

MINUTES NO. 2009-07-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
APRIL 13, 2009

The Madison City Council met in regular session on Monday, April 13, 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 6:04 p.m. by Council President Tommy Overcash.

Pastor Jimmy Aycock with Asbury United Methodist Church provided the invocation followed by the Pledge of Allegiance led by Council Member Bill Holtzclaw.

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	Absent
Council District No. 7 Bill Holtzclaw	Present

Also in attendance were: Engineering Technician Keith Conville, City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy Gilley, Police Lt. Danny Moore, Police Sgt. Steve Wilkerson, Police Administrative Assistant Sharon Monk, Police Inv. Pedro Maldonado, Revenue Office Cameron Grounds, Finance Director Lillie Causey, Acting Police Chief Major Lee Weaver, City Attorney Anne-Marie Lacy, Fire Chief Ralph Cobb, Parks & Recreation Director Mike Cassell, City Planner Bob Atallo and Human Resources Director Terri Towry

Public Attendance registered: W.C. Fuller, Ed Collins, Shelby Greenwall, Steve Wilkerson, Joe Gehrdes with the Huntsville/Madison County Builders Association, Mike Voisin, Seth & April Medlen, Christopher R. Seay, Ron Johnson, Linda DeLancey, Opie Balch, Reginald Johnson, Don Palmer, Brian Wiggins, Frank H. Riddick, Cary A. Hilton, Lindsay Stower, Stephanie Schulz, Alex Izzo, Colleen C. Murch, Gena Ashley, Ann Aycock, Happy Alexander, Madeline Sparks, Kevin Bennett, Donna Mahieux, Nancy Knox, Jon Howell and five illegible signatures

AMENDMENTS TO AGENDA

The following amendment was made to this evening's agenda:

- Removal of Resolution No. 2009-81-R; agreement between City and Edgewater Homeowners Association for sidewalk repairs from Council Member Jennings line of business

APPROVAL OF MINUTES

MINUTES NO. 2009-06-RG; MARCH 23, 2009

Council Member Jennings moved to approve Minutes No. 2009-06-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	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

MINUTES NO. 2009-01-WS; MARCH 23, 2009 WORK SESSION

Council Member Holtzclaw moved to approve Minutes No. 2009-01-WS. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATIONS AND AWARDS

PRESENTATION OF CERTIFICATES TO BOB JONES HIGH SCHOOL CHEERLEADERS

Mayor Finley and Council President Overcash presented Certificates of Recognition to members of the Bob Jones High School Cheerleading Squad for their hard work, dedication, and outstanding teamwork in recognition of winning their 4th National Championship on February 8th at the Universal Cheerleading Association National Competition in Orlando, Florida.

ALS AWARENESS MONTH PROCLAMATION

Mayor Finley read a proclamation declaring May 2009 as Amyotrophic Lateral Sclerosis (ALS) Awareness Month in the City of Madison.

MADISON ANIMAL RESCUE FOUNDATION

Mr. Bob DeFurio made a presentation to Council defining the vision and goals of the Madison Animal Rescue Foundation (M.A.R.F.). A hard copy of the presentation is attached to the Minutes.

PUBLIC COMMENTS

MR DON PALMER; SCHOOL FUNDING

Mr. Palmer addressed council regarding the need for additional funding for the Madison City School system.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$888,289.61
Gasoline Tax and Petroleum Inspection Fees	\$89,430.95
Series 2001 Bond checking	\$13,716.42
Series 2006 Bond Checking	\$100,262.33
Subdivision Cash Bond	\$9,287.10
Library Building Fund	\$359.54
Municipal Government Capital Improvement	\$3,749.90
Fire CPR	\$176.00
Approval of payment to Mobile Concepts for purchase of combination sprinkler/Fire Safety House (to be paid from FEMA grant EMW-2007-FP00787)	\$79,164.00
Acceptance of donation in the amount of \$25 from Julie Hargrove for Police Department Animal Control Unit (to be deposited into the General Fund)	
Resolution No. 2009-79-R; declaring certain Police Department equipment as surplus and of negligible value and authorizing its disposal	
Approval of payment to Goodwyn Mills and Cawood for design of Whisperwood to Mill Creek drainage upgrade (to be paid from Capital Improvement budget)	\$8,292.00
Approval of payment to JC Cheek Contractor, Inc for striping on Intergraph Way, County Line Road and Palmer Road (to be paid from Gas Tax funds)	\$4,287.15
Approval of payment to Wilmer & Lee for legal services provided for Gillespie Road extension project, Bradford Creek Greenway Phase I project and Eastview extension project (to be paid from Capital Improvement budget)	\$1,396.55
Approval of payment to Goodwyn Mills and Cawood for design of Brownsferry Road improvement project (to be paid from Capital Improvement budget)	\$2,250.00
Approval of payment to JW Kennedy for constructing staking and setting of grades at Mill Road (to be paid from Capital Improvement budget)	\$665.00
Approval of payment to Temple, Inc. for traffic signal equipment for Intergraph Way and Madison Boulevard (to be paid from Gas Tax funds)	\$1,577.00
Approval of payment to Skipper Consulting, Inc. for professional services related to major street plan (to be paid from departmental budget)	\$2,450.00
Approval of payment to GIS, Inc. for implementation of GIS program (to be paid from departmental budget)	\$1,536.00
Approval of payment to Norfolk Southern Railway for lease of Front Street "Village Green" property (to be paid from General Fund)	\$600.00
Acceptance of donations from the following individuals for the Madison Animal Rescue Foundation:	
o Joann Longshore	\$345.00
o Kathy W. Hale	\$35.00
o Anne Marie Lacy	\$100.00
o Rebecca Bradshaw	\$4.00
o Annette Murray	\$20.00

