

**CULLMAN CITY COUNCIL MEETING ON SEPTEMBER 13, 2021
IN THE LUCILLE N. GALIN AUDITORIUM**

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:03 o'clock p.m. on Monday, September 13, 2021. Police Chief Kenny Culpepper led the Pledge of Allegiance and presented the invocation.

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

Council President Jenny Folsom asked the Council to consider the minutes from August 23, 2021. Council President Pro Tem Cook made a motion to suspend the rules to consider the minutes. Council Member Page seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from August 23, 2021, as written. Council Member Page seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Cook: Aye. Council President Folsom: 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 – No report.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth reported a great turnout for the final 2nd Friday of the year and shared that the next event is Oktoberfest.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom shared that the FY 2022 budget will be presented at the next council meeting.

REPORT FROM THE MAYOR

Mayor Jacobs reports that a portion of West Main will be closed for about 24 hours to replace an old storm drain in preparation of the upcoming repaving of that street.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Rhonda Byrd, 1562 Co Rd 418, reporting the restrooms at Heritage Park continuing to be locked during the day.

PUBLIC HEARINGS

Council President Folsom set a public hearing on October 11, 2021 at 7:00 p.m. for Ordinance No. 2021-51 to rezone 101 Main Ave SW from R-4 to CBD District which received a favorable recommendation from the Planning Commission.

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

Council Member Page made a motion to approve a special event request from Christy Turner of Cullman Parks Recreation to hold the Annual Oktoberfest in various locations throughout the City of Cullman on September 30th, 2021 through October 2nd, 2021. 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 a special event request from Christy Turner of Cullman Parks Recreation to hold the Annual Oktoberfest 5k and 10k runs starting at the Festhalle on October 2nd, 2021 starting at 8:00 a.m. Council Member Moss seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve a special event request from Shane Bailey for a block party at 706 1st Ave SE on Saturday, October 16, 2021 from 6:00p.m. until 10:00 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 Kari Driver of Cullman Christian School for a 5k run to benefit Cullman Christian School on Saturday, November 20, 2021 from 7:00 am until 10:00 a.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 Javon Daniel for Cullman Lions Club for Cullman County Fair Parade from 7th Street SW to Arnold St NW on Saturday, October 2, 2021 from 1:00 p.m. until 3:00 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 Sonya Talley of Cullman Caring for Kids for the 35th annual Ho Ho Ho Christmas Car Show at Depot Park on Saturday, November 13, 2021 from 7:00 a.m. until 3:00 p.m. Council Member Hollingsworth seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve a special event request from Rita Dean of the Warehouse District Merchants for its Annual Street Sale on Friday and Saturday, September 17th and 18th, 2021 from 9:00 a.m. until 6:00p.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 Carolyn Taylor for a wedding reception and dinner at the Festhalle and adjoining street on Sunday, November 28, 2021 from 3:00 p.m. until 9:00 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 Daniel Lloyd of East Side Baptist Church for a Hot Chocolate 5K and 1K Run Fundraiser on Saturday, November 13, 2021 from 8:30 a.m. until 11:00 a.m. Council Member Moss seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve a special event request from Mattie West of Genesis Performing Arts for a 5K, 1K, and Fun Run Fundraiser on Saturday, October 30, 2021 from 6:00 a.m. until 1:00 p.m. Council Member Moss seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

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

RESOLUTION NO. 2021-139

Adopting Transportation Plan Pursuant to the Rebuild Alabama Act

WHEREAS, the Alabama legislature in Act. No. 2019-2 adopted the Rebuild Alabama Act;

WHEREAS, the Rebuild Alabama Act provides for an allocation among the municipalities of the state on the basis of the ratio of population of each municipality to the total population of all municipalities of the state a portion of the additional taxes levied under the Act to be used for transportation infrastructure, improvement, preservation and maintenance;

WHEREAS, the Act provides that the municipal governing body of the City of Cullman, Alabama, shall adopt an annual Transportation Plan, no later than August 31, which shall provide a detailed list of projects for which expenditures are intended to be made in the next fiscal year and shall be based upon an estimate of the revenues anticipated from the fund in which the additional revenue is deposited during the next fiscal year; and

WHEREAS, the Act further provides that any such funds shall be used only for the maintenance, improvement, replacement, and construction of roads and bridges maintained by the City of Cullman, Alabama, and such other uses as are defined in the Act.

