

**CULLMAN CITY COUNCIL MEETING ON MARCH 7, 2022
IN THE LUCILLE N. GALIN AUDITORIUM**

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:05 o'clock p.m. on Monday, March 7, 2022. Fire Chief Brian Bradberry 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, and Council President Jenny Folsom, Council Member David Moss, Council Member Clint Hollingsworth. Also present were Attorney Roy Williams and City Clerk Wesley Moore.

Council President Jenny Folsom asked the Council to consider the minutes from February 28, 2022. 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 Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from February 28, 2022, 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 David Moss: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – Reported the Annual Spring Clean-Up is March 14-18, 2022.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth shared Strawberry Fest is scheduled for May 7, 2022.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom – No report.

REPORT FROM THE MAYOR

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

COMMENTS FROM ANYONE NOT ON THE AGENDA – None.

PUBLIC HEARINGS – None.

REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS

Council Member Hollingsworth a motion to approve a request from Ron Pierce of Fairview Florist located at 312 Second Ave SE for off premises alcohol license which received a favorable recommendation from the City of Cullman Alcohol Review Committee. Council President Pro Tem Cook made seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

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

RESOLUTION NO. 2022-43

TO DECLARE CERTAIN PROPERTY SURPLUS OR NOT NEEDED BY THE CITY OF CULLMAN

WHEREAS, the Cullman City Council hereby finds and determines that the City of Cullman is owner of various capital assets and inventory that is no longer needed by the City of Cullman for public or municipal purposes and that the best interests of the City will be served by the sale or disposal of said property;

BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to designate a City employee to sell or disposal of said property that is no longer needed by the City of Cullman for public or municipal purposes for its present fair market value.

ADOPTED BY THE CITY COUNCIL this the 7th day of March, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR of the City of Cullman on the 7th day of March, 2022.

/s/Mayor Woody Jacobs

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 – 44

TO ADOPT THE MUNICIPAL WATER POLLUTION PREVENTION RESOLUTION

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to adopt the Municipal Water Pollution Prevention Resolution;

BE IT RESOLVED, that the City of Cullman, Alabama, informs the Department of Environmental Management that the following actions were taken by the Cullman City Council:

- 1. Reviewed the MWPP Annual Report which is attached to this resolution.
- 2. Set forth the following actions and schedule necessary to maintain effluent requirements contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant:
 - (a) Continue Five-Year Planning for Wastewater.
 - (b) Continue currently Planned Projects.
 - (c) Continue Smoke Testing.
 - (d) Continue Video Inspection.

BE IT FURTHER RESOLVED, that upon the completion of the execution of this Agreement by all Parties, that a copy of such Agreement shall be kept on file by the City Clerk.

ADOPTED BY THE CITY COUNCIL this the 7th day of March, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR of the City of Cullman on the 7th day of March, 2022.

/s/Mayor Woody Jacobs

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

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

RESOLUTION NO. 2022 –45

TO ENTER INTO ALABAMA ASSOCIATION OF FIRE CHIEFS MUTUAL AID CONSORTIUM AGREEMENT

WHEREAS, under the provisions of *Ala. Code* §11-43-140 et seq., a governing body of a city or town may enter into agreements to provide aid beyond their corporate limits or police jurisdictions; and

WHEREAS, the City Council of the City of Cullman recognizes that Alabama faces a wide range of both natural and man-made emergencies requiring fire and emergency response to provide for the safety of our citizens; and

WHEREAS, in times of significant events and incidents, individual fire and emergency response capabilities may become overwhelmed and may not be adequate to effectively minimize the loss of life, severity of injury, and property damage; and

WHEREAS, the City Council of the City of Cullman recognizes that in times of significant emergency, resources, equipment, and trained personnel from across Alabama may be required to best mitigate the emergency; and

WHEREAS, the Alabama Association of Fire Chiefs has developed a Mutual Aid Consortium to provide for the coordination of sharing available resources across jurisdictions in times of need; and

WHEREAS, the City Council of the City of Cullman recognizes and agrees that it is in the best interest of the citizens served City of Cullman Fire Department, and the mutual interest of the citizens of Alabama to enter into agreements whereby fire departments will provide fire and emergency support and assistance in the event of significant events or incidents.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA that the Alabama Association of Fire Chiefs Mutual Aid and Consortium Agreement shall become effective upon the passage of this Resolution.

