

**MINUTES NO. 2009-17-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**AUGUST 10, 2009**

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The Madison City Council met in regular session on Monday, August 10, 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 6:05 p.m. by Council President Tommy Overcash.

Fire Chief Ralph Cobb provided the invocation. The Pledge of Allegiance was led by Council President Tommy Overcash.

**ELECTED GOVERNING OFFICIALS IN ATTENDANCE**

Roll Call of Elected Governing Officials was conducted by Municipal Records Coordinator Kristen Bruseth 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	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: Mayoral Aide Taylor Edge, City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy Gilley, Fire Chief Ralph Cobb, Revenue Officer Cameron Grounds, City Engineering Director Gary Chynoweth, Finance Director Lillie Causey, Parks & Recreation Director Mike Cassell, Legal Assistant Lisa Bullock, Police Major Lee Weaver and Recording Secretary Kristen N. Bruseth

Public Attendance registered: Larry M. Stickles, Ed Collins, Bert Horton, Amy Furfori, Frank Riddick, Jon Howell, Connie Spears, Joe Gehrdes representing the Huntsville/Madison County Builder's Association, Doug Gooch, Miki Bennett, Curtis Horton, Bill & Joan Dawson, W.C. Fuller

**AMENDMENTS TO AGENDA**

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

- o Presentations and Awards: Mr. Doug Gooch; discussion on Light Rail System/Redstone Arsenal
- o Consent Agenda: Acceptance of payment from Alabama Municipal Insurance Corporation for storm damage repairs

**PRESENTATIONS AND AWARDS**

**TIM KNOX OF MADISON GUNS & AMMO -- BUSINESSES SUPPORTING MADISON ANIMAL RESCUE FOUNDATION**

Mr. Knox, a resident and business owner in the City of Madison, informed Council and all those in attendance that he solicits a \$2 donation from his customers per

purchase, which he matches monthly up to \$500, to be donated to the Madison Animal Rescue Foundation. He challenged all businesses in the City to do the same.

**MR. DOUG GOOCH; LIGHT RAIL SYSTEM / REDSTONE ARSENAL**

Mr. Gooch appeared before Council to make them aware of an opportunity to seek federal funding under "TIGER" (Transportation Investment Generating Economic Recovery) to construct a light rail system that would serve the Huntsville/Redstone Arsenal areas. TIGER would fund a feasibility study and design work at 100%, and construction costs at 50%. He stated that for this to become a reality all three entities, consisting of the cities of Madison and Huntsville as well as Redstone Arsenal, would have to support it. He added that if the rail system were to become reality, it would ease the traffic counts by thousands.

**PUBLIC RECOGNITION; BARCODING OF SCHOOL TEXTBOOKS ~ TOYOTA CORPORATION**

Mr. Bob Lipinski, Madison City Schools Textbook Coordinator, reported that the Toyota Corporation in Huntsville offered their employees to assist in community projects. During a period of twelve days this summer Mr. Lipinski and several Toyota employees bar-coded 54,000 textbooks throughout the school system. Mayor Paul Finley and Council President Tommy Overcash presented a Certificate of Recognition to Toyota for their support in this project. A round of applause was given.

**PUBLIC COMMENTS**

None

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

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

General Operating Account	\$680,274.35
Gasoline Tax and Petroleum Inspection Fees	\$35,104.17
Series 2006 Bond Checking	\$183,626.46
Library Building Fund	\$2,636.82
Fire CPR	\$125.00

Acceptance of donations from the following individuals to the Madison Animal Rescue Foundation:

o Kellye McCormick (Talula's Salon)	\$150.00
o B.D. McElyea	\$150.00
o William Ted Thiele III	\$150.00
o Curtis J. Corley	\$200.00
o Jason A. Vaughn	\$100.00
o Michael D. Harris	\$150.00
o Dawn and Jerry Suiter	\$150.00
o Alan G. Maiorano	\$150.00
o Nancy S. Burch	\$165.00
o Carol A. Barnes	\$100.00
o Susan R. Creekmore	\$20.00
o Sharon Lee Wells	\$20.00

Approval of payment to Liberty Point Development for consent judgment for Tract 16 Gillespie Road extension (to be paid from capital improvement budget)\$17,750.00

Approval of payment to Skipper Consulting for work completed on major street plan (to be paid from department budget) \$3,500.00

Approval of payment to Angelo lafrate for work completed on bridge projects (to be paid from capital improvement budget) \$190,980.90

Approval of payment to Reed Contracting Services for work completed on Mill Road resurfacing (to be paid from capital improvement budget) \$35,588.70

Approval of payment to Reed Contracting Services for work completed on Eastview Drive extension \$166,813.45

Approval of payment to the following vendors for capital improvement project – Balch Road extension:

- o Cowin Equipment \$617.25
- o Limestone Farmers CO-OP \$375.00
- o Eagle Wholesale \$1,111.20
- o Vulcan Materials \$3,348.90

Acceptance of payment from Alabama Municipal Insurance Corporation for storm damage repairs \$223,676.37

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.

