

ORDINANCE NO. 2026 – 28

AN ORDINANCE ESTABLISHING PROCEDURES FOR THE SALE OF REAL PROPERTY OWNED BY THE CITY OF CULLMAN, ALABAMA

WHEREAS, the City of Cullman (“City”) owns certain real property acquired through purchase, donation, dedication, foreclosure, or other lawful means; and

WHEREAS, the City Council desires to establish clear, transparent, and equitable procedures for the sale of City-owned real property to ensure the City receives fair market value and maintains public confidence in municipal transactions; and

WHEREAS, the City Council finds that requiring independent appraisals, public notice, and competitive sale methods promotes accountability, fiscal responsibility, and compliance with applicable Alabama law; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cullman, Alabama, as follows:

CHAPTER 2 – ADMINISTRATION

ARTICLE VII. SURPLUS PROPERTY

SECTION 1. PURPOSE AND INTENT

The purpose of this ordinance is to establish uniform procedures governing the sale of real property owned by the City of Cullman in order to:

- a) Ensure the City receives fair market value for property sold;
- b) Promote transparency and public notice;
- c) Provide competitive and equitable opportunities for purchase;
- d) Protect the City from conflicts of interest or improper disposition of public assets;
- e) Comply with all applicable state and local laws.

SECTION 2. APPLICABILITY

- a) This ordinance shall apply to the sale of all real property owned by the City of Cullman, including land, buildings, and interests therein, unless otherwise exempted by state law or specific Council action due to unique circumstances.
- b) This ordinance shall not apply to equipment, vehicles, and other smaller capital assets that are to be sold through a public auction or an online auction platform.

SECTION 3. AUTHORIZATION TO SELL REAL PROPERTY OWNED BY THE CITY OF CULLMAN

- a) No real property owned by the City of Cullman shall be sold without:
 - i) A formal ordinance adopted by the City Council authorizing the sale; and
 - ii) Compliance with the procedures set forth in the code of ordinances of the City of Cullman.
- b) The City Council retains final authority to approve or reject any proposed sale.

SECTION 4. APPRAISAL REQUIREMENTS

- a) Prior to offering any real property for sale, the City shall obtain two (2) independent appraisals of the property.
 - i) Appraisals shall:
 - (1) Be conducted by licensed or certified real estate appraisers;
 - (2) Be completed within twelve (12) months prior to the date of sale, unless waived by Council due to market conditions;
 - (3) Reflect fair market value based on the highest and best use of the property.
- b) The minimum acceptable sale price shall be the amount of the highest appraisal received.

SECTION 5. PUBLIC NOTICE REQUIREMENTS

Prior to the sale of real property owned by the City, public notice shall be provided as follows:

- a) Newspaper Publication
 - i) Notice shall be published at least once in a newspaper of general circulation within the City not less than fourteen (14) days prior to the sale or bid deadline.
- b) City Website
 - i) Notice shall be posted on the City's official website for a minimum of fourteen (14) consecutive days.
- c) City Social Media Platforms
 - i) Notice shall be posted on official City social media platforms to increase public awareness.
- d) Public notice shall include:
 - i) A general description of the property;
 - ii) The method of sale of the property;
 - iii) Instructions for submitting bids or offers;
 - iv) The minimum bid price;
 - v) The date, time, and location of bid opening or auction.

SECTION 6. METHODS OF SALE

The City Council may authorize the sale of real property by using one or more of the following methods:

- a) Competitive Sealed Bids
 - i) Property may be sold through a competitive sealed bid process.
 - ii) Bids shall be submitted in writing by a specified deadline.
 - iii) Bids shall be opened publicly at a stated time and place.
 - iv) The City reserves the right to:
 - (1) Reject any or all bids;
 - (2) Waive minor irregularities;
 - (3) Accept the bid determined to be in the City's best interest.
- b) Public Auction
 - i) Property may be sold at public auction, being with the minimum sale price.
 - ii) Auctions may be conducted in person, online, or by a licensed auctioneer.
 - iii) The highest appraisal received by the City shall establish the minimum bid price for the auction.

SECTION 7. FAIR MARKET VALUE SAFEGUARDS

No real property owned by the City shall be sold for less than its fair market value as required by state law.

SECTION 8. CONFLICTS OF INTEREST

All transactions shall comply with Alabama ethics laws.

SECTION 9. CLOSING AND CONVEYANCE

- a) All approved sales shall be closed in accordance with standard real estate practices.
- b) The Mayor is authorized to execute deeds and related documents upon Council approval.
- c) All proceeds from the sale shall be deposited into the appropriate City fund as determined by Treasurer.

SECTION 10. SEVERABILITY

If any provision of this ordinance is held invalid or unconstitutional, such invalidity shall not affect the remaining provisions.

SECTION 11. EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 23rd day of February, 2026.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR this the 23rd day of February, 2026.

Mayor

COUNCIL AGENDA REQUEST

Date: 02/18/2026

Department: Administration Name: Pam Leslie

Phone: 256-775-7104 Email: pleslie@cullmanal.gov

Type of request (select all that apply):

- Alcohol License
- Budget Amendment
- Contract Approval
- Public Comment
- Special Event
- Other ordinance
- Annexation
- Change Order
- Petition
- Resolution
- Tax Abatement
- Bid Award
- Codification Change
- Proclamations
- Rezoning
- Variance

Reason for Request:

To consider an ordinance establishing the procedures for the sale of real property.

Supporting Documentation:

Attach supporting documentation.

Signature: Signed by:
Pam Leslie
C4F68F5957BE4D2...

Approval Sequence:

1. Administration – City Clerk’s Office

Verifies form is completed and proper documentation is attached.

Approved to Move Forward Rejected Return to Requestor

Comments: _____
 Signature: Signed by:
Pam Leslie
6F02210223EC457... Date: February 18, 2026 | 10:47 AM CST

2. Council Committee Chairperson - Kim Hall

Ensures necessity of the request.

Approved to Move Forward Rejected Return to Admin

Comments: _____
 Signature: Signed by:
Kim Hall
373F5C72C0C944B... Date: February 18, 2026 | 7:17 PM CST

3. Council President

Approved for Council Agenda Rejected Return to Committee

Comments: _____
 Signature: Signed by:
Kim Hall
373F5C72C0C944B... Date: February 18, 2026 | 7:17 PM CST

4. Administration – City Clerk’s Office

Added to Council Agenda Date of Meeting: 02/23/2026

Comments: _____
 Signature: Signed by:
Wes Moore
6F02210223EC457... Date: 02/18/2026