

**CULLMAN CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 29, 2025, AT 7:00 PM  
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, September 29, 2025. Police Chaplain Monte Bridgewater presented the invocation and led the Pledge of Allegiance.

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

Council President Jenny Folsom asked the Council to consider the minutes from September 8, 2025. Council President Pro Tem Cook made a motion to approve the minutes from September 8, 2025, as written. Council Member Moss 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.) - Council Member Brad Smith shared budget highlights for the public safety departments for fiscal year 2026.
2. Utilities (Water, Sewer, etc.) - Council Member David Moss shared budget highlights the utility departments for fiscal year 2026.
4. Tourism (Parks & Recreation, Airport, etc.) - Council Member Clint Hollingsworth shared budget highlights for tourism departments fiscal year 2026.
5. General Government (Finance, Economic Development, etc.) - Council Member Jenny Folsom shared general government budget highlights for fiscal year 2026.

**REPORT FROM THE MAYOR**

Mayor Jacobs presented the Lighthouse of Cullman Executive Director, Zeb Little, a proclamation declaring September as National Recovery Month for addiction.

**COMMENTS FROM ANYONE NOT ON THE AGENDA**

Elizabeth McDowell, 90 County Road 417, spoke regarding homelessness and the desire for a mental health liaison for the homeless population.

Richard Browning, 1417 Bolte Road SE, promoted September as being suicide prevention month.

Ann Swayka, 1638 Dryden Street SE, spoke on behalf of Bolte Crossing homeowners, thanking the City Council for their assistance in having the developer correct the draining issues in the subdivision.

**PUBLIC HEARING** – None.

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

Council Member Hollingsworth made a motion to approve a special event request from Micah Means of CPRST for the annual Oktoberfest event on October 2-4, 2025. 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 approve a special event request from Amanda Garrison of Sonic Drive In for a drive-in car show on Compass Way SW on October 3<sup>rd</sup> from 6:00 p.m. until 8:00 p.m. 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 Rebekah Mickle of Cullman First Baptist Church for a Hot Dogs and Handlebars preschool family fellowship event on 3<sup>rd</sup> Avenue SW on October 5<sup>th</sup> from 4:00 p.m. until 6:00 p.m. 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 approve a special event request from Amanda Lee of St. Paul's Lutheran Church and School for the annual fall festival event on 5th Street SE on October 12<sup>th</sup> from 2:00 p.m. until 5:00 p.m. 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 Katie Fine of Jubilee Coffee & Wine Bar for a Fall Block Party on October 12, 2025 held in the parking lot of Rumors Deli and the Flying Fifty Hotel from 2:00 p.m. until 5:00 p.m. 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 approve a special event request from Jessica Atchley of Victim Services of Cullman for a Light the Path candlelight vigil in front of the Courthouse on October 12<sup>th</sup> from 6:00 p.m. until 7:30 p.m. Council Member Hollingsworth 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 Rebekah Mickle of Les Dames Cullman for the annual Witches Ride fundraising event on October 19, 2025 at the Festhalle from 11:00 a.m. until 6:00 p.m. 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 approve a special event request from Karen Speegle of Seventh Street Baptist Church for the annual Fall Fest event on October 26, 2025 at the church from 5:00 p.m. until 7:00 p.m. . Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

## **XI. RESOLUTIONS, ORDINANCES, APPOINTMENTS, AND OTHER**

Council Member Hollingsworth made a motion to approve the following resolution:

### **CITY OF CULLMAN RESOLUTION NO. 2025 – 85**

**WHEREAS**, City of Cullman has applied for and received a \$500,000.00 FY2024 Land and Water Conservation Fund Grant (LWCF) Grant #:24-LW-1099 to construct improvements to Lions Club Park.

**WHEREAS**, the City Council of Cullman recognizes that it is in the City's best interest to accept the above referenced grant funds.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Cullman City Council authorizes Woody Jacobs, Mayor to sign the LWCF Grant Agreement, certifications, assurances, and any other necessary documents associated with implementation of this grant project.

**THAT**, the City Council will provide \$500,000.00 local match that will be comprised of cash/in-kind services in support of this project.

