

MINUTES NO. 2013-05-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF MADISON, ALABAMA
MARCH 11, 2013

The Madison City Council met in regular session on Monday, March 11, 2013 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.

Pastor Tommy Gray of Asbury United Methodist Church provided the invocation followed by the Pledge of Allegiance led by Council President Overcash.

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 Troy Trulock	Present
Council District No. 1 Tim Holcombe	Present
Council District No. 2 Steve Smith	Present
Council District No. 3 D.J. Klein	Present
Council District No. 4 Mike Potter	Present
Council District No. 5 Tommy Overcash	Present
Council District No. 6 Gerald Clark	Present
Council District No. 7 Ronica Ondocsin	Present

Also in attendance were: Planning Director Amy Bell, City Clerk Treasurer Melanie A. Williard, Public Works Director Steve Abbott, Revenue Director Cameron Grounds, Fire Chief Ralph Cobb, IT Director Jason Colee, Building Director Jimmy Morgan, Human Resources Director Terri Towry, Recreation Director Kory Alfred, Police Chief Muncey, Finance Director Roger Bellomy, Madison City School Superintendent Dr. Dee Fowler, School Board Member Phil Schmidt, and City Attorney Kelly Butler.

Public attendance registered: Sarah Sledge, Lucas A. Benjamin, Abby Lee Harmon (MCC), Connie Spears, Steven Levy, George Sledge, Deb Adelsperger, Susie Masotti (MCC), Susan Markham, Kenny Watts, Stephanie Walker, Beth B. Martin, Lizzie Palmer, Don Palmer, Elbert Balch, Jon Howell, Phil Schmidt, David Butler, Kristen Kulavich, Clifton Miller, Michelle Nesin Hunt, Amanda Weaver, Howell Lee (HMCBA), Bill Baker, and several illegible signatures.

AMENDMENTS TO AGENDA

The following has been requested to be added to this agenda:

*Addition to the Consent Agenda: Invoice from ALDOT for OMP in the amount of \$185,726 (ATRIP funding)

*Addition of Deborah Adelsperger to Public Comments

*Addition of Resolution No. 2013-68-R to Councilmember Holcombe's line of business: opposing HB257 & SB217 business license fees on rental property

*Deletion under Fire Department line of business: Resolution No. 2013-64-R authorizing mayor to enter into agreement with Dr. Jeff Johnson for service as medical director for fire EMS activities (to be paid from departmental budget)

Council voiced no opposition to these changes.

APPROVAL OF MINUTES

MINUTES NO. 2013-01-WS, FEBRUARY 5, 2013

Council Member Potter moved to approve Minutes No. 2013-01-WS. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

MINUTES NO. 2013-02-WS, FEBRUARY 19, 2013

Council Member Klein moved to approve Minutes No. 2013-02-WS. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

MINUTES NO. 2013-04-RG, FEBRUARY 25, 2013

Council Member Ondocsin moved to approve Minutes No. 2013-04-RG. Council Member Clark seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Abstain
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye

Council District No. 6 Gerald Clark Aye
Council District No. 7 Ronica Ondocsin Aye

Motion carried.

PRESENTATION AND AWARDS

PROCLAMATION DESIGNATING MARCH 2013 AS ATHLETIC TRAINING MONTH

Mayor Trulock read the proclamation and declared March of 2013 as Athletic Training Month.

SARAH SLEDGE, MADISON LIBRARY, STATE OF THE LIBRARY PRESENTATION

Sarah Sledge of the Madison Public Library gave a presentation of the library programs, activities and stats. In 2012 the library circulated 572,913 items which is 13% growth from 2011 and they now have over 36,000 card holders.

PRESENTATION OF MAYORS SCHOLARSHIP BY THE MADISON CHAMBER OF COMMERCE

Susie Masotti on behalf of the Madison Chamber of Commerce presented a check in the amount of \$10,000.00 to benefit the Mayor's Scholarship Fund.

