

MINUTES NO. 2009-11-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
MAY 26, 2009

The Madison City Council met in regular session on Tuesday, May 26, 2009, 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 6:03 p.m. by Council President Tommy Overcash.

Pastor John Sayre of Madison Assembly of God provided the invocation followed by the Pledge of Allegiance led by Council President 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	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 Bill Holtzclaw	Present

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, City Clerk-Treasurer Administrative Assistant Lisa Berry, City Engineer Gary Chynoweth, City Attorney Anne-Marie Lacy, Finance Director Lillie Causey, Mayoral Aide Taylor Edge, Parks & Recreation Director Mike Cassell, Public Works Director Dana Stahl, Revenue Officer Cameron Grounds, Human Resources Director Teri Towry, Acting Police Chief Lee Weaver, and City Planner Bob Atallo.

Public Attendance registered: John Fellows, Margaret Gleason, Jerald Gleason, Paula Cushman, Claudia Bucher, Anders Michael Kinney, Terri Johnson, Connie Cox Spears, Riley Spears, Richard Spears, Kalthryn Keen, Larry Miles, Don Webster, L.M. Stickles, Charlie Brown, Mia Powers, John Hamilton, Amy Furfori, Danny Windham, Lynn Kronk, Jerry Kronk, Sharon & Don Monk, Claudia V. Rice, Angie Markopoulos, and Cindy Davis.

AMMENDMENTS TO AGENDA

It was the consensus of the Council that the following amendments be made to the agenda:

ADDITIONS:

CONSENT AGENDA

Approval of payment to Milam Logging, Inc. for services in connection with Eastview Extension (to be paid from Capital Improvement Budget) \$6,000.00

Approval of payment to Osborn & Associates for design work completed for Fire Station (to be paid from Capital Improvement Budget) \$3,675.00

Approval of payment to Temple, Inc. for repairs to traffic signal at intersection of Madison Boulevard and Intergraph Way (to be paid from Gas Tax Fund) \$19,804.75

APPROVAL OF MINUTES

MINUTES NO. 2009-10-RG, MAY 11, 2009

Council Member Jennings moved to approve Minutes No. 2009-10-RG. Council Member Holtzclaw 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 Bill Holtzclaw	Aye

Motion carried.

PRESENTATIONS AND AWARDS

CLAUDIA BUCHER, PRESENTATION REGARDING BEACON CLUB ACTIVITIES

Claudia Bucher gave a brief overview of the Beacon Club, a members' only private dining club which will be available in the fall. This club will feature lounges and eating rooms, ballrooms, and meeting rooms for businesses and individuals alike.

SCOTT MOUNTS, MADISON YMCA

Scott Mounts gave an update of the YMCA project. Construction is expected to begin this summer. Mr. Mounts outlined for Council what would be included in Phase I including fitness center, indoor track, members lounge, teen center, juice bar, gymnasium, indoor water park, preschool age child watch, school age kids gym, locker rooms, aerobics/exercise studio, community room, meeting/multi-use room, dancing waters splash pad, 25 yard multi-use pool for laps, instruction and exercise and preparations for the 50 meter pool. Council was further advised that the 50 meter pool is included in Phase II of the project

PUBLIC COMMENTS

Mr. Gleason, a resident of Madison, approached Council about a drainage problem on Mill Road that has affected him and other families. City Engineer Gary Chynoweth informed Council that he has sent a work order to Public Works to investigate the problem.

Larry Stickles of 161 Amsterdam Place came before Council with questions about the YMCA membership and pool drainage.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Vannoy moved to approve the Consent Agenda as amended:

General Operating Account	\$260,667.89
Gasoline Tax and Petroleum Inspection Fees	\$6,613.64
Series 2006 Bond Checking	\$27,253.17
Library Building Fund	\$2,252.27
Fire CPR	\$100.00

Acceptance of miscellaneous cash donation in the amount of \$98 for Madison Animal Rescue Foundation

Approval of payment for work completed on Bolton Court repairs (to be paid from Capital Improvement budget) \$44,637.50

Approval of payment to Wilmer & Lee for legal services provided For the Gillespie Road Extension project (to be paid from Capital Improvement budget) \$195.00

Approval of payment to Wilmer & Lee for legal services provided For the Eastview Extension project (to be paid from Capital Improvement budget) \$12.66

Approval of payment to Wilmer & Lee for legal services provided for Bradford Creek Greenway Phase I (to be paid from Capital Improvement Budget) \$172.50

Approval of payment to JW Kennedy for topo for new fire station (to be paid from Capital Improvement budget) \$1,260.00

