

CULLMAN CITY COUNCIL MEETING ON JANUARY 21st, 2019 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:00 o'clock p.m. on Monday, January 21st, 2019. Fire Chief Brian Bradberry presented the invocation.

A roll call by City Clerk Wesley Moore reflected the following: Present - Mayor Woody Jacobs, Council Member Andy Page, Council President Pro Tem Johnny Cook, Council Member David Moss, Council Member Clint Hollingsworth, and Council President Jenny Folsom. Also, present were City Attorney Roy Williams and City Clerk Wesley Moore.

Council President Jenny Folsom asked the Council to consider the minutes from January 14th, 2019. President Pro Tem Johnny Cook made a motion to suspend the rules to consider the minutes. Council Member Page seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. President Pro Tem Cook made a motion to approve the minutes from January 14th, 2019 as written. Council Member Moss seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA - None.

V. REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Council Member Andy Page - No report.
2. Utilities (Water, Sewer, etc.) - Council Member David Moss - No report.
3. Public Works (Street, Sanitation, etc.) - Council Member Johnny Cook - No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Council Member Clint Hollingsworth stated that Shane Quick will be available in the lobby after the meeting to address Rock the South questions and concerns.
5. General Government (Finance, Economic Development, etc.) - Council Member Jenny Folsom - No report.

REPORT FROM THE MAYOR

Mayor Woody Jacobs announced that Garage Superintendent Mason Kugler has retired.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Council President Folsom informed the audience that the Council will now hear from speakers regarding Rock the South:

County Commissioner Gary Marchmann reported that his office has received calls concerning the county roads, and that they have the current traffic counts for the roads. He stated that the increased traffic would cause the roads to deteriorate faster and costs more to maintain in the future. He also said that the width and geometry of the roads are not designed for the amount of traffic due to the Rock the South Music Festival. He is concerned with the roads that are being considered rural collector roads in the County.

Mr. David Brown, 2207 Deer Run Drive SW, voiced concerns for the health, safety, and well-being of the residents, patrons, animals around the event site. He questioned the reports of the road and traffic studies, EMA, ADEM, Cullman County Water Department, Cullman County Electric Cooperative, Cullman County Road Department, or Sheriff's department. He asked if Rock the South has provided the City with a full logistics plan specific to this location such as: plans to evacuate 30,000 people in severe weather; pedestrian safety; travel routes for a medical emergency, and if a risk management plan is in place. Mr. Brown put the Mayor, City Council and Attorney Williams on notice that when something goes wrong, a life is lost, someone is seriously injured, everyone will be held accountable if a permit is issued without doing their due diligence.

Mrs. Emily Brown, 2207 Deer Run Drive SW, questioned if the council has examined the certified reports to make sure that 100% of the people, animals, and wildlife in this area are protected before, during, and after the event.

Mr. Steven Speciale, 2206 Brook Lane SW, speaks on risks and issues on the larger site being different than where it has been located for the past seven years. The risks involved are life, safety, drugs, human trafficking, sex trafficking, weapons, and possible terrorism. He had two questions for the Mayor and City Council: 1) Who is the oversight body that holds the city's operations and politicians accountable? We have engineers and others around here, but who is the independent oversight body? 2) With all things considered, is the revenue for two days more important than the ethics and safety of the 83,000 residents in Cullman County?

Mr. Alfred Hughes, 2217 Lakeshore Drive SW, interjected questions about the county roads.

Mr. Shane Quick, Premier Productions, 216 3rd Street SE, explains they are not applying for a permit at this time, but they are doing their due diligence. They are hiring professionals for due diligence on the roads, on the site, health management, and everything else. When all reports are in order, the event permit request will be presented to the council for their review and approval.

Mr. Darrell Skipper, a Registered Professional Engineer, stated that he has been hired to create a traffic handling plan for the event. He provided an overview of the necessary roadway consideration, training law enforcement officers on the proper traffic routes, and incorporating plans for people who live, work, and shop in Cullman to assure that they are accommodated with this plan. There will be life safety plans in place for the Cullman County Road Department, Sheriff's Department, Police Chief, EMA, and the City, and they be involved in meetings to see what are their thoughts and needs for handing this event based on past experiences with this particular project. In a few weeks when the plan is developed, it will be made public, and the request for the special event permit will be requested.

Mrs. Ashley Lamar Dawes, 1210 Sheraton Road SW, requests considering charging lodging taxes for Rock the South campers.

Council President Folsom informed the audience that the Council will now hear from speakers regarding the permitted uses in the R-4 Residential District:

Mrs. Ashley Lamar Dawes, 1210 Sheraton Road SW, stated that she was speaking for her parents Mary Dean Lamar and Pratt Lamar. As a realtor, she recognized how special Cullman is and stated that Cullman needs affordable housing. She said that there is a housing shortage in all of North Alabama not just Cullman. She was concerned with the future conditions of the apartment complexes that will be built in the City of Cullman because of the changes in the permitted uses in the R-4 Residential District.

Mrs. Linda Romine, 1224 Morningside Drive SW, stated changing the verbiage in the permitted uses to include apartments within the R-4 Residential District along with single family dwellings is not good for now, and not good for 20 to 40 years for now in the future. She does not want high density, multi-level apartments on the property next to her house. She stated that her road has no curbs or gutters and is too narrow for two cars to pass. She said that her road will not be able to handle the traffic from apartments. She fears not being able to open her windows because people in these multi-level apartments could look down into her house. She requested creating R-5, R-6, or R-7 Residential Districts for these multi-family dwellings instead of the R-4 Residential District.

