

**CULLMAN CITY COUNCIL MEETING ON NOVEMBER 23, 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 23, 2020. Fire Chief Brian Bradberry 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, and Council President Jenny Folsom. Also present were Attorney Roy Williams and City Clerk Wesley Moore. Absent: Council Member Clint Hollingsworth

Council President Jenny Folsom asked the Council to consider the minutes from November 9, 2020. 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 Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. President Pro Tem Cook made a motion to approve the minutes from November 9, 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.

**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 reported this is the third week operating with the automated garbage pick-up, and it is going really well
4. Tourism (Parks & Recreation, Airport, etc.) - In Chairman Clint Hollingsworth's absence Cullman Park and Rec Director, Zac Wood, shared that in an abundance of caution due to the rise of COVID-19 cases, the Christmas parade and tree lighting ceremony planned for December 4, 2020 and Cristkindlmarkt scheduled for December 11-12, 2020, are cancelled. Instead, there will be a virtual tree lighting to watch and for those still wishing to watch the tree lighting in person, please wear masks and practice social distancing. Also, November 27, 2020 is when pyramid will be lit through the end of the holiday season.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom – No report.

**REPORT FROM THE MAYOR** – Mayor Jacobs reported ALDOT has begun the traffic signal installation on Highway 31 at Olive Street. The Planning Commission Board has been restructured to a seven member board and the members serving on the board are Wendell Copeland, Cherrie Drake, Mike Voss, Steve Cummings, Bobby Kelley, Barrett Richard, Brad Smith, and Brandon Lewis as a non-voting, advisory and administrative member.

**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 approve Cracker Barrel Old Country Store #51 located at 6020 AL Highway 157 for a restaurant alcohol license which received a favorable recommendation from the City of Cullman Alcohol Review Committee. Council Member Moss seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

**RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

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

**RESOLUTION NO. 2021 – 43**

**TO AWARD BID FOR ONE OR MORE WORK TRUCKS**

**WHEREAS**, bids were received on November 12th, 2020 at 2:00 p.m. for one or more work trucks for the City of Cullman;

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

Eckenrod Ford Lincoln of Cullman, Inc.  
**Mitch Smith Chevrolet, Inc.**  
Bill Smith Buick GMC, Inc.

No Bid  
**\$ 31,381.50**  
No Bid

**WHEREAS**, the Cullman City Council has evaluated the bids received and has determined that Mitch Smith Chevrolet, Inc. is the lowest responsible bidder;

**BE IT RESOLVED** by the Cullman City Council that the Mayor is hereby authorized to enter into contract with Mitch Smith Chevrolet, Inc. for one or more work trucks for the City of Cullman.

ADOPTED BY THE CITY COUNCIL this the 23rd day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23rd 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 President Pro Tem Cook made a motion to adopt the following resolution:

**RESOLUTION NO. 2021 – 44**

**TO ENTER INTO CONTRACT WITH GOVTPORTAL, INC.**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into a contract with GovtPortal, Inc. to provide merchant and electronic payment services at no cost to the City of Cullman;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with GovtPortal, Inc. to provide merchant and electronic payment services at no cost to the City of Cullman.

ADOPTED BY THE CITY COUNCIL this the 23rd day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23rd 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 Page made a motion to adopt the following resolution:

**RESOLUTION NO. 2021 – 45**

**BE IT RESOLVED** by the City Council (the "Council") of THE CITY OF CULLMAN, ALABAMA (the 'City'), as follows:

Section 1. The Cullman City Council does hereby find, declare, and ascertain as follows:

- (a) The City of Cullman has chosen to adopt a new ordinance, Ordinance 2021-03, which adopts a new format for a seven (7) member Planning Commission in accordance with the Code of Alabama 1975, §11-52-3 and §11-52-16 as a Class 6 municipality; and
- (b) Two members of the current Planning Commission whose terms expire in November 2020, shall resign from the Commission with the expiration of their terms; and

- (c) The Cullman City Council nominates Bobby Kelly, whose service shall be for a term of six (6) years; and
- (d) Planning Commission member, Trent Lowry (January 1, 2020), has resigned; and
- (e) The Mayor shall appoint a nonvoting advisory member who shall be a senior 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.

