% increase in food supplied in the last year due to increase in food insecurity
- They offer Backpack Programs to supply underprivileged students with food over the weekend

COUNCIL DISTRICT NO. 7 JOHN SEIFERT

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

No new business

BOARD/COMMITTEE APPOINTMENTS

Appointment of Sarita Edwards to Place 9 of the Madison City Disability Advocacy Board with a term expiration of December 31, 2027

- Sarita Edwards is appointed by acclamation

Council Member Spears nominated Terris Tatum for seat 2 with the Madison Utilities Board

- Terris Tatum is appointed by acclamation

Council Member Spears nominated Julian Al Sullivan for seat 5 with the Madison Utilities Board

- Julian Al Sullivan is appointed by acclamation

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.

DEPARTMENTAL REPORTS

BUILDING

PROPOSED ORDINANCE NO. 2024-276: AMENDING THE CITY OF MADISON CODE OF ORDINANCES BY ADDING CHAPTER 24, ARTICLE 1, SECTION 11 ENTITLED "UNATTENDED RECEPTACLES" (FIRST READING)

This is the First Reading only

COURT

PROPOSED ORDINANCE NO. 2024-277: AMENDING THE MUNICIPAL COURT'S SCHEDULE OF FINES TO INCLUDE NEW DISTRACTED DRIVING LAW (FIRST READING)

This is the First Reading only

ENGINEERING

RESOLUTION NO. 2024-268-R: AUTHORIZING CONVEYANCE OF PROPERTY FOR RIGHT-OF-WAY (EBERSOLD, TRACT 2) FOR THE MAECILLE ROAD AT SEGERS ROAD INTERSECTION IMPROVEMENT PROJECT (\$9,635 FOR COMBINED ROW AND EASEMENTS, TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Shaw moved to approve Resolution No. 2024-268-R. Council Member Wroblewski seconded. The vote was taken and recorded as follows:

Council Member Greg Shaw

Aye

Council Member Maura Wroblewski	Aye
Council Member Ranae Bartlett	Aye
Council Member Connie Spears	Aye
Council Member Teddy Powell	Absent at time of vote
Council Member Karen Denzine	Aye
Council Member John Seifert	Aye

Motion carried.

RESOLUTION NO. 2024-269-R: AUTHORIZING CONVEYANCE OF PROPERTY FOR RIGHT-OF-WAY (L. WILLIAMS, TRACT 9) FOR THE MAECILLE ROAD AT SEGERS ROAD INTERSECTION IMPROVEMENT PROJECT (\$16,200 FOR COMBINED ROW AND EASEMENTS, TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Shaw moved to approve Resolution No. 2024-269-R. Council Member Seifert seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-270-R: AUTHORIZING CONVEYANCE OF PROPERTY FOR RIGHT-OF-WAY (C. WILLIAMS, TRACT 10) FOR THE MAECILLE ROAD AT SEGERS ROAD INTERSECTION IMPROVEMENT PROJECT (\$3,420 FOR COMBINED ROW AND EASEMENTS, TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Spears moved to approve Resolution No. 2024-270-R. Council Member Powell seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-272-R: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BARGE DESIGN SOLUTIONS FOR LIGHTING PHOTOMETRIC PLANS FOR PROJECT 23-012 | BALCH ROAD AND BROWNS FERRY ROUNDABOUT (AMOUNT NOT TO EXCEED \$11,200, TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Wroblewski moved to approve Resolution No. 2024-272-R. Council Member Powell seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-278-R: AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH MADISON UTILITIES FOR THE INSTALLATION OF A STEEL PIPE FOR UTILITIES RUNNING ADJACENT TO THE BROWNSFERRY/BURGREEN ROUNDABOUT PROJECT (MU AGREES TO REIMBURSE CITY IN AN AMOUNT NOT TO EXCEED \$60,000 FOR INSTALLATION)

Council Member Spears moved to approve Resolution No. 2024-278-R. Council Member Powell seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-280-R: AWARD OF BID NO. 2024-011-ITB, HUGHES & MILL ROAD - INTERSECTION AND TRAFFIC SIGNAL IMPROVEMENTS TO STANSELL ELECTRIC COMPANY, INC. (\$440,810, TO BE PAID FROM FUND 38)

Council Member Shaw moved to approve Resolution No. 2024-280-R. Council Member Powell seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-281-R: AUTHORIZING THE ACQUISITION OF .037 ACRES FOR RIGHT-OF-WAY FROM KURTELL A. JACKSON FOR THE BURGREEN ROAD

AND HARDIMAN ROAD PROJECT (\$4,564 TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Powell moved to approve Resolution No. 2024-281-R. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-295-R: AUTHORIZING A TEMPORARY CONSTRUCTION EASEMENT FOR 222 KYSER BOULEVARD \ CHARLESTON OAKS APARTMENTS (\$883 TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Powell moved to approve Resolution No. 2024-295-R. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-296-R: AUTHORIZING THE ACQUISITION OF .019 ACRES FOR RIGHT-OF-WAY FROM TUCKER FAMILY FUND, LLC FOR THE BURGREN ROAD AND HARDIMAN ROAD PROJECT (\$1,390 TO BE PAID FROM ENGINEERING DEPARTMENT BUDGET)

Council Member Powell moved to approve Resolution No. 2024-296-R. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-298-R: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CDG, INC. FOR CIVIL ENGINEERING SERVICES RELATED TO THE DESIGN OF PROJECT NO. 24-023 | ROYAL DRIVE EXTENSION, PHASE 1. PHASE 1 OF THE PROPOSED EXTENSION WILL BE BETWEEN COUNTY LINE ROAD AND JETPLEX LANE (AMOUNT NOT TO EXCEED \$205,762.00, TO BE PAID FROM FUND 38 WITH ASSISTANCE FROM THE MADISON INDUSTRIAL DEVELOPMENT BOARD IN THE AMOUNT OF \$75,000.00)

Council Member Powell moved to approve Resolution No. 2024-298-R. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

FIRE & RESCUE

RESOLUTION NO. 2024-252-R: AUTHORIZING A CONTRACT FOR THE PURCHASE, CONSTRUCTION, AND INSTALLATION OF A TRAINING TOWER FROM FORGE FIRE & COMPANY (\$699,800 TO BE PAID FROM FUND 38; \$500,000 GRANT FROM THE STATE)

Council Member Denzine moved to approve Resolution No. 2024-252-R. Council Member Powell seconded. The vote was taken and recorded as follows:

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

Motion carried.

HUMAN RESOURCES

PROPOSED ORDINANCE NO. 2024-241: AMENDING SECTION 12, "COMPENSATION AND BENEFITS," OF THE CITY OF MADISON'S PERSONNEL POLICIES AND PROCEDURES (FIRST READING)

This is the First Reading only

PLANNING

PROPOSED ORDINANCE NO. 2024-240: VACATION OF UTILITY AND DRAINAGE EASEMENT LOCATED WITHIN LOTS 7A & 7D OF WANN PROPERTY SUBDIVISION, PHASE 4 (FIRST READING 08/12/2024)

Council Member Wroblewski moved to approve Ordinance No. 2024-240-R. Council Member Powell seconded. The vote was taken and recorded as follows:

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

Motion carried.

RESOLUTION NO. 2024-286-R: SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2024-287; ZONING CERTAIN PROPERTY OWNED BY LILY LANDHOLDINGS, INC. CONSISTING OF 89.27 ACRES LOCATED SOUTH OF HUNTSVILLE-BROWNS FERRY ROAD AND WEST OF BOWERS ROAD FROM AG (AGRICULTURE) TO RC-2 (RESIDENTIAL CLUSTER DISTRICT NO. 2) (FIRST PUBLICATION 9/4/2024, SYNOPSIS 9/11/2024, PUBLIC HEARING 10/14/2024)

Council Member Shaw moved to approve Resolution No. 2024-286-R. Council Member Seifert seconded. The vote was taken and recorded as follows:

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

Motion carried.

RECREATION

RESOLUTION NO. 2024-257-R: APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HALLIBURTON SURVEYING AND MAPPING INC. FOR SURVEY OF TOWN MADISON PARK (AMOUNT NOT TO EXCEED \$10,600 TO BE PAID FROM RECREATION DEPARTMENT BUDGET)

Council Member Powell moved to approve Resolution No. 2024-257-R. Council Member Shaw seconded. The vote was taken and recorded as follows:

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

Motion carried.

The meeting was adjourned at 7:07 p.m.

Minutes No. 2024-16-RG, dated August 26th, 2024, read, approved and adopted this 3rd day of September 2024.

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

Lori Spaulding
Recording Secretary

RESOLUTION NO. 2024-306-R

A RESOLUTION ACCEPTING SOFTWARE LICENSE SUBSCRIPTION RENEWAL WITH UNICO TECHNOLOGY, LLC

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the Mayor is authorized and directed to accept on behalf of the City an agreement to renew software license subscription services with Unico Technology LLC, said document to be substantially similar in purpose, intent, and composition to that certain document attached hereto and identified as **Attachment A: Unico Technology Product Schedule**. The City Clerk-Treasurer is hereby authorized to appropriately attest the same; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the relationship established by such acceptance and execution, the Mayor or his designee shall be hereby authorized for the entire term of the Agreement to execute any and all documentation necessary to enforce and comply with the terms thereof, subject to the budgetary restrictions set forth by the Council in its duly-adopted budget for the then-current fiscal year; and

BE IT FURTHER RESOLVED that, upon request and notification from the appropriate department that the services precedent to payment have been satisfied, the Finance Director is hereby authorized to forward payment to Unico Technology in the amount(s) and manner authorized by the proposal accepted by passage of this resolution.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this _____ day of September 2024

Paul Finley, Mayor
City of Madison, Alabama

Product Schedule



8300 Alamo Road
Brentwood, TN 37027

Schedule No: PL-240173
Date: 08/29/2024
Valid Through: 09/26/2024

Unico Technology, LLC (Remarketer) agree to license City of Madison (Buyer) the following software products:

Product	Part Number	Qty	List Price	Extended Price	Net Price
Barracuda					
Email Protection, Premium Plus, per User, 1 Month SN# 2076525 29-Sep-2024 - 28-Sep-2027 36 months x 385 users = qty 13860	EP-PremPlus-Usr-1M	13860	\$16.60	\$10.33	\$143,173.80
Barracuda Web Security Gateway Appliance 410 Energize Updates Subscription 1 Month SN# 1730775 29-Sep-2024 - 28-Sep-2027	BYF410a-e	36	\$160.00	\$99.52	\$3,582.72
Barracuda Web Security Gateway Appliance 410 Advanced Threat Protection Subscription 1 Month SN# 1730775 29-Sep-2024 - 28-Sep-2027	BYF410a-a	36	\$150.00	\$93.30	\$3,358.80
Barracuda Web Security Gateway Appliance 410 Instant Replacement Subscription 1 Month SN# 1730775 29-Sep-2024 - 28-Sep-2027	BYF410a-h	36	\$130.00	\$80.86	\$2,910.96
PRODUCT SUBTOTAL			\$245,916.00		\$153,026.28
Grand Total*			\$245,916.00		\$153,026.28
3 payments to be invoiced annually starting in 2024					\$51,008.76

*Prices do not include taxes.

To be paid in three annual, equal payments over 3 years.

Terms:

1. This is a firm order. All returns are subject to vendors' terms and conditions. Sales Taxes, Shipping and Handling are additional.
2. Invoices are issued at time of shipment and are DUE ON RECEIPT. Amounts not paid within 30 days of the invoice date are defined as past due and subject to a FINANCE CHARGE of 0.05% per day on the total unpaid balance.
3. You grant Remarketer a security interest in all software products listed and agree to pay Remarketer the reasonable cost and attorney's fees to collect amounts Past Due. If you fail to pay amounts Past Due, we may remove and revoke your license for any and all of these products.
4. The manufacturers' specific warranty covers these software products. You are responsible for providing the required environment according to the manufacturers' recommendations and for the results obtained by their use. Under no circumstances are we liable for 1) loss of, or damage to, your records or data, 2) incidental damages, or 3) consequential damages (including lost profits or savings) even if you inform us of their possibility.

The laws of the State of Tennessee govern this agreement. Partners to this Agreement further submit themselves to and agree to the jurisdiction of the Tennessee courts.

Agreed to:

City of Madison

Unico Technology, LLC

Name /Title

Name

Signature /Date

Signature /Date

Ship To
Engineering Department
City of Madison
100 Hughes Road
Madison, AL 35758

Bill To
Accounts Payable
City of Madison
100 Hughes Road
Madison, AL 35758

Purchase Order
No. 2024-00001258
DATE 06/12/2024

This purchase is tax exempt for the City of Madison under State of Alabama law no.40-23-4(11)

NON-NEGOTIABLE

VENDOR 3822 - Grayson Carter & Son Contracting, Inc.*

Contact
Grayson Carter & Son Contracting, Inc.
146 Roy Long Road W
ATHENS, AL 35611



DELIVER BY
SHIP VIA
FREIGHT TERMS
PAGE 1 of 1

REFERENCE #2024-167-R

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1.0000	Each	*Item - Construction for Project 22-036 Brownsferry & Burgreen roundabout 38-150-000-2941-11 - Capital Outlay - Huntsville Brownsferry & Burgreen Roundabout 1,589,020.20 22 036 Partial Payment # 1 Invoice # A24176-01 Payment Due. 9,192.50 Consent agenda: 9/9/24 <i>E. Michelle Dunson</i> 8/23/24	1,589,020.2000	\$1,589,020.20

Reggie D. Bellomy
Purchasing Agent Signature

SUBTOTAL	\$1,589,020.20
SALES TAX	\$0.00
TOTAL DUE	\$1,589,020.20

Special Instructions

1. Purchase order numbers must appear on invoices and shipping labels
2. No consolidated statements will be paid
3. No Invoices will be processed without a purchase order number
4. All bills must be sent to Accounts Payable
5. Notify immediately if unable to ship by date specified
6. Substitutes must be approved
7. This is your authority as supplier to deliver the items listed above

APPLICATION FOR PAYMENT**OWNER:**

City of Madison

PROJECT:

Huntsville Brownsferry Road & Burgreen Road Roundabout

APPLICATION NUMBER: A24176-01**PERIOD TO:** 08/25/2024**DISTRIBUTION:**

CONTRACTOR ◀

ARCHITECT ◀

File ◀

CONTRACTOR:

Grayson Carter & Son Contracting, Inc.
PO Box 1069
Athens, AL 35612

ARCHITECT:**PROJECT NUMBER:** A24-176**CONTRACT WORK:** General Requirements**WORK CATEGORY NO:** 1000**APPLICATION FOR PAYMENT - SUMMARY**

Refer to continuation sheets attached for detailed breakdown.

1. ORIGINAL CONTRACT AMOUNT:	1,589,020.21
2. NET CHANGES TO CONTRACT:	-
3. TOTAL CONTRACT AMOUNT:	1,589,020.21
4. TOTAL COMPLETED AND STORED TO DATE:	9,676.32
5. RETAINAGE:	
5% of Completed Work	483.82
6. TOTAL COMPLETED LESS RETAINAGE:	9,192.50
7. LESS PREVIOUS APPLICATIONS:	-
8. CURRENT PAYMENT DUE:	9,192.50
9. BALANCE TO FINISH INCLUDING RETAINAGE:	1,579,827.70

EXTRA WORK SUMMARY	ADDITIONS	DELETIONS
Changes From Prev Applications:	-	-
Changes From This Application:	-	-
Total:	-	-
Net Changes:	-	-

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor to the best of his knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid to him for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Randy Thomason
Chief Financial Officer

DATE: 08/25/2024

E. Michelle Dunson
8/23/24

ARCHITECT'S CERTIFICATION:

The Architect hereby confirms that based on site observations & to the best of his/her knowledge, this payment application accurately reflects the progression of work and that this work meets contract requirements sufficient enough to justify payment in the amount certified below:

AMOUNT CERTIFIED: _____

Provide explanation below or attached if amount certified does not match this application amount. Initial all figures & markups to agree with certified amount.

ARCHITECT: _____**DATE:** _____

The Amount Certified is payable to the contractor listed above.

PAYMENT APPLICATION DETAIL

APPLICATION NO: A24176-01
FOR PERIOD ENDING: 08/25/2024

FROM: Grayson Carter & Son Contracting, Inc.
WORK: 1000 - General Requirements

PROJECT: Huntsville Brownsferry Road & Burgre
NO: A24-176

WORK CATEGORY		Scheduled Value	Prev. App. Value	COMPLETED WORK				BALANCE TO FINISH	RETAINAGE Value
Item No.	Description			This App.		Total			
				Work In Place	Stored Mat.	Value	% / Qty		
A	B	C	D=Prev. (D+E)	E	F	G=D+E+F	L=G/C	H=C-G	I
► BASE CONTRACT UNIT PRICE SECTION 1									
1	CLEARING AND GRUBBING (MAXIMUM ALLOWABLE BID \$8000) (APPROXIMATELY 2 ACRES)	5,325.49	-	4,792.94		4,792.94	0.9 LS	532.55	483.82
2	REMOVING CONCRETE SIDEWALK	742.30	-	-	-	-	0 SY	742.30	-
3	REMOVING CONCRETE SLOPE PAVING	371.16	-	-	-	-	0 SY	371.16	-
4	REMOVING PIPE	19,464.42	-	-	-	-	0 LF	19,464.42	-
5	REMOVING CURB AND GUTTER	1,113.30	-	-	-	-	0 LF	1,113.30	-
6	REMOVING FENCE	3,713.04	-	3,713.04		3,713.04	648 LF	0.00	-
7	REMOVING UTILITY LINES	18,056.50	-	-	-	-	0 LF	18,056.50	-
8	REMOVING HEADWALLS	3,711.50	-	-	-	-	0 EA	3,711.50	-
9	UNCLASSIFIED EXCAVATION	49,533.12	-	-	-	-	0 CY	49,533.12	-
10	BORROW EXCAVATION	170,977.39	-	-	-	-	0 CY	170,977.39	-
11	STRUCTURE EXCAVATION	24,637.08	-	-	-	-	0 CY	24,637.08	-
12	FOUNDATION BACKFILL, COMMERCIAL	20,786.88	-	-	-	-	0 CY	20,786.88	-
13	ROADBED PROCESSING	9,751.88	-	-	-	-	0 RBST	9,751.88	-
14	CRUSHED AGGREGATE BASE COURSE, TYPE B, PLANT MIXED, 6" COMPACTED THICKNESS	40,891.80	-	-	-	-	0 SY	40,891.80	-
15	CRUSHED AGGREGATE, SECTION 825, FOR MISCELLANEOUS USE	26,277.75	-	-	-	-	0 TN	26,277.75	-
16	BITUMINOUS TREATMENT A	5,168.80	-	-	-	-	0 SY	5,168.80	-
17	TACK COAT	4,543.00	-	-	-	-	0 Gal	4,543.00	-
18	SUPERPAVE BITUMINOUS CONCRETE WEARING SURFACE LAYER, 1/2" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D	33,742.15	-	-	-	-	0 TN	33,742.15	-
19	SUPERPAVE BITUMINOUS CONCRETE UPPER BINDER LAYER, 1" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D	24,572.80	-	-	-	-	0 TN	24,572.80	-
20	SUPERPAVE BITUMINOUS CONCRETE UPPER BINDER LAYER, LEVELING, 1/2" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D	42,525.00	-	-	-	-	0 TN	42,525.00	-
21	SUPERPAVE BITUMINOUS CONCRETE LOWER BINDER LAYER, 1" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D	24,572.80	-	-	-	-	0 TN	24,572.80	-
22	18" ROADWAY PIPE (CLASS 3 R.C.)	6,423.06	-	-	-	-	0 LF	6,423.06	-
23	24" ROADWAY PIPE (CLASS 3 R.C.)	10,538.52	-	-	-	-	0 LF	10,538.52	-
24	48" ROADWAY PIPE (CLASS 3 R.C.)	79,439.00	-	-	-	-	0 LF	79,439.00	-
25	18" STORM SEWER PIPE (CLASS 3 R.C.)	34,457.40	-	-	-	-	0 LF	34,457.40	-

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WORK CATEGORY			COMPLETED WORK					BALANCE TO FINISH	RETAINAGE
Item No.	Description	Scheduled Value	Prev. App. Value	This App.		Total		H=C-G	Value
				Work In Place	Stored Mat.	Value	% / Qty		
A	B	C	D=Prev. (D+E)	E	F	G=D+E+F	L=G/C	I	
26	24" STORM SEWER PIPE (CLASS 3 R.C.)	12,517.84	-	-	-	-	0 LF	12,517.84	-
27	36" STORM SEWER PIPE (CLASS 3 R.C.)	30,995.04	-	-	-	-	0 LF	30,995.04	-
28	42" STORM SEWER PIPE (CLASS 3 R.C.)	14,292.20	-	-	-	-	0 LF	14,292.20	-
29	48" STORM SEWER PIPE (CLASS 3 R.C.)	91,491.12	-	-	-	-	0 LF	91,491.12	-
30	54" STORM SEWER PIPE (CLASS 3 R.C.)	28,201.80	-	-	-	-	0 LF	28,201.80	-
31	15" SIDE DRAIN PIPE (CLASS 3 R.C.)	3,495.36	-	-	-	-	0 LF	3,495.36	-
32	MOBILIZATION	96,980.27	-	-	-	-	0 LS	96,980.27	-
33	RIGHT OF WAY MARKERS	8,185.86	-	-	-	-	0 EA	8,185.86	-
34	LOOSE RIPRAP, CLASS 2, 24" THICK	5,911.92	-	-	-	-	0 SY	5,911.92	-
35	LOOSE RIPRAP, CLASS 2	10,051.05	-	-	-	-	0 TN	10,051.05	-
36	FILTER BLANKET, GEOTEXTILE	874.80	-	-	-	-	0 SY	874.80	-
37	SLOPE PAVING	72,345.00	-	-	-	-	0 CY	72,345.00	-
38	CONCRETE SIDEWALK, 4" THICK	27,090.00	-	-	-	-	0 SY	27,090.00	-
39	CONCRETE DRIVEWAY, 8" THICK (INCLUDES WIRE MESH)	33,600.00	-	-	-	-	0 SY	33,600.00	-
40	DETECTABLE WARNING SURFACE	4,200.00	-	-	-	-	0 SF	4,200.00	-
41	CURB RAMP	21,000.00	-	-	-	-	0 SY	21,000.00	-
42	18" ROADWAY PIPE END TREATMENT, CLASS 1	2,386.00	-	-	-	-	0 EA	2,386.00	-
43	36" ROADWAY PIPE END TREATMENT, CLASS 2	2,491.89	-	-	-	-	0 EA	2,491.89	-
44	48" ROADWAY PIPE END TREATMENT, CLASS 2	2,998.14	-	-	-	-	0 EA	2,998.14	-
45	15" SIDE DRAIN PIPE END TREATMENT, CLASS 1	2,120.68	-	-	-	-	0 EA	2,120.68	-
46	48" SIDE DRAIN PIPE END TREATMENT, CLASS 2 (DOUBLE LINE)	8,622.63	-	-	-	-	0 EA	8,622.63	-
47	JUNCTION BOXES, TYPE 1 OR 1P	9,524.49	-	-	-	-	0 EA	9,524.49	-
48	JUNCTION BOXES, TYPE 1 (SPECIAL)	18,698.00	-	-	-	-	0 EA	18,698.00	-
49	JUNCTION BOX UNITS, TYPE 1 OR 1P	3,935.52	-	-	-	-	0 EA	3,935.52	-
50	INLETS, TYPE E	6,076.78	-	-	-	-	0 EA	6,076.78	-
51	INLETS, TYPE S1 OR S3 (1 WING)	19,970.16	-	-	-	-	0 EA	19,970.16	-
52	INLETS, TYPE S2 OR S4 (1 WING)	10,615.08	-	-	-	-	0 EA	10,615.08	-
53	INLETS, TYPE S1 OR S3 (2 WING)	7,712.36	-	-	-	-	0 EA	7,712.36	-
54	INLETS, TYPE S2 OR S4 (2 WING)	8,132.36	-	-	-	-	0 EA	8,132.36	-
55	INLETS, TYPE PD	6,470.07	-	-	-	-	0 EA	6,470.07	-
56	INLETS, TYPE PD-6	8,427.50	-	-	-	-	0 EA	8,427.50	-

