

MINUTES
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF MADISON, ALABAMA
MUNICIPAL COMPLEX
MAY 11, 2009

The Madison City Council met in regular session on Monday, May 11, 2009 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 Bill Boruff of Madison Baptist Church provided the invocation followed by the Pledge of Allegiance led by Council President Tommy Overcash.

AMMENDMENTS TO AGENDA

It was the consensus of Council that the following changes are made to the agenda:

DELETIONS:

PRESENTATIONS AND AWARDS

Kate Gray, Managing Director of the Madison Chamber of Commerce, presentation of scholarships to graduating seniors of the Madison Chamber Youth Council.

DEPARTMENT REPORTS

RECREATION

Resolution No. 2009-99-R approving an agreement with Gayle Z. Marbury for swim team coach services.

Resolution No. 2009-100-R approving an agreement with Whitney Eddy for assistant swim team coach services.

ROLL CALL OF ELECTED GOVERNING OFFICIALS

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	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, Assistant City Clerk-Treasurer Stacy A. Gilley, City Clerk-Treasurer Administrative Assistant Lisa Berry, City Engineer Gary Chynoweth, City Attorney Anne-Marie Lacy, Finance Director Lillie Causey, Mayoral Aide Taylor Edge, Fire Chief Ralph Cobb, Parks & Recreation Director Mike Cassell, Revenue Officer Cameron Grounds, Human Resources Director Teri Towry, Acting Police Chief Lee Weaver, City Planner Bob Atallo and Engineering Technician Keith Conville.

Public attendance registered: Alex Luttrell, Mr. & Mrs. Don Hamilton, Bill Weinzierl, John Fin, Steve Wilkerson, Russell Owens, J. Patrick Hamilton, Jeanne Steadman, Dave Jernigan, Joel Gilliam, J. Muecke, Don Webster, Cary Hilton, Tim Albright, Chris Robinson, Greg Morando, Mary McDonald, Rex Forney, and one illegible signature.

APPROVAL OF MINUTES

MINUTES NO. 2009-09-RG, APRIL 27, 2009

Council Member Haraway moved to approve Minutes No. 2009-09-RG as amended. 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	Abstain
Council Member Tim Cowles	Abstain
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATIONS AND AWARDS

ALEX LUTTRELL AND TIM MALEUG, MADISON ROTARY CLUB, PRESENTATION OF MADISON EMPLOYEES OF THE YEAR

Alex Luttrell of the Madison Rotary Club along with Debbie Overcash, presented a Letter of Commendation and a plaque to the Employees of the Year. They are as follows:

Fire Fighter of the Year Brandon Burgess
Police Officer of the Year Russell Owens
Employee of the Year Kim Lindsey

MAJOR LEE WEAVER, PRESENTATION OF CERTIFICATES TO POLICE OFFICERS

Major Weaver presented Citations for Meritorious Service to the following:

Officer Tim Portik
Officer Patrick Hamilton
Officer Jonathan Muecke
Sergeant Clayton Jordan

Major Weaver also presented a Letter of Commendation to each of the following:

Investigator Christie Gover
Sergeant Mark Bray
Officer Russell Owens

PRESENTATION OF FAMILY OF THE YEAR

Family of the Year Committee Chairman introduced the families nominated for Family of the Year and gave a brief family background. They are the Abell Family, the Schmidt Family and the Semmes Family

Mayor Finley introduced the Family of the Year, the Abell Family: David and Susan, son Nathan and daughter Katherine.

PRESENTATION OF MAYORS SCHOLARSHIP

Mayor Finley presented a scholarship in the amount of \$4,825.00 to Hannah Bowers. Hannah has maintained a 4.3 grade point average while at Bob Jones High School

PUBLIC COMMENTS

There were no public comments listed on the agenda and when asked there were none from those in attendance.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$851,797.07
Gasoline Tax and Petroleum Inspection Fees	\$55,418.66
Series 2006 Bond Checking	\$144,416.99
Library Building Fund	\$1,068.28
Fire CPR	\$8,735.00
Regular and Periodic Bills to be paid	
Approval of final payment to Florence & Hutcheson for construction Plans for Eastview Drive Extension project (to be paid from Capital Improvement budget)	\$8,725.00
Approval of payment to Goodwyn Mills and Cawood, Inc. for Brownsferry Road Drainage Improvements design (to be paid from Capital Improvement budget)	\$2,217.50
Approval of payment to Skipper Consulting, Inc. for major street plan (25% complete) (to be paid from departmental budget)	\$3,150.00
Approval of payment to TeCorp, Inc. for signal improvements on Madison Boulevard and Intergraph Way (to be paid from Gas Tax Funds)	\$7,300.00
Approval of payment to Hicks Land Surveying for boundary line Staking and property description for Eastview Drive Extension Project (to be paid from Capital Improvement budget)	\$2,500.00
Acceptance of donations for the Madison Animal Rescue Foundation as follows:	
(1) Daryl & Jaime Schroeder	\$15.00
(2) Christopher & Melissa Waters	\$150.00
(3) Nancy Burch	\$20.00
(4) Kenneth & Nancy Luna	\$30.00
(5) Susan DeMartino	\$15.00
(6) Susan Wells	\$15.00
(7) Marianne Shipman	\$150.00
(8) Timothy & Melissa Smith	\$5.00
(9) H. Lamar Shelton	\$5.00
(10) Lisa Bullock	\$25.00
(11) Glen & Lesa Hunter	\$20.00
(12) Brandy White	\$150.00
(13) Dudrun & Rainer Klauss	\$100.00
(14) Steve & Nicia McGlocklin	\$160.00
(15) Elizabeth Strickland	\$50.00

