

**MINUTES NO. 2010-18-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**SEPTEMBER 13, 2010**

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The Madison City Council met in regular session on Monday, September 13, 2010 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 Holtzclaw.

Minister E. R. Brannan of Madison Church of Christ provided the invocation followed by the Pledge of Allegiance led by Council President Holtzclaw.

**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	Present
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 Bill Holtzclaw	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy Gilley, Police Chief Larry Muncey, Revenue Officer Cameron Grounds, Public Works Director Dana Stahl, Fire Chief Cobb, Recreation Director Kory Alfred, Planning Director Amy Furfori, Director of Finance Lillie Causey, Building Director Cody Phillips, City Engineer Gary Chynoweth, Human Resources Director Terri Towry and City Attorney Kelly Butler.

Public attendance registered: Ed Collins, Carl Sampiea, Mary Fletcher, Angela Rawls, Ronnie Williams, Joe Gehrdes, Ross Zunz, Miles Rowe, Jonathan Rowe, Lorinda Rowe, Bonnie Rowe, Matthew Balch, C.G. Summer, Thomas Scovill, Walt Anderson, Jon Howell, Colleen Cassidy Murch, Opie Balch, Elbert Balch, Lena Wallace, Charlie Brown, Larry Anderson, Bobby DeNeefe, W.C. Fuller, Marie, Hodges, Kathy Keen, David Cochran, John Fellows, and Glenda Anderson.

**ADDITIONS TO AMMENDMENTS**

**ADDITIONS**

**CONSENT AGENDA**

Approval of payment to Parallax Building Systems for work completed in connection with the Senior Center Renovation project (to be paid from Capital Improvement Budget) \$7,980.79

Approval of payment to Moon Construction Services for work completed in connection with the Police Department Addition (to be paid from Capital Improvement budget) \$180,659.34

**COUNCIL MEMBER JERRY JENNINGS**

Resolution No. 2010-270-R adopting a policy for funding outside agencies

**APPROVAL OF MINUTES**

**MINUTES NO. 2010-17-RG, AUGUST 23, 2010**

Council Member Overcash moved to approve Minutes No. 2010-17-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 Bill Holtzclaw	Aye

Motion carried

**MINUTES NO. 2010-06-WS, AUGUST 23, 2010**

Council Member Jennings moved to approve Minutes No. 2010-06-WS. Council Member Cowles seconded. The vote taken was recorded as follows:

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

Motion carried

**PRESENTATION AND AWARDS**

**PRESENTATION OF SERVICE WEAPON AND BADGE TO RETIRED OFFICER MILES ROWE**

Chief Muncey presented service weapon and badge to Retired Officer Miles Rowe. Miles has been with the City of Madison since 1989.

**PRESENTATION BY SCHOOL RESOURCE OFFICERS – KID’S CAMP**

Chief Muncey showed a brief film highlighting Kids’s Camp. This is the tenth year of Kids Camp, the class typically lasts one week and teaches kids about Public Safety.

**PRESENTATION OF CERTIFICATES TO SCHOOL RESOURCE OFFICERS BY POLICE CHIEF MUNCEY**

Police Chief Muncey presented a six minute video highlighting Kids Kamp Week and presented certificates to the following School Resources Officers:

Clayton Jordan  
Al Bryan  
Jeff Hovis  
Chris Townsend  
Mark Walker  
Ed Sasan

**SCOTT MOUNTS, HEART OF THE VALLEY YMCA**

Scott Mounts of the Heart of the Valley YMCA presented a brief overview of the YMCA. Construction on the new YMCA started in July of 2009 and target opening date is November 1, 2010. Also, the Madison Chamber of Commerce is moving their office to the YMCA. The YMCA will be offering group discounted rates to the City of Madison employees and Madison City School employees. Financial Aid will be offered to anyone who wants to join the YMCA but cannot afford to pay the fee. A senior rate will be available also.

Someone is available at the facility from 4:00 p.m. to 8:00 p.m. every evening so citizens can tour and ask questions about the YMCA. On Saturdays someone will be there from 9:00 a.m. to 1:00 p.m.

**PRESENTATION OF PROCLAMATION DESIGNATING "PRO BONO WEEK"**

Mayor Finley presented to Angela Rawls, Executive Director of the Madison County Volunteer Lawyers Program, a proclamation designating the week of October 24<sup>th</sup> through the 30<sup>th</sup> Pro Bono Week.