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

1. The City Council of Cullman, Alabama, hereby passes this Resolution as its Transportation Plan submitted in compliance with the Rebuild Act, Act No. 2019-2.
2. Pursuant to the Act, the City Council of Cullman, Alabama, estimates that its anticipated allocation from the Rebuild Alabama Act fund for the first fiscal year will be approximately \$112,328.51, with increasing allocations for each fiscal year thereafter.
3. Pursuant to the Act, the City anticipates expending funds received pursuant to the Act, in part or in whole, to fund any of the following listed projects:

- Resurfacing of Main Avenue West from Highway 69 to Highway 278
- Resurfacing of Graham Street SW from Highway 69 to Main Avenue SW
- Resurfacing of Logan Street SW from Main Avenue SW to Logan Avenue SW
- Resurfacing of Whispering Pines Drive NW
- Resurfacing of Rocky Waters Circle NW
- Resurfacing of Waterford Drive NW
- Resurfacing of Seven Bark Drive NW
- Resurfacing of Quail Run Dr NW
- Resurfacing of Pinehill Drive NW
- Resurfacing of Whispering Pines Drive NW
- Resurfacing of Rocky Waters Circle NW
- Resurfacing of 30' wide alley past Fairway Drive off Pinehill Drive
- Resurfacing of Fairway Drive
- Resurfacing of Viewpoint Circle, except concrete entranceway
- Resurfacing of Augusta Trail NW
- Resurfacing of Wedgewood Circle NW
- Resurfacing of Greenview Circle NW
- Resurfacing of Bent Green Circle NW

4. The City Clerk is hereby authorized and instructed to post a copy of this Resolution as its Transportation Plan in a conspicuous place at the County Courthouse, the County Commission Office, the County Highway Department, the City Municipal Hall, and also on the website of the City of Cullman, Alabama.

5. The City Clerk is hereby authorized and directed to establish a separate fund maintained by the City of Cullman, Alabama, for receipt and deposit of funds received pursuant to the Act, the proceeds of which shall be expended solely for the maintenance, improvement, replacement and construction of roads and bridges maintained by the City and such other uses as are authorized by the Act.

ADOPTED BY THE CITY COUNCIL this the 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/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 Page made a motion to adopt the following resolution:

RESOLUTION 2021-140

TO APPROVE A TAX ABATEMENT FOR ROYAL TECHNOLOGIES EXPANSION

This Resolution is made this 13th day of **September, 2021** (the Effective Date) by the **City of Cullman, Alabama** (the Granting Authority), to grant a tax abatement for **Royal Technologies** (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 all state and local noneducational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; 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 **\$2,500,000**; 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 all state and local noneducational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and 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.

I hereby certify that the foregoing was duly adopted by the **City of Cullman, Alabama** of Alabama at a meeting held on the **13th** day of **September , 2021** .

BY: /s/ Woody Jacobs
Its: Mayor

ATTEST:

/s/ Wesley M. Moore

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 adopt the following resolution:

RESOLUTION NO. 2021-141

TO APPROVE A TAX ABATEMENT FOR PROJECT CONNECT

This Resolution is made this **13th** day of **September , 2021** (the Effective Date) by the **City of Cullman, Alabama** (the Granting Authority), to grant a tax abatement for **Project Connect** (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 all state and local noneducational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; 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 **\$49,000,000** ; 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 all state and local noneducational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and 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.

I hereby certify that the foregoing was duly adopted by the **City of Cullman, Alabama** of Alabama at a meeting held on the **13th** day of **September , 2021** .

BY: /s/ Woody Jacobs
Its: Mayor

ATTEST:

/s/ Wesley M. Moore

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

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

RESOLUTION NO. 2021 – 142

APPROVING CHANGE ORDER NO. 1 FOR AQUATIC DEVELOPMENT GROUP

WHEREAS, the Cullman City Council awarded the bid for Cullman Wellness and Wellness Center for a waterpark expansion project to Aquatic Development Group in the amount of \$6,736,000;

WHEREAS, the City of Cullman wishes to approve Change Order No. 1 to increase the project cost by \$636,360 for additional and improved features at the “Wild Water” Waterpark including but not limited to a larger wave pool; and

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is authorized to execute Change Order No. 1 which will increase the total cost of the contract with Aquatic Development Group to \$7,372,360.