(16) Madison Guns & Ammo \$250.00

Approval of payment to the following vendors for materials and services
Supplied to the Mill Road Widening project (to be paid from Capital
Improvement budget):

(1) Boxes and Inlets \$8,000.00
(2) Construction Materials \$502.47
(3) Limestone Farmers Cooperative \$825.00

Approval of payment to the following vendors for materials and supplies
Supplied for the Balch Road Extension project (to be paid from Capital
Improvement budget):

(1) Joe Money Machinery \$650.00
(2) Lowe's \$108.00
(3) Turfgrass America \$2,268.00
(4) United Rentals \$86.41

Approval of payment to United Rentals for materials supplied for the
Eastview Extension project (to be paid from Capital Improvement budget)\$597.54

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.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

Mayor Finley extended his thanks to Kathy Anderson for donating the pen and ink drawings hanging in the foyer. These were drawn by Mr. Everett Carter.

ACCEPTANCE OF DONATIONS FROM SENATOR TOM BUTLER:

Mayor Finley announced the following donations from State Senator Tom Butler:

Madison Special Needs Playground \$10,000
Historic preservation \$10,000
Madison Library \$ 2,500

Council Member Jennings moved to accept donations from Senator Butler. 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.

Council Member Jennings recommended that all or a portion of the \$10,000.00 grant be appropriated to the Madison Station Historical Preservation Commission.

RESOLUTION NO. 2009-92-R APPROVAL OF ECONOMIC DEVELOPMENT SERVICES CONTRACT

Council Member Haraway moved to adopt Resolution No. 2009-92-R approving an economic development services contract with Houseal Lavigne Associates. 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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-93-R APPROVAL OF 204 MAIN STREET LEASE AGREEMENT

Council Member Jennings moved to adopt Resolution No. 2009-93-R approving a lease agreement with Houseal Lavigne Associates for the property located at 204 Main Street. 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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

APPROVAL OF NON-DEPARTMENTAL APPROPRIATION AGREEMENTS:

RESOLUTION NO. 2009-94-R HUNTSVILLE/MADISON COUNTY CHAMBER OF COMMERCE

Council Member Haraway moved to adopt Resolution No. 2009-94-R approving the agreement with the Huntsville/Madison County Chamber of Commerce for agency services for fiscal year 2008/2009. 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 carried.

RESOLUTION NO. 2009-95-R MADISON COUNTY HEALTH DEPARTMENT

Council Member Jennings moved to adopt Resolution No. 2009-95-R approving the agreement with the Madison County Health Department for agency services for fiscal year 2008/2009. 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.

RESOLUTION NO. 2009-96-R MADISON GREENWAYS AND TRAILS

Council Member Jennings moved to adopt Resolution No. 2009-96-R approving the contract with Madison Greenways and Trails for agency services for fiscal year 2008/2009. 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.

RESOLUTION NO. 2009-91-R AUTHORIZING MAYOR TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH MSFC, AMCOM, REDSTONE ARSENAL, HUNTSVILLE-MADISON COUNTY EMA, MADISON COUNTY COMMISSION AND CITY OF HUNTSVILLE

Council Member Jennings moved to adopt Resolution No. 2009-91-R authorizing the Mayor to enter into a Memorandum of Understanding with MSFC, AMCOM, Redstone Arsenal, Huntsville-Madison County EMA, Madison County Commission and City of Huntsville. Council Member Holtzclaw 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.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

“MEMORIES OF MADISON” BOOK UPDATE

Council Member Holcombe gave an update on the “Memories of Madison” Books that were ordered about two years ago. The City paid \$29,325.00 for these books. This was to be reimbursed by the Historic Society. To date, the Historic Society has reimbursed \$15,860.74. Jeanne Steadman, treasurer of the Historical Society, presented Council a check for \$4,000.00. He suggested that Council accept the check from the Historic Society as payment for the books and allow City Hall to continue to sell the remaining books.

