

**CULLMAN CITY COUNCIL MEETING  
MONDAY, JULY 22, 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, July 22, 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 - 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 July 15, 2024. Council President Pro Tem Cook made a motion to approve the minutes from July 15, 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 stated the cooler temperatures was beneficial for the Rock the South concerts, reducing heat related issues; and thanking all the public safety departments that worked at the event.
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 shared the Rock the South event was a great event for tourism for Cullman.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom – No report.

**REPORT FROM THE MAYOR**

Mayor Jacobs also gave an update on the City’s operations.

**COMMENTS FROM ANYONE NOT ON THE AGENDA**

Mr. Richard Browning, 1417 Bolte Road, spoke on the benefits of adopting pets from the animal shelter.

**PUBLIC HEARINGS** – None.

**REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER** - None.

**RESOLUTIONS, ORDINANCES, HEARINGS, APPOINTMENTS AND OTHER**

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

**RESOLUTION NO. 2024 - 79**

**AUTHORIZING THE MAYOR TO PURCHASE REAL PROPERTY**

WHEREAS, the City of Cullman has an opportunity to purchase properties adjacent to city hall for public and/or municipal purposes;

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

ADOPTED BY THE CITY COUNCIL this the 22<sup>nd</sup> day of July, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 22<sup>nd</sup> day of July, 2024.

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

**RESOLUTION NO. 2024 - 80**

**TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH  
CULLMAN CITY BOARD OF EDUCATION TO PROVIDE SCHOOL RESOURCE OFFICERS**

WHEREAS, the City of Cullman and the Cullman City Board of Education desire to provide law enforcement services to the public schools of the City of Cullman; and

WHEREAS, the City of Cullman wishes to enter into a memorandum of understanding with the Cullman City Board of Education to provide the school system with school resource officers to maintain a safer school environment; and

WHEREAS, the Cullman City Board of Education will reimburse the City of Cullman for the expense of the school resource officers in the amount of \$169,000 per year, payable in ten (10) equal monthly installments.

NOW THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to enter into a memorandum of understanding with Cullman City Board of Education to provide school resource officers for the city's public schools.

ADOPTED BY THE CITY COUNCIL this the 22<sup>nd</sup> day of July, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:  
Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 22<sup>nd</sup> day of July, 2024.

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

**RESOLUTION NO. 2024 - 81**

**TO ENTER INTO A CONTRACT WITH THREE POINT CONSTRUCTION**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into a contract with Three Point Construction to perform jack and bore services for a 12-inch water line replacement under US Hwy 278 related to ALDOT Project No. TAPAA-TA24(902);

NOW THEREFORE, BE IT RESOLVED by the Cullman City Council authorizes the Mayor to enter into a contract with Three Point Construction to perform jack and bore services under US Hwy 278 for a 12-inch water line in an amount not to exceed \$92,100.

ADOPTED BY THE CITY COUNCIL this the 22<sup>nd</sup> day of July, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:  
/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 22<sup>nd</sup> day of July, 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 President Folsom held the second reading of Ordinance No. 2024-20 to amend the sidewalk regulations in the zoning ordinance, which received a favorable recommendation from the Cullman Planning Commission. Council Member Moss made a motion to approve Ordinance 2024-20.

**ORDINANCE NO. 2024 - 20**

**TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE**

**SECTION I. PURPOSE.** The purpose of this is to add portions to the current Zoning Ordinance.

**SECTION II.** Section 62-45: Sidewalks (Article III) of Section 62 of the *Code of Ordinances City of Cullman, Alabama*, is hereby amended to add the following:

**F. Sidewalk Fund Option**

(1) On any occasion where § 62-45 (A)-(E) is made applicable to a site through the operation of this Ordinance such that the installation of a new sidewalk is required at a site, the property owner or applicant with respect to that site may, if allowed by the Building Official or City of Cullman Engineer, pay eighty (80%) percent of the estimated cost, labor and materials, of the new sidewalk into the City of Cullman's Sidewalk Fund, instead of installing the new sidewalk ("Sidewalk Fund Option").

(2) The Building Official or City of Cullman Engineer will allow the Sidewalk Fund Option to be available for a site if the Building Official or City of Cullman Engineer determines, in his/her reasonable discretion, that there is little or no likelihood that the new sidewalk at the property site will be joined and connected to other sidewalks in the foreseeable future in a manner such that the purposes set forth in § 62-45(A) are effectively served.

