

## **CULLMAN CITY COUNCIL MEETING ON SEPTEMBER 30, 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, September 30, 2019. Police Chief Kenny Culpepper presented the invocation. Pledge of Allegiance led by Assistant Police Chief Craig Montgomery.

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 September 9, 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 September 9, 2019 as written. Council Member Page 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** – None.

### **REPORT FROM THE MAYOR**

Mayor Jacobs highlighted several items included in the fiscal year 2020 budget such as a four percent pay increase for employees, a one-time pay supplement of \$600, the city absorbing the entire five percent health insurance premium increase, employee membership to the Wellness and Aquatics Center, adding a cancer policy for fire fighters, and the largest paving budget in the city's history.

### **REPORTS OF STANDING COMMITTEES**

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page reported the budget includes eight patrol vehicles and 18 laptops for the police department and the fire department will receive 42 handheld radios and a chest compression device.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss reports the water and sewer departments will receive a brush truck, water and sewer line improvements; also improvements to the wastewater treatment plant and pump station.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth congratulated Parks and Recreation staff and Director Nathan Anderson for obtaining the CAPRA accreditation from Commission on Accreditation of Park and Recreation Agencies, being one of only 178 in the country and the first in Alabama to obtain the designation.
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No report.

**COMMENTS FROM ANYONE NOT ON THE AGENDA** – None.

### **PUBLIC HEARINGS**

Council President Folsom set a public demonstration of a self-loading garbage truck at Cullman City Hall on Monday, October 14<sup>th</sup>, 2019 at 5:30 p.m.

### **REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER**

Council Member Hollingsworth made a motion to grant a special event request from Christy Turner of Cullman Parks Recreation to hold the Annual Oktoberfest in various locations throughout the City of Cullman on October 2<sup>nd</sup>, 2019 through October 5<sup>th</sup>, 2019. 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 grant a special event request from Christy Turner of Cullman Parks Recreation to hold the 16<sup>th</sup> Annual Oktoberfest 5k and 10k runs starting at the Festhalle on October 5<sup>th</sup>, 2019 starting at 8:00 a.m. Council President Pro Tem Cook 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 grant a special event request from Jackie Cook Porter of Finders Keepers to hold their annual street and sidewalk sale on October 3<sup>rd</sup>, 2019 through October 5<sup>th</sup>, 2019. Council Member Page 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 grant a special event request Austin Hinds of Diablo's Southwest Grill to hold two carnival days with bouncy houses and face painting on October 12<sup>th</sup>, 2019 and October 13<sup>th</sup>, 2019 from 10:30 a.m. until 9:00 p.m. Council Member Hollingsworth 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 grant a special event request from Melissa Fowler of 1120 County Road 1492 to hold a walk and pray for the City of Cullman and its citizens starting at the Cullman County Courthouse going to the Train Depot and

then back on October 15<sup>th</sup>, 2019 starting at 11:00 a.m. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to grant a special event request from Karen Speegle of Seventh Street Baptist Church to hold their annual Fall Harvest Festival on October 27<sup>th</sup>, 2019 from 6:00 p.m. until 8:00 p.m. 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 grant a special event request from Wilma Whateley of Grace Episcopal Church to hold their annual Trunk or Treat on October 31<sup>st</sup>, 2019 from 5:00 p.m. until 8:00 p.m. Council Member Hollingsworth 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 grant a special event request from Taylor Tischhauser of the National MS Society to hold a fundraising walk for the National Multiple Sclerosis Society in Heritage Park on April 18<sup>th</sup>, 2020 from 9:00 a.m. until Noon. Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to grant a special event request from David Price, Jr. and Connie Brakefield to close a portion of First Avenue SE to hold their wedding at Richter Chapel on June 27<sup>th</sup>, 2020 starting at 4:00 p.m. 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 Page made a motion to adopt the following resolution:

### **RESOLUTION NO. 2019 - 86 IN SUPPORT OF DYSLEXIA AWARENESS MONTH**

WHEREAS, October is Dyslexia Awareness Month;

WHEREAS, Dyslexia is highly prevalent, affecting 1 out of 5 individuals in some form, and crossing racial, ethnic, and socioeconomic lines;

WHEREAS, Dyslexia is a language based learning disability and is defined as a learning challenge that is neurological in origin and characterized by difficulties with accurate and/or fluent word recognition, poor spelling, and decoding abilities;

WHEREAS, diagnosis of dyslexia is critical and must lead to evidence based and specialized instruction that is multisensory in nature.

