

MINUTES NO. 2010-16-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
AUGUST 9, 2010

The Madison City Council met in regular session on Monday, August 9, 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 6:02 p.m. by Council President Holtzclaw.

Pastor Kyle Massengale with the Madison Church of Christ provided the invocation followed by the Pledge of Allegiance.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE

Roll Call of Elected Governing Officials was conducted by Assistant City Clerk-Treasurer Stacy A. Gilley 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	Absent
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 Attorney Kelly Butler, Assistant City Clerk-Treasurer Stacy A. Gilley, Recording Secretary Kristen N. Bruseth, Finance Director Lillie Causey, Building Director Cody Phillips, Parks & Recreation Director Kory Alfred, Public Works Director Dana Stahl, Planning Director Amy Furfori, Executive Assistant to the Mayor Taylor Edge, Fire Chief Ralph Cobb, Police Chief Larry Muncey and HR Director Terri Towry

Public Attendance registered: Ed Collins, Carl Dow, Jane Dow, Emily Lepper, Scott Dow, Chris Biddlecombe, Austin Phillips, Joe Gehrdes, Andrew Moody, Debra Bean, James Bean, Kyle Massengale, Frank H. Riddick, Rhonda Williamson, Tony Jollers, Stacy Jollers, Mary Stallings, Jon Howell, Christian Besch, Mitzi Adams, Derrick R____, W.C. Fuller and one illegible signature

AMENDMENTS TO AGENDA

Council President Holtzclaw announced the following amendments to this evening's agenda:

- Addition to "Presentations and Awards": Madison Swim Association
- Addition to "Presentation of Reports; Council Member Jerry Jennings": Proposed Ordinance No. 2010-235 restricting the use of wireless communication devices while operating a motor vehicle
- Deletion of "Public Hearing: Request from Joyce Marie Ries; doing business as Dawg House Pub"

Council voiced no objections to the amendments.

APPROVAL OF MINUTES

MINUTES NO. 2010-14-RG; JULY 26, 2010

Council Member Haraway moved to approve Minutes No. 2010-14-RG. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

MINUTES NO. 2010-15-SP; AUGUST 2, 2010

Council Member Overcash moved to approve Minutes No. 2010-15-SP. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Abstain
Council Member Bill Holtzclaw	Aye

PRESENTATIONS AND AWARDS

PRESENTATION OF CERTIFICATE TO SCOTT DOW IN RECOGNITION OF HIS ACHIEVEMENTS IN SPECIAL OLYMPICS ON THE REGIONAL AND NATIONAL LEVELS

Mayor Finley presented a Certificate of Recognition to Madison resident Scott Dow for winning a gold medal in 2009 at the regional level of the Special Olympics USA Golf Tournament in Troy, Alabama, which advanced him to the national level where he was a gold medal winner at the National Finals of the Special Olympics USA Golf Tournament in Lincoln Nebraska on July 24, 2010.

PROCLAMATION DECLARING AUGUST AS ASPERGERS SYNDROME AWARENESS MONTH IN THE CITY OF MADISON

Mayor Finley read aloud a proclamation declaring the month of August as Asperger's Syndrome Awareness Month in the City of Madison and presented the proclamation to Ms. Angela Collier, who teaches 70 students, aged 5 to 48, diagnosed with Asperger's Syndrome.

MADISON SWIM ASSOCIATION; PRESENTATION OF CHECK TO THE CITY

Mr. Chris Biddlecombe, President of the Madison Swim Association, presented a check to the City of Madison in the amount of \$2,500 and requested that the funds be used for aquatic purposes at Dublin Park. Council Member Haraway moved to accept the check and further directed that the entirety of the donation be used for aquatic purposes. 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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

PUBLIC COMMENTS

Public Comments are limited to five minutes each if the speaker requested to be added to the Agenda prior to deadline. Individuals requesting to speak at the meeting who did not make the agenda deadline are limited to three minutes.