Section 2. The various provisions of this Resolution are hereby declared to be severable. In the event any provision hereof shall be held invalid, illegal, or unenforceable for any reason, the invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Resolution shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ADOPTED BY THE CITY COUNCIL this the 23rd day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23rd 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 President Pro Tem Cook made a motion to adopt the following resolution:

**RESOLUTION NO. 2021 – 46**

**TO ESTABLISH THE CULLMAN CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2021**

WHEREAS, the Cullman City Council encourages the public to attend all Cullman City Council Meetings and has determined that the following dates and times listed below would be the most appropriate:

Monday, January 11 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, July 12 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, January 25 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, July 26 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, February 8 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, August 9 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, February 22 <sup>nd</sup> , 2021 at 7:00 p.m.	Monday, August 23 <sup>rd</sup> , 2021 at 7:00 p.m.
Monday, March 8 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, September 13 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, March 22 <sup>nd</sup> , 2021 at 7:00 p.m.	Monday, September 27 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, April 12 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, October 11 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, April 26 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, October 25 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, May 10 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, November 8 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, May 24 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, November 15 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, June 14 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, December 6 <sup>th</sup> , 2021 at 7:00 p.m.
Monday, June 28 <sup>th</sup> , 2021 at 7:00 p.m.	Monday, December 13 <sup>th</sup> , 2021 at 7:00 p.m.

THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman that the schedule of dates and times for the Cullman City Council Meetings are hereby adopted.

ADOPTED BY THE CITY COUNCIL this the 23<sup>rd</sup> day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23<sup>rd</sup> day of November, 2020.

/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 Moss made a motion to adopt the following resolution:

**CITY OF CULLMAN**  
**RESOLUTION NO. 2021-47**

**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 construction of an access road and fire loop accessibility road for the Reliance Worldwide Corporation Warehouse being constructed on the York Property.

**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 \$500,000.00 for the construction of an access road and fire loop accessibility road.

**THAT, THE CITY OF CULLMAN** will provide a local match of \$100,000.00 in support of the construction phase of this project.

**READ AND ADOPTED** this the **23rd** day of **November 2020**.

**SIGNED FOR THE CULLMAN CITY COUNCIL:**

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

**CITY OF CULLMAN**  
**RESOLUTION NO. 2021-48**

**WHEREAS**, City of Cullman acting by and through its City Council proposes to apply for a Community Development Block Grant (CDBG) - Economic Development Grant and a Appalachian Regional Commission (ARC) Grant to construct improvements and resurface 24<sup>th</sup> Street SW in Cullman Industrial Park #2.

**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 \$350,000.00 and ARC Grant funds in the amount of \$350,000.00 to construct improvements and resurface 24<sup>th</sup> Street SW in Cullman Industrial Park #2.

**THAT, THE CITY OF CULLMAN** will provide a local match of \$100,000.00, of which \$50,000 will be provided by the City of Cullman in the form of cash/in-kind services and \$50,000 will be provided by the Cullman County Commission in the form of cash/in-kind services in support of the construction phase of this project.

**READ AND ADOPTED** this the **23rd** day of **November 2020**.

**SIGNED FOR THE CULLMAN CITY COUNCIL:**

/s/Woody Jacobs, Mayor

**Attest:**

/s/Wesley M. Moore, City Clerk

Council Member Page 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 NUMBER 2021 – 49**

**BE IT RESOLVED**, by the City of Cullman as follows:

That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

**Sidewalks and streetscape improvements along 2nd Ave NE from Arnold St. NE to Oak Dr. NE; Project# TAPAA-TA21(907); CPMS Ref# 100072667.**

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Cullman, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the 23rd day of November, 2020, and that such resolution is on file in the City Clerk's Office.

**ATTESTED:**

/s/Wesley Moore, City Clerk

/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 Folsom held the second reading of Ordinance No. 2021-05 to amend Ordinance No. 2019-02 designating officers of the City of Cullman, Alabama. Council Member Moss made a motion to adopt the following Ordinance No. 2021-05.

