

**MINUTES NO. 2010-21-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**OCTOBER 25, 2010**

The Madison City Council met in regular session on Monday, October 25, 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.

Pastor Ross Kuykendall with Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Bill Holtzclaw.

**ELECTED GOVERNING OFFICIALS IN ATTENDANCE**

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 Bill Holtzclaw	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Recording Secretary Kristen N Bruseth, Police Major Lee Weaver, Assistant Recreation Director Mike Cassell, Human Resources Director Terri Towry, Finance Director Lillie Causey, Municipal Court Clerk Rick Honea, Assistant Public Works Director Clay Baker, Planning Director Amy Furfori, Executive Assistant to the Mayor Taylor Edge, Municipal Court Judge Wayne Wolfe and Revenue Officer Cameron Grounds

Public Attendance registered: Marcy Hamilton, Heath Campbell, Shrail Heinrich, Karin Prigmore, Joseph Capp, Tami Tubell, Liz Cuneo, James Holder, Linda Glaze, David L. Lance, Brenda Parker, Ronica Ondocsin, Sharon Willis, W. Tony Willis, Tabitha Ivey, Nelson Brown, Dorinda C. White, Debbie Gulden, Laura Pope, Sally Bruer, Tim Scott, Melanie Barkley, Katrina Allen, Jon Howell, Deborah Ward, Larry Ward, Louis Gold, Keith Farr, Cana Farr, Linda Knowles, Eric Hildreth, William Hildreth, Marshall Hildreth, Robert Dulin, Forrest Arvir, Melissa Hughey, CG Summer, Thomas Scovill, Frank H. Riddick, Ross Kuydendall, Raquel Spiegel, Linda Zutter, Phil Dalton, Charles Brown, Jason Tidwell, Helen Cole, Liz Hurley, Joe Gehrdes representing the Huntsville/Madison County Builders Association, Derrick J. Rains, Stephanie Schultz, Alison Callahan, Cary Hilton, Jennifer Few, Dick Bruer, Allison Wheeler, Chris Henke, Lauri Kamrowski, Tim Morris, W.C. Fuller, Eric Davis, Erica Slone and 5 illegible signatures

**AMENDMENTS TO AGENDA**

Council President Holtzclaw announced the following amendments to this evening's agenda:

**Deletions:**

- **Engineering Department**; Resolution No. 2010-319-R approving an agreement with Land Design Solutions for landscape and surveying services related to the Bradford Creek Greenway Phase II in the amount of \$76,089.00

- Police Department; Resolution No. 2010-321-R approving an agreement with the City of Madison Board of Education

Council voiced no objections to the requested changes to the agenda.

**APPROVAL OF MINUTES**

**MINUTES NO. 2010-20-RG; OCTOBER 11, 2010**

Council Member Jennings moved to approve Minutes No. 2010-20-RG. 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.

**MINUTES NO. 2010-07-WS; OCTOBER 12, 2010**

Council Member Jennings moved to approve Minutes No. 2010-07-WS. 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.

**PRESENTATIONS AND AWARDS**

**MADISON CITY DISABILITY ADVOCACY BOARD ~ PRESENTATION OF PLAQUE TO EMPLOYER OF THE YEAR**

In recognition of hiring, training, supporting and encouraging Bob Jones High School Special Education students the Westin Hotel in Huntsville was awarded "Employer of the Year" by the Madison City Disability Advocacy Board. Present to accept the award was David Lance, Human Resource Manager of The Westin Hotel. A round of applause was given.

**PRESENTATION BY MADISON FIREFIGHTERS TO THE LIZ HURLEY BREAST CANCER FUND**

On behalf of the Madison Professional Firefighters Association, Madison Firefighter Jason Tidwell presented a check in the amount of \$10,800 to Liz Hurley for the Liz Hurley Breast Cancer Fund. A round of applause was given.

