

**CULLMAN CITY COUNCIL MEETING
MONDAY, MARCH 9, 2026, AT 7:00 PM
IN THE LUCILLE N. GALIN AUDITORIUM**

Council President Kim Hall called the Cullman City Council Meeting to order at 7:00 p.m. on Monday, March 9, 2026. 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 David Moss, Council President Kim Hall, Council Member Jason Willoughby, Council Member Paul Schaffer, and Council Member Chuck Shikle. City Attorney Brandy Lee, and City Clerk Wesley Moore were also present.

Council President Kim Hall asked the Council to consider the minutes from February 23, 2026. Council Member Shikle made a motion to approve the minutes from February 23, 2026 as written. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

PUBLIC COMMENTS: PETITIONS, REQUESTS, AND COMMUNICATIONS

Charles Cobb, 1638 Simmons Street SE, spoke regarding the ongoing issues with streetlights and flooding issues in the Bolte Crossing Subdivision.

Elizabeth McDowell, 90 County Road 417, spoke regarding initiating the What Would Jesus Do act to assist the homeless.

Council Member Willoughby made a motion to approve special event request from Tommy Tidwell of the Alabama Wildlife Federation to host the annual Wild Game Cook-Off fundraising event at Depot Park on April 9, 2026, from 5:00 p.m. until 9:30 p.m. Council President Pro Tem Moss seconded the motion, and the motion was approved by a voice vote.

Council Member Shikle made a motion to approve a special event request from Pastor Linus Klucarits for a Walk for Sacred Heart Church from St. Boniface Church in Hanceville to Sacred Heart Church on April 12, 2026, from noon until 4:00 p.m. Council Member Schaffer seconded the motion, and the motion was approved by a voice vote.

REPORTS OF STANDING COMMITTEES

1. Council Member Place 1 - Council Member Chuck Shikle reported on operations and recognitions related to the public safety departments.
2. Council Member Place 2 – Council Member Davis Moss reported on operations and recognitions related to the tourism departments.
3. Council Member Place 3 - Council Member Willoughby reported on operations related to public works departments.
4. Council Member Place 4 - Council Member Paul Schaffer reported on operations related to related to the utility departments.
5. Council Member Place 5 - Council Member Kim Hall shared the monthly budget report, reported on operations and recognitions related to general government departments.
6. Mayor – Woody Jacobs reported on the city’s operations and recognized the Parks Department being awarded the German heritage Rainer Bauer award.

UNFINISHED BUSINESS

Council President Hall held the second reading of Ordinance No. 2026-16 to update Chapter 62 Zoning: Section 165 *Reconstruction of damaged buildings or structures*, which received a favorable recommendation from the Planning Commission. Council Member Willoughby made a motion to approve the following ordinance:

ORDINANCE NO. 2026 – 16

TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE

SECTION I. PURPOSE. The purpose of this Ordinance is to modify, amend, or delete portions of the current Zoning Ordinance.

SECTION II. The following section of the City of Cullman Zoning Ordinance, Chapter 62, “Zoning,” Section 165, “Reconstruction of damaged buildings or structures,” of the *Code of Ordinances City of Cullman, Alabama*, is hereby deleted in its entirety and replaced as follows:

Sec. 62-165. - Reconstruction of damaged buildings or structures.

- a) Any nonconforming dwelling damaged by fire, wind, flood, or other causes, may be repaired or rebuilt within the footprint and square footage of the nonconforming dwelling. The repairs or reconstruction must be initiated within one

hundred and eighty (180) days and completed within three hundred and sixty-five (365) days of such damage. Other nonconforming structures damaged by fire, wind, flood or other causes up to sixty (60) percent of their value prior to the damage, may be repaired or rebuilt within the existing footprint and square footage. If the damage exceeds sixty (60) percent of the value of the structure, the structure must be made to conform to applicable zoning regulations, if repaired or rebuilt.

