

**MINUTES NO. 2012-25-RG**

**OF A**

**REGULAR MEETING**

**OF THE CITY COUNCIL OF THE**

**CITY OF MADISON, ALABAMA**

**NOVEMBER 26, 2012**

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The Madison City Council met in regular session on Monday, November 26, 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 6:01 p.m. 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 Troy Trulock	Present
Council District No. 1 Tim Holcombe	Present
Council District No. 2 Steve Smith	Present
Council District No. 3 D.J. Klein	Present
Council District No. 4 Mike Potter	Present
Council District No. 5 Tommy Overcash	Present
Council District No. 6 Gerald Clark	Present
Council District No. 7 Ronica Ondocsin	Present

Also in attendance were: Engineering Director Gary Chynoweth, Planning Director Amy Bell, City Clerk Treasurer Melanie A. Williard, Public Works Director Steve Abbott, Revenue Director Cameron Grounds, Fire Chief Ralph Cobb, IT Director Jason Colee, HR Director Terri Towry, Police Chief Larry Muncey, Recreation Director Kory Alfred, Deputy Building Director Jimmy Morgan, Acting Finance Director Roger Bellomy, Judge Wolfe, and City Attorney Kelly Butler.

Public attendance registered: Joshua Boyd, Lisa Boyd, Sarah Katis, Cindy Sensenberger, Cyndy Morgan, Pam Hailey, Lori-King Taylor, Steven Levy, Amanda Weaver, Janet Kendrick, Tim Cowles, Opie Balch, Elbert Balch, Phillip Metcalf, David Kennedy, James L. Ganzbert, Vickie Parker, Michael Parker, Beth B. Martin, B. Wayne Pierce, Andrew Freeman, Susie Masotti (MCC), David Hergenroeder, Don Palmer, Joy Chang, Michelle Nesin Hunt (MCC), and one illegible signature.

**ADDITION TO AGENDA:**

**BOARDS AND APPOINTMENTS:**

Water and Wastewater Board of the City of Madison

**APPROVAL OF MINUTES**

**MINUTES NO. 2012-24-RG, NOVEMBER 13, 2012**

Council Member Potter moved to approve Minutes No. 2012-24-RG. Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Abstain
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**PRESENTATION AND AWARDS**

**PRESENTATION TO SCI-QUEST BY MADISON CHAMBER OF COMMERCE**

Susie Masotti of the Madison Chamber of Commerce presented a donation to Sci-Quest in the amount of \$1,824.70. Funds were raised at the Blue Jeans at Blue Pants event held for former Mayor Paul Finley. A round of applause was given.

**PUBLIC COMMENTS**

(Will be limited to 5 minutes if on the agenda and 3 minutes otherwise)

There were no public comments registered on the agenda and there were none from those in attendance.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Holcombe moved to approve the consent agenda as follows:

General Operating Account	\$487,338.80
Gasoline Tax and Petroleum Inspection Fees	\$84,366.81
Series 2006 Bond Checking	\$316.00
Library Building Fund	\$1,733.53
Water Distribution & Storage Projects	\$69.62

Resolution No. 2012-424-R authorizing the purchase of vehicles from NACPA Bid No. 9-2012

Resolution No. 2012-425-R authorizing the purchase of tractors from NACPA Bid No. 1-2012-W

Resolution No. 2012-426-R authorizing the purchase of fuel and fuel management system from NACPA Bid No. 10-3-2011

Resolution No. 2012-427-R authorizing the purchase of fax machine cartridges from State Bid No. T-035 through October 31, 2013

Resolution No. 2012-428-R authorizing the purchase of oil and grease/lubricants from State Bid No. T-105 through December 31, 2013

Resolution No. 2012-429-R authorizing the purchase of restroom supplies from State Bid No. T-270 through December 31, 2013

Resolution No. 2012-430-R authorizing the purchase of cellular telephones from State Bid No. T-301 through December 15, 2013

Approval of payment to Florence & Hutcheson for engineering services related to County Line Road improvement project from Madison Blvd. to Highway 72 (ATRIP project) (to be paid from Capital Improvement budget) \$64,311.20