**READ AND ADOPTED** this the **29th** day of **September 2025**.

**Signed for the Cullman City Council:**

/s/Woody Jacobs, Mayor

**Attest:**

/s/Wesley M. Moore, City Clerk

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 approve the following resolution:

### **RESOLUTION NO. 2025 - 86 TO WAIVE THE OCTOBER 2025 INFLATION ADJUSTMENT FOR SOLID WASTE PICKUP, SEWER SERVICE, AND WATER SERVICE FOR RESIDENTIAL CUSTOMERS LOCATED INSIDE THE CITY LIMITS OF CULLMAN**

**WHEREAS**, the citizens of Cullman have experienced increased inflation since 2021;

**WHEREAS**, the Cullman City Council has determined that it will serve a public purpose to waive the October 2025 inflation adjustment for solid waste (sanitation) pickup, sewer service, and water service for residential customers located inside the city limits of Cullman, Alabama;

**THEREFORE, BE IT RESOLVED** by the Cullman City Council that the residential rates for customers located inside the city limits of Cullman, Alabama, for solid waste (sanitation), sewer, and water will not be increased by the October 2025 inflation adjustment.

**ADOPTED BY THE CITY COUNCIL** this the 29<sup>th</sup> day of September, 2025.

/s/Jenny Folsom, City Council President

**ATTEST:**

/s/Wesley Moore, City Clerk

**APPROVED BY THE MAYOR** this the 29th day of September, 2025.

/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 approve the following resolution:

### **RESOLUTION NO. 2025 – 87**

### **TO APPROVE A PAVING SPECIALIST INCENTIVE**

**WHEREAS**, the City Council recognizes and understands the vital importance of paving and repaving our city streets;

**WHEREAS**, the City Council desires to provide a formal pay incentive for those employees who specialize in paving and repaving our city streets;

BE IT RESOLVED BY THE CULLMAN CITY COUNCIL, that those city employees who serve the City of Cullman as a paving specialist shall receive an additional five percent incentive on their hourly rate effective October 1<sup>st</sup>, 2026.

ADOPTED BY THE CITY COUNCIL, this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 the following resolution:

**RESOLUTION NUMBER 2025 - 88**

WHEREAS, the City of Cullman intends to apply for state and federal matching funds for airport improvement projects for the Cullman Regional Airport during fiscal year 2026.

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

1. That the City of Cullman is authorized to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation and the Federal Aviation Administration, for the purpose of undertaking projects in fiscal year 2025 to make improvements at the Cullman Regional Airport.
2. That the applications be submitted for and on behalf of the City of Cullman by its Mayor who is authorized by this resolution to sign the application and any related forms or documents on behalf of the city.
3. That the City of Cullman is authorized to enter into airport improvement funding agreements with the State of Alabama, acting by and through the Alabama Department of Transportation, and the Federal Aviation Administration, for the purpose of undertaking projects to make improvements at the Cullman Regional Airport, with partial funding provided by the State of Alabama and the Federal Aviation Administration.
4. That the agreement be executed in the name of the City of Cullman for and on behalf of the City of Cullman by its Mayor.
5. That the authority of the City of Cullman to enter into contracts with the State of Alabama and the Federal Aviation Administration has been reviewed by the City's attorney, and in his/her opinion, the City of Cullman is duly authorized to commit the City of Cullman to an agreement with the Alabama Department of Transportation and Federal Aviation Administration.

BE IT FURTHER RESOLVED, that the City of Cullman hereby affirms that the local matching share of funds in the amount required for this airport improvement project has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the Federal Aviation Administration's and the State of Alabama's funding agreements and the start of the project.

I, the undersigned qualified and acting as the City Clerk, of City of Cullman, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City of Cullman named therein, at a regular meeting of such body held on the 29th day of September, 2025, and that such resolution is on file in the office of the City of Cullman.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Cullman on this 29th day of September, 2025.