- b) Any accessory structures such as storage buildings, detached garages, and similar buildings which have been damaged by fire, wind, flood, or other causes, must be brought into compliance with the requirements of the zoning district in which they are located.
- c) Any single-family dwelling that has been declared a dangerous structure under Section 10-335 of the Code of Ordinances City of Cullman, Alabama, by the Building Official may be rebuilt within the same footprint provided that setbacks comply with the International Residential Code.
- d) In order to promote economic vitality, community well-being and public safety, any Blighted Property that is residential may be demolished and rebuilt within the same footprint provided that setbacks comply with the International Residential Code. Blighted Property is defined as any property and/or structure that exhibits one or more of the following conditions:
 - 1) Structures that are unsafe, uninhabitable, or deteriorated,
 - 2) Abandoned, vacant, or boarded buildings,
 - 3) Repeated criminal activity or nuisance behavior involving said property,
 - 4) Presence of mold, vermin, stagnant water, fire hazards, or other conditions harmful to health or safety,
 - 5) Neglected, run-down and/or unsightly structures,
 - 6) Accumulation of trash, debris, or overgrown vegetation, or
 - 7) Conditions that pose a threat to public health or safety
- e) **NOTICE.** The Building Department shall notify all Adjacent Property Owners upon application of the Property Owner for approval of a non-conforming use. Adjacent Property Owners are defined as any property contiguous to the subject property, including properties directly across from said subject property. Said notice shall be given by certified mail or hand delivery within seven (7) business days from the submission of the application. The Building Official shall notify the Property Owner and Adjacent Property Owner of decisions regarding applications for non-conforming use. Said notice shall be given by certified mail or hand delivery within seven (7) business days of the decision.
- f) **APPEAL.** The Property Owner shall have the right to appeal any decision of the Building Official. Said appeal shall be made in accordance with Ordinance 2-380, Ordinance 2-381 and Ordinance 62-181 et. seq. Any Adjacent Property Owner shall have the right to appeal any decision of the Building Official decision within fourteen (14) days of said decision and shall be in accordance with Ordinance 2-380, Ordinance 2-381, and Ordinance 62-181 et. seq.

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 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Schaffer 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading of Ordinance No. 2026-18 to rezone property located at 2211 Second Avenue NW from R-1 Residential to B-3 Business District, which received a favorable recommendation from the Planning Commission. Council Member Willoughby made a motion to approve the following ordinance:

ORDINANCE NO. 2026 - 18

AMENDING THE CURRENT ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

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

SECTION 1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Big Sky Trading, LLC, the following describe the tracts or parcels of land, to-wit:

PPIN: 8563. Parcel No.: 09-08-33-2-005-007.000. Property Address: 2211 Second Avenue NW.

Commence at the intersection of the west right of way line of US Highway No. 31 with the north line of the Southeast Quarter of the Northwest Quarter of Section 33, Township 9 South, Range 3 West, then go in a southerly direction along said right of way line a distance of 976.7 feet to the point of beginning: thence go 90 degrees 00 minutes right a distance of 150 feet; thence go 90 degrees 00 minutes left a distance of 100 feet; thence go 90 degrees 00 minutes left a distance of 150 feet to a point on the west right of way line of U.S. Highway No. 31; thence go 90 degrees 00 minutes left along said right of way line a distance of 100 feet to the point of beginning. The above described land lies in the Southeast Quarter of the Northwest Quarter of Section 33, Township 9 South, Range 3 West, in Cullman County, Alabama. Source of Title: Deed Book 539, Page 53.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as R-1 Residential District on the Zoning Map of the City of Cullman, Alabama under Ordinance No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from R-1 Residential District to B-3 Business District.

SECTION 2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsis, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

SECTION 3. That a public hearing be held relative to the passage of this ordinance on the 23rd day of February, 2026 at 7:00 p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

SECTION 4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

SECTION 5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.

SECTION 6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.

SECTION 7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

ADOPTED BY THE COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Moss 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading of Ordinance No. 2026-20 update Chapter 62 Zoning: Section 32 *Lots, yards and open spaces*, which received a favorable recommendation from the Planning Commission. Council Member Willoughby made a motion to approve the following ordinance:

ORDINANCE NO. 2026 - 20

TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE

SECTION I. PURPOSE. The purpose of this Ordinance is to modify, amend, or delete portions of the current Zoning Ordinance.

SECTION II. The following section of the City of Cullman Zoning Ordinance, Chapter 62, "Zoning," Section 32, "Lots, yards and open spaces," of the *Code of Ordinances City of Cullman, Alabama*, is hereby deleted in its entirety and amended and replaced as follows:

Sec. 62-32. Lots, yards and open spaces.

(a) No part of a yard or other open space required about any structure may be included as part of a yard or open space required for another structure.

(b) No lot, yard, building site or open space may be reduced in area so that the lot, building site, yards or open spaces are less than the minimum required by the ordinance from which this chapter is derived. All yards, lots, building sites and open spaces created after the effective date of the ordinance from which this chapter is derived must meet the minimum requirements of this chapter.

