

MINUTES NO. 2009-22-RG

OF A

REGULAR MEETING

OF THE CITY COUNCIL OF

THE CITY OF MADISON, ALABAMA

SEPTEMBER 28, 2009

The Madison City Council met in regular session on Monday, September 28, 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 David Howard of Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Overcash with the help of Cub Scout Pack 83 from Asbury Church.

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	Absent
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

Department heads in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy A. Gilley, City Engineer Gary Chynoweth, Finance Director Lillie Causey, Mayoral Aide Taylor Edge, Parks & Recreation Director Mike Cassell, Public Works Director Dana Stahl, Revenue Officer Cameron Grounds, Police Chief Larry Muncey, Planner Johnny Blizzard, Legal Assistant Lisa Bullock, Human Resource Director Terri Towry, Building Director Cody Phillips and Fire Chief Ralph Cobb.

Public attendance registered: Lashonda Mitchell, Dominique Hartford, Antwon Hardin, Mary Fletcher, Jennifer Elliott, Amy Bogatto, David Howard, Don Webster, Rex Reynolds, Bea Horton, Fletcher Douglas, Charlie Brown, Frank H. Riddick, DeMaria LaForte, Jasmine Anderson, Reeka-Lynn Selman, Kelsey Roach, Noel Nicholas, Amy Fufori, Jennifer Few, Dave Draper, Deborah Soule, Betty D. Fletcher, Joe Gehrdes, Anthony Russell, and Don Spencer, Jr.

AMENDMENTS TO AGENDA

The following additions were made to the consent agenda:

Acceptance of donations in the amount of \$3,085 for Madison Animal Rescue Foundation

Acceptance of donation in the amount of \$500 from Madison Guns & Ammo for animal shelter

Approval of payment in the amount of \$14,759.41 to Osborne Associates for services related to Fire Station No. 2 project

APPROVAL OF MINUTES

MINUTES NO. 2009-21-RG, SEPTEMBER 14, 2009

Council Member Holcombe moved to approve Minutes No. 2009-21-RG. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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 JOINT RESOLUTION BY REPRESENTATIVE MCCUTCHEON

Representative McCutcheon read House Resolution No. 241 commending the City of Madison for being selected second on the list as one of the ten best cities for children to grow up.

JOINT PROCLAMATION DESIGNATING SEPTEMBER 2009 AS NATIONAL RECOVERY MONTH

Mayor Finley read the proclamation designating September as National Recovery Month. The Partnership for a Drug Free Community is working in conjunction with religious community leaders in support of a drug addiction recovery effort in local congregations

PROCLAMATION DESIGNATING OCTOBER 2009 AS MADISON FIREFIGHTER APPRECIATION MONTH

Mayor Finley read the proclamation designating October as Firefighter Appreciation Month. The Fire Department presented the Muscular Dystrophy Association with a check for \$20,000. The City of Madison Fire Department has risen over \$65,000 for MDA over the past three years.

PUBLIC COMMENTS

Betty Fletcher of 335 Autumn Lane appeared before Council to express thanks to the City of Madison Public Works Department for their efforts in cleaning the ditch behind her home.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Jennings moved to approve the Consent Agenda and Finance Report as amended.

General Operating Account	\$242,291.79
Gasoline Tax and Petroleum Inspection Fees	\$1,376.99
Series 2006 Bond Checking	\$237,248.19
Library Building Fund	\$2,569.71
Fire CPR	\$1,746.03

Approval of payment to the following vendors for materials or services
Supplied for the Balch Road Extension Project (to be paid from Capital
Improvement budget):

(1)	Lowes	\$404.96
(2)	Reed Contracting	\$1,248.50
(3)	Alabama Concrete	\$252.50
(4)	Limestone Farmers Co-op	\$325.00
(5)	Cowin Equipment	\$2,524.62
(6)	Vulcan Materials	\$1,194.32

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

(1)	Vulcan Materials	\$871.25
(2)	United Rentals	\$242.70
(3)	Turfgrass America	\$289.80
(4)	Reed Contracting	\$7,326.21

Approval of payment to Osborne and Associates for services provided in
Connection with the security system at Dublin Park project (to be paid from
Departmental budget) \$6,898.75

Resolution No. 2009-194-R authorizing a travel advance in the amount of \$318.00
for Investigator Mike Shaneyfelt to attend Governor's Domestic Violence
Conference in Montgomery (funding from departmental budget)

Resolution No. 2009-196-R declaring certain Police Department property as
surplus and authorizing for its disposal

Approval of payment to Huntsville-Madison County Public Library for
Reimbursement of the Madison Public Library Security System (to be paid
From Capital Improvement budget) \$31,902.00

Approval of payment to Building and Earth Sciences for subsurface
Exploration and geotechnical services for Highway 72 and Wall Triana
(to be paid from Capital Improvement budget) \$5,164.00

Approval of payment to JW Kennedy for surveying services required for
Balch Road Extension project (to be paid from Capital Improvement
Budget) \$630.00

