

**CULLMAN CITY COUNCIL MEETING ON NOVEMBER 9, 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, November 9, 2020. Police Chief Kenny Culpepper led the Pledge of Allegiance and 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 Attorney Roy Williams and City Clerk Wesley Moore.

Council President Jenny Folsom asked the Council to consider the minutes from October 26, 2020 and November 2, 2020. 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 Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. President Pro Tem Cook made a motion to approve the minutes from October 26, 2020 and November 2, 2020 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** – None.

**REPORTS OF STANDING COMMITTEES**

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss expressed deep sympathy to the family of Kenneth Stewart, a 23 year Water Department employee, who passed away last week from COVID-19.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook reported the first day of trash pick up with the new automated trucks went well, and the Sanitation Department will work diligently to work through the glitches.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth shared the annual airshow was a success and there are exciting upcoming events to look forward to throughout the Thanksgiving and Christmas season; stressing the importance of social distancing.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom wished her mother a happy 104<sup>th</sup> birthday.

**REPORT FROM THE MAYOR** – Mayor Jacobs presented a proclamation supporting the Tree Commission submitting a grant to establish an arboretum on the Burrow property.

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

**PUBLIC HEARINGS** – None.

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

Council Member Page made a motion to grant a special event request from Judith Caples of A Touch of German to host a food vendor during Christmas Open House on Saturday, November 14, 2020 from 10:00 a.m. until 4:00 p.m. in the Stiefelmeyer parking lot. 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 Member Page made a motion to adopt the following resolution:

**RESOLUTION NO. 2021 - 36  
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	Chief, Police Department.
Brian Bradberry	Chief, Fire Department.
Dale Greer	Director of Economic Development.
Sam Dillender	Superintendent, Sanitation Department.
Scotty Talley	Superintendent, Street Department.
Jeff Adams	Superintendent, Wastewater Treatment Plant.
Chris Freeman	Superintendent, Water and Sewer Department.
Joshua Brown	Superintendent, Garage Department.
Brian Landreth	Chief Building Official.

Christopher Dotson  
Jacob Smith  
Rothal (Clain) Fletcher  
Erica York  
Zachary Wood

Director of Risk Management.  
Director of Information Technology.  
Superintendent, ROW Maintenance Department.  
Director of Engineering.  
Director of Parks and Recreation.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/s/Woody Jacobs, Mayor

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

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

**RESOLUTION NO. 2021 - 37**

**APPOINTING THE FOLLOWING OFFICERS AND COMMITTEE MEMBERS OF THE COUNCIL**

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

SECTION 1. The following officials shall serve for a period of two years and shall continue to serve until their successors are elected and qualified: President of the City Council: Jenny Folsom and President Pro-Tem: Johnny Cook.

SECTION 2. The following committee members shall serve coextensively with the appointment of this Council or until their successors are elected and qualified:

General Government: Finance, Administration, Risk Management, Maintenance, Economic Development, Human Resources, and Building

Chairman: Jenny Folsom  
Vice Chairman: David Moss  
Members: Johnny Cook, Clint Hollingsworth, and Andy Page

Public Works: Garage, Street, Traffic, Sanitation, Engineering and Right of Way

Chairman: Johnny Cook  
Vice Chairman: Clint Hollingsworth  
Members: Jenny Folsom, David Moss, and Andy Page

Public Safety: Police, Fire, Dispatch, and EMA

Chairman: Andy Page  
Vice Chairman: Johnny Cook  
Members: Jenny Folsom, David Moss, and Clint Hollingsworth

Tourism: Park and Recreation, Airport, Museum, and Chamber of Commerce

Chairman: Clint Hollingsworth  
Vice Chairman: Andy Page  
Members: Johnny Cook, Jenny Folsom, and David Moss

Utilities: Water, Sewer, Wastewater Treatment Plant, and Utilities Board

Chairman: David Moss  
Vice Chairman: Jenny Folsom  
Members: Johnny Cook, Clint Hollingsworth, and Andy Page

SECTION 3. This Resolution shall be effective immediately upon its passage and approval.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/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. 2021 - 38**  
**APPOINTING THE CITY ATTORNEY TO PROVIDE LEGAL SERVICES**

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

**Section 1.** The City Council for the City of Cullman hereby appoints Roy Williams, as the City Attorney for the City of Cullman to advise and represent the City of Cullman pursuant to the contract attached hereto.

