

**MINUTES NO. 2012-17-RG**

**OF A**

**REGULAR MEETING**

**OF THE CITY COUNCIL OF**

**THE CITY OF MADISON, ALABAMA**

**AUGUST 29, 2012**

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The Madison City Council met in regular session on Wednesday, August 29, 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 6:00 p.m. by Council President Ronica Ondocsin.

Aladin Beshir from Huntsville Islamic Center 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	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 Ronica Ondocsin	Present

Also in attendance were: Police Chief Larry Muncey, Public Works Director Steve Abbott, IT Systems Analyst Chris White, HR Benefits Coordinator Mia Powers, Planning Director Amy Bell, HR Director Terri Towry, Building Director Cody Phillips, Executive Assistant to the Mayor Nansi Clark, City Attorney Kelly Butler, Parks & Recreation Director Kory Alfred, Finance Director Lillie Causey, Engineering Director Gary Chynoweth, Assistant City Clerk-Treasurer Lisa Bullock and City Clerk-Treasurer Melanie A. Williard

Public Attendance registered: Joe Bell, Claudia Rice, Glenn Earhart, Liz Cuneo, Jeff Cuneo, Jennifer Few with the Madison Weekly, DJ Klein, Anna Dussett, Clifton Miller, Cary Hilton, Jeremy B. Blevins, Gerald Clark, Don Gardner, Steve Smith, Don Webster, Tiria Clark, Victor Widgren, Brian Widgren, Mike Potter, David Michael Smith and Susie Masotti (MCC)

**AMENDMENTS TO AGENDA**

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

- **Addition to Board and Committee Appointments:** Appointment to the Madison City Disability Advocacy Board

Council voiced no objections.

**APPROVAL OF MINUTES**

**MINUTES NO. 2012-16-RG, AUGUST 13, 2012**

Council Member Overcash moved to approve Minutes No. 2012-16-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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PRESENTATIONS AND AWARDS**

**PRESENTATION OF PROCLAMATION IN CONNECTION WITH CONSTITUTION WEEK**

Mayor Finley read aloud a Proclamation declaring the week of September 17 – 23 “Constitution Week” in the City of Madison. Members of the Daughters of the American Revolution were in attendance at the meeting to receive the Proclamation.

**MADISON CITY DISABILITY ADVOCACY BOARD PRESENTATION IN CONNECTION WITH THEIR ANNUAL APPROPRIATION**

Board President Claudia Rice reported to Council on the board’s accomplishments and activities over the past year.

**PRESENTATION OF BEAUTIFICATION AWARD FOR VETERANS MEMORIAL PARK TO LEGION COMMANDER JEREMY BLEVINS**

Beautification-Tree Board President Liz Cuneo presented a Beautification Award to Legion Commander Jeremy Blevins for the Veterans Memorial Park.

**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.*

**JOE BELL; ADDRESS COUNCIL REGARDING TRASH PICKUP AT 18 MARTIN STREET**

Mr. Bell inquired as to why he must continue to pay the monthly trash fee for his mother’s property when the home is vacant and no trash service is required. He was able to remove the household trash fee through Madison County but has been unsuccessful in having the trash fee removed through the City of Madison.

Mayor Finley stated that he has had several residents, over the course of four years, request a waiver of the trash fees for various reasons. There is an exemption form that can

be filled out requesting a waiver as long as the requestor meets one of the four categories listed. Council will look in to this matter and direct the Mayor on whether or not the fees can be waived.

**TOM SCOVILL; RULES AND MADISON STREET FESTIVAL**

Mr. Scovill was not in attendance.

**GLEN EARHART; PROGRESS BANK**

Mr. Earhart informed Council that that he is concerned there are misinterpretations of the City's Ordinance in regards to Progress Bank's storage facility, landscaping and 80% opacity requirement.

Mayor Finley will verify that the last response Mr. Earhart received from Planning Director Amy Bell is in fact the City's final response in terms of interpreting and enforcing the applicable Ordinance.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

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

General Operating Account	\$397,304.09
o Special Operating Account	\$48.00
Gasoline Tax & Petroleum Inspection Fees	\$64,502.63
Series 2006 Bond Checking	\$32,111.78
Library Building Fund	\$643.74
Water Distribution & Storage Projects	\$34.42
• <u>Resolution No. 2012-319-R</u> ; declaring certain city property formerly used by the Police Department as surplus and authorizing its disposal	
• <u>Resolution No. 2012-320-R</u> ; declaring certain city property formerly used by the Public Works Department as surplus and authorizing that it be sold through auction on GovDeals	
• <u>Resolution No. 2012-321-R</u> ; declaring certain city property formerly used by the Recreation Department as surplus and authorizing that it be sold through auction on GovDeals	
• Approval of payment to Lee Builders for additional work completed on repairs to the exterior main entrance of City Hall (to be paid from department budget)	\$2,610.00
• Approval of payment to OMI, Inc. for construction materials testing related to Bradford Creek Greenway Phase I (to be paid from Capital Improvement Projects (CIP) budget)	\$881.50