(3) The City's Sidewalk Fund will be a fund maintained by the City Clerk for the purpose of providing funding for sidewalk construction, repair, and maintenance, and all or portions of the same may be expended for that purpose from time to time as directed by the Mayor.

(4) The Building Official or City of Cullman Engineer shall establish the estimated cost, labor and materials, of the new sidewalk for purposes of the Sidewalk Fund Option, and in doing so, may consider the costs expended by the City with respect to sidewalk construction as well as any reasonable estimates provided by the owner or applicant with respect to the same.

(5) If an owner or applicant utilizes the Sidewalk Fund Option, then that fact shall be noted on any development plan that would have otherwise shown the requirement of the installation of a new sidewalk for that same occasion pursuant to § 62-45 (A-E).

(6) An owner or applicant's use of the Sidewalk Fund Option on any one occasion at a site shall not prevent the future application of § 62-45 (A-E) on a later occasion at the same site where different circumstances, work, use, or development would otherwise require compliance with § 62-45 (A-E) such that the installation of a new sidewalk is required at that site. Likewise, an owner or applicant's use of the Sidewalk Fund Option on any one occasion at a site shall not prevent a subsequent use of the Sidewalk Fund Option at the same site at a later time.

(7) Should an owner or applicant be denied the Sidewalk Fund Option, he or she may file an appeal in accordance with Section 62-182 of the *Code of Ordinances City of Cullman, Alabama*.

**SECTION III. SEVERABILITY CLAUSE.** Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid. This Ordinance repeals any prior Ordinance in conflict therewith.

**SECTION IV. EFFECTIVE DATE.** This ordinance shall be effective following its passage, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 22<sup>nd</sup> day of July, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 22<sup>nd</sup> day of July, 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 second reading of Ordinance No. 2024-21 to annex property owned by Pioneer Land Acquisitions on County Road 770 into the city limits of Cullman as R-4 Residential District, which received a favorable recommendation from the Planning Commission. Council Member Smith made a motion to approve Ordinance 2024-21.

#### **ORDINANCE NO. 2024 – 21**

#### **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, Pioneer Land Acquisitions, 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: 14255. PARCEL NUMBER: 17-01-02-0-001-017.000. PROPERTY ADDRESS: 0 County Road 770.

#### **LEGAL DESCRIPTION:**

Parcel I: All that part of the Southwest Quarter of the Northwest Quarter of Section 2, T10S, R3W, more particularly described as: commencing at an existing axle marking the Southeast corner of the Southeast Quarter of the Northwest Quarter of Section 2; thence S 89 degrees 10'54"W along the south line of said Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter a distance of 1874.04 feet to a set 5/8 inch rebar iron and the true point of beginning of the property herein described; the from said true point of beginning S 89 degrees 10'54"W a distance of 626.63 feet to a set 5/8 inch rebar iron on the East right of way of Eva Road; thence N 17 degrees 18'51"E along said right of way a distance of 711.79 feet to an existing 5/8 inch rebar iron at the Southwest corner of Warnke Place Subdivision; thence N 89 degrees 22'50"E a distance of 616.98 feet to a set 5/8 inch rebar iron; thence S 16 degrees 37'28"W a distance of 706.8 feet to the true point of beginning.

Also a right of way described as follows: All that part of the Southwest quarter of the Northwest quarter of Section 2, T10S, R3W, more particularly described as commencing at the Northeast corner of said forty; thence S 1 degree 15'42"W a distance of 173.24 feet to a point on the South right of way of Alabama Highway No. 157 and the true point of beginning of the property herein described; thence from said true point of beginning run S 0 degrees 09'55"E a distance of 478.54 feet; thence S 89 degrees 22'41"W a distance of 45.00 feet; thence N 0 degrees 09'55"W a distance of 497.36 feet to the South right of way of Alabama No. 157; thence S 67 degrees 40'05"E along said right of way a distance of 48.26 feet to the true point of beginning.