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WORK CATEGORY			COMPLETED WORK					BALANCE TO FINISH	RETAINAGE
Item No.	Description	Scheduled Value	Prev. App. Value	This App.		Total		H=C-G	Value
				Work In Place	Stored Mat.	Value	% / Qty		
A	B	C	D=Prev. (D+E)	E	F	G=D+E+F	L=G/C	I	
57	INLET UNITS, TYPE S2 OR S4	4,289.28	-	-	-	-	0 EA	4,289.28	-
58	CONCRETE GUTTER	6,804.00	-	-	-	-	0 LF	6,804.00	-
59	CONCRETE CURB, TYPE N	7,761.60	-	-	-	-	0 LF	7,761.60	-
60	CONCRETE CURB, TYPE A	5,493.60	-	-	-	-	0 LF	5,493.60	-
61	COMBINATION CURB & GUTTER, TYPE C	61,513.20	-	-	-	-	0 LF	61,513.20	-
62	12 INCH DUCTILE IRON WATER MAIN LAID (RESTAINED JOINT)	52,675.95	-	-	-	-	0 LF	52,675.95	-
63	DUCTILE IRON FITTINGS	39,116.00	-	-	-	-	0 LB	39,116.00	-
64	CONCRETE FOR WATER MAINS (THRUST BLOCKS)	1,857.24	-	-	-	-	0 CY	1,857.24	-
65	12 INCH X 12 INCH TAPPING VALVE AND SLEEVE	26,876.30	-	-	-	-	0 EA	26,876.30	-
66	TOPSOIL	22,677.60	-	-	-	-	0 CY	22,677.60	-
67	SEEDING	2,606.74	-	-	-	-	0 AC	2,606.74	-
68	MULCHING	2,606.74	-	-	-	-	0 AC	2,606.74	-
69	TEMPORARY SEEDING	2,606.74	-	-	-	-	0 AC	2,606.74	-
70	TEMPORARY MULCHING	2,606.76	-	-	-	-	0 TN	2,606.76	-
71	SILT FENCE	3,854.50	-	-	-	-	0 LF	3,854.50	-
72	SILT FENCE REMOVAL	2,301.00	-	-	-	-	0 LF	2,301.00	-
73	INLET PROTECTION, STAGE 3 OR 4	3,808.80	-	-	-	-	0 EA	3,808.80	-
74	WATTLE	2,094.00	-	-	-	-	0 LF	2,094.00	-
75	GEOMETRIC CONTROL	14,629.24	-	1,170.34	-	1,170.34	0.08 LS	13,458.90	-
76	DOTTED, CLASS 2, TYPE A TRAFFIC STRIPE (5" WIDE) (WHITE)	756.00	-	-	-	-	0 LF	756.00	-
77	SOLID TEMPORARY TRAFFIC STRIPE	4,725.00	-	-	-	-	0 Mile	4,725.00	-
78	SOLID WHITE, CLASS 2, TYPE A TRAFFIC STRIPE (5" WIDE)	525.00	-	-	-	-	0 LF	525.00	-
79	SOLID YELLOW, CLASS 2, TYPE A TRAFFIC STRIPE (5" WIDE)	9,240.00	-	-	-	-	0 LF	9,240.00	-
80	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A (WHITE)	4,911.50	-	-	-	-	0 LF	4,911.50	-
81	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A (YELLOW)	2,232.50	-	-	-	-	0 LF	2,232.50	-
82	PAVEMENT MARKERS, CLASS A-H, TYPE 1-B	1,891.20	-	-	-	-	0 EA	1,891.20	-
83	PAVEMENT MARKERS, CLASS A-H, TYPE 2-D	157.60	-	-	-	-	0 EA	157.60	-
84	PAVEMENT MARKERS, CLASS A-H, TYPE 2-E	945.60	-	-	-	-	0 EA	945.60	-
85	CLASS 10, ALUMINUM FLAT SIGN PANELS 0.08" THICK (TYPE XI BACKGROUND)	3,284.40	-	-	-	-	0 EA	3,284.40	-
86	CLASS 10, ALUMINUM FLAT SIGN PANELS 0.08" THICK (TYPE XI BACKGROUND, FLUORESCENT)	1,062.60	-	-	-	-	0 EA	1,062.60	-
87	CLASS 4, ALUMINUM FLAT SIGN PANELS 0.08" THICK (TYPE IV BACKGROUND)	1,178.10	-	-	-	-	0 EA	1,178.10	-

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WORK CATEGORY			COMPLETED WORK					BALANCE TO FINISH	RETAINAGE
Item No.	Description	Scheduled Value	Prev. App. Value	This App.		Total		H=C-G	Value
A	B	C	D=Prev. (D+E)	Work In Place	Stored Mat.	Value	% / Qty		
				E	F	G=D+E+F	L=G/C		I
88	ROADWAY SIGN POST (#3 U CHANNEL, GALVANIZED STEEL OR 2" x 14 GA SQUARE TUBULAR STEEL)	9,878.40	-	-	-	-	0 LF	9,878.40	-
89	REMOVAL OF EXISTING ROADWAY SIGNS	472.50	-	-	-	-	0 LS	472.50	-
90	CONSTRUCTION SIGNS	7,275.04	-	-	-	-	0 SF	7,275.04	-
91	SPECIAL CONSTRUCTION SIGNS	323.40	-	-	-	-	0 SF	323.40	-
92	CHANNELIZING DRUMS	2,835.00	-	-	-	-	0 EA	2,835.00	-
93	CONES (36 INCHES HIGH)	1,680.00	-	-	-	-	0 EA	1,680.00	-
94	BARRICADES, TYPE III	2,058.00	-	-	-	-	0 EA	2,058.00	-
95	WARNING LIGHTS, TYPE B (DETACHABLE HEAD)	819.00	-	-	-	-	0 EA	819.00	-
96	BALLAST FOR CONE	840.00	-	-	-	-	0 EA	840.00	-
97	CONTINGENCY	25,000.00	-	-	-	-	0 LS	25,000.00	-
Total Base Contract Work:		1,589,020.21	-	9,676.32	-	9,676.32	1%	1,579,343.89	483.82
Total Extra Work:		-	-	-	-	-	0%	-	-
GRAND TOTAL:		1,589,020.21	-	9,676.32	-	9,676.32	1%	1,579,343.89	483.82

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RESOLUTION NO. 2024-304-R

A RESOLUTION AUTHORIZING FUNDING FROM THE CITY COUNCIL SPECIAL PROJECTS LINE-ITEM FOR PURCHASE OF AN ADA ACCESSIBLE DOOR FOR THE MADISON LIBRARY.

WHEREAS, the City of Madison, Alabama, a municipal corporation, has established a budget line-item called Council Special Projects Line-Item (A/C 10-090-000-2931-00); and

WHEREAS, The City maintains a fund for said line-item, the proceeds of which are to be expended exclusively for public or municipal purposes and projects that may arise during the course of the fiscal year that are not otherwise provided for in the City’s budget; and

WHEREAS, the City Council finds that an expenditure of public funds for the procurement, installation, labor and warranty associated with the installation of an ADA accessible door at the Madison Library: and

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the City Council authorizes a disbursement, in an amount not to exceed seven thousand seven hundred dollars (\$7,700), from the Council Special Projects Line-Item for the above-described service.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this _____ day of September 2024.

Paul Finely, Mayor
City of Madison, Alabama

*Resolution No. 2024-304-R
Council Special Projects – Purchase of an ADA Accessible Door for Madison Library
September 9, 2024*

RESOLUTION NO. 2024-311-R

**A RESOLUTION APPOINTING THE CITY ATTORNEY
OF THE CITY OF MADISON, ALABAMA**

WHEREAS, pursuant to Ordinance No. 2009-218, the City Council has established the position of City Attorney; and

WHEREAS, pursuant to Alabama Code §11-43-7 and §11-43-8, it is the responsibility of the City Council of the City of Madison, Alabama, to establish the salaries and fees of municipal employees and officers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA, AS FOLLOWS:

Section 1. The annual salary of the City Attorney is established at \$165,000.00 (one hundred sixty-five thousand dollars) per year, provided, however, that the occupant of said office may receive salary adjustments pursuant to the Personnel Policies and Procedures of the City of Madison and applicable City ordinances.

Section 2. The City Attorney shall be appointed and shall serve in accordance with Ordinance 2009-218, and shall have the powers and duties outlined in the job description approved by Council Resolution for this position, and in other applicable ordinances and resolutions of the City.

Section 3. The person appointed to the City Attorney position shall be appointed for a term concurrent with that of the Mayor, conditioned upon good conduct and efficiency. However, the City Attorney may be subject to removal for just cause pursuant to the Personnel Policies and Procedures of the City of Madison and applicable City ordinances.

Section 4. **Megan Zingarelli** is appointed as the City Attorney effective September 9, 2024.

READ, PASSED, and ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama on this 9th day of September, 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this 9th day of September, 2024.

Paul Finley, Mayor
City of Madison, Alabama

RESOLUTION NO. 2024-291-R

A RESOLUTION ASCERTAINING, FIXING, AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A WEED LIEN ON CERTAIN PROPERTIES IN THE CITY OF MADISON, ALABAMA, AS A RESULT OF THE CITY ABATING OVERGROWN GRASS AND WEEDS PURSUANT TO THE CITY’S LOCAL WEED ABATEMENT LAW

WHEREAS, the City of Madison, Alabama (the “City”) received numerous and persistent complaints about overgrown grass and weeds on the following described properties, which constituted a public nuisance and a violation of Section 2 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135):

<u>Property Address</u>	<u>Parcel ID No.</u>
8135 Old Madison Pike	42076

WHEREAS, the City abated the public nuisances at the City’s expense in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, the Enforcing Official prepared the Itemized Statements of Expenses attached hereto as “Exhibit A”; and

WHEREAS, the Enforcing Official gave notice of a public hearing to consider such Itemized Statements of Expenses in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, said public hearing was held by the Council; and

WHEREAS, it is now the desire of the Council to fix the costs that it finds were reasonably incurred in connection with the abatement of the public nuisance and assess the costs against the subject properties as weed liens.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA as follows:

Section 1. That the Council hereby assesses the following sum to be the costs reasonably incurred by the City in connection with the abatement of the public nuisances located on the properties below, which shall constitute weed liens on the subject properties:

<u>Property Address</u>	<u>Parcel ID No.</u>	<u>Amount of Weed Lien</u>
8135 Old Madison Pike	42076	\$875.97

Section 2. That the City Clerk is authorized to file a certified copy of this resolution in the offices of the Revenue Commissioner for the appropriate county in which the properties are located. Upon filing, the Revenue Commissioner shall add the amount of the weed liens to the ad valorem tax bill for the properties and shall collect the amount as if it were a tax and remit the amount to the City.

READ, PASSED, AND ADOPTED this the 9th day of September, 2024.

Ranae Bartlett, Council President
 City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
 City of Madison, Alabama

APPROVED this _____ day of September, 2024.

Paul Finley, Mayor
 City of Madison, Alabama

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
 MADISON COUNTY)

I, Lisa D. Thomas, City Clerk-Treasurer of the City of Madison, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Madison, Alabama, on the 9th day of September, 2024.

Witness my hand and seal of office this ___ day of September 2024.

 Lisa D. Thomas, City Clerk-Treasurer



INVOICE 23317

DATE	TERMS
08/19/24	Net 30
PO#	
SALES REP	
Shane Appleman	

BILL TO
Code Enforcement 100 Hughes Rd Madison, AL 35758

PROPERTY INFORMATION
CE - 8135 Old Madison Pike 8135 Old Madison Pike madison, AL 35758

DESCRIPTION	PRICE
#6169 - One Time Mow and Trim - Code Enforcement #2,2024	\$300.00
One Time Mow and Trim - Code Enforcement	
Completed Date - 8/16/2024	

Sales Tax	\$0.00
Invoice Total	\$300.00
Payment/Credit Applied	(\$0.00)
INVOICE GRAND TOTAL	\$300.00

Thank you for the opportunity to be of service

PLEASE MAKE ALL CHECKS PAYABLE TO:
Alabama Lawn Masters
PO Box 1648
Huntsville, AL 35807

If you have any questions, please call 256-536-2116, or email
service@alabamalawnmasters.com



INVOICE 20286

DATE	TERMS
05/31/24	Net 30
PO#	
SALES REP	
Shane Appleman	

BILL TO
Code Enforcement 100 Hughes Rd Madison, AL 35758

PROPERTY INFORMATION
CE - 8135 Old Madison Pike 8135 Old Madison Pike madison, AL 35758

DESCRIPTION	PRICE
#5715 - One Time Mow and Trim - Code Enforcement #1,2024	\$200.00
One Time Mow and Trim - Code Enforcement	
Completed Date - 5/30/2024	

Sales Tax	\$0.00
Invoice Total	\$200.00
Payment/Credit Applied	(\$0.00)
INVOICE GRAND TOTAL	\$200.00

Thank you for the opportunity to be of service

PLEASE MAKE ALL CHECKS PAYABLE TO:
Alabama Lawn Masters
PO Box 1648
Huntsville, AL 35807

If you have any questions, please call 256-536-2116, or email
service@alabamalawnmasters.com



Building Department – Code Enforcement Division
100 Hughes Rd
Madison, AL 35758
Ulises Acuna 256-772-5671
Onur Gunes 256-772-4379

Owner: Mccrary, Rhonda L Londa
8135 Old Madison Pike
Madison AL 35758

Letter Date: 5/14/24

Re: NOTICE TO ABATE - OVERGROWN GRASS AND/OR WEEDS

CASE #: 24-190 PPIN/PARCEL NO#: 42076

Property in Violation: 8135 Old Madison Pike

Dear Owner or Any Other Person Interested in the Above-Described Property:

Be advised that as the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”), I have determined that there are **overgrown grass and weeds** on the above-referenced property (the “Property”) which constitute a public nuisance and a violation of Section 2 of the Act. In accordance with Section 3 of the Act, I am sending you this notice to order the immediate abatement of overgrown grass and weeds on the Property. (Should you wish to review the Act, a copy of it is available for your review in the City Clerk’s office.)

You must abate the public nuisance within **14** days of this notice. **If you do not do so, then the City may enter upon the Property, abate the nuisance, and assess all associated costs as a lien against the Property and add those costs to the next regular tax bill for the Property.**

If you wish to appeal against this determination, then you may request a hearing before the City’s Administrative Official by delivering a written notice to me at the above address within 5 days after the date of this notice.

A hearing is currently scheduled for: May 29, 2024 at 1:00 p.m. in the Lower-Level Conference Room at City Hall, which is located at 100 Hughes Rd in Madison, Alabama. Even if you do not request a hearing, if you appear at such a time, one will be held for you. You will have the right to present evidence and testimony at the hearing. Please be advised that the hearing will be open to the public and a record of the hearing will be kept as a part of the City’s public records.

Please be advised that the City also reserves any other rights that it may have at law or in equity, including a civil lawsuit to abate the public nuisance. Of course, our sincere preference is that you act immediately to remedy the nuisance. If you have any questions, please give me a call at the number above or email codeforce@madisonal.gov

Sincerely, , Code Enforcement Officer

CC: Dustin Riddle, Enforcing Official

mail



CITY OF MADISON - BUILDING DEPARTMENT
 CODE ENFORCEMENT DIVISION
 100 HUGHES RD
 MADISON, AL 35758
 WWW.MADISONAL.GOV

08/19/2024

MCCRARY, RHONDA & LONDA MCCRARY
 603 MURRAY RD NW
 HUNTSVILLE, AL 35811-1242

Re: 8135 OLD MADISON PIKE MADISON, AL
 Parcel No. 42076

Via First Class Mail and Certified Mail No. 9489 0090 0027 6652 6194 74

Ladies and Gentlemen:

Please find enclosed a copy of the Itemized Statement of Expense associated with the City of Madison, Alabama (the "City" abating overgrown grass and weeds on the above-referenced property (the "Property" in accordance with Section 4 of the City's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135).

Please be advised that the City Council will hold a hearing on SEPTEMBER 9, 2024 at 6:00 pm at the City Council meeting room at Madison Municipal Complex, which is located at 100 Hughes Rd in Madison, Alabama, to consider this Itemized Statement of Expense and the assessment of these costs against the Property. You will have the right to present objections thereto at the hearing.

If you have any questions, please give me a call at 256-464-8427

Sincerely,

Dustin Riddle
 Enforcing Official

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

Property: 8135 Old Madison Pike Madison, AL 35758

PPIN: 42076

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.



CITY OF MADISON-BUILDING DEPARTMENT
CODE ENFORCEMENT DIVISION
100 HUGHES RD
MADISON, AL 35758
WWW.MADISONAL.GOV

Itemized Statement of Expenses

08/19/2024

Re: **8135 OLD MADISON PIKE**
Parcel No. **42076**

The City of Madison, Alabama (the “City”) abated overgrown grass and weeds on the above-referenced property in accordance with Section 4 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135). The City’s expenses in connection therewith are as follows:

Cost of Labor	\$500
Value of Use of Equipment	N/A
Advertising Expenses	\$128.97
Postage	Included in Administrative Expenses
Administrative Expense	\$247.00
Legal Expense	N/A
Materials Purchased	N/A
Other	0
Total	\$875.97

Dustin Riddle
Enforcing Official

Your ad
Enlarged

Redstone Rocket/Madison County

-Proof-

<p>Date: 5/15/2024 Account #: AP276880 Company Name: CITY OF MADISON-CITY CL Contact: CITY CITY Address: 100 HUGHES RD City: MADISON State: AL Zip: 35758 Telephone: 256-772-5650</p>	<p>Publications: Madison County Record, Madison Weekly Online</p>
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<p>Ad ID: 597045 Run Dates: 05/22/2024 to 05/22/2024 Ad Class: 1 Columns wide: 1 Total # of Lines: 47 Account Rep: Susan Price Phone #: 256-382-7490 Email: SUSAN@TNVALLEYSTUFF.COM Total Cost: \$128.97 Paid Amount: \$0.00 Total Due: \$128.97</p>

Error Responsibility
 Please check your ad on the first day and if you find a mistake, call our office so that we can correct it immediately.

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have overgrown grass and weeds that constitute a public nuisance in violation of Section 2 of the Act:

**Property: 8135 Old Madison Pike Madison, AL 35758
 PPIN: 42076**

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.

05/22/24
 ADID 597045

Daily Newspapers

Decatur Daily
 Times Daily

Community Newspapers

Advertiser-Gleam
 TN Valley Stuff
 Courier Journal
 Hartselle Enquirer

Online

Reach 256

Madison Record
 Moulton Advertiser
 Redstone Rocket
 Franklin County Times

Order any combination! Call today for details

RESOLUTION NO. 2024-292-R

A RESOLUTION ASCERTAINING, FIXING, AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A WEED LIEN ON CERTAIN PROPERTIES IN THE CITY OF MADISON, ALABAMA, AS A RESULT OF THE CITY ABATING OVERGROWN GRASS AND WEEDS PURSUANT TO THE CITY’S LOCAL WEED ABATEMENT LAW

WHEREAS, the City of Madison, Alabama (the “City”) received numerous and persistent complaints about overgrown grass and weeds on the following described properties, which constituted a public nuisance and a violation of Section 2 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135):

<u>Property Address</u>	<u>Parcel ID No.</u>
22 Stone St	43541

WHEREAS, the City abated the public nuisances at the City’s expense in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, the Enforcing Official prepared the Itemized Statements of Expenses attached hereto as “Exhibit A”; and

WHEREAS, the Enforcing Official gave notice of a public hearing to consider such Itemized Statements of Expenses in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, said public hearing was held by the Council; and

WHEREAS, it is now the desire of the Council to fix the costs that it finds were reasonably incurred in connection with the abatement of the public nuisance and assess the costs against the subject properties as weed liens.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA as follows:

Section 1. That the Council hereby assesses the following sum to be the costs reasonably incurred by the City in connection with the abatement of the public nuisances located on the properties below, which shall constitute weed liens on the subject properties:

<u>Property Address</u>	<u>Parcel ID No.</u>	<u>Amount of Weed Lien</u>
22 Stone St	43541	\$574.83

Section 2. That the City Clerk is authorized to file a certified copy of this resolution in the offices of the Revenue Commissioner for the appropriate county in which the properties are located. Upon filing, the Revenue Commissioner shall add the amount of the weed liens to the ad valorem tax bill for the properties and shall collect the amount as if it were a tax and remit the amount to the City.

READ, PASSED, AND ADOPTED this the 9th day of September, 2024.

Ranae Bartlett, Council President
 City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
 City of Madison, Alabama

APPROVED this _____ day of September, 2024.

Paul Finley, Mayor
 City of Madison, Alabama

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
 MADISON COUNTY)

I, Lisa D. Thomas, City Clerk-Treasurer of the City of Madison, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Madison, Alabama, on the 9th day of September, 2024.

Witness my hand and seal of office this ___ day of September 2024.

 Lisa D. Thomas, City Clerk-Treasurer



Building Department – Code Enforcement Division
100 Hughes Rd
Madison, AL 35758
Ulises Acuna 256-772-5671
Onur Gunes 256-772-4379

Owner: ALJUBUH MAZEN Rashad
603 Murray RD NW
HUNTSVILLE AL 35811

Letter Date: 7/9/24



CASE #: 24 334

PPIN/PARCEL NO#: 43541

Property In Violation: 22 Stone St. Madison AL

Dear Owner or Any Other Person Interested in the Above-Described Property:

Be advised that as the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”), I have determined that there are **overgrown grass and weeds** on the above-referenced property (the “Property”) which constitute a public nuisance and a violation of Section 2 of the Act. In accordance with Section 3 of the Act, I am sending you this notice to order the immediate abatement of overgrown grass and weeds on the Property. *(Should you wish to review the Act, a copy of it is available for your review in the City Clerk’s Office.)*

You must abate the public nuisance within 14 days of this notice. **If you do not do so, then the City may enter upon the Property, abate the nuisance, and assess all associated costs as a lien against the Property and add those costs to the next regular tax bill for the Property.**

If you wish to appeal against this determination, then you may request a hearing before the City’s Administrative Official by delivering a written notice to me at the above address within 5 days after the date of this notice.

A hearing is currently scheduled for: July 24, 2024 at 1:00 p.m. in the Lower-Level Conference Room at City Hall, which is located at 100 Hughes Rd in Madison, Alabama. Even if you do not request a hearing, if you appear at such time, one will be held for you. You will have the right to present evidence and testimony at the hearing. Please be advised that the hearing will be open to the public and a record of the hearing will be kept as part of the City’s public records.

