

**MINUTES NO. 2009-02-RG**  
**OF THE CITY COUNCIL OF THE**  
**CITY OF MADISON, ALABAMA**

**6:00 P.M.**  
**MUNICIPAL COMPLEX**

**JANUARY 26, 2009**

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The Madison City Council met in regular session on Monday January 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 6:00 p.m. by Council President Tommy Overcash.

Pastor Mark Winder of Providence Presbyterian Church provided the invocation followed by the Pledge of Allegiance led by Council President Tommy Overcash.

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy A. Gilley, City Clerk-Treasurer Administrative Assistant Lisa Berry, City Engineer Gary Chynoweth, City Attorney Anne-Marie Lacy, Mayoral Aide Taylor Edge, Mayoral Secretary Kim Lindsey, Fire Chief Ralph Cobb, Finance Director Lillie Causey, Revenue Officer Cameron Grounds, Human Resources Director Teri Towry, City Planner Bob Atallo, and Acting Police Chief Lee Weaver.

Public Attendance registered: John Butterfield, Larry M. Stickles, Harold E. Lenz, Bruce Swanson, Jon Howell, Christine Bennett, Ed Collins, Sharee Miller, Opie Balch, Cristian L. Worcester, Ethan K. Worcester, C.W. Brown, Frank Riddick, Mark A. Winder, Don Palmer, David Jernigan, Carl Dow, Stephanie Schrimsher, Bob Wagner, W.C. Fuller, and Col. Robert Pastorelli.

The 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	Absent
Council District No. 7 Bill Holtzclaw	Present

**AMMENDMENTS TO AGENDA**

**ADDITIONS**

With the consensus of the Council the following changes were made to the Agenda:

Authorization for the Mayor to sign agreements with the following agencies for their annual non-departmental budget appropriations:

Resolution No. 2009-24-R – North Alabama Transportation Foundation

Resolution No. 2009-25-R – Volunteer Center of Madison County

Resolution No. 2009-26-R – National Children's Advocacy Center

Resolution No. 2009-27-R – Huntsville/Madison County Emergency Management Agency

Resolution No. 2009-28-R – Mental Health Center of Madison County

Resolution No. 2009-29-R – Madison Beautification and Tree Board

Carl Dow, presentation of certificate to the City of Madison in recognition of the City's support of the efforts and events of the Veterans Coalition.

**APPROVAL OF MINUTES**

**MINUTES NO. 2009-01-RG, JANUARY 12, 2009**

Council Member Jennings moved to approve Minutes No. 2009-01-RG as amended: 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**PRESENTATIONS AND AWARDS**

**COL. PASTORELLI, RECOGNITION OF MADISON CHEER BRIGADE**

Colonel Pastorelli presented a certificate and commander coins to the following people for their role in the Madison Cheer Brigade: Lisa Berry, Stacy Gilley, Melanie Williard, and Kim Lindsey. Kristen Bruseth, Debbie Overcash and Gayle Milam were not present at the meeting to receive their awards.

**JOHN BUTTERFIELD, MADISON FAMILY OF THE YEAR COMMITTEE**

John Butterfield of the Madison Family of the Year Committee appeared before Council with an update on their selection process and also requested Council's help in getting word out for nominations for Family of the Year.

**CARL DOW, PRESENTATION OF CERTIFICATE TO THE CITY OF MADISON**

Carl Dow appeared before Council to present a certificate to the City of Madison in recognition of the City's support of the efforts and events of the Veterans Coalition. Mr. Dow also told Council about an American Legion project that puts wreaths on veteran's graves. It is \$5.00 per grave and there are approximately 300 veteran's graves in the city of Madison.

**PUBLIC COMMENTS**

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

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

Council Member Cowles moved to approve the Consent Agenda as follows:

General Operating Account	\$276,372.39
Gasoline Tax and Petroleum Inspection Fees	\$64,815.46
TVA Tax Proceeds	\$47,519.12
Series Bond Checking	\$36,594.90

