

MINUTES NO. 2010-14-RG

OF A

REGULAR MEETING

OF THE CITY COUNCIL OF

THE CITY OF MADISON

JULY 26, 2010

The Madison City Council met in regular session on Monday July 26, 2010 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 6:00 p.m. by Council President Holtzclaw.

Pastor Barry Dunn of Masters Way United Methodist Church provided the invocation followed by the Pledge of Allegiance led by Council President Holtzclaw

ROLL CALL OF ELECTED GOVERNING OFFICIALS

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	Present
Council District No. 7 Bill Holtzclaw	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy Gilley, Police Chief Larry Muncey, Revenue Officer Cameron Grounds, Mayoral Aide Taylor Edge, Public Works Director Dana Stahl, Fire Chief Cobb, Officer Don Koch, Captain Stacy Haraway, Director of Finance Lillie Causey, Building Director Cody Phillips, City Engineer Gary Chynoweth, Lt. Steve Wilkerson, Human Resources Director Terri Towry and City Attorney Kelly Butler.

Public Attendance registered: Harold Lenz, Charles Nelson, Opie Balch, Sharon Overhalser, Dennis Overhalser, Frank Riddick, William Kuhn, Alison Callahan, Derrick Rains, Joe Gehrdes, Jon Howell, Carol Kuhn, James Fish, W.C. Fuller, Verbal Brown, Lynn Brown, and Ed Collins

AMENDMENTS TO AGENDA

ADDITIONS

POLICE

Resolution No. 2010-221-R a resolution declaring the need for the emergency purchase of digital radio equipment.

DELETIONS

FINANCE

Resolution No. 2010-216-R awarding Bid No. COM-17-10A for the purchase of LED street lights for City Hall parking lot in the amount of \$24,059.00 & Bid No. COM-17-10B for the purchase of LED Street lights for 5th Season Subdivision in the amount of \$12,840.00 to Jesse Stutts (to be paid from Energy Grant)

Resolution No. 2010-217-R awarding Bid No. COM-17-10C for the purchase of LED street lights for Madison Boulevard/Wall Triana Intersection in the amount of \$3,600 to Goss Electric (to be paid from Energy Grant)

APPROVAL OF MINUTES

MINUTES NO. 2010-13-RG, JULY 12, 2010

Council Member Jennings moved to approve Minutes No. 2010-13-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	Abstain
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

PRESENTATIONS AND AWARDS

PRESENTATION BY MADISON COUNTY HEALTH DEPARTMENT

Dr. Rabey of the Madison County Health Department appeared before Council to discuss the different departmental programs how city funding is utilized. Dr. Rabey stated that the Department used to have a satellite office in the City of Madison but it was closed due to funding issues. Dr. Rabey stated that with the growth in this part of the County he would like to see the issue of a satellite office revisited.

PUBLIC COMMENTS

Peter Engstrom, 112 Redwood Drive appeared before Council advocating for a commitment from the City of Madison for infrastructure for walking and bicycling and suggested signage as a starting point. Council Member Vannoy suggested that Council Member Cowles, who is an avid cyclist, work with Mr. Engstrom on the issue of where to first install the signs. It was the consensus of the Council to purchase ten signs with a cost not to exceed \$400.00.

Alison Callahan of 120 Corrine Drive and a member of the Madison Greenway & Trail Board appeared before Council in support of Mr. Engstrom's efforts.

James Fish of 106 Barnswallow came before Council asking about the City's noise ordinance. Mr. Fish is a musician and the Police were called to his home because of the music. He would like to find a solution as he needs to practice and also get along with his neighbors.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Vannoy moved to approve the Consent Agenda as follows:

General Fund	\$766,123.95
Gasoline Tax and Petroleum Inspection Fees	\$65,926.20
Series 2006 Bond Checking	\$190,011.07
Library Building Fund	\$5,006.63

Resolution No. 2010-209-R approving a travel advance in the amount of \$200 each for Marcus Adams, Marc Bray and John Stringer to attend Police Internal Affairs Seminar (funding from department budget)

Acceptance of water color painting of downtown Madison from Frances Moore, 356 Inverness Drive, Huntsville

Resolution No. 2010-214-R declaring certain city property as surplus and authorizing its disposal

