

MINUTES NO. 2010-25-RG
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MADISON, ALABAMA
DECEMBER 20, 2010

The Madison City Council met in regular session on Monday, December 20, 2010, at 6:30 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 6:30 p.m. by Council President Overcash.

Mr. Frank Walton with Church of Christ at Gooch Lane 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 | Vacant |

Also in attendance were: City Clerk-Treasurer Melanie A. Williard, Assistant City Clerk-Treasurer Stacy Gilley, Revenue Officer Cameron Grounds, Human Resources Director Terri Towry, Finance Director Lillie Causey, Public Works Director Dana Stahl, Police Chief Larry Muncey, Fire Chief Ralph Cobb, Parks & Recreation Director Kory Alfred, Fire Marshall Cary Sadler and Building Director Cody Phillips

Public Attendance registered: Stephen & Amanda Holland, Charlie Brown, Gordon Brown, Laura Brown, Joe Gehrdes with Huntsville/Madison County Builders Association, Nuntry Fletcher, Tim Knox, Harry Wilson, Ernie Blair, Derrick & Tina Rains, Ben Keith, Ron Keith, Jon Howell, Frank H. Riddick, Sandra Books, Stephen Brooks, Mary Hudson and W.C. Fuller

APPROVAL OF MINUTES

MINUTES NO. 2010-24-RG; DECEMBER 13, 2010

Council Member Jennings moved to approve Minutes No. 2010-24-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 | Abstain |
| Council Member Tommy Overcash | Aye |
| Council Member Larry Vannoy | Aye |
| Council District No. 7 | Vacant |

MINUTES NO. 2010-08-WS; DECEMBER 15, 2010

Council Member Jennings moved to approve Minutes No. 2010-08-WS. 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 District No. 7 | Vacant |

PRESENTATIONS AND AWARDS

PRESENTATION OF CERTIFICATE OF RECOGNITION BY POLICE DEPARTMENT TO NUNTRY FLETCHER FOR REMARKABLE COMMUNITY SERVICE

Police Chief Larry Muncey presented a Certificate for Meritorious Service to Mr. Nuntry Fletcher for his valiant efforts to render aid to a fellow citizen during his time of need. A standing ovation was given for Mr. Fletcher.

PUBLIC COMMENTS

Public Comments are limited to five minutes each if the speaker requested to be added to the Agenda prior to deadline. Individuals requesting to speak at the meeting who did not make the agenda deadline are limited to three minutes.

MR. ORVAL COOPER; 313 CHURCH STREET REGARDING SPEED HUMPS ON CHURCH STREET

Mr. Cooper appeared before Council inquiring into the reasoning behind the removal of the speed humps on Church Street. Mayor Finley advised him that the humps were removed in an effort to balance safety and the needs of the business community. He added that the situation will be monitored and evaluated over a period of time.

CONSENT AGENDA AND FINANCE COMMITTEE REPORT

It was noted that the Police Department requested that Resolution No. 2010-367-R; authorizing a travel advance be removed from the Consent Agenda.

Council Member Vannoy moved to approve the Consent Agenda and Finance Committee Report as follows:

| | |
|--|--------------|
| General Operating Account | \$269,290.62 |
| Gasoline Tax & Petroleum Inspection Fees | \$71,160.80 |
| Federal Forfeiture | \$43,832.00 |
| Series 2006 Bond Checking | \$364,550.64 |
| Library Building Fund | \$883.31 |

Payment to Osborn & Associates for work completed on the Police Department Addition project (paid from Capital Improvement Project budget) \$1,755.66

Acceptance of donation in the amount of \$100 from Bechtel to be deposited into Fire Department Donation account

Payment to the following vendors for materials/services related to the Gillespie Road/Hughes Road intersection project (CIP budget):

| | |
|----------------------|----------|
| Madison Utilities | \$72.56 |
| Alabama Concrete | \$262.50 |
| Wilson Lumber | \$229.71 |
| Wilson Lumber | \$231.35 |
| HD Supply Waterworks | \$55.49 |
| PBS Services | \$175.00 |

Payment to SJ & L General Contractors for work completed on Bradford Creek Greenway Phase I (CIP budget) \$9,297.37

Payment to the following vendors for services/materials related to Mill Creek Greenway land acquisition (CIP budget):

| | |
|---------------|----------|
| Wilson Lumber | \$14.25 |
| PBS Services | \$175.00 |

Payment to OMI, Inc. for construction materials testing related to Bradford Creek Greenway Phase I (CIP budget) \$682.50

Payment to Huntsville Utilities for street light installation on Spotted Fawn in connection with Mill Creek Greenway land acquisition (CIP budget) \$1,109.00

Resolution No. 2010-361-R; authorizing the disposal of six (6) abandoned bicycles

Council Member Jennings seconded the motion to approve the Consent Agenda and Finance Committee Report. 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 District No. 7 | Vacant |

Motion carried.

