

**CULLMAN CITY COUNCIL MEETING
MONDAY, JUNE 3, 2024 AT 7:03 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, June 3, 2024. Boy Scout Troop 219 member Asa Haynes led the Pledge of Allegiance and Ethan Rabending presented the invocation.

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

Council President Jenny Folsom asked the Council to consider the minutes from May 13, 2024. Council President Pro Tem Cook made a motion to approve the minutes from May 13, 2024, as written. Council Member Smith 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 – 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 - No report.

REPORT FROM THE MAYOR

Mayor Jacobs welcomed Scoutmaster Jonathan Haynes, and the Boy Scouts of Troop 219, as they attended the city council meeting as a requirement for the Citizenship in the Community badge. Mayor Jacobs also gave an update on the City's operations.

COMMENTS FROM ANYONE NOT ON THE AGENDA - None.

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

Council Member Smith made a motion to conditionally approve, based on public safety conditions, the special event request from Michael McBrayer for the annual Rock the South Music Festival at York Farms located at 1872 County Road 469 beginning on Thursday, July 18, 2024 and ending Saturday, July 20, 2024. 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 a special event request from Shirley Arnett for the annual prayer walk on the sidewalks of the Cullman County Courthouse located at 500 2nd Ave SW on Thursday, June 6, 2024. 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 approve a special event request from Bree Goodwin of Desperation Church for a church community event in Depot Park on Wednesday, June 19, 2024. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, HEARINGS, APPOINTMENTS AND OTHER

Council President Folsom set a public hearing on July 15, 2024 at 7:00 p.m. for Ordinance No. 2024-20 to amend the sidewalk regulations in the Zoning Ordinance which received a favorable recommendation from the Planning Commission.

Council President Folsom held the second reading of Ordinance No. 2024-18 to annex property located at 2100 Main Avenue SW into the City limits of Cullman as B-2 business district, which received a favorable recommendation from the Planning Commission. Council President Pro Tem Cook made a motion to approve Ordinance 2024-18.

ORDINANCE NO. 2024 – 18

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, Lakshmi Petro LLC, 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 petitioners, be annexed into the City of Cullman:

PIN: 36546. PARCEL NUMBER: 17-08-27-2-012-001.004. PROPERTY ADDRESS: 2100 Main Avenue SW.

LEGAL DESCRIPTION:

Beginning at the northwest corner of township 10, range 3 west, section 27; thence go south 1,320 feet, more or less, to the southwest corner of the northwest quarter of the northwest quarter of section 27; thence go east 45 feet to the point of beginning of the property herein described; thence go south 570 feet, more or less, to the point where Main Avenue SW and Cherokee Avenue SW intersect; thence go north 20°09'45" east along Cherokee Avenue SW right of way 620 feet, more or less, to the south line of the northwest quarter of the northwest quarter of section 27; thence go west 231.8 feet to the point of beginning.

SECTION 2. That the Council has before it a map showing the relationship of the properties 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 B-2 Business 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 3rd day of June, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 3rd day of June, 2024.

/s/Mayor Woody Jacobs

Council Member Smith 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 Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Brad Smith: Aye. Council Member Hollingsworth: Aye.

Council President Folsom held the first reading of Ordinance No. 2024-21 to amend the Officers of the City to add Deputy Fire Chief - Administration. Council Member Smith made a motion to suspend the rules to consider the ordinance. 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 Cook: Aye. Council President Folsom: Aye. Council Member Brad Smith: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve Ordinance 2024-21.

ORDINANCE NO. 2024 – 21

TO AMEND ORDINANCE NO. 2024-16 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 (Operations) of Parks and Recreation.
- O. Director (Executive) of Parks and Recreation.
- P. Director of Human Resources.

- Q. Court Clerk.
- R. Public Safety Director.
- S. Fire Deputy Chief – Administration

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

ADOPTED BY THE CITY COUNCIL this the 3rd day of June, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 3rd day of June, 2024.

/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 Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Brad Smith: Aye. Council Member Hollingsworth: Aye.

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

**CITY OF CULLMAN
RESOLUTION NO. 2024 - 65**

WHEREAS, the City of Cullman has received an Appalachian Regional Commission (ARC) grant from the Alabama Department of Economic and Community Affairs to construct improvements to Depot Park.

WHEREAS, a portion of the scope of this project is to purchase light poles for electrical improvements at Depot Park.

THEREFORE, in accordance with ARC regulations the City of Cullman has solicited and received bids from electrical suppliers to provide the light poles needed for the above referenced project.

NOW, THEREFORE, be it resolved that the City of Cullman has reviewed the bids received and have determined West Cullman Electric is the low bidder to provide the light poles in support of this project; and

THAT, Woody Jacobs, Mayor, is authorized to enter a contract with West Cullman Electric in the amount of \$25,250.00 to provide the light poles in support of this project.

ADOPTED AND APPROVED by the Cullman City Council on this the 3rd day of June, 2024.