(c) Every structure, other than an accessory structure, erected, altered, used or occupied must have its own separate building site.

(d) Exceptions and modifications.

(1) Where a lot of records do not conform to the requirements of the applicable district, the lot may nonetheless be used as a building site upon approval by the Building Official so long as they conform as closely as possible to the requirements of the district.

(2) The front yard setback may be reduced to the average front yard setback of existing buildings within 100 feet of a lot on the same block face and in the same district when the average is less than that required by the district. This is determined by the building official, who may refer to the commission for its consideration.

(3) On a corner lot nothing may be erected, placed, planted, or allowed to grow in such a manner that will obstruct a motorist's line of sight in accordance with AASHTO Geometric Design of Highways and Streets, latest addition.

(4) On any lot which, as of the effective date of the ordinance from which this chapter is derived, may be reduced in area by widening a public street to a future street line as indicated on the major street plan, the minimum required setbacks, lot areas, lot width and the maximum building area are measured by considering the future street lines as the lot lines of the lot.

(e) **REPORTING.** All determinations by the Building Official shall be reported to the Council at the next council meeting following said determination(s).

(f) **NOTICE.** The Building Department shall notify all Adjacent Property Owners upon application of the Property Owner for approval of a non-conforming use. Adjacent Property Owners are defined as any property contiguous to the subject property, including properties directly across from said subject property. Said notice shall be given by certified mail or hand delivery within seven (7) business days from the submission of the application. The Building Official shall notify the Property Owner and Adjacent Property Owner of decisions regarding applications for non-conforming use. Said notice shall be given by certified mail or hand delivery within seven (7) business days of the decision.

(g) **APPEAL.** The Property Owner shall have the right to appeal any decision of the Building Official. Said appeal shall be made in accordance with Ordinance 2-380, Ordinance 2-381 and Ordinance 62-181 et. seq. Any Adjacent Property Owner shall have the right to appeal any decision of the Building Official decision within fourteen (14) days of said decision and shall be in accordance with Ordinance 2-380, Ordinance 2-381, and Ordinance 62-181 et. seq.

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 by the council, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second of Ordinance No. 2026-21 update Chapter 62 Zoning: Section 163 *Nonconforming Lots*, which received a favorable recommendation from the Planning Commission. Council Member Willoughby made a motion to approve the following ordinance:

ORDINANCE NO. 2026 - 21

TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE

SECTION I. PURPOSE. The purpose of this Ordinance is to modify, amend, or delete portions of the current Zoning Ordinance.

SECTION II. The following section of the City of Cullman Zoning Ordinance, Chapter 62, "Zoning," Section 163, "Nonconforming Lots," of the *Code of Ordinances City of Cullman, Alabama*, is hereby deleted in its entirety and replaced as follows:

Sec. 62-163. Nonconforming lots.

(a) *Vacant lots.* If the owner of a nonconforming vacant lot owns adjoining land that may be combined with it in order to comply with the requirements of this chapter, the lots may be combined before the city issues a building permit or any approval required by this chapter for development of the lots.

If the owner of a nonconforming vacant lot of record does not own sufficient adjoining land to enable compliance with the area and dimensional requirements of this chapter, one building and its accessory structures may be built provided they conform as closely as possible, **as determined by the Building Official**, to the requirements of the applicable district, and further provided that no side yard, where required to be greater than five feet, may be reduced to less than five feet.

(b) *Occupied lots.* Where multiple dwellings existed on one lot in the R-1 or R-2 District, on the effective date of April 8th, 1982, the owner may apply for a variance to subdivide the lot, so that each dwelling may be on its own lot, though the resulting lots may be smaller than required by this chapter. If a dwelling on such a lot is destroyed by fire or natural disaster, it may be rebuilt provided it conforms as closely as possible, **as determined by the Building Official**, to the district requirements.

(c) **REPORTING.** All determinations by the Building Official shall be reported to the Council at the next council meeting following said determination(s).

(d) **NOTICE.** The Building Department shall notify all Adjacent Property Owners upon application of the Property Owner for approval of a non-conforming use. Adjacent Property Owners are defined as any property contiguous to the subject property, including properties directly across from said subject property. Said notice shall be given by certified mail or hand delivery within seven (7) business days from the submission of the application. The Building Official shall notify the Property Owner and Adjacent Property Owner of decisions regarding applications for non-conforming use. Said notice shall be given by certified mail or hand delivery within seven (7) business days of the decision.