Approval of payment to Lowry Appraisal Company for appraisal of Property in connection with the Gillespie Road Extension project (to be paid from Capital Improvement budget) \$1,200.00

Approval of payment to Milam Logging, Inc. for services in connection with Eastview Extension (to be paid from Capital Improvement Budget) \$6,000.00

Approval of payment to Osborn & Associates for design work completed for Fire Station (to be paid from Capital Improvement Budget) \$3,675.00

Approval of payment to Temple, Inc. for repairs to traffic signal at intersection of Madison Boulevard and Intergraph Way (to be paid from Gas Tax Fund) \$19,804.75

Resolution No. 2009-107-R declaring certain city property as surplus and of negligible value and authorize its disposal

Acceptance of funds in the amount of \$21,129 from Continental Properties for construction of a sidewalk adjacent to their Springs of Madison development on Palmer Road

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 Bill Holtzclaw	Aye

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

NOMINATIONS TO MADISON CITY DISABILITY ADVOCACY BOARD

Mayor Finley recommended the following individuals be appointed to the Madison City Disability Advocacy Board: Kayla Beard, Cana Farr, Beth Newlin, Claudia Rice, Maria Kilgore, Jane Dow, Deborah Underwood, Tony Osani, and Patricia Switzer.

Council Member Jennings moved to appoint the following individuals to the Madison City Disability Advocacy Board: Place 1 Kayla Beard, Place 2 Cana Farr, Place 3 Beth Newlin, Place 4 Claudia Rice, Place 5 Maria Kilgore – MCS, Place 6 Jane Dow, Place 7 Deborah Underwood, Place 8 Tony Osani, Place 9 Patricia Switzer. 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 Bill Holtzclaw	Aye

Motion carried.

FIRE SAFETY BOOKS

Fire Inspector Will Smith presented the new Madison Fire & Rescue booklets. They printed 11,000 of these booklets containing fire and weather safety information. The firefighters will be distributing them door to door in the next two to three weeks.

ECONOMIC DEVELOPMENT COORDINATOR

Mayor Finley introduced Amy Furfori, the City's new economic development coordinator.

VOLUNTEER SERVICES

Volunteer Coordinator Angie Markopoulos, gave a presentation concerning the volunteer program. On May 14th, a local business, Keller Williams Real Estate, sponsored a volunteer day. Approximately forty volunteers were sent to various places in the City including schools and churches doing jobs as needed.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

No business to report.

COUNCIL DISTRICT NO. 2 STEVE HARAWAY

No business to report.

COUNCIL DISTRICT NO. 3 JERRY JENNINGS

Council Member Jennings commended Mr. Carl Dow of the American Legion for a fine Memorial Day ceremony.

RESOLUTION NO. 2009-81-R AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH EDGEWATER OWNERS ASSOCIATION

Council Member Jennings moved to approve Resolution No. 2009-81-R. Council Member Holtzclaw 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 Bill Holtzclaw	Aye

Motion carried.

COUNCIL DISTRICT NO. 4 TIM COWLES

No business to report.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

CHIEF OF POLICE UPDATE

Council requested Mayor Finley do a follow-up on the police chief candidates that were interviewed. Council hopes to have reached a decision by the next Council Meeting.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

No business to report.

COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW

BOARD OF EDUCATION APPOINTMENT

Council Member Holtzclaw moved to appoint Connie Spears to the Board of Education Place No. 1. 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 Bill Holtzclaw	Aye

Motion carried.

PUBLIC HEARINGS

REQUEST FOR AN ON-PREMISE BEER/WINE/LIQUOR LICENSE FROM NCS ENTERTAINMENT, INC. (DBA: THE STATION PUB AND GRILL) FOR THEIR LOCATION AT 8694-J MADISON BOULEVARD

Revenue Officer Cameron Grounds informed Council that all paperwork is in order for this request.

Council President Overcash then opened the public hearing. There being no comments from the public, the public hearing was closed.

Council Member Cowles moved to consent to the issuance of an on premise beer/wine/liquor license to NCS Entertainment, Inc. for their location at 8694-J Madison Boulevard. 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 Bill Holtzclaw	Aye

Motion carried.

DEPARTMENT REPORTS

REVENUE

REQUEST FOR SPECIAL EVENTS LICENSE FROM ROTARY CLUB OF MADISON FOR SALE OF BEER/WINE/LIQUOR FOR THE PARROTS OF THE CARIBBEAN EVENT TO BE HELD AUGUST 22, 2009 AT 58 MARTIN STREET

Revenue Officer Cameron Grounds advised Council that all paperwork is in order for this request.