Council Member Holcombe moved to accept check from the Historical Society in the amount of \$4,000.00 as payment in full for Memories of Madison books. 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 carried.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

Council Member Haraway commended Public Works, County Commissioner Dale Strong, Dublin Park and all the City departments for their tremendous effort and swift response to the tornado in Madison last week.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

Council Member Jennings stated that garbage pick up has been reduced to once a week instead of the usual twice weekly pick up; however, the rates will remain the same. Council Member Jennings asked that the Mayor approach the County Commission on this matter and he also asked that Council Member Holtzclaw be involved since he is a financial analyst.

COUNCIL DISTRICT NO. 4 TIM COWLES

Council Member Cowles took this opportunity to thank Taylor Edge for his efforts in putting together the new City maps.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

RESCHEDULING OF MAY 25 COUNCIL MEETING

Council President Overcash announced that due to the Memorial Day holiday, the next Council Meeting will be on Tuesday, May 26th.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

Council Member Vannoy gave a reminder of the work session being held in Conference Room 130 following this meeting.

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

Council Member Holtzclaw announced that the school system will make up missed days due to the Swine Flu issue.

He also suggested that Council review proposed legislation SB 196, SB 199 and SB 305 and contact the local legislators regarding this pending legislation.

Council Member Holtzclaw reminded everyone that the School Board interviews will be held on May 21st at 5:00 p.m.

Council Member Holtzclaw advised the Council that the School Board is considering refinancing a portion of their current debt load which would net the Board \$22,000,000.

Council Member Holtzclaw also announced that Bob Jones High School will hold graduation services on May 19th at the Von Braun Civic Center and everyone should be there at 4:00 p.m.

DEPARTMENT REPORTS

ENGINEERING

RESOLUTION NO. 2009-97-R AWARDING BID NO. MED-09-09A AND BID NO. MED-09-09B FOR CONSTRUCTION OF BALCH ROAD BRIDGE AND MILL ROAD BRIDGE TO ANGELO IAFRATE CONSTRUCTION CO. (TO BE PAID FROM CAPITAL IMPROVEMENT BUDGET)

Council Member Haraway moved to adopt Resolution No. 2009-97-R awarding Bid No. MED-09-09A and Bid No. MED-09-09B for the construction of Balch Road bridge and Mill Road bridge to Angelo Iafrate Construction Company. 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 carried.

FIRE

RESOLUTION NO. 2009-101-R AUTHORIZING THE SUBMISSION OF AN ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF \$273,680.00 FOR PURCHASE OF NEW SELF-CONTAINED BREATHING APPARATUS (10% LOCAL MATCH REQUIRED)

Council Member Haraway moved to adopt Resolution No. 2009-101-R authorizing the submission of an Assistance to Firefighters grant application in the amount of \$273,680.00 for the purchase of new self-contained breathing apparatus, with matching funds in the amount of 10% required from the City. 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 carried.

CITY CLERK-TREASURER

RESOLUTION NO. 2009-90-R DESIGNATING FIRST COMMERCIAL BANK AS DEPOSITORY FOR CITY BANK ACCOUNTS AND FURTHER DESIGNATION AUTHORIZED SIGNATURES FOR SAID ACCOUNTS

Council Member Jennings moved to adopt Resolution No. 2009-90-R designating First Commercial Bank as depository for city bank accounts and further designating authorized signatures on said accounts. 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.

PROPOSED ORDINANCE NO. 2009-85 AUTHORIZING THE WATER BOARD TO DISPOSE OF PROPERTY THROUGH GOVDEALS.COM (FIRST READING)

Council Member Jennings moved to adopt Ordinance No. 2009-85 authorizing the Water Board to dispose of property through GovDeals.com. 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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

LEGAL

FIRST READINGS

PROPOSED ORDINANCE NO. 2009-98 DEDICATING EASEMENT ON LOT 40, CHAPEL HILL TO PROPERTY OWNER BERNARD J. NOBLE

Council Member Haraway moved to suspend the rules for immediate consideration of Proposed Ordinance No. 2009-98. 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 carried.

Council Member Haraway moved to adopt Ordinance No. 2009-98 dedicating an easement on Lot 40, Chapel Hill to property owner Bernard J. Noble. 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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

Having no further business to discuss, Council Member Overcash 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 7:50 p.m.

Signatures on following page.

Minutes No. 2009-10-RG, dated May 11, 2009, read, approved and adopted this 26th day of May, 2009.

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 President Tommy Overcash
District Five

Council Member Larry Vannoy
District Six

Council Member Bill Holtzclaw
District Seven

Concur:

Paul Finley
Mayor

Attest:

Melanie A. Williard
City Clerk-Treasurer

Lisa Berry
Recording Secretary