Approval of payment to OMI, Inc. for construction materials testing related to Bradford Creek Greenway Phase I (to be paid from Capital Improvement Budget) \$235.00

Approval of payment to Florence & Hutcheson for engineering services related to Wall Triana Bridge replacement project (ATRIP project) (to be paid from Capital Improvement budget) \$17,750.00

Approval of payment to Florence & Hutcheson for engineering services related to Old Madison Pike resurfacing project from Hughes Road to Slaughter Road (ATRIP project) (to be paid from Capital Improvement Budget) \$5,242.50

Approval of payment to SJ&L for work completed on Bradford Creek Greenway Phase I (to be paid from Capital Improvement budget) \$41,173.27

Resolution No. 2012-414-R authorizing the disposal or destruction of certain Finance Department records as approved by the State Department of Archives

Resolution No. 2012-415-R authorizing the disposal or destruction of certain City Clerk Department records as approved by the State Department of Archives

Resolution No. 2012-416-R authorizing the disposal or destruction of certain Human Resource Department records as approved by the State Department of Archives

Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**PRESENTATION OF REPORTS**

**MAYOR TROY TRULOCK**

**PROPOSED ORDINANCE NO. 2012-431 APPROVING THE ANNUAL BUDGET FOR FISCAL YEAR 2013**

Council Member Holcombe moved to approve Proposed Ordinance No. 2012-431.  
Council Member Potter seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**RESOLUTION NO. 2012-432-R AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LEAN FROG FOR CONSULTING SERVICES**

Council Member Potter moved to approve Resolution No. 2012-432-R. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

Council Member Holcombe extended his thanks to the Madison Chamber of Commerce for their continued hard work and for all they do for the City of Madison.

**COUNCIL DISTRICT NO. 2 STEVE SMITH**

No business to report.

**COUNCIL DISTRICT NO. 3 D. J. KLEIN**

No business to report.

**COUNCIL DISTRICT NO. 4 MIKE POTTER**

No business to report.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

**RESCHEDULE 12/24 COUNCIL MEETING**

Council President Overcash announced that the December 24<sup>th</sup> Council Meeting is rescheduled to December 17, 2012.

Council Member Overcash announced that the Holiday Cheer Brigade is in the process of collecting money and gifts for military families. Monetary donations will be accepted through December 4<sup>th</sup> in the City Clerk's office, and non-monetary gifts will be accepted at Dublin Park through December 6<sup>th</sup>. More information can be found on the City's website.

**COUNCIL DISTRICT NO. 6 GERALD CLARK**

No business to report.

**COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN**

Council Member Ondocsin announced that the old Fire Station 2 has been torn down and the lot will be turned into a residential lot.

**BOARD/COMMITTEE APPOINTMENTS:**

**APPOINTMENT TO MADISON STATION HISTORIC PRESERVATION COMMISSION (PLACE 1, PLACE 2 & PLACE 3):**

Council President Overcash opened the floor for nominations for Place 1. Council Member Potter moved to nominate Elbert Balch to Place 1 on the Madison Station Historic Preservation Commission. Having no other nominations, the nominations were closed. Council Member Holcombe moved to appoint Elbert Balch, Council Member Ondocsin seconded. Elbert Balch was appointed by acclamation.

Council President Overcash then opened the floor for nominations for Place 2. Council Member Ondocsin moved to nominate Dennis Vaughn to Place 2 on the Madison Station Historic Preservation Commission. Having no other nominations, the nominations were closed. Council Member Potter moved to appoint Dennis Vaughn to Place 2, Council Member Klein seconded. Dennis Vaughn was appointed by acclamation.

Council President Overcash opened the floor for nominations for Place 3. Council Member Klein moved to nominate Teddy Powell to Place 3 on the Madison Station Historic Preservation Commission. Having no further nominations, the nominations were closed. Council Member Potter moved to appoint Teddy Powell. Council Member Holcombe seconded. Teddy Powell was appointed by acclamation.