/s/Wesley Moore, City Clerk

Council Member Hollingsworth 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 the following resolution:

**RESOLUTION NO. 2025 – 89**

**TO ENTER INTO AN AGREEMENT WITH SCHOEL ENGINEERING CO, INC  
FOR PROFESSIONAL SERVICES**

WHEREAS, the City of Cullman has determined that entering into an agreement with Schoel Engineering Co. Inc. serves a public and municipal purpose by providing professional surveying services; and

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Cullman that Mayor Woody Jacobs is hereby authorized to enter into an agreement with Schoel Engineering Co. Inc. under the terms and conditions as he deems just.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 90**

**TO AWARD BID FOR A 4WD CREW CAB WORK TRUCK TO BILL SMITH BUICK GMC**

**WHEREAS**, bids (CB2025-12) were received on September 25, 2025 at 2:00 p.m. for a 4WD crew cab work truck for the City of Cullman, Alabama; and

**WHEREAS**, the following bids were opened:

|                                |                    |                    |
|--------------------------------|--------------------|--------------------|
| <b>Bill Smith Buick GMC</b>    | <b>Cullman, AL</b> | <b>\$50,475.50</b> |
| Buster Miles                   | Heflin, AL         | \$52,500.00        |
| Cooper Chevrolet               | Anniston, AL       | No Bid             |
| Cullman Dodge                  | Cullman, AL        | No Bid             |
| Long Lewis Ford                | Cullman, AL        | \$64,493.92        |
| Landers McLarty                | Huntsville, AL     | No Bid             |
| Mitch Smith Chevrolet          | Cullman, AL        | No Bid             |
| Schultz Motors                 | Cullman, AL        | No Bid             |
| Voyles Chrysler Dodge Jeep Ram | Birmingham, AL     | No Bid             |

**WHEREAS**, the recommendation is to award the bid to Bill Smith Buick GMC, the lowest responsible bidder; and

**BE IT RESOLVED** by the Cullman City Council that the bid for a crew cab work truck be awarded to Bill Smith Buick GMC, the lowest responsible bidder in the amount of \$50,457.50.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 the following resolution:

**RESOLUTION NO. 2025 – 91**

**TO AWARD BID FOR THE INSTALLATION OF THE LAZY RIVER PROJECT**

**WHEREAS**, bids were received on September 25, 2025 at 2:00 p.m. for the installation of a lazy river at the Wildwater Waterpark; and

**WHEREAS**, the following bids were opened:

|                                  |                         |                       |
|----------------------------------|-------------------------|-----------------------|
| <b>Aqua Design Systems, Inc.</b> | <b>Fayetteville, GA</b> | <b>\$5,781,278.00</b> |
| Burleson Pool Company, Inc.      | Hampton Cove, AL        | \$7,107,000.00        |
| RDC Design Build, Inc.           | Pittsburg, PA           | No Bid                |
| Rotolo Consultants, Inc.         | Slidell, LA             | No Bid                |
| Texas Aquatic Construction, Inc. | Dallas, TX              | No Bid                |
| Weller Pools, LLC                | Apopka, FL              | No Bid                |

**WHEREAS**, the recommendation is to award the bid to Aqua Design Systems, Inc., the lowest responsible bidder; and

**BE IT RESOLVED** by the Cullman City Council that the bid for the installation of a lazy river at the Wildwater Waterpark be awarded to Aqua Design Systems, Inc. the lowest responsible bidder, in the amount of \$5,781,278.00.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/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 Hollingsworth made a motion to approve the following resolution:

**RESOLUTION NO. 2025 – 92**  
**TO RATIFY AN AGREEMENT WITH VOLKERT, INC. FOR**  
**A TRANSPORTATION MASTER PLAN**

WHEREAS, the City of Cullman has determined that entering into an agreement with Volkert, Inc. serves a public and municipal purpose by providing traffic engineering services; and

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Cullman that Mayor Woody Jacobs is hereby ratifies the agreement with Volkert, Inc. under the terms and conditions of the agreement.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/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 Hollingsworth made a motion to approve the following resolution:

**RESOLUTION NO. 2025 – 93**  
**TO ADOPT THE ANNUAL BUDGET FOR THE CITY OF CULLMAN**  
**BEGINNING OCTOBER 1<sup>ST</sup>, 2025 AND ENDING SEPTEMBER 30<sup>TH</sup>, 2026**