## **PRESENTATION OF REPORTS**

### **MAYOR PAUL FINLEY**

#### **MAYOR'S REPORT**

- o 2009-2010 School Year: The new school year began today and by all reports, it was a smooth beginning. Morning rush hour traffic was reported as heavy at the Gillespie/Balch Road intersection but was not as heavy in the afternoon. Mayor Finley asked that motorists remain cautious during the first week of morning rush traffic now that school is once again in session
- o Mill Creek bridge: Mayor Finley commended the Engineering and Public Works Departments for the opening of the roadway in time for the new school year
- o Eastview extension: The new extension is now open and the parking lot was completed in time for the first day of school
- o Planning & Zoning Commission reappointment: Charlie Brown was reappointed to another six year term on the Commission.
- o High School Advisory Committee: A twelve-member advisory committee; made up of six city and board of education members and six members of the general public, will hold their first meeting on Tuesday, August 18<sup>th</sup> from 3:00 p.m. – 5:00 p.m. at the School Board office.
- o Madison Police Department recognition: Mayor Finley read aloud a letter received from a citizen who spoke highly of the Madison Police Department; more specifically Investigator Wayne Kamus, Patrolman William Watson, Patrolman Tanner Wilkerson, Patrolman Chris Townsend, Patrolman Charles Lorch, and Sgt. Steve Wilkerson, during a recent incident. The resident stated that each of the officers acted in a professional, courteous and helpful manner and are a credit to not only the Police Department but the city as well.

### **COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

#### **CHAMBER OF COMMERCE; BUSINESS EXPO**

The Madison Chamber of Commerce held their annual Business Expo at Dublin Park this past Saturday.

**MILL ROAD BRIDGE**

As Mayor Finley reported earlier, the new bridge on Mill Road is now open to motorists. The Madison Greenways and Trails organization has agreed to provide custom designed benches, trash and dog waste receptacles as well as the planting of rose bushes along the Mill Creek greenway.

**MADISON ANIMAL RESCUE FOUNDATION (MARF) FUNDRAISER**

MARF held a fundraiser this past Saturday at Staples. Although he hasn't heard what the official grand total in funds received were, he does know it was well attended by the public.

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

No business to report

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

No business to report

**COUNCIL DISTRICT NO. 4 TIM COWLES**

No business to report

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

No business to report

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

**2009/2010 BUDGET SCHEDULE**

Council Member Vannoy discussed briefly the schedule for the upcoming 2009/2010 budget for the City.

**COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW**

No business to report

**APPROVAL OF MINUTES**

**MINUTES NO. 2009-16-RG; JULY 27, 2009**

Council Member Haraway moved to approve Minutes No. 2009-16-RG. Council Member Cowles 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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Abstain
Council Member Bill Holtzclaw	Aye

Motion carried.

**PUBLIC HEARINGS**

**REQUEST FROM QING LIN DOING BUSINESS AS SAKURA JAPANESE STEAK HOUSE FOR AN ON-PREMISE LIQUOR LICENSE FOR THEIR LOCATION AT 12090-P COUNTY LINE ROAD**

Council President Overcash opened the public hearing for any public comments in relation to this on-premise liquor license request. There being none, he then closed the public hearing.

Council Member Cowles moved to consent to the issuance of an on-premise liquor license by the ABC Board to Qing Lin, dba Sakura Japanese Steak House. 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.

#### DEPARTMENTAL REPORTS

##### PARKS & RECREATION DEPARTMENT

**RESOLUTION NO. 2009-166-R; AWARDING BID NO. MRD-15-09 TO CHAPPELL DISTRIBUTING, INC. TO CONSTRUCT PALMER PARK ACCESSIBLE PLAYGROUND SURFACING (TO BE PAID FROM DEPARTMENTAL BUDGET)**

Parks & Recreation Director Mike Cassell informed Council that the bid for this equipment came in under budget.

Council Member Haraway moved to approve Resolution No. 2009-166-R awarding Bid No. MRD-15-09 to Chappell Distributing, Inc. to construction Palmer Park Accessible Playground surfacing. 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.

