

CULLMAN CITY COUNCIL MEETING ON AUGUST 26, 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, August 26, 2019. Police Chief Kenny Culpepper 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 12, 2019. Council President Pro Tem Johnny Cook made a motion to suspend the rules to consider the minutes. Council Member Moss 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 12, 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

Council President Pro Tem Johnny Cook made a motion to add Ordinance 2019-27 to surplus property for sale as item number 12 under Roman Numeral X. Council member David Moss seconded the motion to add Ordinance 2019-27 and the motion was approved by a voice vote. Ayes: All. Nays: None.

REPORTS OF STANDING COMMITTEES

- Public Safety (Fire, Police, etc.) - Chairman Andy Page along with Police Chief Kenny Culpepper and Assistant Chief Craig Montgomery presented 15 year service pins to Officer Leia Hunt and Sergeant Chuck Shikle 15 year service pins; and Fire Chief Brian Bradberry promoted Firefighter Dave Argent to Fire Engineer.
- 2. Utilities (Water, Sewer, etc.) - Chairman David Moss – Wastewater treatment plant manager Jeff Adams reported success in the treatment and elimination of sewer fly problem.
- 3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
- 4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth presented a Resolution of Congratulations to the 2019 Cullman Dive Team in recognition of their receiving first place at the district competition and ARPA State Dive Team Championship.
- 5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No report.

REPORT FROM THE MAYOR

Economic Development Director Dale Greer will present Topre America Corporation a Resolution of Congratulations for receiving the 2018 "Excellence in Value" award from Honda, an award they have now earned for eight consecutive years.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Mr. Chris Johnson, 254 County Road 715, spoke on behalf of CWA Labor Union regarding the strike based on AT&T's unfair labor practices.

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 Chris Johnson of CWA Labor Union to hold an informational picket at 401 4th Ave SE, 1311 Mitchell Road NW and 3rd Street SE from August 26, 2019 to November 1, 2019 from 7:00 am to 7:00 pm. Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

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

RESOLUTION NO. 2019 – 77

TO AWARD THE BID FOR PEDESTRIAN AND TRAIL LIGHTING

WHEREAS, bids were opened on August 21st, 2019 at 10:00 a.m. for the repairing and replacing Pedestrian and Trail Lighting at Heritage Park, Miracle Fields, and Championship Field,

WHEREAS, the following bids were opened:

A&S Electrical Contractors, Inc.	Gadsden, AL	No Bid
Construct Connect, Inc.	Cincinnati, OH	No Bid
Construction Journal, Inc.	Stuart, FL	No Bid

K & M Electrical Contractors, LLC

Musco Sports Lighting, LLC

Titan Electric, Inc.

Cullman, AL

Oskaloosa, IA

Dora, AL

\$ 241,070.00

No Bid

No Bid

WHEREAS, the recommendation of Mr. Kyle Clark from Cullman City Parks & Recreation is to award the bid to K & M Electrical Contractors, LLC, the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the repairing and replacing Pedestrian and Trail Lighting at Heritage Park, Miracle Fields, and Championship Field be awarded to K & M Electrical Contractors, LLC, the lowest responsible bidder.

ADOPTED BY THE CITY COUNCIL this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 2019.

/s/ Woody Jacobs, Mayor

Council Member Moss 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 – 78

TO AWARD THE BID FOR FIELD LIGHTING

WHEREAS, bids were opened on August 21st, 2019 at 10:00 a.m. for the repairing and replacing Field Lighting at Heritage Park, Miracle Fields, and Championship Field,

WHEREAS, the following bids were opened:

A&S Electrical Contractors, Inc.

Construct Connect, Inc.

Construction Journal, Inc.

K & M Electrical Contractors, LLC

Musco Sports Lighting, LLC

Titan Electric, Inc.

Gadsden, AL

Cincinnati, OH

Stuart, FL

Cullman, AL

Oskaloosa, IA

Dora, AL

No Bid

No Bid

No Bid

No Bid

No Bid

\$ 575,569.00

WHEREAS, the recommendation of Mr. Kyle Clark from Cullman City Parks & Recreation is to award the bid to Titan Electric, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the repairing and replacing Field Lighting at Heritage Park, Miracle Fields, and Championship Field be awarded to Titan Electric, Inc., the lowest responsible bidder.