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

1. That the General Fund Budget in the amount of \$59,186,795 or so much as may be necessary to defray the expenses and liabilities of the City of Cullman, is hereby appropriated for said purposes as therein specified.
2. That the budget in the amount of \$11,450,000 for the Property and Sales Tax Fund, a major fund, is hereby appropriated for the purposes as therein specified.
3. That the Miscellaneous and Special Fund Budgets in the following amounts: Rebuild Alabama Gas Tax Fund - \$150,000; Four Cent Gas Tax Fund - \$175,000; Seven Cent Gas Tax Fund - \$235,000; Lodging Tax Fund - \$1,597,200; Industrial Purpose Fund - \$142,500; Alabama Trust Fund - \$170,000; Corrections and Court Fund - \$85,000; Court Judicial Fund - \$43,500; Industrial Park Fund - \$85,000; Industrial Access Road Fund - \$5,000; Parks and Recreation Construction Fund - \$10,126,273; Transportation Enhancement - \$31,000,000; Downtown Revitalization Fund - \$1,000,000; CDBG Neighborhood Projects - \$1,000,000; and Debt Service Funds - \$3,839,713 or so much thereof as may be necessary to defray the expenses and liabilities of the City of Cullman, are hereby appropriated for the purposes specified therein.
4. That the budget for the Sewer Fund in the amount of \$9,567,000; the budget for the Water Fund in the amount of \$24,893,500; the budget for the Utilities Board Water Division in the amount of \$15,783,449; and for the Airport Fund in the amount of \$14,891,469 or so much thereof as may be necessary to defray expenses and liabilities, is hereby appropriated for such purposes as therein specified, together with such expenditures for principal payments and for equipment and capital improvements as authorized by the City Council.
5. That a budget for expenses for the Parks and Recreation Fund in the amount of \$9,208,391 or so much thereof as may be necessary to defray expenses and liabilities, is hereby established for such purposes, together with such expenditures for principal payments and for equipment as may be required.
6. That such amounts as are required to be transferred between funds for various purposes are hereby appropriated.
7. That adjusted classifications, changes in pay and employee benefits, and changes in the positions and structure of departments as implemented in these budgets are hereby adopted.
8. This Resolution, if approved by the City Council, shall become effective on the 1<sup>st</sup> day of October, 2025.

BE IT FURTHER RESOLVED that the City Treasurer and the City Clerk are hereby authorized (1) to expend such funds as are herein allocated and as directed by the Cullman City Council and (2) to make such line item adjustments as are necessary to accurately reflect the expenditures of each department and any other changes as directed by the Cullman City Council.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 94**

**TO ADOPT THE PAY MATRIX, JOB DESCRIPTIONS, AND JOB CLASSIFICATIONS  
FOR THE CITY OF CULLMAN, ALABAMA**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to adopt the new pay matrix, job descriptions, and job classifications for the City of Cullman, Alabama;

BE IT RESOLVED BY THE CULLMAN CITY COUNCIL that the Mayor is hereby authorized to take any and all personnel actions necessary to execute the employee pay matrixes, job descriptions, job classifications, and annual pay increases for city employees approved by the Cullman City Council in the fiscal year 2026 budget which will become effective for the pay period beginning October 1<sup>st</sup>, 2025.

ADOPTED BY THE CITY COUNCIL this the 29<sup>th</sup> day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 95**

**TO ADOPT THE POSITION CONTROL FOR THE CITY OF CULLMAN**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to adopt the position control as incorporated and adopted in the fiscal year 2026 budget;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the position control is hereby incorporated into the Fiscal Year 2026 City Budget.

ADOPTED BY THE CITY COUNCIL, this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 96**

**TO ENTER INTO SERVICE CONTRACT AGREEMENTS**

WHEREAS, the Cullman City Council recognizes that public services are provided to the citizens of the City of Cullman, Alabama, which improving their quality of life including but not limited to educational services, rehabilitation services, medical services, promotion of tourism and commerce, mental healthcare, and personal wellness by the following:

- a) American Legion Post No. 4 of Cullman,
- b) Child Advocacy Center of Cullman,
- c) Childhaven,
- d) Cullman 310 Authority,
- e) Cullman Agriplex,
- f) Cullman Area Mental Health (Wellstone),
- g) Cullman Caring for Kids,
- h) Cullman Area Chamber of Commerce,

