

**MINUTES NO. 2010-10-RG**  
**OF A**  
**REGULAR MEETING**  
**OF THE CITY COUNCIL OF**  
**THE CITY OF MADISON, ALABAMA**  
**MAY 24, 2010**

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The Madison City Council met in regular session on Monday, May 24, 2010 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 6:02 p.m. by Council President Holtzclaw.

Pastor Tom Parker of Wall Highway Baptist Church provided the invocation followed by the Pledge of Allegiance led by Council President Holtzclaw.

**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 Paul Finley	Absent
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, Assistant City Clerk-Treasurer Stacy Gilley, Police Chief Larry Muncey, Planner Johnny Blizzard, Planner Gina Romine, City Engineer Gary Chynoweth, Mayoral Aide Taylor Edge, Public Works Director Dana Stahl, Operations Manager Clay Baker, HR Director Terri Towry, Building Director Cody Phillips, Director of Finance Lillie Causey, Revenue Officer Cameron Grounds, and City Attorney Kelly Butler.

Public attendance registered: Jon Howell, Cary Hilton, Ed Collins, Pat Cross, Ricky Robinson, Catherine Summer, Thomas Scovill, W.C. Fuller, Joe Gehrdes, Charlie Brown, Daniel Osborn, Mary Fletcher, Frank Riddick, Derrick Raws, Michael Callahan, Robert Hall, John F. Owens, Don Spencer, Jr., and Gray Win

**AMMENDMENTS TO AGENDA**

**ADDITIONS**

**PLANNING**

Acceptance of Hardiman Place Phase 5 N/K/A Creekside at Hardiman Place into the City of Madison Maintenance Program

**DELETIONS**

**RECREATION**

Resolution No. 2010-153-R approving an agreement with Premier Pyrotechnics for July 4<sup>th</sup> fireworks in the amount of \$15,000 (to be paid from departmental budget)

**FINANCE**

Resolution No. 2010-148-R awarding Bid No. MPWD-06-10 in the amount of \$98,563 to Stamm Manufacturing for the purchase of one (1) signal truck (to be paid from public works department budget)

Resolution No. 2010-150-R awarding Bid No. MPWD-13-10 in the amount of \$42,760 for the purchase of boom for knuckle loader Ingram Equipment (to be paid from public works department budget)

**APPROVAL OF MINUTES**

**MINUTES NO. 2010-09-RG, MAY 10, 2010**

Council Member Overcash moved to approve Minutes No. 2010-09-RG as amended.  
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	Abstain

Motion carried

**PRESENTATIONS AND AWARDS**

**PRESENTATION BY MADISON BEAUTIFICATION & TREE BOARD**

Pat Cross, President of the Madison Beautification Board thanked Council for the City's annual appropriations that funds projects around the City of Madison. She updated Council on current and future projects.

**PUBLIC COMMENTS**

**PETER ENGSTROM, 112 REDWOOD DRIVE, ADDRESS COUNCIL REGARDING BICYCLE PATHS IN THE CITY**

Peter Engstrom of 112 Redwood Drive appeared before Council encouraging the City to make funds available for infrastructure for bike and walking paths.

**THOMAS SCOVILL, 530 HIGHLAND DRIVE, ADDRESS ISSUE OF CONTRIBUTING TAXPAYER MONEY TO POLITICAL ORGANIZATIONS**

Thomas Scovill of 530 Highland Drive approached Council with concerns regarding annual appropriations to the Huntsville/Madison County Chamber of Commerce. He asked Council to reconsider this appropriation due to what he feels is a conflict of interest. Council Member Holtzclaw informed Mr. Scovill that he would ask Mayor Finley to look into this matter.

Mike Callahan of 120 Corrine Drive appeared before Council in favor of fees remaining in place for Residential Improvement Districts.