Council Member Holcombe moved to accept the donation in the amount of \$10,000 for the Mayor's Scholarship Fund. Council Member Potter seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

PRESENTATION BY KIM BLASINGAME REGARDING CITY SWIMMING POOL

Kim Blasingame was not present at the meeting.

PUBLIC COMMENTS

(Will be limited to 5 minutes if on the agenda and 3 minutes otherwise)

PHILLIP SCHMIDT, TO ADDRESS COUNCIL REGARDING DUTIES OF SCHOOL BOARD MEMBERS

Phillip Schmidt of 116 Bridge House Drive in Madison appeared before Council announcing that he will not be seeking reappointment to the Board of Education and advising all of the work that is involved when taking on the responsibility taken as a member of the Board of Education.

BRANDY HARM, AREA COORDINATOR, NATIONAL MULTIPLE SCLEROSIS SOCIETY, TO ADDRESS COUNCIL REGARDING NATIONAL MS AWARENESS WEEK

Brandy Harm was not present for the meeting.

DEBORAH ADELSPERGER

Deborah Adelsperger with the International Service Council of Alabama distributed information to Council and gave an update on how they are helping Madison stay in the global community, and she also informed of the upcoming visits to Madison.

MISCELLANEOUS PUBLIC COMMENTS

Stephanie Walker of 400 Gooch Lane appeared before Council on behalf of the Friends of the Library expressing appreciation to Council for their support of the program and advising that the group meets the second Tuesday of each month for anyone who is interested in participating.

Kenneth Watts of 103 Willena Drive approached Council expressing the need for new radios for first responders in Madison. Mayor Trulock stated that we have a few of the radios and they plan to get the rest of them in the fall.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Holcombe moved approve the consent agenda as follows:

General Operating Account	\$862,232.31
Special General Operating	\$4,567.00
Gasoline Tax and Petroleum Inspection Fees	\$33,702.25
Series 2006 Bond Checking	\$20,882.00
Library Building Fund	\$3,287.32
Water Distribution & Storage Projects	\$1,373,057.83
State Forfeiture	\$452.60

Resolution No. 2013-62-R declaring certain city property formerly used by the Police Department as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-59-R declaring certain city property (trees cut down at Dublin Park) as surplus and authorizing the sale of said property

Resolution No. 2013-65-R authorizing a travel advance for Ralph Dawe, Danny Pettus, Jason Sims, Jason Bolden and Chris Townsend to attend Basic SRO Course (to be paid from department budget)

Approval of payment to Tree Tech for Kids Kingdom tree removal (to be paid from departmental budget) \$12,862.50

Acceptance of donation in the amount of \$11.95 from Chambers Bottling Company (to be deposited into Fire Department Donation account)

Acceptance of anonymous donation in the amount of \$20 (to be deposited into Fire Department donation account)

Approval of payment to Alabama Concrete for material supplied to repair trench failures in connection with the Madison Utilities Forbearance Agreement (to be paid from funds received from Madison Utilities) \$848.00

Approval of payment to Madison County Commission for local match of miscellaneous road projects (Research Park Boulevard from Highway 72 southward to the I-565 Interchange and I-565 from Wall Triana westward to I-65 and Highway 72 West Traffic Access Management Plan) (to be paid from departmental budget) \$23,214.00

Approval of final payment to APAC-Midsouth for work completed on Gooch Lane Improvement project (to be paid from Capital Improvement Budget) \$39,698.43

Approval of payment to Eagle Wholesale for materials purchase for Gooch Lane Improvement project (to be paid from Capital Improvement Budget) \$168.00

Approval of payment to Alabama Concrete for materials purchased for Gooch Lane Improvement project (to be paid from Capital Improvement Budget) \$644.00

Approval of payment to Lowes for materials purchase for Gooch Lane Improvement project (to be paid from Capital Improvement budget) \$856.82

Approval of payment of invoice from ALDOT for OMP in the amount of (ATRIP funding) \$185,726.00

Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR TROY TRULOCK

Mayor Trulock announced that Intergraph was recognized as one of eight companies in Alabama in 2012 for outstanding international trade and business.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

RESOLUTION NO. 2013-40-R ADOPTING AN AMENDED TRAVEL POLICY FOR THE CITY OF MADISON

Council Member Holcombe moved to approve Resolution No. 2013-40-R. Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**RESOLUTION NO. 2013-68-OPPOSING THE ALABAMA LEGISLATURES
PASSAGE OF HB257 AND SB217**

Council Member Holcombe moved to approve Resolution No. 2013-68-R. Council Member Potter seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

COUNCIL DISTRICT NO. 2 STEVE SMITH

No business to report.

COUNCIL DISTRICT NO. 3 D. J. KLEIN

No business to report.

COUNCIL DISTRICT NO. 4 MIKE POTTER

ROAD MAINTENANCE PLANNING UPDATE

Council Member Potter asked City Engineer Gary Chynoweth to give a presentation of the scope of the problems of roads in our area and the cost for maintenance.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report.

COUNCIL DISTRICT NO. 6 GERALD CLARK

Recreation Director Kory Alfred updated on the removal and replacement of the Dublin Park Trees. They are working with the extension office to plant 28 trees this spring.

COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN

PROPOSED ORDINANCE NO. 2013-36 AMENDING SECTION 5, ALCOHOL AND SUBSTANCE USE OF THE PERSONNEL POLICIES AND PROCEDURES (FIRST READING 2/25/2013)

Council Member Ondocsin moved to approve Proposed Ordinance No. 2013-36.
Council Member Klein seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

PROPOSED ORDINANCE NO. 2013-37 AMENDING SECTION 11, ATTENDANCE AND LEAVE OF THE PERSONNEL POLICIES AND PROCEDURES (FIRST READING 2/25/2013)

Council Member Ondocsin moved to approve Proposed Ordinance No. 2013-37.
Council Member Klein seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

BOARD/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS

REQUEST FROM BROTHER LIQUOR AND TOBACCO 2, INC. (DBA: BROTHER LIQUOR AND TOBACCO 2) FOR AN OFF-PREMISE BEER, WINE AND LIQUOR LICENSE FOR THEIR LOCATION AT 7951 HIGHWAY 72 WEST

Council President Overcash opened the public hearing for comments regarding the public hearing. There were none.

Revenue Director Cameron Grounds advised that the address was published without a suite number and suggested that Council should wait until the address has been published correctly before approving this request.

It was the consensus of Council to delay the public hearing until the next Council meeting due the address being published incorrectly.

DEPARTMENT REPORTS

ENGINEERING

RESOLUTION NO. 2013-60-R AUTHORIZING MAYOR TO REQUEST ALDOT TO DEVELOP ATRIP PROJECT NO. 45-02-09 AS TWO SEPARATE PROJECTS

Council Member Holcombe moved to approve Resolution No. 2013-60-R. Council Member Clark seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

RESOLUTION NO. 2013-61-R AUTHORIZING MAYOR TO EXECUTE AND SUBMIT DEPARTMENT OF THE ARMY-TVA JOINT APPLICATION FORM TO OBTAIN PERMIT COVERAGE FOR ATRIP PROJECT NO. 45-01-05

Council Member Holcombe moved to approve Resolution No. 2013-61-R. Council Member Potter seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

RESOLUTION NO. 2013-66-R AWARDED BID NO. MED-01-13 FOR US 72 MEDIAN AND ROADWAY IMPROVEMENT PROJECT TO REED CONTRACTING IN THE AMOUNT OF \$547,013.00

Council Member Potter moved to approve Resolution No. 2013-66-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Abstain
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

RESOLUTION NO. 2013-67-R APPROVAL TO AMEND SCOPE OF WORK AGREEMENT WITH FLORENCE & HUTCHESON FOR ATRIP PROJECT NO. 45-01-09 COUNTY LINE ROAD PROJECT (TO BE PAID FROM CIP BUDGET)

