

MINUTES NO. 2010-19-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
SEPTEMBER 27, 2010

The Madison City Council met in regular session on Monday, September 27, 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 6:02 p.m. by Council President Holtzclaw.

Police Chief Muncey 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, City Engineer Gary Chynoweth, Mayoral Aide Taylor Edge, Public Works Director Dana Stahl, Recreation Director Kory Alfred, Fire Chief Ralph Cobb, Planning Director Amy Fufori, HR Director Terri Towry, Building Director Cody Phillips, Director of Finance Lillie Causey, Revenue Officer Cameron Grounds, and City Attorney Kelly Butler.

Public attendance registered: Michael J. Welsh, Patricia G. Welsh, Jon Howell, Jennifer Few, Frank H. Riddick, Michelle Nesin Hunt, Joe Gehrdes, Chris Gareri, Alison Callahan, Derrick Rains, and W.C. Fuller

APPROVAL OF MINUTES

MINUTES NO. 2010-18-RG, SEPTEMBER 13, 2010

Council Member Overcash moved to approve Minutes No. 2010-18-RG as amended. 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

PRESENTATION AND AWARDS

ACKNOWLEDGEMENT OF CITY SAFETY COMMITTEE

Mayor Finley presented certificates to the members of the City Safety Committee. Members are as follows: Steve Thompson, Cary Sadler, Gina Romine, Kelly Rolin, Jan Johnson, David Glassman, Chris Gareri, Kay Curry, and Marilyn Culberson.

NICK GORDAN, PRESENTATION REGARDING EAGLE SCOUT PROJECT

Nick Gordan showed slides of work done on the trail connecting Tailwind Court and Joe Phillips Road. Improvements to this area made it much easier for people to get from one subdivision to the other by staying off main roads. It's also a safer and quicker route for kids leaving school. He thanked Public Works Director Dana Stahl and his staff, Mayor Finley, and Mike Peterson from Greenways and Trails for their support in this endeavor.

PROCLAMATION DESIGNATING OCTOBER 19, 2010 AS SPECIAL OLYMPICS DAY

Mayor Finley read the proclamation declaring October 19, 2010 and presented it to representatives from Special Olympics.

PROCLAMATION DESIGNATING OCTOBER 2010 AS DYSLEXIA AWARENESS MONTH

Mayor Finley read the proclamation declaring October of 2010 as Dyslexia Awareness Month.

PUBLIC COMMENTS

There were no public comments listed on the agenda and none were received from those in attendance

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$579,952.87
Gasoline Tax and Petroleum Inspection Fees	\$48,148.66
Series 2006 Bond Checking	\$286,267.10
Subdivision Cash Bond	\$10,485.00
Water Distribution & Storage Projects	\$436,812.50
Library Building Fund	\$38.24
Approval of payment to Garber Construction for work completed On indoor pool roof replacement (to be paid from departmental Budget with insurance proceeds)	\$82,500.00

Approval of payment to Pearce Construction for work completed On Senior Center Addition project (to be paid from Capital Improvement budget)	\$73,286.00
Approval of payment to Osborn & Associates Architects for Architectural fees for Dublin indoor pool replacement project (to be paid from Capital Improvement budget)	\$375.00
Approval of payment to Osborn & Associates Architects for construction fees for Senior Center Addition project (to be paid from Capital Improvement budget)	\$1,160.40
Approval of payment to OMI, Inc. for consultant services Related to Bradford Creek Greenway Phase I (to be paid from Capital Improvement budget)	\$1,081.50
Approval of payment to Limestone Farmers Cooperative for Fencing supplies related to Mill/Telluride/Whisperwood drainage Project (to be paid from Capital Improvement budget)	\$932.62
Approval of payment to Reed Contracting for asphalt related to Mill Road Improvement project (to be paid from Capital Improvement budget)	\$3,465.72
Approval of payment to the following vendors for services Related to Mill Creek Greenway Phase I: (to be paid from Capital Improvement budget)	
ConstructionMaterials	\$102.15
Thompson CAT Rental	\$587.60
United Rentals	\$2,609.00
Approval of payment to the following vendors for services Related to Gillespie/Hughes Road Intersection Project (to Be paid from Capital Improvement budget):	
HD Supply Waterworks	\$214.52
Vulcan Materials	\$886.23
Approval of payment to Reed Contracting Services, Inc. for Work completed on Wall Triana Improvements (Madison Blvd. To Cleghorn) (to be paid from Capital Improvement budget)	\$257,164.31
Approval of payment to M & D Land Development for work Completed on Mill/Telluride/Whisperwood Drainage project (to be paid from Capital Improvement budget)	\$6,510.30
Approval of payment to United Rentals for rental equipment Related to Mill/Telluride/Whisperwood Drainage project (to be Paid from Capital Improvement budget)	\$166.28
Approval of payment to Turfgrass America for materials related to Mill Road Improvement project (to be paid from Capital Improvement Budget)	\$264.60
Approval of payment to Osborn & Associates, Architects for Recreational activities parking lot project (to be paid from Capital Improvement budget)	\$750.00

Resolution No. 2010-277-R declaring certain Recreation Department property as surplus and of negligible value and authorizing its disposal

Approval of Change Order No. 1 on contract with Providence Homes in the amount of \$875 for the renovations to the City Clerk-Treasurer Department (to be paid from City Clerk Department budget)

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

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

Dr. Dee Fowler, Superintendent of Madison City Schools thanked Council for the annual appropriation of \$50,000.00. This money will be allocated to help defray the cost of crossing guards.

