

CULLMAN CITY COUNCIL MEETING ON OCTOBER 7, 2019 IN THE LUCILLE N. GALIN AUDITORIUM

A Special Called Meeting of the City Council of the City of Cullman was called to order by Council President Jenny Folsom at 12:00 p.m., October 7, 2019, in the Council Chambers of City Hall.

The invocation was led by Police Chief Kenny Culpepper.

Upon roll call, the following council members were present: Andy Page, Johnny Cook, Jenny Folsom, David Moss, and Clint Hollingsworth. Absent: None. Also, present were Mayor Woody Jacobs, City Attorney Roy Williams, and Gail Busbey.

Council President Folsom noted that City Clerk Wesley Moore was out of town.

Council President Folsom stated that the purpose of the special called meeting is to consider an ordinance declaring real property surplus and no longer needed for municipal purposes, and to authorize its sale to the Cullman City Board of Education.

The following waiver of notice was executed by the members of the Council:

WAIVER OF NOTICE OF THE SPECIAL MEETING OF THE CULLMAN CITY COUNCIL

The undersigned do hereby waive any and all notice of the times, place and purposes of the special meeting of said Council, which meeting is called to be held at Cullman, Alabama, on the 7th day of October 2019 at 12:00 o'clock p.m. and does hereby ratify and approve the action taken at said meeting.

Date this the 7th day of October, 2019.

/s/ Jenny G. Folsom - Council President

/s/ John W. Cook - Council President Pro-Tem

/s/ David Moss - Council Member

/s/ Andy Page - Council Member

/s/ Clint Hollingsworth - Council Member

There were no additions or deletions to the agenda.

There were no public comments from anyone not on the agenda.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

MOTION by Councilmember Cook and seconded by Councilmember Page that Gail Busbey be appointed clerk of the meeting in the absence of City Clerk Wesley Moore. Upon a voice vote, the following vote was recorded: Ayes: All. Nays: None.

Council President Folsom presented Ordinance No. 2020-01 for First Reading:

ORDINANCE NO. 2020-01

TO SURPLUS AND SELL 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: Three tracts or parcels of land located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 16, Township 10 South, Range 3 West, being more particularly described as follows: Commence at the Southeast corner of the Northeast Quarter of the Northwest Quarter; thence West along the Quarter-Section line a distance of 527.7 feet; thence North 20 feet to the point of beginning; thence West parallel with the Quarter-Section line 131.7 feet; thence North 315.9 feet; thence East 131.7 feet; thence South 315.5 feet to the point of beginning. The above described land lies in the Northeast Quarter of the Northwest Quarter of Section 16, Township 10 South, Range 3 West and containing 0.95 acres, more or less. ALSO: Commence at the Southeast corner of the Northeast Quarter of the Northwest Quarter; thence West along the Quarter-Section line a distance of 396 feet; thence North 20 feet to the point of beginning; thence West parallel with the said Quarter-Section line 131.7 feet; thence North 315 feet; thence East 131.7 feet; thence South 315.0 feet to the point of beginning. The above described land lies in the Northeast Quarter of the Northwest Quarter of Section 16, Township 10 South, Range 3 West, and contains 0.95 acres, more or less. ALSO: Three acres in the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 16, Township 10, Range 3 West, particularly described as commencing at the Southeast corner of said Forty acre tract and thence running west with south line 132 yards; thence North 110 yards; thence East 132 yards to a point on the East line of said Forty; thence South 110 yards to the point of beginning. EXCEPTING HOWEVER, a road or street 15 feet wide off the East side thereof, heretofore dedicated by S. L. Fuller and wife, situated, lying and being in Cullman County, Alabama. 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 the Cullman City Board of Education.

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

ADOPTED by the Cullman City Council, this 7th day of October, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 7th day of October, 2019.

/s/ Woody Jacobs, Mayor

MOTION by Councilmember Cook and seconded by Councilmember Page that unanimous consent of those present be given for immediate consideration of Ordinance No. 2020-01. Upon a roll call vote, the following members voted Aye: Page, Cook, Folsom, Moss, and Hollingsworth. Nays: None. Council President Folsom declared that there was unanimous consent for the immediate consideration of Ordinance No. 2020-01, and called for a motion to adopt.

MOTION by Councilmember Cook and seconded by Councilmember Moss that Ordinance No. 2020-01 be adopted as introduced, subject to any modifications that the City Attorney may deem necessary, and subject to the Cullman City Board of Education adopting a similar Resolution.

DISCUSSION: Mayor Jacobs explained that this property by West Elementary is currently being used as the Pee Wee Field, and will continue to be used for this purpose, but this Ordinance will give the City Schools an option to use this property if needed for school purposes. The City has received a grant to build a splash pad on the old pool property and this Ordinance will clarify records for that purpose. Upon a roll call vote, the following members voted Aye: Page, Cook, Folsom, Moss, and Hollingsworth. Nays: None. Council President Folsom declared that Ordinance No. 2020-01 adopted as introduced, subject to any modifications that the City Attorney may deem necessary, and subject to the Cullman City Board of Education adopting a similar Resolution.

There being no further business to conduct, Council President Folsom called for a motion to adjourn. MOTION by Councilmember Cook and seconded by Councilmember that the meeting be adjourned. Upon a voice vote: Ayes: All. Nays: None. Council President Folsom declared meeting adjourned at 12:11 p.m.