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	Aye
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

ACTION ITEMS UPDATE

Mayor Finley announced that he has set up the following ad hoc committees:

- Lighting Committee composed of Council Member Jennings, City Engineer Gary Chynoweth and City Planner Bob Atallo
- Sign Committee composed of City Attorney Lacy, Council Member Holcombe, Madison resident Ed Collins, Chief Building Official Cody Phillips, Larry Mason and Huntsville/Madison County Builders Association GA Liaison Joe Gehrdes
- Cemetery Committee composed of Madison resident and local historian S.A. Hale, City Engineering Technician Keith Conville, Council Member Jennings and Madison resident Larry Stickles

There will be a bid opening on April 29, 2009 for the Balch Road bridge project. The Bradford Creek Greenway, Phase I project will go out for bid soon, with bids expected to be opened in mid-May. The City is currently working on the Eastview Drive sidewalk project bid.

The Police Department is nearing the end of the final stages of the background checks for the top Police Chief candidates. Once the checks have been completed, the list will then be turned over to the Council for interviews.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

MADISON STATION HISTORIC PRESERVATION COMMISSION UPDATE

Council Member Holcombe announced that the Commission has approved the original historic district boundaries.

MADISON HISTORICAL SOCIETY UPDATE

Council Member Holcombe advised the Council that Historical Society member S.A. Hale has resigned as President and the Vice-President will take over the President duties in the interim.

MADISON CHAMBER OF COMMERCE UPDATE

The Madison Chamber anticipates presenting their quarterly report to Council and the Mayor within the week.

STREET FESTIVAL UPDATE

Monthly meetings are being held to organize this year's event which will take place Saturday, October 3rd.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

No business to report.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

FISCAL YEAR 2009 FINANCE GOALS

The following are goals of the Finance Committee for this fiscal year, ending September 30, 2009:

- Revise Purchasing Card policy and procedures
- Establishment of a travel policy to include per diem for lodging and meals
- Revise Section IX (Financial Condition and Reserves) of the Fiscal Policy to increase level of reserve for the General Fund to 15%
- Improve current bond ratings
- Identify revenue sources for debt service

RESOLUTION NO. 2009-81-R; AGREEMENT BETWEEN CITY AND EDGEWATER HOMEOWNER'S ASSOCIATION FOR SIDEWALK REPAIRS

This item was removed from the agenda.

UPDATE ON REDSTONE ARSENAL MEETING REGARDING ZIERDT ROAD AND MARTIN ROAD

Council Member Jennings reported that the topic of discussion at this meeting was the Defense Access Road Program which provides a means for the military to pay their fair share of the cost of public roadway improvements where there is a consistent presence of military transport vehicles. Council Member Jennings believes the meeting went very well and hopes that the City will receive additional funds to upgrade portions of those roadways.

COUNCIL DISTRICT NO. 4 TIM COWLES

Absent

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

LIBRARY BOARD EXPANSION

The Huntsville City Council approved the expansion of the Library Board to include one member each from the Madison City Council and the Madison County Commission.

Council Member Jennings moved to appoint Council President Overcash as the City's representative to the Huntsville/Madison County Library Board. 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	Abstain
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

The term is for four years, however Council President Overcash states that he will serve one year and then open it up to Madison residents next year.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

Absent

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

KNOCKOUT ROSE SALE FUNDRAISER FOR BEAUTIFICATION-TREE BOARD

The second annual knockout rose sale, Madison's signature plant, will take place this Saturday from 8am – 12pm at Dr. Hatcher's office on Hughes Road.

REZONING OF CITY SCHOOL DISTRICTS

The Madison City School Board recently approved the rezoning of the elementary schools; street listings and a copy of the map can be found on the Madison City Schools website (www.madisoncity.k12.al.us).

BOARD OF EDUCATION APPLICANTS

Place No. 1 of the Madison Board of Education, currently held by Dr. Sheila Nash-Stevenson, expired on April 15th. Applications were accepted through March 31st and the following individuals were chosen as finalists:

- John Hall
- Molly King
- Anders Kinney
- Clifford Lanham
- Connie Cox Spears
- Sheila Nash Stevenson

A date has yet to be scheduled to conduct the interviews.