**ANNUAL COURT REPORTY BY MUNICIPAL JUDGE WAYNE WOLFE**

Municipal Court Judge Wayne Wolfe presented the following annual court report:

Case Activity			
Cases Open	Traffic	Non-Traffic	Total
	6055	800	6855
Cases Closed	Traffic	Non-Traffic	Total
	6148	844	6992

Total Receipts

Retained by City	Disbursed to State	Total Receipts
\$581,883	\$281,082	\$862,965

**PUBLIC COMMENTS**

*Public Comments are limited to five minutes each if the speaker requested to be added to the Agenda prior to deadline. Individuals requesting to speak at the meeting who did not make the agenda deadline are limited to three minutes.*

**MR. DELL WILSON; EFFORTS TO MAKE MADISON BICYCLE-FRIENDLY**

Madison resident Dell Wilson commended Council for making Madison more pedestrian and cyclist friendly with the installation of "Share the Road" bike signs, the design of the Eastview & Balch Road extensions, the connector between Oakstone and Foxfield Subdivisions, and the Mill Creek greenway. He did add that he believes the city can do more, however, to make it more bicycle friendly for students and shoppers. He mentioned that several residents have started a group to assist in making the City more pedestrian and cyclist friendly.

**MR. PHIL DALTON, 2107 LIBERTY DRIVE; CURRENT NOISE ORDINANCE**

Mr. Dalton requested that the City revisit the current noise ordinance in order to allow the Police Department to respond and act on complaints that occur during the hours that are not prohibited in the noise ordinance.

Police Major Lee Weaver informed Council that her department does in fact respond to noise calls at any time of the day. She does agree that the noise ordinance should be revisited in order to give more power to the officers during daytime hours.

**MR TOM SCOVILL, 530 HIGHLAND DRIVE; CITY BOARD OF EDUCATION**

Mr. Scovill addressed Council on what he sees as unethical campaign contributions in the amount of \$30,000 from the Alabama Education Association to Madison Board of Education member Sue Helms during her bid for the State School Board earlier this year. He stated that he believes Mrs. Helms requires counseling on the subject of ethics.

Council President Bill Holtzclaw stated that from the Council's perspective, the Board of Education has duly executed their due diligence on this and he believes that Mr. Scovill has received information back from the School Board's Attorney who has also provided his opinion on the issue.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Vannoy moved to approve the Consent Agenda and Finance Committee Report as follows:

General Operating Account	\$569,977.89
Gasoline Tax and Petroleum Inspection Fees	\$34,544.75
Series 2006 Bond Checking	\$72,745.76
Library Building Fund	\$3,343.99
Approval of payment to Osborn & Associates for work completed in connection with the Police Department Addition (to be paid from Capital Improvement Budget)	\$4,047.46

Resolution No. 2010-318-R; approving the disposal of certain Revenue Department records as approved by the State Archives Department

Resolution No. 2010-313-R; declaring certain city property as surplus and negligible value and further authorizing its disposal

Approval of payment to the following vendors for materials purchased for Mill Creek Greenway, Phase I (to be paid from CIP budget)

United Rentals	\$341.60
Loader Services	\$2,600.00
Hanson Pipe and Precast	\$286.00
Vulcan Materials	\$1,877.56
Ram Tool	\$175.65

Approval of payment to Florence & Hutcheson for inspection services related to Wall Triana/Highway 72 Project (to be paid from CIP budget) \$14,745.90

Approval of payment to OMI, Inc. for testing services related to Bradford Creek Greenway Phase I (to be paid from CIP budget) \$4,007.00

Approval of payment to Hanson Pipe and Precast for materials supplied for Gillespie/Hughes Road intersection project (to be paid from CIP budget)\$1,575.00

Approval of payment to the following vendors for materials purchased for Mill Road Improvement project (to be paid from CIP budget)

Thompson CAT Rentals	\$561.00
Madison Utilities	\$178.40
Reed Contracting	\$10,655.28

Approval of payment to SJ&L General Contractors for installation of box culverts related to Mill Creek Greenway project (to be paid from CIP budget) \$18,400.00

Resolution No. 2010-314-R authorizing the purchase of vehicles from State Bid No. T-191 for the award period of October 1, 2009 through September 30, 2011

Resolution No. 2010-315-R authorizing the purchase of law enforcement vehicles from State Bid No. T-191L for the award period of August 13, 2008 through September 30, 2011

