

MINUTES NO. 2009-09-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
APRIL 27, 2009

The Madison City Council met in regular session on Monday, April 27, 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 6:02 p.m. by Council President Tommy Overcash.

Pastor John Dees with CrossPointe Church 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	Present
Council District No. 3 Jerry Jennings	Absent
Council District No. 4 Tim Cowles	Absent
Council District No. 5 Tommy Overcash	Present
Council District No. 6 Larry Vannoy	Absent
Council District No. 7 Bill Holtzclaw	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy A. Gilley, Aide to the Mayor Taylor Edge, Systems Analyst III Chris White, City Attorney Anne-Marie Lacy, Revenue Officer Cameron Grounds, Police Investigator Mike Shaneyfelt, Finance Director Lillie Causey, Human Resources Director Terri Towry, City Engineering Director Gary Chynoweth, Acting Chief of Police Lee Weaver

Public Attendance registered: Ron Johnson, Dave Jernigan, Ed Collins, Larry M. Stickles, Jon Howell, Frank Riddick, Rex Forney, Greg Morando DMD, Reginald Johnson, Boyd Allison, James Long, Joe Gehrdes representing the Huntsville/Madison County Builders Association, Dennis Vaughn, and W.C. Fuller

AMENDMENTS TO AGENDA

The following amendments were made to this evening's agenda:

- Addition to Consent Agenda: Approval of payment to MediaWorks for printing done in connection with Bradford Creek Greenway & Trail project
- Addition to Consent Agenda: Approval of payment to Goodwyn Mills & Cawood, Inc. for professional services related to the Whisperwood/Mill Creek drainage project
- Addition to Legal line of business: Resolution 2009-89-R authorizing the Mayor to enter into a land purchase contract

APPROVAL OF MINUTES

MINUTES NO. 2009-07-RG; APRIL 13, 2009

Council Member Haraway moved to approve Minutes No. 2009-07-RG of regular meeting held April 13, 2009. 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	Absent
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

MINUTES NO. 2009-08-SP; APRIL 21, 2009

Council Member Holtzclaw moved to approve Minutes No. 2009-08-SP of special called meeting held April 21, 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	Absent
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATIONS AND AWARDS

None

PUBLIC COMMENTS

CONDEMNATION OF 206 BOULTON COURT

Mr. Rex Forney and Mr. Greg Morando approached Council requesting expedient action from the City on the condemnation of property at 206 Bolton Court. Council President Overcash informed both gentlemen that Mayor Finley is working diligently on this issue.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$387,989.94
Gasoline Tax and Petroleum Inspection Fees	\$35,963.80
Series 2006 Bond Checking	\$4,361.55
Library Building Fund	\$1,023.85
Water Distribution & Storage Projects	\$1,090.00
Approval of payment to Osborn Associates for work completed on automatic doors for Dublin Park (to be paid from department budget)	\$1,491.25

Acceptance of grant in the amount of \$272 from Maddie's Fund, The Pet Rescue Foundation (to be used for Animal Control purposes)

Acceptance of the following donations for the Madison Animal Rescue Foundation:

▪ Elizabeth T. Cvetetic	\$5.00
▪ Brian & April Medlen	\$10.00
▪ Ashley Turney	\$10.00
▪ Lisa Broach	\$10.00
▪ Katherine G. Van Houten	\$5.00

Approval of payment to Osborn Associates for work completed on Fire Station 2 project (to be paid from Capital Improvement budget) \$4,900.00

Approval of payment to TeCorp, Inc. for installation of signal heads and detection at Intergraph Way and Madison Boulevard (to be paid from Gas Tax funds) \$7,300.00

Approval of payment to TeCorp, Inc. for installation of pedestrian button on north side of County Line Road and Crown Ridge (to be paid from Gas Tax funds) \$2,100.00

Approval of payment to OMI, Inc. for environmental assessment of Bradford Creek Greenway, Phase II (to be paid from Capital Improvement budget) \$260.00

Approval of payment to JC Cheek Contractor, Inc. for striping of various city streets (to be paid from Gas Tax funds) \$29,465.64

Approval of payment to Temple, Inc. for balance of work completed on Palmer Road/County Line Road intersection (to be paid from Capital Improvement budget) \$3,600.00

Resolution No. 2009-86-R; authorizing the disposal of certain Revenue Department records

Resolution No. 2009-87-R; authorizing the disposal of certain Public Works Department records

Resolution No. 2009-18-R: authorizing the disposal of certain Planning/Building Department records

Approval of payment to MediaWorks for printing done in connection with Bradford Creek Greenway & Trail project (to be paid from Capital Improvement budget) \$1,093.60

Approval of payment to Goodwyn Mills & Cawood, Inc. for professional services related to the Whisperwood/Mill Creek drainage project (to be paid from Capital Improvement budget) \$3,134.00

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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

Mayor Finley and Council Member Jennings are in Washington, D.C. on behalf of the City of Madison.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

PROPOSED ORDINANCE NO. 2009-67 ;DESIGNATING THE BOUNDARIES FOR THE MADISON STATION HISTORIC DISTRICT (FIRST READING 04/13/2009)

Council Member Holcombe moved to adopt Ordinance No. 2009-67 designating the boundaries for the Madison Station Historic District as recommended by the Madison Station Historic Preservation Commission. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

INTRODUCTION OF NEW PUBLIC WORKS DIRECTOR DANA STAHL

Council Member Haraway introduced Mr. Dana Stahl as the City's new Public Works Director.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

Mayor Finley and Council Member Jennings are in Washington, D.C. on behalf of the City of Madison.