Please be advised that the City also reserves any other rights that it may have at law or in equity, including a civil lawsuit to abate the public nuisance. Of course, our sincere preference is that you act immediately to remedy the nuisance. If you have any questions, please give me a call or email codeforce@madisonal.gov.

Sincerely,

Ulises Acuna, Code Enforcement Officer

Cc: Dustin Riddle, Enforcing Official

Redstone Rocket/Madison County

-Proof-

<p>Date: 7/9/2024 Account #: AP276880 Company Name: CITY OF MADISON-CITY CL Contact: CITY CITY Address: 100 HUGHES RD City: MADISON State: AL Zip: 35758 Telephone: 256-772-5650</p>	<p>Publications: Madison County Record, Madison Weekly Online</p>
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<p>Ad ID: 604841 Run Dates: 07/17/2024 to 07/17/2024 Ad Class: 1 Columns wide: 1 Total # of Lines: 45 Account Rep: Susan Price Phone #: 256-382-7490 Email: SUSAN@TNVALLEYSTUFF.COM Total Cost: \$127.83 Paid Amount: \$0.00 Total Due: \$127.83</p> <p>Error Responsibility Please check your ad on the first day and if you find a mistake, call our office so that we can correct it immediately.</p>
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PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

**Property: 22 Stone St Madison, AL
 PPIN: 43541**

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.
 07/17/24
 ADID 604841

Daily Newspapers

Decatur Daily
 Times Daily

Community Newspapers

Advertiser-Gleam
 TN Valley Stuff
 Courier Journal
 Hartselle Enquirer

Online

Reach 256

Madison Record
 Moulton Advertiser
 Redstone Rocket
 Franklin County Times

Order any combination! Call today for details



INVOICE 22216

DATE	TERMS
07/29/24	Net 30
PO#	
SALES REP	
Shane Appleman	

BILL TO
Code Enforcement 100 Hughes Rd Madison, AL 35758

PROPERTY INFORMATION
Code Enforcement 100 Hughes Rd Madison, AL 35758

DESCRIPTION	PRICE
#6053 - Code Enforcement-22 Stone Street	\$200.00
Perform one time mow - Code Enforcement	

Alabama Lawn Masters will call for public Utility line location prior to digging, but we can not be responsible for damage to unmarked underground utilities (water, cable, electrical, irrigation ect.).

Alabama Lawn Masters warranties plant materials for up to 1 year from the time it is planted only if the plants are watered by working irrigation system.

Completed Date - 7/26/2024

Sales Tax	\$0.00
Invoice Total	\$200.00
Payment/Credit Applied	(\$0.00)
INVOICE GRAND TOTAL	\$200.00

Thank you for the opportunity to be of service

If you have any questions, please call 256-536-2116, or email
service@alabamalawnmasters.com

PLEASE MAKE ALL CHECKS PAYABLE TO:
Alabama Lawn Masters
PO Box 1648
Huntsville, AL 35807

If you have any questions, please call 256-536-2116, or email service@alabamalawnmasters.com



CITY OF MADISON - BUILDING DEPARTMENT
CODE ENFORCEMENT DIVISION
100 HUGHES RD
MADISON, AL 35758
WWW.MADISONAL.GOV

08/19/2024

ALTUBUH MAZEN RASHAD
603 MURRAY RD NW
HUNTSVILLE, AL 35811-1242

Re: 22 STONE STREET MADISON, AL
Parcel No. 43541

Via First Class Mail and Certified Mail No. 9489 0090 0027 6652 6194 67

Ladies and Gentlemen:

Please find enclosed a copy of the Itemized Statement of Expense associated with the City of Madison, Alabama (the "City" abating overgrown grass and weeds on the above-referenced property (the "Property" in accordance with Section 4 of the City's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135).

Please be advised that the City Council will hold a hearing on SEPTEMBER 9, 2024 at 6:00 pm at the City Council meeting room at Madison Municipal Complex, which is located at 100 Hughes Rd in Madison, Alabama, to consider this Itemized Statement of Expense and the assessment of these costs against the Property. You will have the right to present objections thereto at the hearing.

If you have any questions, please give me a call at 256-464-8427

Sincerely,

Dustin Riddle
Enforcing Official



CITY OF MADISON-BUILDING DEPARTMENT
 CODE ENFORCEMENT DIVISION
 100 HUGHES RD
 MADISON, AL 35758
 WWW.MADISONAL.GOV

Itemized Statement of Expenses

8/19/2024

Re: **22 Stone St Madison, AL 35758**
 Parcel No. 43541

The City of Madison, Alabama (the “City”) abated overgrown grass and weeds on the above-referenced property in accordance with Section 4 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135). The City’s expenses in connection therewith are as follows:

Cost of Labor	\$200.00
Value of Use of Equipment	N/A
Advertising Expenses	\$127.83
Postage	Included in Administrative Expenses
Administrative Expense	\$247.00
Legal Expense	N/A
Materials Purchased	N/A
Other	0
Total	\$574.83

Dustin Riddle
 Enforcing Official

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”) to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

Property: 22 Stone St Madison, AL
PPIN: 43541

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.

AFFIDAVIT OF PUBLICATION


**STATE OF ALABAMA
AND COUNTY OF MADISON**

**CITY OF MADISON-CITY CL
100 HUGHES RD
MADISON, AL 35758**

Madison County Record

Before me, a notary public in and for the county and state above listed, personally appeared the undersigned affiant, known to me to be a duly authorized representative of the Madison County Record. The newspaper published the attached legal notice(s) in the issue(s) referenced below, by the Newspaper for said publications does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice(s) appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notice(s), whereby any advantage, gain or profit accrued to said officer or attorney



Affiant

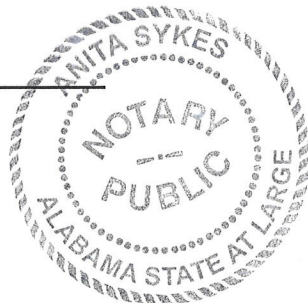
PUBLISHED ON: 07/17/24
TOTAL COST: \$ 127.83
AD SPACE: 41 LINES
FILED ON: 07/17/2024

Sworn to or affirmed before me on: 7/17/2024



Notary Public, State at Large, My Commission expires:

My Commission Expires 5/30/2027



PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

**Property: 22 Stone St Madison, AL
PPIN: 43541**

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.
07/17/24
ADID 604841

RESOLUTION NO. 2024-293-R

A RESOLUTION ASCERTAINING, FIXING, AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A WEED LIEN ON CERTAIN PROPERTIES IN THE CITY OF MADISON, ALABAMA, AS A RESULT OF THE CITY ABATING OVERGROWN GRASS AND WEEDS PURSUANT TO THE CITY’S LOCAL WEED ABATEMENT LAW

WHEREAS, the City of Madison, Alabama (the “City”) received numerous and persistent complaints about overgrown grass and weeds on the following described properties, which constituted a public nuisance and a violation of Section 2 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135):

<u>Property Address</u>	<u>Parcel ID No.</u>
180 Dusty Trail	41232

WHEREAS, the City abated the public nuisances at the City’s expense in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, the Enforcing Official prepared the Itemized Statements of Expenses attached hereto as “Exhibit A”; and

WHEREAS, the Enforcing Official gave notice of a public hearing to consider such Itemized Statements of Expenses in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, said public hearing was held by the Council; and

WHEREAS, it is now the desire of the Council to fix the costs that it finds were reasonably incurred in connection with the abatement of the public nuisance and assess the costs against the subject properties as weed liens.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA as follows:

Section 1. That the Council hereby assesses the following sum to be the costs reasonably incurred by the City in connection with the abatement of the public nuisances located on the properties below, which shall constitute weed liens on the subject properties:

<u>Property Address</u>	<u>Parcel ID No.</u>	<u>Amount of Weed Lien</u>
180 Dusty Trail	41232	\$674.83

Section 2. That the City Clerk is authorized to file a certified copy of this resolution in the offices of the Revenue Commissioner for the appropriate county in which the properties are located. Upon filing, the Revenue Commissioner shall add the amount of the weed liens to the ad valorem tax bill for the properties and shall collect the amount as if it were a tax and remit the amount to the City.

READ, PASSED, AND ADOPTED this the 9th day of September, 2024.

Ranae Bartlett, Council President
 City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
 City of Madison, Alabama

APPROVED this _____ day of September, 2024.

Paul Finley, Mayor
 City of Madison, Alabama

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
 MADISON COUNTY)

I, Lisa D. Thomas, City Clerk-Treasurer of the City of Madison, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Madison, Alabama, on the 9th day of September, 2024.

Witness my hand and seal of office this ___ day of September 2024.

 Lisa D. Thomas, City Clerk-Treasurer

Your ad
Enlarged

Redstone Rocket/Madison County

-Proof-

<p>Date: 7/3/2024 Account #: AP276880 Company Name: CITY OF MADISON-CITY CL Contact: CITY CITY Address: 100 HUGHES RD City: MADISON State: AL Zip: 35758 Telephone: 256-772-5650</p>	<p>Publications: Madison County Record, Madison Weekly Online</p>
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<p>Ad ID: 604148 Run Dates: 07/10/2024 to 07/10/2024 Ad Class: 1 Columns wide: 1 Total # of Lines: 45 Account Rep: Susan Price Phone #: 256-382-7490 Email: SUSAN@TNVALLEYSTUFF.COM Total Cost: \$127.83 Paid Amount: \$0.00 Total Due: \$127.83</p>
<p>Error Responsibility Please check your ad on the first day and if you find a mistake, call our office so that we can correct it immediately.</p>

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

**Property: 180 Dusty Trl Madison, AL
 PPIN: 41232**

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.
 07/10/24
 ADID 604148

Daily Newspapers

Decatur Daily
Times Daily

Community Newspapers

Advertiser-Gleam
TN Valley Stuff
Courier Journal
Hartselle Enquirer

Online

Reach 256

Madison Record
Moulton Advertiser
Redstone Rocket
Franklin County Times

Order any combination! Call today for details

PUBLIC NOTICE

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA AND COUNTY OF MADISON

CITY OF MADISON-CITY CL 100 HUGHES RD MADISON, AL 35758

Madison County Record

Before me, a notary public in and for the county and state above listed, personally appeared the undersigned affiant, known to me to be a duly authorized representative of the Madison County Record. The newspaper published the attached legal notice(s) in the issue(s) referenced below, by the Newspaper for said publications does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice(s) appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notice(s), whereby any advantage, gain or profit accrued to said officer or attorney

Handwritten signature of Martha Flynn

Affiant

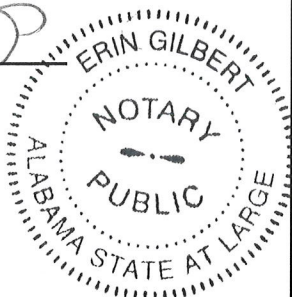
PUBLISHED ON: 07/10/24
TOTAL COST: \$ 127.83
AD SPACE: 41 LINES
FILED ON: 07/10/2024

Sworn to or affirmed before me on: 7/10/2024

Handwritten signature of Erin Gilbert

Notary Public, State at Large, My Commission expires:

MY COMMISSION EXPIRES 11-27-27



TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have overgrown grass and weeds that constitute a public nuisance in violation of Section 2 of the Act:

Property: 180 Dusty Trl Madison, AL PPIN: 41232

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information. 07/10/24 ADID 604148

CITY OF MADISON-BUILDING DEPARTMENT
CODE ENFORCEMENT DIVISION
100 HUGHES RD
MADISON, AL 35758
WWW.MADISONAL.GOV



Itemized Statement of Expenses

08/19/2024

Re: **180 DUSTY TRL, MADISON, AL 35758**
Parcel No. **41232**

The City of Madison, Alabama (the “City”) abated overgrown grass and weeds on the above-referenced property in accordance with Section 4 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135). The City’s expenses in connection therewith are as follows:

Cost of Labor	\$300
Value of Use of Equipment	N/A
Advertising Expenses	\$127.83
Postage	Included in Administrative Expenses
Administrative Expense	\$247.00
Legal Expense	N/A
Materials Purchased	N/A
Other	0
Total	\$674.83

Dustin Riddle
Enforcing Official

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”) to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

Property: 180 Dusty Trl Madison, AL
PPIN: 41232

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.



Building Department – Code Enforcement Division
100 Hughes Rd
Madison, AL 35758
Ulises Acuna 256-772-5671
Onur Gunes 256-772-4379

Owner: THEUSCH, DENNIS & LINDA
206 OAKFAIR DRIVE
ROGERSVILLE / AL 35652

Letter Date: 7/1/24



CASE #: 24-328

PPIN/PARCEL NO#: 41232

Property In Violation: 180 Dusty Trail

Dear Owner or Any Other Person Interested in the Above-Described Property:

Be advised that as the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”), I have determined that there are **overgrown grass and weeds** on the above-referenced property (the “Property”) which constitute a public nuisance and a violation of Section 2 of the Act. In accordance with Section 3 of the Act, I am sending you this notice to order the immediate abatement of overgrown grass and weeds on the Property. *(Should you wish to review the Act, a copy of it is available for your review in the City Clerk’s Office.)*


You must abate the public nuisance within **14** days of this notice. ***If you do not do so, then the City may enter upon the Property, abate the nuisance, and assess all associated costs as a lien against the Property and add those costs to the next regular tax bill for the Property.***

If you wish to appeal against this determination, then you may request a hearing before the City’s Administrative Official by delivering a written notice to me at the above address within 5 days after the date of this notice.

A hearing is currently scheduled for: July 24, 2024 at 1:00 p.m. in the Lower-Level Conference Room at City Hall, which is located at 100 Hughes Rd in Madison, Alabama. Even if you do not request a hearing, if you appear at such time, one will be held for you. You will have the right to present evidence and testimony at the hearing. Please be advised that the hearing will be open to the public and a record of the hearing will be kept as part of the City’s public records.

Please be advised that the City also reserves any other rights that it may have at law or in equity, including a civil lawsuit to abate the public nuisance. Of course, our sincere preference is that you act immediately to remedy the nuisance. If you have any questions, please give me a call or email codeforce@madisonal.gov.

Sincerely,

, Code Enforcement Officer

Cc: Dustin Riddle, Enforcing Official



INVOICE 23154

DATE	TERMS
08/08/24	Net 30
PO#	
SALES REP	
Shane Appleman	

BILL TO
Code Enforcement 100 Hughes Rd Madison, AL 35758

PROPERTY INFORMATION
Code Enforcement 100 Hughes Rd Madison, AL 35758

DESCRIPTION	PRICE
#6054 - Bush Hog 180 Dusty Trail #1,2024	\$300.00
Bush hog overgrown lot	
Completed Date - 8/1/2024	

Sales Tax	\$0.00
Invoice Total	\$300.00
Payment/Credit Applied	(\$0.00)
INVOICE GRAND TOTAL	\$300.00

Thank you for the opportunity to be of service

PLEASE MAKE ALL CHECKS PAYABLE TO:
Alabama Lawn Masters
PO Box 1648
Huntsville, AL 35807

If you have any questions, please call 256-536-2116, or email service@alabamalawnmasters.com



CITY OF MADISON - BUILDING DEPARTMENT
CODE ENFORCEMENT DIVISION
100 HUGHES RD
MADISON, AL 35758
WWW.MADISONAL.GOV

08/19/2024

THEUSCH, DENNIS & LINDA
206 OAKFAIR DR
ROGERSVILLE, AL 35652-5775

Re: 180 DUSTY TRAIL MADISON, AL
Parcel No. 41232

Via First Class Mail and Certified Mail No. 9489 0090 0027 6652 6194 81

Ladies and Gentlemen:

Please find enclosed a copy of the Itemized Statement of Expense associated with the City of Madison, Alabama (the "City" abating overgrown grass and weeds on the above-referenced property (the "Property" in accordance with Section 4 of the City's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135)).

Please be advised that the City Council will hold a hearing on SEPTEMBER 9, 2024 at 6:00 pm at the City Council meeting room at Madison Municipal Complex, which is located at 100 Hughes Rd in Madison, Alabama, to consider this Itemized Statement of Expense and the assessment of these costs against the Property. You will have the right to present objections thereto at the hearing.

If you have any questions, please give me a call at 256-464-8427

Sincerely,

Dustin Riddle
Enforcing Official

RESOLUTION NO. 2024-294-R

A RESOLUTION ASCERTAINING, FIXING, AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A WEED LIEN ON CERTAIN PROPERTIES IN THE CITY OF MADISON, ALABAMA, AS A RESULT OF THE CITY ABATING OVERGROWN GRASS AND WEEDS PURSUANT TO THE CITY’S LOCAL WEED ABATEMENT LAW

WHEREAS, the City of Madison, Alabama (the “City”) received numerous and persistent complaints about overgrown grass and weeds on the following described properties, which constituted a public nuisance and a violation of Section 2 of the City’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135):

<u>Property Address</u>	<u>Parcel ID No.</u>
323 Pension Row	44050

WHEREAS, the City abated the public nuisances at the City’s expense in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, the Enforcing Official prepared the Itemized Statements of Expenses attached hereto as “Exhibit A”; and

WHEREAS, the Enforcing Official gave notice of a public hearing to consider such Itemized Statements of Expenses in accordance with the City’s Local Weed Abatement Act; and

WHEREAS, said public hearing was held by the Council; and

WHEREAS, it is now the desire of the Council to fix the costs that it finds were reasonably incurred in connection with the abatement of the public nuisance and assess the costs against the subject properties as weed liens.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA as follows:

Section 1. That the Council hereby assesses the following sum to be the costs reasonably incurred by the City in connection with the abatement of the public nuisances located on the properties below, which shall constitute weed liens on the subject properties:

<u>Property Address</u>	<u>Parcel ID No.</u>	<u>Amount of Weed Lien</u>
323 Pension Row	44050	\$575.40

Section 2. That the City Clerk is authorized to file a certified copy of this resolution in the offices of the Revenue Commissioner for the appropriate county in which the properties are located. Upon filing, the Revenue Commissioner shall add the amount of the weed liens to the ad valorem tax bill for the properties and shall collect the amount as if it were a tax and remit the amount to the City.

READ, PASSED, AND ADOPTED this the 9th day of September, 2024.

Ranae Bartlett, Council President
 City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
 City of Madison, Alabama

APPROVED this _____ day of September, 2024.

Paul Finley, Mayor
 City of Madison, Alabama

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
 MADISON COUNTY)

I, Lisa D. Thomas, City Clerk-Treasurer of the City of Madison, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Madison, Alabama, on the 9th day of September, 2024.

Witness my hand and seal of office this ___ day of September 2024.

 Lisa D. Thomas, City Clerk-Treasurer

Your ad
Enlarged

Redstone Rocket/Madison County

-Proof-

<p>Date: 5/22/2024 Account #: AP276880 Company Name: CITY OF MADISON-CITY CL Contact: CITY CITY Address: 100 HUGHES RD City: MADISON State: AL Zip: 35758 Telephone: 256-772-5650</p>	<p>Publications: Madison County Record, Madison Weekly Online</p>
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<p>Ad ID: 597940 Run Dates: 05/29/2024 to 05/29/2024 Ad Class: 1 Columns wide: 1 Total # of Lines: 46 Account Rep: Susan Price Phone #: 256-382-7490 Email: SUSAN@TNVALLEYSTUFF.COM Total Cost: \$128.40 Paid Amount: \$0.00 Total Due: \$128.40</p>

Error Responsibility
 Please check your ad on the first day and if you find a mistake, call our office so that we can correct it immediately.

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

**Property: 323 Pension Row
 Madison, AL 35758
 PPIN: 44050**

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.
 05/29/24
 ADID 597940

Daily Newspapers

Decatur Daily
Times Daily

Community Newspapers

Advertiser-Gleam
TN Valley Stuff
Courier Journal
Hartselle Enquirer

Online

Reach 256

Madison Record
Moulton Advertiser
Redstone Rocket
Franklin County Times

Order any combination! Call today for details



INVOICE 20657

DATE	TERMS
06/24/24	Net 30
PO#	
SALES REP	
Shane Appleman	

BILL TO
Code Enforcement 100 Hughes Rd Madison, AL 35758

PROPERTY INFORMATION
Code Enforcement 100 Hughes Rd Madison, AL 35758

DESCRIPTION	PRICE
#5771 - 323 Pension Row Code Enforcement	\$200.00
Code Enforcement	

Alabama Lawn Masters will call for public Utility line location prior to digging, but we can not be responsible for damage to unmarked underground utilities (water, cable, electrical, irrigation ect.).

Alabama Lawn Masters warranties plant materials for up to 1 year from the time it is planted only if the plants are watered by working irrigation system.

Completed Date - 6/8/2024

Sales Tax	\$0.00
Invoice Total	\$200.00
Payment/Credit Applied	(\$0.00)
INVOICE GRAND TOTAL	\$200.00

Thank you for the opportunity to be of service

If you have any questions, please call 256-536-2116, or email service@alabamalawnmasters.com

PLEASE MAKE ALL CHECKS PAYABLE TO:
Alabama Lawn Masters
PO Box 1648
Huntsville, AL 35807

If you have any questions, please call 256-536-2116, or email service@alabamalawnmasters.com



Building Department – Code Enforcement Division
100 Hughes Rd
Madison, AL 35758
Ulises Acuna 256-772-5671
Onur Gunes 256-772-4379

Owner: TISDALE, ESTELLE
612 ROBINS RD
HARVEST AL 35749

Letter Date: 5/21/24

Re: NOTICE TO ABATE – OVERGROWN GRASS AND/OR WEEDS

CASE #: 24-270

PPIN/PARCEL NO#: 44050

Property In Violation: 323 Pension Row MADISON AL

Dear Owner or Any Other Person Interested in the Above-Described Property:


Be advised that as the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”), I have determined that there are **overgrown grass and weeds** on the above-referenced property (the “Property”) which constitute a public nuisance and a violation of Section 2 of the Act. In accordance with Section 3 of the Act, I am sending you this notice to order the immediate abatement of overgrown grass and weeds on the Property. (Should you wish to review the Act, a copy of it is available for your review in the City Clerk's Office.)

You must abate the public nuisance within **14** days of this notice. ***If you do not do so, then the City may enter upon the Property, abate the nuisance, and assess all associated costs as a lien against the Property and add those costs to the next regular tax bill for the Property.***

If you wish to appeal against this determination, then you may request a hearing before the City’s Administrative Official by delivering a written notice to me at the above address within 5 days after the date of this notice.

A hearing is currently scheduled for: JUNE 5, 2024 at 1:00 p.m. in the Lower-Level Conference Room at City Hall, which is located at 100 Hughes Rd in Madison, Alabama. Even if you do not request a hearing, if you appear at such time, one will be held for you. You will have the right to present evidence and testimony at the hearing. Please be advised that the hearing will be open to the public and a record of the hearing will be kept as part of the City’s public records.

Please be advised that the City also reserves any other rights that it may have at law or in equity, including a civil lawsuit to abate the public nuisance. Of course, our sincere preference is that you act immediately to remedy the nuisance. If you have any questions, please give me a call or email codeforce@madisonal.gov.

Sincerely,

_____, Code Enforcement Officer

Cc: Dustin Riddle, Enforcing Official



CITY OF MADISON - BUILDING DEPARTMENT
CODE ENFORCEMENT DIVISION
100 HUGHES RD
MADISON, AL 35758
WWW.MADISONAL.GOV

08/20/2024

TISDALE, ESTELLE
612 ROBINS RD
HARVEST, AL 35749

Re: 323 PENSION ROW
Parcel No. 44050

Via First Class Mail and Certified Mail No 9489 0090 0027 6652 6194 98

Ladies and Gentlemen:

Please find enclosed a copy of the Itemized Statement of Expense associated with the City of Madison, Alabama (the "City" abating overgrown grass and weeds on the above-referenced property (the "Property" in accordance with Section 4 of the City's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135)).