ADOPTED BY THE CITY COUNCIL this the 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/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 Jenny Folsom held the first readings of Ordinance Nos. 2021-45, 2021-46, 2021-47, 2021-48, 2021-49, 2021-50, 2021-51 to annex certain properties into the City of Cullman. Council Member Moss made a motion to suspend the rules to consider all Ordinance Nos. 2021-45, 2021-46, 2021-47, 2021-48, 2021-49, 2021-50, 2021-51 as a group to annex certain properties into the City of Cullman. Council Member Hollingsworth seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council Member Moss made a motion to adopt Ordinance No. 2021-45 to to annex 1816 Childhaven Road NE into the city limits as AG-1 Agriculture District.

ORDINANCE NO. 2021 – 45

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, Childhaven Foundation, Inc., 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:

Property Address: 1816 Childhaven Road NE

Parcel No.: 17-02-03-0-001-009.000

PPIN: 29839

Legal Description:

The Northwest Quarter of the North Half of the Southwest Quarter of Section 3, Township 10 South, Range 3 West, less and except the right of way which was deeded to the State of Alabama for Highway 157 in Deed dated July 24, 1972 recorded in Deed Book 292, Page 1, in the Probate Office of Cullman County, Alabama, and less and except that deeded to the East Cullman Church of Christ in Deed dated October 18, 2001, recorded in Deed Book 508, Page 698 in the Probate Office of Cullman County, Alabama.

To be zoned as AG-1 Agricultural District.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as AG-1 Agricultural District.

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 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/s/Woody Jacobs, Mayor

Council Member Hollingsworth 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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Pro Tem Cook made a motion to adopt Ordinance No. 2021-46 155 County Road 497 and 173 County Road 497 into the city limits as R-3 Residential District.

ORDINANCE NO. 2021 – 46

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, J. Kelly Construction, LLC has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman:

Parcel I: Property Address: 155 County Road 497 – Lot 7, Block 4, Dialsdale Subdivision 4th Addition. Parcel No.: 17-08-27-0-001-032.001. PPIN: 38578. Legal Description: A tract or parcel of land located in a part of the Southeast Quarter of the Northeast Quarter of Section 27, Township 10 South, Range 3 West, Cullman County, Alabama, being Lot 7, Block 4 of an unrecorded subdivision known as Dialsdale Subdivision 4th Addition, said Lot being more particularly described as follows: Commence at the Southeast corner of the Southeast Quarter of the Northeast Quarter of said Section 27; thence run N00°46'14"E along the East line of said Southeast Quarter of the Northeast Quarter a distance of 363.50 feet to a point of intersection with an easterly extension on the South Right of Way line of Country Lane (also known as Cullman County Road #497); thence run N89°09'07"W along said Easterly extension and along said South Right of Way line a distance of 761.36 feet to a found ½" rebar at the Northeast corner of said Lot 7 and the POINT OF BEGINNING; thence continue N89°09'07"W along said South Right of Way line and along the North boundary of said Lot 7 a distance of 117.74 feet to a set capped rebar (Smith) at the Northwest corner of said Lot 7; thence run S00°38'22"W along the West boundary of said Lot 7 a distance of 109.74 feet to a set capped rebar (Smith) at the Southwest corner of said Lot 7; thence run S89°07'25"E along the South boundary of said Lot 7 a distance of 116.79 feet to a found ½" rebar at the Southeast corner of said Lot 7; thence run N01°08'15"E along the East boundary of said Lot 7 a distance of 109.80 feet to the POINT OF BEGINNING. Said parcel of land contains 0.30 acres (12,872 square feet), more or less. To be zoned as R-3 Residential District.

Parcel II: Property Address: 173 County Road 497 – Lot 8, Block 4, Dialsdale Subdivision 4th Addition. Parcel No.: 17-08-27-0-001-032.009. PPIN: 85604. Legal Description: A tract or parcel of land located in a part of the Southeast Quarter of the Northeast Quarter of Section 27, Township 10 South, Range 3 West, Cullman County, Alabama, being Lot 8, Block 4 of an unrecorded subdivision known as Dialsdale Subdivision 4th Addition, said Lot being more particularly described as follows: Commence at the Southeast corner of Southeast Quarter of the Northeast Quarter of said Section 27; thence run N00°46'14"E along the East line of said Southeast Quarter of the Northeast Quarter a distance of 363.50 feet to a point of intersection with an easterly extension of the South Right of Way line of Country Lane (also known as Cullman County Road #497); thence run N89°09'07"W along said Easterly extension and along said Right of Way line a distance of 879.10 feet to a set capped rebar (Smith) at the Northeast corner of said Lot 8 and the POINT OF BEGINNING; thence continue N89°09'07"W along said South Right of Way line and along the North boundary of said Lot 8 a distance of 117.74 feet to a found 1" rebar at the Northwest corner of said Lot 8; thence run S00°08'27"W along the West boundary of said Lot 8 a distance of 109.69 feet to a set capped rebar (Smith) at the Southwest corner of said Lot 8; thence run S89°07'25"E along the South boundary of said Lot 8 a distance of 116.79 feet to a set capped rebar (Smith) at the Southeast corner of said Lot 8; thence run N00°38'22"E along the East boundary of said Lot 8 a distance of 109.74 feet to the POINT OF BEGINNING. Said parcel of land contains 0.30 acres (12,865 square feet), more or less. To be zoned as R-3 Residential District.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-3 Residential District.

