

**MINUTES NO. 2016-14-RG
OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE
CITY OF MADISON, ALABAMA**

JULY 25, 2016

The Madison City Council met in regular session on Monday, July 25, 2015 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 Holcombe.

Pastor Huey Hudson of Restoration Church provided the invocation followed by the pledge of allegiance led by Council President Holcombe.

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: IT Director Jason Colee, Planning Director Mary Beth Broeren, City Clerk Treasurer Melanie Williard, Captain Jim Cooke, Public Works Director Kent Smith, Assistant City Clerk-Treasurer Lisa Thomas, HR Director Terri Towry, Building Director Jimmy Morgan, Building Inspector Dustin Riddle, Assistant City Attorney Megan Zingarelli, Finance Director Roger Bellomy,

Engineering Director Gary Chnyoweth, Dr. Terri Johnson (BOE), Court Magistrate Cheri Martin, Recreation Director Kory Alfred, David Hergenroeder, and City Attorney Kelly Butler.

Public Attendance Registered: Maura Wroblewski, Carlos Woods, Leila Woods, James Ross, Bebe Oetjen, Henrietta King, Chris Bach, Bobby Sawyer, Jay Wicker, Teresa Taylor-Duncan, Jonathan McGee, Mitzi Adams, Jon Howell, Kathryn Norman, Brad Johnson, Scott Turbiner, Opie Balch, Elbert Balch, Pam Sparks, Angela Davis Gary, Mark Anderson, Tim Cowles, Wesley Grisgby, Paul Finley, Jon Bendickson, Greg Shaw, Larry Vannoy, Victor Van Leeuwen, Tom Mckinney, Glen Manas, Vicki Morris, Eli Canup, Fletcher Canup, Virginia Hayes, Leondre Kelley, And A Few Illegible Signatures.

APPROVAL OF MINUTES

APPROVAL OF AMENDMENT OF MAY 18, 2016 WORK SESSION MINUTES TO REFLECT THAT MAYOR TRULOCK WAS IN ATTENDANCE

Council Member Ondocsin moved to approve the amendment of May 18, 2016 Work Session minutes to include that Mayor Trulock was in attendance and that Mayor Trulock left the meeting due to storm damage around the city. 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 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.

MINUTES NO. 2016-13-RG, JULY 11, 2016

Council Member Klein moved to approve the Minutes No. 2016-13-RG. 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 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 AND AWARDS

CARLOS WOODS & JAMES VANCE PRESENTATION TO COUNCIL WITH FUNDING REQUEST FROM FY16 BUDGET TO REBUILD VETERANS MEMORIAL DOWNTOWN MADISON

Carlos Woods and James Vance gave a short presentation and requested funding in the amount of \$10,000.00 to assist with the rebuilding of the Veteran's Memorial in downtown Madison.

It was the consensus of Council to approve the request with funding to come from Council Special Projects fund.

MADISON DOLPHINS SWIM AND DIVE TEAM PRESENTATION IN CONNECTION WITH ITS FACILITIES USE AGREEMENT

Henrietta King, President of the Madison Dolphins Swim and Dive program gave a background of their program in connection with their facilities use agreement with the City.

PUBLIC COMMENTS

BEBE OETJEN, ADDRESS COUNCIL REGARDING "REC PORK"

BeBe Oetjen, 109 Radisson Lane, addressed Council with concerns and questions about the Recreation campus project. She stated that communication between Mayor and Council is very important as well as communication to the citizens. She feels that citizens should be able to come before Council to get questions answered.

Angela Gary, 113 Lillians Way, stated that she was in attendance at the last Council meeting and was not able to finish her comments and requested that she be allowed to finish. Mrs. Gary read a verbatim transcript of comments from the previous meeting.

Mitzy Adams, 223 Pine Ridge Road announced that there will be a total eclipse of the sun in August 21, 2017.

Dewey Cochman came before Council stating that he belongs to the Madison Senior Center and expressed his appreciation for Mayor Trulock visiting the Senior Center.

Rich Sawyer, 207 Main Sail Way addressed Council regarding the addition of a water treatment plant located behind the Edgewater community. The fencing and berm have been removed and no notice was given that this was to be done. This has created an eyesore and he feels that this has affected the property value of the neighborhood.

Jay Wicker, 228 Mail Sail Way also reported that since the berm has been removed the noise and dust have been unbearable.

Chris Bach, 206 Mail Sail Way, asked who Madison Utilities reports to so that they can get some answers as to why the berm was taken away.