- i) Cullman City Board of Education,
- j) Cullman Community Band,
- k) Cullman Community Theater,
- l) Cullman County Commission on Aging,
- m) Cullman County Emergency Management Agency,
- n) Cullman County Extension Service,
- o) Cullman County Health Department,
- p) Cullman County Public Library,
- q) Cullman Farmers Market Steering Committee,
- r) Cullman Regional Medical Center,
- s) First Source for Women of Cullman County,
- t) Garrison Gives Hope,
- u) Good Samaritan Clinic,
- v) Hope Horses,
- w) Liberty Learning,
- x) Lighthouse of Cullman,
- y) Pilot Light of Cullman County,
- z) Restoring Women Outreach,
- aa) The Link of Cullman County,
- bb) United Way of Cullman County,
- cc) Veterans of Foreign Wars Post No. 2214 of Cullman,
- dd) Victim Services of Cullman,
- ee) World Changers,

BE IT RESOLVED that the Mayor is hereby authorized and directed to execute contracts with those listed above hereinafter referred to as the "Contractor", for services as described therein, and the City Clerk is authorized to affix the City seal thereto; and

BE IT FURTHER RESOLVED that, prior to the release of any funds in connection with this contract for Fiscal Year 2026, the following documentation must be submitted annually to the City of Cullman:

- Resolution of the Board of Directors (or other governing body) authorizing the Contractor to enter into this contract;
- Copy of the current by-laws of the Contractor;
- Copy of the determination letter from the IRS or Alabama Legislative Act creating the Contractor which states their tax status;
- Copy of the Contractor's most recent audited financial statements;
- Copy of the Contractor's most recent budgeted-to-actual reports including revenues and expenditures;
- Copy of the Contractor's most recent balance sheet detailing cash, cash equivalents, certificates of deposits, investments, reserves, and other like assets;
- Copy of the Contractor's most recent budgets to actual reports (detailed by line item);
- Copy of the Contractor's most current certificate of insurance indicating General Liability and Worker's Compensation insurance.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 97**

**TO CONTINUE SUPPORTING OF THE CULLMAN CITY SCHOOL BOARD  
TO ASSIST IN FUNDING THEIR ONGOING CAPITAL IMPROVEMENT PLAN**

WHEREAS, the Cullman City Council has determined that continuing the support of the Cullman City School Board and their on-going capital improvement plan would service a public purpose by providing exceptional education opportunities in Cullman;

BE IT RESOLVED by the Cullman City Council that the City will hereby continue the support for the Cullman City School Board and their on-going capital improvement plan to provide exceptional education opportunities in Cullman, Alabama.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 98**

**TO APPOINT OFFICERS 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 officers to be appointed as October 1<sup>st</sup>, 2025; said officers will serve until their successors are appointed:

|                         |                                                |
|-------------------------|------------------------------------------------|
| Joey Duncan             | Chief, Police Department.                      |
| Darren Peeples          | Chief, Fire Department.                        |
| Dale Greer              | Director of Economic Development.              |
| Sam Dillender           | Superintendent, Sanitation Department.         |
| Scotty Talley           | Superintendent, Street Department.             |
| Shannon (Jake) Calloway | Superintendent, Wastewater Treatment Plant.    |
| Chris Freeman           | Superintendent, Water and Sewer Department.    |
| Joshua Brown            | Superintendent, Garage Department.             |
| Brandon Lewis           | Chief Building Official.                       |
| Christopher Dotson      | Director of Risk Management.                   |
| Jacob Smith             | Director of Information Technology.            |
| Rothal (Clain) Fletcher | Superintendent, ROW Maintenance Department.    |
| Erica York              | Director of Engineering.                       |
| Kyle Clark              | Director (Operations) of Parks and Recreation. |
| Nathan Anderson         | Director (Executive) of Parks and Recreation.  |
| Michelle Bates          | Director of Human Resources.                   |
| Blake Lee Cockrell      | Court Clerk.                                   |
| Brian Bradberry         | Public Safety Director.                        |

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 the following resolution:

**RESOLUTION NO. 2025 – 99**

**TO ENTER INTO CONTRACT WITH ST. JOHN & ASSOCIATES, INC.**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services for the general services to the City of Cullman;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services for the general services to the City of Cullman.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 100**

**TO ENTER INTO CONTRACT WITH ST. JOHN & ASSOCIATES, INC.**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services for the general services to the Community and Economic Development Agency;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services for the general services to the Community and Economic Development Agency.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

Council Member Hollingsworth 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 the following resolution:

**RESOLUTION NO. 2025 – 101**

**TO ENTER INTO CONTRACT WITH ST. JOHN & ASSOCIATES, INC.**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services for the general services to the Cullman Parks Recreation Sports Tourism;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services for the general services to the Cullman Parks Recreation Sports Tourism.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 102**

**TO AMEND INTO CONTRACT WITH MARTIN AQUATIC**

WHEREAS, the City of Cullman entered into a professional design services contract with Martin Aquatic on July 15, 2024 for the design of a Lazy River in the amount of \$329,000;

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to amend the contract with Martin Aquatic to include construction administration services for an additional amount not to exceed \$103,375;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to amend the contract with Martin Aquatic to include construction administration services.

ADOPTED BY THE CITY COUNCIL this the 29th day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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 approve the following resolution:

**RESOLUTION NO. 2025 – 103**

**TO APPROPRIATE ADDITIONAL FUNDS TO THE LIGHTHOUSE OF CULLMAN**

WHEREAS, the Lighthouse of Cullman is a non-profit organization who provides an educational program, healthcare services, and consultations for people with opioid addiction;

WHEREAS, the Cullman City Council has determined that appropriating additional funds to the Lighthouse of Cullman serves a public purpose;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to execute a one-time appropriation of funds to the Lighthouse of Cullman.

ADOPTED BY THE CITY COUNCIL this the 29<sup>th</sup> day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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

Council President Folsom held the first reading of Ordinance No. 2025-14 to levy a local excise tax and require business licenses for the sale of consumable vapor products in the corporate limits and police jurisdiction of the City of Cullman. Council President Pro Tem Cook made a motion to suspend the rules. Council Member Moss seconded the motion 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 Member Smith made a motion to adopt Ordinance No. 2025-14. 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 Member Moss made a motion to adopt Ordinance No. 2025-14.

**ORDINANCE NO. 2025 – 14**

**TO LEVY A LOCAL EXCISE TAX AND REQUIRE BUSINESS LICENSES FOR THE SALE OF CONSUMABLE VAPOR PRODUCTS IN THE CORPORATE LIMITS AND POLICE JURISDICTION OF THE CITY OF CULLMAN**

WHEREAS, pursuant to Title 11, Chapter 51, Article 2 of the Code of Alabama, 1975, municipalities are granted the authority to license and tax businesses operating within their jurisdiction;

WHEREAS, the City of Cullman desires to establish an excise tax on consumable vapor product Wholesalers and Retailers; and also a gross-receipts-based business license requirement for Wholesalers and Retailers of consumable vapor products, in accordance with current state law;

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

**That the Code of Cullman, Alabama is hereby amended by adding DIVISION 8 under ARTICLE 3 of CHAPTER 12, which reads as follows:**

**“DIVISION 8. CONSUMABLE VAPOR PRODUCTS TAX and LICENSE”**

**SECTION 12-301. Definitions.**

The following terms, as used in this article, shall have the respective meanings as follows:

- a. **"City"** shall mean the City of Cullman, an Alabama municipal corporation.
- b. **"Person"** shall include every individual, partnership, limited liability company, association, limited liability partnership, or other form of organization engaged in any for-profit or not-for-profit activity.
- d. **“Consumable Vapor Product”** shall mean and have the same meaning as the term is defined in Section 40-23-1, Code of Alabama 1975.
- f. **“Vapor Product”** shall mean and have the same meaning as the term is defined in Section 40-23-1, Code of Alabama 1975.
- g. **“Wholesaler”** shall mean any person or business entity who sells consumable vapor products to retailers and not to end-users.
- h. **“Retailer”** shall mean any person or business entity who sells consumable vapor products to individual consumers or to the end-user, whether from a storefront or online, and regardless of location.

i. **“Gross Receipts”** shall mean the total revenue received from the sale of consumable vapor products from all sources and before deductions.

j. **“Milliliter (mL)”** shall mean one thousandth of a liter, which is typically the unit of measure used for the volume of consumable vapor products sold or distributed.

k. **“Business license”** shall mean an annual license issued by the City for the privilege of doing any kind of business, trade, profession, or any other activity in the City.