COUNCIL DISTRICT NO. 4 TIM COWLES

Absent

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

RESCHEDULING OF MAY 25 COUNCIL MEETING

Due to the Memorial Day holiday on May 25th, Council rescheduled their second regular meeting of the month to Tuesday, May 26th at 6:00 p.m.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

Absent

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

BOARD OF EDUCATION INTERVIEWS

Council interviews of the top six candidates have not been scheduled yet. Council President Overcash added that the reason behind the delay in scheduling interviews for the School Board appointment is due to the ongoing Police Chief interview scheduling.

BLUE RIBBON COMMITTEE

The goal of the committee is to have a general report to the Madison City School Superintendent by the end of May.

PUBLIC HEARINGS

REQUEST FROM MARTINEZ ENTERPRISES, LLC (DBA: CASA BLANCA MEXICAN RESTAURANT) FOR AN ON-PREMISE BEER/WINE/LIQUOR LICENSE FOR THEIR LOCATION AT 8694-F MADISON BOULEVARD)

Council President Overcash opened the public hearing for comments regarding this request; there being none, he then closed the public hearing.

Council member Haraway moved to consent to the issuance of an on-premise beer/wine/liquor license for Martinez Enterprises, LLC doing business as Casa Blanca Mexican Restaurant contingent upon final approval from the Planning Department. 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	Absent
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

REQUEST FROM RASOUL PIROUZBAKHT (DBA: JET-PEP SUPER STOP) FOR AN OFF-PREMISE BEER/WINE LICENSE FOR THEIR LOCATION AT 7850 HIGHWAY 72 WEST

Council President Overcash opened the public hearing on this request; there being none, he then closed the public hearing.

Council member Holtzclaw moved to consent to the issuance of an off-premise beer/wine license for Rasoul Pirouzbakht doing business as Jet-Pep Super Stop. Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Abstain
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Absent
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

DEPARTMENTAL REPORTS

INFORMATION TECHNOLOGY

RESOLUTION NO. 2009-88-R; APPROVING AN AGREEMENT WITH TRAVELLER FOR TOWER ATTACHMENT AND WIRELESS BROADBAND COMMUNICATIONS SERVICES

A brief presentation was given by Tim Erwin of Traveller Internet Solutions.

Council Member Holcombe moved to approve Resolution No. 2009-88-R approving an agreement with Traveller for tower attachment and wireless broadband communication services. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

ENGINEERING DEPARTMENT

PROPOSED ORDINANCE NO. 2009-80 APPROVING AMENDED SPEED LIMITS (FIRST READING 04/13/2009)

Council Member Holtzclaw moved to adopt Ordinance No. 2009-80 approving amended speed limits in the City of Madison. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

CITY CLERK-TREASURER

RESOLUTION NO. 2009-84-R AUTHORIZING THE OPENING OF THE SPECIAL GENERAL OPERATING ACCOUNT AND DESIGNATING AUTHORIZED SIGNATURES FOR SAID ACCOUNT

Council Member Haraway moved to approve Resolution No. 2009-84-R authorizing the opening of the Special General Operating Account and designating authorized signatures for said account. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

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

This was considered a first reading.

LEGAL

LEGAL ACTION

PROPOSED ORDINANCE NO. 2009-77 REPEALING AND REPLACING CHAPTER 5 IN THE ANIMAL CONTROL ORDINANCE (FIRST READING 04/13/2009)

Council Member Haraway moved to adopt Ordinance No. 2009-77 repealing and replacing Chapter 5 in the animal control ordinance. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION 2009-89-R AUTHORIZING THE MAYOR TO ENTER INTO A LAND PURCHASE CONTRACT

Council President Overcash stated that the city is looking at using this property for future city use. Council President Overcash stated that if approved this resolution will authorize the Mayor to enter into a land purchase agreement for the city to purchase the lots at the corner of Hughes Rd and Thomas Street for future city use, which at the present is to move forward on a grant application for stimulus money to build a new fire station on Hughes Rd.

Council Member Haraway moved to approve Resolution No. 2009-89-R authorizing the Mayor to enter into a land purchase contract. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

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	Absent
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

The meeting was adjourned at 6:44 p.m.

Signatures on following page.

Minutes No. 2009-09-RG, dated April 27, 2009, read, approved and adopted this 11th 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 Member 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

Kristen N. Bruseth
Recording Secretary