Dawn Price, 209 Mail Sail Way appeared before Council to ask that the remaining trees in the berm be retained.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

Council Member Smith moved to approve the consent agenda as amended as follows:

General Operating Account	\$696,856.48
Special General Operating Account	\$359.63
ADEM Storm Drainage	\$5,263.95
1/2 Cent Infrastructure	\$8,650.00
Gasoline Tax and Petroleum Inspection Fees	\$32,674.31
2013 and 2015 Bond Checking	\$96,396.23
Library Building Fund	\$52,102.55

Approval of partial PO payment in the amount of \$300.00 to OMI, Inc., PO 2016-1219, for NPDES inspections of the Garner St. drainage project (to be paid from 2015 Bond Account)

Approval of payment in the amount of \$1,211.63 to the Madison County Commission for fuel usage during the month of June 2016 while performing work related to Garner St. drainage and supported by Resolutions 2015-267-R and 2016-41-R (to be paid from 2015 Bond Account)

Approval of payment in the amount of \$300.00 to OMI, Inc. for NPDES inspections of Rickwood Village and Mose Chapel Road and drainage improvements (to be paid from 2013-A Bond Account)

Approval of partial PO payment in the amount of \$29,614.51 to Littlejohn, an S&ME Company, PO 2015-0537, for construction engineering and inspections for County Line Rd. Phase II with additional costs for CBMPP update (to be paid from 2013-A Bond)

Approval of payment in the amount of \$476,000.00 to ALDOT for the City of Madison's Share of funds for preliminary engineering costs on Project NHF-0002(566), additional lanes SR-2 (US 72) from County Line Road to Providence Main, per Res. 2014-276-R (To be paid from 2015 Bond Account)

Approval of payment for invoice #30534, in the amount of \$382.32 to Reed Contracting Services for materials supplied to repair trench failures (to be paid from Madison Utilities Forbearance Funds)

Approval of payment for invoice #30586, in the amount of \$61.56 to Reed Contracting Services for materials supplied to repair trench failures (to be paid from Madison Utilities Forbearance Fund)

Approval of payment for invoice #61680435-001 in the amount of \$185.00 to Sunbelt Rentals for materials supplied to repair trench failures (to be paid from Madison Utilities Forbearance Fund)

Resolution No. 2016-196-R declaring CAT 318D wheeled excavator and surplus and authorizing its disposal through trade in

Approval of partial PO payment in the amount of \$60.80 to Lowe's, PO 2016-1218, for materials purchased for Garner St. drainage improvements (to be paid from 2015 Bond Account)

Approval of payment for invoice #1201552 in the amount of \$116.00 to Construction Materials for pipe supplied to repair trench failures (to be paid from fund Madison Utilities Forbearance Fund)

Appropriation from Madison County Commissioner Steve Haraway in the amount of \$25,000 to be used for the Madison Park tennis court project at 1282 Hughes Road

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 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

Mayor Trulock announced that the new Kroger on Wall Triana will be opening within the next 60 days.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

Council President Holcombe addressed a recent Facebook comment regarding the Recreation project that stated that three of seven Council Members would vote in the affirmative for

the Recreation project because they would be leaving. Council Member Holcombe stated that that statement was not true and that until he sees a final contract on the Recreation center project he has not made a decision to support the project or not.

COUNCIL DISTRICT NO. 2 STEVE SMITH

Council Member Smith requested that the Mayor submit a budget for review by the first Council meeting in August.

COUNCIL DISTRICT NO. 3 D J KLEIN

Council Member Klein suggested an amendment to the City ordinance concerning budget deadline submission.

COUNCIL DISTRICT NO. 4 MIKE POTTER

Council Member Potter announced that the Building Director, Jimmy Morgan, will be leaving the City to take a job with the State. His last day is August 1st.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report.

COUNCIL DISTRICT NO. 6 GERALD CLARK

Council Member Clark stated that there should be more public involvement relating to the Recreation project and also would like to see an economic development study done.

COUNCIL DISTRICT NO. 7 RONICA ONDOCSIN

No business to report.

BOARD/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS

REQUEST FOR AN OFF-PREMISE BEER AND WINE LICENSE FROM KROGER LIMITED PARTNERSHIP I, DOING BUSINESS AS KROGER #605, FOR THEIR LOCATION AT 4579 WALL TRIANA HIGHWAY

Revenue Director Cameron Grounds requested that approval be made contingent upon issuance of a certificate of occupancy by the Building Department.

Council President Holcombe opened the public hearing for comments regarding this request. There being none, he then closed the public hearing and entertained a motion from Council.

Council Member Potter moved to approve the request from Kroger for an off-premise beer and wine license with the issuance of the local license contingent upon issuance of a certificate of occupancy. 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 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

ENGINEERING

RESOLUTION NO. 2016-191-R AUTHORIZING 10% OF FUNDING FROM NEIGHBORHOOD RESURFACING (ORD. 2014-198) AND 10% OF FUNDING FROM COLLECTOR ROADS (RES. 2016-129-R) BE EXPENDED TOWARD ADA COMPLIANCE

Council Member Overcash moved to approve the Resolution No. 2016-191-R. 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 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. 2016-192-R: APPROVE AGREEMENT WITH MADISON COUNTY FOR EXTENSION OF COEFER BOULEVARD

Council Member Potter moved to approve the Resolution No. 2016-192-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 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. 2016-155 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY OWNED BY JON AND MICHELLE BENDICKSON AND LOCATED WEST OF BURGREN ROAD AND SOUTH OF TRIBBLE ROAD (FIRST READING).

As this was a first reading, no action was taken on Proposed Ordinance No. 2016-155.