#### **SECTION 12-302. Excise Tax Imposed.**

Every person who sells consumable vapor products, whether as a retailer, wholesaler, or both, shall pay an excise tax to the City, which is hereby fixed and established as follows:

- Fifty cents (\$0.50) per milliliter (mL) of consumable vapor products sold or delivered by them within the corporate limits of the City; and
- Twenty-Five cents (\$0.25) per milliliter (mL) of consumable vapor products sold or delivered by them outside the corporate limits but within the City's police jurisdiction.

#### **SECTION 12-303. Exemptions from subsequent Excise Tax.**

The excise tax established in this Ordinance shall only be charged one time on each unit of a consumable vapor product, thus, if a Wholesaler or Retailer purchases consumable vapor products from a Wholesaler who has already paid the City the excise tax as outlined, no additional excise tax on the re-sale of such consumable vapor products shall be owed. However, to qualify for this exemption, such person must submit a sworn written statement to the City or its designee by the 20th of each month, detailing:

- All purchases of consumable vapor products made by such person in the preceding calendar month (Wholesaler's name, address, date of purchase, description of products, quantity of products); and
- Proof of the payment of the excise tax for the consumable vapor products by the Wholesaler to the City.

#### **SECTION 12-304. Monthly Statement of Sales Required.**

Each Wholesaler or Retailer of consumable vapor products shall submit a sworn written statement to the City or its designee by the 20th day of each month, providing:

1. The quantity in milliliters (mL) of all consumable vapor products sold or delivered by them within the corporate limits of the City; and
2. The quantity in milliliters (mL) of all consumable vapor products sold or delivered by them outside the corporate limits but within the police jurisdiction of the City.

#### **SECTION 12-305. Required Business Licenses.**

Each person desiring to engage in the wholesale or retail sale of consumable vapor products in the City and/or in its police jurisdiction must first obtain a business license from the City under the applicable category:

- Retailers of consumable vapor products must be licensed Section 12-44 of the Code of Cullman, Alabama.
- Wholesalers of consumable vapor products must be licensed Section 12-44 of the Code of Cullman, Alabama

The license must be renewed annually and remains subject to all provisions of the City's general business licensing ordinance.

#### **SECTION 12-306. Out-of-City Wholesalers or Retailers.**

Wholesalers or Retailers without a physical business location in the City or in its police jurisdiction who sell or deliver consumable vapor products within the police jurisdiction or corporate limits of the City must first obtain the required Cullman business license and must fully comply with the filing and tax remittance requirements of the Code of Cullman, Alabama.

#### **SECTION 12-307. Failure to File or Submitting False Statements.**

Any person who fails to file the required monthly statement, submits false information, or who fails to first obtain a business license before selling or distributing consumable vapor products shall be subject to a fine of up to \$500 per offense. Each day the person is in violation shall constitute a separate offense. In addition, such person shall be subject to their business license being revoked (if they have one) or not issued until all fines, fees, penalties, and interest have been paid.

**SECTION 12-308. Payment Deadlines and Penalties.**

The excise tax imposed by this ordinance is due on the 1st day of each month and must be paid no later than the 20th day of the same month. Failure to file and/or pay on time shall be considered a continuing offense, and each day shall constitute a separate offense. Penalties, fees and interest shall be added to any delinquent tax payment as provided in the Code of Cullman, Alabama, as last amended.

