

**MINUTES NO. 2011-09-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**MARCH 28, 2011**

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The Madison City Council met in regular session on Monday, March 28, 2011 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 Overcash.

Mike Nevin of Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Overcash.

**ROLL CALL OF ELECTED GOVERNING OFFICIALS**

Roll Call of Elected Governing Officials was conducted by City Clerk-Treasurer Melanie A. Williard and recorded as follows:

Mayor Paul Finley	Absent
Council District No. 1 Tim Holcombe	Present
Council District No. 2 Steve Haraway	Present
Council District No. 3 Jerry Jennings	Present
Council District No. 4 Tim Cowles	Present
Council District No. 5 Tommy Overcash	Present
Council District No. 6 Larry Vannoy	Present
Council District No. 7 Ronica Ondocsin	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy A. Gilley, Fire Chief Ralph Cobb, Engineering Director Gary Chynoweth, Building Director Cody Phillips, Revenue Officer Cameron Grounds, Recreation Director Kory Alfred, Police Chief Larry Muncey, Public Works Director Dana Stahl, and Mayoral Aide Taylor Edge.

Public attendance registered: Leigh Christian, Nelda Preston, Drew Woolley, Opie Balch, Elbert Balch, Ranae Bartlett, Brian Davis, Thomas Scovill, Maria Kilgore, Tim Ryberg, Ray White, Mary Fletcher, Chris Newlin, Marie C. Heikkineu, David Heikkineu, Terri Johnson, Felicia McInnish of the Chamber of Commerce, Cana Farr, Claudia V. Rice, Sheila A. Ohm, Hershel Agrusa, Caleb Hatfield, Jon Howell, Frank Riddick, Jamie Hill, Pam Sparks, Jennifer Few, Robert Atallo, Phil Schmidt, Don Spencer, Jr., Matthew Balch, W.C. Fuller, and James Burton.

**APPROVAL OF MINUTES**

**MINUTES NO. 2011-08-RG, MARCH 14, 2011**

Council Member Haraway moved to approve Minutes No. 2011-08-RG. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**PRESENTATION AND AWARDS**

**PRESENTATION OF PROCLAMATION – CHILD ABUSE PREVENTION MONTH**

Mayor Finley presented a proclamation declaring April 2011 Child Abuse Prevention Month to Chris Newlin Executive Director of the National Children's Advocacy Center.

**PRESENTATION BY THE MADISON CITY DISABILITY ADVOCACY BOARD**

Claudia Rice, Chairman of the Madison City Disability Advocacy Board, reported on the Board's activities in the last year. Among their accomplishments is a study on the available daycare facilities for people with disabilities. In addition, they have been working with local emergency leaders with the goal of compiling a special needs 911 registry. This registry will help in responding to caregivers and special needs individuals in emergency situations.

Also, the board's employment committee has sought to educate people on the benefits of employing people with disabilities. The Board has partnered with local and statewide organizations in pursuit of this goal.

**PRESENTATION BY THE MENTAL HEALTH CENTER OF MADISON COUNTY**

Brian Davies, Chairman of the Mental Health Center of Madison County gave a brief overview of the programs offered by their agency.

**RESOLUTION NO. 2011-79-R DESIGNATING RELAY FOR LIFE "PAINT THE TOWN PURPLE" DAY IN THE CITY OF MADISON**

Council Member Vannoy moved to approve Resolution No. 2011-79-R. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Nay
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

Council Member Cowles voiced his concerns regarding the manner in which the American Cancer Society allocates its funds. Council Member Cowles stated that the American Cancer Society spends the least amount of donations on research, etc and the most amount on executive salaries.

**PUBLIC COMMENTS**

**JAMIE HILL, ASSISTANT PRINCIPAL BOB JONES HIGH SCHOOL, THANK COUNCIL FOR SUPPORT OF BOB JONES DEVELOPMENTAL PROGRAM**

Jamie Hill, Assistant Principal of Bob Jones High School appeared before Council thanking them for their donation to the Developmental Program. Uniforms and bags were purchased for the athletes with the donation. He introduced Mrs. Humphrey, who is the coach of the Developmental Program and he also introduced the athletes in the program.

