

**CULLMAN CITY COUNCIL MEETING
MONDAY, SEPTEMBER 12, 2022, AT 7:00 P.M.
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, September 12, 2022. 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 President Pro Tem Johnny Cook, and Council President Jenny Folsom, Council Member David Moss, Council Member Brad Smith, Council Member Clint Hollingsworth. Also present were Attorney Roy Williams and City Clerk Wesley Moore.

Council President Jenny Folsom asked the Council to consider the minutes from August 22, 2022. Council President Pro Tem Cook made a motion to suspend the rules to consider the minutes. Council Member Moss seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council President Pro Tem Cook, Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from August 22, 2022, as written. Council Member Hollingsworth seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council President Pro Tem Cook, Council President Folsom: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) – Chairman Brad Smith – No Report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss proudly honored Wastewater Treatment Plant Department's Jake Calloway and Adam Brown for their department being awarded AWPCA's Best Operated Plant Award in 2021 in the Tricking Filter and Bio Filter Division. Also, WWTP employee J. R. Buchanan passed the Wastewater Grade Two Certification test.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No Report.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth shared Oktoberfest is scheduled for September 29 through October 1, 2022. Although the skatepark is not officially open yet, there have been many skaters already enjoying it.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom reported the council is currently in meetings regarding the FY 2023 budget; which should be passed at the next council meeting on Friday, September 30, 2022.

REPORT FROM THE MAYOR

Mayor Jacobs gave a report to the council regarding the City's operations.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Mr. Dennis McMahon, 1824 Fromhold Road, voiced complaints regarding a neighbor's debris on the right of way, and accesses to his property being blocked.

PUBLIC HEARINGS

Council President Folsom set a public hearing on October 24, 2022 at 7:00 p.m. for Ordinance No. 2022-31 to amend the definitions in the zoning ordinance.

REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS

Council Member Smith made a motion to approve a special event request from Chamber of Commerce for a Parade for Charity on October 30, 2022, from 3:00 pm until 5:00 pm. 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 approve special event request from Rickey Foster, Jr. for a concert in Depot Park on October 8, 2022, from 6:00 p.m. until 10:00 p.m. Council President Pro Tem Cook seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

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

**RESOLUTION NO. 2022 – 109
TO AWARD BID FOR A BUCKET TRUCK FOR CULLMAN TRAFFIC DEPARTMENT**

WHEREAS, bids (R-01897) were opened on September 8th, 2022 at 2:00 p.m. for a bucket truck for the City of Cullman Traffic Department;

WHEREAS, the low bidder for a bucket truck was Cullman Sales and Service, LLC in the amount of \$79,499;

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Cullman Sales and Service, LLC, is the lowest responsible bidder;

BE IT RESOLVED by the Cullman City Council that the bid for a bucket truck be awarded to Cullman Sales and Service, LLC in the amount of \$79,499.

ADOPTED BY THE CITY COUNCIL this the 12th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of September, 2022.

/s/Mayor Woody Jacobs

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

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

RESOLUTION NO. 2022 – 110
AUTHORIZING THE MAYOR TO PURCHASE REAL PROPERTY

WHEREAS, the City of Cullman has an opportunity to purchase property located near Industrial Park V for economic and industrial purposes and is described as follows:

Parcel I: (Deed Book 133 Page 489)

A parcel of land in the West half of the Northeast quarter of the Northwest quarter of Section 7, Township 10 Range 2 West, more particularly described as follows. Beginning at the Northeast corner of the above described twenty acre tract, thence running south, along the east line of above described tract, to the west side of the Alabama Highway 31, thence in a Southwesterly direction along said Alabama Highway 31, to a road leading off northwesterly, thence along said road North 73 degrees West 252 feet more or less to the Southwesterly corner of the lands which were conveyed to EJ Denson from C Teichmiller, and wife, as of December 16, 1925, see Deed Book 83 at page 288, thence north 1 degree East 967 feet to the north section line, thence East along and section line 323 feet more or less to the northeast corner of above described tract and point of beginning. Containing eight and one twelfth (8 & 1/12) acres more or less herein conveyed.

Parcel II: (Deed Book 177 Page 345)

A parcel of land in the West half of the Northeast quarter of the Northwest quarter of Section 7, Township 10, Range 2 West, described as follows, beginning at the Northwest corner of the above described 20 acre tract, thence, South along the west line of said 20 acre tract to a point within 73 feet of the Southwest corner of said 20 acre tract, thence east parallel with the south line of said twenty acres to the Highway 112, thence in a northeasterly direction along said Highway to the Teichmiller Road, thence Northwesterly along said road to an iron stake, thence in a northerly direction 967 feet to the north line of said twenty acres tract, thence west along the north line to the Northwest corner of said twenty and point of beginning and **ALSO:** Fifteen (15) acres of even width off of the east side of the Northwest quarter of the Northwest quarter of Section 7, Township 10 Range 2 West Containing in all the above-described land herein conveyed being 22 acres one or less.

