

CULLMAN CITY COUNCIL MEETING ON JULY 15, 2019 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:01 o'clock p.m. on Monday, July 15, 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 and Council President Jenny Folsom. Absent: Council Member Clint Hollingsworth. Also present were City Attorney Roy Williams and City Clerk Wesley Moore.

Council President Jenny Folsom asked the Council to consider the minutes from June 24, 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. President Pro Tem Johnny Cook made a motion to approve the minutes from June 24, 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.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth – Park and Recreation Director Nathan Anderson reported on the past weekend's events: The 2nd Friday events are continuing to grow in participation and attendance; and the district's dive and swim meet was a success.
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No report.

REPORT FROM THE MAYOR – No report.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Mr. Sam Mazzara, 304 11th Street NE, complained of heavy rains causing flooding in his basement and yard and asked that something be done to correct the drainage issues.

Mayor Jacobs reported that an engineer will be looking at 11th Street to address the drainage issues.

Mr. Ryan Hayes, 1424 Wisteria St SE, spoke of the insect problem coming from the wastewater treatment plant and of his concerns of the dangers the treatment chemicals being used.

Mr. David Shaddrix, 1528 Petrea Drive SE, reports of continuing odors from the wastewater treatment plant.

Mr. Anthony Quattlebaum, 1421 Fox Hollow Road SE, reports the odor issue is increasingly better, but complains of the flies caused by the wastewater treatment plant.

Mr. Leon Creel, 1521 Bower Drive SE, complained of the flies caused by the wastewater treatment plant.

Wastewater Treatment Plant Department Head Jeff Adams said he is working diligently to find a solution to the problem with flies. He has spoken with entomologists that have provided him with information about the process necessary to eliminate the cycle of the fly by killing it in the larvae stage. The chemical is being used and expects to see a significant improvement in a couple weeks when the current life cycle is complete. Chemicals are being distributed system wide by placing chemicals in the pipe to kill the larvae that are created in, and travel through the sewer system. The spraying has been adjusted to a finer mist so the chemicals don't drop to the ground and changed the spraying time to around 8:00 pm when the insects are most active. Next week a new spraying machine will be used in hopes that might be helpful. He has contacted Auburn University in hopes their entomologists could provide additional information leading to a solution.

Council President Folsom expressed the mayor and council are fully behind finding a solution to the problem with the insects.

PUBLIC HEARINGS

DRAFT

Council President Folsom set a public hearing on August 12th, 2019 at 7:00 p.m. for Ordinance No. 2019-23 to rezone property located at 213 Main Avenue NW from R-4 Residential District to CBD Central Business District, which received a favorable recommendation from the City of Cullman Planning Commission.

Council President Folsom set a public hearing on August 12th, 2019 at 7:00 p.m. for Ordinance No. 2019-24 to rezone property located on John H. Cooper Drive SE from M-1 Manufacturing District to B-2 Business District, which received a favorable recommendation from the City of Cullman Planning Commission.

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

Council President Pro Tem Cook made a motion to grant special event request from Candace Lingo of Cullman Caring for Kids to hold a Trunk or Treat on October 26th, 2019 from 5:00 p.m. in the parking lot around their building located at 402 Arnold Avenue SW. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

Council Member Page made a motion to approve the Traffic Department's request to purchase a 2011 Ford F550 truck with Altec Aerial Unit from the Cullman Power Board for \$25,000. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Folsom held the first reading of Ordinance No. 2019-22 to annex certain properties into the city limits of the City of Cullman, Alabama. Council President Pro Tem Cook made a motion to suspend the rules to consider the ordinance. Council Member Moss seconded the motion, 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 President Pro Tem Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2019 – 22

TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

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

SECTION 1. The City Council of the City of Cullman finds that Angela F. McConnell has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, which property is owned by the petitioner, be annexed into the City of Cullman:

PPIN: 27463. PARCEL: 17-08-28-0-001-011.000. ADDRESS: 2101 Main Avenue SW.

LEGAL DESCRIPTION: A part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 10, Range 3 West, more particularly described as follows, to-wit: Five acres of even width off of the North side of said forty, containing five acres, more or less. Less 15 feet off of the North side of the above described five acre tract being conveyed to Mrs. Kathleen Hachbarth for roadway, with right to use said roadway being reserved by owner, his heirs and assigns. LESS AND EXCEPT: A tract or parcel of land containing 2.54 acres of land, more or less, and being situated in the SE 1/4 of the NE 1/4 of Section 28, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at a set rebar marking the NW corner of said quarter-quarter and run S 00°15'22" W and run along the west line, a distance of 15.00 feet to a set rebar marking the point of beginning; thence continue S 00°J 5'22" W, a distance of 149.29 feet, to a set rebar; thence run S 89°18'25" E, a distance of 742.13 feet to a set rebar; thence run N 00°14'11" E, a distance of 149.29 feet to a set rebar which is 15 feet South of the North line of said SE 1/4 of the NE 1/4; thence run N 89°18'25" W, and run parallel with the north line, a distance of 742.08 feet to the point of beginning. Subject to any rights of way and/or easements of record. ALSO: A non-exclusive right of way easement for ingress and egress. Said easement is for the limited purpose of ingress and egress and shall not be blocked by vehicles or other obstacles. Said right of way easement is described as: Fifteen feet wide of even width off of the North side of the SE 1/4 of the NE 1/4 of Section 28, Township 10 South, Range 3 West, Cullman County, Alabama.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-1 RESIDENTIAL DISTRICT.

SECTION 4. That a copy of this ordinance after its adoption, which ordinance includes a description of the property annexed to the City of Cullman, be filed in the office of the Judge of Probate of Cullman County, Alabama, the county in which the municipality is located.

SECTION 5. That this ordinance shall take effect upon its passage and publication as required by law.

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ADOPTED BY THE CITY COUNCIL this the 15th day of July, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 15th day of July, 2019.

/s/ Woody Jacobs – Mayor

Council Member Page seconded the motion, 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 President Pro Tem Cook made a motion to reappoint William “Bill” Hendrix to the Personnel Board. Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Folsom asked for a motion to adjourn. Council President Pro Tem Cook made the motion to adjourn. Council Member Moss seconded the motion and the meeting was adjourned at 7:29 p.m. by a voice vote. Ayes: All. Nays: None.