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 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/s/Woody Jacobs, Mayor

Council Member Hollingsworth 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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council Member Page made a motion to adopt Ordinance No. 2021-47 to annex 100 County Road 497 into the city limits as R-1 Residential District.

ORDINANCE NO. 2021 – 47

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, J. Kelly Construction, LLC has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman:
Property Address: 100 County Road 497 – Lot 13, Block 2, Dialsdale Subdivision, 4th Addition. Parcel No.: 17-08-27-0-001-025.001. PPIN: 85603. Legal Description: A parcel of land located in a part of the Southeast Quarter of the Northeast Quarter of Section 27, Township 10 South, Range 3 West, Cullman County, Alabama, being Lot 13, Block 2, of an unrecorded subdivision known as Dialsdale Subdivision 4th Addition, said Lot being more particularly described as follows: Commence at the Southeast corner of Southeast Quarter of the Northeast Quarter of said Section 27; thence run N00°46'14"E along the East line of said Southeast Quarter of the Northeast Quarter a distance of 403.93 feet to a point of intersection with an Easterly extension of the North Right of Way line of Country Lane (also known as Cullman County Road #497); thence run N89°12'03"W along said Easterly extension and along said North Right of Way line a distance of 474.98 feet to a set capped rebar (Smith) at the Southeast corner of said Lot 13 and the POINT OF BEGINNING; thence continue N89°12'03"W along said North Right of Way line and along the South boundary of said Lot 13 a distance of 104.86 feet to a found 1" pipe at the Southwest corner of said Lot 13; thence run N00°47'42"E along the West boundary of said Lot 13 a distance of 150.00 feet to a capped rebar (Smith) at the Northwest corner of said Lot 13; thence run S89°12'03"E along the North boundary of said Lot 13 a distance of 104.86 feet to a set capped rebar (Smith) at the Northeast corner of said Lot 13, thence run S00°47'42"W along the East boundary of said Lot 13 a distance of 150.00 feet to the POINT OF BEGINNING. Said parcel of land contains 0.36 acres (15,730 square feet), more or less. To be zoned as R-1 Residential District.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-1 Residential District.

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 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/s/Woody Jacobs, Mayor

Council Member Hollingsworth 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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council Member Moss made a motion to adopt Ordinance No. 2021-48 to annex 160 Golf Course Road SW into the city limits as R-1 Residential District.

ORDINANCE NO. 2021 – 48

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 owners, Octavio De Jesus and Guillermina Mendoza 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:

Property Address: 160 Golf Course Road

Parcel No.: 17-08-27-0-001-003.010

PPIN: 45459

Legal Description:

A tract or parcel of land containing 0.33 acres of land, more or less, and being a part of the Southeast Quarter of the Northeast Quarter of Section 27, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at the Southeast corner of said Southeast Quarter of the Northeast Quarter of said Section 27 and run North 01 degrees 51 minutes 00 seconds West and run along the East line a distance of 748.04 feet; thence run South 89 degrees 33 minutes 00 seconds West, a distance of 27.03 feet to a set rebar marking the intersection of the West right of way line of Golf Course Road with the North right of way line of Lee Lane, same being the point of the beginning; thence South 89 degrees 33 minutes 00 seconds West and run along the North right of way line of said Lee Lane, a distance of 113.22 feet to a set rebar; thence North 02 degrees 32 minutes 01 seconds West departing said right of way line, a distance of 126.08 feet to a set rebar; thence North 89 degrees 33 minutes 00 seconds East, a distance of 115.25 feet to a set rebar marking the West right of way line of Golf Course road; thence South 01 degrees 36 minutes 42 seconds East, and run along said West right of way line, a distance of 126.03 feet to the point of beginning.

To be zoned as R-1 Residential District.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-1 Residential District.

