

**CEDAR BLUFF TOWN COUNCIL
SPECIAL CALLED MEETING
THURSDAY, FEBRUARY 5, 2026 AT 4:30 PM**

The Town Council of the Town of Cedar Bluff, County of Cherokee, State of Alabama, met in Special Session in the Council Room at Town Hall, 3420 Martha Vera Lane, Cedar Bluff, Alabama on Thursday, February 5, 2026 at 4:30p.m. pursuant to notice duly posted as prescribed by law. Mayor Warren presided and called the meeting to order. Members in attendance were as follows:

Mayor
Bill Warren

District 1
Adam McNabb

District 2
Dewayne Agan

District 3
Bobbie Hicks

District 4

District 5
Loretta Higgins

Appointment of Council Seat District 4

Motion to fill the vacant Council District Four position was made by Council member Agan. Second was given by Council Member Higgins.

Motion Carried: (5-0)

Aye: Agan, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

Mayor Warren informed those in attendance that there were two remaining candidates for the Council seat. Applicants being Dustin Dutton and Bret Taylor. At this time, Mayor Warren gave each candidate the floor to address those in attendance.

Mayor Warren called for a roll call in which each Council Member would need to state the name of the applicant they feel should fill the position. Results as follows:

Council Member McNabb: Dustin Dutton

Council Member Agan: Dustin Dutton

Council member Hicks: Dustin Dutton

Council Member Higgins: Dustin Dutton

Mayor Warren: Dustin Dutton

Congratulations were given to Mr. Dutton and swearing in ceremony was performed by Town of Cedar Bluff Attorney, John Coggin.

At 4:39pm, Council Member Agan made a motion to adjourn, Second was given by Council Member McNabb.

Motion Carried: (5-0)

Aye: Agan, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

**CEDAR BLUFF TOWN COUNCIL MEETING
MONDAY, FEBRUARY 9, 2026 AT 6:00 PM**

The Town Council of the Town of Cedar Bluff, County of Cherokee, State of Alabama, met in Regular Session in the Council Room at Town Hall, 3420 Martha Vera Lane, Cedar Bluff, Alabama on Monday, February 9, 2026 at 6:00p.m. pursuant to notice duly posted as prescribed by law. Mayor Warren presided and called the meeting to order. Members in attendance were as follows:

Mayor
Bill Warren

District 1
Adam McNabb

District 2
Dewayne Agan

District 3
Bobbie Hicks

District 4
Dustin Dutton

District 5
Loretta Higgins

Loretta Higgins gave the invocation.
Mayor Warren led the Pledge of Allegiance.
Mattie Williams performed the National Anthem

1. Approval of Minutes January 12, 2026 Meeting

Council Member Higgins made a motion to accept minutes as presented. Second was given by Council Member Hicks.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

2. Approval of Financials for December 2025

Motion to approve financials as presented was made by Council Member McNabb. Second was given by Council Member Higgins.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

3. Building Inspector Report for January 2026

Report as follows was given by Building Inspector Mark Perry.

BUILDING PERMITS	6
SIGN PERMITS	0
DEMO PERMITS	3
MOVING PERMITS	0
ZONING VIOLATION	0
NUISANCE LETTERS	0
CAMPER PERMITS PURCHASED	221

4. Fire Department Report for January 2026

ACCIDENTAL ALARM	1
BREATHING PROBLEMS	6
CANCELLED	1
CHEST PAIN (NON TRAUMA)	3
CHIMNEY FIRE	1
CITIZEN ASSIST/SERVICE CALL	1
FALL	3
FIRE ALARM	1
HEMORRHAGE/LACERATION	1
INVESTIGATE HAZARDOUS RELEASE	1
LIFT ASSIST	2
MALFUNCTIONING ALARM	4
MOTOR VEHICLE COLLISION	4
NO APPROPRIATE CHOICE	1
OVERDOSE/POISONING	1
SMOKE INVESTIGATION	1
STANDBY	1
STROKE/CVA	2
STRUCTURAL INVOLVEMENT	3
UNCONSCIOUS VICTIM	1
UNKNOWN PROBLEM	1
VEHICLE FIRE-PASSENGER	1
TOTAL	41