**PUBLIC COMMENTS**

(Will be limited to 5 minutes if on the agenda and 3 minutes otherwise)

Thomas Scovill of 530 Highland Drive in Madison appeared before Council in opposition to the annual appropriation to the YMCA in the amount of \$95,000.00.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

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

Regular and periodic bills to be paid;

General Operating Account \$1,157,720.64

Gasoline Tax and Petroleum Inspection Fees \$38,561.45

Series 2006 Bond Checking \$81,211.02

Water Distribution & Storage Projects \$2,500,000.00

Library Building Fund \$385.03

Approval of payment to Osborn & Associates Architects  
For architect fees for Police Station Addition project (to be  
Be paid from Capital Improvement budget) \$2,813.42

Approval of payment to Land Design Solutions for professional  
Services rendered in relation to the Bradford Creek Greenway  
Phase I (to be paid from Capital Improvement budget) \$8,172.00

Approval of payment to McDonald Brothers Construction for  
Work completed in relation to the Emerson Road Extension  
Project (final payment – to be paid from Capital Improvement Budget) \$3,390.32

Approval of payment to Florence & Hutcheson for engineering  
And inspection services related to Wall Triana/Highway 72  
Intersection project (to be paid from Capital Improvement budget) \$22,686.00

Approval of payment to JW Kennedy for construction staking  
In relation to Bradford Creek Greenway Phase I (to be paid from  
Capital Improvement budget) \$1,680.00

Approval of payment to the following vendors for materials/services  
Related to Mill/Telluride/Whisperwood Drainage project (to be paid  
From Capital Improvement budget)

United Rentals	\$149.71
Eagle Wholesale	\$7.50
M & D Land Development	\$17,615.25
JW Kennedy	\$420.00

Approval of payment to the following vendors for materials/services  
Related to the Mill Creek Greenway (to be paid from Capital Improvement budget)

United Rentals	\$464.01
Vulcan Materials	\$2,806.54
Loader Services	\$3,500.00

Approval of payment to Wilmer & Lee for legal services rendered  
In relation to the Gillespie Road Extension project (to be paid from  
Capital Improvement budget) \$75.00

Approval of payment to SJ & L General Contractors for work completed  
In relation to the Bradford Creek Greenway Phase I (to be paid from  
Capital Improvement budget) \$11,480.02

Approval of payment to Madison Utilities for water meter usage in  
Relation to Balch Road Extension project (to be paid from Capital  
Improvement budget) \$135.15

Approval of payment to the following vendors for materials/services  
For the Gillespie/Hughes Road Intersection project (to be paid from  
Capital Improvement budget)

Eagle Wholesale	\$307.50
Tip Top Tree Care	\$3,000.00

Approval of payment to S&ME for testing services (to be paid from  
Gas Tax funds) \$775.00

Approval of payment to Hicks Land Surveying for topo work in  
Relation to Bradford Creek Greenway Phase I (to be paid from  
Capital Improvement budget) \$600.00

Approval of payment to Reed Contracting for materials supplied  
In relation to Mill Road Improvements (to be paid from Capital  
Improvement budget) \$4,894.02

Approval of payment to Reed Contracting for materials supplied  
In relation to Mill Creek Greenway (to be paid from Capital  
Improvement budget) \$12,229.81

Approval of payment to Temple, Inc. for preemption system in  
Relation to Eastview Drive Extension (to be paid from Capital  
Improvement budget) \$6,025.00

Acceptance of donation in the amount of \$100 from Orval & Simone Etheridge for  
use by the Fire Department (to be deposited into the Fire Department Donation  
account)

Approval of payment to Parallax Building Systems for  
work completed in connection with the Senior Center Renovation  
project (to be paid from Capital Improvement Budget) \$7,980.79

Approval of payment to Moon Construction Services for work  
completed in connection with the Police Department Addition  
(to be paid from Capital Improvement budget) \$180,659.34

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 Bill Holtzclaw	Aye

Motion carried

## **PRESENTATION OF REPORTS**

### **MAYOR PAUL FINLEY**

#### **RESOLUTION NO. 2010-263-R APPROVING AGREEMENT WITH THE HEART OF THE VALLEY YMCA FOR THEIR ANNUAL APPROPRIATION**

Council Member Jennings moved to approve Resolution No. 2010-263-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 Bill Holtzclaw	Aye

Motion carried

### **COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

#### **WELLINGTON SIDEWALK**

A sidewalk in the Wellington Subdivision off Hughes Road has about a 57 foot piece missing. Public Works can put in a sidewalk for \$400.00.