**APPOINTMENT TO ZONING BOARD OF ADJUSTMENTS & APPEALS (PLACE 4):**

Council President Overcash opened the floor for nominations for Place 4 of the Zoning Board of Adjustments and Appeals. Council Member Potter moved to nominate Larry Mason to Place 4 on the Zoning Board of Adjustments and Appeals. Having no further nominations, the nominations were. Council Member Ondocsin moved to appoint Larry Mason. Council Member Smith seconded. Larry Mason was appointed by acclamation.

**APPOINTMENT TO THE WATER AND WASTEWATER BOARD OF THE CITY OF MADISON:**

Council President Overcash opened the floor for nominations for Place 3 of the Water and Wastewater Board of the City of Madison. Council Member Potter nominated Gerald Clark. Having no further nominations, the nominations were closed.

Council Member Potter moved to appoint Council Member Gerald Clark. Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

Council President Overcash opened the floor for nominations for Place 4 of the Madison Utilities Waste and Water Board. Council Member Smith nominated Steve Haraway. Having no further nominations, he then closed the nominations.

Council Member Smith moved to appoint Steve Haraway. Council Member Clark seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Nay
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

## **PUBLIC HEARINGS**

### **PROPOSED ORDINANCE NO. 2012-357 REZONING PROPERTY LOCATED AT 8461 OLD MADISON PIKE FROM R-1B TO B-1 AS REQUESTED BY JOY CHANG**

Council President Overcash opened the public hearing for comments regarding Proposed Ordinance No. 2012-357. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Potter moved to approve Ordinance No. 2012-357. Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**PROPOSED ORDINANCE NO. 2012-359 ZONING TWO CONTIGUOUS TRACTS OF LAND LOCATED EAST OF BURGREN ROAD AND WEST OF BELMONT PLACE SUBDIVISION TO R-3A AS REQUESTED BY BRELAND HOMES, LLC**

Council President Overcash opened the floor for comments regarding Proposed Ordinance No. 2012-359.

Janet Kendrick, 232 Meadowood Drive appeared before Council to ask that the impact of drainage is fully examined and addressed by the City of Madison before rezoning.

Vicki Parker, 11594 Burgreen Road appeared before Council stating that she is not opposed to the development but is concerned about construction debris as her driveway is in close proximity to the development.

Having no further comments, Council President Overcash then closed the public hearing and entertained a motion from Council.

Council Member Klein moved to approve Ordinance No. 2012-359. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**DEPARTMENT REPORTS**

**COURT**

**PRESENTATION OF ANNUAL COURT REPORT BY MUNICIPAL JUDGE R. WAYNE WOLFE**

As required by State law, Judge Wolfe presented an annual court case report to Council.

**REVENUE**

**PROPOSED ORDINANCE NO. 2012-389 AMENDING SECTION 7-4, 7-25 AND 7-26 OF THE CODE OF ORDINANCES FOR THE CITY OF MADISON RELATING TO BUSINESS LICENSE ISSUANCE FEE (FIRST READING 11/13/2012)**

Council Member Holcombe moved to approve Ordinance No. 2012-389. Council Member Clark seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye

Council District No. 7 Ronica Ondocsin Aye

Motion carried.

**PROPOSED ORDINANCE NO. 2012-388 APPROVING THE PERIOD OF FEBRUARY 22, 2013 THROUGH FEBRUARY 24, 2013 AS THE SEVERE WEATHER PREPAREDNESS TAX HOLIDAY (FIRST READING 11/13/2012)**

Council Member Potter moved to approve Ordinance No. 2012-388. Council Member Klein seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**LEGAL**

**PROPOSED ORDINANCE NO. 2012-408 AMENDING CHAPTER 13, ARTICLE V OF THE CODE OF ORDINANCES RELATED TO TRASH COLLECTION FEES (FIRST READING 11/13/2012)**

Council Member Ondocsin moved to approve Ordinance No. 2012-408. Council Member Holcombe seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**RESOLUTION NO. 2012-433-R AUTHORIZING ACCEPTANCE OF PROPERTY FROM CITY OF MADISON WATER AND WASTEWATER BOARD**