LESS AND EXCEPT: (Deed Book 360 Page 117)

A tract or parcel of land located in the N1/2 of the NW ¼ of Section 7, Township 10 South, Range 2 West, described as follows, Begin 100 feet North of the Southwest corner of the NE ¼ of the NW ¼ of said section, thence East and parallel to the South line of said forty 340 feet to the West right of way line of State Highway No 69 (formerly Highway 112), thence Northeasterly along said highway 175 feet to Teichmiller Road, thence Northwesterly along said road 390 feet to an iron stake, thence in a Southerly direction 340 feet to the iron stake, thence East 109 feet to the point of beginning.

This property is subject to a lease of the subsurface mineral rights to the Shenandoah Oil Company

Parcel III:

Beginning at the point where the Westerly line of the Public Road known as East-West Highway, of Alabama Highway, crosses the North line of the Northeast Quarter of the Northwest Quarter of Section 7, Township 10 South, Range 2 West, thence westerly with the 40 acre line to the Northwest corner of the East half of the said Northeast Quarter of the said Northwest Quarter of said Section 7, Township 10 South, Range 2 West, thence South 245 feet, thence Easterly parallel with the North line of the 40, to the line of the said Public Highway, thence Northeasterly with the highway right of way line to the place of beginning, Containing 1 and 5/12 acre, more or less, and being the same lands as were sold by Eula Bell Frank and husband Conrad Frank to H D Wells and wife, Julia Mae Wells, as of Sept 5, 1945, and recorded in Deed Book 128 Page 115

Also: A parcel of land in Section 7, Township 10 South, Range 2 West, described as follows, Beginning at the point 245 feet South of the Northwest corner of the East Half of the Northeast Quarter of said Section, thence continuing South along the West line of said 20 acre tract, 245 feet, thence East to the East-West, State Highway, thence running Northeasterly along said highway to the Southeast corner of the above described 1 and 5/12 acre tract of land, at a point due East of the point of beginning of the land herein described and conveyed, thence running West to the point of beginning, Containing about ½ acre more or less.

WHEREAS, the Cullman City Council believes that it is in the best interest of the City and the public welfare of its citizens to authorize the Mayor to enter into a purchase agreement and to purchase said property at a reasonable price in order to address the current need for more industrial land; and

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Cullman that Mayor Woody Jacobs is hereby authorized to negotiate, enter into a purchase agreement and to purchase the real property located near Industrial Park V under the terms and conditions as he deems just by entering into an agreement with the property owner.

ADOPTED BY THE CITY COUNCIL this the 12th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of September, 2022.

/s/Mayor Woody Jacobs

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. 2022 – 111
TO REJECT ALL BIDS FOR THE CULLMAN CIVIC CENTER COMPLEX

WHEREAS, bids were opened for the Cullman Civic Center Complex;

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that all bids must be rejected due to all bids exceeding the project budget;

BE IT RESOLVED by the Cullman City Council that the bids for the Cullman Civic Center Complex are hereby rejected due to all bids exceeding the project budget.

ADOPTED BY THE CITY COUNCIL this the 12th day of September, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR this the 12th day of September, 2022.

/s/Mayor Woody Jacobs

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

Council President Jenny Folsom held the first reading of Ordinance No. 2022-30 to annex 1742 Lake David Drive NW into the city's limits as R-1 Residential. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2022-30. 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 President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to adopt Ordinance No. 2022-30.

ORDINANCE NO. 2022 – 30
TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

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

SECTION 1. The City Council of the City of Cullman finds that the following property owners, Takayah and Amy Johnson, have petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioners, be annexed into the City of Cullman:

PPIN: 20815. Parcel No.: 17-03-05-4-012-036.000. Property Address: 1742 Lake David Drive NW, Cullman, AL 35055.

Legal Description: Lot 4 of a proposed re-subdivision of Lots 3, 4, & 5 of the Second Addition to Ragsdale Subdivision, Map Book 5, Page 197.

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 12th day of September, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR of the City of Cullman on the 12th day of September, 2022.

/s/ Mayor Woody Jacobs

Council Member Hollingsworth 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 President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

BOARD APPOINTMENTS

Council Member Hollingsworth made a motion to reappoint Rusty Turner to the Park and Recreation Board. 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 Member Smith made the motion to adjourn. Council Member Moss seconded the motion, and the meeting was adjourned at 7:15 p.m. by a voice vote. Ayes: All. Nays: None.