

MINUTES NO. 2009-01-RG
OF THE CITY COUNCIL OF THE
CITY OF MADISON, ALABAMA

6:00 P.M.
MUNICIPAL COMPLEX

JANUARY 12, 2009

The Madison City Council met in regular session on Monday January 12, 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 6:01 p.m. by Council President Tommy Overcash.

Pastor Bill Boruff of Madison Baptist Church provided the invocation followed by the Pledge of Allegiance led by Mayor Finley.

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

Public Attendance registered: Tanjie Kling, Don Webster, Larry Stickles, Terri Johnson, Ed Collins, John Fellows, Judy Meiers, Aihua Wong, Susan Ontiveros, Joe Gehrdes, Frank H. Riddick, E. Russell Wetzel, Wayne P. Blaxton, Brian E. Blair, Peter Blair, Ron Keith, Ben Keith, Andrew Haight, J.J. Haight, Chris Kerl, J.S. Haight, Sr., C.W. Brown, Pam VonJouanne, Glen Long, Adam Neely, Cary Hilton, James Long, Dan Kerl, W.C. Fuller, and Michael Callahan

AMMENDMENTS TO AGENDA

ADDITIONS

It was the consensus of the Council to add the following item to the consent agenda:

Approval of payment to the following vendors for materials and/or services supplied for the Balch Road Extension project under Consent Agenda:

Robin Rents	\$1,705.20
Thompson Rental	\$1,740.00

APPROVAL OF MINUTES

MINUTES NO. 2008-30-RG, DECEMBER 22, 2008

Council Member Jennings moved to approve Minutes No. 2008-30-RG. 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	Abstain
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATIONS AND AWARDS

PRESENTATION OF CERTIFICATES TO BOB JONES SWIM TEAM IN RECOGNITION OF THEIR STATE CHAMPIONSHIP

Mayor Finley and Council President Overcash presented certificates to the following members of the Bob Jones Swim Team:

Michael Armstrong, Patrick Berry, Peter Blair, Mitch Deaton, Phillip Deaton, Kent Fellows, Zach Fitzgibbon, Russel Johnson, Charlie Johnson, Andrew Laing, Eric Lim, Yunyi Long, Dominic Messer, Austin Nash, Michael Ontiveros, Jonathan Ralleca, Alan Rowe, Luke Sullivan, Timothy Sullivan, James Summerlin, Scott VonJouanne, Peter Wetzal, Franklin Wetzal, Corey Williams, George Wong, and Wayne You.

PUBLIC COMMENTS

Ed Collins of 303 Crownridge Drive appeared before Council to address construction of signage on a specific right of way.

Larry Stickles of 161 Amsterdam Place appeared before Council voicing the same concerns over signs.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Jennings moved to approve the Consent Agenda as amended as follows:

General Operating Account	\$817,026.18
Gasoline Tax and Petroleum Inspection Fees	\$58,264.20
TVA Tax Proceeds	\$51,417.26
Series 2006 Bond Checking	\$3,437.50
Library Building Fund	\$8,886.33
Water Distribution & Storage Projects	\$2,725.00

Resolution No. 2009-04-R authorizing a travel advance in the amount of \$202.50 for Will Smith to attend The Reid Technique of Interviewing and Interrogation seminar (to be paid from departmental budget)

Resolution No. 2009-10-R declaring certain city property as surplus and of negligible value and authorizing its disposal

Resolution No. 2009-12-R declaring certain city property as surplus and authorizing its sale through GovDeals

Approval of payment to ESRI for ArcEditor maintenance related to City wide GIS Program (to be paid from department budget) \$3,404.11

Approval of payment to Florence & Hutcheson, Inc. for progress on Eastview Extension project (to be paid from Capital Improvement budget) \$13,262.00

Approval of payment to Neel Schaffer for services related to Mill Road Bridge replacement (to be paid from Capital Improvement budget) \$2,500.00

Approval of payment to Neel Schaffer for services related to Balch Road Extension bridge project (to be paid from Capital Improvement budget) \$7,500.00

Approval of payment to Florence & Hutcheson, Inc. for progress on Intersection improvements at US 72/Wall Triana Highway (to be paid From Capital Improvement budget) \$7,686.00

Approval of payment to TeCorp, Inc. for transferring traffic signals Located at County Line Road and Browns Ferry Road (to be paid from Capital Improvement budget) \$2,226.90

Approval of payment to the following venders for materials and/or services supplied for the Balch Road Extension project under Consent Agenda:

Robin Rents	\$1,705.20
Thompson Rental	\$1,740.00

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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

Mayor Finley acknowledged Boy Scouts at the meeting who were working on merit badges. One of the requirements for getting a merit badge was to attend a City Council Meeting.

