

MINUTES NO. 2011-22-RG

OF A

REGULAR MEETING

OF THE CITY COUNCIL OF

THE CITY OF MADISON, ALABAMA

OCTOBER 10, 2011

The Madison City Council met in regular session on Monday, October 10, 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.m. by Council President Overcash.

Youth Minister David Howard with CrossPointe Church provided the invocation followed by the Pledge of Allegiance led by Council President Tommy Overcash.

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	Absent
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 Ronica Ondocsin	Present

Also in attendance were: Chief Building Officer Cody Phillips, Parks & Recreation Director Kory Alfred, Planning Director Amy Bell, Human Resources Director Terri Towry, Director of Engineering Department Gary Chynoweth, Public Works Director Steve Abbott, Police Chief Larry Muncey, Deputy Fire Chief Jeff Birdwell, City Attorney Kelly Butler and City Clerk-Treasurer Melanie A. Williard

Public Attendance registered: Bob Culver representing TARCOG, Debbie Overcash, David Howard, Joe Gehrdes with Huntsville/Madison County Builders Association, Mike Skelly, Sean & Martha Gilpin, Joni Johnson, Forrest D. (last name illegible) David Smith, Russ Joens, Don Webster and the following members of Boy Scout Troop 8: Lora Keiser, Charles Martin, Jack Johnson, John Gardiner, Matthew Joens, Adam Johnson, Justin Martin, Nicholas Catoire, Wesley Cribbs, (first name illegible) Gilpin, Dylan Ottum, Josh Little, Eli Canup, Ethan Canup, Meagan Ottum, Margaretha Little, Erin Catoire, Scott Gardiner and Holly Canup

AMENDMENTS TO THE AGENDA

- Amendment to Resolution No. 2011-248-R (Consent Agenda): addition of items to be declared surplus
- Deletion of "Madison Street Festival Art Awards" (Council Member Holcombe's line of business)

APPROVAL OF MINUTES

MINUTES NO. 2011-21-RG: SEPTEMBER 26, 2011

Council Member Jennings moved to approve Minutes No. 2011-21-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	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

MINUTES NO. 2011-04-WS, AUGUST 16, 2011

Council Member Jennings moved to approve Minutes No. 2011-04-WS, as amended.
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 Ronica Ondocsin	Aye

Motion passed.

PRESENTATIONS AND AWARDS

MR. BOB CULVER, REPRESENTATIVE FROM TOP OF ALABAMA REGIONAL COUNCIL OF GOVERNMENTS: UPDATE ON TARCOG ACTIVITIES

The Top of Alabama Regional Council of Governments (TARCOG) aims to identify and address common regional issues, opportunities, and challenges of northeast Alabama's municipalities and counties. TARCOG was designated as the region's Area Agency on Aging. The Council brings together municipal, county and state governments, and federal agencies to work as a single team focused solely on improving the region.

Mr. Culver appeared before Council with a brief report on the previous fiscal year's budget and the services provided to senior citizens in the form of hot meals and transportation assistance, to name just a few. Mr. Culver also reported on TARCOG's revolving loan fund program which is set up as a gap finance measure for existing businesses that may want to do expansions or are re-looking at taking their product line in different directions.

Council Member Jennings, who serves as a new officer on the Board of Directors of TARCOG, pointed out that TARCOG assesses each city within its region 35¢ per resident per year.

RECOGNITION OF ATTENDEES:

Council President Overcash recognized members of Boy Scout Troop 8 who were in attendance working towards their citizenship merit badge.

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.

MR. CURT WEBB, 309 DUBLIN CIRCLE: ADDRESS COUNCIL REGARDING EXPANDING THE OUTREACH POLICY FOR LAND USE DEVELOPMENT

Mr. Webb appeared before Council on behalf of the Pedals and Feet Alliance group of Madison. According to their website (pedalsandfeet.com), the purpose of Pedals and Feet Alliance of Madison (MPFA) is to provide knowledge about cycling and walking to advance education, enable planning, encourage cycling and walking, and develop safe transportation facilities in Madison and surrounding areas. The goal of MPFA is to offer comprehensive guidelines to create both a "more bicycle-friendly" environment and create safe walkways for

pedestrians in and around Madison by implementing and monitoring the objectives developed collectively by the committee.

