

**MINUTES NO. 2013-07-RG**

**OF A**

**REGULAR MEETING**

**OF THE CITY COUNCIL OF**

**THE CITY OF MADISON, ALABAMA**

**APRIL 8, 2013**

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The Madison City Council met in regular session on Monday, April 8, 2013 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 6:06 p.m. by Council President Overcash.

Minister Rachall Martin of Restoration 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 DJ 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: Revenue Director Cameron Grounds, Engineering Director Gary Chynoweth, Police Chief Larry Muncey, Finance Director Roger Bellomy, IT Director Jason Colee, Recreation Director Kory Alfred, Planning Director Amy Bell, Human Resources Director Terri Towry, Cary Sadler, Dr. Dee Fowler, Public Works Director Steve Abbott, Beth Bellomy, Fire Chief Ralph Cobb, and Building Director Jimmy Morgan.

Public Attendance registered: Sarah Sledge, Paramessaior Bobba, Sumedha Bobba, BeBe Oetjen, Jacquelyn Shipe, Cindy Sensenberger, Robbie Smith, Stephenie Walker, Finn Walker, Rainer Klauss, Eli Walker, Lucas A. Benjamin, Steven Lory, Teddy Powell, Rikki Powell, Jennifer Allen, Melody P. Crane, David Butler, Jon Howell, Deborah Adelsperger, Ashok Bhainagar, Sangita Bhatnagaz, Helen Townsend, Clifton Miller, Elizabeth Butler, Regina Westa, Julie Carpenter, Victoria Weston, William Riggle, Elaine Shriver, Jami Brady, Laura Brady, Ashley Brady, Heather Brady, John Brady, Chad Mawhirter, Raquel Spiegel, Melanie Casillas, Oscar Casillas, Pamela Ellis, Rachel Osafoh, Don Palmer, Bob Sackneeim, Hanu Kalapalem, Mandy Pinyan, Maggie Aure, Gloria Vereara, Tyramis Ellis, LaRue Wisener, Opie Balch, Elbert Balch, Olga Oscala, Kasey Burnham, Sharon Hurt, Lauren Hurt, Kara Hurt, Iman Gadalla, and Wesam Shash.

**APPROVAL OF MINUTES**

**MINUTES NO. 2013-06-RG, MARCH 25, 2013**

Council Member Klein moved to approve Minutes No. 2013-06-RG. Council Member Smith seconded. The roll call vote taken was recorded as follows:

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

Motion carried.

**MINUTES NO. 2013-06-WS, MARCH 20, 2013**

Council Member Ondocsin moved to approve Minutes No. 2013-06-WS. Council Member Potter seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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 AND AWARDS**

**PRESENTATION OF PROCLAMATION BY MAYOR TRULOCK FOR NATIONAL LIBRARY WEEK**

Mayor Trulock asked Sarah Sledge in attendance to come forward. He read the proclamation and congratulated Sarah Sledge and her staff for what they do for the City of Madison, its residents, and libraries. Library members were asked to stand and were acknowledged.

Sarah Sledge and Mayor Trulock awarded nine (9) winners of the Library Poster Contest certificates and financial gifts:

Honorable Mention: Liz and David Butler

First Place: Melanie Casillas

Middle School:

Honorable Mention: Rachel Osforwa  
Eman Gadla

First Place: Ethan McWarder

Elementary School:

Honorable Mention: Samantha Bobba  
Sabrina Ye

First Place: Laura Brady

**PRESENTATION OF PROCLAMATION BY MAYOR TRULOCK FOR NATIONAL SERVICE RECOGNITION DAY**

Mayor Trulock asked Jackie Shipe Executive Director of International Services Council of Alabama who represents local volunteers who bring national activities and international delegates to City to come forward. The team was asked to come forward and congratulated for their outstanding service. Mayor Trulock read the proclamation.

**PRESENTATION OF PROCLAMATION BY MAYOR TRULOCK FOR AUTISM AWARENESS MONTH**

Mayor Trulock asked Melody Crane (Executive Director of the Riley Center), Terry Pollock, and David Cantrell in attendance to come forward. Mayor Trulock read the proclamation and thanked the Riley Center for what they do for the community.

**PUBLIC COMMENTS**

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

Don Palmer of 168 Joe Phillips Road asked Council to give background information during this meeting on proposed sales tax increase.

BeBe Oetjen of 109 Radisson Lane asked Council for approval to ask questions later in the meeting on certain agenda items. She was given approval.