Resolution No. 2010-316-R Authorizing the purchase of drycell batteries/flashlights from State Bid T-213 for the award period of October 1, 2010 through September 30, 2011

Resolution No. 2010-317-R Authorizing the purchase of temporary personnel services from State Bid No. T-238 for the award period of October 1, 2010 through September 30, 2011

Council Member Cowles seconded the motion to approve the Consent Agenda and Finance Committee Report. 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**

#### **PROCLAMATION DECLARING OCTOBER 2010 AS PRINCIPALS MONTH**

In the absence of Mayor Finley, Council President Bill Holtzclaw read aloud a Proclamation signed by the Mayor declaring the month of October 2010 as "Principals Month" in the City of Madison. Madison School Superintendent Dee Fowler introduced the various Madison City School Principals in attendance. A round of applause was given.

**COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

Council Member Holcombe recognized the officers and members of this year's Street Festival Committee which just celebrated its 30<sup>th</sup> year.

**RECOGNITION OF MADISON STREET FESTIVAL GRANT RECIPIENTS AND PRESENTATION OF CHECKS**

The following organizations were awarded grants by the Street Festival Grant's Committee:

Asperger's Connection	\$750
ALS Foundation	\$250
Madison Lions Club	\$500
Rainbow Elementary School	\$300
Madison Animal Rescue	\$1,000
Inside Out	\$1,000
AmTrykes	\$2,400
BJHS Chorus	\$250

A round of applause was given.

**RECOGNITION OF MADISON STREET FESTIVAL ART TENT WINNERS**

Council Member Holcombe introduced Ms. Erica Sloan from the Madison County Record, this year's Art Tent sponsor, who then presented 1<sup>st</sup> place awards to the following students:

High School:	Bob Jones Senior Chris DeRoches
Elementary:	Columbia Student Maggie Bounds
Middle:	Discovery Student Will Hildreth

A round of applause was given to all recipients.

Mrs. Shrail Heinrich, President of this year's Madison Street Festival Committee, thanked the City Council, Mayor Finley, the Police and Fire Departments as well as the Public Works and Recreation Departments for their assistance. She also thanked this year's sponsors and the community for turning out for this annual event.

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

**RECOGNITION OF CITY OF HUNTSVILLE ASSISTANCE**

Council Member Haraway publicly thanked the City of Huntsville for their assistance in providing additional bleachers for last Friday's Bob Jones High School football game. He added that Huntsville has agreed to leave the bleachers in place for the next game which is expected to be heavily attended.

Also, Madison Parks & Recreation Department was recognized for providing additional fencing for crowd control purposes.

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

No business to report.

**COUNCIL DISTRICT NO. 4 TIM COWLES**

**REPORT ON MEETING WITH BIKING ENTHUSIASTS**

Council Member Cowles stated that the recent meeting with biking enthusiasts was very productive and garnered a lot of interest. He foresees quarterly meetings beginning early next year.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

**MADISON ASSISTED RIDE SERVICE (MARS)**

The Mayor's Executive Assistant, Taylor Edge, reported to Council that the City will provide qualified riders transportation to and from the polls on Tuesday, November 2<sup>nd</sup>.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

No business to report.

**COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW**

**YMCA PRESS CONFERENCE**

A press conference is scheduled for this Thursday, at 9am regarding the grand opening of the facility. Council Member Holcombe added that this press conference is not the official ribbon cutting for the YMCA which is planned to take place in early December.

**MADISON GROWTH PLAN**

The Madison Growth Plan Committee will hold their first meeting on November 4 at 6:30 pm at the YMCA. Council President Holtzclaw encouraged the public to attend.

**PUBLIC HEARINGS**

**REQUEST BY MADISON KING BUFFET, INC. (DBA: MADISON KING BUFFET) FOR ON-PREMISE LIQUOR LICENSE FOR THEIR LOCATION AT 7830 HIGHWAY 72 WEST, SUITE 250**

Revenue Officer Cameron Grounds informed Council that everything is in order for the approval of this request.