Please be advised that the City Council will hold a hearing on SEPTEMBER 9, 2024 at 6:00 pm at the City Council meeting room at Madison Municipal Complex, which is located at 100 Hughes Rd in Madison, Alabama, to consider this Itemized Statement of Expense and the assessment of these costs against the Property. You will have the right to present objections thereto at the hearing.

If you have any questions, please give me a call at 256-464-8427

Sincerely,

Dustin Riddle
Enforcing Official

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison’s Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the “Act”) to have **overgrown grass and weeds** that constitute a public nuisance in violation of Section 2 of the Act:

Property: 323 Pension Row Madison, AL 35758

PPIN: 44050

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.

AFFIDAVIT OF PUBLICATION

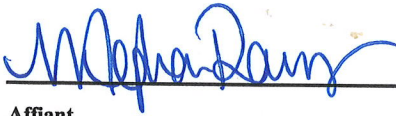
STATE OF ALABAMA
AND COUNTY OF MADISON

CITY OF MADISON-CITY CL
100 HUGHES RD
MADISON, AL 35758

Madison County Record

Before me, a notary public in and for the county and state above listed, personally appeared the undersigned affiant, known to me to be a duly authorized representative of the Madison County Record. The newspaper published the attached legal notice(s) in the issue(s) referenced below, by the Newspaper for said publications does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice(s) appeared.


There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notice(s), whereby any advantage, gain or profit accrued to said officer or attorney



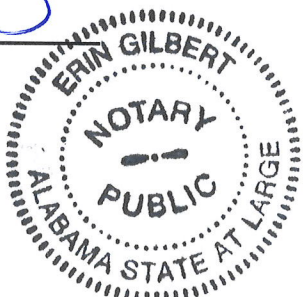
Affiant

PUBLISHED ON: 05/29/24
TOTAL COST: \$ 128.40
AD SPACE: 42 LINES
FILED ON: 05/29/2024

Sworn to or affirmed before me on: 5/29/2024



Notary Public, State at Large, My Commission expires:



MY COMMISSION EXPIRES 11-27-27

Ad ID 597940

PUBLIC NOTICE

TAKE NOTICE that the following properties in the City of Madison, Alabama have been determined by the Enforcing Official under the City of Madison's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135) (the "Act") to have overgrown grass and weeds that constitute a public nuisance in violation of Section 2 of the Act:

**Property: 323 Pension Row
Madison, AL 35758
PPIN: 44050**

The Enforcing Official has ordered that the overgrown grass and weeds on these properties must be cut within a specified time. If the public nuisance is not abated by such time, then the City may enter upon the property, abate the nuisance, and ultimately, charge the resulting costs back to the property, where they will be added to the property taxes. If you have an interest in one or more of these properties, please immediately contact the City of Madison AL Division of Code Enforcement at 256-464-8427 for more information.

05/29/24
ADID 597940



CITY OF MADISON-BUILDING DEPARTMENT
CODE ENFORCEMENT DIVISION
100 HUGHES RD
MADISON, AL 35758
WWW.MADISONAL.GOV

Itemized Statement of Expenses

08/19/2024

Re: **323 PENSION ROW MADISON, AL 35758**
Parcel No. **44050**

The City of Madison, Alabama (the "City") abated overgrown grass and weeds on the above-referenced property in accordance with Section 4 of the City's Local Weed Abatement Act, Act No. 2016-205 (as adopted by the Madison City Council in Ordinance No. 2016-135). The City's expenses in connection therewith are as follows:

Cost of Labor	\$200.00
Value of Use of Equipment	N/A
Advertising Expenses	\$128.40
Postage	Included in Administrative Expenses
Administrative Expense	\$247.00
Legal Expense	N/A
Materials Purchased	N/A
Other	0
Total	\$575.40

Dustin Riddle
Enforcing Official

RESOLUTION NO. 2024-301-R

APPROVING A RESTAURANT RETAIL LIQUOR LICENSE FOR ENTICE BAR & GRILL, LLC D/B/A ENTICE BAR & GRILL

WHEREAS, the Alabama Alcoholic Beverage Control Board (“ABC”) has requested the consent of the governing body of the City of Madison, Alabama, prior to issuing a Restaurant Retail Liquor License to **Entice Bar & Grill, LLC** doing business as **Entice Bar & Grill** which has applied for said license for its location at 8694 Madison Boulevard, Suite J; and

WHEREAS, the Revenue Director has received written approval for the application of **Entice Bar & Grill, LLC** from the Madison Police Department, the Building Department and Fire Departments which is required by Chapter 4 of the *Code of Ordinances, City of Madison, Alabama*.

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, the City Council hereby consents to the issuance of a Restaurant Retail Liquor License to **Entice Bar & Grill, LLC** for its 8694 Madison Boulevard, Suite J location and that the Revenue Director is authorized to forward proof of the same to the ABC; and

BE IT FURTHER RESOLVED that upon the ABC’s grant of the license, the Revenue Director is authorized to issue a Restaurant Retail Liquor License to **Entice Bar & Grill, LLC** doing business as **Entice Bar & Grill**.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama



CITY OF MADISON REVENUE DEPARTMENT
100 HUGHES ROAD, MADISON, AL 35758
REVENUE@MADISONAL.GOV / 256-772-5628
WWW.MADISONAL.GOV

Date: August 30, 2024

To: Mayor & City Council

From: Ivon Williams
Deputy Revenue Officer, Revenue Department

Subject: Entice Bar & Grill LLC
DBA: Entice Bar & Grill
Restaurant Retail Liquor License

Please find attached a copy of the checklist for Entice Bar & Grill LLC., doing business as Entice Bar & Grill regarding their application for a Restaurant Retail Liquor License for their location at 8694 Madison Boulevard Suite J, Madison, AL 35758.

This business is applying for a Restaurant Retail Liquor License at this time because it is a new business in Madison.

Everything is in order for the City Council to consider this alcoholic beverage request.

If there are any questions, do not hesitate to call me at (256) 772-5628.



Checklist for Beer/Wine/Liquor License

ON PREMISE OFF PREMISE BEER WINE LIQUOR

Owner Name: ENTICE BAR & GRILL LLC

Business Name: ENTICE BAR & GRILL

Business Location: 8694 MADISON BOULEVARD SUITE J

Mailing Address: 8694 MADISON BOULEVARD SUITE J

Phone: (256) 870-1031

APPLICATION FEE:

Date Paid: 8/9/2024 Amount: \$ 100.00 Receipt #: 3410

Copy of Lease: YES Incorporation Papers: YES

POLICE DEPARTMENT APPROVAL:

Letter Sent: 08/14/2024

Background Check: Approved Disapproved

Check Completed By: Becky Kempf Title Investigations Secretary

Date Completed: 8-22-24

BUILDING DEPARTMENT APPROVAL:

Letter Sent: 08/14/2024

Inspection: Approved Disapproved

Inspection Completed By: [Signature] Title DOB

Date Completed: 8-22-2024

FIRE DEPARTMENT APPROVAL:

Letter Sent: 08/14/2024

Inspection: Approved Disapproved

Inspection Completed By: Keneth Howard Title Inspector

Date Completed: 8/22/24

ADVERTISEMENT/DATE SET FOR PUBLIC HEARING:

Memo Sent to City Clerk On: 8/13/2024

Date Placed: 8/21/2024 Newspaper: MADISON

Publication Fee Paid: 184

Date Paid: 8/9/2024 Receipt #: 3410

Date of Public Hearing: 9/9/2024

Approved: Denied:

STATE ALCOHOL CONTROL BOARD LETTER:

Letter Sent: _____

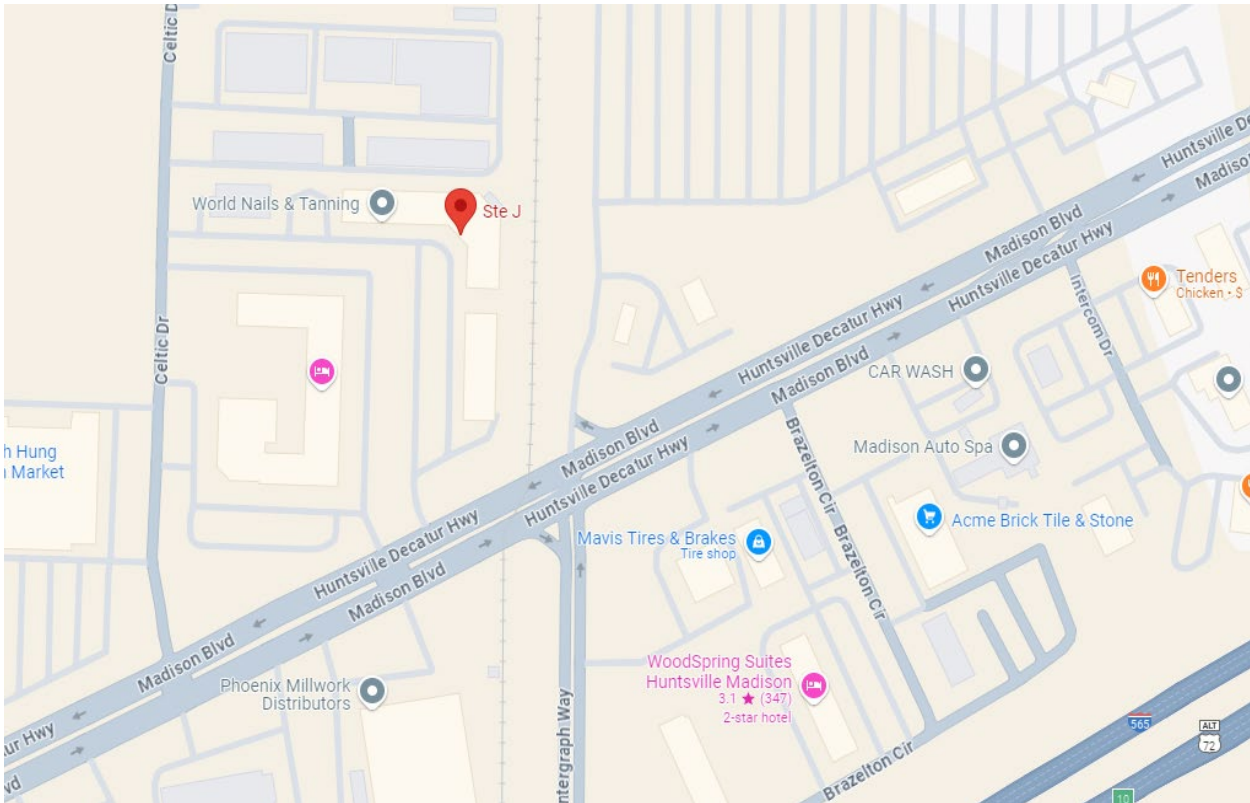
Mailed to Applicant: _____

CITY LICENSE:

Issuance Date: _____

By: _____

License #: _____



ORDINANCE NO. 2024-276

AN ORDINANCE ADDING CHAPTER 24, ARTICLE I, SECTION 11 OF THE MADISON CITY CODE ENTITLED “UNATTENDED RECEPTACLES”

WHEREAS, the City of Madison has recognized that Unattended Receptacles as defined below has allowed for junk, trash, discarded items and other unwanted debris to accumulate within the City. This junk is commonly strewn about haphazardly, left outside for days in the weather, can get blown or strewn about the community and essentially becomes litter until City employees or concerned citizens pick up and dispose of said junk; and

WHEREAS numerous citizens have complained about the common occurrence of these unwanted depositing of discarded items in public spaces and the visual blight that occurs with having Unattended Receptacles allowed within the City; and

WHEREAS the accumulation of these discarded items in or near these Unattended Receptacles is a visual blight throughout the City; and

WHEREAS the City Council desires to adopt this Ordinance, for the purposes of reducing blight, reducing litter, and to prevent the use of private property for purposes neither intended nor welcomes by the owner;

WHEREAS the City is authorized by § 11-45-1 of the *Code of Alabama of the City of Madison* is hereby established and adopted into Article IV of the City Code, which is entitled Nuisance Control and Property Maintenance, as follows:

BE IT ORDAINED by the City Council of the City of Madison, Alabama, that the Madison City Code is hereby amended as follows:

Section 1. Chapter 24, Article I, Section 11 is added to the Madison City Code and shall be entitled “Unattended Receptacles.” The language of Chapter 24, Article I, Section 11 shall be as follows:

- “(a) *Generally. It shall be unlawful for any person to cause or allow to be placed, left or kept upon any lot or parcel of land within the corporate limits of the city any remote and unattended receptacle, bin, box, container, portable building or structure for the purpose of collecting, holding or storing discarded clothing, furniture, household hardware, appliances, household items or any tangible items.*
- (b) *Exceptions. Excepted from the requirements of this section are:*
- (1) *Any accessory structure, portable building or other secondary structure which is located on the same property on which a primary structure is located and which is incidental to the occupation and use of any residential or commercial structure provided the structure is maintained and located in accordance with the ordinances and regulations of the city.*
 - (2) *Any dumpster, trash receptacle or other container for the collection and storage of trash, garbage or debris provided the dumpster, trash receptacle*

or container is maintained and located in accordance with the laws of the city.

- (3) *Any receptacle, box, bin, container, portable building or structure that is located on the premises where the daily business operations of a charitable organization are conducted provided such receptacle, box, container, portable building or structure is maintained in accordance with the zoning ordinance and other ordinances of the city.*
- (c) *Enforcement. The Director of Building for the City or his/her authorized representative shall be responsible for and possess authority to enforce the provisions of this section. If any person shall fail or refuse to comply with the requirements of this section, the Director of Building or any code enforcement officer may cause to be served upon such person, in person or by first class mail, a written official notice apprising the person of the violation of this section and requiring such person to comply with this section within a time stated in the notice, which shall be a period of not less than 15 calendar days. If a person fails to comply with the notice which has been served upon him in accordance with this section the Director of Building or any code enforcement officer working under his/her supervision may appear before the municipal court magistrate and make oath as to the facts constituting a violation of this section and apply for a summons or warrant with respect to any alleged offense. Any person found guilty of a violation of this section shall be subject to the same penalties as provide for violations of city ordinances in section 1-10.*
- (d) *Removal. In addition to or in lieu of the enforcement procedures outlined in this section, the Director of Building or his/her authorized representative may cause the receptacle, bin, box, container, portable building or structure and its contents which are in violation of this section to be removed from its location and impounded at a depository designated by the Director of Building for such purpose. The receptacle, bin, box, container, portable building or structure and its contents shall be held at the depository for a period of 30 days, during which time it may be retrieved by the owner provided the owner reimburses the city for the reasonable costs of transportation to and storage in the depository. After 30 days, the receptacle, bin, box, container, portable building or structure and its contents if any shall be disposed of in the most suitable manner as determined by the Director of Building.*

Section 2. If any provision of this ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

Section 3. No other provisions of the City Code are amended by this Ordinance, unless specifically stated and referenced herein.

Section 4. This ordinance shall become effective immediately upon its adoption and proper publication as required by law.

READ, PASSED AND ADOPTED this 9th day of September 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

ORDINANCE NO. 2024-277

AN ORDINANCE TO AMEND THE MUNICIPAL SCHEDULE OF FINES

WHEREAS, the State of Alabama has enacted two new statutes to the Code of Alabama which has thereby replaced Code of Alabama §32-5A-350 –Handheld texting with Code of Alabama §32-5A-350.1-Operation of vehicle in distracted manner under criminal offenses, and

WHEREAS, prior to the adoption of this Ordinance, the Mayor and City Council have heard from a number of citizens complaining about these matters; and

WHEREAS, the City Council desires to adopt an ordinance that incorporates this new offense set forth in the Code of Alabama; and

WHEREAS, the City is authorized by § 11-45-1 of the *Code of Alabama*, among other laws, to adopt ordinances to provide for the public health, prosperity, order, comfort, and convenience of the inhabitants of the City;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA, as follows:

Section 1. In addition to other remedies, authorized enforcement officers of the City may issue a Traffic offense citation for violations of this ordinance for Distracted Driving. The City hereby repeals the Schedule of Fines of the Madison City Code, Appendix B(a)(1) Traffic offenses, for “Using a Wireless Communication Device while driving” and replaces said violation with a violation for Distracted Driving as set forth by Code of Alabama §32-5A-350.1. The City hereby Amends the Schedule of Fines of the Madison City Code, Appendix B(a)(1) Traffic Offenses, to assess a fine of \$50 for a first offense of Distracted Driving, \$100 for a second offense and \$150 for a third offense. There are no court costs assessed with said offense. The City hereby adopts and incorporates by reference the definition of said offense as set forth in the Code of Alabama §32-5A-350.1.

Section 2. If any provision of this ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

Section 3. No other provisions of the City Code are amended by this Ordinance, unless specifically stated and referenced herein.

Section 4. That this ordinance shall become effective immediately upon its adoption and proper publication as required by law.

READ, PASSED AND ADOPTED this 9th day of September 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

*Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama*

APPROVED this ____ day of September 2024.

*Paul Finley, Mayor
City of Madison, Alabama*

RESOLUTION NO. 2024-267-R

A RESOLUTION AUTHORIZING PROPERTY ACQUISITION FOR THE MAECILLE ROAD AND SEGERS ROAD IMPROVEMENT PROJECT

BE IT RESOLVED by the City Council of the City of Madison, Alabama, a municipal corporation within the State of Alabama, as follows:

- 1. That in the judgment and opinion of the City Council of the City of Madison, it is in the public interest and necessary and expedient that the City of Madison acquire a certain right-of-way on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by Felecia Regina Jones Johnson (herein "Owner") and identified as Parcel Four on Attached Exhibit A: Diagram.
2. Exhibit B: Deed depicts the Tract to be acquired for a right of way for the expressed purpose of improving Maecille Road and Segers Road (herein "the Project"). The Tract is further described in said Deed as follows:

STATE OF ALABAMA)
LIMESTONE COUNTY)

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST, LIMESTONE COUNTY, ALABAMA, DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND, CAPPED IRON PIPE (CA0282LS) THAT IS S. 88° 30' 59" E., 419.85 FEET FROM A FOUND RAILROAD SPIKE BEING THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE N. 00° 08' 23" W., 14.28 FEET; THENCE S. 88° 48' 16" E., 195.94 FEET; THENCE S. 00° 36' 58" W., 15.26 FEET; THENCE N. 88° 30' 59" W., 195.76 FEET TO THE POINT OF BEGINNING, CONTAINING 2890 SQUARE FEET OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

- 3. That obtaining the foregoing Tract is necessary for the development and construction of the Project, which is in the best interest of the citizens of the City of Madison in that it will contribute to the health, safety, and general welfare of the citizens of Madison.
4. That the Mayor of the City of Madison, or his designees are further authorized, empowered, and directed to acquire said Tract of property by voluntary conveyance of the right of way for five thousand seven hundred eighty-five dollars and seventy-eight cents (\$5,785.78) to justly compensate the owner for conveyance of the Tract.

- 5. That said Tract has been appraised in accordance with Section 18-1A-21 of the Code of Alabama, as amended, to determine the amount of just compensation required for the acquisition and it is the judgment and opinion of the City Council of the City of Madison that the offer to the Owner represents such just compensation.
- 6. That the Mayor is authorized to execute any and all documents necessary to complete the acquisition of the Tract and all necessary easements described in Exhibit A and B.
- 7. Any prior acts taken by the City toward the acquisition of the property are hereby ratified and affirmed.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

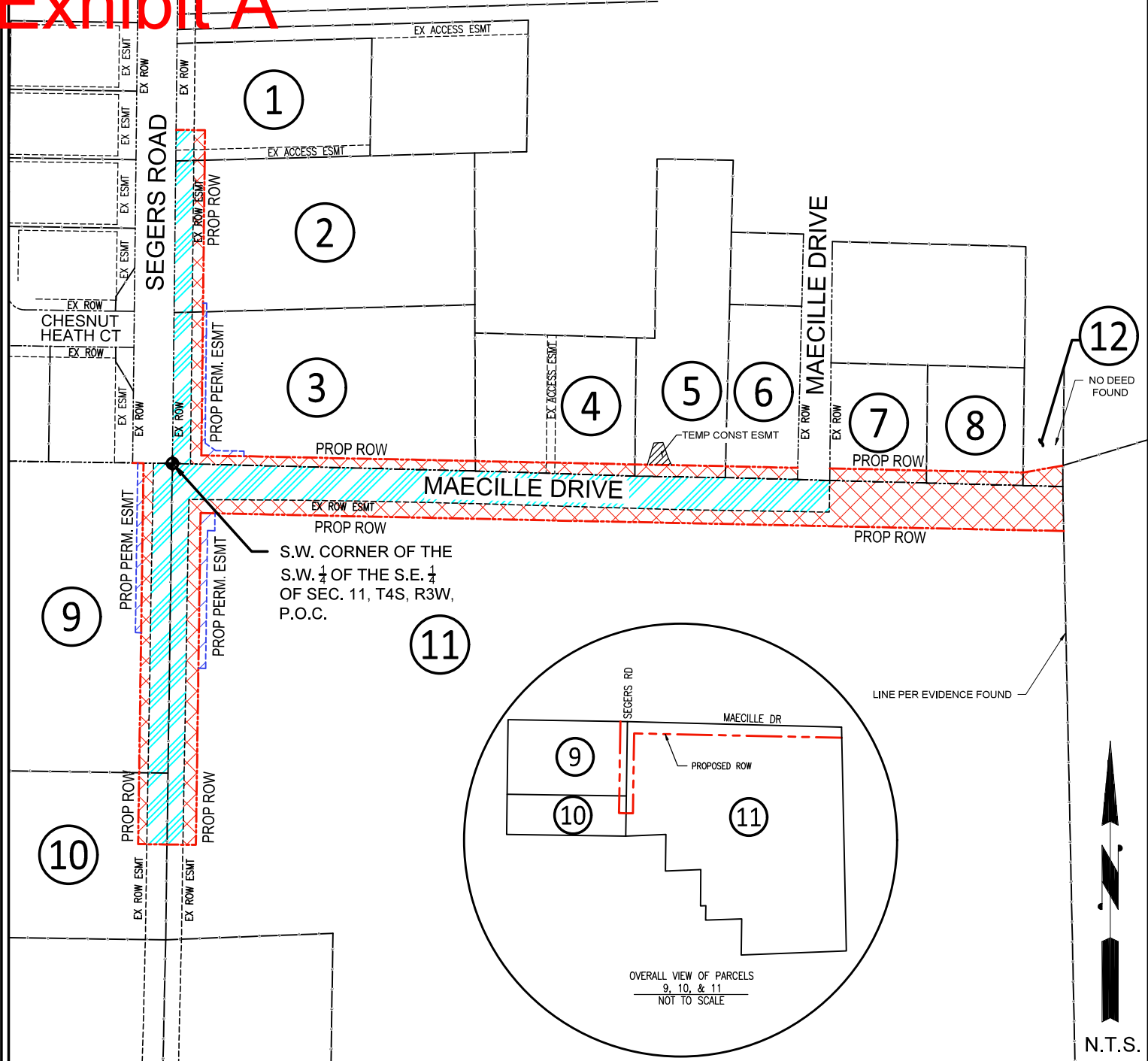
ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ___ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