**Section 2.** Effective Date. This Resolution shall be effective following passage and approval by the City Council.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/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. 2021 - 39**  
**DESIGNATING DEPOSITORIES FOR VARIOUS FUNDS OF THE CITY OF CULLMAN**

WHEREAS, the City Council of the City of Cullman, Alabama, has convened in an organizational meeting at 7:00 o'clock p.m. on the 2nd day of November, 2020;

WHEREAS, the funds of the City of Cullman are presently deposited in accounts at various banking institutions in the City of Cullman;

BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that all banks and savings and loan associations in the City of Cullman are hereby designated as suitable depositories for funds of the City;

BE IT FURTHER RESOLVED that all warrants, drafts, and checks drawn on the account of the City of Cullman shall be signed by two of the persons designated herein as signatories; that the Mayor and City Treasurer be and they are hereby designated as signatories and authorized to execute all warrants, drafts and checks drawn upon the accounts of the City of Cullman; and that the President and President Pro Tem of the City Council be and they are hereby as signatories and authorized to execute such warrants, drafts, and checks in the event of the absence or incapacity of either the Mayor or City Treasurer;

BE IT FURTHER RESOLVED that the Mayor and/or the City Treasurer are hereby authorized:

1. To open new accounts at the various depositories and to transfer funds from one depository to another.
2. To invest funds in certificates of deposits or authorized federal securities, and to reinvest or withdraw these funds as necessary.
3. To require collateral to be pledged to secure city funds; to release or accept collateral securities as the circumstances warrant and to execute collateral agreements.
4. To take any further actions necessary to safeguard the funds of the City.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/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. 2021 - 40**  
**APPOINTING THE FOLLOWING OFFICERS AND EMPLOYEES**

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

**Section 1.** That Wesley M. Moore shall be appointed as City Clerk of the City of Cullman. Bond in the amount of \$100,000 with corporate surety to be approved by the Mayor shall be required. Should Wesley M. Moore or the Council determine that a new City Clerk should be appointed, he shall have the right to return to his previous position.

**Section 2.** That Sherry Compton shall be appointed as City Treasurer of the City of Cullman. Bond in the amount of \$100,000 with corporate surety to be approved by the Mayor shall be required. Should Sherry Compton or the Council determine that a new City Treasurer should be appointed, she shall have the right to return to her previous position.

**Section 3.** That all classified officers and employees of the City of Cullman, so designated under the civil service system, are continued by virtue of law; that all other officers and employees of the City paid out of the funds of the City are hereby continued in such positions upon the terms and upon the basis of compensation heretofore existing as may hereafter be modified.

**Section 4.** Effective Date. This Resolution shall be effective following passage and approval by the City Council.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/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. 2021 – 41**  
**TO AWARD BID FOR VARIOUS TYPES OF PIPE**

**WHEREAS**, bids were received on November 4th, 2020 at 2:00 p.m. for various types of pipe;

**WHEREAS**, the following bids were received:

<b>Bear Concrete Products, Inc.</b>	<b>\$ 24,032.61</b>
Harvey Culvert Company, Inc.	\$ 62,949.26
Tristar Pipe & Supply, Inc.	No Bid

**BE IT RESOLVED** by the Cullman City Council has evaluated the bids received and has determined that Bear Concrete Products, Inc. is the lowest responsible bidder; and

**THAT**, Woody Jacobs, Mayor, be and is hereby authorized to enter into a contract with Bear Concrete Products, Inc. for various types of pipe.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/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 Moss made a motion to adopt the following resolution:

**RESOLUTION NO. 2021 - 42**  
**TO SET EXPIRATION DATE OF THE FFCRA BENEFITS**

WHEREAS, On March 18, 2020, the Family First Corona Response Act (FFCRA) was signed into law; and

WHEREAS, the City Council has provided an additional five percent (5%) pay stipend to the following departments that began on April 1, 2020 to recognize the public safety and public works employees in the interest of the public health, safety and welfare of the citizens of the City of Cullman:

- Police Department
- Fire Rescue Department
- Sanitation Department
- Wastewater Treatment Plant
- Water and Sewer Departments
- Street Department
- Animal Control Division
- Engineering Department
- City Garage
- Information Technology Department
- Human Resources Department

WHEREAS, the additional benefit was provided to the above departments for a period of nine months,

WHEREAS, State of Alabama's Governor Kay Ivey has set the Family First Corona Response Act (FFCRA) to expire on December 31, 2020;

THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that five percent (5%) pay stipend will hereby expire on December 31, 2020.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/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 No. 2021-02 to set rates for the collection and disposal of municipal solid waste. Council Member Page made a motion to adopt the following Ordinance No. 2021-02.

**ORDINANCE NO. 2021 - 02**  
**TO SET RATES FOR THE COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE**

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

**SECTION 1.** Beginning with the services rendered for the 1<sup>st</sup> day of November, 2020, the following fees shall be charged by the City of Cullman, Alabama for the collection, transportation, and disposing of municipal solid waste and inert waste:

A. **RESIDENTIAL.** There will be a \$16.00 per month charge for the first container each additional will be an additional \$8.00 per container, for once a week solid waste pickup, for each single family residence, town house, condominium or other living quarters within the city limits of the City of Cullman. Provided, further, that in apartment houses or other buildings or residences where more than one family occupy and maintain separate apartments, a garbage container shall be provided to each family living in such building or residence, and each family shall pay the garbage fee required by this ordinance. All garbage and waster shall be placed in plastic

bags in the city provided container. No trash or waste in any container, other than the city provided container, will be picked up by the City of Cullman. Excessive trash pickup at a residence can be charged an additional pickup fee at the discretion of the Sanitation Department.