ADOPTED BY THE CITY COUNCIL this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 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 Member Page made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 79

TO ENTER INTO CONTRACT WITH KREBS ENGINEERING, INC.

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with Krebs Engineering, Inc. for professional services related to filter fly control evaluations at the Wastewater Treatment Plant;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with Krebs Engineering, Inc. for professional services related to filter fly control evaluations at the Wastewater Treatment Plant.

ADOPTED BY THE CITY COUNCIL this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 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 Member Hollingsworth made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 80

Adopting Transportation Plan Pursuant to the Rebuild Alabama Act

WHEREAS, the Alabama legislature in Act. No. 2019-2 adopted the Rebuild Alabama Act;

WHEREAS, the Rebuild Alabama Act provides for an allocation among the municipalities of the state on the basis of the ratio of population of each municipality to the total population of all municipalities of the state a portion of the additional taxes levied under the Act to be used for transportation infrastructure, improvement, preservation and maintenance;

WHEREAS, the Act provides that the municipal governing body of the City of Cullman, Alabama, shall adopt an annual Transportation Plan, no later than August 31, which shall provide a detailed list of projects for which expenditures are intended to be made in the next fiscal year and shall be based upon an estimate of the revenues anticipated from the fund in which the additional revenue is deposited during the next fiscal year; and

WHEREAS, the Act further provides that any such funds shall be used only for the maintenance, improvement, replacement, and construction of roads and bridges maintained by the City of Cullman, Alabama, and such other uses as are defined in the Act.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Cullman, Alabama, as follows:

1. The City Council of Cullman, Alabama, hereby passes this Resolution as its Transportation Plan submitted in compliance with the Rebuild Act, Act No. 2019-2.
2. Pursuant to the Act, the City Council of Cullman, Alabama, estimates that its anticipated allocation from the Rebuild Alabama Act fund for the first fiscal year will be approximately \$112,328.51, with increasing allocations for each fiscal year thereafter.
3. Pursuant to the Act, the City anticipates expending funds received pursuant to the Act, in part or in whole, to fund any of the following listed projects:
 - Resurfacing of West Main Avenue from Highway 69 to Highway 278
4. The City Clerk is hereby authorized and instructed to post a copy of this Resolution as its Transportation Plan in a conspicuous place at the County Courthouse, the County Commission Office, the County Highway Department, the City Municipal Hall, and also on the website of the City of Cullman, Alabama.
5. The City Clerk is hereby authorized and directed to establish a separate fund maintained by the City of Cullman, Alabama, for receipt and deposit of funds received pursuant to the Act, the proceeds of which shall be expended solely for the maintenance, improvement, replacement and construction of roads and bridges maintained by the City and such other uses as are authorized by the Act.

ADOPTED BY THE CITY COUNCIL this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 2019.

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NUMBER 2019 - 81

WHEREAS, the **City of Cullman** intends to apply for state and federal matching funds for an airport improvement project for the **Cullman Regional Airport** during fiscal year 2020.

THEREFORE BE IT RESOLVED, by the **City of Cullman** as follows:

1. That the **City of Cullman** is authorized to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation and the Federal Aviation Administration, for the purpose of undertaking a project in fiscal year 2020 to make improvements at the **Cullman Regional Airport**.

2. That the application be submitted for and on behalf of the **City of Cullman** by its **Mayor** who is authorized by this resolution to sign the application and any related forms or documents on behalf of the **City**.
3. That the **City of Cullman** is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, and the Federal Aviation Administration, for the purpose of undertaking a project to make improvements at the **Cullman Regional Airport**, with partial funding provided by the State of Alabama and the Federal Aviation Administration.
4. That the agreement be executed in the name of the **City of Cullman** for and on behalf of the **City of Cullman** by its **Mayor**.
5. That the authority of the **City of Cullman** to enter into contracts with the State of Alabama and the Federal Aviation Administration has been reviewed by the **City's** attorney, and in his/her opinion, the **City of Cullman** is duly authorized to commit the **City of Cullman** to an agreement with the Alabama Department of Transportation and Federal Aviation Administration.

BE IT FURTHER RESOLVED, that the **City of Cullman** hereby affirms that the local matching share of funds in the amount required for this airport improvement project has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the Federal Aviation Administration's and the State of Alabama's funding agreements and the start of the project.