Thomas Scovill appeared before Council in opposition to the 6 Mil Ad Valorem increase for public schools. Mr. Scovill stated he believed that Council should wait until the Lynch versus Alabama case is resolved.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Vannoy moved to approve the Consent Agenda as follows:

General Operating Account	\$620,898.05
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Gasoline Tax and Petroleum Inspection Fees	\$19,754.83
Senior Center Donations Account	\$798.00
Series 2006 Bond Checking	\$66,532.86
Subdivision Cash Bond Account	\$19,750.00
Library Building Fund	\$2,162.01
Water Distribution & Storage Projects	\$7,076.26

Acceptance of donation in the amount of \$7,000 from Valley Futbol Club, Inc. for field lighting project at Palmer Park (to be deposited into Recreation Restricted Funds)

Resolution No. 2011-76-R declaring certain city property (formerly used by the Recreation Department) as surplus and authorizing that it be sold through auction on GovDeals

Acceptance of donation in the amount of \$500 from Alabama Telco Credit Union for sponsorship of annual Easter Egg Hunt (to be deposited into Recreation Special Event account)

Acceptance of donation in the amount of \$400 from Huntsville Evening Optimist Club for the Police Department "Too Good for Drugs" program to be used for summer Kids Camp

Approval of payment to Wilmer & Lee for legal services completed on the following projects: (to be paid from Capital Improvement budget)

Gillespie Road Extension	\$799.00
Main Street Improvements	\$215.00
Bradford Creek Greenway Phase I	\$402.00

Approval of payment to the Huntsville Times for bid advertisements for the following projects: (to be paid from Capital Improvement budget)

Joe Phillips Sidewalk	\$428.04
Gillespie Road Bridge	\$436.34

Approval of payment to the following vendors for materials or services related to the Mill Creek Greenway Phase I: (to be paid from Capital Improvement budget)

Alabama Concrete	\$384.00
United Rentals	\$1,296.75
Reed Contracting	\$3,277.50
HD Supply Waterworks	\$245.53

Approval of payment to the following vendors for materials or services related to the Gillespie Road/Hughes Road Intersection Improvement Project: (to be paid from Capital Improvement budget)

Alabama Concrete	\$454.00
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Approval of payment to Madison County Record for bid advertisements for the following projects: (to be paid from Capital Improvement budget)

Gillespie Road Bridge	\$144.58
Joe Phillips Sidewalk	\$141.97

Approval of payment to Eagle Wholesale Supply, Inc. for supplies for Mill Creek Greenway Phase I (to be paid from Capital Improvement Budget) \$20.31

Approval of payment to Sherman Dixie for manhole ring for Gillespie Road/Hughes Road Intersection project (to be paid from Capital Improvement Budget) \$171.00

Approval of payment to Bobcat for rental equipment for Gillespie Road/  
Hughes Road Intersection project (to be paid from Capital Improvement  
Budget) \$2,250.00

Resolution No. 2011-78-R declaring light switches as surplus and authorizing that they  
be donated to Habitat for Humanity

Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

#### **PRESENTATION OF REPORTS**

##### **MAYOR PAUL FINLEY**

##### **ACCEPTANCE OF ALLOCATION OF \$5,000 FROM REPRESENTATIVE MIKE BALL TO BE USED FOR DUBLIN PARK FLOORING REPAIRS**

Council Member Vannoy moved to accept the allocation of \$5,000 from  
Representative Mike Ball to be used for repairs to Dublin Park flooring. Council Member  
Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

##### **DESIGNATION OF VOTING DELEGATE TO ALABAMA LEAGUE OF MUNICIPALITIES ANNUAL CONFERENCE TO BE HELD APRIL 30-MAY 3 IN HUNTSVILLE**

Council Member Cowles moved to approve Mayor Finley as voting delegate, Council  
Holcombe as first alternate delegate and Council Member Cowles as second alternate  
delegate. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

