

**MINUTES NO. 2011-21-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**SEPTEMBER 26, 2011**

The Madison City Council met in regular session on Monday, September 26, 2011 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. by Council President Overcash.

Elder Ed Hughes of Crosspointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Overcash.

**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	Absent
Council District No. 7 Ronica Ondocsin	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy A. Gilley, Planning Director Amy Fufori, Deputy Fire Chief Jeff Birdwell, Finance Director Lillie Causey, Engineering Director Gary Chynoweth, Building Director Cody Phillips, Human Resources Director Terri Towry, Recreation Director Kory Alfred, Public Works Director Steve Abbott, Police Chief Larry Muncey, Law Information Specialist Don Monk, and City Attorney Kelly Butler.

Public attendance registered: Rene Lemieux, Karlene Milburn, Mary Fletcher, Jill Stallcup, Michael Stallcup, Martha R. Sparks, Suzy Peterson, Jo Putney, Elizabeth Cuneo, Susan Bish, Julie Ray, Lynda Johnston, J.W. Hackett, Jennifer Few, Drew Galloway, Lee McBride, Mike Johnson, Jack Johnson, Adam Johnson, Jani Johnson, Glen Stanley, Cory Brown, Trudy Odle, John Hoover, Frank Riddick, Scott Motz, Mike Potter, Ginger Martindale, Faye Dickerson, Sammie Robinson, Jon Howell, Charlie Brown, K. Hinson, Gail Jackson, and Ricky and Tina Hobbs.

**AMMENDMENTS TO AGENDA:**

**AMMENDMENT:**

Amend item 8E, Resolution No. 2011-228-R to include (1) Trash Trailer TT3 (serial No. 1030001189) under the Consent Agenda

**ADDITION**

Discussion regarding completion by Public Works of Cain Street sidewalk to City Stadium under Council Member Holcombe's line of business

**APPROVAL OF MINUTES**

**MINUTES NO. 2011-20-RG, SEPTEMBER 12, 2011**

Council Member Haraway moved to approve Minutes No. 2011-20-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	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

#### **PRESENTATION AND AWARDS**

##### **LIZ CUNEO, PRESIDENT OF MADISON BEAUTIFICATION-TREE BOARD, PRESENTATION OF 10 YEAR GROWTH AWARD TO THE CITY FROM TREE CITY USA**

Liz Cuneo, President of the Madison Beautification-Tree Board presented the Arbor Day Foundation 10 Year Growth Award. This award is based on very specific ecological actions taken by the City of Madison. She thanked Bonnie Summerour of Parks and Recreation for submitting the application to the Arbor Day Foundation each year.

##### **PRESENTATION OF PROCLAMATION DESIGNATING HOMEMAKERS WEEK IN THE CITY OF MADISON**

Mayor Finley read a proclamation declaring the week of October 10 - 17, 2011 as Alabama Homemakers week in the City of Madison and urged all citizens to join him in thanking all Alabama homemakers and community leader members for their efforts.

##### **PRESENTATION OF PROCLAMATION DESIGNATING DYSLEXIA AWARENESS MONTH IN THE CITY OF MADISON**

Mayor Finley read a proclamation declaring October 2011 as Dyslexia Awareness month in the City of Madison and encouraged all citizens to learn more about dyslexia and to offer support to parents, educators and individuals affected by dyslexia.

#### **PUBLIC COMMENTS**

##### **RENE LEMIEUX, 278 PINE RIDGE ROAD, ADDRESS COUNCIL REGARDING THE CONDITION OF SHELTON ROAD SOUTH OF THE RAILROAD TRACKS**

Rene Lemieux addressed Council with concerns about the condition of Shelton Road south of the railroad tracks. He feels that repairs are long overdue. He also suggested that the City put sidewalks along that portion of Shelton Road for the safety of citizens who walk.

Mayor Finley informed Mr. Lemieux that there have been several meetings regarding what can be done to improve the condition of the road. Mayor Finley also stated that Shelton Road is on the Madison Growth Plan and they are continuing to look at both long and short term solutions to this issue. Also, Council Member Jennings stated that other residents have expressed concerns in this area.

##### **PRESENTATION FROM NORTH ALABAMA TRANSPORTATION FOUNDATION**

Kory Brown of North Alabama Transportation Foundation appeared before Council to give a report of the Foundation's activities for the past year. Mr. Brown advised Council that the Foundation has been a good steward of the funding that they have received and will not be requesting the funding appropriated in the City's budget for Fiscal Year 2010-2011.