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 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/s/Woody Jacobs, Mayor

Council Member Hollingsworth 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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council Member Moss made a motion to adopt Ordinance No. 2021-49 to annex 550 County Road 1467 and 471 County Road 1466 into the city limits as R-1 Residential District.

ORDINANCE NO. 2021 – 49

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 owners have 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:

Property Owner: Alexander Garcia

Property Address: 550 County Road 1467

Parcel No.: 17-01-12-0-001-002.002

PPIN: 69061

Legal Description: Lot No. 35 of the A.A Walker Subdivision as set out on plat filed in Map Book 4 Page 3 in the Probate Records of Cullman County, Alabama.

To be zoned as R-1 Residential District.

Property Owners: Jesus and Maria Garcia

Property Address: 471 County Road 1466

Parcel No.: 17-01-12-0-001-002.001

PPIN: 16346

Legal Description:

Lot No. 36 of the A.A Walker Subdivision as set out on plat filed in Map Book 4 Page 3 in the Probate Records of Cullman County, Alabama.

To be zoned as R-1 Residential District.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-1 Residential District.

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 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Pro Tem Cook made a motion to adopt Ordinance No. 2021-50 to annex 1605 County Road 1339 into the city limits as R-1 Residential District.

ORDINANCE NO. 2021 – 50

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 owners, Hollie Miller and Richard Miller 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:

Property Address: 1605 County Road 1339

Parcel No.: 09-08-28-0-001-025.004

PPIN: 84159

Legal Description:

Lot 1 of Thrash Addition to Childhaven Road as recorded in Plat Book 2020 Page 2 in the Probate Records Cullman Co, Alabama.

Source of Title: Deed Bk 597 Page 458

To be zoned as R-1 Residential District.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-1 Residential District.

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 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/s/Woody Jacobs, Mayor

Council Member Page 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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Council President Jenny Folsom held the first reading of Ordinance No. 2021-51 to establish a central dispatch telecommunications center. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2021-51. Council Member Moss seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to adopt Ordinance No. 2021-51 to establish a central dispatch telecommunications center for the City of Cullman.

ORDINANCE NO. 2021-51

TO ESTABLISH A CENTRAL DISPATCH TELECOMMUNICATIONS CENTER

WHEREAS, in accordance with the requirements set forth by the Federal Bureau of Investigation and the Alabama Law Enforcement Agency, the City of Cullman commits to establish the City of Cullman Communications department for the operation of telecommunication services and dispatch facility and establish the control of said division; and

WHEREAS, this shall serve as a standalone department of the City of Cullman to process emergency and routine calls for public safety within the jurisdictional boundaries of the City of Cullman; and

WHEREAS, the City of Cullman has previously, under City Ordinance No. 1371, established offenses against the against the City of Cullman including as declared by laws of the State of Alabama;

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

Section I. Creation of Department.

To insure the safety of the citizens of the City of Cullman, a department shall be established responsible for the primary intake, processing, and dispatching of calls for public safety emergency and routine service. That division shall be given its own Originating Agency Identifier (ORI) number, and shall be authorized to operate specialized equipment, application, and processes which are owned by the City, or allocated by other government or nongovernment agencies that are specifically intended to accomplish the divisions mission.

Section II. Establishment of Division Chief.

The Division Chief of Communications shall be placed in command and control of the Cullman City Communications Department, and be placed in charge of all equipment and personnel assigned to the division. He or she shall recommend, review, govern, and enforce, all policies of the City, division and any applicable State or Federal standard, law, or policy to which the division is bound to by virtue of its operation.

Section III. Board Structure.

The Chief of Communications shall report to a board consisting of the Fire Chief or a direct designee of that department thereof, and the Police Chief or a direct designee of that department thereof.

Section IV. Criminal Justice Information Authority.

The Cullman City Communications department operates with the full authorization and permission of the Cullman Police Department including the handling, storage, and processing of criminal justice information and information systems.

Section V. 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 hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provisions which might have been invalid.

Section VI. Effective Date.

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

ADOPTED BY THE CITY COUNCIL this the 13th day of September, 2021.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of September, 2021.

/s/Woody Jacobs, Mayor

Council Member Page 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 Member Page: Aye. Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

BOARD APPOINTMENTS

Council Member Page made a motion to reappoint Beth Bownes-Johnson to the Parks and Recreation Board. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Folsom asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council Member Page seconded the motion, and the meeting was adjourned at 7:30 p.m. by a voice vote. Ayes: All. Nays: None.