

CULLMAN CITY COUNCIL MEETING ON JANUARY 13, 2020 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, January 13, 2020.

Police Chief Kenny Culpepper presented the invocation and led the Pledge of Allegiance.

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 December 16, 2019. Council President Pro Tem Cook made a motion to suspend the rules to consider the minutes. 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from December 16, 2019 as written. Council Member Hollingsworth 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth – No report
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No report.

REPORT FROM THE MAYOR

Mayor Jacobs recognized the hardworking crew that does a great job on the installation and maintenance of the Christmas lights throughout the city.

COMMENTS FROM ANYONE NOT ON THE AGENDA – None.

PUBLIC HEARINGS

Council President Folsom called the public hearing to order for Ordinance 2020-11 to establish the Arts District in the City of Cullman. With no one wishing to speak regarding the arts district ordinance, Council President Folsom closed the public hearing. At the end of the meeting, a business owner and artist each voiced their support for the arts district.

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

Council President Pro Tem Cook made a motion to grant a request from Steve Smith of Cullman High School Softball Boosters to hold a 10k Run to support Cullman High School Softball on February 8th, 2020 at 8:00 a.m. beginning at the Desperation Church. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Folsom held the first reading of Ordinance No. 2020-13 Confirming and Ratifying the Levy of a 7.5 Mill Ad Valorem Tax in the City of Cullman. Council President Pro-Tem Cook made a motion to suspend the rules to consider the ordinance. Council Member Hollingsworth 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the following ordinance:

ORDINANCE NO. 2020 - 13 AN ORDINANCE CONFIRMING AND RATIFYING THE LEVY OF A 7.5 MILL AD VALOREM SCHOOL TAX IN THE CITY OF CULLMAN

BE IT ORDAINED by the Cullman City Council (herein called "the Council"), the governing body of the City of Cullman (herein called "the City"), as follows:

Section 1. Findings. The Council hereby finds and declares that there is presently being levied in the City, pursuant to Amendment No. 56 to the Constitution of Alabama of 1901, and proceedings taken thereunder, a special school tax of 7.5 mills, the proceeds of which are used exclusively for general public school purposes (herein called the "Special School Tax"); that the proceeds of the Special School

Tax are paid to the Cullman City Board of Education (herein called "the Board"); and that the Board proposes to issue its Special Tax School Warrants in the approximate principal amount of \$12,000,000, Series 2020 (herein called "the Warrants"), for the purpose of providing various capital improvements for the public school system operated by the Board, and to pledge, for the payment of the principal of and interest on the Warrants and among other revenues available to the Board, the proceeds of the Special School Tax presently being paid to the Board.

Section 2. Pledge. The City hereby pledges, to the Board and to the registered owners of the Warrants, the Special School Tax and the proceeds therefrom and agrees that it shall continue to levy and provide for the collection and assessment of the Special School Tax and to pay the same over to the Board until the final retirement of the Warrants, now expected to occur on or before March 1, 2049.

ADOPTED this 13th day of January, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED this 13th day of January, 2020.

/s/ Woody Jacobs, Mayor

Council Member Hollingsworth seconded the motion, 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the first reading of Ordinance No. 2020-14 to annex 39 acres of property near Main Avenue SW owned by Charlotte Cruce into the city limits of Cullman as R-2 residential district. Council Member Moss made a motion to suspend the rules to consider the ordinance. Council Member Hollingsworth 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council Member Moss made a motion to approve the following ordinance:

ORDINANCE NO. 2020 – 14

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 Mary Troha and Charlotte Cruce have 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: PPIN: 28033. PARCEL: 17-08-28-0-001-010.000.

SURVEYORS LEGAL DESCRIPTION

A tract of land located in the Southwest Quarter of the Northeast Quarter of Section 28, Township 10 South, Range 3 West, Cullman County, Alabama, and being more particularly described as follows:

BEGINNING at a found 1/2" rebar marking the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 28, Township 10 South, Range 3 West, Cullman County, Alabama; thence run S 00°21'35" W along the East line of said quarter-quarter section for a distance of 1323.74 feet to a 1 1/2" open top found marking the Southeast corner of said quarter-quarter section; thence run N 89°30'13" W along the South line of said quarter-quarter section for a distance of 1332.52 feet to a 9" wood post marking the Southwest corner of said quarter-quarter section; thence run N 00°35'02" E along the West line of said quarter-quarter section for a distance of 1328.69 feet to a iron pin set at the Northwest corner of said quarter-quarter section; thence run S 89°17'23" E along the North line of said quarter-quarter section for a distance of 1327.34 feet to the POINT OF BEGINNING; said parcel containing 1,676,660 S.F.38.49 Acres more or less.

LESS AND EXCEPT

COMMENCING at a found 1/2" rebar marking the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 28, Township 10 South, Range 3 West, Cullman County, Alabama; thence run N 89°17'23" W along the North line of said quarter-quarter section for a distance of 141.88 feet to a point; thence leaving the North line of said quarter-quarter section run S 00°42'37" W for a distance of 14.93 feet to the POINT OF BEGINNING; thence run S 00°36'45" W for a distance of 279.99 feet to a found 1/2" rebar; thence run N 89°21'08" W for a distance of 311.46 feet to a 3/8" rebar; thence run N 00°44'08" E for a distance of 280.19 feet to a 1/2" rebar; thence S 89°18'58"E for a distance of 310.86 feet to the POINT OF BEGINNING; said parcel containing 87,154 S.F.2.00 Acres more or less.

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 13th day of January, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED this 13th day of January, 2020.

/s/ Woody Jacobs, Mayor

Council Member Page seconded the motion, 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the first reading of Ordinance No. 2020-15 to vacate a utility easement on Lot 57 in the Derby Creek Subdivision not needed by the City of Cullman for public or municipal purposes. Council President Pro-Tem Cook made a motion to suspend the rules to consider the ordinance. 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the following ordinance:

ORDINANCE NO. 2020 – 15
TO VACATE A UTILITY EASEMENT NOT NEEDED FOR ANY PUBLIC OR MUNICIPAL PURPOSE

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

1. The City of Cullman has a utility easement on Lot 57 in the Derby Creek Subdivision of the City of Cullman located on Church Hill Circle SE.
2. The Cullman City Council finds and determines that this property is not needed by the City of Cullman for public or municipal purposes and hereby vacates the said utility easement.
3. The City Council hereby authorizes the Mayor to do as necessary to vacate the said utility easement.
4. This ordinance shall become effective upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 13th day of January, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED this 13th day of January, 2020.

/s/ Woody Jacobs, Mayor

Council Member Moss seconded the motion, 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

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

RESOLUTION NO. 2020 – 45
APPOINT SANITATION SUPERINTENDENT

BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the City Council hereby appoints Samuel J. Dillender as the Sanitation Superintendent for the City of Cullman, effective January 14, 2020.

ADOPTED BY THE CITY COUNCIL this the 13th day of January, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED this 13th day of January, 2020.

/s/ Woody Jacobs, Mayor

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

BOARD APPOINTMENTS

Mayor Jacobs appointed Shelvie Carrera to the Housing Authority Board.

Council President Folsom asked for a motion to adjourn. Council President Pro Tem Cook made the motion to adjourn. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 7:25 p.m.