(e) **APPEAL.** The Property Owner shall have the right to appeal any decision of the Building Official. Said appeal shall be made in accordance with Ordinance 2-380, Ordinance 2-381 and Ordinance 62-181 et. seq. Any Adjacent Property Owner shall have the right to appeal any decision of the Building Official decision within fourteen (14) days of said decision and shall be in accordance with Ordinance 2-380, Ordinance 2-381, and Ordinance 62-181 et. seq.

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 by the council, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Shikle 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading Ordinance No. 2026-23 to create a neighborhood enhancement program within the City of Cullman. Council Member Willoughby made a motion to approve the following ordinance:

ORDINANCE NO. 2026 - 23

TO CREATE A NEIGHBORHOOD ENHANCEMENT PROGRAM WITHIN THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CULLMAN CITY COUNCIL, AS FOLLOWS:

Section I. Purpose.

1. The purpose of this Ordinance is to provide guidelines for the removal of blighted and/or dangerous structures and reconstruction of high-quality residential homes in the City of Cullman, Alabama, promoting the public good and general welfare of our citizens through promoting economic development, trade, commerce, housing, industry, and employment opportunities in the City of Cullman, Alabama.

Section II. Development Area.

1. Development Area is the corporate limits of the City of Cullman, Alabama.

Section III. Qualifying Structure.

1. A qualifying structure, as determined by the Building Official, is a blighted or dangerous "residential" structure that needs to be demolished and removed, which is located within the city limits of Cullman, Alabama.

Section IV. Residential Enhancement.

1. Residential Enhancement, subject to approval by the Building Official, is the construction of a new residential structure with all exterior walls, including exposed foundation walls, being clad with the approved masonry materials. Smooth-faced standard concrete block is prohibited. Masonry cladding shall extend from grade to roof eaves. Gable end walls and dormers may be clad with any material permitted by the International Residential Code.

Section V. Non-Conforming Lots.

1. A Non-Conforming Lot is a property located in the city limits of Cullman that does not comply with the current zoning regulations due to subsequent changes in zoning laws.

Section VI. Neighborhood Enhancement Incentive Program.

1. Residential Enhancements, as defined in Section IV, on a non-conforming lot will qualify for reimbursement up to ten thousand dollars (\$10,000.00).
2. The removal of a qualifying structure and replacing with a Residential Enhancement, as defined in Section IV, will qualify for reimbursement up to twenty thousand dollars (\$20,000.00).

Section VII. Legal Authority.

- A. Amendment No. 772 of the Constitution of Alabama of 1901, as amended.
- B. Compliance with Amendment No. 772:
 1. Any proposed action under Amendment No. 772 must be taken at a public meeting.
 2. Notice describing the proposed action and those individuals and/or businesses to benefit therefrom must be published at least seven days in advance.

Section VIII. Process.

- A. Applications to and approval by the City Council of the City of Cullman, Alabama, upon recommendation by the Chief Building Official.
- B. The Applications shall be in written format to Building Official.

Section IX. Program Requirements.

- A. Improvements made in accordance with conditions and standards shall be approved by the City in advance.
- B. Improvements made by licensed/bonded contractor(s).
- C. Building permit obtained from the City prior to start of work.
- D. Containers for debris removal and construction waste must be obtained from the City of Cullman.

Section X. Amount; Payment Aid.

- A. (i) Up to \$10,000.00 for Residential Enhancement on a non-conforming lot;
- B. (ii) Up to \$20,000.00 for the removal of a qualifying structure and replacing with a Residential Enhancement;
- C. Paid upon written request with invoices of approved work after inspection and approval by the Building Official.

Section XI. Subject to Law-Imposed Requirement.

The amounts provided by the City under this program are, in accordance with Johnson v. Sheffield, 183 So. 265 (Ala. 1938), subject to the law-imposed requirement that, if necessary, there must first be paid from all funds and revenues of the City the legitimate and necessary governmental expenses of operating the City.

Section XII. Severability Clause.

Each and every provision of this Ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void or invalid for any reason shall not affect any other provision hereof, and it is declared that the other provisions of this Ordinance would have been enacted regardless of any provisions which might have been invalid.

Section XIII. Effective Date.