MADISON CITY DISABILITY ADVOCACY BOARD

Mayor Finley stated that the City is still seeking applicants for the Madison City Disability Advocacy Board. Applications can be picked up at the City Clerk-Treasurer Department or downloaded from the city website.

ANNUAL EASTER EGG HUNT AT DUBLIN PARK

Mayor Finley announced that this year's egg hunts were a huge success. He publicly thanked Mike Cassell, Gayle Milam and the rest of the staff of the Parks & Recreation Department for their hard work in making it a joy for all the children who participated.

PUBLIC HEARINGS

REQUEST FROM MW1 ENTERPRISES, LLC (DBA COUNTRY HEARTH INN & SUITES) FOR AN ON-PREMISE BEER/WINE/LIQUOR LICENSE FOR THEIR LOCATION AT 8716 MADISON BOULEVARD)

Revenue Officer Cameron Grounds informed Council that all paperwork is in order for the issuance of this license. Council President Overcash opened the public hearing for any public comments in regards to 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 MW1 Enterprises, LLC doing business as Country Hearth Inn & Suites for their location at 8716 Madison Boulevard. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

REQUEST FROM SNAA, INC. (DBA SNAA, INC.) FOR AN OFF-PREMISE BEER/WINE LICENSE FOR THEIR LOCATION AT 8500 OLD MADISON PIKE

Revenue Officer Cameron Grounds informed Council that all paperwork is in order for the issuance of this license. Council President Overcash opened the public hearing for any public comments in regards to this request. There being none, he then closed the public hearing.

Council Member Jennings moved to consent to the issuance of an off-premise beer/wine/liquor license for SNAA, Inc. doing business as SNAA, Inc. for their location at 8500 Old Madison Pike. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Abstain
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
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. 2009-63; REZONING CERTAIN PROPERTY LOCATED SOUTHWEST OF I-565 AND WEST OF ZIERDT ROAD FROM AG TO R-4 AS REQUESTED BY OLD TOWN INVESTMENTS, LLC (FIRST READING 03/09/2009)

City Planner Bob Atallo informed Council that this request involves twenty six acres of land for use as an apartment complex. Mr. Atallo informed the Council that Mr. Louis Breland, the developer, is in attendance should they have any questions for him. Council President Overcash opened the public hearing for any public comments in regards to this request. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Haraway moved to adopt Ordinance No. 2009-63. Council Member Jennings seconded.

Council Member Haraway stated that Madison Utilities can supply water to this development but there will have to be some infrastructure in place to do it which will be the responsibility of the developer. Due to the elevation of the property, a booster pump and pump station will have to be installed by the developer. This was discussed with the developer and the Water & Wastewater Board today and the developer is aware of the cost.

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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

DEPARTMENTAL REPORTS

FIRE

RESOLUTION NO. 2009-78-R; APPROVING AN AGREEMENT WITH THE CITY OF HUNTSVILLE (DBA HUNTSVILLE/MADISON COUNTY EMERGENCY MANAGEMENT AGENCY) TO PROVIDE FUNDING FOR EQUIPMENT AND TRAINING OF PERSONNEL FOR RESPONSE TO WEAPONS OF MASS

DESTRUCTION INCIDENTS (GRANT IN THE AMOUNT OF \$70,521.57 AND \$17,926)

Council Member Haraway moved to approve Resolution No. 2009-78-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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

ENGINEERING DEPARTMENT

PROPOSED ORDINANCE NO. 2009-80; APPROVING AMENDED SPEED LIMITS (FIRST READING)

This was considered a first reading only.

POLICE

RESOLUTION NO. 2009-82-R; AUTHORIZING THE SUBMISSION OF COPS HIRING RECOVERY PROGRAM GRANT APPLICATION IN THE AMOUNT OF \$806,655

Council Member Haraway moved to approve Resolution No. 2009-82-R. 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	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

CITY CLERK-TREASURER

RESOLUTION NO. 2009-42-R; AMENDING CITY OF MADISON PROCUREMENT CARD POLICIES AND PROCEDURES

Council Member Jennings moved to approve Resolution No. 2009-42-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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

LEGAL

FIRST READINGS

**PROPOSED ORDINANCE NO. 2009-77; REPEALING AND REPLACING
CHAPTER 5 IN THE ANIMAL CONTROL ORDINANCE**

This was considered a first reading only.

**PROPOSED ORDINANCE NO. 2009-67 ;DESIGNATING THE BOUNDARIES
FOR THE MADISON STATION HISTORIC DISTRICT**

This was considered a first reading only.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Council will hold a work session on Thursday, May 7th to review the revised FY 08/09 annual budget.

ADJOURNMENT

Having no further business to discuss, Council Member Jennings 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

The meeting was adjourned at 7:34 p.m.

Signatures on following page.

Minutes No. 2009-07-RG, dated April 13, 2009, read, approved and adopted this 27th day of April 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