Sarah Sledge of 122 Long Creek Drive thanked the City for the proclamation for National Library Week and expressed her gratitude for the City's support of the library.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Holcombe requested the funds in Item Q be deposited into Police Donation Account instead of Federal Forfeiture Account. Council Member Holcombe then moved to approve the consent agenda (as amended for Item Q) as follows:

General Operating Account	\$1,166,250.89
Special General Operating	\$28,746.17
Gasoline Tax and Petroleum Inspection Fees	\$30,689.00
Street Repair and Maintenance	\$1,640.72
Series 2006 Bond Checking	\$44,469.99
Library Building Fund	\$2,483.47
State Forfeiture	\$4,138.00

Resolution No. 2013-81-R authorizing the disposal or destruction of certain Finance Department records as approved by the State Department of Archives

Approval of payment to Environmental Systems for work completed on Fire Station No. 2 (to be paid from grant funds)	\$750.00
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Approval of payment to Reed Contracting for materials to repair  
Madison Utilities trench failures (to be paid from Madison Utilities funding) \$146.32

Approval of payment to Alabama Concrete for materials to repair  
Madison Utilities trench failures (to be paid from Madison Utilities funding) \$254.00

Resolution No. 2013-83-R authorizing the disposal or destruction of certain Public Works  
Department records as approved by the State Department of Archives

Resolution No. 2013-84-R authorizing the disposal or destruction of certain City Clerk-  
Treasurer Department records as approved by the State Department of Archives

Resolution No. 2013-85-R authorizing the disposal or destruction of certain Revenue  
Department records as approved by the State Department of Archives

Acceptance of donation of top dresser from Madison County Commissioner Steve Haraway  
to be used by the Recreation Department (value \$13,500)

Resolution No. 2013-86-R authorizing the disposal or destruction of certain Human  
Resource Department records as approved by the State Department of Archives

Resolution No. 2013-87-R authorizing the disposal or destruction of certain Mayor's Office  
records as approved by the State Department of Archives

Acceptance of donation in the amount of \$180 from Madison Softball League (to be  
deposited into Recreation Donation account)

Acceptance of donation in the amount of \$495 from Madison Baseball Association (to be  
deposited into Recreation Donation account)

Approval of payment to J.W. Kennedy Land Surveying for surveying  
Services for bridge replacement on CR-16 (Wall Triana Highway) over Mill  
Creek (to be paid from Capital Improvement budget) \$210.00

Resolution 2013-88-R declaring certain City property (formerly used by the Police  
Department) as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-89-R declaring certain City property (formerly used by the Police  
Department) as surplus and authorizing that it be sold through auction on GovDeals

Acceptance of donation/refund in the amount of \$13,000 from Madison Visionary Partners,  
Inc. (to be deposited into Madison Police Department Federal Forfeiture account)

Resolution No. 2013-91-R authorizing the disposal or destruction of certain Fire & Rescue  
Department records as approved by the State Department of Archives

Resolution No. 2013-92-R declaring certain City property (formerly used by the Finance  
Department) as surplus and authorizing its disposal

Resolution No. 2013-93-R declaring certain City property (formerly used by the Public  
Works Department) as surplus and authorizing that it be donated to North Alabama Gas  
Company

Resolution No. 2013-94-R declaring certain City property (formerly used by the Public  
Works Department) as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-95-R declaring certain City property (formerly used by the Public  
Works Department) as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-96-R declaring certain City property (formerly used by the Public  
Works Department) as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-97-R declaring certain City property (formerly used by the Public Works Department) as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-98-R declaring certain City property (formerly used by the Public Works Department) as surplus and authorizing that it be sold through auction on GovDeals

Resolution No. 2013-99-R declaring certain City property (formerly used by the Public Works Department) as surplus and authorizing that it be sold through auction on GovDeals

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

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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**

Mayor Trulock congratulated Recreation Director Kory Alfred and his staff for applying and receiving grant award for two (2) AED (Automatic Electronic Defibrillators).

Mayor Trulock received "See Bicycles" bumper stickers to promote awareness of sharing the road with bicycles. The bumper stickers will be placed out front for residents and City employees who would like to place one on their vehicles.

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

Council Member Holcombe, on behalf of the Finance Committee, recommended that since Council has elected not to move forward with Phase II of the Lean Frog presentation that the remaining \$115,000 that was designated for Phase II be moved the Mayor's Special Projects budget to Council's Special Projects budget. It is recommended that a portion of these funds be used for two items: (1) for a software upgrade for the Finance Department, and (2) the IT Department has requested \$33,000 for additional servers. An ordinance will be presented at the next council meeting to make the necessary transfer the funds.

Council Member Holcombe advised that revenue for the City is on-target for the first 6 months of this year.

Council Member Holcombe informed Council that the City's Efficiency Team is working on recommendations to present to Council at a future date.