**CONSENT AGENDA AND FINANCE COMMITTEE REPORT**

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

General Operating Account	\$742,178.44
Gasoline Tax and Petroleum Inspection Fees	\$29,537.82
Series 2006 Bond Checking	\$437,578.80
Library Building Fund	\$4,001.48
Approval of payment to Osborn & Associates for services provided In connection with the Recreational Activities parking lot project (to be Paid from Capital Improvement budget)	\$600.00
Approval of payment to Osborn & Associates for services provided In connection with the Police Station Addition project (to be Paid from Capital Improvement budget)	\$1,381.52
Approval of payment to Osborn & Associates for services provided In connection with Senior Center Addition project (to be Paid from Capital Improvement budget)	\$948.00
Approval of payment to the following vendors for materials Supplied for the Mill/Telluride/Whisperwood drainage project (to be paid from Capital Improvement budget):	
Sunshine Supplies	\$8,060.00
Loader Services & Equipment	\$3,500.00
Milam Logging, Inc.	\$1,000.00
Robin Rents	\$2,350.00
Limestone Farmers Co-op	\$270.00
Approval of payment to SJ&L General Contractors for work Completed on Eastview Drive Sidewalk project (to be paid From Capital Improvement budget)	\$31,197.27
Approval of payment to Madison Utilities for relocation of water Lines in relations to the Brownsferry Road Drainage project (to Be paid from Capital Improvement budget)	\$15,799.00
Approval of payment to McDonald Brothers Construction, Inc. for Work completed on the Emerson Road Extension project (to be paid From Capital Improvement budget)	\$2,992.00
Approval of payment to Florence & Hutcheson for engineering Services related to the County Line resurfacing project (to be paid From Gas Tax fund)	\$23,200.00
Approval of payment to Florence & Hutcheson for engineering Services related to bridge on Gillespie Road (to be paid from Capital Improvement budget)	\$5,525.00
Approval of payment to J.C. Cheek Contractor, Inc. for temporary Striping of Eastview Drive (to be paid from Capital Improvement budget)	\$2,210.35

Approval of payment to Goodwyn Mills & Cawood for extra services  
For temporary construction easements along Bradford Creek Greenway  
Phase I (to be paid from Capital Improvement budget) \$960.00

Approval of payment to Goodwyn Mills & Cawood for extra services  
For Whisperwood Drainage project (to be paid from Capital Improvement  
budget) \$1,575.00

Approval of payment to Media Works for printing 5 sets of construction  
Drawings in relation to the Bradford Creek Greenway Phase I Project  
(to be paid from Capital Improvement budget) \$406.25

Approval of payment to APAC-Midsouth for retainage related to the  
Highway 72/Hughes Road project (to be paid from Capital Improvement  
Budget) \$8,201.63

Approval of payment to Import Wrecker Service for moving storage  
Buildings at the Senior Center to accommodate the new addition (to be  
Paid from Capital Improvement budget) \$125.00

Resolution No. 2010-145-R declaring certain city property as surplus and of negligible  
value and authorizing its disposal

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

#### PRESENTATION OF REPORTS

#### MAYOR PAUL FINLEY

#### RESOLUTION NO. 2010-147-R APPROVING AN AGREEMENT WITH THE MADISON BEAUTIFICATION & TREE BOARD FOR THEIR ANNUAL APPROPRIATION

Council Member Overcash moved to approve Resolution No. 2010-147-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

**COUNCIL DISTRICT NO. 1 TIM HOLCOMBE**

Council Member Holcombe announced that ribbon cutting for the Leathertree Bridge Park project was held on Friday, May 21, 2010. He thanked all involved including Council and Patriot Academy.

**COUNCIL DISTRICT NO. 2 STEVE HARAWAY**

No business to report.

**COUNCIL DISTRICT NO. 3 JERRY JENNINGS**

Council Member Jennings stated that the new street lighting ordinance is progressing and he hopes to bring it before Council soon. Also, one major change in the ordinance is that the cost of streets lights will now be absorbed by the developer instead of the City.