Mayor Finley reported on the press conference held earlier that day regarding Access Madison Initiative. That Initiative will include enhancing the City's website and setting up open monthly meetings to hear from the public.

The report on speed limits has been reviewed and Mayor will work with Police and City Council and bring back a recommendation by the next Council Meeting.

The request for stimulus funding package has been submitted.

Also, he reported on meeting with the Persevals, whose home on Bolton Court is on a sinkhole. Mayor Finley is working closely with Engineering and Council to resolve this problem.

Mayor Finley also reported that The Education Building Authority has been dissolved.

Mayor Finley advised Council that he is forming a Special Needs Advisory Board. This board includes persons with special needs, parents of special needs children, and businesses who work specifically with special needs individuals. Madison City Schools will also be represented.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

STREET FESTIVAL MEETING UPDATE

Council Member Holcombe announced that the Madison Street Festival committee had their first meeting on January 8th. They will meet once a month until September at which time they will meet once weekly. The Street Festival will be held October 3, 2009.

HISTORIC PRESERVATION COMMISSION MEETING

Council Member Holcombe announced that the first meeting of the Historic Preservation Commission will be held on Tuesday January 20, 2009 in the Planning Department Conference Room at 6:30 p.m.

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

Council President Overcash stated that he will have an updated action item list at the next Council Meeting.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

Absent

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

No business to report.

PUBLIC HEARINGS

CLOSING OF HUGHES ROAD SWIMMING POOL LOCATED AT 1282 HUGHES ROAD

Council President Overcash opened the floor for public comments regarding the closing of Hughes Road swimming pool. There being none, he then closed the public hearing.

PROPOSED ORDINANCE NO. 2008-307 REZONING CERTAIN PROPERTY LOCATED AT HARDIMAN PLACE, PHASE 4 FROM R-2 TO R-3A AS REQUESTED BY SUPERIOR BANK (FIRST READING 12/08/2008)

Council President Overcash opened the floor for public comments. There being none, he then closed the public hearing.

Council Member Cowles moved to adopt Ordinance No. 2008-307. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PROPOSED ORDINANCE NO. 2008-309 REZONING CERTAIN PROPERTY LOCATED AT 235 HUGHES ROAD FROM R-1B TO B-1 AS REQUESTED BY STAGGS HOLDING CO. (FIRST READING 12/08/2008)

Council President Overcash opened the floor for public comments. There being none, he then closed the public hearing.

Council Member Cowles moved to adopt Ordinance No. 2008-309. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

DEPARTMENT REPORTS

FIRE

RESOLUTION NO. 2009-01-R ACCEPTANCE OF ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF \$42,500 FOR THE INSTALLATION OF EXHAUST EXTRACTION EQUIPMENT IN FIRE STATIONS 1 & 3 (10% MATCHING FUNDS FROM CITY (\$4,250) – MATCHING FUNDS WILL NEED TO BE ADDED TO FIRE DEPARTMENT BUDGET)

Council Member Haraway moved to approve Resolution No. 2009-01-R with matching funds to be taken from the contingency fund. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-02-R AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH JEFF JOHNSON, MD FOR MEDICAL DIRECTION FOR MADISON FIRE & RESCUE (FUNDING FROM DEPARTMENTAL BUDGET)

Council Member Haraway moved to approve Resolution No. 2009-02-R. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

PLANNING/BUILDING

RESOLUTION NO. 2009-05-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2009-06 AMENDING THE SITE PLAN APPROVAL PROCESS IN THE ZONING ORDINANCE TO PROVIDE FOR STREAMLINED ADMINISTRATIVE REVIEW OF CERTAIN PROJECTS; CLARIFYING ADMINISTRATIVE PROCEDURES (FIRST PUBLICATION 01/16/2009; SYNOPSIS 01/23/2009; PUBLIC HEARING 02/09/2009)