Council Member Holcombe advised that in his research of the gas lights on Church and Front Streets, the lights were donated by the Historical Society and accepted by the City but found no documentation that the City approved paying the monthly gas bills.

### **COUNCIL DISTRICT NO. 2 STEVE SMITH**

No business to report.

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

Council Member Klein thanked the Recreation Department, Fire Department, volunteers, and Mountain High Outfitters for their work and sponsorship with the trail cleanup on Rainbow Mountain.

Council Member Klein moved to reopen and clarify discussions from last meeting regarding downtown gas lights. Council Member Ondocsin seconded. The vote taken was recorded at follows:

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

Motion carried.

Council discussed the removal gas lights on Front Street and the placement the two new street lights in Village Green with the two lights left over from Phase I on Main Street. It was the consensus of Council to not remove gas lights on Church Street until Council Member Klein discusses with the residents affected and the Madison Station Historic Society the options to take possession of the lights or have them removed and advising the residents that the gas will be turned off on June 1, 2013.

Council President Overcash requested consensus vote. 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 DJ 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. 4 MIKE POTTER**

Council Member Potter advised Council that along with Council Member Smith, and Mayor Trulock, he attended the Limestone County Legislative Office opening.

Council Member Potter complimented Fire Department on their work on Risk Analysis.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

Council President Overcash advised that he had attended the celebration of the 15th Anniversary of City's School System. Council Member Overcash thanked Mrs. Trulock, PTAs, and volunteers who made this celebration a success.

Council Member Overcash reminded everyone that applications are being accepted now through Friday, April 19, 2013 for consideration for appointment to the school board. Interviews and selection will be held in May.

Council Member Overcash reported on The Paws-4-Art event held on Saturday in the Village Green by the Arts Council.

It was the consensus of the Council that due to the Memorial Day holiday, the May 27, 2013 Council Meeting was rescheduled to May 28, 2013.

**COUNCIL DISTRICT NO. 6 GERALD CLARK**

Council Member Clark also attended the Paws-4-Art event and thanked all who made that happen.

Council Member Clark attended opening day for baseball at Palmer Park which was a great success and thanked all who made that happen.

**COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN**

Council Member Ondocsin thanked Council Member Klein for his work with the cleanup of Rainbow Mountain.

Council Member Ondocsin advised that review of bids for the Fire Station No. 2 lot is continuing. Bids are currently being reviewed by the Legal Department.

**BOARD/COMMITTEE APPOINTMENTS**

None.

**PUBLIC HEARINGS**

**PROPOSED ORDINANCE NO. 2013-56 ZONING CERTAIN PROPERTY LOCATED IN MORRIS ESTATES SUBDIVISION TO R-1A (FIRST READING 03-11-2013)**

Planning Director Amy Bell advised Council that this request includes 49 lots, and that all paperwork regarding this request is complete and in order.

Council President Overcash opened the public hearing for comments regarding this request:

BeBe Oetjen came forward and commented on the piecemeal annexation of lots in this subdivision.

There being no more public comments, the public hearing was closed.

Council Member Potter moved to adopt Ordinance No. 2013-56. Council Member Clark seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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**

### **REVENUE**

#### **PUBLIC HEARING ON THE MATTER OF REVOKING OR REFUSING TO RENEW THE BUSINESS LICENSE OF MADISON BANDITO, LLC (DOING BUSINESS AS BANDITO BURRITO - MADISON) LOCATED AT 208 MAIN STREET**

Revenue Director Cameron Grounds addressed Council regarding the compliance with City's sales tax and liquor tax codes. He gave the background of this matter. Total delinquency sales tax due is \$40,725.34 and delinquent liquor tax due is \$9,084.58 for a grand total of \$49,809.92.

Council President Overcash advised that in conducting a non-revenue search on this issue, it was discovered there were negotiations between the business owners and the previous administration regarding a right-of-way for one of the downtown streets. There has been no resolution to that matter to-date. He acknowledged that the City owes the Andersons for right-of-way usage by the City.

Council President Overcash opened the public hearing for comments regarding this request:

BeBe Oetjen came forward and advised that she understands why the City had to take this action.

There being no more public comments, a recommendation to Council to continue this public hearing to May 13, 2013 to give Council time to thoroughly research all issues relating to this matter, and to make a decision at that time.

Council Member Klein moved to continue the public hearing to May 13, 2013. 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 DJ 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.