Council Member Jennings moved to consent to the issuance of a Special Events 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 22, 2009, 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 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 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 Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-104-R APPROVING THE RENEWAL OF AN AGREEMENT WITH RIVERTREE SYSTEMS, INC. TO PROVIDE CERTAIN AUDITING SERVICES FOR THE CITY OF MADISON

Council Member Jennings moved to approve Resolution No. 2009-104-R. Council Member Holtzclaw 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 Bill Holtzclaw	Aye

Motion carried.

PROPOSED ORDINANCE NO. 2009-103 EXEMPTING CERTAIN "COVERED ITEMS" FROM CITY OF MADISON SALES TAXES DURING THE STATE SALES TAX HOLIDAY DURING THE FIRST FULL WEEKEND OF AUGUST, 2009 (FIRST READING)

First reading: no action taken.

ENGINEERING

REJECT ALL BIDS SUBMITTED FOR BRADFORD CREEK GREENWAY, PHASE I AND AUTHORIZE REBID OF PROJECT

Council Member Haraway moved to reject all bids submitted for Bradford Creek Greenway and authorize rebid of the project. 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 Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-109-R AWARDING BID NO. MED-13-09 FOR CONSTRUCTION OF THE EASTVIEW EXTENSION

Council Member Haraway moved to adopt Resolution No. 2009-109-R awarding Bid No. MED-13-09 for the construction of the Eastview Drive extension project to Reed Contracting Services, Inc.. 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 Bill Holtzclaw	Aye

Motion carried.

CIP BUDGET STATUS UPDATE

City Engineer Chynoweth distributed CIP budget update for Council review.

FINANCE

PROPOSED ORDINANCE NO. 2009-105 APPROVING A REVISED FY 2008-2009 ANNUAL BUDGET

Council Member Jennings moved to adopt Ordinance No. 2009-105. 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 Bill Holtzclaw	Aye

Motion carried.

RECREATION

RESOLUTION NO. 2009-99-R APPROVING AN AGREEMENT WITH GAYLE Z. MARBURY FOR SWIM TEAM COACH SERVICES

Council Member Vannoy moved to adopt Resolution No. 2009-99-R approving an agreement with Gayle Z. Marbury for swim team coach services. 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 Bill Holtzclaw	Aye

Motion carried.

RESOLUTION NO. 2009-100-R APPROVING AN AGREEMENT WITH WHITNEY EDDY FOR ASSISTANT SWIM TEAM COACH SERVICES

Council Member Haraway moved to adopt Resolution No. 2009-100-R approving an agreement with Whitney Eddy for assistant swim team coach services. 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 Bill Holtzclaw	Aye

Motion carried.

POLICE

RESOLUTION NO. 2009-108-R AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR A 2009 BUREAU OF JUSTICE VEST GRANT (50% MATCHING FUNDS REQUIRED FROM CITY)

Council Member Haraway moved to adopt Resolution No. 2009-108-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 Bill Holtzclaw	Aye

Motion carried.

CITY CLERK-TREASURER

RESOLUTION NO. 2009-106-R LEVYING A 7-MILL GENERAL AD VALOREM TAX; A 5.5-MILL AD VALOREM TAX FOR WATER/SEWER PROJECTS AND GENERAL MUNICIPAL PURPOSES; A 1/2-MILL LIBRARY TAX; AND AN 11-MILL AD VALOREM TAX FOR GENERAL SCHOOL PURPOSES, AS PREVIOUSLY ADOPTED AND ASSESSED; AND TO CERTIFY THE SAME TO THE TAXING AUTHORITIES OF MADISON COUNTY AND LIMESTONE COUNTY

Council Member Haraway moved to adopt Resolution No. 2009-106-R. Council Member Holtzclaw 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 Bill Holtzclaw	Aye

Motion carried.

LEGAL

FIRST READINGS

**PROPOSED ORDINANCE NO. 2009-102 VACATING 10-FOOT PEDESTRIAN
EASEMENT BETWEEN LOTS 193 AND 194 IN MILLSTONE SUBDIVISION
PHASE I**

First reading: no action taken.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

Having no further business to discuss, Council Member Haraway 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 Bill Holtzclaw	Aye

Motion carried.

The meeting was adjourned at 7:55 p.m.

Signatures on following page.

Minutes No. 2009-11-RG, dated May 26, 2009, read, approved and adopted this 8th day of June, 2009.

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 President Tommy Overcash
District Five

Council Member Larry Vannoy
District Six

Council Member Bill Holtzclaw
District Seven

Concur:

Paul Finley
Mayor

Attest:

Melanie A. Williard
City Clerk-Treasurer

Lisa Berry
Recording Secretary