SIGNED FOR THE CULLMAN CITY COUNCIL:

/s/ Woody Jacobs, Mayor

ATTEST:

/s/ Wesley 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 Member Moss made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 - 66
TO ADOPT A NEW POLICIES AND PROCEDURES MANUAL
FOR THE UTILITY SERVICES PROVIDED BY THE CITY OF CULLMAN**

WHEREAS, the City of Cullman has previously adopted a Utility Policies and Procedures Manual to establish patterns and practices for the operation and service of the utility services provided by the City of Cullman; and **WHEREAS**, for the benefit of employees and the public, the City Departments have presented to the Cullman City Council a new Utility Policies and Procedures Manual, attached hereto, to reflect the current services, practices, and procedures of the City; and

NOW THEREFORE, BE IT RESOLVED by the Cullman City Council that the new Utility Policies and Procedures Manual attached is hereby adopted and shall govern the administrative policies and procedures for the Utility Services provided by the City of Cullman.

ADOPTED BY THE CITY COUNCIL this the 3rd day of June, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 3rd day of June, 2024.

/s/Mayor Woody Jacobs

Council President Pro Tem Cook 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:

**CITY OF CULLMAN
RESOLUTION NO. 2024 – 67**

WHEREAS the City of Cullman desires to rehabilitate and construct new handicapped accessible sidewalks beginning at the Intersection of 4th Street, SW and 3rd Avenue, SW and extending south along 3rd Avenue, SW to 5th Street SW and then west along 5th Street SW to the intersection of 4th Avenue SW in downtown Cullman.

WHEREAS the City of Cullman proposes to submit an application to the Alabama Department of Transportation for grant assistance available through the FY2025 Transportation Alternatives Program (TAP); and

WHEREAS, the estimated total project cost is \$1,086,362.45, the TAP Grant Ceiling is \$800,000.00 and the program requires a cash match of at least 20% of eligible project cost.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Cullman will provide the required local cash match of \$286,362.45, as well all cost associated with engineering design and administrative services; and

BE IT FURTHER RESOLVED, that Mayor Woody Jacobs is hereby authorized to file an application for these funds, and in the event a grant is awarded, the Cullman City Council understands that the Mayor will be required to sign certifications and assurances to comply with applicable Federal and State laws, rules and regulations.

READ AND APPROVED by the City of Council of Cullman, Alabama on this the 3rd day of June 2024.

SIGNED FOR THE CITY OF CULLMAN:

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

RESOLUTION NO. 2024 - 68

TO APPOINT AN OFFICER OF THE CITY OF CULLMAN

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

SECTION 1. The City Council of the City of Cullman designates the following officer to be appointed; said officer will serve until his successor is appointed:

Darren Peeples

Fire Chief.

ADOPTED BY THE CITY COUNCIL this the 3rd day of June 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 3rd day of June, 2024.

/s/Mayor Woody Jacobs

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. 2024 - 69

TO APPOINT AN OFFICER OF THE CITY OF CULLMAN

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

SECTION 1. The City Council of the City of Cullman designates the following officer to be appointed; said officer will serve until his successor is appointed:

Stentsen Ellenburg

Fire Deputy Chief - Administration.

ADOPTED BY THE CITY COUNCIL this the 3rd day of June 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 3rd day of June, 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 President Pro Tem Cook made a motion to adopt the following resolution:

CITY OF CULLMAN

RESOLUTION NO. 2024 - 70

WHEREAS, the City of Cullman has received an Appalachian Regional Commission (ARC) grant from the Alabama Department of Economic and Community Affairs to construct improvements to Depot Park; and

WHEREAS, a portion of the scope of this project is to purchase drainage pipe and materials for improvements at Depot Park; and

THEREFORE, in accordance with ARC regulations the City of Cullman has solicited and received bids from suppliers to provide drainage pipe and materials needed for the above referenced project; and

NOW, THEREFORE, be it resolved that the City of Cullman has reviewed the bids received and have determined ADCO Pipe & Supply, LLC is the low bidder to provide drainage pipe and materials in support of this project; and

THAT, Woody Jacobs, Mayor, is authorized to enter a contract with ADCO Pipe & Supply, LLC in the amount of \$30,770.71 to provide drainage pipe and materials in support of this project.

ADOPTED AND APPROVED by the Cullman City Council on this the 3rd day of June, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 3rd day of June, 2024.

/s/Mayor Woody Jacobs

Council Member Moss 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:

CITY OF CULLMAN

RESOLUTION NO. 2024 - 71

WHEREAS, the City of Cullman has received an Appalachian Regional Commission (ARC) grant from the Alabama Department of Economic and Community Affairs to construct improvements to Depot Park; and

WHEREAS, a portion of the scope of this project is to purchase stormwater drainage pipe for improvements at Depot Park; and

THEREFORE, in accordance with ARC regulations the City of Cullman has solicited and received bids from suppliers to provide stormwater drainage pipe needed for the above referenced project; and

NOW, THEREFORE, be it resolved that the City of Cullman has reviewed the bids received and have determined Bear Concrete Products, Inc. is the low bidder to provide stormwater drainage pipe in support of this project; and

THAT, Woody Jacobs, Mayor, is authorized to enter a contract with Bear Concrete Products, Inc. in the amount of \$11,869.94 to provide stormwater drainage pipe in support of this project.

ADOPTED AND APPROVED by the Cullman City Council on this the 3rd day of June, 2024.

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.

BOARD APPOINTMENTS – None.

Council President Folsom asked for a motion to adjourn. Council President Pro Tem Cook made the motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:25 p.m. by a voice vote. Ayes: All. Nays: None.