

MINUTES NO. 2012-08-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
APRIL 9, 2012

The Madison City Council met in regular session on Monday, April 9, 2012, 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 Ondocsin.

Steve Edge representing the Cherokee Nation provided the invocation followed by the Pledge of Allegiance led by Council President Ondocsin.

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	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: Revenue Officer Cameron Grounds, Finance Director Lillie Causey, Building Director Cody Phillips, Planning Director Amy Bell, Parks & Recreation Director Kory Alfred, Human Resources Director Terri Towry, Executive Assistant to the Mayor Nansi Clark, City Attorney Kelly Butler, City Engineer Gary Chynoweth, Police Major Lee Weaver, Police Lieutenant Terrell Cook, IT Director Jason Colee, Public Works Director Steve Abbott, City Clerk-Treasurer Melanie A. Williard and Assistant City Clerk-Treasurer Lisa Bullock

Public Attendance registered: Britt Clark, Steve Edge, Ricky Pounders, Susie Masotti representing the Madison Chamber of Commerce, Clifton Miller, Jackie Reed, DJ Klein, Don Palmer, Mike Potter, Devinti M. Williams, Steve Smith, Karl C. Waddell, Khalil Woddin, Frank Riddick, Laurie Messer, Alda Fari, A. Beckles, and Jon Howell

APPROVAL OF MINUTES

MINUTES NO. 2012-06-RG; MARCH 26, 2012

Council Member Haraway moved to approve Minutes No. 2012-06-RG. 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	Abstain
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

MINUTES NO. 2012-07-SP; MARCH 28, 2012

Council Member Holcombe moved to approve Minutes No. 2012-07-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	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

MADISON CHAMBER OF COMMERCE; PRESENTATION OF CHECK IN THE AMOUNT OF \$10,000 FOR THE MAYOR'S SCHOLARSHIP FUND

Council Member Haraway moved to accept a check in the amount of \$10,000 to be deposited into the Mayor's Scholarship Fund. 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 passed.

PRESENTATION BY RUSTY RUSSELL, DIRECTOR OF EMA HUNTSVILLE-MADISON COUNTY RELATED TO THEIR ANNUAL APPROPRIATION

Mr. Russell appeared before Council with an update on the agency's accomplishments over the past year and reported on projects that the annual appropriation from the City will be used to fund in the coming year.

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.

BRITT CLARK; ADDRESS COUNCIL REGARDING PROPERTY SURROUNDING MADISON QUARRY

Mr. Clark appeared before Council requesting that the property that is owned by the City that surrounds the quarry be developed for such activities as paintball fields, walking trails and recreational vehicle parking. Council Member Jennings suggested that Mr. Clark submit a proposal on his vision for the property and added that he is hesitant to proceed with Mr. Clark's vision as he has heard that the property is being looked for future development for a mixed-use capability. The City would want to ensure that any plans for the property would be compatible with anything else that may be developed in the area.

City Attorney Kelly Butler informed Mr. Clark that the City would be required to prepare an "RFP" (Request for Proposal) for the public to respond to. The City's insurance carrier would also need to be contacted to discuss the coverage that would be necessary for these types of activities. Mrs. Butler added that she doesn't believe the City has the resources to dedicate to make this happen within the next few months.

LAURIE MESSER; TRAFFIC SAFETY CONCERNS AND UNMAINTAINED LOT

As President of Oxford's HOA, Ms. Messer requested that two intersections in her subdivision receive three-way stop signs in an effort to minimize the increase of motorists exceeding the posted speed limits. She requested that one of the Police Department's mobile speed limits sign be set up in her subdivision to inform motorists how fast they are traveling.

Ms. Messer suggested that a portion of the undeveloped land in front of her subdivision owned by Hunter Homes be turned into a neighborhood playground and additional soccer fields to benefit the City.

Mayor Finley will speak to the Police Department regarding a traffic study for Oxford Subdivision. He also stated that he is agreeable to speaking to Hunter Homes regarding the undeveloped property fronting County Line Road.

MS. JACKIE REED; CONDITION OF OLD MADISON PIKE

Huntsville City resident Jackie Reed complimented Mayor Finley and the job he has performed as Mayor of Madison. Mrs. Reed expressed her displeasure with the current condition of the Huntsville portion of Old Madison Pike and she urged Madison City Council to do whatever they can to make the City of Huntsville and the Metropolitan Planning Organization to repair the roadway.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

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

General Operating Account	\$615,939.03
o Special Operating Account	\$8,048.59
Gasoline Tax & Petroleum Inspection Fees	\$8,269.60
Series 2006 Bond Checking	\$10,383.06
Library Building Fund	\$448.71