#### **CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Cowles moved to approve the consent agenda as amended:

General Operating Account	\$903,107.13
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Special Operating Account	\$66.67
Gasoline Tax and Petroleum Inspection Fees	\$17,806.04
Series 2006 Bond Checking	\$330,040.39
Library Building Fund	\$41,933.66
Water Distribution & Storage	\$433,559.59

Acceptance of donation to Recreation Aquatics Division in the amount of \$250 from Madison Dolphin Swim Team (to be deposited into Recreation Donation fund)

Resolution No. 2011-225-R approving a travel advance in the amount of \$240 each for Jamar Miles, Charles Lorch and Nicholas McRae to attend High Risk Event Planning System Level 1 course (to be paid from departmental budget)

Resolution No. 2011-226-R approving a travel advance in the amount of \$80 each for Drew Westrope and Mike Enfinger to attend Managing the Property & Evidence Room seminar (to be paid from departmental budget)

Resolution No. 2011-228-R declaring certain city property formerly used by the Finance Department, IT Department, Fire Department and Public Works Department as surplus and authorizing it's sale through auction on GovDeals or through sealed bid

Resolution No. 2011-227-R approving a travel advance in the amount of \$200 each for Ted Thiele and Clint Harrell to attend Hostage Negotiation, Phase III course (to be paid from departmental budget)

Approval of payment to Pro-Irrigation Services, Inc. for work completed At Palmer Park (to be paid from departmental budget) \$10,357.38

Approval of payment to Wilmer & Lee for legal services related to the following projects (to be paid from Capital Improvement budget)

Main Street Improvements	\$178.00
Gillespie Road Extension	\$120.00
Bradford Creek Greenway Phase I	\$300.00

Approval of payment to Reed Contracting for work completed in relation to County Line Road Sidewalk project (to be paid from Capital Improvement Budget) \$83,411.97

Approval of payment to OMI, Inc. for testing services related to Bradford Creek Greenway Phase I (to be paid from Capital Improvement budget) \$4,672.50

Approval of payment to SJ & L for work completed on Bradford Creek Greenway Phase I (to be paid from Capital Improvement Budget) \$107,513.45

Approval of payment to Land Design Solutions for construction administration services related to Bradford Creek Greenway Phase I (to be paid from Capital Improvement budget) \$4,914.00

Approval of payment to the following vendors for services related to the Main Street Improvement project (to be paid from Capital Improvement budget)

Reed Contracting	\$473.10
Lowe's	\$103.52
PBS Services	\$81.60
Turfgrass	\$567.00
Madison Utilities	\$237.18

Approval of payment to Wilson Lumber for supplies related to Gooch Lane Improvements (to be paid from Capital Improvement Budget) \$618.25

Approval of payment to Brooks & Sons Construction for work completed on Joe Phillips Sidewalk project (to be paid from Capital Improvement budget) \$4,415.80

Approval of payment to Alabama Concrete for goods related to Gooch Lane reconstruction project (to be paid from Capital Improvement budget) \$370.00

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 Ronica Ondocsin	Aye

Motion carried

#### **PRESENTATION OF REPORTS**

##### **MAYOR PAUL FINLEY**

Police Chief Muncey announced that for the second year in a row, the Madison City Police Department has been chosen as a finalist for the International Association of Chiefs of Police (IACP) Community Policing award.

Police Chief Muncey also updated on a community disposal of outdated or unwanted prescription drugs that was held last weekend. This Drug Take Back program collected over 275 pounds of pills.

Chief Muncey also reported that two police officers apprehended three suspects after an armed robbery on Madison Boulevard today.

Mayor Finley advised Council that online sales tax remittals are increasing. The City has gone from online collections in the amount of \$25,000 in April to \$425,000 that was submitted online in September.

Mayor Finley also advised that the Madison County Satellite office that will be located in the old Oh' Bryans building should be ready for operation sometime before February 1<sup>st</sup> of 2012.

Mayor Finley updated Council that the new trash routes started today. Schedules are posted on the City's website.

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

Council Member Holcombe announced that Susan Masotti has been selected as the new Executive Director of the Chamber of Commerce effective November 1, 2011. Also, the Chamber of Commerce will host the Small Business Awards Thursday the 29<sup>th</sup> at 6:00 p.m. at the Westin Hotel.