PRESENTATION OF REPORTS

MAYOR PAUL FINLEY

2010 HOLIDAY CHEER BRIGADE

Mayor Finley announced that this year over \$14,000 in money and gifts were delivered to needy soldiers and their families.

COUNCIL DISTRICT NO. 1 TIM HOLCOMBE

CONNECT 2011 – STATE OF THE CITY ADDRESS

The annual State of the City address will be held on January 21st, 2011 at the Davidson Center at the Space and Rocket Center in Huntsville.

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

No business to report.

COUNCIL DISTRICT NO. 5 TOMMY OVERCASH

No business to report.

COUNCIL DISTRICT NO. 6 LARRY VANNOY

No business to report.

DISTRICT NO. 7

Vacant

BOARD/COMMITTEE APPOINTMENTS

NOMINATION AND APPOINTMENT TO COUNCIL DISTRICT NO. 7

Council Member Vannoy nominated Mrs. Ronica Ondocsin for appointment to the Council District No. 7 seat recently vacated by newly elected Senator Bill Holtzclaw. There being no further nominations, Council Member Vannoy moved to close nominations. Council Member Vannoy moved to accept by acclamation the appointment of Ronica Ondocsin to Council District No. 7. 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 District 7 | Vacant |

Motion passed.

A round of applause was given. Mrs. Ondocsin will be sworn in at the first regular meeting in January at which time she will become a seated member of Council.

NOMINATIONS FOR APPOINTMENT TO THE RECREATION ADVISORY BOARD PLACE NO. 1 AND PLACE NO. 2

Council Member Haraway nominated Mr. Cliff Lanham for reappointment to Place No. 1 on the Recreation Advisory Board. There being no further nominations, Council Member Cowles moved to close nominations. The vote to close nominations 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 District 7 | Vacant |

Motion passed.

Council Member Haraway moved to reappoint Mr. Lanham to Place No. 1 on the Recreation Advisory Board. 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 District 7 | Vacant |

Motion passed.

Council Member Haraway nominated Mr. Troy Trulock for appointment to Place No. 2 on the Recreation Advisory Board. There being no further nominations, Council President Overcash closed nominations. Council Member Jennings moved to appoint by acclamation Mr. Trulock to Place No. 2 on the Recreation Advisory Board. 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 District 7 | Vacant |

Motion passed.

NOMINATIONS FOR APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENTS & APPEALS PLACE NO. 4 AND PLACE NO. 5

Council Member Jennings moved to nominate the reappointment of Mr. Frederick Davey to Place No. 4 of the Zoning Board of Adjustments & Appeals. There being no further nominations, Council Member Cowles moved to close nominations. Council Member Holcombe seconded. By acclamation, Council voted to approve the reappointment of Mr. Davey. 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 District 7 | Vacant |

Council Member Jennings moved to appoint Ted Whitney to Place No. 5 on the Zoning Board of Adjustments & Appeals and to move Tim Maleug from Supernumerary Place No. 2 to Supernumerary Place No. 1 on the Zoning Board of Adjustments and Appeals. 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 District 7 | Vacant |

Motion passed.

Council Member Jennings moved to nominate Mary Hudson to Supernumerary Place No. 2. There being no further nominations, Council Member Vannoy moved to close nominations. 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 District 7 | Vacant |

Motion passed.

Council Member Jennings moved to appoint by acclamation Ms. Mary Hudson to Supernumerary Place No. 2 on the Zoning Board of Adjustments & Appeals. 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 District 7 | Vacant |

Motion passed.

PUBLIC HEARINGS

REQUEST BY ROUKH, INC. (DBA: JET PEP) FOR OFF-PREMISE BEER/WINE LICENSE FOR THEIR LOCATION AT 7850 HIGHWAY 72 WEST

Revenue Officer Cameron Grounds informed Council that everything is in order for the approval of this request. Council President Overcash opened the public hearing for comments from the public regarding this request. There being none, he then closed the floor and entertained a motion from Council.

Council Member Cowles moved to consent to the issuance of an off-premise beer/wine license to Roukh, Inc. (DBA: Jet Pep) for their location at 7850 Highway 72 West. Council Member Vannoy 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 | Aye |
| Council District No. 7 | Vacant |

Motion passed.

DEPARTMENTAL REPORTS

POLICE DEPARTMENT

RESOLUTION NO. 2010-363-R; AUTHORIZING MAYOR TO EXECUTE ANNUAL MAINTENANCE AGREEMENT WITH INTERGRAPH FOR I-LEADS PROGRAM (HARDWARE & SOFTWARE) (TO BE PAID FROM DEPARTMENTAL BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-363-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 District No. 7 | Vacant |

Motion passed.