**COUNCIL DISTRICT NO. 4 TIM COWLES**

Council Member Cowles received a request for up to one thousand dollars from the Madison Garden Club for paths for the Madison Cemetery Project. He presented this request to Council for future consideration.

**COUNCIL DISTRICT NO. 5 TOMMY OVERCASH**

No business to report.

**COUNCIL DISTRICT NO. 6 LARRY VANNOY**

Council Member Vannoy reminded everyone of the Work Session following the Council Meeting.

**COUNCIL DISTRICT NO. 7 BILL HOLTZCLAW**

Council Member Holtzclaw announced that a joint meeting was held with the Concerned Homeowners Alliance along with representatives from realtors and builders. An agreement was made that they would collectively develop a resolution regarding homeowners protection legislation which would then be brought to Council.

Ed Collins of 303 Crown Drive appeared before Council requesting to see all the information gathered from the joint meeting before submission. Council Member Holtzclaw informed him that all information would be made public.

**DISCUSSION OF MADISON CITY REPRESENTATION ON THE HUNTSVILLE FEDERAL BUILDING AUTHORITY AND THE MUNICIPAL PLANNING ORGANIZATION PUBLIC HEARING**

Council Member Holtzclaw requested that the Mayor Finley engage in discussions with Mayor Battle and the Huntsville City Council to include Madison City representation on these boards. It was the consensus of Council to go forward with this.

**PUBLIC HEARING**

**PROPOSED ORDINANCE NO. 2010-103 RELATING TO ZONING; AMENDING THE ZONING ORDINANCE TO REVISE THE COMMERCIAL ZONING DISTRICT SECTIONS (FIRST READING 04/26/2010)**

Planner Johnny Blizzard outlined for Council the changes that were included in this proposed ordinance.

Council President Holtzclaw opened the public hearing for comments regarding Proposed Ordinance No. 2010-103. There being none, he closed the public hearing and entertained a motion from Council.

Council Member Overcash moved to approve Ordinance No. 2010-103. 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

#### **DEPARTMENT REPORTS**

#### **REVENUE**

#### **PROPOSED ORDINANCE NO. 2010-121 EXEMPTING CERTAIN "COVERED ITEMS" FROM CITY OF MADISON SALES TAXES DURING THE FIRST FULL WEEKEND OF AUGUST 2010 (FIRST READING 05/10/2010)**

Council Member Jennings moved to approve Ordinance No. 2010-121. 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

#### **POLICE**

#### **RESOLUTION NO. 2010-146-R APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE BUREAU OF JUSTICE FOR 2010 VEST GRANT (50% MATCHING FUNDS FROM DEPARTMENTAL BUDGET- APPROXIMATELY \$5,250)**

Council Member Holcombe moved to approve Resolution No. 2010-146-R. 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

**PLANNING**

**PROPOSED ORDINANCE NO. 2010-144 VACATE PORTION OF 5-FOOT UTILITY AND DRAINAGE EASEMENT ON LOT 1 OF CAMBRIDGE COMMERCIAL LOT DUE TO RESUBDIVISION OF LOT AS REQUESTED BY HERITAGE PLANTATION, INC. (FIRST READING - SUSPENSION OF RULES REQUESTED)**

Council Member Overcash moved to suspend the rules for the immediate consideration of Proposed Ordinance No. 2010-144. Council Member Vannoy 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 Member Cowles moved to approve Ordinance No. 2010-144. 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

**ACCEPTANCE OF HARDIMAN PLACE PHASE 5 N/K/A CREEKSIDE AT HARDIMAN PLACE INTO THE CITY OF MADISON MAINTENANCE PROGRAM**

Council Member Jennings moved to approve acceptance of Hardiman Place into the City of Madison maintenance program. 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

**PUBLIC WORKS**

**RESOLUTION NO. 2010-149-R AUTHORIZING MAYOR TO ENTER INTO AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE WILDLIFE SERVICES TO PROVIDE WILDLIFE DAMAGE MANAGEMENT SERVICES IN THE AMOUNT OF \$5,000 (TO BE PAID FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Jennings moved to approve Resolution No. 2010-149-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