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 Overcash moved to consent to the issuance of an on-premise liquor license to Madison King Buffet, Inc. (DBA: Madison King Buffet) for their location at 7830 Highway 72 West, Suite 250. 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 passed.

**DEPARTMENTAL REPORTS**

**PUBLIC WORKS DEPARTMENT**

**RESOLUTION NO. 2010-311-R; AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH HUNTSVILLE RADIO SERVICE, INC. TO UPGRADE GPS SERVICE (FUNDING FROM DEPARTMENTAL BUDGET)**

Council Member Overcash moved to approve Resolution No. 2010-311-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 passed.

**COURT DEPARTMENT**

**PROPOSED ORDINANCE NO. 2010-312; REPEALING AND REPLACING ORDINANCE NO. 2008-300 REGARDING SCHEDULE OF FINES FOR MUNICIPAL COURT (FIRST READING)**

This was considered a first reading.

**ENGINEERING DEPARTMENT**

**RESOLUTION NO. 2010-319-R; APPROVING AN AGREEMENT WITH LAND DESIGN SOLUTIONS FOR LANDSCAPE AND SURVEYING SERVICES RELATED TO THE BRADFORD CREEK GREENWAY PHASE II IN THE AMOUNT OF \$76,089.00 (FUNDING FROM CAPITAL IMPROVEMENT PROJECTS BUDGET)**

This item was removed from the agenda.

**PLANNING DEPARTMENT**

**RESOLUTION NO. 2010-322-R; ACCEPTANCE OF WHITWORTH FARMS, PHASE 4 INTO THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Haraway moved to approve Resolution No. 2010-322-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 passed.

**POLICE**

**RESOLUTION NO. 2010-322-R; APPROVING AN AGREEMENT WITH THE CITY OF MADISON BOARD OF EDUCATION FOR SCHOOL RESOURCE OFFICERS**

Council Member Haraway moved to approve Resolution No. 2010-322-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 passed.

**RESOLUTION NO. 2010-321-R; APPROVING AN AGREEMENT WITH THE CITY OF MADISON BOARD OF EDUCATION FOR SCHOOL CROSSING GUARDS**

This item was removed from the agenda.

**LEGAL**

**LEGAL ACTION ITEMS**

**RESOLUTION NO. 2010-323-R; AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS FOR THE TERMINATION OF SECURITY AGREEMENT WITH MARCIA CRAIG**

Council Member Jennings moved to approve Resolution No. 2010-323-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 passed.

**FIRST READINGS**

**PROPOSED ORDINANCE NO. 2010-310; ASSENTING TO THE ANNEXATION OF PROPERTY OWNED BY KYLE & BARBARA HOLLADAY LOCATED IN LIMESTONE COUNTY**

This was considered a first reading.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

Having no further business to discuss, Council Member Jennings 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 7:07 p.m.

Signatures on following page.

Minutes No. 2010-21-RG, dated October 25<sup>th</sup>, 2010, read, approved and adopted this 8th day of November 2010.



Council Member Tim Holcombe  
District One



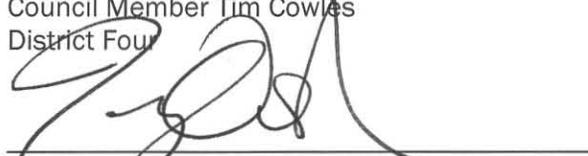
Council Member Steve Haraway  
District Two



Council Member Jerry Jennings  
District Three

Absent

Council Member Tim Cowles  
District Four



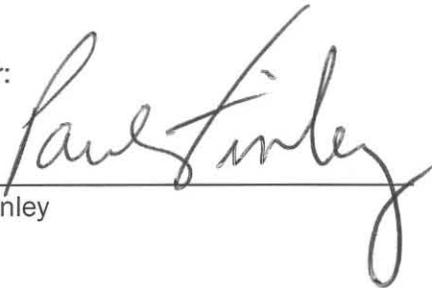
Council Member Tommy Overcash  
District Five

Council Member Larry Vannoy  
District Six

- Vacant -

Council Member Bill Holtzclaw  
District Seven

Concur:



Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Kristen N. Bruseth  
Recording Secretary