Approval of payment to Vulcan Materials for stone purchased for Wall Triana Highway (Madison Blvd. to Cleghorn) Improvements (to be paid from Capital Improvement budget)	\$127.74
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Approval of payment to Florence & Hutcheson for professional Services related to County Line Road resurfacing project (to be paid From Gas Tax funds)	\$9,769.98
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Approval of payment to Goodwyn Mills and Cawood for professional Services related to Mill/Telluride/Whisperwood drainage project (to be Paid from Capital Improvement budget)	\$375.00
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Approval of payment to S&ME for professional services related To Wall Triana Improvements (Gooch to n. City limits) to be paid From Capital Improvement budget)	\$775.00
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Approval of payment to Geographix for professional services Related to Main Street Improvements (to be paid from Capital Improvement budget)	\$2,226.00
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Approval of payment to Reed Contracting Services for asphalt Purchased related to Balch Road Extension project (to be paid From Capital Improvement budget)	\$171.60
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Approval of payment to Reed Contracting Services for asphalt Purchased related to Emerson Road Extension project (to be paid From Capital Improvement budget)	\$1,039.68
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Approval of payment to Alabama Concrete Company, Inc. for Concrete purchased for Balch Road Extension project (to be paid From Capital Improvement budget)	\$740.00
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Approval of payment to Loader Services for equipment rental Related to Balch Road Extension project (to be paid from Capital Improvement budget)	\$2,600.00
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Approval of payment to Ram Tools for items purchased related to Balch Road Extension project (to be paid from Capital Improvement Budget)	\$652.27
Approval of payment to Osborn and Associates Architects for architect Fees for the Police Station Addition (to be paid from Capital Improvement budget)	\$2,935.73
Approval of payment to Moon Construction Services, Inc. for work Completed on the Police Station Addition project (to be paid from Capital Improvement budget)	\$49,735.35

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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

RESOLUTION NO. 2010-210-R APPROVING AN AGREEMENT WITH THE MADISON COUNTY HEALTH DEPARTMENT FOR THEIR ANNUAL APPROPRIATION

Council Member Jennings moved to approve Resolution No. 2010-210-R. Council Member Overcash 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

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

WALDEN PRESERVE ROAD REPAIRS

Council Member Holcombe reported that areas on Glen Ivey Way where the road was sinking. He has met with the Public Works Department and they have applied a temporary patch to the roadway. Council Member Holcombe thanked Public Works for being proactive.

Mayor Finley asked City Engineer Gary Chynoweth to develop a formal street policy that fulfills the City's needs and defines procedures for road cuts.

BROWNS FERRY ROAD NAME CHANGE

Council Member Holcombe would like Council to look into adjusting street names for areas of Browns Ferry Road and Balch Road. The current situation with these roads makes it very confusing. He presented a list of businesses and residences that would be affected.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

No business to report

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

IT ORGANIZATION

As liaison to the IT Department, Council Member Jennings proposed that funding for a management position for the IT Department be submitted in next year's budget.

COUNCIL DISTRICT NO. 4 TIM COWLES

Council Member Cowles was approached by Nick Gordon of 136 Mill Creek Crossing. Mr. Gordon is a Boy Scout with Troop 83 and is asking for a donation of gravel to aid him in his Eagle Scout project. His project consists of widening the trail between Lexington and Liberty Knoll. Mayor Finley agreed to support this project with funding from his Special Projects budget.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report

COUNCIL DISTRICT NO. 6 LARRY VANNOY

APPROVAL OF PAYMENT TO ABBINGTON DOWNS HOMEOWNERS ASSOCIATION FOR COMMITMENT OF FUNDS FOR PARK EQUIPMENT INSTALLED IN CITY NEIGHBORHOOD PARK (COMMITMENT MADE 07/14/2008) (TO BE PAID FROM COUNCIL SPECIAL PROJECT BUDGET)

Council Member Vannoy moved to reimburse Abbingtion Downs Homeowners Association in the amount of \$1,500.00. Council Member Overcash 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

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

RESOLUTION NO. 2010-211-R SUPPORTING THE PASSAGE BY THE ALABAMA LEGISLATURE OF COMPREHENSIVE LEGISLATION RELATED TO HOMEOWNER'S ASSOCIATIONS

Council Member Holcombe moved to approve Resolution No. 2010-211-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 Aye
Council Member Bill Holtzclaw Aye

Motion carried

Council Member Holtzclaw announced that two residents of Madison, Ed Collins and Betty Hughes have been appointed by the Governor to work on an HOA task force.