B. COMMERCIAL. There will be a minimum charge of \$60.00 per month for weekly solid waste pickup in two 96 gallon carts for each office or business in the City of Cullman. If more frequent service is required, fees may be adjusted accordingly. All garbage and waste shall be placed in plastic bags in the city provided container. No trash or waste in any container, other than the city provided container, will be picked up by the City of Cullman. Excessive trash pickup at a commercial office or business can be charged an additional pickup fee at the discretion of the Sanitation Department.

C. DUMPSTER SERVICE:	<u>DUMPSTER SIZE</u>	<u>COST PER HAUL</u>	<u>DELIVERY FEE</u>
	Two Yard Dumpster	\$ 80.00	\$ 50.00
	Four Yard Dumpster	\$ 120.00	\$ 50.00
	Six Yard Dumpster	\$ 160.00	\$ 50.00
	Eight Yard Dumpster	\$ 200.00	\$ 50.00

D. ROLL-OFF SERVICE	<u>PER DELIVERY</u>	<u>COST PER HAUL</u>	<u>DAILY RENT</u>	<u>TIPPING FEES</u>
Twenty Yard Roll-Off Container	\$ 100.00	\$ 175.00	\$ 6.00	Plus tipping fees
Thirty Yard Roll-Off Container	\$ 100.00	\$ 175.00	\$ 6.00	Plus tipping fees
Forty Yard Roll-Off Container	\$ 100.00	\$ 175.00	\$ 6.00	Plus tipping fees

E. COMPACTOR SERVICE: Minimum Monthly Rental Charge for a compactor is \$475.00 plus hauling and disposal fees which will vary at the discretion of the Sanitation Department.

SECTION 3. There will be an inflation adjustment of 3% or the Consumer Price Index (CPI), whichever is greater, will applied annually to all rates and fees included in this ordinance on every October 1<sup>st</sup>.

SECTION 4. This ordinance is adopted solely for the purpose of changing the fees for the collection, transportation and disposal of municipal solid waste and inert waste in the City of Cullman.

SECTION 5. All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/s/Woody Jacobs, Mayor

Council Member Moss 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 second reading of Ordinance No. 2021-03 to adopt a seven member format for the City of Cullman Planning Commission. Council President Pro Tem Cook made a motion to adopt the following Ordinance No. 2021-03.

**ORDINANCE NO. 2021 - 03**  
**TO CHANGE THE PLANNING COMMISSION OF THE CITY OF CULLMAN, ALABAMA,**  
**FROM NINE TO SEVEN MEMBERS AS A CLASS 6 MUNICIPALITY**  
**AND TO PRESERVE ITS POWERS AND AUTHORITY**

**WHEREAS**, this ordinance complies the Code of Alabama 1975, §11-52-3 and §11-52-16.

**WHEREAS**, Ordinance 541 of the CITY OF CULLMAN created a Planning Commission.

**WHEREAS**, the governing body of a Class 6 Municipality may determine by ordinance the Planning Commission of a municipality shall consist of seven (7) members, and;

**WHEREAS**, the current nine (9) member Planning Commission consists of the Mayor, or his or her designee, one of the administrative officials of the municipality selected by the Mayor, a member of the City Council selected by the City Council, and six (6) persons appointed by the Mayor, and;

**WHEREAS**, the new format of the Planning Commission would allow the Council to select a member that may or may not be a member of the Council, and would vest the remaining six appointments in the Mayor; and

**WHEREAS**, in the interest of the community, its growth and efficiency of the role of the Planning Commission, the City Council finds that it is in the best interest of the CITY OF CULLMAN to change the format of the current Commission.

**NOW THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, AS FOLLOWS:

**SECTION I. Current Format:**

- A. CITY OF CULLMAN Ordinance 541, adopted the 8<sup>th</sup> day of April, 1963, created a Planning Commission pursuant to Act No. 534, H. 992, approved September 14, 1935, (General Acts 1935, p. 1126, Alabama Code of 1940, Section 786 et seq) that consisted of nine (9) members, to be appointed for the terms and in the manner set forth in the said Act.
- B. The Mayor and Council are hereby authorized to make all appointments, with a member of the Council to be selected by it to serve as a member ex officio, and exercise all authority as authorized by such statute with regard to the planning commission.
- C. The planning commission shall meet on the first Monday of each month at 5:30 p.m. at the city hall unless otherwise provided by the commission or the city council from time to time.