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

ADOPTED BY THE COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Shikle 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading of Ordinance No. 2026-28 establishing procedures for the sale of real property owned by the City. Council Member Willoughby made a motion to approve the following ordinance:

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 one (1) independent appraisal on properties valued under thirty thousand (\$30,000.00) dollars by the Cullman County Revenue Commissioner's Office and shall obtain two (2) independent appraisals on properties valued thirty thousand (\$30,000.00) dollars or more by the Cullman County Revenue Commissioner's Office.
 - 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 sale price shall be the amount of the highest appraisal received plus any surveying costs, appraisal costs, legal fees, and any other fees associated with the sale of the property.

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 sale 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 as long as the minimum sale price is met or exceeded.

- 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 as long as the minimum sale price is met or exceeded.
 - ii) Auctions may be conducted in person, online, or by a licensed auctioneer.
 - iii) The highest appraisal received by the City shall plus any surveying costs, appraisal costs, legal fees, and any other fees associated with the sale of the property will establish the minimum sale price for the auction.
- c) Alternative Procedure for alleys, rights-of-way, and other properties without road frontage valued under thirty thousand (\$30,000.00) dollars by the Cullman County Revenue Commissioner's Office.
 - i) The minimum sale price shall be the amount of the highest appraisal received plus any surveying costs, appraisal costs, legal fees, and any other fees associated with the sale of the property.
 - ii) Adjoining property owners shall have the option to divide said property as long as the established minimum sale price is met or exceeded as allowed under Code of Alabama.

SECTION 7. FAIR MARKET VALUE SAFEGUARDS

No real property owned by the City shall be sold for less than its fair market value plus any surveying costs, appraisal costs, legal fees, and any other fees associated with the sale of the property 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 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Moss 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading Ordinance No. 2026-29 to establish a process for a property owner located outside the city limits to request sanitary sewer service from the city. Council Member Schaffer made a motion to approve the following ordinance:

ORDINANCE NO. 2026 – 29

AUTHORIZING THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, TO ADOPT RESOLUTIONS PERMITTING THE PROVISION OF SANITARY SEWER SERVICE TO CUSTOMERS OUTSIDE THE CORPORATE LIMITS OF THE CITY

WHEREAS, the City of Cullman, Alabama (the "City"), operates and maintains a sanitary sewer system for the benefit of its residents and businesses within its corporate limits; and

WHEREAS, from time to time, property owners or residents located outside the corporate limits of the City may request connection to and service from the City's sanitary sewer system; and

WHEREAS, extending sanitary sewer service outside the corporate limits may promote public health, environmental protection, economic development, and orderly growth in the region surrounding the City; and

WHEREAS, pursuant to Alabama Code § 11-50-1 et seq., and other applicable laws, municipalities in the State of Alabama are authorized to extend public utilities, including sanitary sewer services, beyond their corporate limits under appropriate conditions; and

WHEREAS, the City Council of the City of Cullman finds it in the public interest to establish a mechanism whereby it may authorize such extensions on a case-by-case basis through the adoption of resolutions, subject to terms and conditions that protect the City's interests, including but not limited to cost recovery, annexation requirements, and compliance with applicable regulations;

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

**ARTICLE III. WASTEWATER
DIVISION 2. CONNECTION PROCEDURES OUTSIDE CITY LIMITS**

Section 1. Authorization to Provide Service Outside Corporate Limits.

The City Council of the City of Cullman is hereby authorized to adopt resolutions, permitting the City to provide sanitary sewer service to customers located outside the corporate limits of the City. Prior to consideration of the above-mentioned resolution by the City Council, the superintendent over the sanitary sewer system shall provide a written recommendation on "why" or "why not" the city should connect the customer located outside the city limits. Each such resolution shall specify the terms and conditions under which the service shall be provided, which may include, but are not limited to:

- (a) The location and description of the property or properties to be served;
- (b) Requirements for the payment of connection fees, tap fees, impact fees, or other charges to cover the costs of extension and service;
- (c) Conditions related to annexation of the property into the City, if applicable;
- (d) Compliance with all applicable City ordinances, state and federal laws, and regulations governing sanitary sewer systems;
- (e) Provisions for the maintenance, repair, and liability associated with the extension;
- (f) Any other terms deemed necessary by the City Council to protect the public interest and the integrity of the City's sanitary sewer system.

Section 2. No Obligation Created.

Nothing in this Ordinance shall be construed to create any obligation on the part of the City to provide sanitary sewer service outside its corporate limits. All such extensions shall be at the sole discretion of the City Council and subject to the availability of capacity in the City's system.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date.

