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CULLMAN CITY COUNCIL MEETING ON JANUARY 25, 2021 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:00 o'clock p.m. on Monday, January 25, 2021. 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, 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 January 11, 2021. 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. Council President Pro Tem Cook made a motion to approve the minutes from January 11, 2021 as written. Council Member Page seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth – No report.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom reported the first quarter of FY 2021 was positive with a 16% increase in revenues and a 12% increase in expenses as a result of purchasing the new automated garbage trucks. The unemployment rate for December 2020 was the lowest in the state at 2.1%, with the state average being 3.9%.

REPORT FROM THE MAYOR – No report.

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 second reading of Ordinance No. 2021-12 to annex 1789 County Road 1339 into the city limits as R-1 which received a favorable recommendation from the City of Cullman Planning Commission. Council President Pro Tem Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2021 – 12

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, Natalie Oden Hope, 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:

Legal Description: 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: All that part of the Northeast quarter of the Northeast quarter of Section 28, Township 9 South, Range 3 West, more particularly described as follows: Beginning at the Southeast corner of said fort; thence North 1 degree 20 minutes West 62.3 feet to the true point of beginning of the property herein described; thence from said true point of beginning continue North 1 degree 20 minutes West 142 feet; thence South 89 degrees 21 minutes West along the center of an existing drive 119 feet; thence South 57 degrees 09 minutes West 161.92 feet to a point which is 25 feet from normal pool level of Lake George; thence South 17 degrees 32 minutes East along a line 25 feet from and parallel to normal pool level of Lake George 98.75 feet; thence North 56 degrees 32 minutes East 116.3 feet; thence South 79 degrees 14 minutes East 132 feet to the true point of beginning and containing 0.67 acres, more or less. This property is subject to a 13 feet easement along the north side of said herein conveyed property that runs on an east and west direction, for ingress and egress to and from the public road located on the east side of said property, which runs in a

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northerly and southerly direction to Lake George, to be used and enjoyed by the Grantors and Grantees (see deed book 420 page 796), their heirs and assigns. For Source of Title: Deed Book 428, Page 796.

The property is located at 1789 County Road 1339, 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-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 25th day of January, 2021.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Page seconded the motion to approve the ordinance, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye

Council President Folsom held the second reading of Ordinance No. 2021-13 to annex property on Bolte Road into the city limits as PUD PR-1 which received a favorable recommendation from the City of Cullman Planning Commission. Council Member Moss made a motion to adopt the following ordinance:

ORDINANCE NO. 2021 – 13

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, Apel Enterprises, LLLP, 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:

PPIN: 1013 PARCEL: 17-07-26-0-001-001.000

Legal Description: The Southeast Quarter of the Northeast Quarter of Section 26, Township 10 South, Range 3 West, Cullman County, Alabama, containing 40 acres more or less.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as **PUD PR-1**.

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 25th day of January, 2021.

/s/Jenny Folsom, City Council President

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ATTEST:

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Page seconded the motion to approve the ordinance, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the second reading of Ordinance No. 2021-14 to annex property on County Road 700 into the city limits as Planned Unit Development PR-1 which received a favorable recommendation from the City of Cullman Planning Commission. Council President Pro Tem Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2021 – 14

TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

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

SECTION 1. The City Council of the City of Cullman finds that the following property owner, Minuteman Construction, 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:

Address: County Road 700, Cullman, AL 35055
PPIN: 45384 PARCEL: 17-07-25-0-001-011.001