##### ENGINEERING DEPARTMENT

**RESOLUTION NO. 2009-167-R; AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR PROJECT DE-AL81 RIGHT-OF-WAY AGREEMENT BALCH ROAD WIDENING FROM SOUTH OF MADISON CITY LIMITS TO GOOCH LANE (TO BE PAID FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Jennings moved to approve Resolution No. 2009-167-R. Council Member Holcombe seconded.

After further discussion, Council Member Holtzclaw moved to table this item until the next regular Council meeting. 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.

**LEGAL**

**FIRST READINGS**

**PROPOSED ORDINANCE NO. 2009-159; ASSENTING TO THE ANNEXATION OF PROPERTY OWNED BY VICKIE MITCHELL (LIMESTONE COUNTY)**

This was considered a first reading.

**PROPOSED ORDINANCE NO. 2009-160; ASSENTING TO THE ANNEXATION OF PROPERTY OWNED BY LAWRENCE & VELMA DAVIS LOCATED AT 29958 HARDIMAN ROAD IN LIMESTONE COUNTY**

This was considered a first reading.

**PROPOSED ORDINANCE NO. 2009-161; ASSENTING TO THE ANNEXATION OF PROPERTY OWNED BY KENNETH & SHARON WHIGHAM LOCATED AT 10472 SEGERS ROAD IN LIMESTONE COUNTY**

This was considered a first reading.

**PROPOSED ORDINANCE NO. 2009-163; AUTHORIZING THE WATER AND WASTEWATER BOARD TO DISPOSE OF ITS INTEREST IN CERTAIN REAL PROPERTY**

This was considered a first reading. Council Member Haraway added that this involves right-of-way no longer necessary due to the Water & Wastewater Board moving a road that led to a well.

**PROPOSED ORDINANCE NO. 2009-164; VACATION OF EASEMENT REQUEST FROM CONTINENTAL PROPERTIES TO VACATE SEWER EASEMENT ON LOT 4, THE SPRINGS AT MADISON**

This was considered a first reading.

**PROPOSED ORDINANCE NO. 2009-165; VACATION OF EASEMENT REQUEST FROM CONTINENTAL PROPERTIES TO VACATE SEWER EASEMENT ON LOT 4A, THE SPRINGS AT MADISON**

This was considered a first reading.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

Having no further business to discuss, Council Member Jennings moved to adjourn the meeting. The vote taken was recorded as follows:

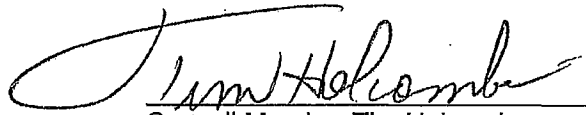
Council Member Tim Holcombe                   Aye  
Council Member Steve Haraway                 Aye  
Council Member Jerry Jennings                 Aye  
Council Member Tim Cowles                     Aye  
Council Member Tommy Overcash                Aye  
Council Member Larry Vannoy               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

Motion carried.

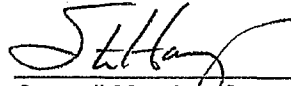
The meeting was adjourned at 7:04 p.m.

Signatures on following page.

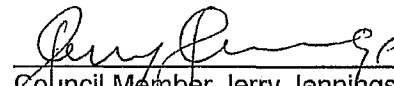
Minutes No. 2009-17-RG, dated August 10, 2009, read, approved and adopted this 24th day of August 2009.



Council Member Tim Holcombe  
District One



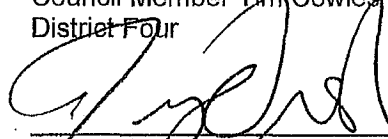
Council Member Steve Haraway  
District Two



Council Member Jerry Jennings  
District Three

Absent

Council Member Tim Cowles  
District Four



Council Member Tommy Overcash  
District Five

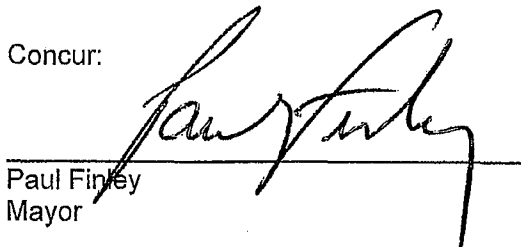
Absent

Council Member Larry Vannoy  
District Six



Council Member Bill Holtzclaw  
District Seven

Concur:

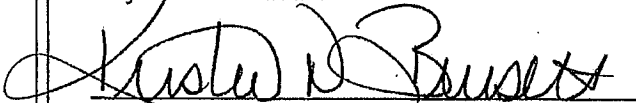


Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Kristen N. Bruseth  
Recording Secretary