- Approval of payment to PBS Services, Inc. for portable restroom for Main Street Improvement project (to be paid from CIP budget) \$81.60

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	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
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. 2012-318-R; APPROVING ANNUAL APPROPRIATION AGREEMENT WITH THE MADISON CITY DISABILITY ADVOCACY BOARD**

Council Member Jennings moved to approve Resolution No. 2012-318-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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

#### **RESOLUTION NO. 2012-323-R; APPROVING BRADFORD CREEK PHASE I SETTLEMENT**

Council Member Overcash moved to table Resolution No. 2012-323-R until the first regular meeting of September. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**MUNICIPAL ELECTION**

Mayor Finley thanked the City Clerk-Treasurer Department for their hard work in making the election run smoothly and thanked all the candidates for their interest in the community.

**COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

No business to report

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

Council Member Haraway congratulated all of the candidates.

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

No business to report

**COUNCIL DISTRICT NO. 4 TIM COWLES**

Absent

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

**RESOLUTION NO. 2012-314-R; SETTING HOLIDAYS TO BE OBSERVED BY THE CITY FOR THE FISCAL YEAR**

Council Member Overcash moved to approve Resolution No. 2012-314-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	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**RESOLUTION NO. 2012-315-R; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BLUE CROSS/BLUE SHIELD FOR CONTINUANCE OF EMPLOYEE MEDICAL AND DENTAL INSURANCE BENEFITS**

Council Member Overcash moved to approve Resolution No. 2012-315-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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**RESOLUTION NO. 2012-316-R; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HARTFORD FOR CONTINUANCE OF EMPLOYEE LIFE INSURANCE BENEFITS**

Council Member Overcash moved to approve Resolution No. 2012-316-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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

Council Member Overcash thanked HR Director Terri Towry and her staff for their work on these insurance agreements and also echoed the Mayor's words regarding the City Clerk-Treasurer Department's work during the municipal election.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

Council Member Vannoy stated that the Finance Committee is working on the 2013 draft budget. As such, he anticipates presenting a Resolution to Council allowing the continuance of operations under the FY 11/12 annual budget. This would allow the new administration to approve the final FY 12/13 budget.

**COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN**

No business to report.

**BOARD/COMMITTEE APPOINTMENTS**

**APPOINTMENT TO ZONING BOARD OF ADJUSTMENTS**

This item was postponed until the next regular meeting of the Madison City Council.

**APPOINTMENT TO THE WATER & WASTEWATER BOARD OF THE CITY OF MADISON**

This item was postponed until the next regular meeting of the Madison City Council.

**APPOINTMENT TO THE MADISON CITY DISABILITY ADVOCACY BOARD**

Council Member Haraway moved to appoint Mr. Keith Bedsole to Place 7 of the Madison City Disability Advocacy Board. 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	Absent

Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PUBLIC HEARINGS**

**PROPOSED ORDINANCE NO. 2012-70; ZONING CERTAIN PROPERTY LOCATED WEST OF HARDIMAN ROAD AND SOUTH OF HALSEY DRIVE TO R-3A AS REQUESTED BY JOHN & ALICE WESSLY (FIRST READING 07/23/2012)**

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

Council Member Haraway moved to approve Ordinance No. 2012-70. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**DEPARTMENTAL REPORTS**

**LEGAL DEPARTMENT**

**PROPOSED ORDINANCE NO. 2012-263; AMENDING SECTION 6-19 OF THE CODE OF ORDINANCES RELATING TO RIGHT-OF-WAY IMPROVEMENTS (FIRST READING 07/09/2012; SECOND READING 07/23/2012; THIRD READING 08/13/2012)**

Council Member Vannoy moved to approve Ordinance No. 2012-263 with the following amendments: changing the proposed resurfacing requirement from twenty-five feet (25') to ten feet (10') under Section 6-19 (d) (3) and (4) and making the effective date October 1, 2012. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PROPOSED ORDINANCE NO. 2012-277; AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES RELATING TO NUISANCES (FIRST READING)**

This was considered a first reading only.

