

**MINUTES NO. 2012-12-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**JUNE 11, 2012**

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The Madison City Council met in regular session on Monday, June 11, 2012, 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 Ondocsin.

Police Chief Larry Muncey provided the invocation followed by the Pledge of Allegiance led by Council President Ondocsin.

**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	Present
Council District No. 1 Tim Holcombe	Present
Council District No. 2 Steve Haraway	Present
Council District No. 3 Jerry Jennings	Absent
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 Ronica Ondocsin	Present

Also in attendance were: Planning Director Amy Bell, City Attorney Kelly Butler, Public Works Director Steve Abbott, Finance Director Lillie Causey, Revenue Director Cameron Grounds, Building Director Cody Phillips, IT Director Jason Colee, Deputy Fire Chief Jeff Birdwell, HR Director Terri Towry, City Engineer Gary Chynoweth, Police Chief Larry Muncey, City Clerk-Treasurer Melanie A. Williard and Assistant City Clerk-Treasurer Lisa Bullock

Public Attendance registered: Don Miller, Doug Horacek, Howell Lee representing the Huntsville Madison County Builders Association, Thomas Armstrong, Mike Potter, Ed Collins, Brenda Armstrong, Malcolm Johnson, Mike Petersen, David Deeton, Jon Howell, Gerald Clark, Allison Wheeler, Alison Callahan, Loren Dickerson, Gary Mayes, Don Palmer, Steve Smith, Frank Riddick, Larry Robery, Susie Masotti representing the Madison Chamber of Commerce, Troy Edwards, Sharon Witczak and Sade Korell

**AMENDMENTS TO AGENDA**

Council President Ondocsin stated that the following change has been requested to this evening's agenda:

Consent Agenda Deletion: Resolution No. 2012-177-R; declaring certain city property formerly used by the Public Works Department as surplus and authorizing that it be sold through GovDeals

Council voiced no objection to the amendment.

**APPROVAL OF MINUTES**

**MINUTES NO. 2012-11-RG; MAY 29, 2012**

Council Member Overcash moved to approve Minutes No. 2012-11-RG. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PRESENTATIONS AND AWARDS**

**DR. LAWRENCE ROBEY; MADISON COUNTY HEALTH DEPARTMENT PRESENTATION IN CONNECTION WITH THEIR ANNUAL APPROPRIATION**

Dr. Robey outlined the various programs run by the Madison County Health Department and reported on their planned use of this year's appropriation from the City of Madison.

**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. ED COLLINS; WATERFORD PHASE VI SIDEWALKS**

Madison resident Ed Collins, representing Heritage Plantation HOA, asked Council for an update on the installation of sidewalks in Waterford, Phase VI subdivision. Council Member Haraway stated that installation would cost approximately \$1,800. Planning Director Amy Bell will report to Council on this issue at their next meeting.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

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

General Operating Account	\$1,472,588.03
o Special Operating Account	\$5,079.19
Gasoline Tax & Petroleum Inspection Fees	\$23,637.47
Series 2006 Bond Checking	\$40,741.47

Library Building Fund \$6,418.81

- Resolution No. 2012-174-R; authorizing the purchase of soft body armor from State Bid T-037 for the period 07/05/2012 through 07/03/2012
- Resolution No. 2012-175-R; authorizing the purchase of tablet personal computers from State Bid T-507 for the period 02/12/2008 through 02/11/2013
- Resolution No. 2012-176-R; authorizing the purchase of fingerprint scanning equipment from State Bid T-710 for the period 02/01/2010 through 01/31/2013
- Approval of payment to Quantum Technologies, Inc. for work completed at Fire Station No. 2 (to be paid from Capital Improvement budget) \$13,863.18
- Approval of payment to Lee Builders for work completed on Fire Station No. 2 (to be paid from Capital Improvement budget) \$148,969.30
- Approval of payment to Wilmer & Lee for legal fees related to Gillespie Road Extension project (to be paid from Capital Improvement budget) \$833.75
- Approval of payment to Wilmer & Lee for legal fees related to Bradford Creek Greenway Phase I project (to be paid from Capital Improvement budget) \$1,512.12
- Approval of payment to PBS Services for portable restroom at Main Street Improvement project (to be paid from Capital Improvement budget) \$81.50
- Approval of payment to JW Kennedy Land Surveying for work completed on Wall Triana Widening project (to be paid from Capital Improvement budget) \$4,200.00

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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

## **PRESENTATION OF REPORTS**

### **MAYOR PAUL FINLEY**

**RESOLUTION NO. 2012-173-R; APPROVING AN ANNUAL APPROPRIATION AGREEMENT WITH THE MADISON COUNTY HEALTH DEPARTMENT**

Council Member Haraway moved to approve Resolution No. 2012-173-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PROCLAMATION; ARMED FORCES WEEK**

Mayor Finley proclaimed the week of June 11, 2012 "Armed Forces Week" in the City of Madison.