RESOLUTION NO. 2010-280-R APPROVING AN AGREEMENT WITH THE MADISON CITY BOARD OF EDUCATION FOR THE ANNUAL APPROPRIATION

Council Member Jennings moved to approve Resolution No. 2010-280-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

Mayor Finley announced that the International Association of Chiefs of Police recognized Madison Police Department for their community policing efforts in the category of cities with a population of twenty to fifty thousand. The Police Department was one of two runners up in the category and one of only nine awards given nationwide.

Mayor also announced that Dublin Park will have a haunted hay ride called "Trail of Fears" starting October 8 through October 30th every Friday and Saturday night from 7:00 p.m. to 11:00 p.m. Cost is \$3.00 per person.

Lastly, Mayor Finley commended City Engineer Gary Chynoweth and Public Works Director Dana Stahl for work done on 565 and Madison Boulevard. The work was done with at night so traffic continued to flow with minimal interruption for the citizens.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

Council Member Holcombe announced that the Madison Street Festival will be this Saturday, October 2, 2010.

The Street Festival Committee found that some outlets in the Gazebo in downtown Madison were not working and had them repaired. The cost for the repairs is \$583.82. Council Member Holcombe requested that Council reimburse the money to the Street Festival Committee and that the funds come from the Special Activities Budget.

Council Member Holcombe moved to reimbursement to the Madison Street Festival Committee in the amount of \$583.82. 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

Council Member Holcombe thanked the Police Department, Fire Department and others for much improved Trail of Tears event.

Lastly, Council Member Holcombe thanked Madison Greenways and Trails for the benches that have been placed at Mill Creek; he also thanked Public Works for completion of the Wellington Sidewalk Project.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

No business to report

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

No business to report.

COUNCIL DISTRICT NO. 4 TIM COWLES

Council Cowles stated that there was an issue at the last City Council Meeting about some roads in more need of repair than others. Having surveyed Zeirdt Road and Shelton Road, he found no significant problems with either road.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

RESOLUTION NO. 2010-282-R APPROVING THE CITY OF MADISON EMPLOYEE SAFETY MANUAL

Council Member Overcash moved to approve Resolution No. 2010-282-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

COUNCIL DISTRICT NO. 6 LARRY VANNOY

PROPOSED ORDINANCE NO. 2010-271 ADOPTING THE OFFICIAL ANNUAL OPERATING BUDGET FOR THE CITY OF MADISON, ALABAMA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011

Council Member Vannoy moved to approve Proposed Ordinance No. 2010-271 as amended with excess funds from reduction in appropriation to Convention and Visitors Bureau to be added to the Contingency Fund. 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

Council Member Overcash questioned the amount of the appropriation to the Convention and Visitors Bureau. Following discussion, the amount of the appropriation to the Visitors Bureau was decreased to reflect the reduction in funding for the Bass Tournament.

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

Council President Holtzclaw announced that the Bob Jones High School Homecoming Parade will be Thursday, September 30th beginning at 5:45 p.m.

PUBLIC HEARINGS

REQUEST BY FAMOUS JOE'S PIZZERIA, INC. (DBA: FAMOUS JOE'S PIZZERIA) FOR AN ON PREMISE BEER-WINE-LIQUOR LICENSE FOR THEIR LOCATION AT 12120 COUNTY LINE ROAD, SUITE A

Council President Holtzclaw opened the public hearing for comments regarding this license request. There being none, he then closed the public hearing and asked for a motion regarding this request.

Council Member Haraway moved to approve request for an on premise beer-wine-liquor license by Famous Joe's Pizzeria contingent upon Fire Department and Building Department approval. 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

**RECEIVE COMMENTS REGARDING ADOPTION OF RESOLUTION NO. 2010-285-R
ADOPTING THE MADISON COUNTY, ALABAMA, NATURAL HAZARDS MITIGATION PLAN
UPDATE, DATED NOVEMBER 3, 2009, IN FULFILLMENT OF THE PLANNING AND
UPDATING CRITERIA OF THE FEDERAL DISASTER MITIGATION ACT OF 2000.**

Council Member Jennings moved to approve Resolution No. 2010-285-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	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. 2010-268 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 09/13/2010)**

Council Member Overcash moved to table Proposed Ordinance No. 2010-268. Council Member Holcombe 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

PLANNING

**RESOLUTION NO. 2010-287-R ACCEPTANCE OF STILLWATER COVE PHASE 1 INTO
THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Cowles moved to approve Resolution No. 2010-287-R accepting Stillwater Cove Phase 1 into the City of Madison Maintenance Program. 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

