

MINUTES NO. 2009-16-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
JULY 27, 2009

The Madison City Council met in regular session on Monday July 27, 2009 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.

Pastor John Dees of Crosspointe Church provided the invocation followed by the Pledge of Allegiance by Council President Tommy Overcash.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE

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

Mayor Paul Finley	Present
Council District No. 1 Tim Holcombe	Absent
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	Absent
Council District No. 7 Bill Holtzclaw	Present

Department heads in attendance were: Assistant City Clerk-Treasurer Stacy A. Gilley, City Engineer Gary Chynoweth, Finance Director Lillie Causey, Mayoral Aide Taylor Edge, Parks & Recreation Director Mike Cassell, Public Works Director Dana Stahl, Revenue Officer Cameron Grounds, Police Chief Larry Muncey, and City Planner Bob Atallo.

Public attendance registered: Forrest Evans, T.J. Parsons, Donna Evans, Ed Collins, Perry Barnett, Diego Roman, Jose Roman, Mary Fletcher, Don Webster, Stephen Simpson, JoLayne Hall, Brandon W. Hall, Joe Gehrdes, Ricky Pounders, Drew Haythorn, D. Mike Holley, David J. Swanner, James Bass Wallace, Amy Camp, Bea Horton, Frank H. Riddick, Sharon Gilbreath, David Arterburn, W.C. Fuller and Claudia V. Rice

APPROVAL OF MINUTES

MINUTES NO. 2009-15-RG, JULY 13, 2009

Council Member Holtzclaw moved to approve Minutes No. 2009-15-RG. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Abstain
Council Member Tim Cowles	Abstain
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

MINUTES NO. 2009-02-WS, JULY 6, 2009

Council Member Holtzclaw moved to approve Minutes No. 2009-02-WS. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

AMMENDMENTS TO THE AGENDA

ADDITIONS:

Consent Agenda:

Additional donation for Madison Animal Rescue Foundation from Madeleine Sparks for \$1,200.00

Approval of payment to Building & Earth Sciences, Inc. for geotechnical services for Fire Station No. 2 in the amount of \$2,750.00 (to be paid from Capital Improvement budget)

Approval of payment to Florence & Hutcheson, Inc. for engineering services related to US 72/Hughes Road in the amount of \$674.00 (to be paid from Capital Improvement budget)

Approval of payment to Florence & Hutcheson, Inc. for engineering services related to the intersection of US 72 & Wall Triana in the amount of \$15,044.08 (to be paid from Capital Improvement budget)

Presentation of Reports:

Resolution No. 2009-157-R Department Head Pay Modification under Mayor's line of business

DELETIONS:

Resolution No. 2009-156-R assigning positions to the job classification plan under Council Member Holtzclaw's line of business

PUBLIC COMMENTS

Mary Fletcher of 335 Autumn Lane appeared before Council to discuss an overgrown ditch on a certain property in the City of Madison. Mayor Finley asked Public Works Director Dana Stahl to work with her to get the problem resolved.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Jennings moved to approve the Consent Agenda as amended:

General Operating Account	\$305,737.16
Gasoline Tax and Petroleum Inspection Fees	\$6,742.66
Series 2006 Bond Checking	\$317,195.22
Library Building Fund	\$4,406.35
Fire CPR	\$115.00

Acceptance of donations from the following people for the Madison Animal Rescue Foundation:

(1)	Danny R. Dardin	\$10.00
(2)	Kevin Mitchell	\$20.00
(3)	Happy Alexander	\$20.00
(4)	Kassondra L. Moore	\$50.00
(5)	Hazel Hines	\$50.00
(6)	Michael O'Hara	\$75.00
(7)	Douglas R. Bloomberg	\$150.00
(8)	Louise D. Baird	\$150.00
(9)	Herman E. Griffin	\$150.00

Approval of payment to Osborn & Associates for Construction Documents (to be paid from capital improvement budget) \$9,800.00

Approval of payment to Sparkman Marble and Granite Works for engraving of bricks for the special needs playground in Palmer Park. \$525.00

Resolution No. 2009-149-R declaring certain city property as surplus

Resolution No. 148-R declaring certain city property as surplus and of negligible value and authorizing for its disposal

Resolution No. 125-R approving destruction of certain Revenue Department records

Approval of payment to Osborn & Associates for design of renovations to Madison Public Library (to be paid from Capital improvement budget) \$2,567.50

Approval of payment to the following vendors for Balch Road extension project (to be paid from Capital Improvement budget)

(1)	Joe Money Machinery	\$1,650.00
(2)	United Rentals	\$35.88

Approval of payment to J.C. Cheek Contractor, Inc. for temporary striping on Brownsferry Road (to be paid from Capital Improvement Budget) \$444.00

Approval of payment to J.W. Kennedy for construction staking on Balch Road extension (to be paid from Capital Improvement Budget) \$760.00

Approval of payment for Wilmer & Lee for legal services related to Gillespie Road extension (to be paid from Capital Improvement Budget) \$502.50

Approval of payment to Wilmer & Lee for legal services related to the Bradford Creek Greenway Phase 1(to be paid from Capital Improvement Budget) \$225.00

Approval of payment to McElroy Land Surveying Co., Inc. for survey on Lot 2B Madison Town Center (to be paid from engineering departmental budget) \$5,000.00

Approval of payment to OMI, Inc. for construction materials testing services to the Balch Road extension (to be paid from Capital Improvement Budget) \$916.00

Approval of partial payment to Angelo lafrate Construction Co. for Balch Road and Mill Road bridges(to be paid from Capital Improvement Budget) \$140,625.00