**REPORT ON BUDGET MEETING**

Mayor Finley reported on mid-year budget meetings held last week with the Finance Committee and department heads.

**COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

Council Member Holcombe announced that the concerts at the gazebo would begin this Thursday and run every Thursday during the summer.

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

Council Member Haraway stated that a petition for annexation of Morris Estates will be presented to Council at their regular meeting scheduled for July 9<sup>th</sup>.

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

Absent

**COUNCIL DISTRICT NO. 4 TIM COWLES**

Council Member Cowles stated that a local business owner complimented the Revenue Department during his recent license purchase.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

No business to report

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

No business to report

**COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN**

No business to report

**BOARD/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS**

**PROPOSED ORDINANCE NO. 2012-144; REZONING CERTAIN PROPERTY LOCATED AT 30050 HARDIMAN ROAD AS R-1B AS REQUESTED BY SACHA KORELL (FIRST READING 05/14/2012)**

Council President Ondocsin opened the public hearing for any comments from the public regarding this rezoning request. There being none, she then closed the public hearing.

Council Member Cowles moved to adopt Ordinance No. 2012-144. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PROPOSED ORDINANCE NO. 2012-154; AMENDING THE ZONING ORDINANCE REPEALING AND REPLACING ARTICLE 7, SIGN CONTROL REGULATIONS (FIRST READING 05/14/2012)**

Planning Director Amy Bell requested that Council allow her more time to complete this Ordinance.

Council President Ondocsin opened the public hearing for any comments from the public. There being none, she then closed the public hearing.

Council Member Cowles moved to continue this public hearing until the July 23, 2012 council meeting. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**DEPARTMENTAL REPORTS**

**PLANNING DEPARTMENT**

**RESOLUTION NO. 2012-168-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2012-169 REZONING CERTAIN PROPERTY LOCATED ON THE NORTHWEST CORNER OF MILL ROAD AND LANDERS ROAD FROM R-2 TO R-3A AS REQUESTED BY MDL PROPERTIES (FIRST PUBLICATION 06/16/2012, SYNOPSIS 06/23/2012, PUBLIC HEARING 07/09/2012)**

Council Member Cowles moved to approve Resolution No. 2012-168-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PROPOSED ORDINANCE NO. 2012-80; VACATING A PEDESTRIAN RIGHT-OF-WAY ON LOTS 10, 11 & 18 OF RAINBOW MOUNTAIN PRESERVE (CONTINUED FROM 05/14/2012 MEETING)**

Planning Director Amy Bell informed Council that her staff recommends against vacating this property. The following individuals spoke on this issue:

- David Deacon; in favor of vacation of easement
- Don Miller; in favor of vacation of easement
- Alison Callahan; against vacation of easement
- Doug Horacek; against vacation of easement
- Mike Potter, Chairman of the Planning Commission; gave a brief synopsis of this right-of-way vacation request and the reasoning behind the Planning Commission's recommendation to deny the request
- Mike Peterson; against vacation of easement
- Gary Maize; against vacation of easement on Cliff's Cove side
- Loren Dickerson; not against vacation of easement but of location

Council Member Holcombe moved to adopt Ordinance No. 2012-80. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Nay
Council Member Steve Haraway	Nay
Council Member Jerry Jennings	Absent
Council Member Tim Cowles	Nay
Council Member Tommy Overcash	Nay
Council Member Larry Vannoy	Nay
Council Member Ronica Ondocsin	Nay

Motion failed.