Approval of payment to Goodwyn, Mills and Cawood for engineering
Services for Wall Triana between Gooch and Gillespie (to be paid from
Capital Improvement budget) \$4,300.00

Approval of payment to Goodwyn, Mills and Cawood for additional
Services for rebid of Bradford Creek Greenway Phase I (to be paid from
Capital Improvement budget) \$2,411.25

Approval of payment to Goodwyn, Mills and Cawood for surveying
Services for Whisperwood Drainage project (to be paid from
Capital Improvement budget) \$3,280.00

Approval of payment to Port City Pipe for manhole riser needed for
Mill Road Improvements (to be paid from Capital Improvement budget) \$174.18

Approval of payment to JC Cheek Contractor, Inc. for striping and
Pavement markings on Mill Road and Balch Road Extension (to be
Paid from Capital Improvement budget) \$32,860.22

Approval of payment to Reed Contracting Services for Mill Road
Paving (to be paid from Capital Improvement budget) \$117,785.80

Approval of final payment to Angelo lafrate for installation of
Bridges (to be paid from Capital Improvement budget) \$81,678.08

Acceptance of donations in the amount of \$3,085 for Madison Animal Rescue
Foundation

Acceptance of donation in the amount of \$500 from Madison Guns & Ammo for
animal shelter

Approval of payment in the amount of \$14,759.41 to Osborne Associates for
services related to Fire Station No. 2 project

Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

UPDATE ON NEW HIGH SCHOOL FINANCE COMMITTEE

Mayor Finley delivered a presentation on the financing scenarios for a second high
school.

UPDATE ON PARADISE APARTMENTS/HUD

Mayor Finley updated Council on progress made with regard to negotiations with
HUD regarding Paradise Apartments.

RESOLUTION NO. 2009-203-R AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH HUD REGARDING PARADISE APARTMENTS

Council Member Holtzclaw moved to approve Resolution No. 2009-203-R.
Council Member Holcombe seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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.

Mayor Finley noted that we received a grant for 1.5 million dollars that will help
replace Fire Station 2.

Mayor Finley also announced that we will be doing City Attorney interviews on
October 6th. There are four candidates under consideration for the position.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

STREET FESTIVAL UPDATE

Council Member Holcombe announced that the Madison Street Festival is Saturday, October 3rd.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

Absent

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

RESOLUTION NO. 2009-197-R ALLOWING THE CONTINUED OPERATIONS UNDER THE PROVISIONS OF THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009 UNTIL SUCH TIME AS THE PROPOSED ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 IS ADOPTED

Council Member Holcombe moved to approve Resolution No. 2009-197-R. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

NORTH ALABAMA INDUSTRIAL DEVELOPMENT ASSOCIATION CONFERENCE

Council Member Jennings reported on his attendance at the North Alabama Industrial Development Association Conference which 2 members of the Madison Industrial Development Board also attended. Information obtained at this conference was distributed to the Chamber of Commerce and the retail development organization.

Council Member Jennings also congratulated Senator Arthur Orr for making a \$100,000 contribution to the school system that will be used for Liberty Middle School field house

COUNCIL DISTRICT NO. 4 TIM COWLES

Absent

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report

COUNCIL DISTRICT NO. 6 LARRY VANNOY

Absent

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

No business to report.

PUBLIC HEARINGS

None

DEPARTMENT REPORTS

ENGINEERING

PROPOSED ORDINANCE NO. 2009-182 ACCEPTING THE DEED FOR TRACT 7 FOR THE GILLESPIE ROAD EXTENSION PROJECT (FIRST READING 09/14/2009)

Council Member Jennings moved to adopt Ordinance No. 2009-182. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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. 2009-198 ACCEPTING WARRANTY DEED FROM LIBERTY POINT DEVELOPMENT FOR GILLESPIE ROAD EXTENSION (FIRST READING)

First reading: no action taken

PROPOSED ORDINANCE NO. 2009-184 TRAFFIC CALMING DEVICE REGULATIONS (FIRST READING 09/14/2009)

Council Member Holcombe moved to table Proposed Ordinance No. 2009-184. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

POLICE

RESOLUTION NO. 2009-195-R DONATING FOUR (4) PANASONIC RUGGEDIZED LAPTOP COMPUTERS TO THE MADISON ANIMAL RESCUE FOUNDATION

Council Member Jennings moved to approve Resolution No. 2009-195-R. Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

PLANNING

PROPOSED ORDINANCE NO. 2009-193 ACCEPTING PROPERTY FROM DMP DEVELOPERS, LLC FOR USE AS UTILITY EASEMENT & DRAINAGE AT MADISON EYE CARE & DENTAL CENTER (FIRST READING)

First reading: no action taken.

