

CULLMAN CITY COUNCIL
REGULAR MEETING
March 7th, 2011

The Mayor and Council Members will be in Washington DC on March 14th, 2011 so the meeting date was changed to Monday, March 7th, 2011. This change was approved by Resolution 2011-65 on February 28th, 2011.

The Planning Commission met at 5:30 P.M. and gave a favorable recommendation for re-zoning the Cullman Municipal Golf Course from R-1 to AG-1.

The Cullman City Council met in a special called meeting on Monday, March 7th, 2011 at 7:00 p.m. in the Lucille N. Galin Auditorium. Council President Garlan Gudger called the meeting to order and Police Chief Culpepper presented the invocation.

A roll call by the City Clerk reflected the following. Present - Mayor Max A. Townson, President Garlan E. Gudger, Jr, Council Member Johnny Cook, Council Member Andy Page, Council Member Jenny Folsom and Council Member Clint Hollingsworth. Also present were City Attorney Roy Williams and City Clerk Ruth W. Rose.

Council Member Cook made a motion to suspend the rules in order to consider the minutes from the meeting on February 28th, 2011 and take immediate action. Council Member Folsom seconded the motion and the motion carried on a roll call vote. Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council Member Folsom: Aye. Council Member Hollingsworth: Aye. Nays: None.

Council Member Cook then moved to approve the minutes as written on February 28th, 2011 and Council Member Hollingsworth seconded the motion. Motion was approved by a voice vote. Ayes: All Nays: None.

ADDITIONS/DELETIONS TO AGENDA

None.

REPORTS OF STANDING COMMITTEES

Council Member Andy Page - Police Committee - Chief Kenny Culpepper was asked to come to the podium. Council Member Page read a letter of appreciation to Chief Culpepper for completing 80 hours of executive training offered to Police Chiefs in the State of Alabama. The following promotions in the Police Department were made with an effective date of March 16th, 2011:

1. Lt. Bobby Kelley was promoted to Captain (Replacing Max Bartlett)
2. Sgt. Billy Handley was promoted to Lieutenant (Replacing Bobby Kelley)
3. Officer Mick Harbison was promoted to Sergeant.(Replacing Billy Handley)
4. Sgt. Danny Hite was promoted to Lieutenant. (Replacing Marshall Rowe)
5. Officer Jason Mickle was promoted to Sergeant. (Replacing Danny Hite)

The Police Chief and all promoted officers were given a standing ovation thanking them for their dedication and years of service.

Council President Garlan Gudger - Fire Committee - No Report.

Council Member Johnny Cook - Sanitation Committee- No Report.

Council Member Clint Hollingsworth - Street Committee - No Report

Council Member Jenny Folsom - Finance Committee - No Report

REPORTS OF OFFICERS

Mayor Max A. Townson - No Report.

COMMENTS FROM ANYONE NOT ON THE AGENDA

None.

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

Council Member Cook made a motion to remove from the table a request from Ms. Tami Crook, Fairview High School Prom Sponsor, who requested to close Clark Street on Friday, April 8th, 2011 at 9:00 A.M. Council Member Page seconded the motion. The request was approved by a voice vote. Ayes: All. Nays: None. There are some questions regarding the closing of the street. Mayor Townson was out of town and has not talked with Ms. Crook. Council Member Cook made a motion to re-table the request until further research is completed. Council Member Folsom seconded the motion. President Gudger asked that Rick Henry, Street Superintendent, be contacted about the installation of the tents and placing permanent spike locations for the street. Mayor Townson said this has been done for a wedding being held next week. The motion was tabled by a voice vote. Ayes: All. Nays: none.