Library Building Fund	\$4,066.61
Approval of payment to Boxes & Inlets for materials supplied to the Balch Road Extension project (to be paid from Capital Improvement budget)	\$9,300.00
Approval of payment to OMI, Inc. for professional services for Madison Boulevard project (to be paid from Capital Improvement budget)	\$11,550.00
Approval of payment to Wilmer & Lee for legal services rendered on Bradford Creek Greenway Phase I (to be paid from Capital Improvement budget)	\$930.00
Approval of payment to Goodwyn, Mills and Cawood for Professional services for Wall Triana project (to be paid from Capital Improvement budget)	\$8,600.00
Approval of payment to GIS, Inc. for data model related to GIS System (to be paid from Capital Improvement budget)	\$9,130.50
Approval of payment to Florence & Hutcheson for work completed on the Eastview Drive Extension project (to be paid from Capital Improvement budget)	\$7,329.00
Approval of payment to Osborn & Associates Architects for services on the following projects: (to be paid from Special Revenue Fund, Capital Improvement budget and General Fund)	
Madison Senior Center	\$3,675.00
Madison Police Addition	\$7,875.00
Madison Round House Reroofing	\$3,048.00

Resolution No. 2009-21-R approving the disposal of certain Municipal Court Department records

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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**PRESENTATION OF REPORTS**

**MAYOR PAUL FINLEY**

**RESOLUTION NO. 2009-24-R TO APPROVE AN AGREEMENT WITH THE NORTH ALABAMA TRANSPORTATION FOUNDATION FOR AGENCY SERVICES RELATED TO THEIR ANNUAL APPROPRIATION FROM THE CITY OF MADISON**

Council Member Jennings moved to approve Resolution No. 2009-24-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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**RESOLUTION NO. 2009-25-R TO APPROVE AN AGREEMENT WITH THE VOLUNTEER CENTER OF MADISON COUNTY FOR AGENCY SERVICES RELATED TO THEIR ANNUAL APPROPRIATION FROM THE CITY OF MADISON**

Council Member Jennings moved to approve Resolution No. 2009-25-R. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**RESOLUTION NO. 2009-26-R TO APPROVE AN AGREEMENT WITH THE NATIONAL CHILDREN'S ADVOCACY CENTER FOR AGENCY SERVICES RELATED TO THEIR ANNUAL APPROPRIATION FROM THE CITY OF MADISON**

Council Member Jennings moved to approve Resolution No. 2009-26-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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**RESOLUTION NO. 2009-27-R TO APPROVE AN AGREEMENT WITH THE HUNTSVILLE/MADISON COUNTY EMERGENCY MANAGEMENT AGENCY FOR AGENCY SERVICES RELATED TO THEIR ANNUAL APPROPRIATION FROM THE CITY OF MADISON**

Council Member Jennings moved to approve Resolution No. 2009-27-R. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**RESOLUTION NO. 2009-28-R TO APPROVE AN AGREEMENT WITH THE MENTAL HEALTH CENTER OF MADISON COUNTY FOR AGENCY SERVICES RELATED TO THEIR ANNUAL APPROPRIATION FROM THE CITY OF MADISON**

Council Member Jennings moved to approve Resolution No. 2009-28-R. Council Member Cowles 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**RESOLUTION NO. 2009-29-R TO APPROVE AN AGREEMENT WITH THE MADISON BEAUTIFICATION AND TREE BOARD FOR AGENCY SERVICES RELATED TO THEIR ANNUAL APPROPRIATION FROM THE CITY OF MADISON**

Council Member Cowles moved to approve Resolution No. 2009-29-R. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

Mayor Finley reported to Council on the following items: traffic update, the first Special Needs Advisory Board Meeting, group meeting for the new proposed speed limits for the city, "Time with the Mayor" meeting with the president of Edgewater HOA regarding trees causing problems with sidewalks and Improvement Districts

**COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

**MADISON STATION HISTORIC PRESERVATION COMMISSION MEETING**

Council Member Holcombe reported that the first meeting of the Madison Station Historic Preservation Commission went well and that all seven members were in attendance. Mayor Finley spoke and gave his vision for the group. They also elected a chairman and a vice chairman. The next meeting will be February 4<sup>th</sup>, 2009.

**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**

Council Member Cowles stated that some issues came up in the Planning & Zoning meeting regarding infrastructure located in other jurisdictions. He requested that Mayor Finley to keep an active discussion going with the City of Huntsville regarding improvements and referenced the bridge just inside of Huntsville on Old Madison Pike.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

**RESOLUTION NO. 2009-22-R APPROVING THE JOB DESCRIPTION FOR APPOINTED POSITION OF CHIEF OF POLICE**

Council Member Jennings moved to approve Resolution No. 2009-22-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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**RESOLUTION NO. 2009-23-R AUTHORIZING THE CLOSING OF THE HUGHES ROAD SWIMMING POOL**

Council Member Cowles moved to approve Resolution No. 2009-23-R. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