**SECTION II. Role:**

- A. The Planning Commission is authorized and empowered to make and adopt a master plan for the continued, physical development of the said City of Cullman, Alabama, including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of such municipality. Such plan, with the accompanying maps, plats, charts and descriptive matter, shall show the Commission's recommendations for the development of said territory, including among other things the general location, character, and extent of streets, viaducts, subways, bridges, waterways, waterfronts, boulevards, parkways, playgrounds, squares, parks; aviation fields, and other public ways, grounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes, also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities, or terminals as well as a zoning plan for the control of the height, area, bulk, location and use of the buildings and premises.
- B. As the work of making the whole master plan progresses, said Commission may from time to time adopt and publish a part or parts thereof, any such part to cover one or more major sections or divisions of the municipality, or one or more of the aforesaid or other functional matters to be included in the said plan. The said Commission is hereby authorized and empowered to exercise all power and do all things authorized to such Commission by said Act 584 as it may deem necessary for its work. The said Commission is also authorized and empowered to do all things authorized to such Commission by said Act, and to exercise such control as it authorized under aforementioned Act 534 with reference to the subdivision of unimproved property within five miles of the corporate limits of the CITY OF CULLMAN, ALABAMA.

**SECTION III. New Format:**

- A. Pursuant to §11-52-16, the Council does hereby abolish and do away with the previous and current Commission format under §11-52-3.
- B. The Council hereby adopts, as a Class 6 municipality, under §11-52-16, a seven (7) voting member Commission.
- C. The members shall consist through appointment as follows:
  - 1. Six (6) members appointed by the Mayor;
  - 2. One (1) member appointed by a majority of the Council, who may be a member of the Council; and
  - 3. One (1) nonvoting advisory member who shall be appointed by the mayor, who shall be an administrative official of the municipality qualified by education, training, experience, and job responsibilities to provide substantive and technical advice, assistance, and guidance to the planning commission in the exercise of its statutory functions.
  - 4. All members of the planning commission shall be at least 21 years of age and, to the extent not inconsistent with this section, shall meet the additional qualifications for membership on municipal planning commissions as prescribed by law.

5. All voting members of the planning commission shall be residents of the municipality. A vacancy shall be declared by the planning commission, after notice to the member, if a voting member of the planning commission ceases to reside in the municipality. The vacant position shall be filled by the Mayor or Council, as appropriate, within 90 days of a declaration of vacancy by the planning commission. The declaration of a vacancy shall operate to terminate the membership and voting authority of the member who no longer resides within the municipality.

D. Members other than the member selected by the Council may, after a public hearing, be removed by the Mayor for inefficiency, continued failure to attend meetings, neglect of duty or malfeasance in office. The council may for like cause remove the member or members selected by it. The mayor or council, as the case may be, shall file a written statement of reasons for such removal.

E. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the mayor in the case of members selected or appointed by him or her, by the council in the case of the member, or other members selected by it and by the appointing power designated by the council in municipalities in which the mayor is not an elective officer.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 2020.

/s/Woody Jacobs, Mayor

Council Member Moss 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 second reading of Ordinance No. 2021-04 to set rates for the collection and disposal of municipal solid waste. Council President Pro Tem Cook made a motion to adopt the following Ordinance No. 2021-04.

**ORDINANCE NO. 2021-04**

**TO REGULATE GRASS AND WEED NUISANCES, ABANDONED AND INOPERABLE VEHICLES, ABANDONED/UNOCCUPIED DILAPIDATED STRUCTURES, AND OTHER NUISANCES**

**WHEREAS**, this ordinance complies the Code of Alabama 1975, §6-5-120, §6-5-121, §6-5-122, §11-47-117, §11-47-118, §11-40-31, §11-53A-1, §11-53A-6, §11-53B-1, §11-53B-2, §11-53B-6, §32-8-2, §32-8-84, §32-13-1, §32-13-2, §32-8-34 §11-47-131 through §11-47-140, §11-67-60 through §11-67-67, and §11-67-20 through §11-67-28.

**WHEREAS**, an abundance of abandoned or inoperable vehicles, abandoned overgrown grass and weeds, abandoned and unoccupied dilapidated structures, and other nuisances described herein within the city limits of Cullman, Alabama, could be injurious to the general welfare through being a dangerous public menace and an eyesore, and providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects and pests; or attaining heights and dryness that constitute a serious fire threat or hazard; or bearing wingy or downy seeds, when mature that cause the spread of weeds and when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris such as broken glass or metal that could inflict injury on a person going upon the property, or being unsightly and constituting a usual blight, and;

**WHEREAS**, it is abundantly clear that municipalities may bring an action to abate a nuisance, and under §6-5-122, "all municipalities in the State of Alabama may commence an action in the name of the city to abate or enjoin any public nuisance injurious to the health, morals, comfort or welfare of the community or any portion thereof."

**WHEREAS**, the abatement, enjoinder, demolition, removal and clearance of such abandoned and unoccupied dilapidated structures, abandoned or inoperable vehicles, overgrown grass and weeds, and other nuisances described herein must be accomplished for the overall good and protection of the public as a whole.