Exhibit A



- PROPOSED RIGHT-OF WAY WITHIN PRESCRIPTIVE EASEMENT
- PROPOSED RIGHT-OF WAY OUTSIDE PRESCRIPTIVE EASEMENT
- PROPOSED EASEMENT

CITY OF MADISON, LIMESTONE COUNTY, ALABAMA
 RIGHT-OF-WAY AND EASEMENT OVERVIEW MAP
SEGERS ROAD AND MAECILLE DRIVE
 INTERSECTION IMPROVEMENTS

DATE: AUGUST 24, 2023
 Rev.:

OHM PROJECT #: 9036220010-03

MADISON PROJECT #: 22-039

SHEET 1 OF 1

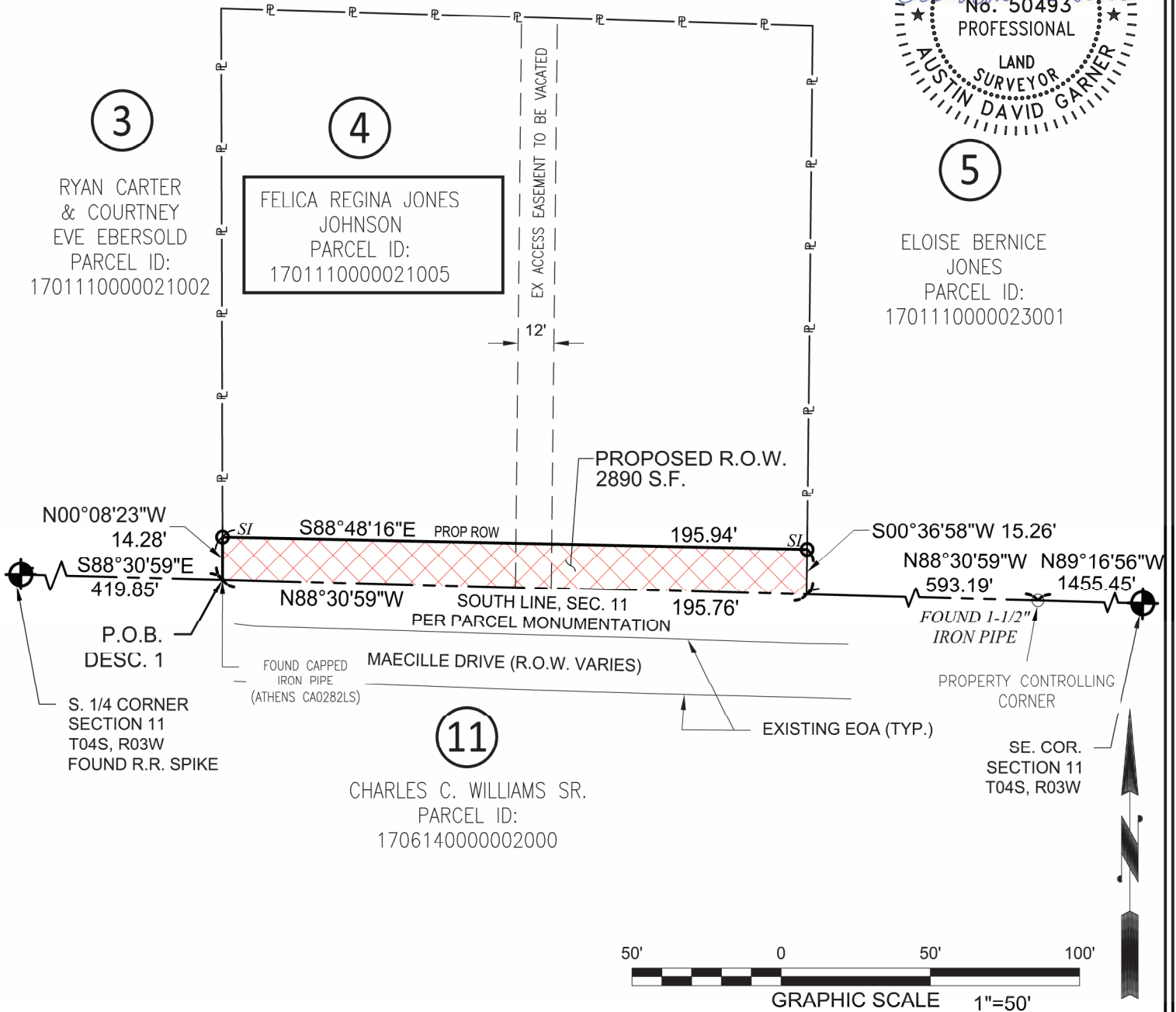


OHM
 OHM ADVISORS
 209 10th AVENUE SOUTH
 SUITE 154
 NASHVILLE, TN 37203
 615-649-5264

N.T.S.

Exhibit A

RIGHT OF WAY SURVEY THIS IS NOT A PROPERTY BOUNDARY SURVEY



PROPOSED RIGHT-OF WAY



OSI SET IRON ROD

PROPERTY LINE

CITY OF MADISON, LIMESTONE COUNTY, ALABAMA

RIGHT-OF-WAY AND EASEMENT MAP SEGRS ROAD AND MAECILLE DRIVE INTERSECTION IMPROVEMENTS

OWNER: FELICA REGINA JONES JOHNSON

DATE: FEBRUARY 23, 2024
Rev.: 3

PARCEL ID: 17 01 11 0 000 021.005

OHM PROJECT #: 9036220010-03

DEED: BOOK 1021, PAGE 72

MADISON PROJECT #: 22-039

PARCEL 4

SHEET 1 OF 2

OHM

OHM ADVISORS
209 10th AVENUE SOUTH
SUITE 154
NASHVILLE, TN 37203
615-649-5264

This instrument prepared by: **Brian Kilgore, City Attorney, City of Madison Legal Department, 100 Hughes Road, Madison, AL 35758**

STATE OF ALABAMA) QUIT CLAIM DEED
) *No title opinion requested nor provided*
COUNTY OF LIMESTONE)

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of ten dollars (\$10.00) that **Felicia Regina Jones Johnson** (herein referred to as **GRANTOR**), does hereby grant, bargain, sell, and hereby extinguishes any and all interest that she has in the portion of the property described below and does by these presents release, remise, quitclaim, and convey unto the **CITY OF MADISON, ALABAMA, a municipal corporation** (herein referred to as **GRANTEE**) any and all interest Grantor possesses within the property described below and situated in Limestone County, Alabama, to-wit:

STATE OF ALABAMA)
LIMESTONE COUNTY)

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST, LIMESTONE COUNTY, ALABAMA, DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND, CAPPED IRON PIPE (CA0282LS) THAT IS S. 88° 30' 59" E., 419.85 FEET FROM A FOUND RAILROAD SPIKE BEING THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE N. 00° 08' 23" W., 14.28 FEET; THENCE S. 88° 48' 16" E., 195.94 FEET; THENCE S. 00° 36' 58" W., 15.26 FEET; THENCE N. 88° 30' 59" W. 195.76 FEET TO THE POINT OF BEGINNING, CONTAINING 2890 S.F. OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

TO HAVE AND TO HOLD unto the Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed on the ___ day of September 2024.

By: _____
Felicia Regina Jones Johnson

STATE OF ALABAMA)
)
COUNTY OF MADISON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Felicia Regina Jones Johnson, whose name is signed to the foregoing conveyance and who is or has been made known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily as an act on the day the same bears date.

Given under my hand and official seal this the _____ day of September 2024.

Notary Public

RESOLUTION NO. 2024-299-R

**AUTHORIZING CHANGE ORDER NO. 1
TO AGREEMENT WITH GRAYSON CARTER & SON CONTRACTING, INC.**

WHEREAS the City Council authorized an agreement with Grayson Carter & Son Contracting (herein "Grayson") on June 10, 2024, by Resolution 2024-167-R, for Bid No. 2024-007-ITB | Huntsville-Brownsferry Road and Burgreen Road Roundabout Project (herein "the Project"); and

WHEREAS, Grayson has submitted Change Order No. 1 to the City for 300 LF of 36-inch steel casing installation for the Project in an amount not to exceed one hundred eighty thousand two hundred fifty-six dollars and forty cents (\$180,256.40).

NOW BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the City Council finds that the justifications set forth establish that proposed Change Order No. 1 is appropriate; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the relationship established by such acceptance and execution, the Mayor or his designee shall be hereby authorized to execute any and all documentation necessary to enforce and comply with the terms of Change Order No. 1; and

BE IT FURTHER RESOLVED that the original contract between the City and Contractor is hereby amended to authorize the work described in the proposed Change Order No. 1, and that all other actions taken prior to the date of this resolution are ratified, and the provisions of the original contract remain unchanged.

READ, PASSED, AND ADOPTED this 9th day of September 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

HSV Brownferry / Burgreen Rd Roundabout Open Cut - 36" Casing Not Included



Grayson Carter & Son Contracting, Inc.

Post Office Box 1069

Athens, Alabama 35612

Contact: Eli Belue

Phone: (256)-233-3260

Email: eli.belue@graysoncarterandson.com

Quote To: Mark Bland
Attention:

Job Name:
Plans By:
Date of Plans:
Plans Received:
Date of Quote: 08-07-24

Phone:
Fax:

ITEM	DESCRIPTION	QUANTITY	UNIT		
OPTION 1 - OPEN CUT					
102	Open Cut - Casing Not Included	260.00	LF		
OPTION 1 - OPEN CUT TOTAL					153,270.00
OPTION 2 - OPEN CUT					
302	Open Cut - Casing Not Included	40.00	LF		
OPTION 2 - OPEN CUT TOAL					26,986.40

NOTES:

Exclusions:

- * Testing and Inspection.
- * Aid to Construction.
- * As Built Drawings.
- * Builders Risk and/or Pollution Control Insurance.
- * Hazardous Waste Removal and/or Disposal.
- * Undercut and/or Replacement of Unsuitable Soils.
- * Sinkhole Excavation and/or Remediation.
- * Rock Excavation (Mass and/or Trench).
- * Removal or Relocation of Existing Utilities that is not Appart of Oringinal Contract.
- * Dust Control/Street Sweeping While Grayson Cater and Son Contracting Inc. Is Not Working.
- * Asphalt Patching.

Qualifications:

- * Price Good for 30 Days.
- * This is a Lump Sum Proposal. Only the Items Listed Are Being Quoted.
- * Engineering/Layout for Our Items of Work Only.
- * ALDOT Liquid Asphalt Index Applies to the Asphalt Portion of This Proposal.
- * This proposal has been calculated based on the current prices for various scopes of work. In the event of significant price increases of material, equipment or fuel occurring prior to or during the performance of the agreement through no fault of the contractor or its subcontractors, the proposal or contract sum shall be equitably increased.

CONSTRUCTION AGREEMENT BETWEEN OWNER AND CONTRACTOR

This Construction Agreement (the "Agreement") made this ___ day of _____, 202_, by and between _____ ("Owner"), whose address is located at _____ and Grayson Carter & Son Contracting, Inc. ("Contractor"), whose principal office is located at 146 Roy Long Road West, Athens, Alabama 35611. Owner and Contractor are sometimes referred to collectively as the "Parties" or individually as a "Party".

The Parties hereto agree as follows:

- 1. THE WORK: In consideration of the payment by Owner as set forth in Section 2 herein, Contractor agrees to furnish all necessary labor, materials, and equipment to perform the work set forth in the Proposal attached hereto as Exhibit A (the "Work").
- 2. CONTRACT SUM: In consideration of Contractor's performance of the Work, Owner agrees to pay Contractor the amounts set forth in the Proposal attached hereto as Exhibit A.
- 3. TIME: The Work shall commence within ___ days from the date of this Agreement. The Contractor shall complete the work in accordance with the schedule agreed upon by Owner and Contractor.
- 4. WARRANTY: Contractor warrants that the all Work shall be of good quality, and free from faults and defects. The Contractor shall, for a period of one year after completion of the Work, correct work not conforming to this warranty.
- 5. CONCEALED AND UNKNOWN CONDITIONS: If concealed or unknown physical conditions are encountered at the site that differ materially from those indicated in the Proposal or from those conditions ordinarily found to exist, the amount paid to Contractor for the Work shall be equitably increased.
- 6. CHANGES: The Owner, without invalidating the Agreement, may order changes in the Work within the general scope of the Agreement consisting of additions, deletions or other revisions, the amount paid to Contractor and time for completion being adjusted accordingly.
- 8. RESPONSIBILITY FOR SITE: Owner shall be solely responsible for the failure of the site on which the Project is located to meet all applicable federal, state and/or local laws concerning chemical, hazardous substance, and/or any form of contamination.
- 8. PAYMENT: The Contractor will submit its Application for Payment to Owner for the Work performed during the applicable month on or before the tenth day of the following month and Owner shall make payment to Contractor within twenty (20) days following Owner's receipt of the Application for Payment.
- 9. FORCE MAJEURE: the Contractor is delayed at any time in progress of the Work by changes ordered in the Work, or by adverse weather, unusual delay in deliveries, unavoidable casualties, or other causes beyond the Contractor's control, the time to perform the Work shall be subject to equitable adjustment.
- 10. WAIVER OF CONSEQUENTIAL DAMAGES: Owner and Contractor waive all claims against the other Party for consequential damages arising out of or related to this Agreement.
- 11. DISPUTES: Should any dispute(s) arise between the Parties to this Agreement arising out of or related to this Agreement, then, at the election of Contractor, such dispute(s) shall be resolved by binding arbitration conducted in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association currently in effect. Such arbitration shall be conducted in Huntsville, Alabama.
- 12. APPLICABLE LAW: This Agreement, its construction and interpretation, shall be governed in accordance with the laws of the State of Alabama.

AGREED TO on the date first written above.

Grayson Carter and Son Contracting, Inc.

Estimator/Project Manager

Individual or Firm Name _____

Signature and Title _____

Date _____

ORDINANCE NO. 2024-303

**AN ORDINANCE FOR THE VACATION OF UTILITY AND DRAINAGE EASEMENT
LOCATED WITHIN LOT 2B OF MADISON TOWNE CENTRE SUBDIVISION INSTRUMENT
NO. 2006121000848600**

BE IT HEREBY FOUND AND ORDAINED by the City Council of the City of Madison, Alabama, as follows:

SECTION 1. That an application has been presented to the Planning & Economic Development Department of the City of Madison on behalf of **Madison Market DG, LLC**, requesting the vacation of utility and drainage easement located within Lot 2B of Madison Towne Centre Subdivision and further described as follows:

A Utility and Drainage (Detention) Easement being located across a portion of Lot 2B of A RESUBDIVISION OF LOT 2 OF A RESUBDIVISION OF LOTS 4A AND 4B OF A RESUBDIVISION OF LOT 4A OF A RESUBDIVISION OF LOTS 3 AND 4 OF A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF LOT 1 OF MADISON TOWNE CENTRE, as recorded in Instrument No. 20061215000848600 in the Office of the Judge of Probate, Madison County, Alabama, said easement also being situated in the Northeast Quarter of Section 9, Township 4 South, Range 2 West, Madison County Alabama, and being more particularly described as follows:

Begin at a found capped rebar stamped Johnson, said point being the Northeast corner of said Lot 2B; thence run South 01 Degrees 56 Minutes 47 Seconds West along the East line of said Lot 2B for a distance of 171.54 feet to a point; thence leaving said East line run North 90 Degrees 00 Minutes 00 Seconds West along the Southerly line of said Utility and Drainage (Detention) Easement for a distance of 98.58 feet to a point; thence run North 00 Degrees 00 Minutes 00 Seconds West along said Southerly line for a distance of 146.15 feet to a point; thence run North 83 Degrees 27 Minutes 01 Seconds West along said Southerly line for a distance of 109.59 feet to a point; thence run North 88 Degrees 03 Minutes 41 Seconds West along said Southerly line for a distance of 47.14 feet to a point; thence leaving said Southerly line run North 01 Degrees 56 Minutes 19 Seconds East for a distance of 20.00 feet to a point on the North line of said Lot 2B; thence run South 88 Degrees 03 Minutes 41 Seconds East along said North line for a distance of 259.87 feet to the Point of Beginning. Said easement contains 21,179 square feet or 0.49 acres more or less.

SECTION 2. That the easement requested for vacation is not used by the City, and it is no longer needed for public or municipal purposes.

SECTION 3. Pursuant to the findings in this Ordinance, the Mayor of the City of Madison, Alabama, is hereby authorized, requested, and directed to execute a quitclaim deed vacating the easement.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Madison, Alabama, that, in accordance with the foregoing, the Mayor of the City of Madison, Alabama, is hereby authorized and directed to execute a quitclaim deed vacating the above-described utility and drainage easement in favor of **Atwater Save It All Storage Madison AL, LLC**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

READ, PASSED, AND ADOPTED this ____ day of September 2024.

*Ordinance 2024-303
Vacation of Easement – Lot 2B of Madison Towne Centre
Page 1 of 2*

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this _____ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

This instrument prepared by: City Attorney, City of Madison, 100 Hughes Road, Madison, Alabama 35758

STATE OF ALABAMA	§	<u>QUITCLAIM DEED</u>
	§	<u>(VACATION OF EASEMENT)</u>
COUNTY OF MADISON	§	<i>No title search requested and none prepared.</i>

KNOW ALL MEN BY THESE PRESENTS THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid to the undersigned, the receipt of which is hereby acknowledged, the **City of Madison, Alabama, a municipal corporation** (hereinafter referred to as “Grantor”), hereby extinguishes any and all interest that it has in the portion of the utility and drainage easement described below and does by these presents release, remise, quitclaim, and convey unto **Atwater Save It All Storage Madison Al, LLC**, (hereinafter referred to as “Grantees”) any and all interest Grantor possesses which was created in and by the following described utility and drainage easement situated in Madison, Madison County, Alabama, to-wit:

A Utility and Drainage (Detention) Easement being located across a portion of Lot 2B of A RESUBDIVISION OF LOT 2 OF A RESUBDIVISION OF LOTS 4A AND 4B OF A RESUBDIVISION OF LOT 4A OF A RESUBDIVISION OF LOTS 3 AND 4 OF A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF LOT 1 OF MADISON TOWNE CENTRE, as recorded in Instrument No. 20061215000848600 in the Office of the Judge of Probate, Madison County, Alabama, said easement also being situated in the Northeast Quarter of Section 9, Township 4 South, Range 2 West, Madison County Alabama, and being more particularly described as follows:

Begin at a found capped rebar stamped Johnson, said point being the Northeast corner of said Lot 2B; thence run South 01 Degrees 56 Minutes 47 Seconds West along the East line of said Lot 2B for a distance of 171.54 feet to a point; thence leaving said East line run North 90 Degrees 00 Minutes 00 Seconds West along the Southerly line of said Utility and Drainage (Detention) Easement for a distance of 98.58 feet to a point; thence run North 00 Degrees 00 Minutes 00 Seconds West along said Southerly line for a distance of 146.15 feet to a point; thence run North 83 Degrees 27 Minutes 01 Seconds West along said Southerly line for a distance of 109.59 feet to a point; thence run North 88 Degrees 03 Minutes 41 Seconds West along said Southerly line for a distance of 47.14 feet to a point; thence leaving said Southerly line run North 01 Degrees 56 Minutes 19 Seconds East for a distance of 20.00 feet to a point on the North line of said Lot 2B; thence run South 88 Degrees 03 Minutes 41 Seconds East along said North line for a distance of 259.87 feet to the Point of Beginning. Said easement contains 21,179 square feet or 0.49 acres more or less.

TO HAVE AND TO HOLD to said Grantees, their heirs, successors, and assigns forever.

IN WITNESS WHEREOF, the City of Madison, Alabama, a municipal corporation, has hereunto set its hand and seal this _____ day of September 2024.

*Quitclaim Deed
Lot 2B of Madison Towne Centre, VOE
Page 1 of 2*

City of Madison, Alabama,
a municipal corporation

Attest:

By: _____
Paul Finley, Mayor
City of Madison, Alabama

Lisa Thomas
City Clerk-Treasurer

STATE OF ALABAMA §
§
COUNTY OF MADISON §

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Paul Finley, whose name as Mayor of the City of Madison, Alabama, and Lisa Thomas, whose name as City Clerk-Treasurer of the City of Madison, Alabama, are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, in their respective capacities as Mayor of the City of Madison and City Clerk-Treasurer of the City of Madison, executed the same voluntarily for and as the act of the City of Madison, Alabama, a municipal corporation, on the day the same bears date.

Given under my hand this the _____ day of September 2024.