Mr. Webb informed Council that MPFA will be working with the Planning Department on trying to revise the City Code regarding notice for developments that are happening within the city perimeter. In the interim, the MPFA is advocating to enhance the notice requirements that are provided to the citizens by the developers such as signage at the site.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$1,076,177.61
Special Operating Account	\$10.50
Gasoline Tax & Petroleum Inspection Fees	\$34,963.18
Series 2006 Bond Checking	\$363,266.37
Library Building Fund	\$426.64
Water Distribution & Storage Projects	\$30.01
Municipal Government Capital Improvement	\$32,488.50
• Approval of payment to Huntsville/Madison County Library for reimbursement of final security system software and hardware for Madison Library (to be paid from Capital Improvement budget)	\$25,283.80
• Acceptance of donation to Madison Public Library from Huntsville/Madison County Library in the amount of \$10,000 to support maintenance costs (restricted use of contribution - to be deposited into Madison Library Fund)	
• Approval of payment to Turner Universal for services related to construction of Fire Station No. 2 (to be paid from Capital Improvement budget)	\$13,500.00
• Approval of payment to Osborne & Associates for design services related to Fire Station No. 2 construction project (to be paid from Capital Improvement budget)	\$4,980.18
• Approval of payment to Lee Builders, Inc. for construction services related to Fire Station No. 2 construction project (to be paid from Capital Improvement budget)	\$115,664.85
• <u>Resolution No. 2011-247-R</u> approving a travel advance in the amount of \$120 each for Greg Dees, Tim Portik, Nick McRae and Josh Gentry of the Police Department to attend Spanish Uniformed Interdiction Class (funding from departmental budget)	
• Approval of payment to Gerald Martin Surveys for legal descriptions & drawings of 2 tracts related to the Mill Creek Greenway Phase II (to be paid from Capital Improvement budget)	\$150.00
• Approval of payment to the following vendors for supplies related to the Gooch Lane Reconstruction project (to be paid from Capital Improvement budget):	
o Eagle Wholesale	\$221.00
o Wilson Lumber	\$398.00
o Alabama Concrete	\$950.00
• Approval of payment to Wilmer & Lee for legal services related to the following projects (to be paid from Capital Improvement budget):	
o Bradford Creek Greenway Phase I	\$600.00

- Main Street Improvements \$246.64
- Approval of payment to the following vendors for supplies related to the Main Street Improvement project (to be paid from Capital Improvement budget):
 - Eagle Wholesale \$800.00
 - McElroy Land Surveying \$1,577.00
 - Inline Electric \$537.87
- Acceptance of donation in the amount of \$100 from Armstrong Relocation company for use by the Fire Department (to be deposited into Fire Department Donation account)
- Resolution No. 2011-248-R: declaring certain city property as surplus and authorizing its sale through auction

Council Member Cowles 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	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

Absent

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

MADISON STREET FESTIVAL ART AWARDS

This item was removed from the agenda.

SPECIAL EVENTS LIABILITY INSURANCE

Council Member Holcombe opened up dialog regarding outside organizations holding special events on city property and the requirement of said organizations to provide liability insurance, per the Special Events Ordinance adopted by Council in 2004. Council Member Holcombe stated that the cost for some events is so prohibitive it is discouraging some groups from scheduling activities and suggested that the City look into revising the ordinance as soon as possible. City Attorney Kelly Butler stated that she will work with Council Member Holcombe and Mayor Finley on a draft Ordinance and present it to Council at their next regular meeting for review.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

No business to report.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

SENIOR CENTER SPECIAL APPROPRIATION

Council Member Jennings moved to approve an appropriation not to exceed \$250 from the Council's Special Projects Fund for a pizza party for the Senior Center. 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	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

COUNCIL DISTRICT NO. 4 TIM COWLES

No business to report.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

No business to report.

COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN

RESOLUTION NO. 2011-243-R; ASSIGNING THE POSITION OF INFORMATION TECHNOLOGY DIRECTOR TO THE UNCLASSIFIED SERVICES OF THE CITY OF MADISON

Council Member Ondocsin moved to approve Resolution No. 2011-243-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 Ronica Ondocsin	Aye

Motion carried.

BOARD/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS

None

DEPARTMENTAL REPORTS

PLANNING DEPARTMENT

PROPOSED ORDINANCE NO. 2011-223; ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT LOT 1, BLOCK3, RAINBOW SUBDIVISION (123 CAROL DRIVE) OWNED BY RICKY K. & ERNESTINE C. HOBBS (FIRST READING 09/26/2011)

Planning Director Amy Bell stated that staff does recommend approval of this annexation request. She added that this property will soon be before Council for a rezoning request from AG to R-1A.

Council Member Cowles moved to adopt Ordinance No. 2011-223. Council Member Ondocsin 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 Ronica Ondocsin Aye

Motion carried.

RESOLUTION NO. 2011-241-R; ACCEPTING SHILOH RUN SUBDIVISION INTO THE CITY OF MADISON MAINTENANCE PROGRAM

Planning Director Amy Bell informed Council that all of the required signatures are in order for acceptance of this subdivision.

Council Member Cowles moved to approve Resolution No. 2011-241-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 Ronica Ondocsin Aye

Motion carried.

PROPOSED ORDINANCE NO. 2011-233; ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY LOCATED IN LIMESTONE COUNTY OWNED BY HILLIS H. TUCKER REVOCABLE LIVING TRUST (FIRST READING)

This was considered a first reading.

PROPOSED ORDINANCE NO. 2011-245; ADOPTING NEW COUNCIL DISTRICT LINES (FIRST READING)

This was considered a first reading.

PUBLIC WORKS DEPARTMENT

RESOLUTION NO. 2011-242-R; AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE MADISON COUNTY COMMISSION FOR THE SALE OF TWO (2) GRAPPLE TRUCKS

Council Member Jennings moved to approve Resolution No. 2011-242-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 Ronica Ondocsin Aye

Motion carried.