NOW THEREFORE, BE IT RESOLVED, that due to the significant educational implications that may result for students with dyslexia, the City of Cullman supports the Cullman City Board of Education in acknowledging and addressing dyslexia and in providing services needed to ensure the success of affected students;

BE IT FURTHER RESOLVED that the City of Cullman supports the Cullman City Board of Education in implementing the Alabama State Board of Education's amendment to the Alabama Administrative Code 290-3-1-.01(20) requiring ongoing dyslexia specific professional development for teachers and other educational personnel and the provision of appropriate educational services for students with dyslexia.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2019.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Cook 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 - 87 TO ADOPT THE ANNUAL BUDGET FOR THE CITY OF CULLMAN BEGINNING OCTOBER 1<sup>ST</sup>, 2019 AND ENDING SEPTEMBER 30<sup>TH</sup>, 2020**

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

1. That the General Fund Budget in the amount of \$37,389,376 or so much as may be necessary to defray the expenses and liabilities of the City of Cullman, is hereby appropriated for said purposes as therein specified.

2. That the budget in the amount of \$7,300,000 for the Property and Sales Tax Fund, a major fund, is hereby appropriated for the purposes as therein specified.

3. That the Miscellaneous and Special Fund Budgets in the following amounts: Four Cent Gas Tax Fund - \$100,000; Seven Cent Gas Tax Fund - \$173,000; Industrial Purpose Fund - \$204,000; Alabama Trust Fund - \$135,000; Corrections and Court Fund - \$130,000; Court Judicial Fund - \$83,000; Industrial Park Fund - \$102,500; Industrial Access Road Fund - \$10,000; Cullman Building Account - \$435,000; Parks and Recreation Construction Fund - \$16,000; Transportation Enhancement - \$118,500; Downtown Revitalization Fund - \$800,000; Brunner Street Fund - \$790,000; and Debt Service Funds - \$1,574,080 or so much thereof as may be necessary to defray the expenses and liabilities of the City of Cullman, are hereby appropriated for the purposes specified therein.

4. That the budget for the Sewer Fund in the amount of \$7,475,543; the budget for the Water Fund in the amount of \$19,086,000; the budget for the Utilities Board Water Division in the amount of \$12,128,942; and for the Airport Fund in the amount of \$3,503,613 or so much thereof as may be necessary to defray expenses and liabilities, is hereby appropriated for such purposes as therein specified, together with such expenditures for principal payments and for equipment and capital improvements as authorized by the City Council.

5. That a budget for expenses for the Parks and Recreation Fund in the amount of \$4,236,499 or so much thereof as may be necessary to defray expenses and liabilities, is hereby established for such purposes, together with such expenditures for principal payments and for equipment as may be required.

6. That such amounts as are required to be transferred between funds for various purposes are hereby appropriated.

7. That adjusted classifications, changes in pay and employee benefits, and changes in the positions and structure of departments as implemented in these budgets are hereby adopted.

8. This Resolution, if approved by the City Council, shall become effective on the 1<sup>st</sup> day of October, 2019.

BE IT FURTHER RESOLVED that the Mayor, the City Treasurer, and the City Clerk are hereby authorized (1) to expend such funds as are herein allocated and as directed by the Cullman City Council and (2) to make such line item adjustments as are necessary to accurately reflect the expenditures of each department and any other changes as directed by the Cullman City Council.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30<sup>th</sup> day of September, 2019.

/s/ Woody Jacobs, Mayor

Council Member Page 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 – 88**

**AMEND THE CITY OF CULLMAN POSITION CONTROL DETAIL**

THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the position control detail hereby amended accordingly, and is incorporated into the Fiscal Year 2019-20 City Budget.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30<sup>th</sup> day of September, 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 - 89**

**TO ADOPT THE PAY MATRIX, JOB DESCRIPTIONS, AND JOB CLASSIFICATIONS FOR THE CITY OF CULLMAN**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA that the new employee pay matrix, job descriptions, and job classifications will become effective for the pay period beginning on October 1<sup>st</sup>, 2019.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 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 Page made a motion to adopt the following resolution:

**RESOLUTION NO. 2019 – 90**

**TO SUBMIT AN APPLICATION WITH THE ALABAMA COUNTS 2020 CENSUS GRANT PROGRAM**

WHEREAS, the State of Alabama through ADECA (Alabama Department of Economic and Community Affairs) has created the Alabama Counts 2020 Census Grant Program;

WHEREAS, the City of Cullman, Cullman County, and its surrounding Municipalities understands the significance, the importance, and the impact of the 2020 Federal Census;

WHEREAS, the City of Cullman's Complete Count Committee has developed a plan to encourage and ensure strong participation in the 2020 Census through various forms of advertising, several large outreach community events, and several government partnerships;