Council Member Holcombe moved to approve the installation of this piece of sidewalk in the amount of \$400.00 to be paid from Council Special Projects budget line item. 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 Bill Holtzclaw	Nay

Motion carried

#### **STREET FESTIVAL SHUTTLES**

Council Member Holcombe asked for approval of \$750.00 for three shuttles to be used for the Madison Street Festival.

Council Member Holcombe moved to approve the use of Recreation Department vehicles for shuttle services for the Street Festival in the amount of \$750.00 to be paid from Council Special Project budget line item. 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 Bill Holtzclaw	Aye

Motion carried

Lastly, Council Member Holcombe presented a 30-second promotional advertisement for the Madison Street Festival.

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

No business to report.

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

Council Member Jennings commended the Mayor, Code Enforcement, and Police for their timely response to a complaint that a house in the City was not being properly maintained. Thanks to their efforts the house has much improved.

**RESOLUTION NO. 2010-270-R ADOPTING A POLICY FOR FUNDING OUTSIDE AGENCIES**

Council Member Jennings moved to approve Resolution No. 2010-270-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

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

Motion carried

**COUNCIL DISTRICT NO. 4 TIM COWLES**

Council Member Cowles stated that a meeting was held on August 31<sup>st</sup> regarding bicycling in the City of Madison. Peter Engstrom along with the Alabama Bicycling Coalition, Spring City Cycling Club, and Greenways and Trails were in attendance. They outlined a plan for increasing motorist's awareness of bicycling. Council Member Cowles requested that the City of Madison set up a committee with representation from Public Works, Planning, Police Department, and Engineering to meet periodically and review bicycling issues.

Also Council Member Cowles announced that Constitution Week is September 17<sup>th</sup> through the 23<sup>rd</sup>.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

Council Member Overcash commended Human Resources Director and her staff for their efforts in preparing the City's benefits package.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

**NOMINATION FOR APPOINTMENT TO THE WATER AND WASTEWATER BOARD OF THE CITY OF MADISON**

Council Member Vannoy moved to reappoint Mike Hubbard to the Water and Wastewater Board. Council Member Haraway seconded. The vote taken was recorded as follows:

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

Motion carried

Council Member Jennings stated that he had intended to nominate Roy Johnson for this position also.

Council Member Vannoy announced that the annual Trail of Tears Ride is on Saturday, September 18.

#### **COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW**

No business to report.

#### **PUBLIC HEARING**

##### **REQUEST BY JOYCE MARIE RIES (DBA: DAWG HOUSE PUB) FOR AN ON PREMISE BEER-WINE-LIQUOR LICENSE FOR HER LOCATION AT 8694 MADISON BOULEVARD, SUITES R AND R1**

Director of Revenue Cameron Grounds informed Council that the background check has received from the Police Department and that is in order however the Building and Fire inspections have not been signed off on and recommends approval contingent on approval from Building and Fire.

Council President Holtzclaw opened the public hearing for comments regarding this request. There being none, he then closed the Public Hearing and entertained a motion from Council.

Council Member Cowles moved to approve the issuance of an on premise beer-wine-liquor license to Joyce Marie Rise (DBA: Dawg House Pub) for her location at 8694 Madison Boulevard, Suites R and R1 contingent upon a building and fire inspection approval. Council Member Overcash 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 Bill Holtzclaw	Aye

Motion carried

#### **DEPARTMENT REPORTS**

##### **ENGINEERING**

##### **PROPOSED ORDINANCE NO. 2010-256 REPEALING ARTICLE II OF CHAPTER 17, CODE OF ORDINANCES, CITY OF MADISON, ALABAMA, "SPEED HUMP PROGRAM (FIRST READING 08/23/2010)"**

Council Member Holcombe moved to approve Ordinance No. 2010-256. 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 Bill Holtzclaw	Aye

Motion carried

**RESOLUTION NO. 2010-262-R ACKNOWLEDGING DEDICATION OF A PERMANENT DRAINAGE EASEMENT BY STEWART PROPERTIES, LLC FOR THE MILL-TELLURIDE-WHISPERWOOD PROJECT AND AUTHORIZING MAYOR TO ENTER INTO "IN LIEU OF" AGREEMENT**

Council Member Jennings moved to approve Resolution No. 2010-262-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 Bill Holtzclaw	Aye

Motion carried

**RESOLUTION NO. 2010-267-R APPROVING LIST OF CAPITAL IMPROVEMENT PROJECTS**

Council Member Cowles moved to approve Resolution No. 2010-267-R. Council Member Overcash seconded. The vote taken was recorded as follows:

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

Motion carried

Mr. Fuller of 101 Arden Circle appeared before Council with questions about some Capital Improvement Projects. He also commended City Engineer Gary Chynoweth for his efforts in traffic stabilization.