Water Distribution & Storage Projects

\$16.35

- Acceptance of donation for the Madison City Disability Advocacy Board in the amount of \$500 from North Alabama Society for HR Management (to be deposited into Disability Board budget line item)
- Resolution No. 2012-92-R; authorizing the purchase of traffic control equipment from State Bid No. T-133 for the period beginning 01/31/2012 and ending 01/30/2013
- Resolution No. 2012-93-R; authorizing the purchase of traffic marking materials from State Bid No. T-155 for the period beginning 12/09/2011 and ending 12/08/2012
- Resolution No. 2012-94-R; authorizing the purchase of mosquito control from State Bid No. T-100 for the period beginning 01/27/2012 and ending 01/26/2013
- Resolution No. 2012-95-R; authorizing the purchase of metal file cabinets from State Bid No. T-199 for the period beginning 10/29/2010 and ending 01/02/2013
- Resolution No. 2012-96-R; authorizing the purchase of reflective sheeting from State Bid No. T-114 for the period beginning 03/11/2012 and ending 03/12/2013
- Resolution No. 2012-97-R; authorizing the purchase of herbicides and pesticides from North Alabama Cooperative Purchasing Association for the period beginning 04/02/2012 and ending 03/31/2015
- Acceptance of donation of 2 pairs of sunglasses with a value of \$52 from Sunglass Station for use by Madison Police Bike patrol
- Resolution No. 2012-98-R; declaring certain city property formerly used by the IT Department as surplus and authorizing that it be sold through auction on GovDeals
- Approval of payment to Osborne & Associates for services related to Fire Station No. 2 construction project (to be paid from Capital Improvement budget) \$6,151.44
- Approval of payment to Lee Builders for construction services related to Fire Station No. 2 project (to be paid from Capital Improvement budget) \$88,807.60
- Approval of payment to Osborne & Associates for services related to Fire Station No. 2 construction project (to be paid from Capital Improvement budget) \$399.30
- Approval of payment to Vulcan Materials for materials needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$5,238.72

- Approval of payment to H & E Equipment Services for 1 month rental of sweeper needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$1,855.00
- Approval of payment to Thompson CAT rental for 1 month rental of track hoe and bucket needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$2,956.00
- Approval of payment to McElroy Land Surveying for surveying for Main Street Improvement project (to be paid from Capital Improvement budget) \$4,467.50
- Approval of payment to Bobcat of Huntsville for 1 day rental of soil conditioner needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$100.00
- Approval of payment to United Rental for marking paint needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$143.52
- Approval of payment to Stewart Electric Company for installation of street lights along Main Street Improvement project (partial billing) (to be paid from Capital Improvement budget) \$4,000.00
- Approval of payment to PBS Services, Inc. for portable restroom needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$81.60
- Approval of payment to HD Waterworks for materials needed for Main Street Improvement project (to be paid from Capital Improvement budget) \$206.32
- Approval of payment to Cindy Sensenberger for excess water bill due to broken water line during Main Street Improvement project (to be paid from Capital Improvement budget) \$47.42
- Approval of payment to Madison County Record for advertising charges for Highway 72 Improvement bid (to be paid from Capital Improvement budget) \$137.26

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

RESOLUTION NO. 2012-88-R; APPROVING AN ANNUAL APPROPRIATION AGREEMENT WITH EMERGENCY MANAGEMENT AGENCY OF HUNTSVILLE-MADISON COUNTY

Council Member Jennings moved to approve Resolution No. 2012-88-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 Ronica Ondocsin	Aye

Motion passed.

LOCAL CANDIDATE FORUM/MEETING WITH DEPARTMENT HEADS

Mayor Finley has tentatively scheduled May 9th, from 3:00 PM - 5:00 PM, for a local candidate forum to meet with city department heads.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

STREET CUT POLICY UPDATE

Council Member Holcombe reminded Council that Madison Utilities is required by ADEM to replace two miles of old clay sewer lines annually due to ground water leaking into the sewer lines resulting in the processing of considerably more raw sewage. Not only do they have to replace the main trunk line but they are also replacing the spur lines which go out to each individual homeowner's lines as well.

Council Member Holcombe stated that he'd like Council to dedicate the 3% annual fee that the Water Board pays the City to ensure that the roadways the Water Board is working on are in good condition after they have performed their necessary street cuts/repairs.

Mayor Finley stated that he will meet with City Attorney Kelly Butler, Madison Utilities Manger Ricky Pounders, Public Works Director Steve Abbott and City Engineer Gary Chynoweth to discuss the issue of a street cut policy.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

No business to report.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

No business to report.

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

Council Member Vannoy stated that he'd like to see the City propose legislation addressing sign pollution. Council Member Overcash also suggested enacting a penalty fee for offenders of the sign ordinance.

COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN

ANNOUNCEMENT OF WORK SESSION FOR SCHOOL BOARD APPLICANT INTERVIEWS; WEDNESDAY, APRIL 18, 2012 AT 5:30 PM IN CONFERENCE ROOM 130

A work session will be held on Wednesday, April 18 beginning at 5:30 PM to interview Board of Education applicants. The public is welcome to attend but will not be allowed to ask questions of the applicants, nor will they be able to enter or exit once the doors to the interview room are closed. They will only be allowed to enter or exit between interviews.

BOARD/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS

REQUEST FROM MADISON FOOD MART, INC. (DBA: MADISON FOOD MART) FOR AN OFF-PREMISE LIQUOR LICENSE FOR THEIR LOCATION AT 8500 OLD MADISON PIKE, SUITE A

Council President Ondocsin opened public hearing for comments from the public in attendance. There being none she then closed the public hearing.

Police Major Lee Weaver informed Council that Revenue Officer Cameron Grounds and Police Lieutenant Cook met with the manager and owner of Madison Food Mart regarding their application. The manager stated that he was unaware of any problems and stated that he would be attentive with his employees. No charges have been filed as yet according to Major Weaver. There are no indications of continuing activity and the manager has been alerted and has assured the Police Department that he will take care of it by maintaining more of a presence on site as well as monitoring the cameras on a more frequent basis.

Attorney Beckles representing the petitioners informed Council that the owner has erected two signs prohibiting loitering on the property. He also has plans to educate his employees on how to recognize underage purchasers. Attorney Beckles added that he does not believe there is a systemic problem at this location.

Council Member Cowles moved to consent to the issuance of an off-premise liquor license to Madison Food Mart (DBA: Madison Food Mart) for their location at 8500 Old

Madison Pike, Suite A by the ABC Board. Council Member Haraway seconded. The vote taken was recorded as follows:

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

Motion passed.

DEPARTMENTAL REPORTS

PLANNING DEPARTMENT

RESOLUTION NO. 2012-85-R; AUTHORIZING THE MAYOR TO FINALIZE AND APPROVE AGREEMENT TO ACCEPT A SIDEWALK EASEMENT ON HUGHES ROAD FOR SIDEWALK IN FRONT OF WAFFLE HOUSE

Council Member Holcombe moved to adopt Resolution No. 2012-85-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 Ronica Ondocsin	Aye

Motion carried.

PROPOSED ORDINANCE NO. 2012-80; VACATING A PEDESTRIAN RIGHT-OF-WAY ON LOTS 10, 11 AND 18 OF RAINBOW MOUNTAIN PRESERVE (FIRST READING)

This was considered a first reading only.

PROPOSED ORDINANCE NO. 2012-84; VACATING TWO UTILITY AND DRAINAGE EASEMENTS ON LOTS 8, 9 AND 10 OF RAINBOW MOUNTAIN PRESERVE (FIRST READING)

This was considered a first reading only.

POLICE DEPARTMENT

RESOLUTION NO. 2012-90-R; AUTHORIZING AN AGREEMENT WITH THE ALABAMA DEPARTMENT OF PUBLIC SAFETY FOR DISBURSEMENT OF HIDTA FUNDS

Council Member Holcombe moved to approve Resolution No. 2012-90-R. Council Member Haraway seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Aye
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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.

FIRE DEPARTMENT

RESOLUTION NO. 2012-86-R; APPROVING A SERVICE AGREEMENT WITH CINTAS TO PROVIDE JANITORIAL ITEMS

Council Member Haraway moved to approve Resolution No. 2012-86-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	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion passed.

REVENUE DEPARTMENT

PROPOSED ORDINANCE NO. 2012-78; EXEMPTING CERTAIN COVERED ITEMS FROM MUNICIPAL SALES AND USE TAX DURING THE FIRST FULL WEEKEND OF AUGUST 2012 (FIRST READING)

This was considered a first reading only.

APPROVAL OF REQUEST FROM THE ROTARY CLUB OF MADISON FOR A SPECIAL EVENTS RETAIL LICENSE FOR BEER, WINE & LIQUOR FOR THE PARROTS OF THE CARIBBEAN FUNDRAISING EVENT TO BE HELD SATURDAY, AUGUST 25, 2012 FROM 5:00 PM UNTIL 11:59 PM

Council Member Haraway moved to consent to the issuance of a Special Event Retail License for the sale of beer, wine and liquor to Rotary Club of Madison between the hours of 5:00 p.m. and 11:59 p.m. on August 25, 2012, within a fenced area at 58 Martin Street, provided that no sales are to be made outside the fenced area and that the Revenue Officer is further authorized to issue a City special event retail license on these terms, conditioned upon payment of the appropriate license fee and upon issuance of an ABC Board license for the same event. 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 passed.