MARY STALLINGS - 240 PINERIDGE ROAD: ADDRESS COUNCIL REGARDING WESTGATE NEIGHBORHOOD CONDITIONS

Ms. Stallings addressed Council regarding concerns she has of the poor home conditions of several rental properties in her neighborhood. Mayor Finley informed Ms. Stallings that Building Director Cody Phillips will work on this issue tomorrow with the Code Enforcement Division. Police Chief Muncey added that Lt. Stringer, his department's Community Affairs Officer is also working on this issue.

MS SUSAN EDDENS - 178 BRIARGATE LANE: REQUEST FOR PAVING OF NEIGHBORHOOD STREET AND INSTALLATION OF STREET LIGHTS

Ms. Eddens requested that Council include her subdivision in the Capital Improvement Plan paving list and the installation of streetlights. Mayor Finley informed her that the Public Works Department has created a list of streets throughout the city and assigned a value in regards to the condition of each street. Once this is complete, the department will be better able to assign priorities.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$525,210.43
Gasoline Tax and Petroleum Inspection Fees	\$15,948.40
Series 2006 Bond Checking	\$62,039.81
Library Building Fund	\$1,801.49
Water Distribution & Storage Projects	\$795.00

Resolution No. 2010-224-R; declaring certain city property as surplus and of negligible value

Resolution No. 2010-225-R; declaring certain city property as surplus and authorizing its sale on Govdeals

Acceptance of donation of seized property (RCA flat screen television and Sony LCD television) for use by the Police Department

Approval of payment to Madison Utilities for water used on Balch Road extension project (to be paid from Capital Improvement budget) \$577.90

Approval of payment to Alabama Concrete for concrete purchased for Balch Road extension project (to be paid from Capital Improvement budget) \$2,097.50

Approval of payment to Vulcan Materials for riprap purchased in relation to Balch Road extension project (to be paid from Capital Improvement budget) \$1,338.99

Approval of payment to United Rental of mini excavator needed for Balch Road extension project (to be paid from Capital Improvement budget) \$1,979.44

Approval of payment to RAM Tool for wire mats needed for Balch Road extension project (to be paid from Capital Improvement budget) \$180.00

Approval of payment to United Rental for rental of tamper needed for Mill/Telluride/Whisperwood drainage project (to be paid from Capital Improvement budget) \$72.41

Approval of payment to Wilson Lumber for materials needed for Balch Road extension project (to be paid from Capital Improvement budget) \$60.00.

Approval of payment to Milam Logging for grinding and chipping of storm debris in relation to Wall Triana Improvements (Madison Boulevard to Cleghorn) (to be paid from Capital Improvement budget) \$9,000.00

Approval of payment to S J & L General Contractors for work completed on Bradford Creek Greenway Phase I (to be paid from Capital Improvement budget) \$49,321.01

Approval of payment to Florence & Hutcheson for engineering services related to Wall-Triana/Highway 72 project (to be paid from Capital Improvement budget)\$28,357.50

Approval of payment to Pearce Construction for work completed on Senior Center Addition project (to be paid from Capital Improvement budget) \$39,831.60

Resolution No. 2010-226-R; authorizing the purchase of shredders from State Contract T-006 for the period of June 15, 2009 – June 14, 2011

Resolution No. 2010-227-R; authorizing the purchase of soft body armor from State Contract T-037 for the period of July 5, 2010 – July 4, 2011

Resolution No. 2010-228-R; authorizing the purchase of steel sign supports from State Contract T-138 for the period September 10, 2008 – September 9, 2011

Resolution No. 2010-229-R; authorizing the purchase of personal computer from Dell from State Contract T-504 for the period of July 14, 2010 – July 13, 2011

Approval of payment to Moon Construction for work completed on the Police Department expansion project (to be paid from Capital Improvement budget) \$101,643.62