Council Member Holtzclaw also announced that a texting ordinance will possibly be drafted by the August 7th Work Session that would be consistent with Huntsville's texting ordinance.

There will be a work session on Saturday, August 7, 2010 from 8:00 a.m. until 3:30 p.m.

Lastly, the bid opening for the Gillespie Road Bridge Replacement will be next week.

PUBLIC HEARING

REQUEST FROM MW1 ENTERPRISES, LLC (DBA: ROCKET CITY CAFÉ & BAR) FOR ON PREMISE BEER/WINE/LIQUOR LICENSE FOR THEIR LOCATION AT 8716 MADISON BOULEVARD, SUITE A

Council Member Holtzclaw opened the public hearing for comments on this request. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Cowles moved to approve request from MW1 Enterprises (DBA: Rocket City Café & Bar) for an on premise beer/wine/liquor license for their location at 8716 Madison Boulevard, Suite A. 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

DEPARTMENT REPORTS

II

RESOLUTION NO. 2010-218-R AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DELTACOM, INC., FOR THE PROVISION OF TELEPHONE AND INTERNET SERVICES TO CITY FACILITIES (FUNDING FROM DEPARTMENT BUDGET)

Council Member Overcash moved to approve Resolution No. 2010-218-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 Aye
Council Member Bill Holtzclaw Aye

Motion carried

RESOLUTION NO. 2010-219-R APPROVING AN AMENDED TELECOMMUNICATIONS AGREEMENT WITH CENTURY LINK (FUNDING FROM DEPARTMENT BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-219-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

FINANCE

RESOLUTION NO. 2010-215-R AWARDED BID NO. COM-22-10 FOR FINANCING THE PURCHASE OF SERVERS FOR THE MUNICIPAL MANAGEMENT SYSTEM TO BANCORP SOUTH EQUIPMENT FINANCE (TO BE PAID FROM DEPARTMENT BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-215-R. Council Member Overcash 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

RESOLUTION NO. 2010-216-R AWARDED BID NO. COM-17-10A FOR THE PURCHASE OF LED STREET LIGHTS FOR CITY HALL PARKING LOT IN THE AMOUNT OF \$24,059.00 & BID NO. COM-17-10B FOR THE PURCHASE OF LED STREET LIGHTS FOR 5TH SEASON SUBDIVISION IN THE AMOUNT OF \$12,840.00 TO JESSE STUTTS (TO BE PAID FROM ENERGY GRANT)

This item was removed from the Agenda.

RESOLUTION NO. 2010-217-R AWARDED BID NO. COM-17-10C FOR THE PURCHASE OF LED STREET LIGHTS FOR MADISON BOULEVARD/WALL TRIANA INTERSECTION IN THE AMOUNT OF \$3,600 TO GOSS ELECTRIC (TO BE PAID FROM ENERGY GRANT)

This item was removed from the Agenda.

RESOLUTION NO. 2010-220-R AWARDED BID NO. MPWD-27-10 IN THE AMOUNT OF \$88,350.00 FOR THE PURCHASE OF ONE ASPHALT PAVER TO THOMPSON TRACTOR COMPANY, INC. (TO BE PAID FROM DEPARTMENT BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-220-R. Council Member Cowles seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Abstain
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

REQUEST TO REJECT ALL BIDS SUBMITTED FOR BID NO. MPD-21-10 FOR THE PURCHASE OF UNIFORMS FOR THE MADISON POLICE DEPARTMENT AND AUTHORIZED THE REBID WITH NEW SPECIFICATIONS

Council Member Cowles moved to reject all bids submitted for Bid No. MPD-21-10 for the purchase of uniforms for the Madison Police Department and authorize the rebid with new specifications. 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

AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009 AND THE POPULAR ANNUAL REPORT

Finance Director Lillie Causey distributed these reports to Mayor and Council. This report reflects the City of Madison's financial condition as of September 30, 2009 and is available on the City's website.

