

**MINUTES NO. 2010-24-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**DECEMBER 13, 2010**

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The Madison City Council met in regular session on Monday, December 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 Overcash.

Mr. Tom Dozier with Madison Church of Christ provided the invocation followed by the Pledge of Allegiance led by Council President Overcash.

**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	Absent
Council District No. 3 Jerry Jennings	Present
Council District No. 4 Tim Cowles	Absent
Council District No. 5 Tommy Overcash	Present
Council District No. 6 Larry Vannoy	Present
Council District No. 7	Vacant

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Recording Secretary Kristen N Bruseth, City Attorney Kelly Butler, Planning Director Amy Furfuri, Revenue Director Cameron Grounds, Building Director Cody Phillips, Information Technology Systems Analyst Chris White, Fire Chief Ralph Cobb, Police Chief Larry Muncey, Finance Director Lillie Causey, Public Works Director Dana Stahl and Human Resources Director Terri Towry

Public Attendance registered: Joseph Copp, Forrest Shaw, Joe Gehrdes with the Huntsville/Madison County Builders Association, Tim Knox, Steven Levy, Taran Thorpe, Tom Dozier, Gordon Brown, Carol Jones, Stan McCall, Jr., Ronica Ondocsin, Jon Howell, Michelle Nesin Hunt, Derrick Rains, Forrest Arvin and Charlie Brown

**APPROVAL OF MINUTES**

**MINUTES NO. 2010-23-RG; NOVEMBER 22, 2010**

Council Member Jennings moved to approve Minutes No. 2010-23-RG as amended. Council Member Vannoy seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion carried.

**PRESENTATIONS AND AWARDS**

**SWEARING IN OF NEW FIREFIGHTERS**

Council President Overcash administered the oath of office for the Fire Department's newest firefighters; Chris Watkins and Ryan Gentry. A round of applause was given.

**MADISON CHAMBER OF COMMERCE; PRESENTATION REGARDING ANNUAL APPROPRIATION**

Mr. Tim Knox, Acting Executive Director of the Madison Chamber of Commerce, reported on their past year achievements and activities as well as their plans for the coming year.

**MEDS; PARADISE APARTMENTS UPDATE**

Ms. Carol Jones, President of MEDS, informed Council of the current status of the rehabilitation of "Spencer Trace Apartments" formerly known as Paradise Apartments. Ms. Jones advised that the rehabilitation has been delayed due to an issue with securing the interim funding for the project. Interim funding has been secured and they estimate that it will be approximately 9 – 12 months before the first residents can move in.

**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. FORREST ARVIN; BEAVER AND MUSKRAT CONTROL SERVICES**

Mr. Arvin asked Council if the wildlife has been, or will be, relocated or if they are being euthanized. Public Works Director Dana Stahl referred Mr. Arvin to his assistant who is more knowledgeable on the intricacies of the contract with the USDA.

**MR. FORREST SHAW; WCA WASTE -- BRUSH & BULK ITEM DISPOSAL SERVICES**

Mr. Shaw offered his company's disposal services to help save the city money as he believes his company can offer services at a cheaper rate than the current company the City uses. Council President Overcash stated that Mayor Finley and Public Works Director Stahl will work on a plan to address the subject.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

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

General Operating Account	\$1,117,493.05
Gasoline Tax & Petroleum Inspection Fees	\$12,376.46
Senior Center Donations Account	\$5,550.34
Series 2006 Bond Checking	\$116,837.22
Library Building Fund	\$2,760.16

Payment to Moon Construction for work completed on the Police Department Addition project (paid from Capital Improvement Project budget) \$114,593.55

Payment to Pearce Construction for work completed on the Senior Center Addition project (CIP budget) \$7,230.25

Payment to Osborn & Associates for work completed on the Senior Center Addition project (CIP budget) \$580.20

Payment to Osborn & Associates for work completed on the Senior Center Addition project (CIP budget) \$38.68

Payment to Huntsville Public Library for reimbursement for purchase of Bibliochip book labels for Madison Public Library (CIP budget) \$25,283.80

Payment to Florence & Hutcheson for engineering services related to US 72 improvements (Gas Tax Funds) \$38,676.00

Payment to OMI, Inc. for wetland jurisdictional determination in relation to US 72 improvements (CIP budget) \$1,901.00

Payment to Card Services for charges incurred in connection with online submittal of ADEM permit related to US 72 improvements; Balch to Hughes (CIP budget) \$240.00

Payment to Miller & Miller for work completed on Gillespie Road Bridge Replacement (CIP budget) \$150,227.00

Payment to the following vendors for materials or services related to Gillespie/Hughes Road intersection project (CIP budget):