##### **RESOLUTION NO. 2011-71-R APPROVING ANNUAL APPROPRIATION AGREEMENT WITH THE MADISON CITY DISABILITY ADVOCACY BOARD**

Council Member Haraway moved to approve Resolution No. 2011-71-R. Council  
Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye

Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**RESOLUTION NO. 2011-72-R APPROVING ANNUAL APPROPRIATION AGREEMENT WITH THE MENTAL HEALTH CENTER OF MADISON COUNTY**

Council Member Jennings moved to approve Resolution No. 2011-72-R. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**RESOLUTION NO. 2011-50-R APPROVING THE 911 SERVICE AGREEMENT WITH MADISON COUNTY COMMUNICATIONS DISTRICT**

Following much discussion, Council Member Haraway moved to table Resolution No. 2011-50-R until the next Council meeting. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion tabled

**HOGAN YMCA UPDATE**

Mayor Finley gave a brief update on the YMCA stating that the facility has over 9,000 members now. A short term solution for parking is to use the space that was slated for the 50 meter pool. Mayor brought up the possibility that the 50 meter pool construction was in doubt due to funding limitations. There were several comments from Council that the pool was a prime reason that the prior Council voted to support the Madison YMCA at \$100,000 per year for 10 years and that some Council members expected the 50 meter pool to be constructed

Mayor stated he would provide Council with information on the bidding action on contracting out city yard waste trash collection operation at next council meeting or sooner.

**RESOLUTION NO. 2011-80-R SETTING A PUBLIC HEARING REGARDING A PROPOSAL FOR AN AD VALOREM TAX INCREASE FOR PUBLIC SCHOOLS, AND PROVIDING FOR PUBLIC NOTICE THEREOF**

Council Member Holcombe moved to approve Resolution No. 2011-80-R. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye



**BOARD OF EQUALIZATION**

Council President Overcash announced that applications are being accepted for consideration for the Board of Equalization. Information on this position will be posted to the website.

**PUBLIC HEARINGS**

**REQUEST FROM TEXAS SMOKEHOUSE, INC. (DBA: TEXAS SMOKEHOUSE BBQ) FOR A BEER/WINE/LIQUOR LICENSE FOR THEIR LOCATION AT 10871 COUNTY LINE ROAD, SUITE E, MADISON**

Revenue Officer Cameron Grounds advised Council that all paperwork is in order for approval of this request.

Council President Overcash opened the public hearing for comments regarding the request from Texas Smokehouse BBQ. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Cowles moved to consent to the issuance of a beer/wine/liquor license for Texas Smokehouse, Inc. (dab: Texas Smokehouse BBQ) for their location at 10871 County Line Road, Suite E. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**DEPARTMENT REPORTS**

**REVENUE**

**APPROVAL OF REQUEST FROM MADISON ROTARY CLUB FOR A SPECIAL EVENTS LICENSE FOR THEIR ANNUAL PARROTS OF THE CARIBBEAN EVENT**

Revenue Officer Cameron Grounds advised Council that all paperwork is in order for the approval of this request.

Council Member Holcombe moved to consent to the issuance of a Special Event Retail License for the sale of beer, wine and liquor to Rotary Club of Madison between the hours of 5:00 p.m. and 11:59 p.m. on August 27, 2011, within a fenced area at 58 Martin Street, provided that no sales are to be made outside the fenced area and that the Revenue Officer is further authorized to issue a City special event retail license on these terms, conditioned upon payment of the appropriate license fee and upon issuance of an ABC Board license for the same event. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**INFORMATION TECHNOLOGY**

**RESOLUTION NO. 2011-74-R APPROVING THE RENEWAL OF CISCO SMARTNET AGREEMENT WITH TEKLINKS (TO BE PAID FROM DEPARTMENTAL BUDGET)**

Council Member Jennings moved to approve Resolution No. 2011-74-R. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**BUILDING**