Approval of payment to Hicks Land Surveying for construction staking on Eastview Extension (to be paid from Capital Improvement Budget) \$5,600.00

Approval of payment to Osborn & Associates for services related to the exhaust system for Fire Station No. 2 (to be paid from Capital improvement budget) \$4,600.00

Acceptance of donation for Madison Animal Rescue Foundation from Madeleine Sparks \$1,200.00

Approval of payment to Building & Earth Sciences, Inc. for geotechnical services for Fire Station No. 2 in the amount of \$2,750.00 (to be paid from Capital Improvement budget)

Approval of payment to Florence & Hutcheson, Inc. for engineering services related to US 72/Hughes Road in the amount of \$674.00 (to be paid from Capital Improvement budget)

Approval of payment to Florence & Hutcheson, Inc. for engineering services related to the intersection of US 72 & Wall Triana in the amount of \$15,044.08 (to be paid from Capital Improvement budget)

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

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

RESOLUTION NO. 2009-157-R DEPARTMENT HEAD PAY MODIFICATION

Council Member Cowles moved to approve Resolution No. 2009-157-R. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

Mayor Finley gave an update on a meeting last week with HUD officials.

Mayor Finley also reported that the City is not moving forward with the acquisition of the almost 16 acres of land across from Palmer Park; rather, it is looking into maximizing the property that we already own.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

Absent

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

PROPOSED ORDINANCE NO. 2009-145 AMENDING EXISTING PROVISIONS OF THE CITY CODE RELATING TO REGULATION OF GREASE TRAPS (FIRST READING 7/13/09)

Council Member Haraway moved to approve Ordinance No. 2009-145 as amended. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

APPROVING A BRICK WALL PROJECT FOR THE SPECIAL NEEDS PLAYGROUND

Council Member Haraway moved to approve the brick wall project for the Special Needs Playground. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

No business to report.

COUNCIL DISTRICT NO. 4 TIM COWLES

No business to report.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

Absent

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

Council Member Holtzclaw gave a brief report on the Board of Education meeting last week. There is a two percent additional cut which will result in about \$800.000 from the current school year budget.

Also the Toyota Plant sent volunteers to the schools and spent 700 hours doing inventory on books.

Ribbon cutting for the new school is at 2:00 p.m. Sunday, August 1st.

RESOLUTION NO. 2009-154-R DESIGNATING SPECIFIC DATES HOLIDAYS ARE TO BE OBSERVED BY THE CITY OF MADISON FOR FISCAL YEAR 2010

Council Member Holtzclaw moved to approve Resolution No. 2009-154-R. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye

Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

DEPARTMENT REPORTS

RECREATION

RESOLUTION NO. 2009-147-R APPROVAL OF JOINT RECREATION PREMISES USE AGREEMENT BY AND BETWEEN THE CITY OF MADISON AND CITY OF MADISON BOARD OF EDUCATION.

Council Member Jennings moved to approve Resolution No. 2009-147-R. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PLANNING

ACCEPTANCE OF ASHBURY, PHASE 2 INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Council Member Cowles moved to accept Ashbury, Phase 2 into the City of Madison maintenance program. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-150-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2009-151 REZONING CERTAIN PROPERTY EAST OF WALL TRIANA, SOUTH OF CHESTNUT DRIVE AND WALNUT STREET FROM R-1A TO B-1 AS REQUESTED BY ARMANDO SANCHEZ (FIRST PUBLICATION: 7/31/09; SYNOPSIS: 8/7/09; PUBLIC HEARING: 8/24/09)

Council Member Haraway moved to approve Resolution No. 2009-150-R. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

POLICE

RESOLUTION NO. 2009-152-R ACCEPTING A PORTION OF FUNDS FROM THE CITY OF HUNTSVILLE FROM THE 2009 RECOVERY ACT; EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$35,152

Council Member Haraway moved to approve Resolution No. 2009-152-R. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-153-R APPROVING THE ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH INTERGRAPH IN THE AMOUNT OF \$16,812 (TO BE PAID FROM DEPARTMENTAL BUDGET)

Council Member Haraway moved to approve Resolution No. 2009-153-R. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

ENGINEERING

RESOLUTION NO. 2009-155-R TO REPEAL RESOLUTION NO. 2009-146-R AWARDED BID NO. MED-14-09 FOR CONSTRUCTION OF BRADFORD CREEK GREENWAY PHASE I

Council Member Haraway moved to approve Resolution No. 2009-155-R. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-158-R APPROVAL TO REJECT ALL BIDS FOR MED-14-09 AND AUTHORIZE TO REBID FOR CONSTRUCTION OF BRADFORD CREEK GREENWAY PHASE I

Council Member Haraway moved to approve Resolution No. 2009-158-R to reject all bids for MED-14-09 and authorize rebid of the project for construction of Bradford Creek Greenway Phase 1. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Public Works Director Dana Stahl gave an update on Edgewater. He estimates that the work is over halfway completed.

ADJOURNMENT

Having no further business to discuss, Council Member Jennings moved to adjourn. The vote taken was recorded as follows:

Council Member Tim Holcombe	Absent
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

The meeting was adjourned at 7:20 p.m.

Signatures on the following page:

Minutes No. 2009-16-RG, dated July 27, 2009, read, approved and adopted this 10th day of August, 2009.

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 President Tommy Overcash
District Five

Council Member Larry Vannoy
District Six

Council Member Bill Holtzclaw
District Seven

Concur:

Paul Finley
Mayor

Attest:

Melanie A. Williard
City Clerk-Treasurer

Lisa Berry
Recording Secretary