I, the undersigned qualified and acting as the **City Clerk**, of **City of Cullman**, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the **City of Cullman** named therein, at a regular meeting of such body held on the 26th day of August, 2019, and that such resolution is on file in the office of the **City of Cullman**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the **City of Cullman** on this 26th day of August, 2019. /s/ Wesley M. Moore, City Clerk

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

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

RESOLUTION NO. 2019 – 82

TO APPROPRIATE ADDITIONAL FUNDS TO THE CULLMAN REGIONAL AIRPORT

WHEREAS, the Cullman City Council has determined that appropriating additional funds in the amount of \$65,000 to the Cullman Regional Airport, for an upcoming economic development project at the Cullman Regional Airport, serves a public purpose;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to approve an additional appropriation of \$65,000 to the Cullman Regional Airport for an upcoming economic development project at the Cullman Regional Airport serves a public purpose.

ADOPTED BY THE CITY COUNCIL this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 2019.

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2019 – 83

**TO ENTER INTO AGREEMENT WITH THE STATE OF ALABAMA TO INSTALL AND MAINTAIN
GUARDRAILS ON U.S. HIGHWAY 278 BETWEEN ROSEMONT AVENUE AND MCNABB ROAD SOUTHWEST
IN THE CITY LIMITS OF CULLMAN, ALABAMA**

BE IT RESOLVED, by the City Council of the City of Cullman, Alabama as follows:

1. That the City of Cullman, Alabama, enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for the installation and maintenance of approximately 430 linear feet of guardrails on US-278 in front of West Elementary School between Rosemont Avenue and McNabb Road SW in the city limits of Cullman. Which agreement is before the Council.

2. That the Agreement be executed in the name of the City, by its Mayor, for and on its behalf;
3. That the signature of the Mayor be attested by the City Clerk and that the seal of the City be affixed to the agreement.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on record by the City Clerk.

PASSED, ADOPTED, AND APPROVED BY THE CITY COUNCIL this the 26th day of August, 2019.

/s/ Wesley M. Moore, City Clerk

/s/ Woody Jacobs, Mayor

I, the undersigned qualified and acting clerk of the City of Cullman, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 26th day of August, 2019 and that such resolution is on file in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the 26th day of August, 2019.

/s/ Wesley M. Moore, City Clerk

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

Council President Folsom held the second reading of Ordinance 2019-23 to amend Ordinance No. 2004-23 and the zoning map of the City of Cullman, Alabama to re-zone certain parcels of property as set forth herein.

Council President Pro Tem Cook made a motion to adopt the following Ordinance:

ORDINANCE NO. 2019 – 23

AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

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

1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Terri and Brian Holmes, the following describe the tract or parcel of land, to-wit: PPIN: 11516. PARCEL: 17-02-09-4-025-001.000. ADDRESS: 213 Main Avenue NW. LEGAL DESCRIPTION: *Commencing 245 feet north of the southeast corner of the SE 1/4. of the SE 1/4 of Section 9, Township 10, Range 3 West, at the northeast corner of lot owned by G. C. Henslee and wife, Linnie Henslee (see Deed Book 122, Page 475); thence at right angles to section line westerly 200 feet; thence at right angles northerly and parallel to section line 85 feet; thence at right angles easterly 200 feet; thence at right angles southerly 85 feet to the point of beginning, being 85 feet fronting on the section line and extending westerly 200 feet of equal width on which is situated the old C. L. York frame residence. Subject to an easement for a street now in use off of the east end of said property. Subject to the following: 1. Right of way to City of Cullman as recorded in Deed Book 362, Page 793 in the Office of the Judge of Probate of Cullman County, Alabama. 2. Right of way to City of Cullman as recorded in Deed Book 362, Page 795 in the Office of the Judge of Probate of Cullman County, Alabama. 3. Permissive Use Agreement pertaining to the encroachment of a structure as recorded in Deed Book 683, Page 320 in the Office of the Judge of Probate of Cullman County, Alabama. 4. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed dated November 7, 2018, and recorded on November 14, 2018, in Deed Book 678, Page 179 in the Probate Office of Cullman County, Alabama, under and in accordance with the laws of the State of Alabama or the United States of America. Source of Title: Deed Book 678, Page 179.* within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as R-4 Residential District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from R-4 Residential District to CBD Central Business District.

2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsis, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

3. That a public hearing be held relative to the passage of this ordinance on the 12th day of August, 2019 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance be and are hereby changed and amended to reflect the changes and amendments herein.