Council Member Holcombe reminded everyone that the Madison Street Festival is being held on Saturday, October 1<sup>st</sup>. Festivities include a parade, street vendors, food, arts and crafts, and kid friendly activities.

Planning Director Amy Fufori gave an update on Excursions Magazine. Information about Madison including downtown businesses and a section that highlights the historical district will be in the latest edition of Excursions Magazine and placed in local hotels.

Lastly, Council Member Holcombe discussed a sidewalk extension that will connect Cain Street to the parking lot of the high school stadium which will allow foot traffic from the stadium parking lot all the way into the downtown area. He requested that the funding for this project be taking out of Council's Special Project fund. The cost is not to exceed \$1,200.00.

Council Member Holcombe move to approve the extension of the sidewalk on Cain Street to connect to the high school stadium sidewalk in an amount not to exceed \$1,200 to be funded from Council Special Project budget. 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 Ronica Ondocsin	Aye

Motion carried

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

**APPROVAL FOR THE EXPENDITURE OF MADISON CITY DISABILITY ADVOCACY BOARD FUNDS AS FOLLOWS:**

**XPA GYM FOR SPECIAL NEEDS CHEERLEADING TEAM FUNDING \$100.00**

**PRIZES IN THE TOTAL AMOUNT OF \$150 FOR LOGO CONTEST WINNERS: \$100 - 1<sup>ST</sup> PLACE WINNER AND \$25 EACH TO THE OTHER TWO FINALISTS**

Council Member Haraway moved to approve the expenditures as requested by the Madison City Disability Advocacy Board. 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 Ronica Ondocsin	Aye

Motion carried

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

**RESOLUTION NO. 2011-230-R TO ALLOW THE CONTINUING OPERATIONS OF CITY ACTIVITIES UNDER THE PROVISIONS OF THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 UNTIL THE CITY COUNCIL ADOPTS THE PROPOSED ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012**

Council Member Haraway moved to approve Resolution No. 2011-230-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 Ronica Ondocsin	Aye

Motion carried

**COUNCIL DISTRICT NO. 4 TIM COWLES**

Council Member Cowles updated on the Zeirdt Road widening project meeting on Tuesday, September 20<sup>th</sup>. He has received complaints that the road is not wide enough to

encourage safe bicycle commuting due to a lot of lane cuts. He asked that the Mayor submit a letter to ALDOT regarding bike lanes on Zeirdt Road.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

**UPDATE ON COUNCIL REDISTRICTING**

Council Member Overcash announced that the final draft of the redistricting map is available for public review on the City's website. It will be brought up for approval at the next Council meeting on October 10<sup>th</sup>.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

Council Member Vannoy was absent from the meeting.

**COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN**

**RESOLUTION NO. 2011-236-R ADOPTING A VOLUNTARY RETIREMENT INCENTIVE PROGRAM**

Council Member Ondocsin moved to approve Resolution No. 2011-236-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 Ronica Ondocsin	Aye

Motion carried

**BOARD/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS**

There were no Public Hearings on the Agenda

**DEPARTMENT REPORTS**

**PLANNING**

**PROPOSED ORDINANCE NO. 2011-215 VACATING EASEMENTS ON THE WESTERN AND SOUTHERN PROPERTY BOUNDARY LOCATED ON LOT 8, BLOCK 1, STONE CREST SUBDIVISION (136 KENDRICK LANE) (FIRST READING 09/12/2011)**

Council Member Haraway moved to approve Ordinance No. 2011-215. 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 Ronica Ondocsin	Aye

Motion carried

**PROPOSED ORDINANCE NO. 2011-223 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT LOT 1, BLOCK 3, RAINBOW SUBDIVISION**

**(123 CAROL DRIVE) OWNED BY RICKY K. & ERNESTINE C. HOBBS(FIRST READING)**

As this was a first reading, no action was taken on Proposed Ordinance No. 2011-223.