Parcel II: All that part of the Southwest quarter of the Northwest quarter of Section 2, T10S, R3W, more particularly described as: commencing at an existing axel marking the Southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 2; thence S 89 degrees 10'54"W along the south line of said Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter a distance of 1874.04 feet to a set 5/8 inch rebar iron; thence N 16 degrees 37'28"E a distance of 706.8 feet to a

set 5/8 rebar iron on the South line of Warnke Place Subdivision; thence N 89 degrees 22'50"E a distance of 1415.93 feet to a set 5/8 inch rebar iron on the South right of way of Alabama Highway No. 157; thence S 67 degrees 35'35"E along said right of way a distance of 272.42 feet to a set 5/8 inch rebar iron on the East line of the Southeast quarter of the Northwest quarter of Section 2; thence S 0 degrees 24'02"E along said East line a distance of 562.00 feet to the true point of beginning.

Also a right of way described as follows: All that part of the Southwest quarter of the Northwest quarter of Section 2; T10S, R3W, more particularly described as commencing at the Northeast corner of said forty; thence S 1 degree 15'42"W a distance of 173.24 feet to a point on the South right of way of Alabama Highway No. 157 and the true point of beginning of the property herein described; thence from said true point of beginning run S 0 degrees 09'55"E a distance of 478.54 feet; thence S 89 degrees 22'41"W a distance of 45.00 feet; thence N 0 degrees 09'55"W a distance of 497.36 feet to the South right of way of Alabama Highway No. 157; thence S 67 degrees 40'05"E along said right of way a distance of 48.26 feet to the true point of beginning.

Less and except: A tract or parcel of land being a part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at a found axle marking the accepted Southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 2, having an Alabama State Plane, West Zone, NAD 83 coordinate value of N. 1528101.18', E.2173796.51' and run South 89 degrees 45 minutes 35 seconds West (bearing based on AL. State Plane, West Zone, NAD 83, GRID) and run along the accepted South line, a distance of 2500.60 feet; thence run North 17 degrees 53 minutes 33 seconds East, a distance of 51.43 feet to a set rebar on the North right of way line of Cullman County Road No. 770, same being the point of beginning; thence continue North 17 degrees 53 minutes 33 seconds East, a distance of 245.70 feet to a set rebar (Conn-17831); thence North 78 degrees 15 minutes 48 seconds East, a distance of 325.80 feet to a set rebar (Conn-17831); thence North 09 degrees 04 minutes 09 seconds West, a distance of 330.37 feet to a set rebar on the South line of Lot 4 of Warnke Place Subdivision, Phase III as recorded in Map Cabinet B, Slide 347H, in the Office of the Judge of Probate, Cullman County, Alabama; thence South 89 degrees 57 minutes 42 seconds West and run along the South line of said subdivision, a distance of 770.85 feet to a found capped corner (Harris-5742) on the East right of way of Eva Road; thence South 17 degrees 53 minutes 33 seconds West and run along said East right of way line, a distance of 657.42 feet to a set rebar (Conn-17831) marking the North right of way line of Cullman County Road No. 770 and being in a curve to the left, having a central angle of 14 degrees 17 minutes 49 seconds, a radius of 197.85 feet, a chord bearing of South 82 degrees 45 minutes 18 seconds East and a chord length of 49.24 feet; thence run along the arc of said curve an arc distance of 49.37 feet to the point of tangency; thence South 89 degrees 54 minutes 13 seconds East and continue along said North right of way line, a distance of 330.54 feet to the point of a curvature of a curve to the left, having a central angle of 01 degrees 45 minutes 12 seconds, a radius of 1,475.00 feet, a chord bearing of North 89 degrees 13 minutes 11 seconds East and a chord length of 45.14 feet; thence run along arc or said curve an arc distance of 45.14 feet; thence run along arc or said curve or arc distance of 45.14 feet to the point of tangency; thence North 88 degrees 20 minutes 35 seconds East and continue along said North right of way line, a distance of 206.00 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 R-4 Residential District contingent upon the owners granting an easement up to but not exceeding an additional fifty (50) feet in width less any width of existing public road contiguous to said easement for a public road right-of-way including utilities for water, sewer, surface water, natural gas, electric, internet, cable or other public services provided by the City or its franchises.

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 22<sup>nd</sup> day of July, 2024.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 22<sup>nd</sup> day of July, 2024.

/s/Mayor Woody Jacobs

Council President Pro Tem Cook 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.

**BOARD APPOINTMENTS**

Council Member Smith made a motion to reappoint Richard Orr to the Parks and Recreation Board. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to reappoint Trent Lowry to the Parks 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 Hollingsworth made the motion to adjourn. Council President Pro Tem Cook seconded the motion, and the meeting was adjourned at 7:15 p.m. by a voice vote. Ayes: All. Nays: None.