Notary Public

EXHIBIT MAP FOR DETENTION EASEMENT VACATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 83°27'01" W	109.59'
L2	N 88°03'41" W	47.14'
L3	N 01°56'19" E	20.00'

DETENTION EASEMENT VACATION

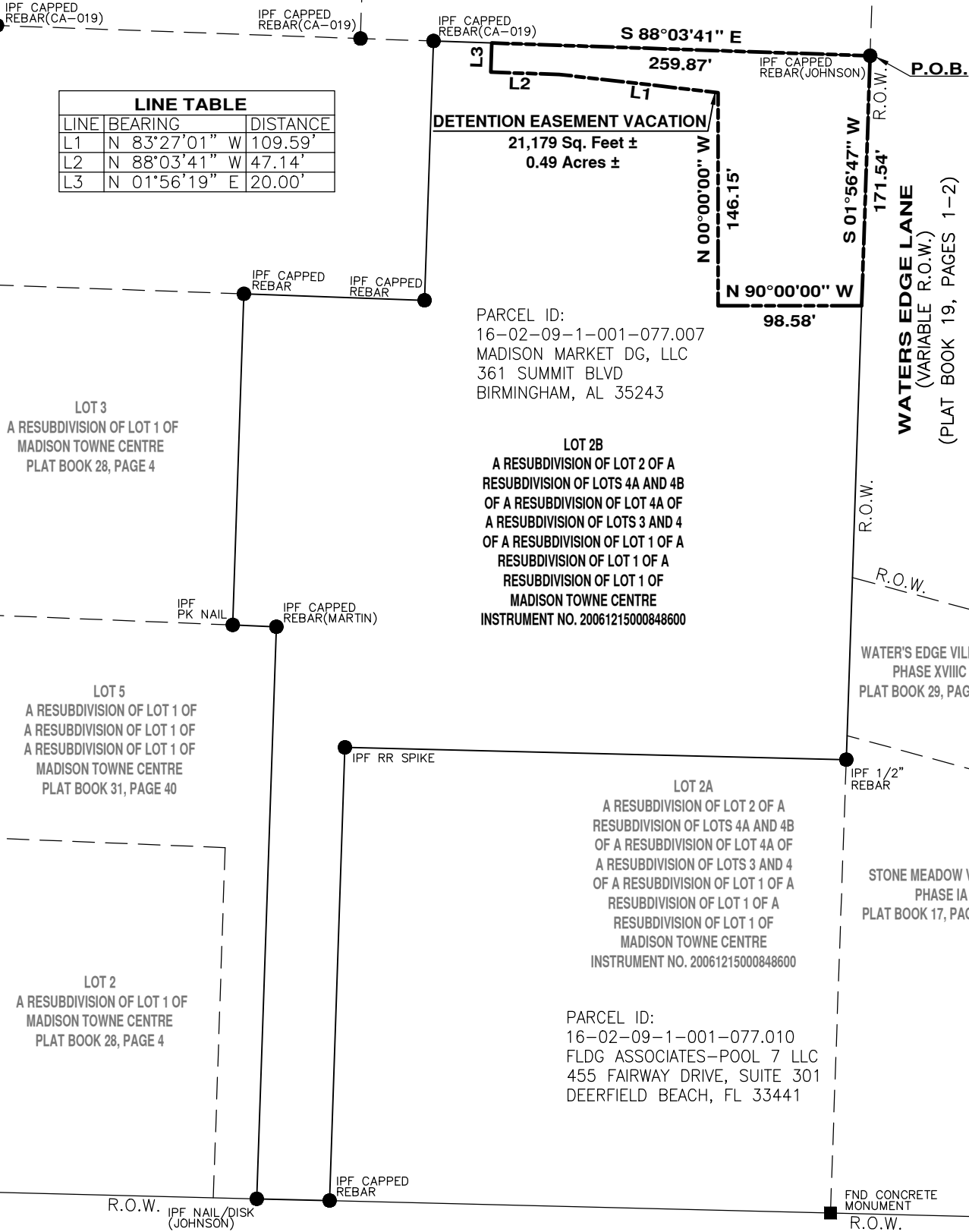
21,179 Sq. Feet ±
0.49 Acres ±

PARCEL ID:
16-02-09-1-001-077.007
MADISON MARKET DG, LLC
361 SUMMIT BLVD
BIRMINGHAM, AL 35243

LOT 2B
A RESUBDIVISION OF LOT 2 OF A
RESUBDIVISION OF LOTS 4A AND 4B
OF A RESUBDIVISION OF LOT 4A OF
A RESUBDIVISION OF LOTS 3 AND 4
OF A RESUBDIVISION OF LOT 1 OF A
RESUBDIVISION OF LOT 1 OF A
MADISON TOWNE CENTRE
INSTRUMENT NO. 20061215000848600

LOT 2A
A RESUBDIVISION OF LOT 2 OF A
RESUBDIVISION OF LOTS 4A AND 4B
OF A RESUBDIVISION OF LOT 4A OF
A RESUBDIVISION OF LOTS 3 AND 4
OF A RESUBDIVISION OF LOT 1 OF A
RESUBDIVISION OF LOT 1 OF A
MADISON TOWNE CENTRE
INSTRUMENT NO. 20061215000848600

PARCEL ID:
16-02-09-1-001-077.010
FLDG ASSOCIATES-POOL 7 LLC
455 FAIRWAY DRIVE, SUITE 301
DEERFIELD BEACH, FL 33441



NOT TO SCALE

ABBREVIATION	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING

NE 1/4 OF SECTION 9,
TOWNSHIP 4 SOUTH, RANGE 2
WEST, MADISON COUNTY,
ALABAMA

DRAWING: #22-0465

GONZALEZ - STRENGTH & ASSOCIATES, INC.
ENGINEERING, LAND PLANNING, & SURVEYING
1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3033
www.Gonzalez-Strength.com

RESOLUTION NO. 2024-300-R

A RESOLUTION AUTHORIZING ACCEPTANCE OF A PUBLIC UTILITY AND DRAINAGE EASEMENT

WHEREAS, Atwater Save It All Storage Madison AL, LLC, as the fee simple owner of the property described below has offered to convey by Warranty Deed to the City of Madison a utility and drainage easement situated in Madison, Madison County to wit;

STATE OF ALABAMA
COUNTY OF MADISON

A Pond Easement being located across a portion of Lot 2B of A RESUBDIVISION OF LOT 2 OF A RESUBDIVISION OF LOTS 4A AND 4B OF A RESUBDIVISION OF LOT 4A OF A RESUBDIVISION OF LOTS 3 AND 4 OF A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF LOT 1 OF MADISON TOWNE CENTRE, as recorded in Instrument No. 20061215000848600 in the Office of the Judge of Probate, Madison County, Alabama, said easement also being situated in the Northeast Quarter of Section 9, Township 4 South, Range 2 West, Madison County Alabama, and being more particularly described as follows:

Begin at a found capped rebar stamped Johnson, said point being the Northeast corner of said Lot 2B;

thence run South 01 Degrees 56 Minutes 47 Seconds West along the East line of said Lot 2B for a distance of 105.11 feet to a point; thence leaving said East line run North 88 Degrees 05 Minutes 34 Seconds West for a distance of 87.06 feet to a point; thence run North 01 Degrees 59 Minutes 46 Seconds East for a distance of 45.05 feet to a point; thence run North 87 Degrees 57 Minutes 03 Seconds West for a distance of 112.03 feet to a point; thence run North 01 Degrees 56 Minutes 19 Seconds East for a distance of 59.90 feet to a point on the North line of said Lot 2B; thence run South 88 Degrees 03 Minutes 41 Seconds East along said North line for a distance of 199.07 feet to the Point of Beginning. Said easement contains 15,873 square feet or 0.36 acres more or less.

WHEREAS, the City Council finds that the best interests of the City would be served by acceptance of this easement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADISON, ALABAMA, that the City hereby acknowledges the easement dedication described above and accepts the dedication of the permanent easement described herein for use as a public utility and drainage easement and that the appropriate City employees are authorized to take actions necessary to effectuate such acceptance.

THE ABOVE AND FOREGOING RESOLUTION is hereby passed and adopted at a regular meeting of the City Council on the 9th day of September 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

Approved this 9th day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

IN WITNESS WHEREOF, Grantor and Grantee have caused these presents to be executed on the _____ day of _____, 2024.

GRANTOR:

GRANTEE:

**ATWATER SAVE IT ALL STORAGE
MADISON AL, LLC**

THE CITY OF MADISON, ALABAMA

By: _____
Nick Stratigakes, Managing Member

By: _____
Paul Finley, Mayor

Attest: _____
Lisa D. Thomas, City Clerk-Treasurer

STATE OF _____)
COUNTY OF _____)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Nick Stratigakes, whose name as Managing Member of Atwater Save It All Storage Madison AL, LLC, is signed to the foregoing conveyance and who is or has been made known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation, in its capacity as the general partner of the sole member of such limited liability company.

Given under my hand and official seal this the ____ day of _____, 2024.

Notary Public

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Paul Finley, whose name as Mayor of the City of Madison, Alabama, and Lisa D. Thomas, whose name as City Clerk-Treasurer of the City of Madison, Alabama, are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, in their respective capacities as Mayor of the City of Madison and City Clerk-Treasurer of the City of Madison, executed the same voluntarily for and as the act of the City of Madison, Alabama, a municipal corporation, on the day the same bears date.

Given under my hand and official seal this the ____ day of _____, 2024.

Notary Public

EXHIBIT MAP FOR POND EASEMENT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 01°59'46" E	45.05'
L2	N 01°56'19" E	59.90'

POND EASEMENT
 15,873 Sq. Feet ±
 0.36 Acres ±

PARCEL ID:
 16-02-09-1-001-077.007
 MADISON MARKET DG, LLC
 361 SUMMIT BLVD
 BIRMINGHAM, AL 35243

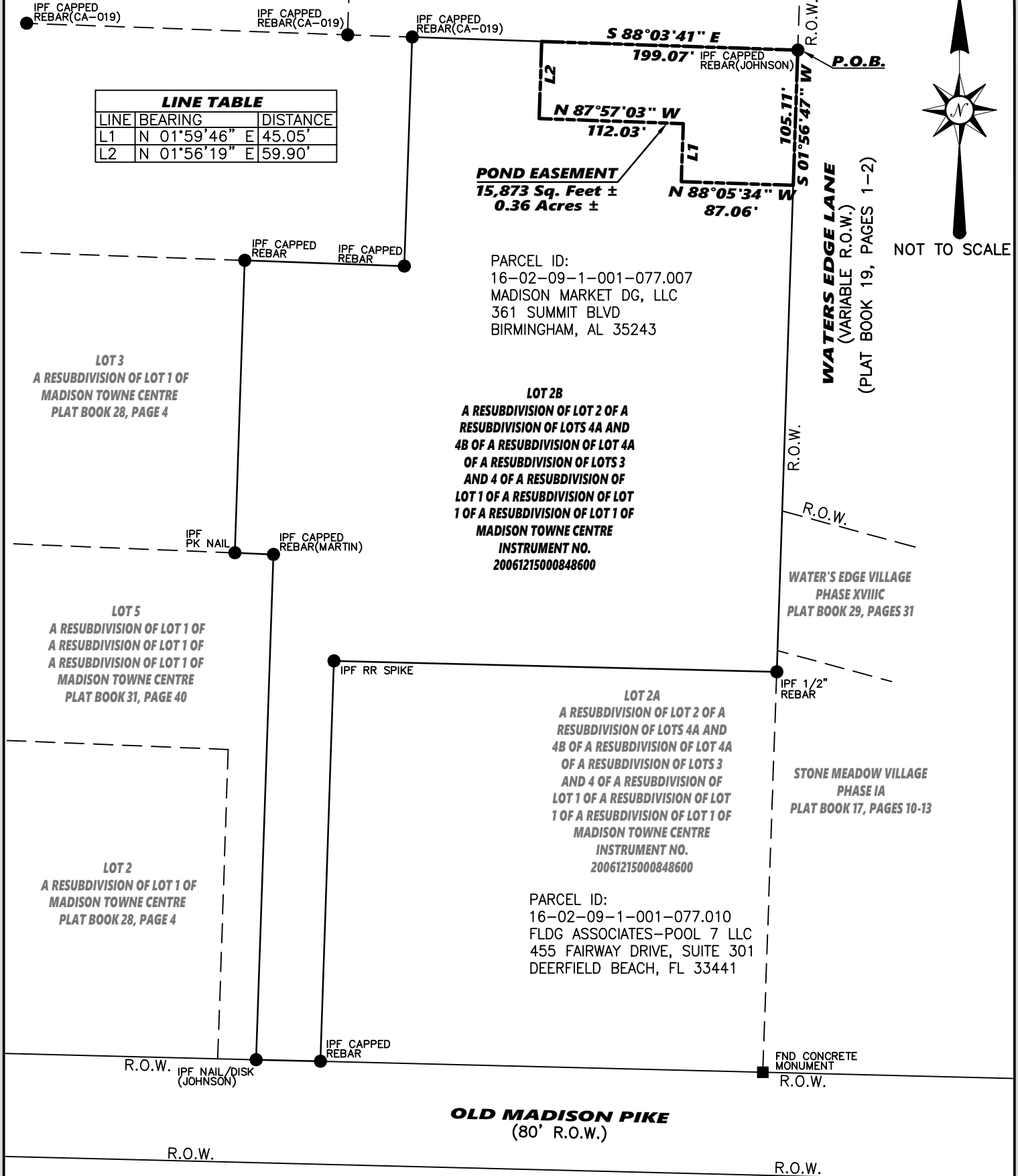
LOT 2B
 A RESUBDIVISION OF LOT 2 OF A
 RESUBDIVISION OF LOTS 4A AND
 4B OF A RESUBDIVISION OF LOT 4A
 OF A RESUBDIVISION OF LOTS 3
 AND 4 OF A RESUBDIVISION OF
 LOT 1 OF A RESUBDIVISION OF LOT
 1 OF A RESUBDIVISION OF LOT 1 OF
 MADISON TOWNE CENTRE
 INSTRUMENT NO.
 20061215000848600

LOT 2A
 A RESUBDIVISION OF LOT 2 OF A
 RESUBDIVISION OF LOTS 4A AND
 4B OF A RESUBDIVISION OF LOT 4A
 OF A RESUBDIVISION OF LOTS 3
 AND 4 OF A RESUBDIVISION OF
 LOT 1 OF A RESUBDIVISION OF LOT
 1 OF A RESUBDIVISION OF LOT 1 OF
 MADISON TOWNE CENTRE
 INSTRUMENT NO.
 20061215000848600

PARCEL ID:
 16-02-09-1-001-077.010
 FLDG ASSOCIATES-POOL 7 LLC
 455 FAIRWAY DRIVE, SUITE 301
 DEERFIELD BEACH, FL 33441



NOT TO SCALE



ABBREVIATION	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING

NE 1/4 OF SECTION 9,
 TOWNSHIP 4 SOUTH, RANGE 2
 WEST, MADISON COUNTY,
 ALABAMA

DRAWING: #22-0465

GSA
GONZALEZ - STRENGTH & ASSOCIATES, INC.
 ENGINEERING, LAND PLANNING, & SURVEYING
 1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
 HOOVER, ALABAMA 35244
 PHONE: (205) 942-2486
 FAX: (205) 942-3033
 www.Gonzalez-Strength.com © Copyright 2019

RESOLUTION NO. 2024-273-R**AUTHORIZING AMENDMENT NUMBER ONE TO A PROFESSIONAL SERVICES AGREEMENT WITH AMIRI ENGINEERING CORP.**

WHEREAS, pursuant to Resolution No. 2024-192-R the City Council of the City of Madison, Alabama authorized a Professional Services Agreement with Amiri Engineering Corp. (herein "Amiri") for professional geotechnical engineering services for Toyota Field; and

WHEREAS, the original agreement was entered for an amount not to exceed twelve thousand eight hundred dollars (\$12,800); and

WHEREAS, the Facilities & Grounds Director has requested that the original agreement with Amiri be amended to allow the firm to expand the scope of the Agreement to provide supplemental subsurface exploration and geotechnical report to include rock coring and Air Tack Drilling at the proposed Outfield Building at Toyota Field.

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the Mayor is authorized to execute Amendment Number One to the Professional Services Agreement with Amiri for supplemental subsurface exploration and geotechnical report to include rock coring, said Agreement to be substantially similar in purpose, intent, and composition to that certain document attached hereto dated September 5, 2024 and identified as "AMIRI Proposal No. P244598" and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the resulting agreement, the Mayor or his designee shall be hereby authorized for the entire term of the agreement to execute any and all documentation necessary to enforce and comply with the terms thereof subject to the budgetary restrictions set forth by the Council in its adopted budget for the then-current fiscal year; and

BE IT FURTHER RESOLVED that, upon request and notification from the appropriate department that the terms of the agreement preceding payment have been satisfied, the Finance Director is hereby authorized to forward payment to Amiri Engineering Corp. in an additional amount not to exceed thirty-seven thousand two hundred fifty-five dollars (\$37,255) in the manner detailed in the Amended Agreement to be paid from the Multi-Use Venue Maintenance Fund. This total payment amount includes eleven thousand eight hundred ninety-five dollars (\$11,895) set aside for Auger borings and Rock Coring and twenty-five thousand three hundred sixty dollars (\$25,366) set aside for Air Track Drilling and Report.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Amendment to Professional Services Agreement (“Amendment”) is made and entered into by and between the City of Madison, Alabama, a municipal corporation, hereinafter referred to as the “City,” and Amiri Engineering Corp., hereinafter referred to as “Amiri.”

RECITALS:

WHEREAS, by virtue of the passage of Resolution Number 2024-192-R, the City Council of the City of Madison, Alabama, authorized the City’s entry into a Professional Services Agreement (“Agreement”) with Amiri for professional geotechnical engineering services for Toyota Field; and

WHEREAS, the Agreement became effective on June 24, 2024, and Section 1 of said Agreement outlined the services to be provided by Amiri; and

WHEREAS, Amiri has requested additional funds for additional work performed pursuant to the Agreement, which are described in its letter of September 5, 2024, which is attached as Exhibit A to this Amendment;

NOW, THEREFORE, in consideration of the foregoing premises and the parties’ respective agreements, promises, representations, and warranties contained herein, City and Amiri agree as follows:

A. Amendment to Agreement.

Pursuant to the provisions of this Amendment, City shall provide additional funds to Amiri in the amount of thirty-seven thousand two hundred fifty-five dollars (\$37,255) to cover additional expenses described in Exhibit A.

B. Remainder.

Unless specifically amended herein, all other provisions, attachments, content, language, recitals, covenants, promises, guarantees, and commitments contained in, referenced in, or incorporated into the original Agreement remain valid and in full force and effect.

C. Effective Date.

The foregoing Amendment shall come into effect when the authorized representatives of each party finally execute and affix their respective signatures hereto in their duly authorized capacities. In the event the signatures are affixed on different dates, the date of the final signature shall be the date that this Amendment comes into effect.

IN WITNESS WHEREOF, the parties hereto affirm that they have the authority to execute this Amendment on behalf of their respective entities for the entire term and have hereunto set their hands and seals on the day and year respectively noted.

**City of Madison, Alabama,
a municipal corporation**

Attest:

By: _____
Paul Finley, Mayor

Lisa Thomas, City Clerk-Treasurer

Date: _____

STATE OF ALABAMA

§

§

COUNTY OF MADISON

§

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that Paul Finley and Lisa Thomas, whose names as Mayor and the City Clerk-Treasurer, respectively, of the City of Madison, Alabama, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Madison, Alabama, a municipal corporation.

Given under my hand and official seal this ____ day of _____, 2024.

Notary Public

Amiri Engineering Corp.

By: _____
Signature

Print name

Its: _____

Date: _____

STATE OF _____

§

§

COUNTY OF _____

§

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ for Amiri Engineering Corp., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, s/he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the ____ day of _____, 2024.

Notary Public

AMIRI ENGINEERING CORP.

2609 Artie Street SW • P.O. Box 1303 • Huntsville, AL 35807
www.amiriengineering.com • (256) 536-9992

September 5, 2024

Mr. Gerald Smith, Facilities Director
The City of Madison
100 Hughes Road
Madison, Alabama 35758

Subject: Proposal to Provide Supplemental Subsurface Exploration and Geotechnical Report to Include Rock Coring ND Air Tack Drilling Proposed Outfield Building; Toyota Field, Madison, Alabama
AMIRI Proposal No. P244598

Dear Mr. Smith:

At the request of Mr. Jeff Castella and Mr. Kris Bomar, PE, we are providing this proposal for performing the following:

1. Auger borings at four (4) locations to reach the auger refusal depths. and perform rock coring at two (2) of the borings. We are proposing to core at least 10 feet of solid rock at each cored location. In the event the upper rock is weathered and/or solutioned/cavitated, deeper rock coring of up to 25 feet is included.
2. Perform Air Track drilling at all 25 column locations. The air track holes will be extended to the bedrock and at least 10 feet into the rock.

If we perform the soil boring and rock coring only, we are planning to drill at the same locations original borings were drilled to expedite the operations and reduce costs associated with hiring services of an underground utility service.

If Air Track drilling is utilized, an underground utility service will be hired to help avoid drilling through the underground utilities.

Our costs associated with these services will be as follows:

A. Auger borings and Rock Coring

Mobilization Demobilization of drilling rig,	\$ 700.00
Mobilization of water truck and support truck,.....	\$ 350.00
Soil Boring, 4 borings to 50 LF, total 200 LLF @ \$14.00/LF.....	\$ 2800.00
Rock Coring, Set Up and water supply, 2 locations at \$500.00/location.....	\$1000.00
Rock Coring, 50 LF @ \$60.00/LF.....	\$3,000.00
Backfill borings and Site Clean Up,.....	\$1400.00
Professional Engineer, coordination, site observation and report preparation, 23 Hours @ \$115.00/hr.....	\$ 2645.00
TOTAL FOR BORINGS AND ROCK CORING	\$11,895.00

B. Air Track Drilling and Report

We understand that there are currently 25 column locations. It is anticipated that Air Track drilling at 25 locations may be completed in three (3) days. With that schedule, costs associated with Air Track Drilling and a report will be as follows:

Subcontractor Charge for Underground Utility Service, at 25 locations.....	\$ 3500.00
Mobilization/Demobilization of Air Track, support trucks and crew from Birmingham or Nashville.....	\$ 3,300.00
Air Track Drilling, 3 days @\$3500.00/day.....	\$10,500.00
Backfill 25 boreholes and site clean up, extensive efforts due to blown air track dust,.....	\$ 3,500.00
Engineering Staff for Layout and Logging test holes, 30 Hours @ \$60.00/hr.	\$ 1800.00
Professional Engineer, Coordination, Site Visits, and Report Preparations 24 Hours @ \$ 115.00/hr.....	\$ 2760.00
TOTAL FOR AIR TRACK DRILLING AND REPORT	\$25,360.00

If problem subsurface conditions are encountered that would necessitate further exploration, we will notify you. The budget will not be exceeded without prior approval.

We appreciate the opportunity to provide this proposal and look forward to beginning the upcoming work. If you have any questions regarding the information contained herein, please do not hesitate to contact our office.

Sincerely,

AMIRI ENGINEERING CORP.



Nasser Amiri, MSE, P.E.
Senior Geotechnical Engineer

RESOLUTION NO. 2024-307-R**AUTHORIZING AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH GILBERT, MCLAUGHLIN, CASELLA ARCHITECTS FOR THE TOYOTA FIELD FOUR-STORY CLUBHOUSE LOCKER ROOM**

WHEREAS, on September 25, 2023, the City Council of the City of Madison, Alabama authorized Resolution No. 2023-311 executing a Professional Services Agreement with Gilbert, McLaughlin, Casella Architects for professional engineering consulting services for a building proposed in the outfield of Toyota Field; and

WHEREAS, pursuant to Resolution No. 2024-100-R, the Council approved the first amendment to the contract expanding the scope of the Agreement to include engineering and design services to the Toyota Field Clubhouse Locker Room; and

WHEREAS, on September 4, 2024, Gilbert, McLaughlin, Casella Architects submitted Amendment No. 2 to amend the elements of the Project, to wit: professional services needed to provide an Early Release Package to support partial site demolition, excavation of the building footprint and necessary rerouting of utilities which fall within the building footprint excavation limits for the project.

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the Mayor is authorized to execute the proposed Amendment Number Two to the Professional Services Agreement with Gilbert, McLaughlin, Casella Architects for professional engineering consulting services for the Toyota Field Four-story Clubhouse, said Amendment No. 2 to be substantially similar in purpose, intent, and composition to that certain document attached hereto and identified as "Amendment Number Two" dated September 4, 2024 for Construction Document through Project Closeout Phases for the Early Release Package (ERP) | Demolition and Excavation, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the resulting agreement, the Mayor or his designee shall be hereby authorized for the entire term of the agreement to execute any and all documentation necessary to enforce and comply with the terms thereof, subject to the budgetary restrictions set forth by the Council in its adopted budget for the then-current fiscal year; and

BE IT FURTHER RESOLVED that, upon request and notification from the appropriate department that the terms of the amended agreement preceding payment have been satisfied, the Finance Director is hereby authorized to forward payment to Gilbert, McLaughlin, Casella Architects in a total amount not to exceed thirty thousand seven hundred dollars (\$30,700) to be paid from the Multi-use Venue Maintenance Fund budget. This amount includes seventeen thousand seven hundred dollars (\$17,700) for services rendered and thirteen thousand dollars

(\$13,000) for reimbursable expenses as set forth in Exhibit C of the attached Professional Services Agreement with Gilbert, McLaughlin, Casella Architects.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of September 2024.

Paul Finley, Mayor
City of Madison, Alabama

4 September 2024

Mary Beth Broeren
 City of Madison, Director of Planning
 Madison City Hall
 100 Hughs Road
 Madison, Alabama 35758

**Re: Toyota Field, 500 Trash Panda Way, Madison, Alabama 35758
 Madison Multi-purpose Stadium – Outfield Building**

**Amendment No. 2 : Construction Document through Project Closeout Phases for the
 Early Release Package(ERP) | Demolition and Excavation**

GilMC Project # 202304.03 TFS

Dear Mary Beth,

Thank you for the opportunity the City of Madison, Alabama continues to offer our firm. Per your request, we have prepared this Amendment No. 2 between Gilbert | McLaughlin | Casella Architects, PLC (Architect) and the City of Madison, Alabama (Client=City=Owner) to contract for professional services needed to provide an Early Release Package to support partial site demolition, excavation of the building footprint and necessary rerouting of utilities which fall within the building footprint excavation limits for the above project.