**WHEREAS**, each case of alleged nuisance must be decided upon its own facts on a case-by-case basis.

**NOW THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, AS FOLLOWS:

**SECTION I:**

A. It shall be unlawful for the owner, occupant, or person in charge of a property within the City of Cullman, Alabama, to allow the existence of any abandoned, unoccupied dilapidated structure that is a dangerous public menace that could work hurt, inconvenience, or damage to another, as well as an eyesore.

B. It shall be unlawful for the owner, occupant, or person in charge of a property within the City of Cullman, Alabama, whether vacant



or not, to use said property for open storage of any inoperable or abandoned motor vehicle, ice box, refrigerator, stove, or other appliance, glass, bottles, tin cans, brush, combustible materials, building materials, building rubbish, and similar items, or to allow the accumulation of weeds, grass, dead trees, brush, trash, garbage, tires, and similar items that create a nuisance and blight on the community, unlawful for an accumulation or storage of debris, refuse, brush, parts of buildings, remains from building demolition, parts of untenable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitoes, harmful insects, rodents and snakes or is so unsightly as to be offensive to the surrounding area is a nuisance in violation of this Ordinance.

- C. It shall be unlawful to allow garbage to remain exposed in any manner on such person's premises or on the adjacent street or alley.
- D. It shall be unlawful for any person to sweep, throw or dispose of trash, waste matter or garbage onto or into property not owned by such person or under such person's control, except in the landfill as designated by the City in a lawful manner.
- E. It shall be unlawful for any person to throw or sweep trash, rubbish, garbage, or filth of any kind onto the streets, sidewalks, or public grounds in the City or into waterways, ponds, lakes, or other bodies of water within the City limits of the City of Cullman or direct others to do so.
- F. It shall be unlawful for any person to permit or maintain the existence of any nuisance on any property under such person's ownership or control. Property under a person's ownership and control includes those areas referred to below in "Duties of Owner". A person with a duty to abate any nuisance is liable for separate and distinct offenses for each day the nuisance is allowed to remain after it has become such person's duty by notice of the enforcing official to abate it.
- G. It shall be unlawful and a nuisance, in violation of this Ordinance for the owner of any real property situated within the corporate limits of the City to allow such real property to become overgrown with tall grass or with any weed or plant such as jimson, burdock, ragweed, cocklebur or other weed of like kind or any weed or plant bearing wingy or downy seeds or any weed or plant that is otherwise noxious, dangerous, harmful, or poisonous. Overgrown means a height of 12 inches or more. Excepted from such grass and weed nuisance requirements are:
  - 1. Any property which is in its natural condition as defined herein.
  - 2. Any property which is located outside any improved subdivision and is located more than 100 feet from any boundary or any lot or parcel of real estate upon which any dwelling is located and more than 100 feet from any commercial enterprise. For good cause the enforcing official may reduce the area subject to this Ordinance to a lesser distance.
  - 3. Cultivated row crops and garden plants in their respective growing seasons. But this exception applies only to growing crops and garden plants and shall not be construed to permit any corps or gardens to become overgrown with grass and weeds in violation of the remaining terms of this Ordinance.

**SECTION II:** For the purpose of this Ordinance, certain terms are defined as follows:

**Abandoned Vehicle:** A motor vehicle as defined in that has been unclaimed as provided in §32-8-84 for not less than 30 calendar days from the date the notice was sent to the owner and lienholder of record, or if no owner or lienholder of record could be determined, has been unclaimed for not less than 30 calendar days. The term "abandoned motor vehicle" also includes any attached aftermarket equipment installed on the motor vehicle that replaced factory installed equipment. §32-8-84, Code of Alabama 1975 defines an unclaimed motor vehicle as:

- 1. A motor vehicle left unattended on a public road or highway for more than 48 hours.
- 2. A motor vehicle, not left on private property for repairs that has remained on private or other public property for a period of more than 48 hours without the consent of the owner or lessee of the property.
- 3. A motor vehicle, left on private property for repairs, that has not been reclaimed within 48 hours from the latter of either the date the repairs were completed or the agreed upon redemption date.
- 4. Also, any motor vehicle which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition, or does not have affixed thereto an unexpired license plate and has been parked, stored or left, whether attended or not, upon any public or private property in the city for a period of time in excess of seven business days.

The term includes any boat, golf-cart, motor bike, or ATV which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition. The term does not include any motor vehicle:

- 1. enclosed within a building on private property;
- 2. held in connection with a business enterprise, lawfully licensed by the City on property zoned for junkyard, vehicle repair facility or vehicle storage yard;
- 3. in operable condition specifically adapted or designed for operation on drag strips or raceways;

**Building:** Any structure or part thereof, not a dwelling as defined in this section.

**Dwelling:** Any building or structure or part thereof used and occupied for human habitation or intended to be so used, and including any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

**Enforcing Official:** Any employee designated by the Mayor or the Chief of Police as the person to exercise the authority and perform the duties delegated by this Ordinance to the enforcing official.