PROPOSED ORDINANCE NO. 2016-158 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY OWNED BY JUANITA HARDIMAN, RANDAL GREGORY MARTIN, AND JUDY TOLES AND LOCATED WEST OF SEGERS ROAD AND SOUTH OF POWELL ROAD (FIRST READING).

As this was a first reading, no action was taken on Proposed Ordinance No. 2016-158.

RESOLUTION NO. 2016-193-R SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE NO. 2016-194 REZONING CERTAIN PROPERTY OWNED BY ED MILLER AND LOCATED EAST OF SHELTON ROAD AND NORTH OF OLD MADISON PIKE FROM R-1B, LOW DENSITY RESIDENTIAL DISTRICT TO R-2,MEDIUM DENSITY RESIDENTIAL DISTRICT. (FIRST PUBLICATION 08/03/2016, SYNOPSIS 08/10/2016, PUBLIC HEARING 09/12/2016)

Council Member Potter moved to approve the Resolution No. 2016-193-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 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

RESOLUTION NO. 2016-187-R: APPROVE MADISON DOLPHINS SWIM AND DIVE TEAM FACILITIES USE AGREEMENT

Council Member Smith moved to approve the Resolution No. 2016-187-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 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. 2016-198-R AUTHORIZING AGREEMENT WITH ATHENS UTILITIES FOR GARBAGE AND TRASH BILLING AND FEE COLLECTION SERVICES

Council Member Potter moved to approve the Resolution No. 2016-198-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 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.

CITY CLERK-TREASURER

RESOLUTION NO. 2016-195-R APPOINTING OF ELECTION OFFICIALS FOR AUGUST 23, 2016 MUNICIPAL ELECTION AND ANY NECESSARY RUN-OFF ELECTION TO BE HELD ON OCTOBER 4, 2016 AND SETTING COMPENSATION FOR SAID ELECTION OFFICIALS

Council Member Clark moved to approve the Resolution No. 2016-195-R as amended. 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 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

None

EMPLOYEE HEARING

Council Member Overcash moved to go into executive session to conduct an employee hearing to discuss the good name and character of individuals. 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 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 reconvened at 12:00 AM.

Council Member Overcash moved to return from executive session. 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 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 Member Ondocsin moved to not affirm the Mayor's decision regarding the grievances heard during executive session. 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 D.J. Klein	Nay
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 Member Ondocsin moved to recommend to the Mayor request that Larry Muncey issue a public apology to the individuals involved and that Mayor Trulock re-evaluate Chief Muncey's employment status within the next 30 days with possible further disciplinary action. 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 D.J. Klein	Nay
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.

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

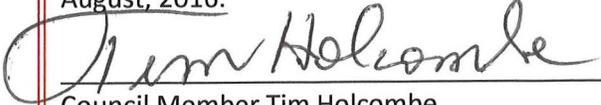
Council District No. 1 Tim Holcombe	Aye
Council District No. 2 Steve Smith	Aye
Council District No. 3 D.J. Klein	Aye
Council District No. 4 Mike Potter	Aye
Council District No. 5 Tommy Overcash	Aye
Council District No. 6 Gerald Clark	Aye
Council District No. 7 Ronica Ondocsin	Aye

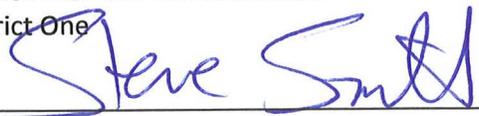
Motion carried.

The meeting was adjourned at 12:01 AM.

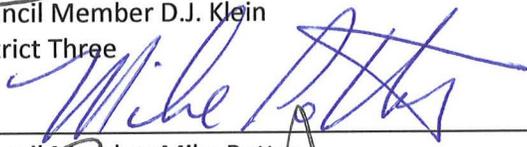
Signatures on following page.

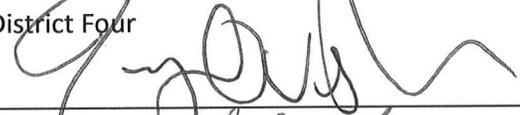
Minutes No. 2015-14-RG, dated July 25, 2016 read, approved and adopted this 8th day of August, 2016.


Council Member Tim Holcombe
District One

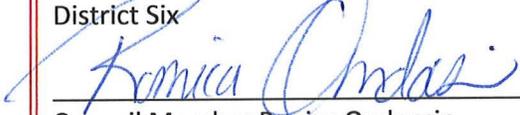

Council Member Steve Smith
District Two


Council Member D.J. Klein
District Three


Council Member Mike Potter
District Four

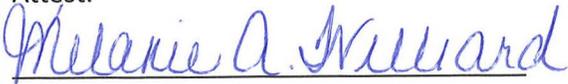

Council Member Tommy Overcash
District Five

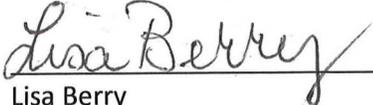

Council Member Gerald Clark
District Six


Council Member Ronica Ondocsin
District Seven

Concur:

Troy Trulock
Mayor

Attest:

Melanie A. Williard
City Clerk-Treasurer


Lisa Berry
Recording Secretary