ADOPTED BY THE CITY COUNCIL this the 7th day of March, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR of the City of Cullman on the 7th day of March, 2022.

/s/Mayor Woody Jacobs

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 adopt the following resolution:

RESOLUTION NO. 2022-46

TO AWARD BID FOR A RUBBER TIRED EXCAVATOR

WHEREAS, bids (R-01879) were opened on March 4, 2022, at 2:00 p.m. for a rubber tired excavator for the City of Cullman,

WHEREAS, the following bids were opened:

Cowin Equipment Company	Birmingham, AL	\$165,805.27
Warrior Tractor	Huntsville, AL	No Bid

WHEREAS, the low bidder for a rubber tired excavator was Cowin Equipment Company; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Cowin Equipment Company, is the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for a rubber tired excavator be awarded to \$165,805.27.

ADOPTED BY THE CITY COUNCIL this the 7th day of March, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR of the City of Cullman on the 7th day of March, 2022.

/s/Mayor Woody Jacobs

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 adopt the following resolution:

RESOLUTION NO. 2022 – 47

TO RESCIND RESOLUTION NO. 2022-38 AND RE-AWARD BID FOR TIMBER

WHEREAS, bids (R-01876) were opened on February 17th, 2022 at 2:00 p.m. to purchase timber on property west of Cullman Wellness and Aquatics Center from the City of Cullman,

WHEREAS, the high bidder to purchase and remove timber is Thompson Appalachian Hardwoods, Inc.; and

WHEREAS, the Cullman City Council award the bid to Thompson Appalachian Hardwoods, Inc. on February 28th, 2022.; and

WHEREAS, Thompson Appalachian Hardwoods, Inc. was withdrawn their bid for the timber on March 7th, 2022; and

BE IT RESOLVED THAT the Cullman City Council has determined that it serves a public purpose to authorize Mayor Woody Jacobs to negotiate terms with the next highest responsible bidder and thereafter subsequently should that bidder be unable to perform per the specifications of the bid or at the bid price as delivered by said bidder.

BE IT FURTHER RESOLVED by the Cullman City Council that should that the next highest bidder be unable to perform per the specifications of the bid or at the amount of the bid delivered then Mayor Woody Jacobs shall have the authority to negotiate and enter into an agreement with the next highest bidder.

ADOPTED BY THE CITY COUNCIL this the 7th day of March, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR of the City of Cullman on the 7th day of March, 2022.

/s/Mayor Woody Jacobs

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 reading of Ordinance No. 2022-13 to annex 1741 Morning Drive NE into the city limits as R-1 Residential District. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2022-13 to annex 1741 Morning Drive NE into the city limits as R-1 Residential District. 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 Folsom: Aye. Council Members: 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. 2022-13.

ORDINANCE NO. 2022-13

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, Sarah Brown Kent, 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: 1741 Morning Drive NE

Parcel No.: 17-01-01-3-002-001.000

PPIN: 17401

Legal Description: Lot Number 32 of Phase No. 3 of the Fourth Addition to Larkwood Subdivision, as shown and known on the recorded plat thereof in the Office of the Judge of Probate of Cullman County, Alabama in Map Book 5 Page 39 (A-266) and Map Book 5, Page 99 (A-280), situated, lying and being in Cullman County, Alabama. Source of Title: Deed Book 639 Page 538 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 7th day of March, 2022.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 7th day of March, 2022.

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

BOARD APPOINTMENTS – None.

Council President Folsom 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 7:13 p.m. by a voice vote. Ayes: All. Nays: None.