**Grass or Weed Nuisance:** Any abundance of overgrown grass or weeds within the City which is injurious to the general public health, safety and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin. Insects and pests; or attaining such heights and dryness so as to constitute serious fire threat or hazard; or bearing wingy or downy seeds, when mature, that cause the spread of weeds, and, when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; or being unsightly; or any growth of grass or weeds, other than ornamental plant growth, which exceeds 12 inches in height.

**Improved Subdivision:** A division of a tract of land or acreage into tracts or parcels and the improvements thereof by construction of streets, water lines and, where applicable, sewer lines to serve the subdivided property.

**Natural Condition:** Uncultivated and unseeded land, still in a state of nature. But any growth on land, once it has been cleared or plowed, is not a natural condition, even though it has not been planted or cultivated by anyone.

**Nuisance:** Defined under §6-5-120 as, "Anything that works hurt, inconvenience or damage to another. The fact that the act done may otherwise be lawful does not keep it from being a nuisance. The inconvenience complained of must not be fanciful or such as would affect only one of a fastidious taste, but it should be such as would affect an ordinary reasonable man." A nuisance arises from the unreasonable, unwarrantable or unlawful use by a person of such person's own property, either real or personal, or from such persons own improper, indecent, unsightly or unlawful personal conduct, working an obstruction of or injury to the right of another or of the public, and producing material annoyance, inconvenience, discomfort or hurt to another person or to the general public; anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property of another.

**Owner of Property.** Includes legal title holder, or lessee, or occupant of property, or agent of legal title holder or lessee, in charge, possession or control of said property.

### **SECTION III:**

- A. **DUTIES OF OWNER:** It shall be the duty of the owner of any real property located within the city to maintain any grass or weeds growing upon said property in such a manner as not to constitute a nuisance. The duties and obligations of the owner extend to and include any real property situated within a dedicated right-of-way or easement burdening the property, except to the extent that it may be impracticable to do so because of public facilities located thereon. Such right-of-way and easements must be maintained by the owner in a manner consistent with the maintenance of the owner's remaining property and within the requirements in this Ordinance, except to the extent it may be impracticable to do because of public facilities located thereon.
- B. **MAINTENANCE PRACTICES OF CITY:** The dedication of and existence of a right-of-way for a public road or of an easement for drainage or for public utilities represents the grant of only a limited interest in property and does not change the actual ownership of the property upon which the right-of-way or easement is located. The public authority maintains rights-of-way and easements only to the extent necessary to maintain the public facility and to maintain safety. The owners of the burdened property continues to control the property, except to the extent that such control interferes with the public use. The public authority does not cut grass, weeds, and other growth upon rights-of-way or easements, except to the extent necessary for operations and safety purposes. All other maintenance is the responsibility of the owner of the property upon which the right-of-way or easement is located.

### **SECTION IV:**

- A. Whenever in the opinion of the Enforcing Official, a violation of the Ordinance exists, the Enforcing Official shall order the owner of the property where the nuisance is located to abate the condition. The Enforcing Official shall give the owner written notice either in person or by first class mail requiring the owner to comply with this Ordinance and apprise the owner of the facts of the alleged nuisance and state the date by which the nuisance is to be abated. The notice shall require the owner to complete the abatement of the nuisance within the following period provided that the Enforcing Official shall stipulate additional time but in no case no more than a total of 30 days for any type of nuisance set out in the Ordinance, the Enforcing Official shall give not less than 14 nor more than 30 days for any type of nuisance set out in the Ordinance. Notice shall be sent to that person shown by the records of the county tax collector to have been the last person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the Enforcing Official of any change in ownership or interest in the property. It shall be unlawful to knowingly fail to notify the Enforcing Official of any such change of ownership or interest.
- B. Any employee of the City of Cullman who is designated by the Mayor or Chief of Police as a Code Enforcement Officer is hereby authorized to issue a citation or summons to persons found by him to be in violation of this Ordinance of the City of Cullman.
- C. The citation or summons shall order the person in violation to appear in Municipal Court at a date and time certain to answer to the charge against him/her. Each citation or summons shall:
1. Be in writing and state the facts;

2. State the name of the accused;
3. State the address of the accused, if known;
4. State the offense charged;
5. Set forth the date and time the accused is to appear in Municipal Court;
6. Set forth the address of the Municipal Court;
7. Be signed by the officer issuing or serving the citation or summons; and
8. Set forth a warning in bold type that willful failure to appear as directed is a misdemeanor and that a warrant for failure to appear will be issued.