RECREATION

RESOLUTION NO. 2010-364-R; APPROVING AN AGREEMENT WITH BARGE, WAGGONER, SUMNER & CANNON, INC. FOR ELECTRICAL ENGINEERING

SERVICES FOR PALMER FIELD COMPLEX SOCCER FIELD LIGHTING PROJECT (TO BE PAID FROM CIP BUDGET)

Council Member Haraway moved to approve Resolution No. 2010-364-R, capping the expenses at \$200. 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 District No. 7 | Vacant |

Motion passed.

RESOLUTION NO. 2010-368-R; DECLARING THE GYMNASIUM FLOOR AT DUBLIN PARK AN EMERGENCY AND AUTHORIZING REPAIR OF SAID FLOORING

Due to the recent record rainfall which occurred on November 27th, the gymnasium floor sustained flood damage and cannot be used.

Council Member Vannoy moved to approve Resolution No. 2010-368-R declaring the damage to the gymnasium floor at Dublin Park an emergency and authorizing the repairs in an amount not to exceed \$90,000. 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 District No. 7 | Vacant |

Motion passed.

Mayor Finley thanked the YMCA for allowing the City to use their facilities during this past week.

ENGINEERING

RESOLUTION NO. 2010-366-R; APPROVING AN AGREEMENT IN THE AMOUNT OF \$5,000 WITH OMI, INC. FOR NPDES, MUNICIPAL STORM SEWER SYSTEM PERMIT MANAGEMENT AND ANNUAL REPORTING (TO BE PAID FROM DEPARTMENTAL BUDGET)

Council Member Jennings moved to approve Resolution No. 2010-366-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 District No. 7 | Vacant |

Motion passed.

LEGAL

LEGAL ACTION ITEMS

911 BOARD REPRESENTATIVE ERNIE BLAIR; PROPOSED AGREEMENT FOR 911 EMERGENCY TELEPHONE AND RADIO SERVICES

Mr. Blair informed Council that the 911 Board is looking at going to the bond market for Phase 1 of an upgrade to the radio & telephone system at the 911 Center in Huntsville, which the City of Madison is a part of. In order to go to the bond market, each of the entities; City of Madison, City of Huntsville and Madison County, would need to approve a twenty-five year agreement with an extension that could take it up to 100 years. Council Member Vannoy expressed concern with the length of the agreement term.

Council President Overcash requested that Mayor Finley review this agreement further with City Attorney Kelly Butler and if necessary Council will entertain a special called meeting to consider this agreement prior to December 31, 2010 in order to lock in this year's rates.

FIRST READINGS

None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

None

ADJOURNMENT

Having no further business to discuss, Council Member Jennings 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 District No. 7 | Vacant |

Motion carried.

The meeting was adjourned at 7:23 p.m.

Signatures on following page.

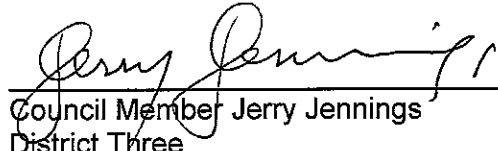
Minutes No. 2010-25-RG, dated December 20th, 2010, read, approved and adopted this 12th day of January 2011.



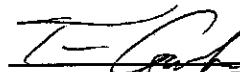
Council Member Tim Holcombe
District One



Council Member Steve Haraway
District Two



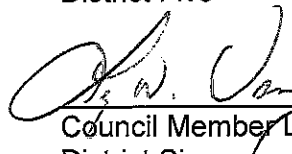
Council Member Jerry Jennings
District Three



Council Member Tim Cowles
District Four



Council Member Tommy Overcash
District Five

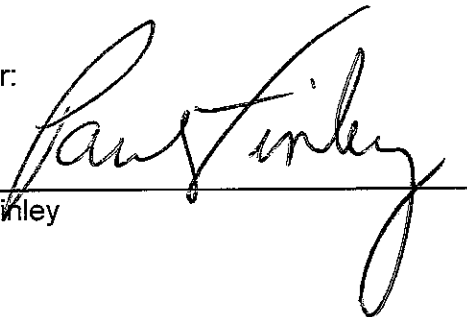


Council Member Larry Vannoy
District Six




Council Member Ronica Ondocsin
District Seven

Concur:

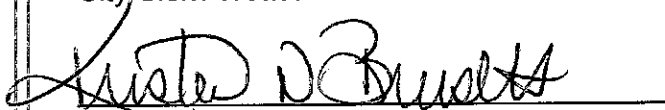


Paul Finley
Mayor

Attest:



Melanie A. Williard
City Clerk-Treasurer



Kristen N. Bruseth
Recording Secretary