Absent

**COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW**

**REAPPOINTMENT OF DARLA MALUEG TO PLACE 14 ON THE BEAUTIFICATION/TREE BOARD**

Council Member Holtzclaw moved to reappoint Darla Maleug to place 14 on the Beautification-Tree Board. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**REAPPOINTMENT OF STEVEN SIMPSON TO PLACE 15 ON THE BEAUTIFICATION/TREE BOARD**

Council Member Holtzclaw moved to reappoint Steven Simpson to place 15 on the Beautification-Tree Board. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

Council Member Holtzclaw announced that Huntsville Utilities is doing a survey of trees that may interfere with power lines. They will be conducting this survey in the next six to eight weeks. Council Member Holtzclaw advised that citizens may be getting a notice that some of their trees may need to be trimmed. Huntsville Utilities works with the Beautification Board to make sure they save the tree if at all possible.

Council Member Holtzclaw also gave a brief update on the School Blue Ribbon Committee. The Committee has broken into splinter groups to gather information and will then unify and come up with an overall plan to present.

**PUBLIC HEARINGS**

**REQUEST FROM CARD GROUP, INC. (DBA: E Z STOP) FOR OFF PREMISE BEER/WINE LICENSE FOR THEIR LOCATION AT 5191 WALL TRIANA HIGHWAY**

Council President Overcash opened the floor for public comments. There being none, he then closed the floor and entertained a motion from Council.

Council Member Cowles moved to approve the issuance of an off premise beer/wine license to Card Group, Inc. (DBA: E Z Stop) for their location at 5191 Wall Triana Highway. Council Member Jennings seconded. The vote taken was recorded as follows:

Council Member Tim Holcombe	Abstain
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**DEPARTMENT REPORTS**

**FINANCE**

**RESOLUTION NO. 2009-20-R APPROVING AN AMENDED CONTRACT WITH CINGLENET FOR INFORMATION TECHNOLOGY SERVICES (TO BE PAID FROM GENERAL FUND)**

Council Member Jennings moved to approve Resolution No. 2009-20-R. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

**LEGAL**

**LEGAL ACTION ITEMS**

**PROPOSED ORDINANCE NO. 2009-03 CONVEYING PROPERTY TO THE GROVE PARK OWNERS ASSOCIATION (FIRST READING 01/12/2009)**

Council Member Cowles moved to adopt Ordinance No. 2009-03. 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	Absent
Council Member Bill Holtzclaw	Aye

Motion carried.

At this point in the meeting Mayor Finley took the opportunity to answer questions submitted by Larry Stickle at the last Council meeting about signage. Mayor Finley assured that this would be taken care of correctly along with any other signs that were done incorrectly in the past.

#### **MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

W.C. Fuller of 101 Arden Circle appeared before Council to ask about the updated action item list that was promised at the last Council meeting. Council President Overcash stated that he would have the action item list at the next Council meeting. He also asked about Improvement Districts and was advised that there are none currently being worked on.

#### **ADJOURNMENT**

Having no further business to discuss, Council Member Cowles moved that the meeting be adjourned. 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	Absent
Council Member Bill Holtzclaw	Aye


Motion carried.


The meeting was adjourned at 6:55 p.m.

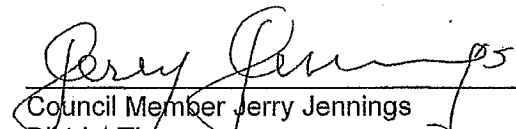
Signatures on following page:

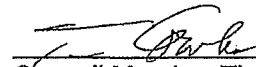


Minutes No. 2009-02-RG, dated January 26, 2009, read, approved and adopted this 9<sup>th</sup> day of February, 2009.

  
Council Member Tim Holcombe  
District One


  
Council Member Steve Haraway  
District Two

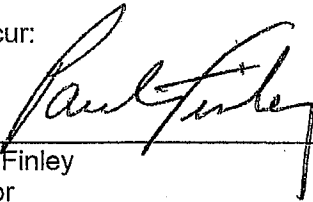
  
Council Member Jerry Jennings  
District Three

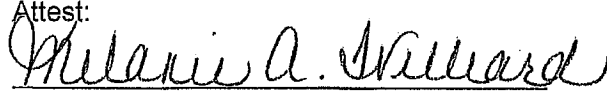
  
Council Member Tim Cowles  
District Four

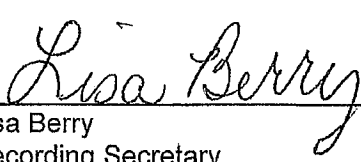
  
Council Member Tommy Overcash  
District Five

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