#### RECREATION

**RESOLUTION NO. 2010-151-R APPROVING CHANGE ORDER NO. 1 ON CONTRACT WITH PARALLAX BUILDING SYSTEMS FOR MADISON CITY RECREATIONAL ACTIVITIES PARKING LOT PROJECT INCREASING CONTRACT IN THE AMOUNT OF \$8,605.00 (REVISED TOTAL CONTRACT \$79,692.00)(FUNDING FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Haraway moved to approve Resolution No. 2010-151-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

**RESOLUTION NO. 2010-152-R APPROVING CHANGE ORDER NO. 1 ON CONTRACT WITH PEARCE CONSTRUCTION COMPANY, INC. FOR MADISON SENIOR CENTER ADDITION PROJECT INCREASING CONTRACT IN THE AMOUNT OF \$4,808.00 (REVISED TOTAL CONTRACT \$241,757.00)(FUNDING FROM CAPITAL IMPROVEMENT BUDGET)**

Council Member Jennings moved to approve Resolution No. 2010-152-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	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

#### LEGAL

#### LEGAL ACTION ITEMS

**PROPOSED ORDINANCE NO. 2010-59 AMENDING CERTAIN SECTIONS OF CHAPTER 5, ANIMAL CONTROL, OF THE CODE OF ORDINANCES FOR THE CITY OF MADISON, ALABAMA (FIRST READING 05/10/2010)**

Council Member Overcash moved to approve Ordinance No. 2010-59. 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	Nay
Council Member Bill Holtzclaw	Nay

Motion carried

**PROPOSED ORDINANCE NO. 2010-141 REPEALING ORDINANCE NO. 2007-231 AND RESCINDING THE POLICY REQUIRING FORMATION OF IMPROVEMENT DISTRICTS IN LIMESTONE COUNTY (FIRST READING 05/10/2010)**

Council Member Overcash moved to approve Ordinance No. 2010-141. 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	Nay
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

None

**ADJOURNMENT**

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

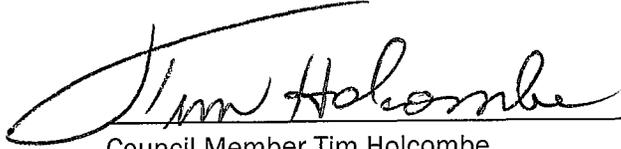
Council Member Tim Holcombe	Aye
Council Member Steve Haraway	Aye
Council Member Jerry Jennings	Aye
Council Member Tim Cowles	Aye
Council Member Tommy Overcash	Aye
Council Member Larry Vannoy	Aye
Council Member Bill Holtzclaw	Aye

Motion carried

The meeting was adjourned at 7:52 p.m.

Signatures on following page.

Minutes No. 2010-09-RG, dated May 24, 2010, read, approved and adopted this 14<sup>th</sup> day of June, 2010.



Council Member Tim Holcombe  
District One



Council Member Steve Haraway  
District Two

Absent

Council Member Jerry Jennings  
District Three



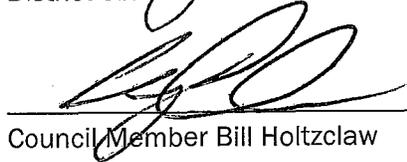
Council Member Tim Cowles  
District Four



Council Member Tommy Overcash  
District Five

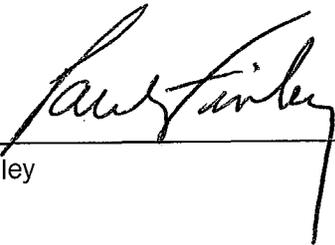


Council Member Larry Vannoy  
District Six



Council Member Bill Holtzclaw  
District Seven

Concur:



Paul Finley  
Mayor

Attest:



Melanie A. Williard  
City Clerk-Treasurer



Lisa Berry  
Recording Secretary