RESOLUTION NO. 2010-288-R ACCEPTANCE OF GREENBRIAR WOODS PHASE I INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Council Member Cowles moved to approve Resolution No. 2010-288-R accepting Greenbriar Woods Phase I into the City of Madison Maintenance Program. 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

RECREATION

RESOLUTION NO. 2010-252-R AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF HUNTSVILLE TO PROVIDE PUBLIC TRANSPORTATION SERVICES TO HANDICAPPED & DISABLED CITIZENS

Council Member Jennings moved to approve Resolution No. 2010-252-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

PUBLIC WORKS

RESOLUTION NO. 2010-276-R AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH NHMS TO IMPLEMENT 2010 NHMS CRACK SEALANT PROGRAM (TO BE PAID FROM DEPARTMENTAL BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-276-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. 2010-283-R AWARING BID NO. MPWD-32-10 FOR THE PURCHASE OF PUBLIC WORKS DEPARTMENT UNIFORMS TO DUTY GEAR (TO BE PAID FROM DEPARTMENTAL BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-283-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. 2010-272-R AWARDING BID NO. COM-19-10 TO WS ELECTRICAL AND AIR CONDITIONING FOR PURCHASE AND INSTALLATION OF PROGRAMMABLE THERMOSTATS IN THE AMOUNT OF \$11,437 (TO BE PAID FROM ENERGY GRANT FUNDS)

Council Member Jennings moved to approve Resolution No. 2010-272-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

RESOLUTION NO. 2010-273-R AWARDING BID NO. COM-23-10 TO WASTE AWAY GROUP, INC. FOR DUMPSTER SERVICES

Council Member Jennings moved to approve Resolution No. 2010-273-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

AWARDING RFP-03-10 FOR LANDSCAPING SERVICES TO THE FOLLOWING VENDORS:

RESOLUTION NO. 2010-274-R AREA A - NEIGHBORHOOD PARKS TO ATCHLEY LAWN CARE SERVICES, INC.

Council Member Haraway moved to approve Resolution No. 2010-274-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 Bill Holtzclaw	Aye

Motion carried

RESOLUTION NO. 2010-278-R AREA D – MUNICIPAL BUILDINGS & AREA E – CEMETERIES TO CALHOUN'S LAWN & YARD GROOMING, INC.

Council Member Haraway moved to approve Resolution No. 2010-278-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	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. 2010-279-R AREA B – RIGHT-OF-WAYS, AREA C – MEDIANS & ISLANDS AND AREA F – SPECIAL EVENTS TO NORTH ALABAMA LAWN CARE

Council Member Haraway moved to approve Resolution No. 2010-279-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	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

CITY CLERK-TREASURER

PROPOSED ORDINANCE NO. 2010-281 AUTHORIZING THE WATER AND WASTEWATER BOARD TO DISPOSE OF PROPERTY THROUGH GOVDEALS (FIRST READING)

First Reading: No action taken

LEGAL

LEGAL ACTION ITEMS

RESOLUTION NO. 2010-284-R APPROVING AN AGREEMENT WITH DILL CONSTRUCTION FOR INSTALLATION OF FENCING AT DOG PARK

Council Member Holcombe moved to approve Resolution No. 2010-284-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	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

FIRST READINGS

PROPOSED ORDINANCE NO. 2010-275 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY OWNED BY GABRIEL WEISZ LOCATED AT 29978 HARDIMAN ROAD IN LIMESTONE COUNTY

First reading: no action taken

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

Having no further business to discuss Council Member Haraway moved to adjourn the meeting. The vote taken was recorded as follows:

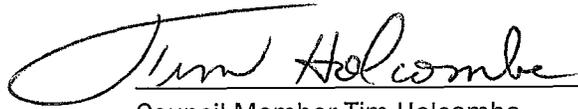
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

The meeting was adjourned at 7:25 p.m.

Signatures on the following page:

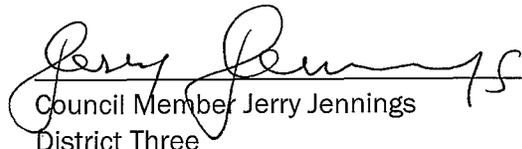
Minutes No. 2010-19-RG, dated September 27, 2010, read, approved and adopted this 11th day of October, 2010.



Council Member Tim Holcombe
District One

Absent

Council Member Steve Haraway
District Two



Council Member Jerry Jennings
District Three



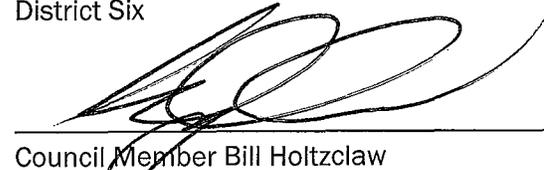
Council Member Tim Cowles
District Four



Council Member Tommy Overcash
District Five

Absent

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