

## CULLMAN CITY COUNCIL MEETING ON MAY 18, 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, May 18, 2020.

Police Chief Brian Bradberry 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, 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 May 11, 2020. Council President Pro Tem 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 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 May 11, 2020 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 – Residential garbage pick up days have changed from Thursday to Wednesday located on and around East Hanceville Road from Brooks Drive SE to Bolte Rd SE.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth – No report.
5. General Government (Finance, Economic Development, etc.) – No report.

**REPORT FROM THE MAYOR** – Mayor Jacobs gave a paving update and also introduced a free app that will be available on June 1, 2020 called Cullman Connect. This app will enable residents to report pot holes, abandoned vehicles, street lights that are out, traffic signal problems, etc.

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

**PUBLIC HEARINGS** – None.

**REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER** – None.

### RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Folsom held the first reading of Ordinance No. 2020-28 to annex property located at 130 County Road 1401 as R-1 Residential District.. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2020-28 to annex property located at 130 County Road 1401 as R-1 Residential District.. 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 adopt the following Ordinance No. 2020-28.

#### ORDINANCE NO. 2020 – 28

#### 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 RDB Properties, LLC 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: 19645. PARCEL: 09-07-35-0-001-083.000

ADDRESS: 130 Co Rd 1401, Cullman, AL 35057

Legal Description: A parcel of land in the East half of the Southwest Quarter of the Southeast Quarter of Section 35, Township 9 South, Range 3 West, being more particularly described as follows: Beginning 630 feet North of the Southwest corner of said twenty, being the Point of the Beginning. Thence at a right angle East 125 feet; thence at right angles North 210 feet; thence at right angles West 125 feet; thence at right angles South 210 feet to the point of beginning. Containing 0.65 acres, more or less. Together with an easement or

right to travel a 12 foot strip of land along the West line of said 20 acre parcel from the Southwest corner of said parcel herein conveyed South to the South line of said 20 acre Parcel.

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-1 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 18<sup>th</sup> day of May, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley M. Moore, Clerk

APPROVED BY THE MAYOR this the 18<sup>th</sup> day of May, 2020.

/s/ Woody Jacobs, Mayor

Council Member Hollingsworth seconded the motion and the motion was approved by 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. 2020-29 to annex property located at 324 County Road 1322 as R-1 Residential District. Council Member Page made a motion to suspend the rules to Ordinance No. 2020-29 to annex property located at 324 County Road 1322 as R-1 Residential District. Council President Pro Tem Cook 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 Page made a motion to adopt the following Ordinance No. 2020-29.

**ORDINANCE NO. 2020 – 29**  
**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 George and Gail Colbow 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: 10243. PARCEL: 09-08-27-0-001-023.000.

ADDRESS: 324 County Road 1322, Vinemont, AL 35179

Legal Description: Beginning at the northeast corner of Lot #15 of Shangri-La Subdivision as recorded in Map Book 5, Page 63 in the Office of the Judge of Probate of Cullman County, Alabama; thence in a northerly direction a distance of 10 feet along a 50 foot radius of Edgewater Drive to the true point of beginning; thence N 85° 00' E a distance of 166.2 feet to a point on the 800.0 foot elevation above mean sea level of Lake George; thence in a northwesterly direction along the 800.0 foot elevation a distance of 235.0 feet, more or less, to a point; thence S 85° 00' W a distance on 190.0 feet to the east right of way line of an unnamed street; thence S 12° 15' W along said right of way line a distance of 157.4 feet to a point on the north right of way line of Edgewater Drive; thence in an east-southeasterly direction a distance of 180.0 feet along a 50 foot radius of Edgewater Drive to the point of beginning. Said land lying and being in the SE 1/4 of the NW 1/4 of Section 27, Township 9 South, Range 3 West, Cullman County, Alabama. Source of Title: Deed Book 582, Page 22.

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-1 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 18<sup>th</sup> day of May, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley M. Moore, Clerk

APPROVED BY THE MAYOR this the 18<sup>th</sup> day of May, 2020.

/s/ Woody Jacobs, Mayor

Council Member Hollingsworth seconded the motion and the motion was approved by 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. 2020-30 to annex property located on Freeman Road as AG-2 Agricultural District. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2020-30 to annex property located on Freeman Road as AG-2 Agricultural District. 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 Hollingsworth made a motion to adopt the following Ordinance No. 2020-30.