Legal Description: Beginning at the Northwest corner of the NW ¼ of the NW ¼ of Section 25, Township 10 South, Range 3 West; thence S89°39'08"E 661.78 feet to a point; thence S0°32'29"E 1330.04 feet to a ½" capped iron set; thence N89°39'02"W 664.99 feet to a ½" capped iron set; thence N0°24'12"W 1329.97 feet to a point back to point of beginning. Said land lying in the NW ¼ of the NW ¼ of Section 25, Township 10 South, Range 3 West, Cullman County, Alabama. LESS AND EXCEPT: Commence at the Northwest corner of the NW ¼ of the NW ¼ of Section 25, Township 10 South, Range 3 West; thence S89°39'08"E 451.77 feet to a p.k. nail set and the point of beginning; thence N89°39'08"E 210 feet to p.k. nail set; thence S0°22'43"W 630.00 to an iron ½" capped rebar set; thence N89°39'08"W 210.00 feet to an iron ½" capped rebar set; thence N0°22'43"W 630.00 feet back to the point of beginning. Said land lying in the NW ¼ of the NW ¼ of Section 25, Township 10 South, Range 3 West, Cullman County, 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 **PR-1 PUD 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 25th day of January, 2021.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Moss seconded the motion to approve the ordinance, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the first reading of Ordinance No. 2021-15 to annex 535 County Road 1317 into the city limits as R-1 which received a favorable recommendation from the City of Cullman Planning Commission. Council Member Moss made a motion to adopt the following ordinance:

ORDINANCE NO. 2021 – 15

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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, Todd and Kim Self, 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:

Address: 535 County Road 1317, Vinemont, Alabama 35179

PPIN: 27213 PARCEL: 09-08-28-0-001-024.001

Legal Description: Lot #20 of Stonebridge Subdivision as recorded in Plat B-211-A in the Office of the Judge of Probate of Cullman County, Alabama. Source of Title: Deed Book 543, Page 342.

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 25th day of January, 2021.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Page seconded the motion to approve the ordinance, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the second reading of Ordinance No. 2021-17 to reestablish water connection, reconnection and other services fees. Council Member Page made a motion to adopt the following ordinance:

ORDINANCE NO. 2021 - 17

TO SET FEES FOR WATER CONNECTIONS AND OTHER SERVICES PROVIDED BY THE CITY OF CULLMAN, ALABAMA BEGINNING ON THE 1ST DAY OF FEBRUARY, 2021

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

SECTION 1. The following non-abatable fees for water connections and other services provided by the City of Cullman, Alabama, are hereby levied:

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| a) Reconnection Fee | \$ 35.00 |
| b) Reconnection Fees (After Hours) | \$ 60.00 |
| c) Lock Replacement Fee | \$ 75.00 |
| d) Replace Check Valve | \$ 100.00 plus cost of repair materials |
| e) Replace Curb Stop | \$ 150.00 plus cost of repair materials |
| f) Locate Service Line | \$ 500.00 plus cost of repair materials |
| g) Raise or Lower Meter | \$ 500.00 plus cost of repair materials |
| h) Unauthorized Water Use | \$ 500.00 plus cost of repair materials |
| i) Damaged Service | \$ 500.00 plus cost of repair materials |
| j) 3/4" Meter Installation with Box and Lid | \$ 800.00 plus cost of repair materials |
| k) 1" Meter Installation with Box and Lid | \$ 1,000.00 plus cost of repair materials |
| l) 2" Vault Installation | \$ 2,500.00 minimum plus cost of repair materials |
| m) 2" Meter Installation | \$ 3,500.00 minimum plus cost of repair materials |
| n) Fire Taps | Fees will be determined on a case by case basis. |

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- o) Account Transfer Fee within System \$ 25.00
- p) Service Fee for 3/4" water meter \$ 100.00
- q) Service Fee for 1" water meter \$ 200.00
- r) Service Fee for any water meter above 1" \$ 300.00
- s) **ESTABLISHMENT OF WATER CAPITAL RECOVERY FEES.** The owner of any property, which is not defined

as a Single-Family Dwelling or Tiny Home Dwelling under the current Zoning Ordinance 2020-16, who or which connects said property to the City's water system shall pay a nonrefundable capital recovery fee in the following amount:

SIZE OF WATER LINE	NON-INTERSTATE FEE	INTERSTATE FEE
3/4"	\$500.00	\$1,000.00
1"	\$1,500.00	\$3,000.00
2"	\$5,000.00	\$10,000.00
3"	\$11,000.00	\$22,000.00
4" and above	\$17,500.00	\$35,000.00

Owners located within **1.5** miles of Interstate Exits 157, 278, and 305 shall incur a larger fee due to boring costs to run utilities. Any additional borings will be determined on a case by case basis.