**PROPOSED ORDINANCE NO. 2012-48; AMENDING ARTICLE 1 OF CHAPTER 7.5 OF THE CODE OF ORDINANCES RELATING TO MUNICIPAL CEMETERIES COMMITTEE (FIRST READING 08/13/2012)**

Council Member Holcombe moved to approve Ordinance No. 2012-48. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PLANNING DEPARTMENT**

**PROPOSED ORDINANCE NO. 2012-299; CHANGING THE NAME OF HERITAGE MILL DRIVE LOCATED IN MILLSTONE SUBDIVISION TO MILL WALK COURT SOUTH FROM THE INTERSECTION OF WHITE MILL DRIVE (FIRST READING 08/13/2012)**

Council Member Overcash moved to approve Ordinance No. 2012-299. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**RESOLUTION NO. 2012-288-R; SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2012-289 REPEALING AND REPLACING FEES SET FORTH IN THE ZONING ORDINANCE, SUBDIVISION REGULATIONS AND MADISON CODE OF ORDINANCES (1<sup>ST</sup> PUBLICATION 09/01/2012, SYNOPSIS 09/08/2012, PUBLIC HEARING 10/08/2012)**

Council Member Overcash moved to approve Resolution No. 2012-288-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	Absent
Council Member Tommy Overcash	Aye

Council Member Larry Vannoy Aye  
Council Member Ronica Ondocsin Aye

Motion passed.

**BUILDING DEPARTMENT**

**PROPOSED ORDINANCE NO. 2012-300: DECLARING SAID REAL PROPERTY (FORMER FIRE STATION NO. 2) AS SURPLUS AND OF NEGLIGIBLE VALUE AND AUTHORIZING ITS DEMOLITION DUE TO CONDITION OF SAID PROPERTY (FIRST READING 08/13/2012)**

Council Member Jennings moved to approve Ordinance No. 2012-300. 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 Absent  
Council Member Tommy Overcash Aye  
Council Member Larry Vannoy Aye  
Council Member Ronica Ondocsin Aye

Motion passed.

**FIRE DEPARTMENT**

**RESOLUTION NO. 2012-317-R; APPROVING AN AGREEMENT WITH PHYSIO CONTROL FOR TECHNICAL SUPPORT (FUNDING FROM DEPARTMENTAL BUDGET)**

Council Member Haraway moved to approve Resolution No. 2012-317-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 Aye  
Council Member Tim Cowles Absent  
Council Member Tommy Overcash Aye  
Council Member Larry Vannoy Aye  
Council Member Ronica Ondocsin Aye

Motion passed.

**RESOLUTION NO. 2012-267-R; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ACS GOVERNMENT SYSTEMS, INC. FOR FIREHOUSE SOFTWARE HOSTING AND SUPPORT SERVICES (FUNDING FROM DEPARTMENT BUDGET)**

Council Member Haraway moved to approve Resolution No. 2012-267-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 Absent

Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**RECREATION DEPARTMENT**

**RESOLUTION NO. 2012-324-R; AUTHORIZING THE MAYOR TO SIGN APPLICATIONS FOR HEALTH DEPARTMENT PERMITS TO OPERATE CONCESSION STANDS AT PALMER PARK**

Council Member Jennings moved to approve Resolution No. 2012-324-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	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

**PUBLIC WORKS DEPARTMENT**

**RESOLUTION NO. 2012-322-R; AUTHORIZING THE MAYOR TO EXECUTE AID-TO-CONSTRUCTION AGREEMENT WITH HUNTSVILLE UTILITIES FOR THE UPGRADE OF STREET LIGHTING ON CARTER ROAD (TO BE PAID FROM GAS TAX)**

Council Member Haraway moved to approve Resolution No. 2012-322-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	Absent
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 Holcombe moved to adjourn the meeting. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye

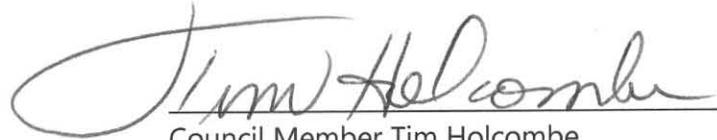
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

The meeting was adjourned at 7:35 p.m.

Signatures on following page.

Minutes No. 2012-17-RG, dated August 29, 2012, read, approved and adopted this 10<sup>th</sup> day of September 2012.



Council Member Tim Holcombe  
District One



Council Member Steve Haraway  
District Two

Absent

Council Member Jerry Jennings  
District Three

Abstain

Council Member Tim Cowles  
District Four

Absent

Council Member Tommy Overcash  
District Five

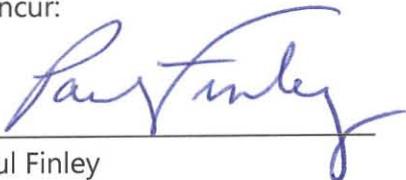


Council Member Larry Vannoy  
District Six



Council Member Ronica Ondocsin  
District Seven

Concur:

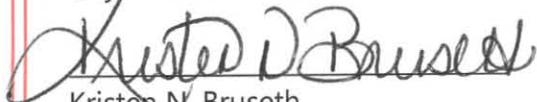


Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Kristen N. Bruseth  
Recording Secretary