WHEREAS, Cullman County and its surrounding Municipalities have submitted letters of support for this comprehensive plan to increase the local participation in the 2020 Census;

WHEREAS, the City of Cullman is applying with ADECA for grant funds through the Alabama Counts 2020 Census Grant Program to assist in the execution of this comprehensive plan for the citizens of Cullman County which serves a public purpose;

WHEREAS, the City of Cullman, if selected for the grant, will provide a 50 percent match though cash and in-kind services for the execution of this comprehensive plan to increase local participation in the 2020 Census;

NOW THEREFORE BE IT RESOLVED, that the Cullman City Council will commit a 50 percent match and authorize the City to submit the grant application with the Alabama Counts 2020 Census Grant Program to support this comprehensive plan to increase the local participation in the 2020 Census.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 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 – 91**

This Resolution is made this 30<sup>th</sup> day of September, 2019 (the Effective Date) by the City of Cullman, Alabama (the Granting Authority), to grant a tax abatement for Webb Wheel Products, Inc. (the Company).

WHEREAS, the Company has announced plans for a major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply): all state and local non-educational ad valorem taxes and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of \$2,909,741; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply): all state and local non-educational ad valorem taxes and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the foregoing was duly adopted by the City of Cullman, Alabama of Alabama at a meeting held on the 30<sup>th</sup> day of September, 2019.

BY: /s/ Woody Jacobs  
Its: Mayor

ATTEST:

/s/ Wesley Moore, City Clerk

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 – 92**

This Resolution is made this 30<sup>th</sup> day of **September, 2019** (the Effective Date) by the **City of Cullman, Alabama** (the Granting Authority), to grant a tax abatement for **Goat Island Craft Brewing, L.L.C.** (the Company).

WHEREAS, the Company has announced plans for a (check one): major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply): all state and local non-educational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education,

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of **10** years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of **\$200,000**; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply): all state and local non-educational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of **10** years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the foregoing was duly adopted by the **City of Cullman, Alabama** of Alabama at a meeting held on the **30<sup>th</sup>** day of **September, 2019**.

**BY: /s/ Woody Jacobs**  
**Its: Mayor**

**ATTEST:**

**/s/ Wesley M. Moore, City Clerk**

Council President Pro Tem Cook seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: David Moss.

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

**RESOLUTION NO. 2019 – 93**  
**TO RENEW THE CONTRACT WITH AIR EVAC**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to renew the contract with Air Evac for employee family coverage;

NOW THEREFORE, BE IT RESOLVED, by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to renew the Air Evac contract for employee family coverage.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

*/s/ Jenny Folsom, City Council President*

**ATTEST:**

**/s/ Wesley M. Moore, City Clerk**

APPROVED BY THE MAYOR this the 30th day of September, 2019.

*/s/ Woody Jacobs, Mayor*

Council President Pro Tem Cook 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 – 94**  
**TO EXTEND THE BID FOR VARIOUS TYPES OF PIPE**

WHEREAS, the recommendation from the Street Superintendent Scott Talley is to extend the current bid for various types of pipe with Bear Concrete Products, Inc. for the period of one year;

WHEREAS, the Cullman City Council has determined it would serve a public purpose to extend the current bid for various types of pipe with Bear Concrete Products, Inc. for the period of one year;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the bid for various types of pipe, previously awarded to Bear Concrete Products, Inc., is hereby extended until October 1<sup>st</sup>, 2020.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 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 – 95**

**TO CONVEY AIRPORT PROPERTY TO VINEMONT PROVIDENCE FIRE DEPARTMENT**

Whereas the Cullman County Airport has received a favorable recommendation from FAA to sell to Vinemont Providence Fire Department a 1.23 acre parcel near the Airport to improve fire protection to the Airport;

Whereas the land in question is technically owned jointly by the City of Cullman and the Cullman County Commission;

Whereas the Airport Board has approved the sale subject to restrictions by the FAA. Parcel described to wit:

*A tract or parcel of land containing 1.23 acres of land, more or less and being a part of the SW Quarter of the SW Quarter of Section 9, Township 9 South, Range 3 West, Cullman County and being a part of that certain tract as conveyed to the City of Cullman and Cullman County by a deed recorded in Deed Book 597, Page 846 in the Office of the Judge of Probate and being more particularly described as follows: COMMENCE at a found rebar marking the SW corner of said Section 9, having an Alabama state plane, west zone, NAD 83 coordinate value of N.1552055.87', E.2160583.14' and run N 00 Degrees 01'13"W(bearing based on AL state plane, west zone, NAD 83, grid) and run along the west line, a distance of 865.19 feet; thence run N 89 Degrees 58'47"E, a distance of 34.15 feet to a set rebar marking the east right-of-way line of Cullman County Road No. 1371, same being the POINT OF BEGINNING; thence N 00 Degrees 14'22"E and run along said east right-of-way line, a distance of 205.71 feet to a found axle marking the NW corner of said tract as recorded in Deed Book 597, Page 846; thence S 87 Degrees, 28'38"E, departing said right-of-way line, a distance of 260.02 feet to a found capped corner (Harris-5742); thence S 00 Degrees 12'45"E, a distance of 105.02 feet to a found axle; thence S 00 Degrees 12'45"E, a distance of 100.74 feet to a set rebar; thence N 87 Degrees 28'46"W, a distance of 261.64 feet to the POINT OF BEGINNING. Subject to any rights-of-way and/or easements of record.*

It is hereby **RESOLVED** the City Council for the City of Cullman hereby authorizes the Mayor to execute all documents required of the City and on behalf of the City of Cullman to convey the city's interest in said 1.23 acres to Vinemont Providence Fire Department for the appraised price of Twelve Thousand Nine Hundred and No/100 (\$12,900.00) Dollars subject only to the limitations as set by the FAA.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2019.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Cook 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 – 96**

**TO APPOINT OFFICERS OF THE CITY OF CULLMAN**

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

SECTION 1. The City Council of the City of Cullman designates the following officers to be appointed; said officers will serve until their successors are appointed:

Kenny Culpepper  
Brian Bradberry  
Dale Greer  
Larry Jones

Chief, Police Department.  
Chief, Fire Department.  
Director of Economic Development.  
Superintendent, Sanitation Department.

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|----------------------|---|
| Scotty Talley        | Superintendent, Street Department.          |
| Jeff Adams           | Superintendent, Wastewater Treatment Plant. |
| Chris Freeman        | Superintendent, Water and Sewer Department. |
| Joshua Brown         | Superintendent, Garage Department.          |
| Edward (Tom) Charney | Director of Risk Management.                |
| Jacob Smith          | Director of Information Technology.         |
| Erica York           | Director of Engineering.                    |
| Jason Nunnelley      | Director of Technology Village.             |

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 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 - 97**

**AGREEMENT WITH FIRST RESPONDERS BENEFIT PROGRAM**

BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the Mayor is hereby authorized and directed to enter into an agreement with First Responders Benefits Program to provide cancer insurance and long-term disability insurance coverage for city firefighters, effective January 1, 2020.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 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 Moss made a motion to adopt the following resolution:

**RESOLUTION NO. 2019 - 98**

**AGREEMENT WITH PREWITT GROUP**

BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the Mayor is hereby authorized and directed to enter into an agreement with The Prewitt Group to provide life insurance and accidental death and dismemberment insurance coverage for city employees, effective January 1, 2020.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 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 No. 2019-28 to vacate and surplus property not needed for any public or municipal purpose. Council President Pro Tem Johnny Cook made a motion to suspend the rules to consider Ordinance No. 2019-28. Council Member Page 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 Ordinance No. 2019-28 to vacate and surplus property not needed for any public or municipal purpose.

**ORDINANCE NO. 2019 – 28**

**TO VACATE AND SURPLUS 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.** The City Council 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:

*A strip of land 5 feet wide extending in a southerly direction across the West side parallel and adjacent to said West side of a part of Lot No. 424 in the City of Cullman, Alabama, more particularly described as follows: commencing at the Northwest corner of said lot; thence southerly along the West line of said lot 110 feet; thence at right angles easterly 35 feet; thence at right angles northerly 110 feet; thence at right angles and along the South line of Fourth Street 35 feet to the point of beginning.*

PROPERTY IS BEING PURCHASED IN "AS IS" CONDITION.

**SECTION 2.** The Cullman City Council hereby declares the above described property to be surplus and not needed by the City of Cullman for public or municipal purposes subject to a utility easement.

**SECTION 3.** The City Council hereby authorizes the Mayor to sell this property for its fair market value subject to a utility easement.

**SECTION 4.** This ordinance shall become effective upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 30<sup>th</sup> day of September, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2019.

/s/ Woody Jacobs, Mayor

Council Member Page seconded the motion to approve the Ordinance, 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.

**BOARD APPOINTMENTS** – None.

Council President Folsom asked for a motion to adjourn. Council Member Moss made the motion to adjourn. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 7:39 p.m. by a voice vote. Ayes: All. Nays: None.