6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.

7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

ADOPTED BY THE CITY COUNCIL, this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 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 held the second reading of Ordinance 2019-24 to amend Ordinance No. 2004-23 and the zoning map of the City of Cullman, Alabama to re-zone certain parcels of property as set forth herein. Council Member Moss made a motion to adopt the following Ordinance:

ORDINANCE NO. 2019 – 24

AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

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

1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Backstage Venues LLC, the following describe the tract or parcel of land, to-wit:

PPIN: 201428. PARCEL: 17-07-26-0-001-006.001. ADDRESS: 1644 John H. Cooper SE.

LEGAL DESCRIPTION: *Lot 1B of the Resurvey of Lot #1 of John H. Cooper Subdivision, as shown by the recorded plat, recorded in the Office of the Judge of Probate, Cullman County, Alabama in Plat Bk 2017 page 18.*

PPIN: 201428. PARCEL: 17-07-26-0-001-006.000. ADDRESS: Vacant Lot located on John H. Cooper SE.

LEGAL DESCRIPTION: *Lot #4 of the John H. Cooper Subdivision, as shown by the recorded plat, recorded in the Office of the Judge of Probate, Cullman County, Alabama in Plat Cabinet B, Slide 196-A.* within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as M-1 Manufacturing District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from M-1 Manufacturing District to B-2 Business District.

2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsis, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

3. That a public hearing be held relative to the passage of this ordinance on the 12th day of August, 2019 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance be and are hereby changed and amended to reflect the changes and amendments herein.

6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.

7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

ADOPTED BY THE CITY COUNCIL, this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 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 held the second reading of Ordinance 2019-25 to annex certain properties into the city limits of the City of Cullman, Alabama. Council Member Moss made a motion to adopt the following Ordinance:

ORDINANCE NO. 2019 – 25

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 Minuteman Construction, Inc. 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:

Parcel 1: PPIN: 20180. PARCEL: 17-06-23-0-001-008.001

A part of the NW 1/4 of the SE 1/4 of Section 23, Township 10, Range 3 West, Cullman County, Alabama described as follows: Commence at the Southeast corner of said forty and go North along the forty acre line 183.5 feet to the point of beginning for the land herein described: thence North 1136.5 feet to the Northeast corner of said forty, thence West along the forty acre line to the center of the creek, thence Southerly-Westerly and Northwesterly along the center of said creek to where it crosses the West line of said forty, thence South along the forty acre line to a point that is 183.5 feet North of the Southwest corner of said forty, thence East 1320 feet to the point of beginning.

LESS AND EXCEPT: The following described tract: Commence at the Northeast corner of said NW 1/4 of the SE 1/4 of Section 23, Township 10, Range 3 West and go West along the forty acre line 490 feet, then go due South 290 feet to the point of beginning for this excepted tract of land; thence due West 320 feet, thence due South 200 feet, thence due East 320 feet, thence North 200 feet to the point of beginning. Containing herein 30 acres, more or less.

Subject to all existing rights of way for public roads, street, utilities, lines and poles.

The above property does not constitute the homestead of R. Keith Roden nor that of his spouse.

Property address: County Road 702

Parcel 2: PPIN: 16172. PARCEL: 17-06-23-0-001-008.003

A part of the Northwest Quarter of the Southeast Quarter of Section 23, Township 10, Range 3 West, Cullman County, Alabama, more particularly described as follows: From the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence South 89°29'15" West, 490 feet; thence South 0°30' East, 290 feet to the point of beginning; thence North 89°29'15" East 50 feet; thence South 0°30' East 290 feet; thence South 89°29'15" West, 260 feet; thence North 0°30' West, 200 feet; thence North 89°29'15" East, 210 feet to point of beginning.

Property Address: 438 County Road 702, Cullman, AL 35055

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-2 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.

ADOPTED BY THE CITY COUNCIL, this the 26th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of August, 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 held the first reading of Ordinance 2019-27 to vacate and surplus the Cullman Civic Center.

Council President Folsom called for Board Appointments, but there were none at this time.

Council President Folsom asked for a motion to adjourn. Council Member Page made the motion to adjourn. Council Member Moss seconded the motion and the meeting was adjourned at 7:35 p.m. by a voice vote. Ayes: All. Nays: None.