Council Member Jennings moved to approve Resolution No. 2009-05-R setting a public hearing for February 9, 2009 on Proposed Ordinance No. 2009-06. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-07-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2009-08 REZONING CERTAIN PROPERTY LOCATED WEST OF COUNTY LINE ROAD, SOUTH OF BROWN'S FERRY ROAD AND NORTH OF BROWN'S FERRY CROSSING SUBDIVISION FROM B-2 TO R-4 AS REQUESTED BY STAFFORD PROPERTIES, LLC (FIRST PUBLICATION 01/16/2009; SYNOPSIS 01/23/2009; PUBLIC HEARING 02/09/2009)

Council Member Jennings moved to approve Resolution No. 2009-07-R setting a public hearing for February 9, 2009 on Proposed Ordinance No. 2009-08. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-09-R RELATING TO ROADWAY PLANNING; AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT CONCERNING TRANSPORTATION PLANNING WITH THE CITY OF HUNTSVILLE, THE ALABAMA DEPARTMENT OF TRANSPORTATION AND SPECIFIED OTHERS

Tanjie Kling, representing the City of Huntsville and the MPO Organization addressed the Council regarding this agreement.

Mayor Finley will work to have another position added to the MPO board for the City of Madison which will be appointed by the City Council.

Council Member Jennings moved to approve Resolution No. 2009-09-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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

FINANCE

RESOLUTION NO. 2009-11-R AWARDDING BID NO. MRD-03-09 FOR THE PURCHASE OF RECREATION AND SENIOR CENTER MAINTENANCE UNIFORMS (FUNDING FROM DEPARTMENTAL BUDGET)

Council Member Jennings moved to approve Resolution No. 2009-11-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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

LEGAL

City Attorney Anne-Marie Lacy announced that a lawsuit filed against the City of Madison by Margaret Daly and others regarding our smoking ordinance has been dismissed by Judge Hamilton.

LEGAL ACTION ITEMS

PROPOSED ORDINANCE NO. 2008-313 PROHIBITING PARKING, STOPPING OR STANDING ON CERTAIN PORTIONS OF HARTINGTON DRIVE, PROVIDING AN EFFECTIVE DATE (FIRST READING 12/22/2008)

Council Member Haraway moved to approve Proposed Ordinance No. 2008-313. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

FIRST READINGS

PROPOSED ORDINANCE NO. 2009-03 CONVEYING PROPERTY TO THE GROVE PARK OWNERS ASSOCIATION

This was considered as the first reading of this proposed ordinance and no official action was taken by the Council.

ADJOURNMENT

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

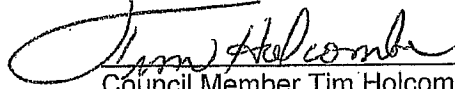
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

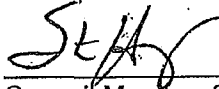
The meeting was adjourned at 7:05 p.m.

Signatures on following page:

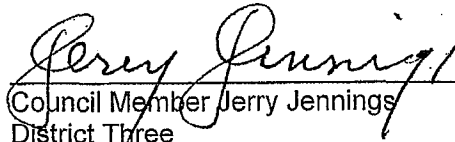
Minutes No. 2009-01-RG, dated January 12, 2009, read, approved and adopted this 26th day of January, 2009.



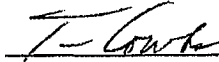
Council Member Tim Holcombe
District One



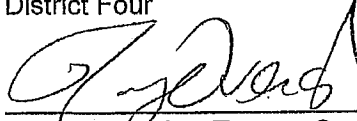
Council Member Steve Haraway
District Two



Council Member Jerry Jennings
District Three



Council Member Tim Cowles
District Four



Council Member Tommy Overcash
District Five

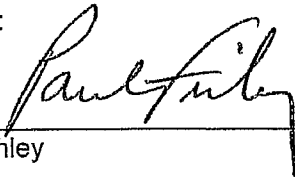
Absent

Council Member Larry Vannoy
District Six



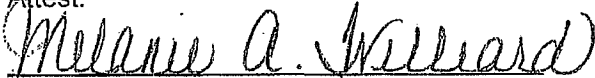
Council Member Bill Holtzclaw
District Seven

Concur:

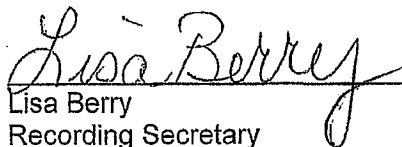


Paul Finley
Mayor

Attest:



Melanie A. Williard
City Clerk-Treasurer



Lisa Berry
Recording Secretary