**PROPOSED ORDINANCE NO. 2012-170; VACATING A PORTION OF A UTILITY & DRAINAGE EASMENT ON LOT 97, WALDEN, PHASE 2 (FIRST READING)**

Council Member Holcombe moved to suspend the rules for immediate consideration of proposed Ordinance No. 2012-170. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

Upon suspension of the rules, Council Member Holcombe moved to adopt Ordinance No. 2012-170. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**TEMPORARY FIRE STATION NO. 2 LOCATION**

Planning Director Amy Bell stated that a recommendation as to the future of the property, as well as the modular building, will be made at Council's regular meeting on July 9<sup>th</sup>.

**POLICE DEPARTMENT**

**RESOLUTION NO. 2012-171-R;DECLARING CERTAIN CITY PROPERTY (WEAPON & BADGE) AS SURPLUS AND AUTHORIZING THAT IT BE GIVEN TO MAJOR LEE WEAVER UPON HER RETIREMENT**

Council Member Cowles moved to approve Resolution No. 2012-171-R. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**RESOLUTION NO. 2012-172-R; AUTHORIZING THE SUBMISSION OF 2012 BUREAU OF JUSTICE VEST GRANT APPLICATION (50% LOCAL MATCH - \$12,195 FROM DEPARTMENT BUDGET)**

Council Member Haraway moved to approve Resolution No. 2012-172-R. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**ENGINEERING DEPARTMENT**

**RESOLUTION NO. 2012-178-R; ADDING THE ATRIP FUNDED PROJECT (OLD MADISON PIKE RESURFACING) TO THE CITY CAPITAL IMPROVEMENT PROJECT PLAN**

Council Member Cowles moved to approve Resolution No. 2012-178-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**REVENUE DEPARTMENT**

**PROPOSED ORDINANCE NO. 2012-179; EXEMPTING CERTAIN "COVERED ITEMS" FROM THE MUNICIPAL SALES AND USE TAX DURING THE FIRST FULL WEEKEND OF JULY 2012 (FIRST READING) (REQUEST SUSPENSION OF THE RULES FOR IMMEDIATE CONSIDERATION)**

Council Member Haraway moved to suspend the rules for immediate consideration of proposed Ordinance No. 2012-179. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

Upon suspension of the rules, Council Member Haraway moved to adopt Ordinance No. 2012-179. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

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

None

#### **ADJOURNMENT**

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

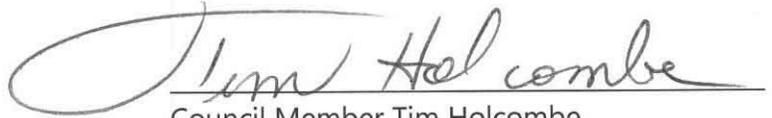
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

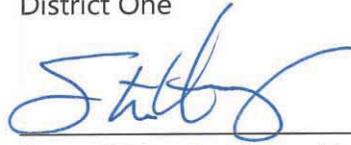
The meeting was adjourned at 7:15 p.m.

Signatures on following page.

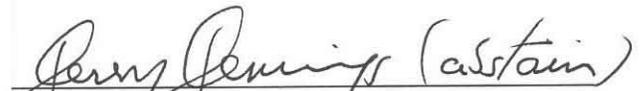
Minutes No. 2012-12-RG, dated June 11, 2012, read, approved and adopted this 25<sup>th</sup> day of June 2012.



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

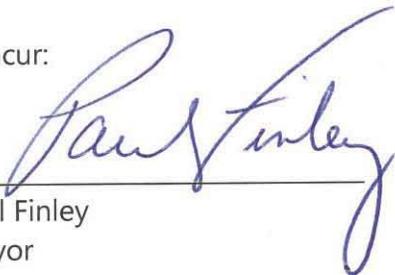


Council Member Larry Vannoy  
District Six



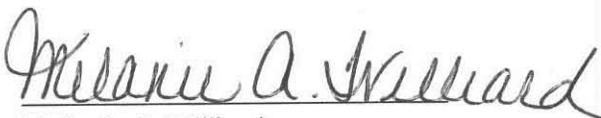
Council Member Ronica Ondocsin  
District Seven

Concur:

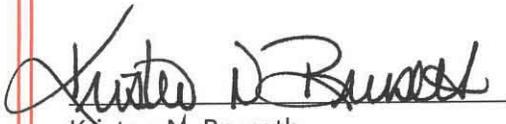


Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Kristen M. Bruseth  
Recording Secretary