The complaint may read as follows for any abandoned, unoccupied and dilapidated or untenable structures: “That located on the said described lot is a frame building and this complaint alleges that said building is unoccupied and not tenantable; that said building is in a dilapidated condition, open to the public and to animals; that in its present condition and state of repair it constitutes a fire hazard and a dangerous menace to the CITY OF CULLMAN and is a nuisance under the laws of the State of Alabama, and that the existing conditions, herein described, constitute a flagrant and persistent continuing nuisance in the CITY OF CULLMAN which is dangerous, offensive, unwholesome and injurious to the health, safety and welfare of the CITY OF CULLMAN.”

- D. A citation or summons delivered to or served upon a person accused of committing a violation or offense in violation of a City Ordinance or Code shall place a duty upon such person to appear in Municipal Court at the time and date indicated thereon and it shall be unlawful for any such person to fail to appear as directed in said citation or summons.
- E. Failure to appear at the time and date directed shall be prima facie evidence of a willful failure to appear and the Court may cause a warrant to be issued for the accused on a failure to appear charge.
- F. The provisions of this Ordinance are cumulative with previously granted authority in other ordinances and does not restrict any previously granted authorization to issue citations or summons.
- G. If the owner or tenant is absent, the enforcing official shall give the owner written notice in person or by first class certified mail with return receipt requested. The notice shall require the owner to comply with this Ordinance and appear before the Court in such manner as set out in Section IV C. The notice shall apprise the owner of the facts of the alleged nuisance and shall name the particular date, time, and place for such hearing. The notice shall be sent to that person shown by the records of the county tax collector to have been the last person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the enforcing official of any change in ownership or interest in the property. It shall be unlawful to knowingly fail to notify the enforcing official of any such change of ownership or interest.

#### **SECTION V. Penalties for Violating this Ordinance:**

All violation of the provisions of this Ordinance shall be punishable by:

1. A fine in the minimum sum of Fifty Dollars (\$50.00) up to a maximum of Five Hundred Dollars (\$500.00).
2. Imprisonment in the municipal jail for a term not to exceed six months.
3. Both such fine and imprisonment.

Each offense shall be a specific violation. If the owner fails, neglects or refuses to comply with the notice to abate, enjoin, demolish remove and clear of such abandoned and unoccupied dilapidated structures, building materials, building rubbish, and similar items, abandoned or inoperable vehicles, overgrown grass and weeds, or any act or omission mentioned in §I(B), then the enforcing official shall cause the abatement, enjoinder, demolition, removal and clearance of such abandoned and unoccupied dilapidated structures, abandoned or inoperable vehicles, overgrown grass and weeds by any means permitted by law at the expense of the owner of such property owner. The amount of the cost of abatement of a nuisance by the city, including all court costs, appraisal fees, administrative costs, attorneys' fees, and all other costs necessarily associated with the abatement action, shall constitute a lien against the real property upon which such costs were incurred. The lien provided for in this section shall be perfected and foreclosed as provided by state law.

#### **SECTION VI. Municipal Court Authority and Summary Abatement:**

Any judge of the municipal court of the city shall have the power to order the removal, abatement, demolition, fine or other appropriate judicial remedy of those things which are declared either by this article, state law or federal law to be nuisances, or which are nuisances per se, and from their nature indisputably are so. Summary abatement, without notice to the owner thereof, shall only occur where the nuisance is of imminent and serious danger to the health, safety or general welfare of the citizens of the city and the owner or occupant cannot be notified.

#### **SECTION VII. Severability:**

Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid. This Ordinance repeals any prior Ordinance in conflict therewith.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 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. 2021-05 to amend the officers of the City of Cullman.

Council President Folsom held the first reading of Ordinance No. 2021-06 to set retail sewer rates. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2021-06 to set retail sewer rates. 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 adopt the following Ordinance No. 2021-06.

**ORDINANCE NO. 2021 - 06  
TO SET RATES FOR RETAIL SEWER SERVICES**

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

SECTION 1 Charges for sewer services provided by the City of Cullman shall be calculated on a billing period of approximately thirty (30) days or once each month and shall be based upon the quantity of water used.

SECTION 2 There are hereby established the following charges for sewage disposal service measured by quantity of water used, effective January 1st, 2021:

RESIDENTIAL RATES INSIDE CITY LIMITS  
\$ 10.00 plus \$ 13.50 per 1,000 gallons

RESIDENTIAL RATES OUTSIDE CITY LIMITS  
\$ 20.00 plus \$ 16.50 per 1,000 gallons

COMMERCIAL RATES INSIDE CITY LIMITS  
\$ 20.00 plus \$ 14.00 per 1,000 gallons

COMMERCIAL RATES OUTSIDE CITY LIMITS  
\$ 40.00 plus \$ 17.00 per 1,000 gallons

INDUSTRIAL RATES INSIDE CITY LIMITS  
\$ 50.00 plus \$ 14.50 per 1,000 gallons

INDUSTRIAL RATES OUTSIDE CITY LIMITS  
\$ 100.00 plus \$ 18.00 per 1,000 gallons

SECTION 3 There will be an inflation adjustment of 3% or the Consumer Price Index (CPI), whichever is greater, will be applied annually to all rates and fees included in this ordinance on every October 1<sup>st</sup>.