**ORDINANCE NO. 2021 – 05**

**TO AMEND ORDINANCE NO. 2019 – 02 DESIGNATING OFFICERS OF THE CITY OF CULLMAN, ALABAMA**

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

1. That SECTION IV is deleted in its entirety and replaced with the following:

SECTION IV. The following officers of the City, all of which have some level of authority over employees of the City, exercise some discretionary policy making authority, or a portion of their duties is the ability to discharge some portion of the sovereign power of the City, shall be appointed by the majority of the City Council:

- A. Police Chief.
- B. Fire Chief.
- C. Director of Economic Development.
- D. Sanitation Superintendent.

- E. Street Superintendent.
- F. Wastewater Treatment Plant Superintendent.
- G. Water and Sewer Superintendent.
- H. Garage Superintendent.
- I. Chief Building Official.
- J. Director of Risk Management.
- K. Director of Information Technology.
- L. ROW Maintenance Superintendent.
- M. City Engineer.
- N. Director of Parks and Recreation.

All officers set out in this Section shall serve for one year or until their successors are appointed. All officers set out in this Section shall be directed by the Mayor, and shall report to the Mayor and the designated Committee Chair to keep the Council advised of the operations of their departments. In addition to the normal duties of their respective departments, these officers shall set formal procedures for personal conduct of the employees within their departments not inconsistent with the policies set by the Council and Mayor. All officers set out in this Section are exempt employees (employees at will) and may be removed prior to their term of service without cause by the Council. The Mayor may temporarily suspend or remove any officer, superintendent, chief, or department head in this Section; the suspension or removal of any of the above officials, if sustained by a majority of the Council, shall be final. The Mayor may temporarily fill the vacancy of any office in Section until a permanent replacement is appointed by the majority of the Council.

2. All other provisions of Ordinance No. 2015-23 not specifically amended herein shall remain in full force and effect.

3. This Ordinance shall be effective following its passage, approval, and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 23<sup>rd</sup> day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23<sup>rd</sup> day of November, 2020.

/s/Woody Jacobs, Mayor

Council Member Page 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: Abstain. Council President Folsom: Aye. Council Member Moss: Aye.

Council President Folsom held the second reading of Ordinance No. 2021-08 to annex certain properties into the city limits of the City of Cullman. Council President Pro Tem Cook made a motion to adopt the following Ordinance No. 2021-08.

#### **ORDINANCE NO. 2021 – 08**

#### **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 the following property owner, Brenda Howell, has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman:

APPROXIMATELY 21 ½ ACRES SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A FOUND ROCK MARKING THE ACCEPTED SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35, HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1532032.08', E. 2172496.30' AND RUN THENCE NORTH 00 DEGREES 21 MINUTES 21 SECONDS EAST ,A DISTANCE OF 873.27 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 14 SECONDS WEST ,A DISTANCE OF 387.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BASCH ROAD; THENCE RUN IN A SOUTHWESTERLY DIRECTION FOLLOWING SAID SOUTH RIGHT-OF-WAY LINE APPROXIMATELY 970 FEET TO THE EAST RIGHT-OF-WAY LINE OF CULLMAN COUNTY ROAD NO. 1435 (EVA ROAD); THENCE RUN IN A SOUTHEASTERLY DIRECTION ALONG SAID COUNTY ROAD NO. 1435, APPROXIMATELY 750 FEET TO A FOUND CAPPED CORNER (CONN-17831) HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1531494.19', E. 2171939.67'; THENCE NORTH 66 DEGREES 14 MINUTES 59 SECONDS EAST DEPARTING SAID RIGHT-OF-WAY LINE ,A DISTANCE OF 238.82 FEET; THENCE NORTH 68 DEGREES 28 MINUTES 11 SECONDS EAST ,A DISTANCE OF 360.06 FEET TO A FOUND CAPPED CORNER (CONN-17831) MARKING THE ACCEPTED EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 34 MINUTES 29 SECONDS EAST ,A DISTANCE OF 309.58 FEET TO THE POINT OF BEGINNING.

The property is located the northeast corner of the intersection of Eva Road and Co Rd 1319.