Council Member Potter moved to approve Resolution No. 2013-67-R. Council Member Clark seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

PLANNING

RESOLUTION NO. 2013-55-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2013-56 RELATED TO ZONING PROPERTIES IN MORRIS ESTATES SUBDIVISION TO R-1A, LOW DENSITY RESIDENTIAL DISTRICT (FIRST PUBLICATION 03/16/2013; SYNOPSIS 03/23/2013; PUBLIC HEARING 04/08/2013)

Council Member Clark moved to approve Resolution No. 2013-55-R. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

PRESENTATION OF ANNUAL REPORT FROM THE MADISON STATION HISTORIC PRESERVATION COMMISSION

Planning Director Amy Bell highlighted briefly the activities of the Board which included reviewing 17 applications for certificates of appropriateness for any changes to the exterior of a building within the historic district. Also, they have been involved in approving the signs for new businesses in the historic district.

PRESENTATION OF ANNUAL REPORT FROM THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

Planning Director Amy Bell reported that Troy Wesson has left the Zoning Board to be on the Planning Commission. They are in the process of training 2 new people for the Zoning Board. Also, the Board reviewed variance requests and 3 special exceptions requests in 2012.

FIRE DEPARTMENT

RESOLUTION NO. 2013-63-R AUTHORIZING MAYOR TO ENTER INTO AGREEMENT WITH KRISTEN KULAVICH TO PROVIDE CONSULTING SERVICES REGARDING LEED CERTIFICATION AT FIRE STATION NO. 2 (TO BE PAID FROM DEPARTMENTAL BUDGET)

Council Member Holcombe moved to approve Resolution No. 2013-63-R. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

RESOLUTION NO. 2013-64-R AUTHORIZING MAYOR TO ENTER INTO AGREEMENT WITH DR. JEFF JOHNSON FOR SERVICE AS MEDICAL DIRECTOR FOR FIRE EMS ACTIVITIES (TO BE PAID FROM DEPARTMENTAL BUDGET)

This item was removed from the agenda.

CITY CLERK-TREASURER

RESOLUTION NO. 2013-54-R DESIGNATING FIRST COMMERCIAL BANK AS DEPOSITORY FOR CERTAIN ACCOUNTS AND FURTHER AUTHORIZING SIGNATURES ON SAID ACCOUNTS

Council Member Holcombe moved to approve Resolution No. 2013-54-R. Council Member Clark seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

PROPOSED ORDINANCE NO. 2013-58 DECLARING PERSONAL PROPERTY OF THE WATER BOARD AS SURPLUS AND AUTHORIZING ITS DISPOSAL (FIRST READING)

As this was a First Reading, no action was taken on Proposed Ordinance No. 2013-58.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

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

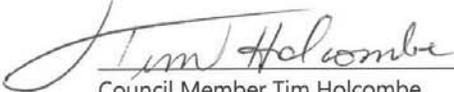
Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

The meeting was adjourned at 7:35PM

Signatures on the following page:

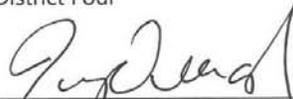
Minutes No. 2013-03-RG, dated March 11, 2013, read, approved and adopted this 25th day of March, 2013.


Council Member Tim Holcombe
District One


Council Member Steve Smith
District Two


Council Member D.J. Klein
District Three

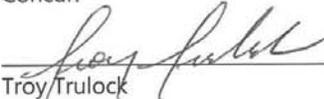

Council Member Mike Potter
District Four


Council Member Tommy Overcash
District Five

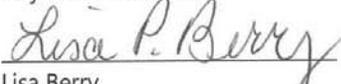

Council Member Gerald Clark
District Six


Ronica Ondocsin
District Seven

Concur:


Troy Trulock
Mayor

Attest:


Melanie A. Williard
City Clerk-Treasurer

Lisa Berry
Recording Secretary