**SECTION 12-309. Duty to permit inspection and produce records.**

Upon demand, it shall be the duty of all persons selling or distributing consumable vapor products in the corporate limits or police jurisdiction of the City to:

(a) Permit the designee of the City to enter and to inspect all portions of their place or places of business for the purposes of enabling said municipal designee to gain such information as may be necessary or convenient for determining the proper license classification, determining the correct amount of the excise tax, and/or determining their compliance with City ordinances, codes, and regulations;

(b) Furnish information, during reasonable business hours, at the person's place or places of business, all books of account, invoices, papers, reports and memoranda containing entries showing amount of purchases, sales receipts, inventory and other information from which the correct license tax classification of such person may be ascertained and the correct amount of excise tax to which they are subject may be determined, including exhibition of bank deposit books, bank statements, copies of sales tax returns to the State of Alabama, copies of Alabama income tax returns and federal income tax returns. Refusal to provide these documents is a violation of this ordinance.

**SECTION 12-310. Penalties for Violations.**

Any person who violates any provision of this ordinance shall be subject to a fine of up to \$500.00 per offense, with each day constituting a separate offense.

**SECTION 12-311. No Impact on General Business License Ordinance.**

This ordinance does not repeal any part of the City's existing Business License Ordinance. Taxes established herein are additional and cumulative to any other applicable license requirements.

**SECTION 12-312. No Retroactive Effect.**

This ordinance does not affect violations committed under prior ordinances or the validity of any bond or deposit made under prior rules. All such obligations remain in effect for their prescribed terms.

**SECTION 12-313. Effective Date.**

This ordinance shall become effective on October 1, 2025, following its adoption and lawful publication.

**SECTION 12-314. Severability.**

Each section, clause, sentence, and paragraph of this ordinance is severable. If any part is found to be illegal or unconstitutional, the remaining portions shall remain in effect.

**SECTION 12-315. Repealer.**

All ordinances or parts thereof in conflict with this ordinance are hereby repealed."

ADOPTED BY THE CITY COUNCIL this the 29<sup>th</sup> day of September, 2025. ADOPTED BY THE CITY COUNCIL this the 29<sup>th</sup> day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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

Council President Folsom held the first reading of Ordinance No. 2025-15 to enter into a franchise agreement with Uniti Fiber Gulf Company, LLC. Council President Pro Tem Cook made a motion to suspend the rules. Council Member Smith seconded the motion 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 Member Smith made a motion to adopt Ordinance No. 2025-15. 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. 2025-15.

AN ORDINANCE GRANTING A FRANCHISE TO UNITI FIBER GULFCO., LLC., TO CONSTRUCT, OPERATE, AND MAINTAIN A FIBER INTERNET SYSTEM IN THE CITY OF CULLMAN, ALABAMA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

The City Council of the City of Cullman Alabama ordains:

**STATEMENT OF INTENT AND PURPOSE**

City intends, by the adoption of this Franchise, to bring about the further development of a Fiber Internet System, and the continued operation of it. Such development can contribute significantly to the communication needs and desires of the residents and citizens of City and the public generally. Further, City may achieve better utilization and improvement of public services and enhanced economic development with the development and operation of a Fiber Internet System. Adoption of this Franchise is, in the judgment of the City Council, in the best interests of City and its residents.

**FINDINGS**

In the review of the request by the Grantee and negotiations related thereto the City Council makes the following findings:

1. Grantee has substantially complied with the material terms of the current Franchise under applicable laws;
2. Grantee's technical ability, financial condition, legal qualifications, and character were considered and approved in a full public proceeding after due notice and a reasonable opportunity to be heard;
3. Grantee's plans for operating the Fiber Internet System were considered and found adequate and feasible in a full public proceeding after due notice and a reasonable opportunity to be heard;
4. The Franchise granted to Grantee by City complies with the existing applicable state statutes, federal laws and regulations; and
5. The Franchise granted to Grantee is nonexclusive.
6. The terms and conditions of the Franchise Agreement are attached as Exhibit A.

ADOPTED BY THE CITY COUNCIL this the 29<sup>th</sup> day of September, 2025.

/s/Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 29th day of September, 2025.

/s/ Woody Jacobs, Mayor

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

**BOARD APPOINTMENTS**

Mayor Jacobs appointed Gary Pitzing to the Planning Commission Board.

Council Member Moss made a motion to reappoint Herbert Arnold to the Park and Recreation Board. Council Member Smith 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 Hollingsworth seconded the motion, and the meeting was adjourned at 7:49 p.m. by a voice vote. Ayes: All. Nays: None.