Mr. Ernest Wright, 1301 Olive Street SW, stated there is acreage adjoining his property that is already zoned R-4 Residential District. He stated that there are other properties that could be rezoned to allow apartments which would bring his property value down and would put more traffic on already congested streets.

PUBLIC HEARINGS – None

REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER

Council President Pro Tem Cook moved to approve special event request from Simon Lewis of Darlow Smithson Productions to film areas of Cullman for a National Geographic documentary about the tornadoes on April 27th, 2011. Council Member Moss seconded the motion, and the motion was approved by a voice vote.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council Member Moss made a motion to adopt the following ordinance:

ORDINANCE NO. 2019-07

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 62 SECTION 193 AS AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA:

1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 1-52-84, Code of Alabama, 1975, as amended, Code of Ordinances Chapter 62, Section 193 is hereby amended as follows:
2. SECTION 62-193 of said ordinance is hereby deleted in its entirety, and is hereby replaced by new SECTION 62-193, which reads as follows: SECTION 62-193. PERMITTED USES.
 - (1) Single-family detached dwellings;
 - (2) Townhouse-type single-family attached dwellings, in accordance with section 62-711;
 - (3) Duplex attached units;
 - (4) Condominiums, in accordance with the permitted uses for condos as mentioned in section 62-712;
 - (5) Accessory structures such as, but not limited to:
 - a. Private detached garages;
 - b. Private barbecue pits;
 - c. Private swimming pools;
 - d. Private storage buildings;
 - e. Play areas; and
 - f. Play equipment;
 - (6) Public utility structures, such as electrical substations, natural gas metering stations, sewer pumping stations, and fire stations;
 - (7) Similar items so designated by the planning commission which come within the spirit or intent of the zoning district; and
 - (8) Multi-family dwellings of four or more units.

3. This ordinance shall be published once a week for two consecutive weeks in advance of its final passage in a newspaper of general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsis, with the last publication being at least 15 days prior to the date set for public hearing and consideration of said ordinance.
4. That a public hearing be held relative to the passage of the ordinance on the 14th day of January, 2019, at 7:00 p.m., at which time interested parties and citizens shall have an opportunity to be heard concerning said ordinance and any changes relating thereto.
5. That all notices as required by law be given by the City Clerk concerning said public hearing.
6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.
7. This ordinance shall take effect and be in force from and after its passage and adoption as required by law, including notice, publication, and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama, 1975, as amended.

ADOPTED BY THE CITY COUNCIL this the 21st day of January, 2019.

/s/ Jenny Folsom – President of the City

ATTEST:

/s/ Wesley M. Moore – City Clerk

APPROVED BY THE MAYOR this the 21st day of January, 2019.

/s/ Woody Jacobs – Mayor

Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Pro-Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2019 - 29

TO ENTER INTO AN AGREEMENT WITH THE CULLMAN AREA CHAMBER OF COMMERCE

WHEREAS, the Cullman Area Chamber of Commerce is seeking to promote tourism in Cullman, to assist new and expanding businesses, and industries, to provide services within the City of Cullman that will increase sales and lodging taxes, and create new jobs, to assist business with employment, and to improve the economy for its citizens while promoting the welfare of the City;

WHEREAS, the Cullman City Council has determined that the Cullman Area Chamber of Commerce serves a public purpose including, but not limited to, promoting tourism in the City of Cullman;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the City authorizes the Mayor to execute the agreement with the Cullman Area Chamber of Commerce and to appropriate funds not to exceed \$2,500 to the Cullman Area Chamber of Commerce to promote tourism in the City of Cullman which serves a public purpose.

ADOPTED BY THE CITY COUNCIL this the 21st day of January, 2019.

/s/ Jenny Folsom – President of the City

ATTEST:

/s/ Wesley M. Moore – City Clerk

APPROVED BY THE MAYOR this the 21st day of January, 2019.

/s/ Woody Jacobs – Mayor

Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 30

TO APPOINT OFFICERS OF THE CITY OF CULLMAN

BE IT RESOLVED BY THE CITY OF COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman designates the following officers to be appointed; said officers will serve until their successors are appointed:

Kenny Culpepper	Chief, Police Department.
Brian Bradberry	Chief, Fire Department.
Dale Greer	Director of Economic Development.
Larry Jones	Superintendent, Sanitation Department.
Scotty Talley	Superintendent, Street Department.
Jeff Adams	Superintendent, Wastewater Treatment Plant.
Chris Freeman	Superintendent, Water and Sewer Department.

Joshua Brown
Rick Fulmer
Edward (Tom) Charney
Jacob Smith
Erica York
Vacant

Superintendent, Garage Department.
Chief Building Official.
Director of Risk Management.
Director of Information Technology.
Director of Engineering.
Director of Technology Village.

ADOPTED BY THE CITY COUNCIL this the 21st day of January, 2019.

/s/ Jenny Folsom – President of the City

ATTEST:

/s/ Wesley M. Moore – City Clerk

APPROVED BY THE MAYOR this the 21st day of January, 2019.

/s/ Woody Jacobs – Mayor

Council President Pro Tem Cook seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

BOARD APPOINTMENTS:

Council President Pro Tem Cook made a motion to reappoint Darren Peeples to the Alcohol Review Committee. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote.

Council President Pro Tem Cook made a motion to reappoint Wesley Moore to the Alcohol Review Committee. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote.

Council President Pro Tem Cook made a motion to reappoint David Speegle to the Construction Board of Adjustment and Appeals. Council Member Page seconded the motion, and the motion was approved by a voice vote.

Council President Folsom asked for a motion to adjourn. President Pro Tem Cook made the motion to adjourn. Council Member Moss seconded the motion, and the meeting was adjourned at 7:39 p.m. by a voice vote. Ayes: All. Nays: None.