

CULLMAN CITY COUNCIL MEETING ON OCTOBER 26, 2020 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Pro Tem Johnny Cook called the Cullman City Council Meeting to order at 7:00 o'clock p.m. on Monday, October 26, 2020. Fire Chief Brian Bradberry led the Pledge of Allegiance and presented the invocation.

A roll call by Assistant City Clerk Pam Leslie reflected the following: Present - Council Member David Moss, and Council Member Clint Hollingsworth. Also present were Attorney Billy Jackson and Assistant City Clerk Pam Leslie. Absent: Mayor Woody Jacobs, Council President Jenny Folsom, Council Member Andy Page. Also absent: City Clerk Wesley Moore.

Council President Pro Tem Johnny Cook asked the Council to consider the minutes from October 12, 2020. Council Member Moss made a motion to suspend the rules to consider the minutes. Council Member Hollingsworth seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Assistant City Clerk Pam Leslie polled the Council Members: Council President Pro Tem Cook: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council Member Moss made a motion to approve the minutes from October 12, 2020 as written. Council Member Hollingsworth seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Assistant City Clerk Pam Leslie polled the Council Members: Council President Pro Tem Cook: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) – Chairman Johnny Cook reported the new garbage can delivery will be completed tomorrow, and garbage pickup with the new automated arm truck will begin on November 9.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth reported there has been an uptick of Covid cases, Council President Jenny Folsom and Mayor Jacobs' wife have both tested positive, resulting in both their absences.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom - No report.

REPORT FROM THE MAYOR – No report.

COMMENTS FROM ANYONE NOT ON THE AGENDA – Mr. Johnny Looney, retiree from the City of Cullman, spoke regarding retiree pay increases.

PUBLIC HEARINGS – None.

REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER – None.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Pro Tem Johnny Cook held the first reading of Ordinance No 2021-02 to adopt new sanitation rates for the City of Cullman.

Council President Pro Tem Johnny Cook held the first reading of Ordinance No. 2021-03 to adopt a seven member format for the City of Cullman Planning Commission.

Council President Pro Tem Johnny Cook held the first reading Ordinance No. 2021-04 to adopt a nuisance ordinance for the City of Cullman.

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

RESOLUTION NO. 2021-35

This Resolution is made this 26th day of October, 2020 (the Effective Date) by the City of Cullman, Alabama (the Granting Authority), to grant a tax abatement for S T Holdings, LLC (the Company).

WHEREAS, the Company has announced plans for a major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply): all state and local noneducational ad valorem taxes, and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local noneducational ad valorem taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of \$1,165,000 ; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply): all state and local noneducational ad valorem taxes, and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational ad valorem taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

ADOPTED BY THE CITY COUNCIL this the 26th day of October, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 26th day of October, 2020.

/s/ Woody Jacobs, Mayor

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

BOARD APPOINTMENTS - None

Council President Pro Tem Cook asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council Member Moss seconded the motion and the meeting was adjourned at 7:14 p.m. by a voice vote. Ayes: All. Nays: None.