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council

President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Shikle 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading of Ordinance No. 2026-30 to establish a process for a property owner located outside the city limits to request water service from the city. Council Member Schaffer made a motion to approve the following ordinance:

ORDINANCE NO. 2026 – 30

AUTHORIZING THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, TO ADOPT RESOLUTIONS PERMITTING THE PROVISION OF WATER SERVICE TO CUSTOMERS OUTSIDE THE CORPORATE LIMITS OF THE CITY

WHEREAS, the City of Cullman, Alabama (the "City"), operates and maintains a water system for the benefit of its residents and businesses within its corporate limits; and

WHEREAS, from time to time, property owners or residents located outside the corporate limits of the City may request connection to and service from the City's water system; and

WHEREAS, extending water service outside the corporate limits may promote public health, environmental protection, economic development, and orderly growth in the region surrounding the City; and

WHEREAS, pursuant to Alabama Code § 11-50-1 et seq., and other applicable laws, municipalities in the State of Alabama are authorized to extend public utilities, including water services, beyond their corporate limits under appropriate conditions; and

WHEREAS, the City Council of the City of Cullman finds it in the public interest to establish a mechanism whereby it may authorize such extensions on a case-by-case basis through the adoption of resolutions, subject to terms and conditions that protect the City's interests, including but not limited to cost recovery, annexation requirements, and compliance with applicable regulations;

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

ARTICLE II. WATER

DIVISION 2. CONNECTION PROCEDURES OUTSIDE CITY LIMITS

Section 1. Authorization to Provide Service Outside Corporate Limits.

The City Council of the City of Cullman is hereby authorized to adopt resolutions, permitting the City to provide water service to customers located outside the corporate limits of the City. Prior to consideration of the above-mentioned resolution by the City Council, the superintendent over the clean water system shall provide a written recommendation on "why" or "why not" the city should connect the customer located outside the city limits. Each such resolution shall specify the terms and conditions under which the service shall be provided, which may include, but are not limited to:

- (a) The location and description of the property or properties to be served;
- (b) Requirements for the payment of connection fees, tap fees, impact fees, or other charges to cover the costs of extension and service;
- (c) Conditions related to annexation of the property into the City, if applicable;
- (d) Compliance with all applicable City ordinances, state and federal laws, and regulations governing water systems;

- (e) Provisions for the maintenance, repair, and liability associated with the extension;
- (f) Any other terms deemed necessary by the City Council to protect the public interest and the integrity of the City's water system.

Section 2. No Obligation Created.

Nothing in this Ordinance shall be construed to create any obligation on the part of the City to provide water service outside its corporate limits. All such extensions shall be at the sole discretion of the City Council and subject to the availability of capacity in the City's system.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date.

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Moss 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second reading of Ordinance No. 2026-31 to adopt an official tree list for the City as recommended by the Tree Commission. Council President Pro Tem Moss made a motion to approve the following ordinance:

ORDINANCE NO. 2026 – 31

CONFIRMING AND ADOPTING THE RECOMMENDED

AND NOT RECOMMENDED LISTS OF TREES FOR PLANTING WITHIN THE CITY

WHEREAS, the City of Cullman has established a Tree Commission pursuant to its Urban Forestry Ordinance (Ordinance No. 1998, as amended or codified) to advise the Mayor and City Council on matters related to the care, preservation, expansion, and management of the City's urban forest; and

WHEREAS, the Tree Commission, in collaboration with the City Arborist, is tasked with recommending tree planting programs, appropriate tree species, and placement for public spaces, rights-of-way, and other municipal properties to promote tree health, diversity, safety, aesthetics, environmental benefits, and long-term sustainability; and

WHEREAS, on or about October 30, 2025, Barry Slatton, Chairman of the Cullman Tree Commission, presented to the City Council lists of trees recommended for planting within the City based on factors including shade provision, appearance, fall/winter color, hardiness in Cullman's climate (USDA Hardiness Zone 7b/8a), disease/invasive resistance, root characteristics, maintenance needs, and compatibility with urban conditions; and

WHEREAS, the Tree Commission also presented a list of trees not recommended for planting due to issues such as invasiveness, structural weaknesses, high maintenance, pest/disease susceptibility, poor adaptation to local soils/climate, excessive litter, aggressive roots, or other detriments to public infrastructure, safety, or the urban forest; and

WHEREAS, the City Council finds that formal adoption of these lists will guide public tree plantings, private developments requiring landscaping approvals, community tree sales/events, permitting processes, and general best practices to enhance Cullman's designation as a Tree City USA community and support overall urban forestry goals; and

WHEREAS, the City Council has reviewed the recommendations and determines that confirming these lists is in the best interest of public health, safety, welfare, aesthetics, and environmental stewardship;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, as follows:

Section 1. Adoption of Lists. The lists of recommended trees and not recommended trees, as presented by the Cullman Tree Commission and attached hereto as **Exhibit A** (Recommended Trees for Planting in the City of Cullman) and **Exhibit B** (Not Recommended Trees for Planting in the City of Cullman), are hereby confirmed, adopted, and incorporated into this Ordinance by reference as if fully set forth herein. These lists shall serve as the official guidance for tree species selection in public plantings, rights-of-way, parks, and other City-managed areas, and are strongly encouraged for private properties, developments, and community initiatives.