**RESOLUTION NO. 2011-75-R RELATING TO UNSAFE PROPERTY DECLARED A NUISANCE AND LOCATED AT 18 SHORT STREET; AUTHORIZING THE CLEAN-UP AND PROPER DISPOSAL OF MATERIAL ON SAID PROPERTY AND AUTHORIZING THE ASSESSMENT OF THE COST THEREOF TO THE PROPERTY OWNERS PURSUANT TO THE RULES AND PROCEDURES IN SECTION 6-5-122, ET SEQ., CODE OF ALABAMA**

Council Member Jennings moved to approve Resolution No. 2011-75-R. Council Member Vannoy seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**PLANNING**

**PROPOSED ORDINANCE NO. 2011-61 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY OWNED BY BRIAN & CHRISTY BARNETT LOCATED AT 122 WALLACE CIRCLE (FIRST READING 03/14/2011)**

Council Member Jennings moved to approve Ordinance No. 2011-61. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**PUBLIC WORKS**

**UPDATE ON STREET SWEEPING**

Public Works Director Dana Stahl advised Council that the company that the City contract with to do the street sweeping is working evening hours to clean debris off main roads, so far 50 tons of debris has been removed and some roads were cleaned twice due to the amount dirt.

**CITY CLERK TREASURER**

**RESOLUTION NO. 2011-77-R APPROVING AN AGREEMENT WITH NAMOS FOR PROVISION OF POSTAGE SYSTEM (FUNDING FROM DEPARTMENTAL BUDGET)**

Council Member Jennings moved to approve Resolution No. 2011-77-R. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

**LEGAL**

**LEGAL ACTION ITEMS**

**RESOLUTION NO. 2011-80-R SETTING A PUBLIC HEARING REGARDING A PROPOSAL FOR AN AD VALOREM TAX INCREASE FOR PUBLIC SCHOOLS, AND PROVIDING FOR PUBLIC NOTICE THEREOF**

This item was moved to Mayor Finley's line of business.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

Having no further business to discuss, Council Member Jennings moved that the meeting be adjourned. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried

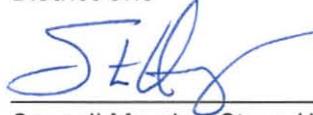
The meeting was adjourned at 8:30 p.m.

Signatures on the following page:

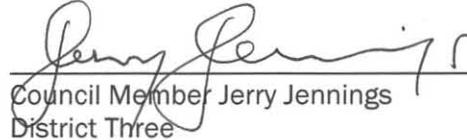
Minutes No. 2011-09-RG, dated March 28, 2011, read, approved and adopted this 11<sup>th</sup> day of April, 2011.



Council Member Tim Holcombe  
District One



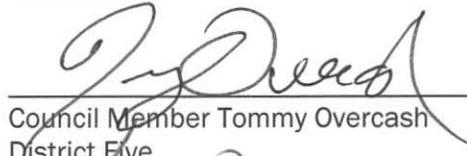
Council Member Steve Haraway  
District Two



Council Member Jerry Jennings  
District Three



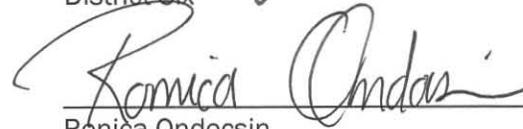
Council Member Tim Cowles  
District Four



Council Member Tommy Overcash  
District Five

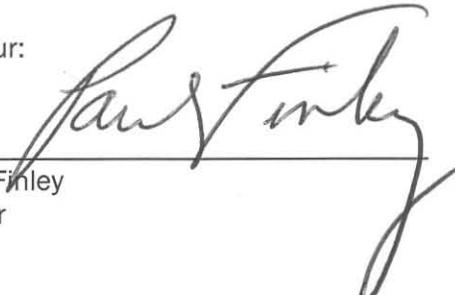


Council Member Larry Vannoy  
District Six



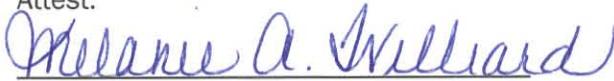
Ronica Ondocsin  
District Seven

Concur:



Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer

\_\_\_\_\_  
Lisa Berry  
Recording Secretary