RECREATION

RESOLUTION NO. 2009-199-R APPROVING AN AGREEMENT WITH JAN AND/OR CHARLES KELLY (KIDZ ART CLASSES) TO CONDUCT CLASSES THROUGH THE MADISON RECREATION DEPARTMENT

Council Member Holcombe moved to approve Resolution No. 2009-199-R.
Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

RESOLUTION NO. 2009-200-R APPROVING AN AGREEMENT WITH KRISTEN CRAIG (DBA: KKT ALLSTARZ) TO CONDUCT BATON TWIRLING CLASSES THROUGH THE MADISON RECREATION DEPARTMENT

Council Member Holcombe moved to approve Resolution No. 2009-200-R. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

RESOLUTION NO. 2009-201-R APPROVING AN AGREEMENT WITH BRANDAN NEWMAN (DBA: FITNESS ARTS CENTER, LLC) TO CONDUCT DANCE CLASSES THROUGH THE MADISON RECREATION DEPARTMENT

Council Member Holcombe moved to approve Resolution No. 2009-201-R.
Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

RESOLUTION NO. 2009-202-R APPROVING AN AGREEMENT WITH WILLIS E. MBANDI TO PROVIDE TENNIS INSTRUCTION THROUGH THE MADISON RECREATION DEPARTMENT

Council Member Holcombe moved to approve Resolution No. 2009-202-R.
Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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. 2009-192-R DESIGNATING FIRST COMMERCIAL BANK AS DEPOSITORY FOR THE POLICE INVESTIGATION HOLDING ACCOUNT

Council Member Jennings moved to approve Resolution No. 2009-192-R.
Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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

LEGAL ACTION ITEMS

PROPOSED ORDINANCE NO. 2009-180 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY LOCATED IN LIMESTONE COUNTY AS REQUESTED BY PROPERTY OWNER MITCHELL-FRAZIER FARMS, LP (APPROXIMATELY 70 ACRES) (FIRST READING 09/14/2009)

Council Member Jennings moved to adopt Ordinance No. 2009-180. Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
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. 2009-181 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY LOCATED IN LIMESTONE COUNTY AS REQUESTED BY OWNER STAN ROSSETTI (30232 HARDIMAN ROAD) (FIRST READING 09/14/2009)

Council Member Jennings moved to adopt Ordinance No. 2009-181. Council Member Holtzclaw seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent

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

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Bob Jones High School will have their homecoming on Thursday, October 1st. The parade will travel from Portal Lane to the high school.

ADJOURNMENT

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

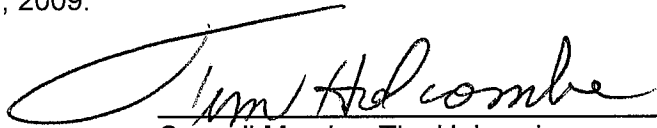
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Absent
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Absent
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

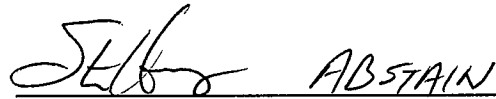
The meeting was adjourned at 7:20 p.m.

Signatures on following page:

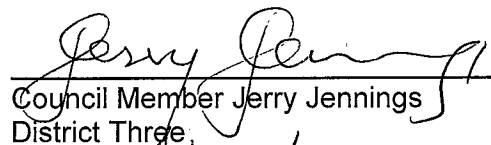
Minutes No. 2009-22-RG, dated September 28, 2009, read, approved and adopted this 12th day of October, 2009.



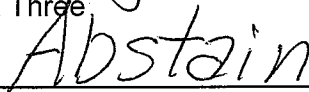
Council Member Tim Holcombe
District One



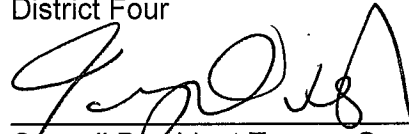
Council Member Steve Haraway
District Two



Council Member Jerry Jennings
District Three



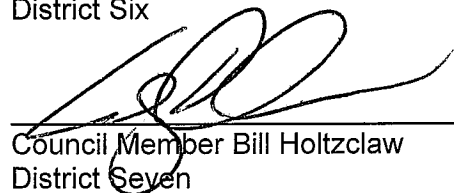
Council Member Tim Cowles
District Four



Council President Tommy Overcash
District Five

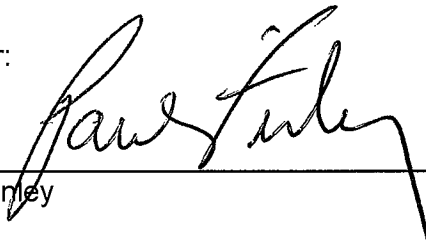


Council Member Larry Vannoy
District Six



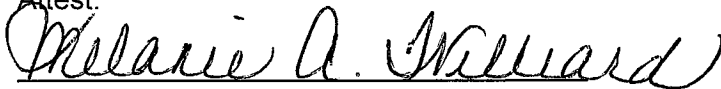
Council Member Bill Holtzclaw
District Seven

Concur:

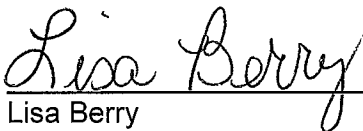


Paul Finley
Mayor

Attest:



Melanie A. Williard
City Clerk-Treasurer



Lisa Berry
Recording Secretary