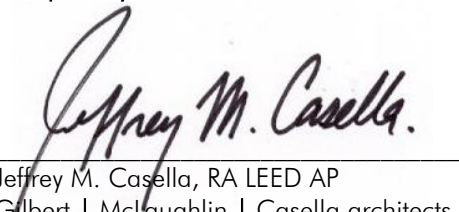
Gilbert McLaughlin Casella Architects, PLC will provide professional design services for architectural, civil, electrical, and structural engineering, as outlined in the Design Development budgeting drawings and narratives provided during the Design Development Phase for items which fall within the footprint of the building to support the Early Release Demolition and Excavation Package.

We have provided the specific description and anticipated schedule of services we propose to provide in Exhibit A-Scope of the Project, Exhibit A-Limits of the Work, and Exhibit B-Scope of Services, all made part of this amendment.

The terms of compensation and reimbursement to Gilbert McLaughlin Casella Architects, PLC for rendering these services is defined in Exhibit C - Compensation for Services and made part of this amendment.

If you agree with this amendment, please sign below. The terms of the executed agreement between Gilbert | McLaughlin | Casella Architects, PLC, and the City of Madison Alabama remain in place for this amendment. This amendment is valid for (45) days from the date above, after which the Architect reserves the right to review and renegotiate the fees for the required services with the Owner. We are pleased to continue collaborating with you and the City of Madison on this exciting project. Please call me with any questions you may have.

Accepted by Architect:



Jeffrey M. Casella, RA LEED AP
Gilbert | McLaughlin | Casella architects, PLC
Date: **4 September 2024**

Accepted by Owner:

Signature/Title:

Printed Name:

Date:

EXHIBIT A – SCOPE OF THE PROJECT (ERP CD thru PC) 4 September 2024
Construction Document through Project Closeout Phases for the
Early Release Package(ERP) | Demolition and Excavation
Toyota Field, 500 Trash Panda Way, Madison, Alabama 35758
Madison Multi-purpose Stadium – Outfield Building

General Description

The project shall be to provide an early release package to support the future construction of an outfield building. The future building will be located along the outfield line adjacent to the third base foul pole and visitor’s bullpen. The building will have a footprint of approximately 8,200 gross square feet.

Schedule

Assuming approval to proceed is provided on September 9, 2024, the Architect will begin work on September 23, 2024, and target a December 6, 2024, issue date for the Construction Document Phase of this project.

Limits of Work

The Design Team Limits of Work is the partial site demolition for items falling within the proposed buildings footprint, excavation of the building footprint to 12” above the field level finished floor and rerouting of the electrical lines and irrigation lines running through or near the footprint.

THE DESIGN TEAM **will not provide** design services to support the Construction Document through Project Closeout Phase for the building intended to be constructed in the excavated area as part of the scope of this Amendment.

END OF EXHIBIT A

EXHIBIT B – SCOPE OF WORK

4 September 2024

**Construction Document through Project Closeout Phases for the
Early Release Package(ERP) | Demolition and Excavation
Toyota Field, 500 Trash Panda Way, Madison, Alabama 35758
Madison Multi-purpose Stadium – Outfield Building**

**CONSTRUCTION DOCUMENT PHASE
Design Team Deliverables/Tasks/Services**

Architect and Design Team (The Architect)

- The Architect will collaborate with the Owner to provide review/comment on the City’s selected Contract for Construction as it pertains to required scope of work of the project and industry standard processes for communication and project management responsibilities.
- The Architect will coordinate with consultants of the Owner and Team as necessary throughout the phase.
- The Architect will attend the necessary meetings with the Owner to present and discuss the development of the documents, discuss scope, gather information, to report on progress and schedule.
- The Architect will provide a Cover and Index Sheet, an Electrical Site Plan, and a Project Manual to allow for bidding and construction of the project.
- Progress sets of the documents at a level of 85% completion will be issued to the City and the Team to allow for review, comment, and discussion of the progress.
- The Architect and the Design Team will attend meetings to receive comments/discuss the design after the City and Team review the ERP CD Documents. Based on the extent of the changes requested, revisions will be provided to the documents to respond to the comments or to integrate information being provided.

Civil Engineer

- The Civil Engineer will provide the necessary documents to allow for bidding and construction of the project. This information will include a site plan, rough grading and drainage plans, phase erosion control plan, utility plan, required general notes, and details, The Civil Engineer (Mullins) will attend and support meetings for technical review, post technical review and the with the planning commission if meetings are required to support the ERP.

Meetings and Visits

The Architect shall visit the project site with their Consultant team if needed. The Architect shall attend meetings in Madison with the Team and the City as needed. We have allotted within our estimated reimbursable expenses visits as defined by Team Member and number as follows:

Architect:	2 visits if needed
Civil Engineer:	3 visits if needed.
MPE FP Engineer:	1 visit if needed.
Structural Engineer:	1 visit if needed.

The Architect and their Consultants will attend Video Conferencing Meetings with each other, the City and Team as required to produce the agreed upon Scope of Work, Deliverables, Tasks and Services.

BIDDING NEGOTIATION / PERMITTING PHASE

Design Team Deliverables/Tasks/Services

- The Architect will attend a pre-bid meeting with the associated Sub-Contractors
- The Architect will coordinate with the City during the bidding process to clarify the scope of work in response to inquiries posed by the bidders.
- The Architect will coordinate with the City during the evaluation of the responses provided by the bidders to assist in determining the awarded bidder.
- The Architect will attend meetings with and / or respond to questions and comments offered by the AHJ who are reviewing the project as part of the permitting process.

Meetings

The Architect and Design Team will attend Video Conference Meetings as needed during this period.

CONSTRUCTION ADMINISTRATION PHASE

Design Team Deliverables/Tasks/Services

- The Architect shall, along with participation from the City, review, comment and approve payment applications, shop drawings and submittals.
- The Architect will create and provide site reports during visits to the site for distribution to the City, the Team, the Design Team, and the General Contractor.
- The Architect will provide an agenda and meeting minutes for the Owner Architect General Contractor meetings held during the Construction Administration Phase of the project.
- The Architect will create and issue supplemental information as needed to respond to Requests for Information issued by the City or the General Contractor.
- The Architect and his appropriate Team Members will participate in offering an opinion concerning the recommendations of the Owner's Geotechnical Engineer as it pertains to dewatering plans which may be needed based on the weather conditions which may be present during the commencement of the project.

Meetings and Visits

The Architect will visit the site to view the progress and meet with the City, the Team and the General Contractor every 2 weeks during the construction period, as needed. The Architect will

attend Video Conference Meetings at a minimum of every 2 weeks with more provided as needed to keep the project moving forward.

The Design Team will attend Video Meetings as needed.

We have allotted within our estimated reimbursable expenses visits as defined by Team Member and number as follows:

- Architect: 4
- Civil Engineer: 6
- Electrical Engineer: 1
- Structural Engineer: 1 visit if needed.

PROJECT CLOSEOUT PHASE

Design Team Deliverables/Tasks

The Architect and his team will modify and compile revisions to the drawings based on field sketches provided by the Sub-Contractors which reflect work as implemented in the field if different than the Construction Documents. This information will be provided to the City, and the Team for their records and to assist in their continued maintenance of the facility.

EXCLUDED SERVICES

Below are items not included in Basic Design Services, but Gilbert | McLaughlin | Casella Architects, PLC will, if requested by the Team and Owner, provide amendment(s) to this agreement to allow the following additional services to be provided as part of our scope.

- Construction Document Phase thru Project Closeout Phase for the Building
- Commissioning Services
- Cost Estimating
- Coordination of permitting for the project

END OF EXHIBIT B

EXHIBIT C – COMPENSATION FOR SERVICES

4 September 2024

Construction Document through Project Closeout Phases for the
Early Release Package(ERP) | Demolition and Excavation
Toyota Field, 500 Trash Panda Way, Madison, Alabama 35758
Madison Multi-purpose Stadium – Outfield Building

The Owner agrees to pay Gilbert | McLaughlin | Casella Architects, PLC compensation for the Scope of the Project and Scope of Services described in Exhibits A and B as follows:

FEES – BASE SCOPE OF SERVICES (ERP)

Services will be compensated with lump sum limits per phase as follows:

Construction Document Phase	\$12,700.00
Bidding Negotiation Phase	\$1,500.00
Construction Administration Phase	\$3,500.00
Project Closeout Phase (no services required)	ZERO
Total Fee	\$17,700.00

(Seventeen Thousand Dollars, Seven Hundred and Zero cents)

REIMBURSIBLE EXPENSES (ERP)

These expenses are in addition to the Fees for the Base Scope of Services and estimated to be as outlined below:

Construction Document Phase:

Estimated Travel Expenses:	\$4,000.00
Printing:	\$1,500.00
Total Estimated Reimbursable Expenses	\$5,500.00

(Five Thousand, Five Hundred Dollars and Zero cents)

Bidding through Project Closeout Phases:

Estimated Travel Expenses:	\$6,000.00
Printing:	\$1,500.00
Total Estimated Reimbursable Expenses	\$7,500.00

(Seven Thousand, Five Hundred Dollars and Zero cents)

ADDITIONAL SERVICES

The Architect will negotiate Additional Services requested by the Client, per occurrence based on the time and hourly rate.

Time Spent(hours) x Hourly Rate(\$/Hour) = Additional Cost

END OF EXHIBIT C

ORDINANCE NO. 2024-241

**AN ORDINANCE TO AMEND SECTION 12, "COMPENSATION AND BENEFITS,"
OF THE CITY OF MADISON PERSONNEL POLICIES AND PROCEDURES**

WHEREAS, the City Council has previously adopted the *City of Madison Personnel Policies and Procedures*, and it last amended Section 12, "Compensation and Benefits," in November of 2022; and

WHEREAS, the City engaged Evergreen Solutions, LLC, ("Evergreen") to conduct a comprehensive compensation and classification study, and Evergreen has recommended changes to the City's compensation policies in order to align the City with the current employment market and to promote public service recruitment and retention; and

WHEREAS, Evergreen has recommended the following policy changes (the "Evergreen Policy Recommendations") to the City Council in order to provide for market-competitive compensation and to reduce pay compression within the City service:

- Modify pay ranges from an average of slightly over 100 percent to 65 percent to better align with the job market.
- Provide for progression between each pay grade from 10 percent to 7 percent to allow for more precise placement of classifications within the pay plan to align with the job market.
- Change the number of total steps in the pay plan from 25 to 21 to progress employees to the maximum of their ranges faster.
- Provide for step progression at an annual rate of 2.5 percent to accommodate the modification of pay ranges.
- Implement a methodology to place employees into their new, market competitive pay ranges and to reduce wage compression based on years of service in their current roles and prior City roles.
- Provide that employees will receive step increases each year, as long as their performance is satisfactory.
- Provide for annual cost of living adjustments to the City pay scales based on rates of inflation in a given year.

WHEREAS, the City Council desires to adopt the Evergreen Policy Recommendations;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of Madison, Alabama, as follows:

SECTION 1. That the City Council adopts the Evergreen Policy Recommendations by amending Section 12.1 of the *City of Madison Personnel Policies and Procedures*, as provided in Attachment A to this Ordinance.

SECTION 2. That the City hereby adopts revised pay scales and ranges that will provide for market-competitive rates and career progression as articulated in the Evergreen Policy Recommendations for all City employees.

SECTION 3. That the new pay scales and amended policies described in Sections 1-2 of this Ordinance shall take effect with the commencement of the first full pay period of the new Fiscal Year, which begins on October 14, 2024.

SECTION 4. That following the adoption of the budget for Fiscal Year 2025, the Human Resources Department is authorized to update employees' salaries for the new fiscal year according to the classifications, pay ranges, and amounts that Evergreen has recommended for each employee's position.

SECTION 5. That in the event that Evergreen's methodology has determined that an employee's salary is already situated at market or less than 2.5% above market, then if that employee has achieved satisfactory performance in the preceding fiscal year, the Human Resources Department is authorized to enter a minimum one step's worth (2.5%) increase in pay for Fiscal Year 2025 for such employees.

SECTION 6. That the City Council hereby authorizes an appeal process for employees and City management to address any perceived or actual inaccuracies in compensation study results in accordance with the procedures outlined in Attachment B to this Ordinance.

SECTION 7. That the Human Resources Department and Mayor are authorized to manage the appeals process described in Section 6 above.

SECTION 8. That the pay increases authorized pursuant to this Ordinance for each City employee for Fiscal Year 2025 shall be the salaries in effect for employees for the entire fiscal year, unless approved otherwise. Anniversary date step increases as described in Section 12, as amended, shall resume in Fiscal Year 2026.

SECTION 9. That if any clause, phrase, sentence, paragraph, or provision of the hereby-amended Section 12 shall be invalidated by a court of competent jurisdiction, it is the intent of the City Council that such invalidation shall not affect the validity of any other clause, phrase, sentence, paragraph, or provision thereof.

SECTION 10. That contingent on the adoption of the new budget for Fiscal Year 2025, this Ordinance shall become effective on October 1, 2024.

READ, PASSED, and ADOPTED this _____ day of September, 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this _____ day of September, 2024.

Paul Finley, Mayor
City of Madison, Alabama

ATTACHMENT A
POLICY 12.1, COMPENSATION

12.1.1 GENERAL PROVISIONS

Policy Statement. The City will determine compensation based on fairness, internal and external equity and budget allocations. Such compensation will be comprised of employee pay and city-provided benefits that will be established and maintained in accordance with the guidelines of this chapter. All sections and guideline provisions are contingent on City Council budget approvals.

Job Descriptions. Department Heads will be responsible for preparing, maintaining, and periodically reviewing and revising (as necessary) job descriptions for each position within their departments.

Council Appointed Department Heads –The Mayor shall forward Job Descriptions for positions appointed by City Council to the Human Resources Committee, who would, after review and approval, take it to the City Council for review and approval.

All Other Job Descriptions – Department Heads shall forward job descriptions for all other positions in the City to the Mayor for his or her review and approval, after recommendation by the Human Resources Director.

Approved job descriptions will follow the standard format of the City and will identify the representative duties and tasks, along with the job-related knowledge, education, skill, and abilities that are required for proper performance of the job. They will include a specific description of essential and secondary job functions. The job description will be used to evaluate each job and to assign each position to the appropriate pay grade in the classification plan.

**Exempt and
Non-Exempt Job
Classifications.**

Each job classification shall be designated as being “exempt” or “non-exempt,” as defined by the Fair Labor Standards Act (FLSA) , 29 U.S.C. § 201, et seq., and its implementing regulations. The job description and/or related job analysis shall be used to designate the appropriate exemption status for the job classification in accordance with the FLSA, as determined by a combination of such factors and guidelines including:

- Weekly pay amount (Note: Part-time employees are classified as hourly for time accounting purposes, regardless of position.);
- Whether the employee performs manual or non-manual work;
- The degree of supervision exercised (compared to other duties);

- The degree and frequency of exercising discretionary authority and independent judgment;
- The level of participation in policy making and related planning;
- Non-routine and non-clerical administrative work involving discretion and independent judgment with respect to matters of significance (in importance and/or consequence).
- The performance of specialized and technical work requiring advanced specialized training, experience and knowledge customarily acquired by a prolonged course of specialized intellectual instruction.

Exempt Employees.

“Exempt” employees are regular full-time employees who are exempt from the overtime requirements of the FLSA. Exempt employees are not entitled to overtime pay or compensatory time off regardless of the number of hours they work during a workweek.

Exempt employees are expected to work the typical workday as other full-time employees in their department, or a schedule determined by the Department Head, typically an average of at least 40 hours per week. Exempt employees may need to work additional hours outside the normal workday to attend meetings, such as Council meetings, etc., or perform other work required for their particular job position. Work schedules and time off from the exempt employee’s regular work schedule must be approved in advance by the Department Head (or Mayor).

Exempt employees are typically paid their full salary for a workweek in which work is performed, in accordance with the FLSA. However, full-day absences or suspensions from work may not be paid and/or will be charged as leave in accordance with the leave policies, as applicable (See Policy Section 11).

An exempt employee’s pay or accrued leave accounts will not be reduced for partial time off in a given workday in accordance with the FLSA, except for certain medical leave in accordance with the Family Medical Leave Act, and applicable non-accrued leave, such as Administrative Leave, Personal Leave, and/or Military Leave.

Consistent with the FLSA, exempt employees’ normal pay will not be deducted for absences occasioned by the employer or the operating requirements of the business. For example, exempt employees’ salary (or leave accruals) will not be deducted for time missed due to business being closed for inclement weather or other reasons determined by the Mayor. However, if the business is open and the employee does not report to work for a full day, his/her pay or qualifying leave accruals can be deducted.

Department Heads may require exempt employees to record and track hours, work a specified schedule, and make up work time lost due to personal absences of less than a day.

**Hourly
(Non-Exempt)
Employees.**

All employees who are not designated as exempt employees (including temporary employees) are classified as non-exempt or hourly employees and are subject to the minimum wage and overtime provisions of the FLSA. Non-exempt employees will be paid for all hours worked (or leave taken in accordance with the Attendance and Leave Policy Section 11) per pay period. Hours worked outside of standard scheduled work hours are approved by management. Regardless, if an employee is suffered or permitted to work outside of their regular shift, the employee shall include that time as time worked on their timesheet. Such pay will be based on the hourly rate (or overtime rate) of pay for the job, as established by the approved classification and pay plan and any applicable, adjusted hourly rate calculations as required by FLSA.

**Pay Compliance
Inquiries. (FLSA)**

If an employee suspects he/she was not properly paid for any period of time, and/or if he/she receives a paycheck in which he/she thinks deductions have been impermissibly made for time not worked during the preceding pay period, he/she MUST submit concerns in writing to the Director of Human Resources for review. The City will review the deductions in light of the FLSA, and will determine whether the deductions taken were permissible and/or whether the payments made were proper. In the event that deductions taken are impermissible or the employee was otherwise improperly paid, the employee will be reimbursed for the improper salary deduction and/or corrections made, as applicable. The City will continue to make a good faith effort to comply with the FLSA regarding exempt employee salary deductions and general payment obligations.

**Classification
Plan.**

Classification plans shall be maintained using the approach that, insofar as practicable, jobs that are comparable in responsibility, scope, complexity, required education, knowledge, skill, and ability may be assigned to a comparable pay grade, while balancing adjustments for internal equity, budget considerations and external factors, such as

- **external competition for skills;**
- **recruiting challenges;**
- **difficulty to backfill;**
- **turnover and applicant data, and**
- **risk, cost and consequences of turnover.**

The classification plans shall contain a sufficient number of pay grades to adequately and fairly distinguish differences among jobs assigned to the plans. The assignment of jobs to pay grades contained in the plans shall be made through the evaluation of each job by Human Resources based on a job description for the position. Based on recommendation by the Human Resources Director and approval by the Mayor, revisions to the classification plans must be presented by the Human Resources Committee for City Council approval after the Department Head or Human Resources completes the standard process and forms. Pay plan reclassifications for existing positions will normally be considered at least two months before the budget preparation process begins, except in unique situations requiring more timely changes for business reasons, initiated by the Mayor or Human Resources.

If the Human Resources Committee's evaluation of an existing position on the City's classification plan results in a lower job grade than the grade the position is currently assigned, the position's grade will not be adjusted until the position is vacant. However, the grade will be adjusted prior to filling the position based on the approval of City Council.

The City Council has adopted four Pay Plans, including subsequent Pay Guidelines: 1) Sworn Police Officers; 2) Certified Firefighter Personnel; 3) General, Including All Other Classified City Employees; and 4) Department Heads and Aides.

Pay Plans.

City Pay Plans have been established by the City Council and will be used in conjunction with the approved classification plans to determine the pay for all unclassified, classified, and temporary service employees. The pay plans establish a minimum and maximum pay range for each pay grade contained in the classification plan.

The Pay Plans shall be reviewed periodically by Human Resources and the Mayor, and recommendations may be made for adjustments based on **budget availability, external competition for skills, turnover and applicant data.**

The Pay Plans are subject to adjustment or modification by the City Council.

Annual COLA. In order to minimize the effects of economic inflation on City employees' salaries, at the beginning of each fiscal year, all City pay rates shall be increased to account for inflation that has occurred in the preceding fiscal year.

The cost-of-living adjustment shall be equal to the Consumer Price Index for Wage Earners & Clerical Workers for “All Items” from the third quarter of the previous year to the third quarter of the current year, as determined by the U.S. Department of Labor, Bureau of Labor Statistics. The City may use the U.S. City Average or the average for the Southeastern U.S. to set the COLA for the new fiscal year.

Inflation adjustments remain subject to City Council budget authorization each year. When the national economy experiences rates of inflation exceeding 5%, the City may select a lower cost of living adjustment rate for a given year. Conversely, if deflation has occurred in a given year, pay rates shall not be reduced.

Reassignments (Non-Promotion).

When an employee is transferred to an equivalent (Grade) position, the employee's base pay level will remain approximately the same as before reassignment. When an employee is demoted or transferred to a job with a lower grade, the employee's pay will be established at the grade of the new position, at the same step he/she was at prior to the transfer. All pay adjustments for employee reassignments will be recommended by the Department Head who must complete all Human Resources required paperwork (Change of Status Form) for such changes, and all proposed adjustments will be submitted to the Mayor for approval before becoming effective.

When an employee is hired from a General Classification position to a certified Police or Fire position, the employee's starting pay in the new position will follow guidelines of a new employee. When a certified Police or Fire classified employee is transferred or hired to a General Classification position the Department Head and Human Resources, with approval by the Mayor, will determine the pay on the different plan and determine if it is considered a transfer, demotion or promotion on a rare, case by case basis.

Acting Pay/ Working Out of Classification

If an employee, through the direction of the Department Head or Mayor is temporarily assigned the responsibility of performing the majority of the duties normally performed by another employee in a higher classification, that employee may, after a reasonable time period as determined by the Department Head or Mayor, receive temporary compensation at the grade

of the temporary acting position at a step between 5% to 10% above the pay of their regular position, unless to get on the proper grade, at Step 1, would equate to more than 10%.

Pay will be changed the beginning of the following pay period after all required paperwork has been submitted to Human Resources and would not be changed back until the beginning of a new pay period.

However, in the event the temporary vacancy or absence becomes a permanent vacancy, the Department Head shall consider all qualified and eligible applicants or candidates, and the position will be posted according to current staffing procedures. Experience in a temporary assignment will in no way guarantee promotion into a position should one become available.

The following are provisions for temporary appointment and compensation:

- a) A temporary vacancy or absence must exist within the department due to the absence of a regular full-time employee;
- b) As determined by the Department Head, a temporary out-of-class appointment must be necessary for the efficient operation of the department (NOTE: If an employee's regular position requires serving on the behalf of their immediate manager, such as an Assistant Director to a Department Head for example, that employee may not typically be considered to be working out of classification, since it would be part of his/her regular job requirements, unless it is for an extended period of time);
- c) The Department Head shall have the discretion to designate which employee, if any, shall be assigned and for what duration an employee may serve;
- d) An employee will not be eligible for additional compensation under this policy until the beginning of the following pay period after the temporary assignment AND all required paperwork has been submitted to Human Resources. The employee temporarily assigned to a higher classification, shall receive compensation equal to the grade established for the temporary classification. Upon completion of the temporary assignment, the employee's pay will revert to his/her regular pay at the beginning of a new pay period. Department Heads must submit a Classification Change Request Form for each change (to Acting, and to return to regular position) prior to the beginning of the pay period.