POLICE

RESOLUTION NO. 2010-221-R A RESOLUTION DECLARING THE NEED FOR THE EMERGENCY PURCHASE OF DIGITAL RADIO EQUIPMENT

Police Chief Muncey advised Council that this equipment is needed for use by the School Resource Officers for the beginning of the new school year.

Council Member Jennings moved to approve Resolution No. 2010-221-R. 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

LEGAL ACTION ITEMS

RESOLUTION NO. 2010-201-R ACCEPTING A PERMANENT DRAINAGE EASEMENT FROM DAVID & JANET J. BROWN (LOT 1, BROWN ESTATES) FOR MILL-TELLURIDE-WHISPERWOOD DRAINAGE PROJECT AND AUTHORIZING MAYOR TO EXECUTE RELATED AGREEMENT

Council Member Overcash moved to approve Resolution No. 2010-201-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

RESOLUTION NO. 2010-202-R ACCEPTING A PERMANENT DRAINAGE EASEMENT FROM DAVID & JANET J. BROWN (LOT 2, BROWN ESTATES) FOR MILL-TELLURIDE-WHISPERWOOD DRAINAGE PROJECT AND AUTHORIZING MAYOR TO EXECUTE RELATED AGREEMENT

Council Member Overcash moved to approve Resolution No. 2010-202-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

RESOLUTION NO. 2010-213-R AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT TO CONTRACTOR SERVICES AGREEMENT WITH SCOREBOARD SALES & SERVICE

Council Member Jennings moved to approve Resolution No. 2010-213-R. 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

RESOLUTION NO. 2010-212-R AUTHORIZING THE MAYOR TO ENTER INTO NEGOTIATIONS WITH SENSENBERGER, INC. FOR RENEWAL OF LEASE

Council Member Holcombe moved to approve Resolution No. 2010-212-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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

Having no further business; Council Member Holcombe moved that the meeting be adjourned. The vote taken was recorded as follows:

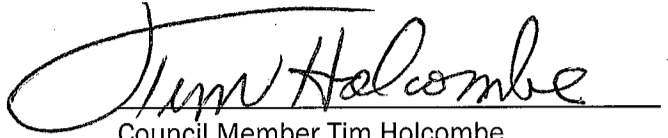
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

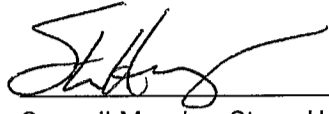
The meeting was adjourned at 7:11 p.m.

Signatures on the following page:

Minutes No. 2010-14-RG, dated July 26, 2010, read, approved and adopted this 9th day of August, 2010.



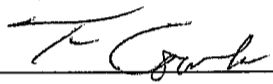
Council Member Tim Holcombe
District One



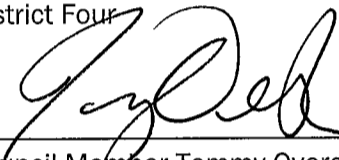
Council Member Steve Haraway
District Two

ABSENT

Council Member Jerry Jennings
District Three



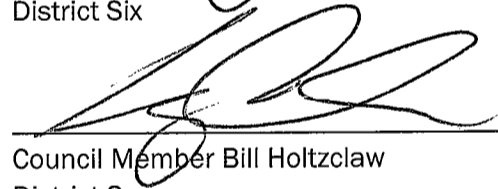
Council Member Tim Cowles
District Four



Council Member Tommy Overcash
District Five



Council Member Larry Vannoy
District Six



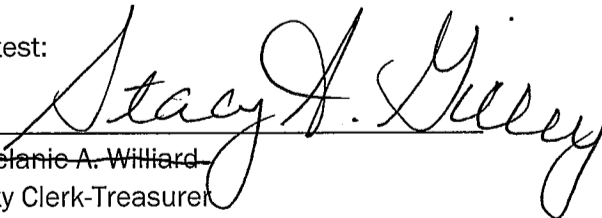
Council Member Bill Holtzclaw
District Seven

Concur:



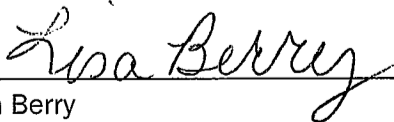
Paul Finley
Mayor

Attest:



~~Melanie A. Williard~~
City Clerk-Treasurer

Asst.



Lisa Berry
Recording Secretary