Section 2. Purpose and Application. The adopted lists aim to: (a) Promote diverse, resilient, and aesthetically pleasing urban tree canopy; (b) Minimize risks from invasive species, weak-wooded trees, or those prone to failure; (c) Ensure compatibility with Cullman's soil types, climate, water availability, and urban constraints (e.g., utility lines, sidewalks, pavement); and (d) Support maintenance efficiency and long-term forest health.

The Tree Commission shall use these lists in reviewing planting proposals, public projects, and providing advice. Deviations may be approved on a case-by-case basis by the Tree Commission upon written justification demonstrating equivalent or superior benefits.

Section 3. Updates and Amendments. The Tree Commission may periodically review and recommend updates to the lists based on new research, performance observations, emerging threats (e.g., pests like emerald ash borer), or climate considerations. Any proposed amendments shall be presented to the City Council for consideration and adoption by ordinance.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof.

Section 5. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its adoption and approval, or as otherwise provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Shikle 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

Council President Hall held the second of Ordinance No. 2026-32 to annex property owned by Joseph Culpepper located at County Road 1273 into the city limits of Cullman as AG-1 Agricultural District (PIN 4849). Council Member Willoughby made a motion to approve the following ordinance:

ORDINANCE NO. 2026 – 32

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, Joseph Culpepper, 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 petitioner, be annexed into the City of Cullman:

PIN: 4849. Parcel Number: 09-09-30-0-002-008.000. Property Address: 0 County Road 1273, Cullman, Alabama 35057.

Legal Description: A tract or parcel of land containing 37 acres of land, more or less, and being more particularly described as follows:

The Northwest Quarter of the Northwest Quarter, Section 30, Township 9 South, Range 3 West.

LESS AND EXCEPT: About 2 acres of land in the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 30, Township 9, Range 3 West, and more particularly described as follows to wit: Beginning at the Southwest corner of above described forty acre tract, thence running North 295 feet thence at right angles East 295 feet, thence at right angles South 295 feet, thence West 295 feet to point of beginning, containing two (2) acres, more or less.

LESS AND EXCEPT: Commence at the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section 30, Township 9 South, Range West, thence North 88 degrees 00 minutes West a distance of 362 feet to a point and the true point of beginning; thence continue North 88 degrees 00 minutes West a distance of 215 feet to a point; thence North 6 degrees 08 minutes 30 seconds West a distance of 207 feet to a point; thence North 89 degrees 58 minutes 16 seconds East a distance of 218.2 feet to a point; thence South 5 degrees 03 minutes East a distance of 214.25 feet to the point of beginning. Said land being in the Northwest Quarter of the Northwest Quarter of Section 30, Township 9 South, Range 3 West in Cullman County, Alabama. Containing 1.05 acres more or less.

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 owner 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 AG-1 Agricultural 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 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

Council Member Schaffer 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 Moss: Aye. Council President Hall: Aye. Council Member Willoughby: Aye. Council Member Schaffer: Aye. Council Member Shikle: Aye.

NEW BUSINESS

Council President Hall held the first reading of Ordinance No. 2026-33 to adopt regulations for the retail sale of hemp products within the City, which received a favorable recommendation from the Alcohol Review Committee.

Council President Hall held the first reading of Ordinance No. 2026-34 to establish procedures for adopting the annual street and transportation infrastructure capital improvement plan for the City of Cullman

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

RESOLUTION NO. 2026 – 76

TO IMPLEMENT A SOLID WASTE MANAGEMENT PLAN

WHEREAS, the Cullman County Solid Waste Authority is required to submit a Solid Waste Management Plan;

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into the Solid Waste Management Plan for Cullman County as proposed by the Cullman County Solid Waste Authority;

THEREFORE BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to enter into the Solid Waste Management Plan for Cullman County as proposed by the Cullman County Solid Waste Authority.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2026 – 77

TO AMEND THE POSITION CONTROL AND JOB DESCRIPTIONS FOR THE CITY OF CULLMAN

THEREFORE, BE IT RESOLVED by the Cullman City Council that the position control, the job descriptions, and the fiscal year 2026 budget are hereby amended to include the following:

- a) Approve eight job descriptions for the Sanitation Department.
- b) Approve one job description for CEDA – Economic Development Manager.