SECTION 2. All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the 1st day of February, 2021 subject to its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 25th day of January, 2021.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Moss seconded the motion to approve the ordinance, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the second reading of Ordinance No. 2021-18 to reestablish wastewater connection, reconnection and other services fees. Council Member Moss made a motion to adopt the following ordinance:

ORDINANCE NO. 2021 - 18

TO SET FEES FOR WASTEWATER CONNECTIONS AND OTHER SERVICES PROVIDED BY THE CITY OF CULLMAN, ALABAMA BEGINNING ON THE 1ST DAY OF FEBRUARY, 2021

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

SECTION 1. The following fees for wastewater connections and other services provided by the City of Cullman, Alabama, are hereby levied:

- a) Cleanout Cap Repair \$ 30.00
- b) Repair Manhole Ring and Lid \$ 500.00 plus cost of repair materials
- c) Unauthorized Sewer Use \$ 500.00 plus cost of repair materials
- d) Damaged Service \$ 500.00 plus cost of repair materials
- e) 2" Pressure Tap \$ 720.00 plus cost of repair materials
- f) 4" Sewer Tap \$ 720.00 plus cost of repair materials
- g) 4" Pressure Tap \$ 720.00 plus cost of repair materials
- h) 6" Sewer Tap \$ 3,250.00 plus cost of repair materials
- i) 6" Pressure Tap \$ 3,250.00 plus cost of repair materials
- j) 8" Sewer Tap \$ 5,520.00 plus cost of repair materials
- k) 8" Pressure Tap \$ 5,520.00 plus cost of repair materials
- l) 4" Relocate Sewer Service \$ 1,440.00 plus cost of repair materials
- m) 6" Relocate Sewer Service \$ 6,500.00 plus cost of repair materials
- n) 8" Relocate Sewer Service \$ 11,040.00 plus cost of repair materials
- o) Account Transfer Fee within System \$ 25.00
- p) Service Fee for 3/4" water meter \$ 100.00
- q) Service Fee for 1" water meter \$ 200.00

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- r) Service Fee for any water meter above 1" \$ 300.00
- s) **ESTABLISHMENT OF WASTEWATER CAPITAL RECOVERY FEES.** The owner of any property, which is not defined as a Single-Family Dwelling or Tiny Home Dwelling under the current Zoning Ordinance No. 2020-16, who or which connects said property to the City's water system shall pay a nonrefundable capital recovery fee in the following amount:

SIZE OF WATER LINE	NON-INTERSTATE FEE	INTERSTATE FEE
3/4"	\$500.00	\$1,000.00
1"	\$1,500.00	\$3,000.00
2"	\$5,000.00	\$10,000.00
3"	\$11,000.00	\$22,000.00
4" and above	\$17,500.00	\$35,000.00

Owners located within **1.5** miles of Interstate Exits 157, 278, and 305 shall incur a larger fee due to boring costs to run utilities. Any additional borings will be determined on a case by case basis.

SECTION 2. All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the 1st day of February, 2021 subject to its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 25th day of January, 2021.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Page seconded the motion to approve the ordinance, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

BOARD APPOINTMENTS

Council Member Hollingsworth made a motion to reappoint Gaynor St. John to the Industrial Development Board. Council Member Page seconded the motion and the motion was approved by a voice vote.

Council President Pro Tem made a motion to reappoint John Apel to the Industrial Development Board. Council Member Page seconded the motion and the motion was approved by a voice vote.

Mayor Woody Jacobs appointed Rick Parker to the Planning Commission Board.

Council President Folsom asked for a motion to adjourn. Council President Pro Tem Johnny Cook made the motion to adjourn. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 7:13 p.m. by a voice vote. Ayes: All. Nays: None.