LEGAL DEPARTMENT

DISCUSSION REGARDING UPDATES TO SPECIAL EVENT PERMIT ORDINANCE

City Attorney Kelly Butler distributed a draft copy of the Special Event Permit Ordinance to Council and briefly reviewed the highlights including; insurance provisions, funeral and parade processions, submission deadline, and alcohol sales.

Mayor Finley requested that this item have a first reading at the next regular meeting scheduled for April 23rd.

NUISANCE ABATEMENT POLICY

Building Official Cody Phillips has been working diligently on the technical side of the policy while City Attorney Butler is working on the procedures side. When they have both finished their draft policies they will join the two and turn it into an enforceable ordinance which will enable the City to go after any lost monies that are out there due to nuisance violations.

IT DEPARTMENT

RESOLUTION NO. 2012-99-R; APPROVING A SUPPORT AGREEMENT WITH TEKLINKS FOR HARDWARE AND SOFTWARE SUPPORT FOR THE CITY WIRELESS, NETWORK AND PHONE SYSTEMS (FUNDING FROM DEPARTMENTAL BUDGET)

Council Member Jennings moved to approve Resolution No. 2012-99-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 Ronica Ondocsin	Aye

Motion passed.

RECREATION DEPARTMENT

PRESENTATION REGARDING SUMMER DAY CAMP PROGRAM

Recreation Director Kory Alfred reminded Council that the City no longer has a summer day camp program at Dublin Park. Due to overwhelming public demand, the Recreation Department is proposing an in-house summer day camp program. The dates of operation would be May 29th through August 3rd, Monday – Friday, 8:00am – 4:30pm with no program to be held on official city holidays; Memorial Day May 28th and July 4th Independence Day. There would be three age divisions, with a maximum of 150 participants:

- Kindergarten and First Grade
- Second Grade through Fourth Grade

- Fifth Grade and Sixth Grade

For working parents who are unable to work within the confines of the regular hours of 8:00 am – 4:30 pm, additional hours of 7:00 am – 8:00 am and 4:30 PM – 5:30 PM are available. After 5:30 PM a \$1 per minute fee will be charged in order to minimize any employee overtime rates.

The staff-to-camper ratio projected is one staffer to ten campers. For those occasions when field trips are scheduled additional staffers will be brought in. Liability for off-site field trips will be discussed with Mayor Finley and City Attorney Butler.

Mr. Alfred stated that revenues for the summer session are estimated at \$172,000. Additional sessions are recommended for Fall, Winter and Spring breaks bringing the yearly revenues to \$196,000. The largest expense will be staffing expenditures and camp expenses. Mr. Alfred and his staff anticipate a balance of approximately \$25,000 at the end of each year for providing these camps in-house.

The City's current Program Director will supervise the program. The City will look into hiring someone to manage the day-to-day operations of the camp as well as a program assistant.

Mr. Alfred will bring a more detailed plan to Council at their next regular council meeting on April 23rd for their approval.

CITY CLERK-TREASURER DEPARTMENT

PROPOSED ORDINANCE NO. 2012-82; REVISING COUNCIL ORGANIZATIONAL ORDINANCE (FIRST READING)

This was considered a first reading only.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

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

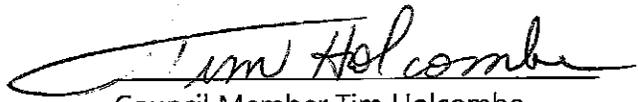
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Ronica Ondocsin	Aye

Motion carried.

The meeting was adjourned at 8:16 p.m.

Signatures on following page.

Minutes No. 2012-08-RG, dated April 9, 2012, read, approved and adopted this 23rd day of April 2012.



Council Member Tim Holcombe
District One



Council Member Steve Haraway
District Two

Absent

Council Member Jerry Jennings
District Three

Absent

Council Member Tim Cowles
District Four



Council Member Tommy Overcash
District Five



Council Member Larry Vannoy
District Six



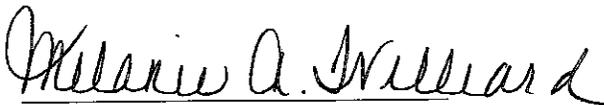
Council Member Ronica Ondocsin
District Seven

Concur:

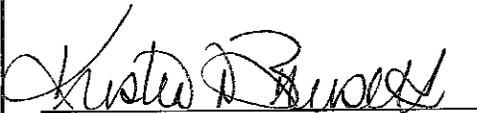
Absent

Paul Finley
Mayor

Attest:



Melanie A. Williard
City Clerk-Treasurer



Kristen N. Bruseth
Recording Secretary