Council Member Folsom made a motion to bring the tabled request from Mr. Kyle Doty for a noise permit for Depot Park for May 7th, 2011 back to the table. Council Member Page seconded the motion. There were questions regarding the large crowd attending and the ending time of the concert. Police Chief asked Mr. Doty to attend tonight. President Gudger asked Mr. Doty to end the concert at 9:00 P.M. Mr. Doty said the 9:00 P.M. ending time was okay. President Gudger asked Fire Chief Reinhardt if he had a problem with the request. Chief Reinhardt said the streets need to be clear for emergency trucks to enter the area around the park. President Gudger asked Mr. Doty to have a police officer available to handle a large crowd. Council Member Folsom made a motion to approve the request with a beginning time of 2:00 P.M. and ending time of 9:00 P.M. Council Member Hollingsworth seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

President Gudger read a request from Mrs. Judy Ross to have 92 acres located on Highway 278 West rezoned from B2 to E1. This request will be sent to the Planning Commission for review.

President Gudger said the next item was from Jill Cacic, Marketing Director from The Huntsville Stars, inviting all of residents of the City of Cullman and Cullman County to a free baseball game on Wednesday, April 13th, 2011. Ms. Cacic and Robin Lambert, Channel 2 Representative, were present to make the invitation personally. This is a special event with the Oktoberfest theme. The Mayor and Council Members appreciated the invitation and thanked them for their attendance.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

President Gudger stated the following Ordinance was being read for the second time.

Council Member Cook made a motion to approve the following Ordinance:

**ORDINANCE NO. 2011-13
AN ORDINANCE DECLARING CERTAIN
CITY PROPERTY SURPLUS OR NOT NEEDED
FOR PUBLIC OR MUNICIPAL PURPOSES**

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

1. The City Council of the City of Cullman hereby finds and determines that the City is the owner of property described in Paragraph 2 hereof.

2. The City Council finds and determines that the house and lot located at **711 Second Avenue NE**, is not needed by the City of Cullman for public or municipal purposes, said property being described as follows:

Begin 80.7 feet South of the point of intersection of the South line of Eighth Avenue and Second Avenue East which is the Southeast Corner of Lot Number Eleven in the Griswold Addition to Cullman, Alabama, thence Westwardly along the South line of Lot Number 11, 134 feet; thence 88 degrees 45' right for a distance of 136.7 feet to a point on the South line of Eighth Avenue 143.2 feet to the point of intersection with the West line of Second Avenue East 80.7 feet to the point of beginning. Situated in Cullman County, Alabama.

A one-half interest in an unnamed street 40 feet wide, beginning at the West line of Second Street and extending West along the North edge of Lot 19 in Griswold's Addition, a distance of 144.5 feet. Situated, lying and being in Cullman County, State of Alabama.

3. The City Council finds and determines that the interests of the City can best be served by sale of said property, provided the buyer dedicates an easement to the City for existing utilities, if any, in the property to be vacated by the City Council.

4. The City Council orders and directs that the property be appraised by a certified appraiser to determine its fair market value.

5. The City Council hereby authorizes the Mayor to execute a deed conveying the

above described property to the highest bidder, in consideration of dedication of any required utility easement to the City, and in consideration of payment of at least the appraised value of the property to be conveyed, together with the costs to the City associated with vacation, appraisal and conveyance of said property.

6. This ordinance shall be effective upon its passage and publication as required by law.

ADOPTED this the 7th day of March, 2011.

/s/ Garlan E. Gudger, Jr.
President of the City Council

Attest:

/s/ Ruth W. Rose
City Clerk

Transmitted to the Mayor this the 7th day of March, 2011.

/s/ Ruth W. Rose
City Clerk

APPROVED this the 7th day of March, 2011.

/s/ Max A. Townson
Mayor

Council Member Folsom seconded the motion. President Gudger announced the house and property will be sold by sealed bids. The bids will be opened the first meeting in April. Mayor Townson said the bidding price will begin at the appraised value of \$58,000. The Ordinance was adopted by a voice vote. Ayes: All. Nays: None.

President Gudger stated the next Ordinance was the first reading for the re-zoning of the Cullman Municipal Golf Course. The Planning Commission made a favorable recommendation to re-zone the property from R-1 (residential) to AG-1 (Agricultural). No action will be taken tonight.

The next scheduled meeting is for Friday, March 11th, 2011

Council Member Hollingsworth made a motion to adjourn and Council Member Folsom seconded the motion. The meeting was adjourned at 7:35 P.M. by a voice vote. Ayes: All. Nays: None.