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-4 Single Family and Multifamily 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 23rd day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of November, 2020.

/s/Woody Jacobs, Mayor

Council Member Page 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 President Folsom held the second reading of Ordinance No. 2021-09 to annex property on County Road 715 into the city limits as R-3. Council Member Moss made a motion to adopt the following Ordinance No. 2021-09.

#### **ORDINANCE NO. 2021 – 09**

#### **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 the following property owner, George Melvin Schaefer, Jr., has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman:

A tract or parcel of land containing 2.88 acres of land, more or less and being a part of the Northeast Quarter of the Northwest Quarter of Section 35, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows:

COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35 AND RUN NORTH 89 DEGREES 40 MINUTES 20 SECONDS WEST AND RUN ALONG THE NORTH LINE, A DISTANCE OF 873.18 FEET; THENCE RUN SOUTH 00 DEGREES 51 MINUTES 42 SECONDS WEST, A DISTANCE OF 29.78 FEET TO A SET REBAR ON THE SOUTH RIGHT-OF-WAY LINE OF PHELAN ROAD, SAME BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 51 MINUTES 42 SECONDS WEST, A DISTANCE OF 202.29 FEET TO A SET REBAR AND BEING IN A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 34 SECONDS, A RADIUS OF 1,060 FEET, A CHORD BEARING OF SOUTH 84 DEGREES 28 MINUTES 08 SECONDS EAST AND A CHORD LENGTH OF 203.37 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 203.68 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 58 MINUTES 25 SECONDS EAST, A DISTANCE OF 414.05 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CULLMAN COUNTY ROAD NO. 722; THENCE NORTH 07 DEGREES 50 MINUTES 21 SECONDS EAST AND RUN ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 83.98 FEET; THENCE NORTH 02 DEGREES 45 MINUTES 53 SECONDS EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 90.71 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 92 DEGREES 44 MINUTES 18 SECONDS, A RADIUS OF 25.00 FEET, A CHORD BEARING OF NORTH 43 DEGREES 36 MINUTES 16 SECONDS WEST AND A CHORD LENGTH OF 36.19 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 40.46 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PHELAN ROAD; THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST AND RUN ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 404.83 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10 DEGREES 59 MINUTES 31 SECONDS, A RADIUS OF 860.00 FEET, A CHORD BEARING OF NORTH 84 DEGREES 28 MINUTES 40 SECONDS WEST AND A CHORD LENGTH OF 164.73 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 164.99 FEET TO THE POINT OF TANGENCY; THENCE NORTH 80 DEGREES 23 MINUTES 04 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 36.01 FEET TO THE POINT OF BEGINNING.

The property is located on County Road 715, Cullman, Alabama.

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-3 High Density Single Family and Duplex 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 23<sup>rd</sup> day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23<sup>rd</sup> day of November, 2020.

/s/Woody Jacobs, Mayor

Council Member Page 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 President Folsom held the second reading of Ordinance No. 2021-10 to vacate a utility easement on 1203 Welti Road SE. Council President Pro Tem Cook made a motion to adopt the following Ordinance No. 2021-10.

**ORDINANCE NO. 2021 – 10**

**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 14 in the Abbey View Subdivision Phase One of the City of Cullman also known as 1203 Welti Road 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 23<sup>rd</sup> day of November, 2020.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR, this the 23<sup>rd</sup> 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 President Folsom held the first reading of Ordinance No. 2021-11 to exempt certain ‘Covered Items’ from the Municipal Sales and Use Tax during the State of Alabama.

**BOARD APPOINTMENTS**

Council President Pro Tem Cook made a motion to reappoint Ronnie Easterwood to the ARC Board. 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 reappoint Trent Lowry to the Park and Rec Board. 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 reappoint Allen Green to the ARC Board. 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 reappoint Rita Neilson to the Zoning Board of Adjustments. Council Member Moss 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 President Pro Tem Johnny Cook made the motion to adjourn. Council Member Page seconded the motion and the meeting was adjourned at 7:21 p.m. by a voice vote. Ayes: All. Nays: None.

**DRAFT**