5. Police Report for January 2026

MILES PATROLLED	9397
WARNINGS	80
TICKETS	42
FELONY ARRESTS	12

MISDEMEANOR ARRESTS	13
DRUG CASES	24
WARRANTS SERVED	05
I/O REPORTS	33
SUSPECTS INTERVIEWED	05
CRIME TIPS ANSWERED	00
ASSIGNED CASES	05
TRAFFIC OVERTIME	00
OPEN INVESTIGATIONS	02

6. Garbage Ordinance 2026-06

Motion to adopt the Garbage Ordinance Number 2026-06 as presented was made by Council Member McNabb. Second was given by Council Member Hicks.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

7. Resolution for Sewell Ferry 2026-02

Motion was made by Council member Dutton to adopt the resolution as presented. Second was given by Council Member McNabb.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

8. New Garbage Truck

Motion to purchase a new garbage truck in the amount of \$303,170.00, to be financed, was made by Council Member McNabb. Second was given by Council Member Dutton.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

9. Returned Check Fee Ordinance 2026-07

Motion to adopt Ordinance Number 2026-07 as presented was made by Council Member Higgins. Second was given by Council Member Agan.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None
Abstain: None
Absent: None

10. Amendment to Resolution 25-11-07 Procurement Procedure

Motion to adopt amendment as presented was made by Council Member McNabb.
Second was given by Council Member Hicks.
Motion Carried: (6-0)
Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren
Nay: None
Abstain: None
Absent: None

11. Voting Delegate for AL League of Municipalities

Mayor Warren asked for a motion to designate himself as the voting delegate for the Alabama League of Municipalities annual business meeting. Motion was made by Council Member Dutton. Second was given by Council Member Higgins.
Motion Carried: (6-0)
Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren
Nay: None
Abstain: None
Absent: None

12. Change March Meeting Date

Motion to change March council meeting to March 5, 2026 was made by Council Member Agan. Second was given by Council Member McNabb.
Motion Carried: (6-0)
Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren
Nay: None
Abstain: None
Absent: None

13. Proposed Zoning Ordinance changes

Motion to adopt all proposed changes with the exception of item number X11 was made by Council Member McNabb. Second was given by Council Member Higgins.
Motion Carried: (6-0)
Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren
Nay: None
Abstain: None
Absent: None

At 6:15pm, a motion to adjourn was made by Council Member Agan with Council Member Higgins giving second.

Motion Carried: (6-0)

Aye: Agan, Dutton, Hicks, Higgins, McNabb, and Warren

Nay: None

Abstain: None

Absent: None

Approved:

Bill Warren, Mayor

ATTEST:

Jenni Burt, Town Clerk

January 12, 2026

Cedar Bluff Planning Commission
Town Council Update

Zoning Ordinance Recommended Updates

- I. **Homes on stilts definition:** Add Section 2.02.47.5 – Homes on Stilts: Stilt houses, (also known as pile or lake dwellings) are structures elevated on stilts above the ground. They are primarily built to protect against flooding.
- II. **Change residential fence height to screen nuisances (neighbors, public spaces, differing lot levels, etc.).** Change from six (6) feet to eight (8). Add the following language to **Section 3.10.01 HEIGHT ON RESIDENTIAL PROPERTIES** – “... six feet above the ground. Eight-foot fences will be allowed in cases where the Enforcement Officer and Town Council Planning Commission Representative both agree in writing that the eight-foot fence addresses an issue and enhances the neighborhood. A copy of the decision will be given to the Planning Commission. Fences or walls located in a required front yard....”
Allow nine (9) foot fences in AG zoning districts. Change **Section 3.10.02 – HEIGHT ON NON-RESIDENTIAL PROPERTIES** – “...between non-residentially zoned property shall exceed a height of eight feet (with the exception that fences for properties zoned AG may be nine feet in height. If AG zone fences have the need to install an electrified border, this type of fence must be addressed as a variance and approved by the Cedar Bluff Zoning Board of Adjustment). Between non-residential land...”
Add new Section 3.10.01 (renumber subsections below this new subsection) to read *“Section 3.10.01 – FENCE ORIENTATION AND SETBACK: Any fence installation can have the “finished side” (the side that does not have the posts) facing towards the property line / public way or towards the fence owner’s yard – this is the fence owner’s decision. The fence must be set back at least 4 inches from the property line or public way / utility easement. Alternatively, if both property owners agree, the fence can be placed on the property line. In this case, property owners should agree in writing how the installation and ongoing maintenance costs will be handled prior to construction.*
- III. **Change the term “Zoning Permit” to “Building Permit”.** A “Zoning Permit” is required before certain types of construction (see Section 8.01.01 for specifics) can start on a property or structure. This term is not correct. It should be “Building Permit”. The term needs to be changed throughout the Zoning Ordinance (23 instances).
- IV. **Require adherence to latest adopted International Building Codes.** Cedar Bluff Town Ordinance 2025-6 specifies that all construction activities (new construction, renovations, additions, etc.) in Cedar Bluff must adhere to International Building Codes (2018 version). Other than the “Certificate of Occupancy” form, the Zoning Ordinance does not reference these codes. Add the following language to **Section 3.14 – General Construction Requirements – new subsection A** “A. ADHERENCE TO BUILDING STANDARDS: All construction activities (new construction or renovations, additions or other changes which require the issuance of a Building Permit (see Section 8.01.01 for specific

requirements) will adhere to building standards contained in the version of the International Building Code currently endorsed by the Town”.

Also, all construction requiring the issuance of a building permit (see Section 8.01.01 for requirements) must be done by a licensed contractor who has a Cedar Bluff business license (see Section 8.01.01 for business license exceptions).

V. **Require sewer connections for new or major structure changes.** Cedar Bluff desires to minimize the use of septic systems in the Town. Residents are currently encouraged to connect their homes to sewer lines when one is near the home. Cedar Bluff desires that a connection be made to a sewer line if one is available in the following cases - all new construction, significant upgrades to existing structures, or rebuilding existing septic systems. Add the following language to **Section 3.14 – General Construction Requirements – new Subsection B** “B. When there are major changes (e.g. new structure construction, extensive renovation / additions to existing structures, or rebuild required for septic systems), the structure is already connected to Town water, and sewer lines are available, the structure must be connected to the sewer lines”.

VI. **Require Land Disturbance permit.** Cedar Bluff desires that a Land Disturbance Permit (LDP) be issued for significant land changes. The purpose of the permit is to a) ensure that piping is installed for new driveways opening onto Town roads and b) ensure that the land disturbance does not cause excessive water run-off onto adjoining properties. The instances where a permit is required include the following: building expansions, grading, multiple tree removals, or new driveways. Add the following language to **Section 3.14 – General Construction Requirements – new Subsection C** “C. When making significant land changes such as *new construction*, building expansions, gradings, multiple tree removals (*15 or more mature trees with stumps pulled out of the ground*) or new driveways, a Land Disturbance Permit must be issued by the Enforcement Officer prior to beginning work (See Section 8.01.02)”. The purpose of this permit is to a) ensure that piping is installed for all private driveways opening onto a town road and b) ensure that the soil is not disturbed in such a manner as to create excessive water run-off onto adjoining properties. See Section 3.12 for specific stormwater management requirements.

Add new **Section 8.01.02 – Land Disturbance Permit** - No land disturbance activities (significant land changes such as *new construction*, building expansions, gradings, multiple tree removals - *15 or more mature trees with stumps pulled out of the ground*, or new driveways), governed by this Ordinance shall be conducted prior to the issuance of a Land Disturbance Permit by the Enforcement Officer. The permit will be issued at minimal to no cost.