### **CITY REVENUE GROWTH DISCUSSION**

Council President Overcash and Revenue Director Cameron Grounds advised that Council wants to educate the public regarding the City's past, present and future revenue. A slideshow presentation was given. It was advised that in order to continue the good quality of life residents enjoy, an increased revenue source or sources may be needed to provide for future population growth, future business and industry growth, to continue to meet the needs of our public safety and infrastructure, and to continue to improve property values.

Discussed revenue growth study prepared by PARCA for the City. This year's City budget has been reduced by 4% compared to 2012.

The City has developed a 7-year Capital Improvement Plan (CIP) of approximately \$53 million to address future needs of City. The City is currently executing a near-term action to fund Phase I of CIP which includes refinancing existing bonds and increasing the revenue stream. City officials will be traveling to New York next week to interview with the bond rating agencies for funding of Phase I of CIP.

The City needs to identify a new revenue approach or approaches to fully fund the remaining phases, or at least Phase II. The City would also like to fund a fleet maintenance program, street maintenance program and other operational needs of the City.

Council will be examining several issues for future revenue growth to include a half-cent sales tax increase, property tax increase, gas tax increase, as well as continue to aggressively pursue economic development. The Council plans to schedule two (2) more work sessions, at least two (2) town hall meetings, and be available for any organizational group meetings that would like Council to attend to discuss the situation. The goal is to have a plan identified by early- to mid-summer.

## **PLANNING**

### **RESOLUTION NO. 2013-90-R ACCEPTING INTO PUBLIC USE AND MAINTENANCE THE SUBDIVISION IMPROVEMENTS FOR STILLWATER COVE PHASE III**

Council Member Potter moved to approve Resolution No. 2013-90-R. Council Member Ondocsin seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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.

## **RECREATION**

### **RESOLUTION NO. 2013-100-R AUTHORIZING MAYOR TO EXECUTE CONTRACT SERVICES AGREEMENT WITH SCOREBOARD SALES AND SERVICE**

Council Member Smith asked Recreation Director Kory Alfred about scoreboards on school property. Director Alfred will work on the school scoreboard matters.

Council Member Ondocsin moved to approve Resolution No. 2013-100-R. Council Member Clark seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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**

**RESOLUTION NO. 2013-101-R ACKNOWLEDGING AND AFFIRMING THE EMPLOYMENT OF JOE JOLLY & CO., INC. AS MUNICIPAL SECURITIES ADVISORS**

Council Member Potter moved to approve Resolution No. 2013-101-R. Council Member Klein seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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. 2013-102 AUTHORIZING THE WATER AND WASTEWATER BOARD TO DISPOSE OF A PORTION OF ITS TWELVE-INCH (12") WATER MAIN ON WALL-TRIANA HIGHWAY (FIRST READING - SUSPENSION OF RULES REQUESTED)**

Council Member Clark moved to suspend the rules for immediate consideration of Proposed Ordinance No. 2013-102. Council Member Ondocsin seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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.

Following suspension of the rules, Council Member Clark moved to adopt Ordinance No. 2013-102. Council Member Potter seconded. The roll call vote taken was recorded as follows:

Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ 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**

None

**ADJOURNMENT**

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

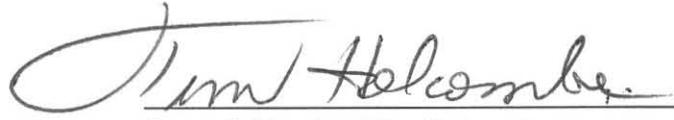
Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 DJ Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

Motion carried.

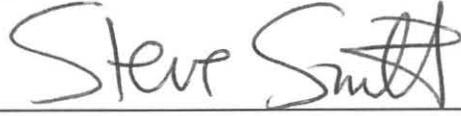
The meeting was adjourned at 7:27 p.m.

Signatures on the following page:

Minutes No. 2013-07-RG, dated April 8, 2013, read, approved and adopted this 22nd day of April, 2013.



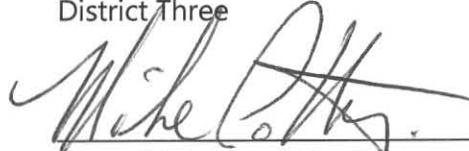
Council Member Tim Holcombe  
District One



Council Member Steve Smith  
District Two



Council Member DJ Klein  
District Three



Council Member Mike Potter  
District Four



Council Member Tommy Overcash  
District Five



Council Member Gerald Clark  
District Six



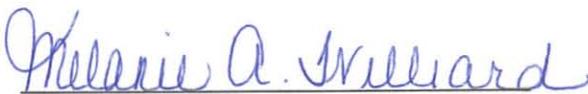
Council Member Ronica Ondocsin  
District Seven

Concur:



Troy Trulock  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Lisa K. Bullock  
Recording Secretary