**PROPOSED ORDINANCE NO. 2011-237 VACATING A PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT ON LOT 99, MILLSTONE SUBDIVISION PHASE II (FIRST READING)**

Council Member Cowles moved to suspend the rules for immediate consideration of Proposed Ordinance No. 2011-237. 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	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

Upon suspension of the rules, Council Member Cowles moved to adopt Ordinance No. 2011-237. 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	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

**RESOLUTION NO. 2011-238-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2011-239 AMENDING THE ZONING ORDINANCE TO REVISE THE MEDICAL CENTER DISTRICT SECTION (FIRST PUBLICATION 09/30/2011, SYNOPSIS 10/07/2011, PUBLIC HEARING 10/24/2011)**

Council Member Haraway moved to approve Resolution No. 2011-238-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 Ronica Ondocsin	Aye

Motion carried

**BUILDING**

**PROPOSED ORDINANCE NO. 2011-218 AMENDING CERTAIN PROVISIONS OF CHAPTER 6 OF THE MADISON CITY CODE RELATING TO DEMOLITION PERMIT FEES (FIRST READING 09/12/2011)**

Council Member Haraway moved to adopt Ordinance No. 2011-218. 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 Ronica Ondocsin	Aye

Motion carried

**ENGINEERING**

**RESOLUTION NO. 2011-234-R APPROVING CHANGE ORDER NO. 1 INCREASING CONTRACT WITH REED CONTRACTING FOR THE COUNTY LINE ROAD SIDEWALK PROJECT IN THE AMOUNT OF \$1,687.50 (TO BE PAID FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Haraway moved to approve Resolution No. 2011-234-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	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

**RESOLUTION NO. 2011-240-R AWARDDING BID NO. COM-15-11 FOR THE INSTALLATION OF STREET LIGHTS AT 3 INTERSECTIONS ON MADISON BOULEVARD**

Council Member Jennings moved to approve Resolution No. 2011-240-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	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

**CITY CLERK-TREASURER**

**PROPOSED ORDINANCE NO. 2011-229 AUTHORIZING THE WATER AND WASTEWATER BOARD TO DISPOSE OF CERTAIN PROPERTY THROUGH AUCTION ON GOVDEALS (FIRST READING)**

This was considered the first reading on this proposed ordinance, no action was taken by Council.

**RESOLUTION NO. 2011-235-R APPROVING AGREEMENT WITH ALABAMA MUNICIPAL INSURANCE CORPORATION FOR PROVISION OF CITY PROPERTY AND LIABILITY INSURANCE COVERAGE**

Council Member Jennings moved to approve Resolution No. 2011-235-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	Absent

Council Member Ronica Ondocsin

Aye

Motion carried

**LEGAL**

**LEGAL ACTION ITEMS**

**RESOLUTION NO. 2011-232-R AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH MUNICIPAL CODE CORPORATION FOR THE RECODIFICATION OF THE CITY OF MADISON CODE OF ORDINANCES**

Council Member Holcombe moved to approve Resolution No. 2011-232-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	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

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

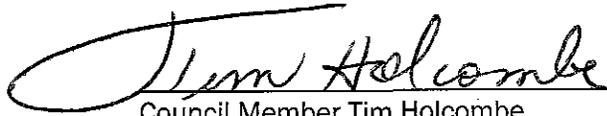
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Ronica Ondocsin	Aye

Motion carried

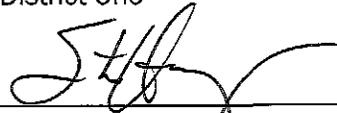
The meeting was adjourned at 7:38 p.m.

Signatures on the following page.

Minutes No. 2011-21-RG, dated September 26<sup>th</sup>, 2011, read, approved and adopted this 10<sup>th</sup> day of October, 2011.



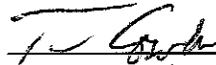
Council Member Tim Holcombe  
District One



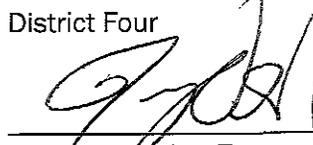
Council Member Steve Haraway  
District Two



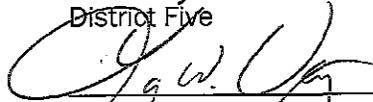
Council Member Jerry Jennings  
District Three



Council Member Tim Cowles  
District Four



Council Member Tommy Overcash  
District Five



Council Member Larry Vannoy  
District Six



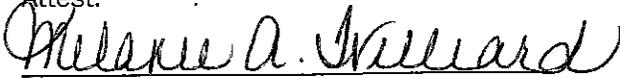
Ronica Ondocsin  
District Seven

Concur:



Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Lisa Berry  
Recording Secretary