If an employee temporarily works in a position with a lower grade, the employee's pay rate will not change.

**Anniversary
Dates.**

An employee's anniversary date (date of employment/hire) will be used to determine eligibility for pay increases, leave accruals, and other areas, which are related to an employee's years of service.

If an individual is separated and is later reemployed to a regular full-time position, the new anniversary date will be established as the employee's new hire/rehire date as a "new employee", unless the employee is reemployed to the last position he/she left within 30 days. In that case, the pay, accrual rates and remaining sick leave balance would be the same as when the employee left, and the employee would not be considered a "new employee".

DRAFT

12.1.2 CLASSIFIED SWORN OFFICERS PAY PLAN GUIDELINES

The Sworn Officers Pay Plan of the City of Madison, as adopted by City Council, includes grades and steps of established wages or annual salary for all Sworn Officer positions except unclassified employees.

**Grades,
Purpose.**

_____The grades of the Pay Plan are used for adequately and fairly distinguishing differences among positions assigned to the Plan. The Pay Plan, as established, includes a ~~ten-seven~~ percent (~~107~~%) differential between each grade.

**Steps,
Purpose.**

The steps of the Pay Plan ~~may~~ shall be used for granting pay or salary increases to employees based on PERFORMANCE AND after completion of continuous years of service. The Pay Plan, as established, ~~includes varying percentage differentials between each step (4% for the beginning of the plan steps, and 3% after Step 10)~~ provides for a two and one half percent (2.5%) differential between each step. An employee will not be able to receive step increases beyond the highest step on the Pay Plan.

**New Patrol
Officer
Employees.**

_____New Patrol Officer employees will generally be hired at the pay or salary at the first step for the grade. ~~For Patrol Officers, the first step is considered Step 3 on the pay scale, due to recruiting challenges. On the pay period following adoption of this policy change, all current Patrol Officers (and personnel promoted from title of Patrol Officer to another certified Police position in fiscal year 2020) shall be adjusted accordingly within the pay scale.~~

_____If a terminated employee is re-employed to the position he/she left within 30 days, he/she will not be considered a new employee, See Section 12.1.1, “Anniversary Dates.”

New employees with three (3) or more years of continuous full-time Alabama Peace Officers’ Standards and Training Commission (APOSTC) certified law enforcement employment shall be hired above the minimum rate. New employees from another state must have three (3) or more years of continuous full-time certified law enforcement employment with a current Peace Officers Standards and Training certificate from another state to be hired above the minimum rate, as long as they meet the following criteria: 1) their certification must be in good standing 2) they must comply with APOSTC Administrative Code; and 3) they must have had less than two (2) years break in serve at the time of hire with the City.

Full Years of APOSTC Certified Experience Hiring Step

3 Years, But Less Than 5	1 Additional Step
5 Years, But Less Than 7	2 Additional Steps
More than 7 Years	3 Additional Steps

**Other Sworn
APOST Officers**

Other new APOST certified employees (other than Patrol Officers) will generally be hired at the pay or salary designated as Step 1 for the grade of the position for which they are hired. If a terminated employee is reemployed to the position he/she left within 30 days, he/she will not be considered a new employee, See Section 12.1.1, “Anniversary Dates.”

With the recommendation of the Human Resources Director and final approval of the Mayor, other new sworn employees may be hired up to the Step 5 of the grade of the position, consistent with the budgeted amount for the position. The Department Head will be required to justify the new employee at a higher step, consistent with the budgeted amount for the position, and based on extraordinary credentials, qualifications, or other employment experience that clearly justifies a higher initial pay or salary for the employee, using the standard justification form.

**Performance
Increase
Procedures.**

Employees who receive overall satisfactory performance ratings during a given year shall receive a one-step increase for the following year. The pay increase shall be effective starting at the beginning of the pay period immediately following the employee’s anniversary date, provided that the Human Resources Department receives all required performance documentation. — One-step increases may be based on Satisfactory PERFORMANCE and may be effective the pay period following the date all required documentation is received in Human Resources, following the employee’s anniversary date. Performance increases are not automatic; they also require a determination (using an objective, behaviorally-based performance evaluation using the performance evaluation system) that the service of the employee has been “satisfactory” (fully meets the performance expected for the total position) during the previous evaluation period (conducted at the end of each fiscal year). However, probationary employees shall be evaluated on their anniversary date.

**Merit
Increases.**

Steps may also be used for occasional merit increases as determined by the Mayor. Step increases based on merit may be given only to the extent that funds are available to provide such increases and only for meritorious service as a City employee (as supported by the performance evaluation system of the City and other relevant information documented by the Department Head or Mayor). Such increases may not be given as a substitute for performance increases under circumstances in which the employee does not otherwise receive a performance step increase.

**Promoted
Employees.**

The pay for promoted sworn officers will be increased to the grade of the new position, at the same step he/she was at prior to the transfer.

DRAFT

12.1.3 CERTIFIED FIREFIGHTER PAY PLAN GUIDELINES

The adopted Certified Firefighter Pay Plan of the City of Madison includes grades and steps of established wages or annual salary for all Certified Firefighter positions except unclassified employees.

Grades,
Purpose.

The grades of the Pay Plan are used for adequately and fairly distinguishing differences among positions assigned to the Plan.

Steps,
Purpose.

The steps of the Pay Plan ~~may~~ shall be used for granting pay or salary increases to employees based on PERFORMANCE AND after completion of continuous years of service. The Pay Plan, as established, includes a ~~three-two and one half~~ percent (2.53%) differential between each step. An employee will not be able to receive step increases beyond the highest step on the Pay Plan.

New Firefighter
Level Employees.

New Firefighter Level employees will generally be hired at the pay or salary designated as Step 1 for the grade of the position for which they are hired. If a terminated employee is reemployed to the position he/she left within 30 days, he/she will not be considered a new employee, See Section 12.1.1, “Anniversary Dates.”

New employees with continuous paid professional firefighter experience, ~~and who are currently certified or certifiable as acurrent~~ professional firefighter, level ~~I/II one~~, certification by the Alabama State Personnel and Standards Commission, ~~and national registry EMT certification shall may~~ be hired at above the minimum rate, as follows:

<u>Full Years of Professional Certified Firefighter Experience</u>	<u>Hiring Step</u>
3 Years, But Less Than 5	Step 2
5 Years, But Less Than 7	Step 3
More than 7 Years	Step 4

Other New
Employees

Other new certified employees (~~other than Firefighter~~) will generally be hired at the pay or salary designated as Step 1 for the grade of the position for which they are hired. If a terminated employee is reemployed to the position he/she left within 30 days, he/she will not be considered a new employee, See Section 12.1.1, “Anniversary Dates.”

With the recommendation of the Human Resources Director and final approval of the Mayor, other new certified employees may be hired up to the Step 5 of the grade of the position, consistent with the budgeted

amount for the position. The Department Head will be required to justify the new employee at a higher step, consistent with the budgeted amount for the position, and based on extraordinary credentials, qualifications, or other employment experience that clearly justifies a higher initial pay or salary for the employee, using the standard justification form.

**Performance
Increase
Procedures.**

Employees who receive overall satisfactory performance ratings during a given year shall receive a one-step increase for the following year. The pay increase shall be effective starting at the beginning of the pay period immediately following the employee's anniversary date, provided that the Human Resources Department receives all required performance documentation. ~~One-step increases may be based on Satisfactory PERFORMANCE and may be effective the pay period following the date all required documentation is received in Human Resources, following the employee's anniversary date.~~ Performance increases are not automatic; they also require a determination (using an objective, behaviorally-based performance evaluation using the performance evaluation system) that the service of the employee has been "satisfactory" (fully meets the performance expected for the total position) during the previous evaluation period (conducted at the end of each fiscal year). However, probationary employees shall be evaluated on their anniversary date.

**Merit
Increases.**

Steps may also be used for occasional merit increases as determined by the Mayor. Step increases based on merit may be given only to the extent that funds are available to provide such increases and only for meritorious service as a City employee (as supported by the performance evaluation system of the City and other relevant information documented by the Department Head or Mayor). Such increases may not be given as a substitute for performance increases under circumstances in which the employee does not otherwise receive a performance step increase.

**Promoted
Employees.**

The pay for promoted certified firefighters will be increased to the grade of the new position, at the same step he/she was at prior to the transfer.

12.1.4 GENERAL CLASSIFIED EMPLOYEES PAY PLAN GUIDELINES

The adopted General Classified Pay Plan of the City of Madison includes grades and steps of established wages or annual salary for all City positions except unclassified employees, Classified Sworn Officers and Certified Firefighters. The pay of each employee to whom the Pay Plan is applicable is established in accordance with the appropriate grade and step in the Plan.

**Grades,
Purpose.**

The grades of the Pay Plan will be used for adequately and fairly distinguishing differences among positions assigned to the Plan. The Pay Plan, as established, includes a ~~ten-seven~~ percent (~~107~~%) differential between each grade.

**Steps,
Purpose.**

The steps of the Pay Plan ~~may~~ shall be used for granting pay or salary increases to employees based on PERFORMANCE AND after completion of continuous years of service. The Pay Plan, as established, includes a ~~three-two and one half~~ percent (~~2.53~~%) differential between each step. An employee will not be able to receive step increases beyond the highest step on the Pay Plan.

New Employees.

New employees will generally be hired at the pay or salary designated as Step 1 for the grade of the position for which they are hired. If a terminated employee is re-employed to the position he/she left within 30 days, he/she will not be considered a new employee, See Section 12.1.1, “Anniversary Dates.”

With the recommendation of the Human Resources Director and final approval of the Mayor, new employees may be hired up to the Step 5 of the grade of the position, consistent with the budgeted amount for the position. The Department Head will be required to justify the new employee at a higher step, consistent with the budgeted amount for the position, and based on extraordinary credentials, qualifications, or other employment experience that clearly justifies a higher initial pay or salary for the employee, using the standard justification form.

**Performance
Increase
Procedures**

Employees who receive overall satisfactory performance ratings during a given year shall receive a one-step increase for the following year. The pay increase shall be effective starting at the beginning of the pay period immediately following the employee’s anniversary date, provided that the Human Resources Department receives all required performance documentation. One-step increases may be based on Satisfactory PERFORMANCE and may be effective the pay period following the date all required documentation is received in Human Resources, following the

~~employee's anniversary date.~~

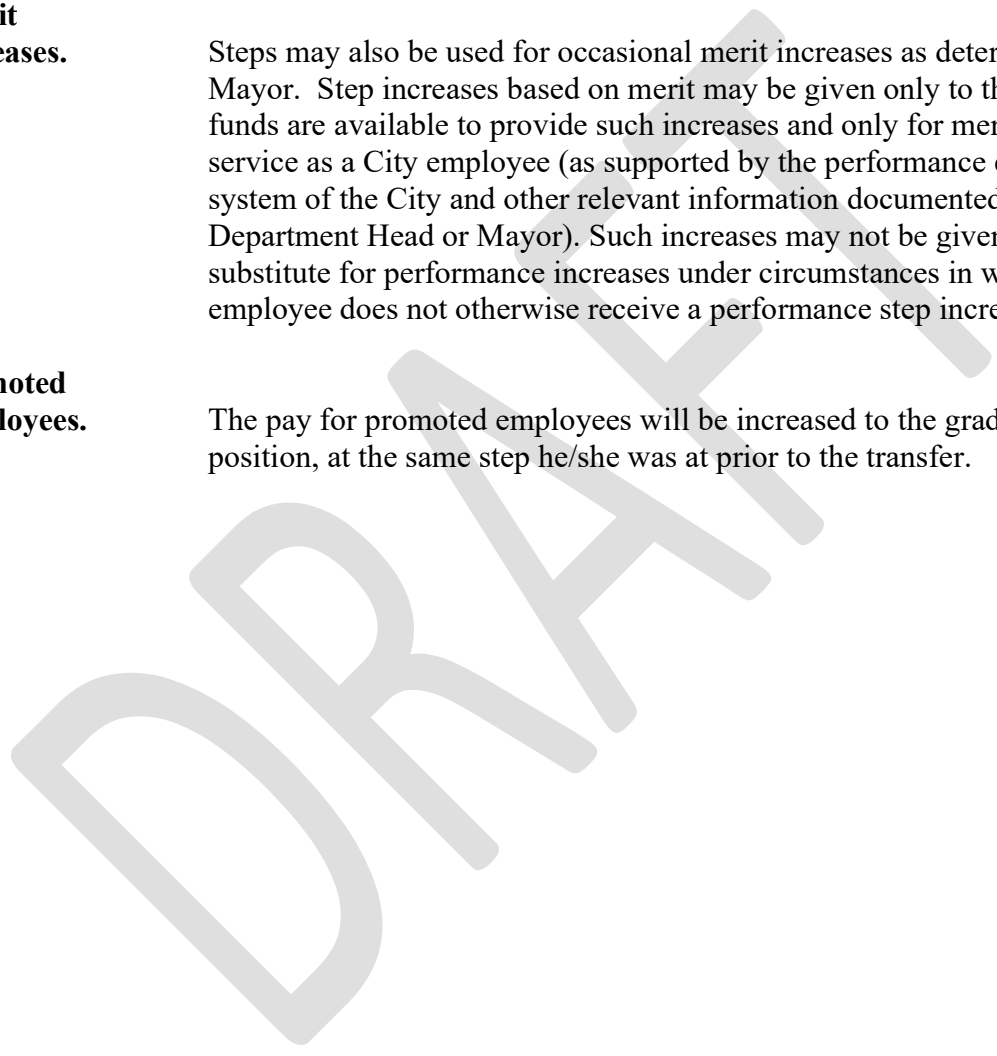
Performance increases are not automatic; they also require a determination (using an objective, behaviorally-based performance evaluation using the performance evaluation system) that the service of the employee has been "satisfactory" (fully meets the performance expected for the total position) during the previous evaluation period (conducted at the end of each fiscal year). However, probationary employees may be evaluated on their anniversary date.

**Merit
Increases.**

Steps may also be used for occasional merit increases as determined by the Mayor. Step increases based on merit may be given only to the extent that funds are available to provide such increases and only for meritorious service as a City employee (as supported by the performance evaluation system of the City and other relevant information documented by the Department Head or Mayor). Such increases may not be given as a substitute for performance increases under circumstances in which the employee does not otherwise receive a performance step increase.

**Promoted
Employees.**

The pay for promoted employees will be increased to the grade of the new position, at the same step he/she was at prior to the transfer.



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ATTACHMENT B

COMPENSATION STUDY RESULTS APPEAL PROCESS

A. Purpose:

In order to conclude the City's 2023-2024 compensation study, the City will provide an opportunity for employees to address any perceived or actual inaccuracies pertaining to individual salary adjustments. This process will be available for a limited time.

B. Who Can Appeal:

Employees who wish to appeal shall make appeals on an individual basis.

C. Basis for Appeal:

The grounds for disagreement with the salary adjustment recommended by the compensation study consultant must be based on and limited to resolution of any errors that may have occurred in calculating salaries based on the compensation study results and methodology.

Grounds for appeal include concerns of inaccurate evaluation of the following data points:

- Employee's job title, description, and duties.
- Employee's years of service to the City.
- Application of Evergreen market research and methodology.

For the purpose of this appeal process, the following factors will **not** serve as a basis for appeal:

- Comparisons to other employees, positions, or departments.
- Independent market research.
- Performance record.
- Personal matters.

D. Evaluation of an Appeal:

When resolving an appeal, City management will limit evaluation to the written record, factors listed above in Section C of this document, research provided by Evergreen Solutions, and Department Head feedback based on the same factors.

E. Appeal Process:

- **1. Employee Appeal Request:**
 - A. Timing: If employees wish to appeal, then they must submit a written appeal request within ten (10) business days after receipt of written notice of the salary recommendation made by the compensation study. *For purposes of counting days, Day 1 shall be the day after the salary adjustment notice date.*

- B. Format: Employees shall use the designated appeal form provided by H.R., and they shall turn in the form to their Department Heads. Employees must state and explain both a basis for appeal and a request for resolution. The employee must completely fill out, sign, and date the form.
- **2. Department Head Review:**
 - Within ten (10) business days of receipt of an employee’s appeal, the Department Head will review the request and provide a written statement to the Human Resources Director on the reasons for agreement, disagreement, or modification of the employee’s appeal request (*Day 1 will be the day after the Department Head receives the appeal notice form*).
- **3. HR Director Review:**
 - The H.R. Director will review the employee’s request and the Department Head’s recommendation in consultation with Evergreen Solutions and make recommendations to agree, disagree with, or modify the Department Head’s recommendation.
 - The H.R. Director will forward recommendations to the Mayor within fifteen (15) business days or as soon as reasonably possible (*Day 1 will be the day after the H.R. Director receives an appeal form from a Department Head*).
- **4. Mayor Review:**
 - The Mayor shall review the H.R. Director’s recommendations and will respond within twenty (20) business days of his receipt of H.R.’s recommendations to his office.
 - The Mayor’s decision shall be final. H.R. will communicate this decision to Department Heads and employees who have appealed.

F. Limitations:

This appeal process has been established for the limited purpose of reviewing compensation study determinations arising from the research and recommendations of the compensation study conducted by the H.R. Department and Evergreen Solutions.

This process is **not** a grievance appeal. Section 10.1 of the City’s Personnel Policies and Procedures states that the grievance procedure will not be used for “matters challenging the content of classification, pay, compensation, leave, and related personnel rules and regulations.”

This process will **not** include a right to a hearing, legal counsel, or other representation.

Following the Mayor’s review and decision, no further action will be taken on an employee’s appeal of the compensation study recommendation or its implementation.

G. Salary Adjustments:

Salary adjustments shall take effect as provided in Ordinance No. 2024-241, regardless of an employee's intent to appeal. If the Mayor approves an employee's appeal request, then any resulting changes will take effect starting on the first day of the next pay period following resolution. Back pay will not be provided for the time that the appeal is pending.

RESOLUTION NO. 2024-275-R

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH
THE CITY OF HUNTSVILLE
FOR SCHEDULING AND DISPATCH SERVICES FOR MARS**

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the Mayor is authorized and directed to execute on behalf of the City an agreement with the City of Huntsville for bus scheduling and dispatch services for MARS (Madison Assisted Ride System), said agreement to be substantially similar in purpose, intent, and composition to that certain document attached hereto and identified as "Agreement," and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the Agreement, the Mayor or his designee shall be hereby authorized for the entire term of the Agreement to execute any and all documentation necessary to enforce and comply with the terms thereof, subject to the budgetary restrictions set forth by the Council in its duly-adopted budget for the then-current fiscal year; and

BE IT FURTHER RESOLVED that, upon request and notification from the appropriate department that the terms of the Agreement preceding payment have been satisfied, the Finance Director is hereby authorized to forward payment to the City of Huntsville in the amount(s) and manner set forth in the Agreement authorized by passage of this resolution.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 9th day of September 2024.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this _____ day of September 2024

Paul Finley, Mayor
City of Madison, Alabama

STATE OF ALABAMA

COUNTY OF MADISON

AGREEMENT

THIS AGREEMENT is effective the 1st day of October 2024, between the CITY OF HUNTSVILLE, ALABAMA, a municipal corporation (hereinafter "Huntsville"), and the CITY OF MADISON, ALABAMA, a municipal corporation (hereinafter "Madison").

WITNESSETH:

WHEREAS, it serves the public interest of the City of Madison, Alabama, to provide public transportation services to its handicapped and disabled citizens; and

WHEREAS, scheduling and dispatch services are necessary components of such a public transportation system; and

WHEREAS, Huntsville is capable and willing to provide to Madison such necessary scheduling and dispatch services as defined herein;

NOW, THEREFORE, for and in consideration of the premises and mutual covenants and conditions hereinafter set out, the parties do hereby agree as follows:

1. Huntsville shall provide to Madison basic bus scheduling and dispatch services for up to four (4) vehicles operated by Madison for the transportation of Madison citizens who are deemed eligible for such service through an eligibility determination process adopted and administered by Madison. Huntsville shall have no responsibility for eligibility determination, the vehicles, or the routes selected by Madison. This scheduling and dispatch service will occur at a call center that will be made accessible to Madison residents. Call center personnel will assist with trip planning, scheduling, return trip requests, and other questions. Dispatchers will provide a central point of contact for driver questions, problems, and onboard emergencies. They will also dispatch the most appropriate vehicle to provide the transportation service requested. Daily passenger manifests, customer specific instructions, and appointment schedules will be transmitted to Madison vehicles electronically and Madison drivers will have access to driving instructions and way-finding assistance as needed as the through their schedules.

2. Huntsville will also report to Madison monthly the numbers of trips provided by Madison vehicles as well as additional statistical information reasonably deemed necessary by Madison, including, but not limited to, information regarding miles traveled, passenger service miles, and average trip length.
3. Madison agrees to reimburse Huntsville on a month-by-month basis for the cost of the support and maintenance fees according to the most recent annual contract with Routematch. Equal payments shall be made to Huntsville on a monthly basis for the term beginning October 1, 2024, and continuing on a month-by-month basis.
4. This Agreement shall automatically renew each month after October 1, 2024, unless terminated by either party upon the provision of thirty days (30) days' notice to the other party.
5. It is mutually understood and agreed and it is the intent of the parties that an independent contractor relationship be and is hereby established under the terms and conditions of this Agreement. It is further mutually understood and agreed that the employees or other agents of each of the parties shall not be or be deemed to be employees or agents of the other party.
6. Nothing contained herein shall make either party liable for any act or omission committed by any employee or agent of the other party. Further, neither party shall be liable for any death or injury resulting to the other party's employees or agents which occurs during the course of carrying out the terms of this Agreement. In no event shall either party be responsible to the other party for any services or compensation other than the ones defined within this contract.
7. The City of Madison is responsible for outfitting their vehicles with the necessary equipment for automated dispatching through the City of Huntsville's Routematch System to include, but not limited to, automated vehicle location and mobile data terminals. Madison shall use Huntsville's existing installation contractor for the installation of the equipment in order to assure compatibility with Huntsville's systems. Madison shall assure delivery of the necessary equipment to Huntsville's installation contractor. Madison shall be responsible for any damage to the equipment, other than normal wear and tear.

- 8. Neither party to this Agreement shall transfer or assign this Agreement or any of the rights or privileges granted herein.
- 9. This Agreement is subject to the laws of the State of Alabama.

IN WITNESS WHEREOF, the undersigned have set their hands and seals on the day and year first written above as the duly authorized acts of their respective entities.

**City of Madison, Alabama
a municipal corporation**

Paul Finley, Mayor

Attest:

Lisa Thomas, City Clerk-Treasurer

STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that Paul Finley and Lisa Thomas, whose names as Mayor and City Clerk-Treasurer, respectively, of the City of Madison, Alabama, are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents, they, as such officers and with full authority, executed same voluntarily for and as the act of the City of Madison, Alabama, a municipal corporation.

Given under my hand and official seal this _____ day of _____, 2024.

Notary Public
My Commission Expires: _____

**CITY OF HUNTSVILLE, ALABAMA,
a municipal Corporation**

By: _____

Tommy Battle, Mayor

ATTEST:

Shaundrika Edwards, City Clerk

STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of the City of Huntsville, Alabama, are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents, they, as such officers and with full authority, executed same voluntarily for and as the act of the City of Huntsville, Alabama, a municipal corporation.

Given under my hand and official seal this ____ day of _____ 2024.

Notary Public
My Commission expires: _____