

CULLMAN CITY COUNCIL MEETING ON SEPTEMBER 9, 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, September 9, 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 August 26, 2019. Council 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. Council President Pro Tem Johnny Cook made a motion to approve the minutes from August 26, 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.

REPORTS OF STANDING COMMITTEES

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 – Parks and Recreation Director Nathan Anderson presented renderings of the proposed multi use sports complex design.

5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom reported the Fiscal Year 2019-2020 budget will be presented for approval at the next council meeting on Monday, September 30th, 2019.

REPORT FROM THE MAYOR

Mayor Jacobs reappointed Edgar Veigl to the Housing Authority.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Nancy Wright, daughter of former Mayor McGukin spoke in support of the sale of the Civic Center.

Pastor Andy Heis spoke that moving Desperation Church to the Civic Center building will allow the church to serve the community in a better way.

PUBLIC HEARINGS – None.

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

Council President Pro Tem Cook made a motion to grant a special event request from Keith Peinhardt of Buettner Brothers Lumber Company to hold a Customer/Contractor Appreciation Day on September 20, 2019 from 10:00 a.m. to 3:00 p.m. Council Member Hollingsworth 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 grant a special event request from Sue Turner of Life Chain Cullman to hold the 16th Annual Cullman Life Chain on October 12, 2019 from 12:30 p.m. to 2:00 p.m. on the sidewalks along Highway 31 around the Cullman County Courthouse. 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 grant a special event request from Stephanie Wood of A21 to hold an event to raise awareness of human trafficking on October 19, 2019 from 8:00 a.m. to 11:00 p.m. on the sidewalks around the Cullman County Courthouse. Council President Pro Tem Cook seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to grant a special event request from Edith Smith to hold a car show to benefit Christmas Love of Cullman on November 9, 2019 from 8:00 a.m. to 2:00 p.m. in Depot Park. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to grant a request from Chipotle Mexican Grill located at 1821 Cherokee Avenue SW for a Restaurant Alcohol License which received a favorable recommendation from the City of Cullman Alcohol Review Committee. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to grant a request from Newk's Eatery located at 410 Second Avenue NW for a Restaurant Alcohol License which received a favorable recommendation from the City of Cullman Alcohol Review Committee. Council Member Hollingsworth 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 second reading of Ordinance 2019-27 to vacate and surplus the Cullman Civic Center. Council Member Hollingsworth made a motion to adopt the following Ordinance:

ORDINANCE NO. 2019-27

TO VACATE AND SURPLUS PROPERTY NOT NEEDED FOR ANY PUBLIC OR MUNICIPAL PURPOSE

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

Section 1. It is hereby established and declared that the following described real property of the City of Cullman, Alabama, is no longer needed for public or municipal purposes to- wit: Beginning at a point on the North right-of-way of Sixth Street where the said right-of-way intersects with the East right-of-way of Main Street, thence North 0 Degrees 47' East along the East right-of-way of said Main Street until it intersects the South right-of-way of Fifth Avenue, thence North 63 Degrees 28' East along the South right-of-way of said Fifth Avenue until it intersects the West right-of-way of Fifth Avenue, thence South 26 Degrees 35' East along the right-of-way of said Fifth Avenue until it intersects the North right-of-way of Sixth Street, thence South 63 Degrees 28' West along the North right-of-way of said Sixth Street to the point of beginning. Also being described as Lot 1, Block 20, Land Disposal Map, Fourth Street Urban Renewal Area, for City of Cullman, Alabama, as recorded in the Office of the Judge of Probate, Cullman County, Alabama, Plat Book 6, Page 43. LESS AND EXCEPT: All that part of Lot 1, Block 20 of Fourth Street Urban Renewal Project, Ala. R-129 as recorded in Map Book 6, Page 43 in the Office of the Judge of Probate, Cullman County, said tract being more particularly described as follows to wit: Beginning at a rebar marking the Northwest corner of said Lot 1 Block 20; said point being the intersection of the Easterly right-of-way of Main Street and the Southerly right-of-way of Fifth Street; thence with said right-of-way of Fifth Street North 63 Degrees 28' 14" East, 282.34 feet to a capped rebar; thence leaving said right-of-way South 26 Degrees 37' 15" East, 330.08 feet to a capped rebar being on the Northerly right-of-way of Sixth Street; thence with said right-of-way South 63 Degrees 28' 07" West, 453.33 feet to a capped rebar, being the intersection of Main Street right-of-way margin and said Sixth Street right-of-way; thence with said Main Street right-of-way North 00 Degrees 47' 00" East, 371.51 to a capped rebar, being the point of beginning and containing 2.79 acres more or less. PROPERTY IS BEING PURCHASED IN "AS IS" CONDITION.

Section 2. That the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest respectively, for and on behalf of the City of Cullman, Alabama, a warranty deed, a copy of which is on file in the Office of the City Clerk, whereby the City of Cullman, Alabama, does convey the premises described in Section 1, here to Desperation Church for and in consideration of the sum of Three Million One Hundred Twenty-Five Thousand Five Hundred and No/100 Dollars (\$3,125,500.00).

Section 3. This ordinance shall become effective upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of September, 2019.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Cook 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 Member Hollingsworth: Aye.

BOARD APPOINTMENTS:

Council President Pro Tem Cook made a motion to recommend Steve Cartee to the Cullman County Board of Equalization. Council Member Hollingsworth 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 – 84

TO AUTHORIZE MATCHING FUNDS FOR FIRE RADIOS

WHEREAS, the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) has been established to assist local governments with taking critical mitigation measures to protect life and property from future disasters; and

WHEREAS, the City of Cullman proposes to apply for HMGP funds to assist in the purchasing of emergency radios for the City of Cullman Fire & Rescue Department; and

BE IT RESOLVED BY THE CULLMAN CITY COUNCIL that the City of Cullman will accept the grant and commit the local matching funds of 5% for this Hazard Mitigation Grant for emergency radios for the City of Cullman Fire & Rescue Department.

ADOPTED BY THE CITY COUNCIL this the 9th day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of September, 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 President Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 85

TO REQUEST THE MOVING OF A VOTING PLACE

WHEREAS, the City of Cullman plans to sell the Cullman Civic Center which is currently a voting place for Beat 1 Box 1, Beat 1 Box 2, and Beat 1 Box 3 for the City of Cullman;

WHEREAS, the Cullman Civic Center may be unavailable for voting in the upcoming elections;

WHEREAS, the Cullman (Donald E. Green) Senior Center has available floor space, adequate parking, and great handicapped accessibility for voters;

BE IT RESOLVED BY THE CULLMAN CITY COUNCIL that the City hereby request that the Cullman County Probate Judge and Cullman County Commission move the voting place for Beat 1 Box 1, Beat 1 Box 2, and Beat 1 Box 3 from the Cullman Civic Center to the Cullman (Donald E. Green) Senior Center.

ADOPTED BY THE CITY COUNCIL this the 9th day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of September, 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 President Folsom asked for a motion to adjourn. Council Member Page made the motion to adjourn. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 7:39 p.m. by a voice vote. Ayes: All. Nays: None.