

**CULLMAN CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 14th, 2011
LUCILLE N. GALIN AUDITORIUM**

Council President Garlan E. Gudger Jr. called the Cullman City Council Meeting to order at 5:30 p.m. on Wednesday, September 14th, 2011. Police Chief Kenny Culpepper presented the invocation.

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

Council President Gudger stated that the City Council does not have any minutes from previous meetings to consider at this time.

ADDITIONS/DELETIONS TO AGENDA

Council Member Folsom made a motion to add #2 under Roman Numeral X which is Ordinance 2011- 27 to amend section 62-917 and 62-918 of the Zoning Ordinance of the City of Cullman, Alabama. Council Member Page seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Cook made a motion to add #3 under Roman Numeral X which is Resolution 2011-149 to award the bid for water materials to G & C Supply the lowest responsible bidder. Council Member Hollingsworth seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

REPORTS OF STANDING COMMITTEES

Council Member Andy Page - Police Committee - No Report.
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.

SPECIAL COMMITTEE REPORTS

None.

REPORTS OF OFFICERS

Mayor Max A. Townson - No Report.

COMMENTS FROM ANYONE NOT ON THE AGENDA

None.

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

Council President Gudger stated that the request from Sacred Heart Church to surplus an easement or right-of-way between their two properties to them will have to be referred to the Planning Commission.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Gudger mentioned that he appreciated the Mayor and Council waiting on him to pass Resolution No. 2011-140 because the Downtown Cullman is so near and dear to his heart. Council Member Hollingsworth made a motion to adopt the following resolution:

**RESOLUTION NO. 2011-140
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
CONTRACT WITH ST. JOHN & ASSOCIATES FOR
ENGINEERING SERVICES ON DOWNTOWN STREETScape PHASE IV
UTILITY RELOCATION DESIGN AND COORDINATION**

WHEREAS, the City Council of the City of Cullman has determined that it would be in it's best interest to enter into a contract with St. John & Associates to provide engineering services at Downtown Streetscape Phase IV (5th Street) in the city limits at a total cost not to exceed \$13,000; and

WHEREAS, the scope of work will include but not be limited to engineering services and utility relocation design and coordination as spelled out in the Professional Services Agreement, Exhibit "A" under Scope of Work, attached hereto; and

WHEREAS, the City Council of the City of Cullman believes that it is in the best interest of the City to enter into the Professional Services Agreement with St. John & Associates under the terms as approved by the Mayor;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Cullman that Mayor Max A. Townson is hereby authorized to enter into a Professional Services Agreement for engineering services and utility relocation design and coordination and such other necessary documents necessary at a price upon the terms and conditions as set out in the Professional Services Agreement, and to do all other things necessary as he deems just as to said Agreement.

ADOPTED this the 14th day of September, 2011.

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

Attest:
/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 14th day of September, 2011.

/s/ Max A. Townson
Mayor

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

Council President Gudger stated that this will be the first reading of the following ordinance:

ORDINANCE NO. 2011-27
AN ORDINANCE AMENDING SECTION 62-917 AND 62-918 OF
THE ZONING ORDINANCE OF THE CITY OF CULLMAN, ALABAMA

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

Section 1. The following shall be added to Section 62-917() of the Zoning Ordinance of the City of Cullman:

Any building or structure which was damaged to the extent of uninhabitability from the storms of April 2011, shall automatically have an additional 420 days to occupy under the non-conforming use before this paragraph shall be effective. In unusual circumstances, the Council shall have the right to extend this period for a longer term upon just cause.

Section 2. The following shall be added to Section 62-918(a) of the Zoning Ordinance for the City of Cullman:

Any building or structure which was damaged to the extent of uninhabitability from the storms of April 2011, repairs must be commenced within one year of April 27, 2011, and completed within 240 days of the commencement.

Section 3. This Ordinance shall only apply to buildings and structures damaged by the destructive storms of April 2011.

ADOPTED this the ___ day of _____, 2011.

President of the City Council

ATTEST:

City Clerk

Transmitted to the Mayor this the ___ day of _____, 2011.

City Clerk

APPROVED by the Mayor this the ___ day of _____, 2011.

Mayor

Council President Gudger said no action could be taken on this ordinance since this was only the first reading.

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

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

**RESOLUTION NO. 2011-149
TO AWARD THE BID NO. R-0617 FOR WATER MATERIALS**

WHEREAS, bids were opened on September 14th, 2011 at 2:00 pm for water materials,

WHEREAS, the following bids were opened:

American Pipe & Supply	Birmingham, AL	No Bid
Calhoun Meter Company	Jacksonville, AL	\$11,349.76
Consolidated Pipe & Supply	Birmingham, AL	No Bid
Empire Pipe & Supply	Birmingham, AL	No Bid
Ferguson Water Works	Bessemer, AL	\$12,318.62
G & C Water Works	Atwood, TN	\$10,767.60
H.D. Supply	Birmingham, AL	\$11,563.44
Kenny Pipe & Supply	Decatur, AL	No Bid
Summit Pipe & Supply	Northport, AL	No Bid
Mainline Supply	Birmingham, AL	No Bid
Vellano Brothers	Lincoln, AL	\$11,905.10
Eagle Wholesale Supply Inc.	Athens, AL	No Bid
Central Pipe Supply	Equality, AL	No Bid

WHEREAS, the recommendation from Chris Freeman, Water & Sewer Superintendent for the City of Cullman is to award the bid to G & C Water Works, the lowest responsible bidder.

BE IT RESOLVED by the City Council of the City of Cullman that the bid for water materials be awarded to G & C Water Works of Atwood, Tennessee at this time.

ADOPTED this the 14th day of September, 2011.

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

Attest:
/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 14th day of September, 2011.

/s/ Max A. Townson
Mayor

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

Council Member Cook made a motion to adjourn. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 5:57 p.m. by a voice vote. Ayes: All. Nays: None.