#### **ORDINANCE NO. 2020 – 30**

#### **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 H and M Land Company, LLC 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: 9749. PARCEL: 22-02-03-0-000-017.000.

ADDRESS: 0 Freeman Road

Legal Description: The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter all in Section 3, Township 11 South, Range 3 West, Cullman County, Alabama.

LESS AND EXCEPT that certain tract located in the Southwest Quarter of the Southeast Quarter as conveyed to The City of Cullman in Deed Book 369, Page 943 and more particularly described as follows:

Begin at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 3, Township 11 South, Range 3 West and run South along the West line of the Southwest Quarter of the Southeast Quarter a distance of 150 feet; thence East and parallel to the North line of said quarter-quarter section a distance of 150 feet; thence North and parallel to the West line of said quarter-quarter section a distance of 100 feet; thence East and parallel to the North line of said quarter-quarter section a distance of 1,170 feet more or less, to the East line of said quarter-quarter section a distance of 50 feet to the North line of said quarter-quarter section; thence West and along the North line of said quarter-quarter section a distance of 1,320 feet, more or less, to the point of the beginning. All of the above described land lying and being in the Southwest Quarter of the Southeast Quarter of Section 3, Township 11 South, Range 3 West, Cullman County, Alabama and containing 1.86 acres, more or less, together with the right of ingress and egress on the road leading to the Water Tower. Source of Title: Deed Book 577, Page 430.

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 AG-2 AGRICULTURE 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 18<sup>th</sup> day of May, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley M. Moore, Clerk

APPROVED BY THE MAYOR this the 18<sup>th</sup> day of May, 2020.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Cook seconded the motion and the motion was approved by 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 Hollingsworth made a motion to adopt the following resolution:

**CITY OF CULLMAN  
RESOLUTION NO. 2020-85**

**WHEREAS**, City of Cullman acting by and through its City Council proposes to apply for a Community Development Block Grant (CDBG) - Economic Development Grant for the installation of a traffic signal at the intersection of State Highway 69 and 24<sup>th</sup> Street.

**THEREFORE**, be it resolved by the City Council of Cullman, Alabama, as follow:

**THAT, WOODY JACOBS, MAYOR**, is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama, Department of Economic and Community Affairs, requesting Fiscal Year 2020 CDBG Economic Development Grant Funds in the amount of **\$100,000.00** for the installation of the above referenced traffic signal.

**THAT, THE CITY OF CULLMAN** will provide a local match of \$105,000.00 in support of the construction phase of this project.

**READ AND ADOPTED** this the 18<sup>th</sup> day of **May, 2020**.

**SIGNED FOR THE CULLMAN CITY COUNCIL:**

By: /s/ Woody Jacobs, 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.

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

**CITY OF CULLMAN  
RESOLUTION NO. 2020-86**

**WHEREAS**, the Alabama Community Development Block Grant Program has been established to assist local governments in meeting community development and housing needs consistent with the objectives as set forth in Title I of the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the City of Cullman has received a Community Development Block Grant to construct infrastructure improvements on Katherine Street.

**THEREFORE**, in accordance with CDBG regulations the City of Cullman has solicited and received bids from qualified materials suppliers to provide all water and sewer piping materials required to construct the above referenced infrastructure improvements in accordance with the approved plans and specifications;

**NOW, THEREFORE**, be it resolved that the Cullman City Council and St. John and Associates, the City's Consulting Engineer, has evaluated the bids received and has determined that Ferguson Waterworks is the low bidder on the water and sewer piping materials portion of this project; and

**THAT**, Woody Jacobs, Mayor, be and is hereby authorized to enter into a contract with Ferguson Waterworks in the amount of \$140,031.41 to provide all materials required for to complete the water and sewer system improvements activities associated with the above referenced CDBG project.

**READ AND ADOPTED** this the **18th** day of **May, 2020**.

**Signed for the Cullman City Council:**

By:/s/ Woody Jacobs, 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.

**BOARD APPOINTMENTS** – None.

Council President Folsom asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council President Pro Tem Cook seconded the motion and the meeting was adjourned at 7:20 p.m.