Vulcan Materials	\$1,592.98
Wilson Lumber	\$291.79
United Rentals	\$123.22
Eagle Wholesale	\$1,686.00
Alabama Concrete	\$336.00

Payment to the following vendors for materials or services related to Mill Creek Greenway intersection (CIP budget):

Wilson Lumber	\$214.66
United Rentals	\$2,495.71
RAM Tool	\$141.94
Limestone Farmers Co-op	\$68.98
Fastenal	\$13.89
Bobcat	\$2,600.00
Alabama Concrete	\$216.00

Payment to USDA for beaver and muskrat control services in relation to Bradford Creek Greenway Phase I (CIP budget) \$4,999.88

Payment to SJ&L General Contracting for services related to Bradford Creek Greenway Phase I (CIP budget) \$83,222.03

Payment to Wilmer & Lee for legal services related to Gillespie Road extension project (CIP budget) \$15.00

Payment to Land Design Solutions for services related to Bradford Creek Greenway Phase I (CIP budget) \$4,914.00

Council Member Jennings 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	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye

Council Member Larry Vannoy  
Council District No. 7

Aye  
Vacant

Motion carried.

## **PRESENTATION OF REPORTS**

### **MAYOR PAUL FINLEY**

#### **RESOLUTION NO. 2010-356-R; APPROVING AN AGREEMENT WITH THE MADISON CHAMBER OF COMMERCE FOR THEIR ANNUAL APPROPRIATION**

Council Member Holcombe moved to approve Resolution No. 2010-356-R.  
Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

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

#### **MEETING ANNOUNCEMENTS**

Council Member Holcombe reminded everyone of the following events that will take place this week in the City of Madison:

- Wednesday, December 15<sup>th</sup> at 4:00 pm; Ribbon Cutting at Madison Chamber of Commerce offices in YMCA Building
- Wednesday, December 15<sup>th</sup> at 5:30 pm; Council Work Session to interview candidates for District 7 appointment
- Thursday, December 16<sup>th</sup> at 10:00 am; groundbreaking for the new high school on County Line Road

### **COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

Absent

### **COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

#### **INDUSTRIAL DEVELOPMENT BOARD UPDATE**

Council Member Jennings reported that the Industrial Development Board granted an abatement and bond issue which allowed Tyonek, Inc. to expand its facilities thereby creating new jobs in the future.

### **COUNCIL DISTRICT NO. 4 TIM COWLES**

Absent

### **COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

#### **UPDATE ON COUNCIL DISTRICT NO. 7 APPOINTMENT (INDIVIDUALS TO BE INTERVIEWED; GORDON BROWN, AMANDA HOLLAND, RONICA ONDOCSIN AND DERRICK RAINS)**

Council President Overcash announced that ten individuals submitted applications for consideration of appointment to the District 7 vacancy. The list was narrowed down to four applicants; Gordon Brown, Amanda Holland, Ronica Ondocsin and Derrick Rains.

Interviews will be held on Wednesday December 15 beginning at 5:30 pm in Conference Room 130 of the Municipal Complex. The Council hopes to make their final decision at the next regular meeting schedule for Monday, December 20<sup>th</sup>, with the swearing in ceremony to take place at the first regular meeting in January 2011.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

No business to report.

**DISTRICT NO. 7**

Vacant

**BOARD/COMMITTEE APPOINTMENTS**

**NOMINATIONS FOR APPOINTMENT TO THE RECREATION ADVISORY BOARD PLACE NO. 1 AND PLACE NO. 2**

Due to Council Member Haraway's absence this item will be presented at the next regular meeting scheduled for December 20, 2010.

**PUBLIC HEARINGS**

**REQUEST BY MADISON FOOD MART, INC (DBA: MADISON FOOD MART) FOR OFF-PREMISE BEER/WINE LICENSE FOR THEIR LOCATION AT 8500 OLD MADISON PIKE**

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

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

Council Member Vannoy moved to consent to the issuance of an off-premise beer/wine license to Madison Food Mart, Inc. (DBA: Madison Food Mart) for the location at 8500 Old Madison Pike. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Abstain
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**DEPARTMENTAL REPORTS**

**PLANNING DEPARTMENT**

**PROPOSED ORDINANCE NO. 2010-346; REQUEST FROM JASON & GWEN FEWELL TO VACATE PORTION OF UTILITY & DRAINAGE EASEMENT ON LOT 54, BLOCK 2, HIGHLAND LAKES PHASE IV, TO CONSTRUCT RETAINING WALL (FIRST READING 11/22/2010)**

Council Member Holcombe moved to approve Ordinance No. 2010-346. Council Member Jennings seconded. The vote taken was recorded as follows:

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

Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**RESOLUTION NO. 2010-347-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE 2010-348 AMENDING THE ZONING ORDINANCE REZONING PROPERTY OWNED BY PEDCOR INVESTMENTS FROM B-3 TO R-4 (FIRST PUBLICATION; 12/17/2010, SYNOPSIS; 12/24/2010, PUBLIC HEARING 01/10/2011)**

Council Member Holcombe moved to approve Resolution No. 2010-347-R. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**RESOLUTION NO. 2010-358-R; ACCEPTING A RESUBDIVISION OF LOT 2E OF A RESUBDIVISION OF LOT 2C OF A RESUBDIVISION OF LOT 2 OF CLEGHORN PARK INTO THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Jennings moved to approve Resolution No. 2010-358-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**RESOLUTION NO. 2010-359-R; ACCEPTING BRIGHTON PARK AT ASHBURY, PHASE I INTO THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Jennings moved to approve Resolution No. 2010-359-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**POLICE DEPARTMENT**

**RESOLUTION NO. 2010-357-R; APPROVING CHANGE ORDER NO. 4 ON CONTRACT WITH MOON CONSTRUCTION FOR POLICE DEPARTMENT ADDITION INCREASING CONTRACT IN THE AMOUNT OF \$8,524 (TO BE PAID FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Jennings moved to approve Resolution No. 2010-357-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**RESOLUTION NO. 2010-361-R; APPROVAL FOR THE DONATION OF SIX (6) BICYCLES TO THE ASBURY THRIFT STORE**

Police Chief Muncey requested that Council consider this Resolution at their next regular meeting scheduled for December 20, 2010.

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

Council Member Jennings moved to approve Resolution No. 2010-321-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**FIRE DEPARTMENT**

**APPROVAL TO REJECT ALL BIDS SUBMITTED IN CONNECTION WITH BID NO. MFD-01-11 FOR THE PURCHASE OF UNIFORMS FOR THE MADISON FIRE DEPARTMENT AND AUTHORIZING TO REBID FOR SAID PURCHASE**

Council Member Holcombe moved to reject all bids submitted in connection with Bid No. MFD-01-11 and authorized the rebid process. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**ENGINEERING DEPARTMENT**

**RESOLUTION NO. 2010-360-R; DECLARING THE SINKHOLE SITUATION IN CONNECTION WITH THE GILLESPIE ROAD/HUGHES ROAD PROJECT AS AN EMERGENCY AND APPROVING GEO SOLUTIONS, LLC TO PERFORM EMERGENCY REPAIR DUE TO SAID SINKHOLE AT GILLESPIE ROAD/HUGHES ROAD INTERSECTION IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$75,000 (FUNDING FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Jennings moved to approve Resolution No. 2010-360-R. Council Member Vannoy seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**RESOLUTION NO. 2010-362-R; REGARDING WALL TRIANA HIGHWAY/I-565 PROJECT TO CHANGE SCOPE OF WORK**

City Engineer Gary Chynoweth requested a change of scope for the westbound ramp onto Madison Boulevard. Council Member Jennings moved to approve Resolution No. 2010-362-R. Council Member Vannoy seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**LEGAL**

**LEGAL ACTION ITEMS**

**PROPOSED ORDINANCE NO. 2010-355; AMENDING ORDINANCE NO. 2009-222 RELATING TO THE ½ CENT SALES TAX APPROVED FOR SCHOOL PURPOSES AND REPEALING CERTAIN PROVISIONS THEREOF (FIRST READING 11/22/2010)**

Council Member Jennings moved to approve Ordinance No. 2010-355. Council Member Vannoy seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion passed.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

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

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent

Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council District No. 7	Vacant

Motion carried.

The meeting was adjourned at 7:07 p.m.

Signatures on following page.

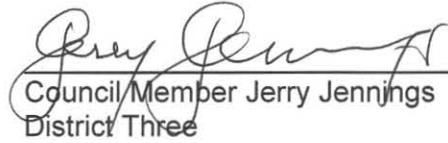
Minutes No. 2010-24-RG, dated December 13<sup>th</sup>, 2010, read, approved and adopted this 20th day of December 2010.



Council Member Tim Holcombe  
District One



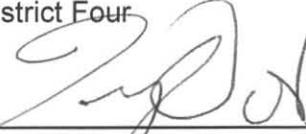
Council Member Steve Haraway  
District Two



Council Member Jerry Jennings  
District Three

*Abstain*

Council Member Tim Cowles  
District Four



Council Member Tommy Overcash  
District Five



Council Member Larry Vannoy  
District Six

*Vacant*

District Seven

Concur:



Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Kristen N. Bruseth  
Recording Secretary