SECTION 4 Minimum and Maximum Charges. The minimum charge for sewer service shall be the charges set out in Section, Paragraph (a) and (b). The maximum charge for sewage disposal services shall be determined by the amount of water used.

SECTION 5 All ordinances or parts thereof which are in conflict with this Ordinance are hereby expressly repealed.

SECTION 6 The City Council hereby declares that this Ordinance is adopted solely for the purpose of changing rates to be charged for sewer service, and it is not the intention of this Council to repeal Ordinance No. 1102 nor to repeal any sections of Ordinance No. 1335 not expressly changed by this Ordinance.

SECTION 7 This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 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. 2021-07 to set retail water rates. Council Member Page made a motion to suspend the rules to consider Ordinance No. 2021-07 to set retail water rates. 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. 2021-07.

**ORDINANCE NO. 2021 - 07  
TO SET RATES FOR RETAIL WATER SERVICES**

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

SECTION 1 Charges for water services provided by the City of Cullman shall be calculated on a billing period of approximately thirty (30) days or once each month and shall be based upon the quantity of water used.

SECTION 2 There are hereby established the following charges for water service measured by quantity of water used, effective January 1, 2021:

RESIDENTIAL RATES INSIDE CITY LIMITS  
\$ 10.00 plus \$ 9.50 per 1,000 gallons

RESIDENTIAL RATES OUTSIDE CITY LIMITS  
\$ 20.00 plus \$ 13.00 per 1,000 gallons

COMMERCIAL RATES INSIDE CITY LIMITS  
\$ 20.00 plus \$ 10.00 per 1,000 gallons

COMMERCIAL RATES OUTSIDE CITY LIMITS  
\$ 40.00 plus \$ 14.00 per 1,000 gallons

INDUSTRIAL RATES INSIDE CITY LIMITS  
\$ 50.00 plus \$ 10.50 per 1,000 gallons

INDUSTRIAL RATES OUTSIDE CITY LIMITS  
\$ 100.00 plus \$ 15.00 per 1,000 gallons

SECTION 3 There will be an inflation adjustment of 3% or the Consumer Price Index (CPI), whichever is greater, will be applied annually to all rates and fees included in this ordinance on every October 1<sup>st</sup>.

SECTION 4 Minimum and Maximum Charges. The minimum charge for water service shall be the charges set out in Section, Paragraph (a) and (b). The maximum charge for water service shall be determined by the amount of water used.

SECTION 5 The provisions of this Ordinance shall not in any way affect the Wholesale Water Rate charged by the City, which rate is calculated annually as provided in the contracts between the City of Cullman and its wholesale customers.

SECTION 6 This Ordinance is adopted solely for the purpose of changing rates to be charged to retail water customers of the City of Cullman, and does not affect other provisions of Ordinance No. 1332 or provisions of other ordinances which have not been previously repealed.

SECTION 7 All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8 This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 9th day of November, 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. 2021-08 to annex property on County Road 1319 into the city limits as R-4.

Council President Folsom held the first reading of Ordinance No. 2021-09 to annex property on County Road 715 into the city limits as R-3.

Council President Folsom held the first reading of Ordinance No. 2021-10 to vacate a utility easement on 1203 Welti Road SE.

## **BOARD APPOINTMENTS**

Council President Pro Tem Cook made a motion to reappoint Mayor Woody Jacobs to the Airport Board. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to reappoint Andy Page to Cullman Jefferson Gas Board. Council President Pro Tem Cook seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: Council Member Page.

Council Member Hollingsworth made a motion to reappoint David Moss to Cullman Jefferson Gas Board. Council President Pro Tem Cook seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: Council Member Moss.

Council Member Page made a motion to reappoint Jenny Folsom to Cullman Jefferson Gas Board. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: Council President Folsom.

Council Member Page made a motion to reappoint Clint Hollingsworth to Cullman Jefferson Gas Board. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: Council Member Hollingsworth.

Council President Pro Tem Cook made a motion to reappoint Clint Hollingsworth to Utilities Board. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: Council Member Hollingsworth.

Council President Pro Tem Cook made a motion to reappoint Mayor Woody Jacobs to Utilities Board. 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 reappoint Jason Knight as Municipal Judge. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to reappoint Matt Carter as Municipal Prosecutor. Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None. Abstained: Council President Pro Tem Cook and Councilmember Hollingsworth.

Council Member Page made a motion to appoint Chris Branham to Zoning Board of Adjustments replacing Don Smith. 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 reappoint appoint Scott Graham to Zoning Board of Adjustments (supernumerary) replacing Chris Branham. 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 reappoint Beth Caviness to Wellstone Board of Directors. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Folsom asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council Member Page seconded the motion and the meeting was adjourned at 7:28 p.m. by a voice vote. Ayes: All. Nays: None.