Council Member Vannoy seconded the motion to approve the Consent Agenda and Finance Committee Report. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Absent
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. 2010-216-R; AWARDING BID NO. COM-17-10A TO JESSIE STUTTS TO CONSTRUCT LED STREET LIGHTS AT CITY HALL PARKING LOT IN THE AMOUNT OF \$24,059 (TO BE PAID FROM ENERGY GRANT)

Council Member Haraway moved to approve Resolution No. 2010-216-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

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

Council Member Cowles moved to approve Resolution No. 2010-217-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

RESOLUTION NO. 2010-236-R; AWARDING BID NO. COM-17-10B TO CONSTRUCT LED STREET LIGHTS AT 5TH SEASON SUBDIVISION TO STEWART ELECTRIC IN THE AMOUNT OF \$18,141 (TO BE PAID FROM ENERGY GRANT)

Council Member Haraway moved to approve Resolution No. 2010-236-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

UPDATE ON SATURDAY'S WORK SESSION

Mayor Finley reported on last Saturday's Work Session to discuss the City's proposed biennial budget for fiscal years 2011 and 2012.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

No business to report.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

LIBERTY MIDDLE SCHOOL; EXCESS DIRT

Council Member Haraway informed Council that Liberty Middle School built a new field house and had quite a bit of excess dirt left over once the project was completed. Madison County Commissioner Dale Strong offered the use of manpower and heavy equipment to create an additional ball field at the school utilizing the leftover dirt. Council Member Haraway publicly thanked Commissioner Strong for his assistance.

BOB JONES HIGH SCHOOL; EXCESS DIRT

Recently, Bob Jones High School cleared land for the installation of a new ball field. The excess dirt was offered to the City and picked up by the Public Works Department, to be used in various locations throughout the city as needed. Council Member Haraway thanked the Public Works Department, most specifically Monique Johnson, for setting everything in motion to make this a reality.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

PROPOSED ORDINANCE NO. 2010-235; RESTRICTING THE USE OF WIRELESS COMMUNICATION DEVICES WHILE OPERATING A MOTOR VEHICLE (FIRST READING)

This was considered a first reading of proposed Ordinance No. 2010-235.

COUNCIL DISTRICT NO. 4 TIM COWLES

HEALTH CARE REFORM

Council Member Cowles reiterated comments made earlier by Mayor Finley regarding the Work Session held this past Saturday in which the City's health care costs were amongst the topics discussed. Council Member Cowles stated that the pending health care reform will not only hurt individuals but will greatly impact the City as well.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

Council Member Overcash mentioned that Boy Scouts Cole and Clarke Blocker are working on receiving their citizenship merit badges. As they are out of town this evening, they are watching this meeting via the internet.

RESOLUTION NO. 2010-230-R; SPECIFYING DATES HOLIDAYS ARE TO BE OBDERVED BY THE CITY OF MADISON FOR FISCAL YEAR 2011

Council Member Overcash moved to approve Resolution No. 2010-230-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

RESOLUTION NO. 2010-231-R; ASSIGNING THE POSITION OF DOT CREW CHIEF TO THE JOB CLASSIFICATION PLAN

Council Member Overcash moved to approve Resolution No. 2010-231-R. Council Member Vannoy seconded. The vote taken was recorded as follows:

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

Motion passed.

Mayor Finley stated that this is a restructuring of personnel and a reclassification. It is not a request for additional personnel.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

No business to report.

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

No business to report.

PUBLIC HEARING

REQUEST FROM JOYCE MARIE RIES (DBA; DAWG HOUSE PUB) FOR ON PREMISE BEER/WINE /LIQUOR LICENSE FOR THEIR LOCATION AT 3810 SULLIVAN STREET, SUITE N

This item was removed from the agenda at the request of the petitioner.

DEPARTMENTAL REPORTS

PLANNING DEPARTMENT

RESOLUTION NO. 2010-237-R; ACCEPTANCE OF CHELSEA PARK INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Council Member Cowles moved to approve Resolution No. 2010-237-R. Council Member Vannoy seconded. The vote taken was recorded as follows:

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

Motion passed.