Council Member Potter moved to approve Resolution No. 2012-433-R. Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**PUBLIC WORKS**

**RESOLUTION NO. 2012-419-R AUTHORIZATION TO ENACT RIGHT-OF-WAY CUTTING PERMIT APPLICATION AND INSTRUCTION POLICY**

Council Member Holcombe moved to approve Resolution No. 2012-419-R. Council Member Klein seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**PLANNING**

**PROPOSED ORDINANCE NO. 2012-409 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY ON BURGREN ROAD WEST OF BELMONT PLACE OWNED BY BRELAND DEVELOPMENT (FIRST READING 11/13/2012)**

Council Member Smith moved to table Proposed Ordinance No. 2012-409 until the December 10, 2012 Council meeting. Council Member Potter seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**ENGINEERING**

**DISCUSSION REGARDING COST SHARING AGREEMENT WITH DEVELOPER FOR INSTALLATION OF BOX CULVERT CROSSING ON MAPLEWOOD DRIVE CONNECTING PHASE I AND PHASE II OF STILLWATER COVE SUBDIVISION**

Council discussed the issue of connectivity between Phase 1 and Phase 2 of Stillwater Cove. The consensus of Council was not to do the cost-sharing of the project

**RESOLUTION NO. 2012-341-R AMENDING THE CAPITAL IMPROVEMENT PROJECT PLAN TO INCLUDE COUNTY LINE ROAD PROJECT**

Council Member Potter moved to approve Resolution No. 2012-341-R. Council Member Smith seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye

Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**FIRE**

**AUTHORIZATION TO PURCHASE USED VEHICLE FOR MEDICAL RESPONSE (TO BE PAID FROM DEPARTMENT BUDGET)**

Council Member Holcombe moved to authorize the purchase of used vehicle. Council Member Ondocsin seconded. The vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

Council President Overcash announced that the Christmas Parade will be on Saturday, December 8, 2012 at 5:30PM.

**ADJOURNMENT**

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

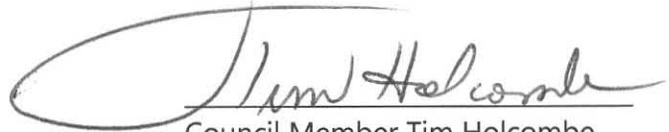
Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

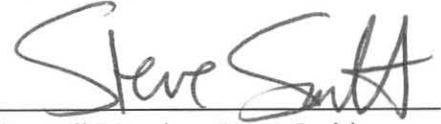
The meeting was adjourned at 7:20PM.

Signatures on following page.

Minutes No. 2012-25-RG, dated November 26, 2012, read, approved and adopted this 10<sup>th</sup> day of December, 2012.



Council Member Tim Holcombe  
District One



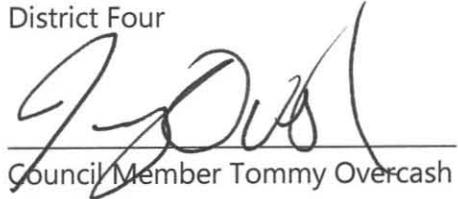
Council Member Steve Smith  
District Two



Council Member D.J. Klein  
District Three



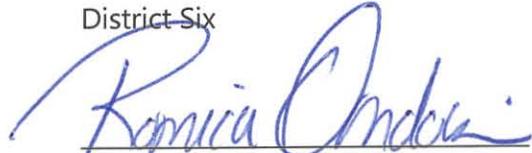
Council Member Mike Potter  
District Four



Council Member Tommy Overcash  
District Five



Council Member Gerald Clark  
District Six



Ronica Ondocsin  
District Seven

Concur:

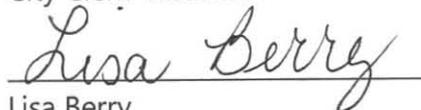


Troy Trulock  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Lisa Berry  
Recording Secretary