

**CULLMAN CITY COUNCIL MEETING
MONDAY, MARCH 4, 2024 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 p.m. on Monday, March 4, 2024. Assistant Police Chief Brandon Patterson led the Pledge of Allegiance and presented the invocation.

A roll call by City Clerk Wesley Moore reflected the following: Present - Council President Jenny Folsom, Council Member David Moss, Council Member Brad Smith, and Council Member Clint Hollingsworth. City Clerk Wesley Moore was also present. Mayor Woody Jacobs, Council President Pro Tem Johnny Cook and City Attorney Roy Williams were absent.

Council President Jenny Folsom asked the Council to consider the minutes from February 19, 2024. Council Member Moss made a motion to approve the minutes from February 19, 2024, as written. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) – Chairman Brad Smith reported that Brian Bradberry has transitioned from Fire Chief into operating in his new role as Public Safety Officer, working with both Fire and Police Departments.
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 encourages everyone to vote in the upcoming primary elections.

REPORT FROM THE MAYOR – None.

COMMENTS FROM ANYONE NOT ON THE AGENDA – None.

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

Council Member Smith made a motion to approve a special event request from Julie Freeman of Friends of the Libraries of Cullman County for a Story Book 5k and One Mile Fun Run on April 27th, 2024. 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 approve a special event request from Rita Dean of the Warehouse District for the annual street sale on April 12th and 13th. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

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

RESOLUTION NO. 2024 - 39

TO AMEND CERTAIN CULLMAN CITY COUNCIL MEETING DATES FOR 2024

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;

WHEREAS, the Cullman City Council has determined that the scheduled City Council Meeting on Friday, March 15, 2024 at noon needs to be rescheduled;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the date and time of the Council Meeting on Friday, March 15, 2024 at noon is hereby moved to Monday, March 18, 2024 at 7:00 p.m.

ADOPTED BY THE CITY COUNCIL this the 4th day of March, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 4th day of March, 2024.

/s/Mayor Woody Jacobs

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. 2024 – 40

TO ENTER INTO AGREEMENT WITH THE STATE OF ALABAMA

**TO MAINTAIN A SIDEWALK ALONG US HIGHWAY 31
IN THE CITY LIMITS OF CULLMAN, ALABAMA**

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

1. That the City of Cullman, Alabama, enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for maintenance of a 4' wide sidewalk, located along AL-003 / US-31 between mile post 327.41 to 327.65 in the city limits of Cullman which agreement is before the Council.
2. That the Agreement be executed in the name of the City, by its Mayor, for and on its behalf.
3. That the signature of the Mayor be attested by the City Clerk and that the seal of the City be affixed to the agreement.

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 record by the City Clerk.

PASSED, ADOPTED, AND APPROVED BY THE CITY COUNCIL this the 4th day of March, 2024.

/s/Wesley Moore, City Clerk

/s/Woody Jacobs, Mayor

Council Member Smith 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 2024 - 41

This Resolution is made this **4th** day of **March, 2024** by **City of Cullman, Alabama**, to grant a tax abatement for **Project Flex**.

WHEREAS, the Company has announced plans for a major addition to their existing facility located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of all state and local noneducational ad valorem taxes, and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and

WHEREAS, the Company has requested that the abatement of state and local noneducational ad valorem taxes (if applicable) be extended for a period of **10** years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the amended request of the Company and the completed amended application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's amended application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of **\$50,000.00**; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of all state and local noneducational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational ad valorem taxes (if applicable) shall extend for a period of **10** years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the foregoing was duly adopted by the **City of Cullman, Alabama** of Alabama at a meeting held on the **4th** day of **March, 2024**.

BY: /s/ Woody Jacobs
Its: Mayor

ATTEST:
/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 19th day of February, 2024.

/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 Smith made a motion to adopt the following resolution:

RESOLUTION NO. 2024 - 42

TO AWARD BID FOR GENERAL EXCAVATION AND UTILITY WORK

WHEREAS, bids were opened on February 29, 2024, at 2:00 p.m. for general excavation and utility work for the City of Cullman;

WHEREAS, the low bidder for general excavation and utility work is Manning Construction, LLC; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Manning Construction, LLC, is the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for general excavation and utility work to Manning Construction, LLC.

ADOPTED BY THE CITY COUNCIL this the 4th day of March, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:
/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 4th day of March, 2024.

/s/Mayor Woody Jacobs

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. 2024 - 43

AUTHORIZING THE MAYOR TO PURCHASE REAL PROPERTY

WHEREAS, the City of Cullman has an opportunity to purchase property for public and/or municipal use;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Cullman that Mayor Woody Jacobs is hereby authorized to purchase property for its fair market value under the terms and conditions as he deems just.

ADOPTED BY THE CITY COUNCIL this the 4th day of March, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:
/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 4th day of March, 2024.

/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 Smith made a motion to adopt the following resolution:

RESOLUTION NO. 2024 - 44

TO AMEND THE POSITION CONTROL FOR THE CITY OF CULLMAN

THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the position control detail is hereby amended, as approved and deemed necessary by the Mayor, and is incorporated into the Fiscal Year 2024 City Budget.

ADOPTED BY THE CITY COUNCIL, this the 4th day of March 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 4th day of March, 2024.

/s/Mayor Woody Jacobs

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

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

RESOLUTION NO. 2024 - 45
TO APPLY FOR A FEMA ASSISTANCE GRANT

WHEREAS, the Cullman City Council believes that it is in the best interest and serves a public purpose to apply for a 95/5 AFG grant through FEMA for fire safety equipment;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to apply for a 95/5 AFG grant through FEMA for fire safety equipment with a local match not to exceed \$50,000.

ADOPTED BY THE CITY COUNCIL this the 4th day of March 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 4th day of March, 2024.

/s/Mayor Woody Jacobs

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

BOARD APPOINTMENTS

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

Council President Folsom asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council Member Smith seconded the motion, and the meeting was adjourned at 7:08 p.m. by a voice vote. Ayes: All. Nays: None.