ADOPTED BY THE CITY COUNCIL, this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2026-78

TO ENTER INTO AN AGREEMENT WITH FIRSTSTEP PAVEMENT MANAGEMENT, LLC FOR PROFESSIONAL SERVICES

WHEREAS, the City of Cullman has determined that entering into an agreement with FirstStep Pavement Management, LLC serves a public and municipal purpose by assessing the conditions of the streets, sidewalks, curbs, gutters, roadway markings, and road signage; 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 FirstStep Pavement Management, LLC., in an amount not to exceed \$79,500 under the terms and conditions as he deems just.

ADOPTED BY THE CITY COUNCIL this the 9th day of March, 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

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

Council President Pro Tem Moss made a motion to approve the following resolution:

RESOLUTION NO. 2026 – 79

TO AWARD THE BID FOR THE LANDSCAPING AND IRRIGATION AT THE LAZY RIVER

WHEREAS, the City of Cullman, Alabama, pursuant to the Alabama Public Works Law (Title 39, Chapter 2, Code of Alabama 1975, as amended) and the City’s procurement policies, advertised and received competitive sealed bids for the landscaping and irrigation project for the Lazy River at Wildwater Waterpark; and

WHEREAS, the bids were publicly opened and evaluated in accordance with applicable law and only one bid was received from Bright Landscapes, LLC, which has been determined to be the lowest responsible and responsive bidder; and

WHEREAS, pursuant to Section 39-2-6(b), Code of Alabama 1975, where no bids or only one bid is received at the time stated in the advertisement for bids, the awarding authority may, among other options, negotiate for the work through the receipt of informal bids not subject to the requirements of that section, and where only one responsible and responsive bid has been received, any negotiation for the work shall be for a price lower than that bid; and

WHEREAS, the Cullman City Council has determined that awarding the contract to Bright Landscapes LLC is in the best interest of the City of Cullman and its citizens, but desires to authorize the Mayor to pursue negotiations to achieve a lower price where feasible, consistent with the Public Works Law; and

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

Section 1. The bid for the landscaping and irrigation project for the Lazy River at Wildwater Waterpark is hereby awarded to **Bright Landscapes LLC**, the lowest responsible and responsive bidder, in the amount not to exceed \$237,625.00 as set forth in the bid proposal or such adjusted lower amount as negotiated by the Mayor.

Section 2. The Mayor of the City of Cullman is hereby authorized and directed to execute a contract with Bright Landscapes LLC for the performance of the work in accordance with the bid documents, plans, specifications, and all applicable laws, including but not limited to the requirement for performance and payment bonds and insurance as set forth in the bid package.

Section 3. In recognition that only one bid was received for the project, the Mayor is further expressly authorized, pursuant to Section 39-2-6(b), Code of Alabama 1975, to negotiate with Bright Landscapes LLC for a lower contract price than that originally bid, provided that any such negotiated price does not materially alter the scope of work. The Mayor shall report any successful negotiations resulting in price adjustment to the City Council at its next regular meeting.

Section 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL this the 9th day of March 2026.

/s/Kim Hall, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 9th day of March, 2026.

/s/ Woody Jacobs, Mayor

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

Board Appointments:

Council President Pro Tem Moss made a motion to reappoint Drew Green to the Library Board for a term expiring September 30, 2029. Council Member Willoughby seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Schaffer made a motion to reappoint Cassie Sparks to the Wellstone Board of Directors for a term expiring in 2032. Council Member Willoughby seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Shikle made a motion to appoint Ann Swayka to the Zoning Board of Adjustments for a term expiring February 14, 2029. Council Member Willoughby seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

COUNCIL COMMENTS AND REMARKS

Council President Hall noted the upcoming council meeting is March 23, 2026 at 7:00 pm.

ADJOURN THE MEETING

Council President Hall asked for a motion to adjourn. Council President Pro Tem Moss made a motion to adjourn. Council Member Schaffer seconded the motion, and the meeting was adjourned at 8:06 p.m. by a voice vote. Ayes: All. Nays: None.