FIRE DEPARTMENT

RESOLUTION NO. 2011-244-R; APPROVING MUTUAL AID AGREEMENT WITH HUNTSVILLE AIRPORT AUTHORITY

Council Member Haraway moved to approve Resolution No. 2011-244-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 Ronica Ondocsin	Aye

Motion carried.

RESOLUTION NO. 2011-246-R: APPROVING ANNUAL TECHNICAL SERVICE AGREEMENT WITH PHYSIO CONTROL (FUNDING FROM DEPARTMENT BUDGET)

Council Member Jennings moved to approve Resolution No. 2011-246-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 Ronica Ondocsin	Aye

Motion carried.

BUILDING DEPARTMENT

UPDATE REGARDING PERFORMANCE CONTRACTING PROFESSIONAL SERVICES REQUEST FOR PROPOSALS

Building Director Cody Phillips reminded Council that in an effort to save the city money, several projects were implemented such as installation of LED street lights, motion-sensor light switches and programmable thermostats in City-owned buildings using grant money.

An RFP (Request for Proposal) was drafted for professional services. This is to solicit the services of an energy services company to work with the City in conducting a formal energy audit and evaluate current energy usage and prepare a plan that will demonstrate guaranteed real savings that would pay for the cost of implementing recommended energy savings upgrades over time. Mr. Phillips anticipates making a recommendation to Council at their October 24th meeting.

ENGINEERING DEPARTMENT

REQUEST COUNCIL APPROVAL TO TRANSFER 3% FRANCHISE FEE FROM MADISON UTILITIES INTO CAPITAL IMPROVEMENT FUND

Gary Chynoweth, Director of Engineering, appeared before Council requesting approval to transfer 3% franchise fee from Madison Utilities to partially support the City's Capital Improvement projects (CIP). Mr. Chynoweth reported that the City has spent approximately \$600,000 relocating water and sewer lines for current CIP projects and he anticipates spending as much as \$400,000 more to finish the Capital projects.

Council President Overcash stated that in the absence of Mayor Finley and Finance Director Lillie Causey at tonight's meeting, he is not sure Council can move forward on this request tonight without their input as to whether or not this can be done.

Council Member Vannoy stated that although he agrees that the City must come up with funding to finish the CIP the approximately \$300,000 from franchise fees has historically been deposited into the General Fund to be used for any number of things for the City.

Council President Overcash stated that he sees Finance Director Causey, Mayor Finley and the Finance Committee working on this issue further while preparing the proposed FY 11/12 budget.

Council Member Holcombe asked for clarification on what the 2% forbearance fee and the 3% franchise fee can be used for. Council Member Haraway, who is a member of the Water & Wastewater Board along with Council Member Vannoy, stated that the 2% fee can

only be used for road repairs. The 3% fee usage is decided upon by the City and not the Water & Wastewater Board.

CITY CLERK-TREASURER

PROPOSED ORDINANCE NO. 2011-229: AUTHORIZING THE DISPOSAL OF CERTAIN PROPERTY BY THE WATER & WASTEWATER BOARD THROUGH GOVDEALS AUCTION (FIRST READING 09/26/2011)

Council Member Jennings moved to adopt Ordinance No. 2011-229. 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 Ronica Ondocsin	Aye

Motion carried.

LEGAL

None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

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

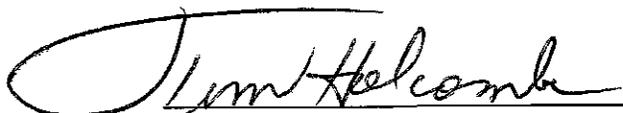
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

The meeting was adjourned at 7:10 p.m.

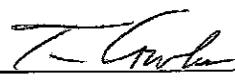
Signatures on following page.

Minutes No. 2011-22-RG, dated October 10, 2011, read, approved and adopted this 24th day of October 2011.


Council Member Tim Holcombe
District One


Council Member Steve Haraway
District Two

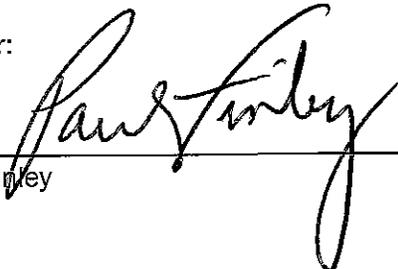

Council Member Jerry Jennings
District Three


Council Member Tim Cowles
District Four


Council Member Tommy Overcash
District Five

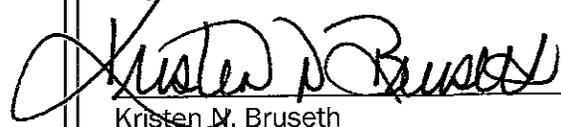

Council Member Larry Vannoy
District Six


Council Member Ronica Ondocsin
District Seven

Concur:

Paul Finley
Mayor

Attest:

Melanie A. Williard
City Clerk-Treasurer


Kristen N. Bruseth
Recording Secretary