Section 8.02.02 and 8.02.03 – add Land Disturbance Permit to Building Permit in these sections.

VII. **Note: Section 3.14, current subsections A., B., and C. shall become D., E. and F.**

VIII. **Explicitly state that adding an Accessory Residential unit requires a building permit.** Add the following subsection at the end of **Section 4.01 – Accessory Residential Unit** “§4.01.08 BUILDING PERMIT Adding an accessory residential unit or making substantial changes to an existing unit requires a building permit (see Section 8.01.01).”

IX. **Require screening for materials and equipment used for home occupations / cottage industries.** Add the following language to **Section 4.04.03 - add subsection H:** “H. Any equipment or materials used by the home occupation / cottage industry must be kept in the

rear of the property. A screen (fence or landscaping) that will block the view of the items must be installed to preserve the residential nature of the property. The screen must meet requirements in this Ordinance and be approved by the Enforcement Officer.”

X. **Allow narrow lots in zoning district R-2.** Residential zoning district R-2 has minimum lot width and square footage requirements – see table 5.8. There are lots in this district that do not meet the minimum lot width and / or square footage but meet the front, side and back setback requirements. Recommend placing a footnote on table 5.8, R-2 minimum lot width, that states “Structures may be built on lots with smaller widths (not less than 50 feet) if the lot meets all setback requirements, there are sewer connections available, the resulting structure covers less than 60 percent of net space (total lot square footage minus required setback square footage), and the resulting structure fits with the residential nature of the neighborhood. Enforcement Officer will make that determination in writing. A copy will be provided to the Planning Commission.

XI. **Lakefront Recreational Overlay lots (Section 5.09.02)** are contained in zoning districts RR, R-1, R-2 and R-3. The minimum lot sizes for these zoning districts are one-half acre, one-third acre, 10,000 sq ft and 8,000 sq ft respectively. Alabama Power now allows homes to be built on stilts on these lots. These homes must meet Alabama Power setback and height requirements (in addition to any other Alabama Power requirements). Cedar Bluff desires to allow these homes when they are permitted by Alabama Power. To that end, the following changes to this Section 5.09.02 are made: Table 5.24 – Uses Permitted in Lakefront Recreational Districts. Row 1 is added to this table: “Homes on stilts that meet all requirements (including setback and height) from Alabama Power and that meet all building requirements in this Ordinance”.

Table 5-25 – Area and Dimensional Requirements for Lakefront Recreational Districts. All setback and height requirements shall be the same as the underlying zoning district (e.g. RR, R-1, etc.) except for the setback from the water and height above the ground. These setbacks must follow the Alabama Power requirement.

XII. **Require building permit for major changes.** Add clarifying language to *Section 8.01 Zoning Permit Required*. Change wording in **Section 8.01.01** as follows: “**8.01.01** Repairs or maintenance to a structure (e.g. roof repair, siding repair, rot remediation, painting, wall papering, general landscaping, etc.) do not require the issuance of a building permit. If a contractor / *builder* is doing the repairs or maintenance, they must have a Cedar Bluff business license (a business license is not required if the contractor / *builder* is the homeowner or an individual doing the work at no charge).

Any construction, renovation (including the addition of siding to a structure that currently does not have it), additions (including decks and deck coverings), reconstruction, or other development activity governed by this Ordinance requires the issuance of a building permit by the Enforcement Officer prior to starting work. Also, any changes resulting in gas, electric, mechanical or plumbing upgrades exceeding \$2,500 in value require a building permit issued by the Enforcement Officer prior to starting work.

In all cases where a building permit is required, the work must be done by a licensed contractor / *builder* (or licensed subcontractor if the work is more than \$10,000), who is bonded, insured and has a Cedar Bluff business license (a business license *and contracting license requirements are* not required if the contractor is the homeowner or an individual doing the work at no charge *for the homeowner. A building permit is still required and any work completed must pass inspection.*)”