

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

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:00 o'clock p.m. on Monday, December 13, 2021. Assistant Police Chief Craig Montgomery 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 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. Absent: Council Member Andy Page

Council President Jenny Folsom asked the Council to consider the minutes from December 6, 2021. Council President Pro Tem Cook made a motion to suspend the rules to consider the minutes. 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 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 December 6, 2021, as written. Council Member Moss 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 President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA

Council President Pro Tem Cook made a motion to add item No. 8 to consider Resolution No. 2022-24 to authorize the Mayor to accept a gift of the City of Cullman from the McGriff family. under Resolutions, Ordinances, Orders and Other Business. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Folsom, on behalf the Mayor and Council, thanked the McGriff family for gifting Terri Pines Country Club and Golf Course to the City.

On behalf of the McGriff family, Barry McGriff shared that it had been their father's dream for the City operate the golf course. The family is pleased to gift Terri Pines to the City of Cullman and see the future success of the course as a legacy to their father.

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 asked the residents be patient with the leaf pick up. With the volume of leaves that fell at once, it will take some time. Also, please put your recycling items in the bin loose. Putting it in plastic bags 'contaminates' the recycling.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth recognized Nathan Anderson for being named the full time Parks and Rec Director. Nathan shared a video of the Christmas parade and tree lighting ceremony and shared that the Christkindlmarkt is scheduled for the weekend.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom shared that Cullman's unemployment rate the lowest percentage ever at 1.7%.

REPORT FROM THE MAYOR

Mayor Jacobs gave a report to the council regarding the City's operations.

Also, Mayor Jacobs, along with Rob Whitesell and his son and skateboarding enthusiast David Whitesell, revealed the preliminary plan for the skatepark that will be located near the police station. The Whitesell family made a financial contribution toward the skatepark and challenges citizens to participate, both financially and in the planning of the skatepark.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Mr. Brian Ogstad, 911 Meadow Drive NE, Cullman, AL 35055 spoke regarding his review of the city's budget and the Covid pandemic.

PUBLIC HEARINGS – None.

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

Council President Pro Tem Cook made a motion to approve a special event request from Paul Knetter for a wedding reception at the Festhalle on Saturday, June 11, 2022 from 3:30pm to 11:00pm. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

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

RESOLUTION NO. 2022 – 18

TO ENTER A SOURCEWELL AGREEMENT WITH SPOHN RANCH, INC. TO DESIGN AND BUILD THE FIRST SKATEPARK IN CULLMAN, ALABAMA

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into a Sourcewell agreement with Spohn Ranch, Inc. to design and build the first Skatepark in Cullman, Alabama.

NOW THEREFORE BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to enter into an agreement with Spohn Ranch, Inc. to design and build the first Skatepark in Cullman, Alabama.

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of December, 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 Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2022 – 19

APPROVING CHANGE ORDER NO. 2 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 Cullman City Council approved change order no. 1 in the amount of \$636,360 to Aquatic Development Group for additional and improved features at the at the “Wild Water” Waterpark including but not limited to a larger wave pool;

WHEREAS, the City of Cullman wishes to approve Change Order No. 2 to increase the project cost by \$37,240 for additional structural supports for a LED video wall at the “Wild Water” Waterpark; 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 \$7,409,600.

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

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

/s/Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2022 – 20

**TO ENTER INTO CONTRACT WITH AQUATIC DEVELOPMENT GROUP, INC.
FOR ADDITIONAL ENGINEERING & DESIGN SERVICES AT THE “WILD WATER” WATERPARK**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with Aquatic Development Group, Inc. for additional engineering and design services related to the construction of the “Wild Water” Waterpark Expansion;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with Aquatic Development Group, Inc. for additional engineering and design services related to the construction of the “Wild Water” Waterpark Expansion;

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of December, 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 Hollingsworth made a motion to adopt the following resolution:

RESOLUTION NO. 2022 – 21

TO AUTHORIZE THE MAYOR TO SUBMIT APPLICATION WITH THE SRF PROGRAM FOR SANITARY SEWER COLLECTION SYSTEM IMPROVEMENTS AND REHABILITATION

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to to authorize the Mayor to submit application with the SRF program for sanitary sewer collection system improvements and rehabilitation;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to submit application with the SRF program for sanitary sewer collection system improvements and rehabilitation.