RESOLUTION NO. 2010-233-R; AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH TARCOG CONCERNING THE FORMATION OF SUSTAINABILITY CONSORTIUM FOR GRANT COLLABORATION PURPOSES

Council Member Overcash moved to approve Resolution No. 2010-233-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

ENGINEERING DEPARTMENT

RESOLUTION NO. 2010-232-R; AWARDING BID MED-28-10 FOR THE GILLESPIE ROAD BRIDGE REPLACEMENT PROJECT TO MILLER & MILLER, INC. IN THE AMOUNT OF \$171,688 (TO BE PAID FROM CAPITAL IMPROVEMENT BUDGET)

Council Member Vannoy moved to approve Resolution No. 2010-232-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

POLICE DEPARTMENT

RESOLUTION NO. 2010-234-R; DECLARING OFFICER MILES ROWE'S SERVICE WEAPON AND BADGE AS SURPLUS AND AUTHORIZING THAT IT BE PRESENTED TO HIM UPON HIS RETIREMENT FROM THE CITY OF MADISON

Council Member Haraway moved to approve Resolution No. 2010-234-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	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion passed.

Mayor Finley requested that Chief Muncey make a formal presentation to Officer Rowe at a Council Meeting in order to recognize Officer Rowe's many years of service to the City.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

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

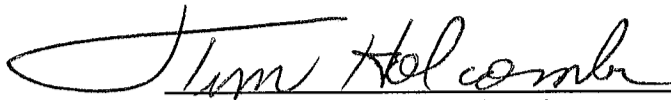
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Absent
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried.

The meeting was adjourned at 6:51 p.m.

Signatures on following page.

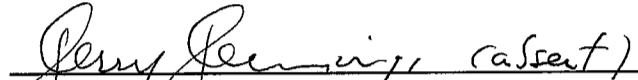
Minutes No. 2010-16-RG, dated August 9th, 2010, read, approved and adopted this 23rd day of August 2010.



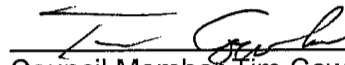
Council Member Tim Holcombe
District One

Absent

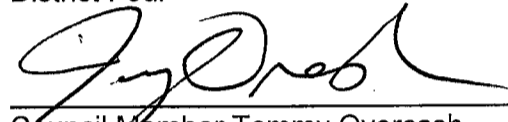
Council Member Steve Haraway
District Two



Council Member Jerry Jennings
District Three



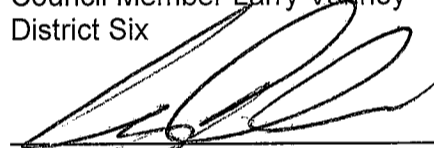
Council Member Tim Cowles
District Four



Council Member Tommy Overcash
District Five

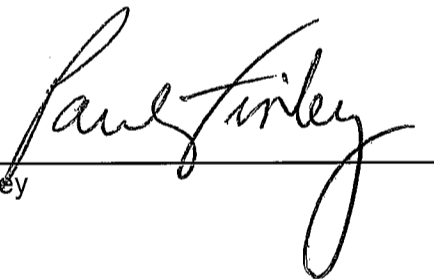
Absent

Council Member Larry Vagnoy
District Six



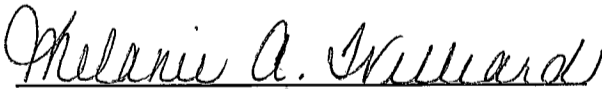
Council Member Bill Holtzclaw
District Seven

Concur:

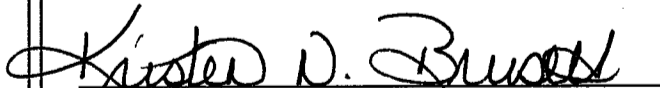


Paul Finley
Mayor

Attest:



Melanie A. Williard
City Clerk-Treasurer



Kristen N. Bruseth
Recording Secretary