Council Member Jennings objected to Line Item 10-024 (Gooch Lane Reconstruction) on the list of Capital Improvement Projects. He does not find this road in as poor condition as other collector roads.

Council Member Jennings moved to remove 10-024 Gooch Lane Reconstruction from the Capital Improvement list. Motion failed for lack of a second.

**PROPOSED ORDINANCE NO. 2010-268 REQUIRING THE PAYMENT FOR THE COST OF STREET LIGHTS IN THE CITY OF MADISON RIGHT OF WAYS TO BE MADE AT THE TIME OF INSTALLATION (FIRST READING)**

First reading: no action taken

**RESOLUTION NO. 2010-269-R APPROVING A TRAFFIC CALMING POLICY FOR THE CITY OF MADISON**

Council Member Jennings moved to approve Resolution No. 2010-269-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 Bill Holtzclaw	Aye

Motion carried

**POLICE**

**RESOLUTION NO. 2010-266-R AWARDDING BID NO. MPD-33-10 FOR THE PURCHASE OF POLICE DEPARTMENT UNIFORMS AND EQUIPMENT TO S & W UNIFORM CORNER (DBA: DUTY GEAR UNIFORMS) (TO BE PAID FROM GENERAL FUND BUDGET)**

Council Member Overcash moved to approve Resolution No. 2010-266-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 Bill Holtzclaw	Aye

Motion carried

**FINANCE**

**RESOLUTION NO. 2010-264-R AWARDDING BID NO. MPWD-31-10 TO UNITED RENTAL, INC. FOR THE PURCHASE OF ONE (1) MINI-EXCAVATOR IN THE AMOUNT OF \$31,740.91 (TO BE PAID FROM DEPARTMENTAL BUDGET)**

Council Member Overcash moved to approve Resolution No. 2010-264-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 Bill Holtzclaw	Aye

Motion carried

**FIRE**

**RESOLUTION NO. 2010-265-R AWARDDING RFP NO. 06-10 TO MUNICIPAL EMERGENCY SERVICES, INC. FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS IN THE AMOUNT OF \$160,388.54 (TO BE PAID FROM GRANT FUNDING)**

Robin Hodges of 9048 Sugartree Trail in Huntsville, AL approached Council voicing his concern about the bid process because his company, Heritage Fire Equipment

provided the lowest bid. Mr. Hodges feels that his company has the best and most innovative product for the City of Madison.

Chief Cobb outlined for Council problems he has had in the past with the equipment that bid by Heritage Fire Equipment.

Council Member Holcombe moved to approve Resolution No. 2010-265-R.  
Council Member Jennings seconded. The vote taken was recorded as follows:

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

Motion carried

#### **MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

Council Member Holcombe announced that it has come to his attention that there is some difference of opinion regarding whose responsibility it is to inspect fire hydrants. ISO ratings could be affected if the hydrants are not inspected. Council President Holtzclaw asked that an agreement be formalized so that it will be known what the requirements are and if it is the Water Board's or the City's responsibility.

#### **ADJOURNMENT**

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

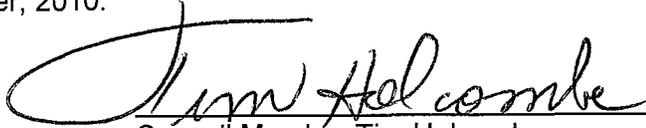
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Nay
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

The meeting was adjourned at 8:00 p.m.

Signatures on the following page:

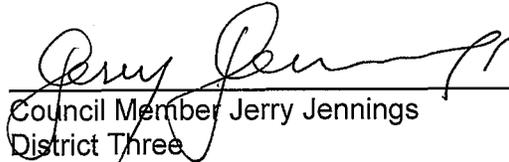
Minutes No. 2010-18-RG, dated September 13, 2010, read, approved and adopted this 27<sup>th</sup> day of September, 2010.



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

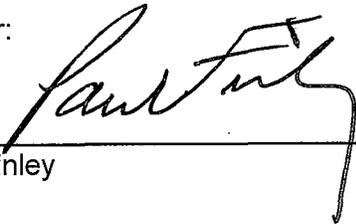


Council Member Larry Vannoy  
District Six



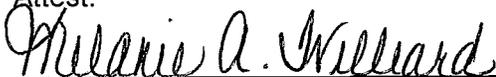
Council Member Bill Holtzclaw  
District Seven

Concur:



Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Lisa Berry  
Recording Secretary