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of December, 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 Moss made a motion to adopt the following resolution:

RESOLUTION NO. 2022 – 22

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

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services contingent on the approval of the SRF application for sanitary sewer collection system improvements and rehabilitation;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with St. John and Associates, Inc. for engineering, design, administrative, and other professional services contingent on the approval of the SRF application for sanitary sewer collection system improvements and rehabilitation.

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of December, 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 Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2022 – 23

TO CONDITIONALLY ACCEPT EGE DRIVE SOUTHWEST AS A PART OF THE PUBLIC STREET SYSTEM

WHEREAS, THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CULLMAN (“IDB”) seeks to dedicate a portion of property of proposed public road to the CITY OF CULLMAN; and

WHEREAS, an Offer of Dedication from the IDB has been submitted to the City as the City requires; and

WHEREAS, a Letter of Satisfactory Completion has been furnished by the City of Cullman indicating that through inspections of the road, the design intent has been achieved and preserved, the integrity of the road has been maintained, and the road is in acceptable condition; and

WHEREAS, the City wishes to accept said road upon the following conditions: (i) the IDB shall deliver to the City a valid deed of the below described property; (ii) ADECA’s close-out of the grant associated with the entire property, meaning all legal requirements

have been met, and (iii) the recording of a deed in escrow by Cullman Industrial Holdings (“CIH”), which “less and excepts” the 1.26 acres of below described public road being dedicated by the IDB to the City; and

WHEREAS, the Mayor and Cullman City Council deems it in the best interest of the City of Cullman that the Letter of Dedication of the public road, Ege Drive Southwest be accepted and the same become a part of the public street system of the City of Cullman; and

WHEREAS, by accepting the above-mentioned public road as a city street, the City shall maintain and upkeep the portion(s) of the road described in the following legal description:

A TRACT OR PARCEL OF LAND CONTAINING 1.26 ACRES OF LAND, MORE OR LESS AND BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND ¾ INCH BAR MARKING THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1505635.11’, E. 2161689.03’ AND RUN THENCE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST (BEARING BASED ON AL. STATE PLANE, WEST ZONE, NAD 83, GRID) , A DISTANCE OF 431.40 FEET; THENCE CONTINUE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST, A DISTANCE OF 2,001.05 FEET; THENCE RUN NORTH 29 DEGREES 27 MINUTES 45 SECONDS EAST, A DISTANCE OF 862.30 FEET; THENCE RUN SOUTH 83 DEGREES 30 MINUTES 50 SECONDS EAST, A DISTANCE OF 139.53 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83 DEGREES 30 MINUTES 50 SECONDS EAST, A DISTANCE OF 416.55 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 69 AND BEING IN A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 00 DEGREES 41 MINUTES 07 SECONDS , A RADIUS OF 11,224.84 FEET, A CHORD BEARING OF NORTH 27 DEGREES 51 MINUTES 12 SECONDS EAST AND A CHORD LENGTH OF 134.23 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 134.23 FEET; THENCE NORTH 83 DEGREES 30 MINUTES 50 SECONDS WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 465.45 FEET; THENCE SOUTH 06 DEGREES 29 MINUTES 10 SECONDS WEST, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

Property Address: 226 EGE DRIVE SOUTHWEST CULLMAN, ALABAMA 35055

WHEREAS, the acceptance of this dedication is made in accordance with the statutes made and provided for such dedications.

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the City is hereby authorized to accept the public road of Ege Drive Southwest as a city street, upon the terms and conditions as set out in this Ordinance.

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

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

/s/Woody Jacobs, Mayor

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

Council President Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2022 – 24

TO ACCEPT A GIFT FROM THE MCGRUFF FAMILY

WHEREAS, the McGriff family has graciously offered a large gift to the City of Cullman;

WHEREAS, the large gift consists of approximately 132 acres of land with golfing, maintenance, social, and recreational facilities commonly known to the public as Terri Pines;

WHEREAS, the Cullman City Council has determined that accepting this extraordinary gift of Terri Pines would serve a public purpose for the City of Cullman and its citizens;

THEREFORE BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to accept the gift of Terri Pines subject to existing contracts, leases, and encumbrances if any.

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

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

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

/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 Folsom asked for a motion to adjourn. Council President Pro Tem Cook made the motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:34 p.m. by a voice vote. Ayes: All. Nays: None.