

**CULLMAN CITY COUNCIL MEETING ON JULY 7, 2022
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 Thursday, July 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 Brad Smith, Council Member Clint Hollingsworth. Also present was City Clerk Wesley Moore. Absent: Attorney Roy Williams.

Council President Jenny Folsom asked the Council to consider the minutes from June 27, 2022. Council President Pro Tem Cook 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. Mr. Wesley Moore polled the Council Members: Council President Pro Tem Cook, Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from June 27, 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, Council President Folsom: Aye. Council Member David Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) – Chairman Brad Smith – 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 reminds everyone that the 2nd Friday event will be this Friday.
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

Council President Folsom opened the public hearing at 7:08 p.m. for Ordinance No. 2022-22 to rezone Lot 465 and Lot 466 located on Third Avenue SE from M-1 Manufacturing District to CBD Central Business District, which received a favorable recommendation from the City of Cullman Planning Commission. With no one wishing to speak regarding the proposed rezoning, Council President Folsom closed the public hearing at 7:09 p.m.

Council President Folsom opened the public hearing at 7:09 p.m. for Ordinance No. 2022-23 to rezone properties located on 8th Street NE to B-2 Business District, which received a favorable recommendation from the Planning Commission. With no one wishing to speak regarding the proposed rezoning, Council President Folsom closed the public hearing at 7:10 p.m.

REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS

Council Member Hollingsworth made a motion to approve, subject to final approval from Fire and Police Departments, a special event special event request from Michael Pugh for a Rock the South Music Festival at 1872 Co Rd 469 on August 5-6, 2022. Council President Pro Tem Cook 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. 2022 – 81
TO EXTEND THE BID FOR CONCRETE FINISHING**

WHEREAS, the recommendation from the City Clerk Wesley Moore is to extend the current bid (R-01826) for concrete finishing with Ortiz Concrete for the period of one year;

WHEREAS, the Cullman City Council has determined it would serve a public purpose to extend the current bid for concrete finishing with Ortiz Concrete until June 22, 2023;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the bid for concrete finishing, previously awarded to Ortiz Concrete, is hereby extended until June 22, 2023.

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

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

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

/s/Mayor Woody Jacobs

Council Member Smith 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 – 82

TO EXTEND THE BID FOR ELECTRICAL SERVICES

WHEREAS, the recommendation from the City Clerk Wesley Moore is to extend the current bid (R-01824) for ‘as needed’ electrical services with K & M Electrical Contractors, LLC for the period of one year;

WHEREAS, the Cullman City Council has determined it would serve a public purpose to extend the current bid for electrical services with K & M Electrical Contractors, LLC until June 8, 2023;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the bid for electrical services, previously awarded to K & M Electrical Contractors, LLC, is hereby extended until June 8, 2023.

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

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

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

/s/Mayor Woody Jacobs

Council Member Smith 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 – 83

TO EXTEND THE BID FOR PLUMBING SERVICES

WHEREAS, the recommendation from the City Clerk Wesley Moore is to extend the current bid (R-01825) for plumbing services with Dulaney Plumbing, Inc. for the period of one year;

WHEREAS, the Cullman City Council has determined it would serve a public purpose to extend the current bid for plumbing services with Dulaney Plumbing, Inc. until June 8, 2022;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the bid for plumbing services, previously awarded to Dulaney Plumbing, Inc., is hereby extended until June 8, 2022.

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

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

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

/s/Mayor Woody Jacobs

Council Member Smith 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 – 84

TO AWARD THE BID FOR WASTEWATER INVENTORY MATERIALS

WHEREAS, bids (R-01888) were opened on June 30th, 2022 at 2:00 p.m. for wastewater inventory materials for the City of Cullman,

WHEREAS, the following bids were opened:

Consolidated Pipe & Supply, Inc.	Decatur, AL	No Bid
Core & Main LP	Pelham, AL	\$ 129,392.20
Eagle Wholesale Supply, Inc.	Athens, AL	No Bid
Empire Pipe & Supply Co., Inc.	Irondale, AL	No Bid
Ferguson Waterworks, Inc.	Pelham, AL	\$ 101,448.90
Fortiline Waterworks, Inc.	Birmingham, AL	No Bid

G & C Supply Co., Inc.	Atwood, TN	\$ 140,038.52
Southern Pipe & Supply, Inc.	Birmingham, AL	\$ 110,000.00
Vellano Brothers, Inc.	Lincoln, AL	No Bid

WHEREAS, the low bidder for wastewater inventory materials inventory was Ferguson Waterworks, Inc. located in Pelham, Alabama; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Ferguson Waterworks, Inc. is the lowest responsible bidder; and

BE IT RESOLVED by the Cullman City Council that the bid for wastewater inventory materials be awarded to Ferguson Waterworks, Inc. in the amount of \$101,448.90.

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

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR this the 7th day of July, 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 – 85

TO ENTER INTO CONTRACT WITH KISER VOGRIN DESIGN, LLC

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with Kiser Vogrin Design, LLC for planning, landscaping, and architectural design services.

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 Kiser Vogrin Design, LLC for planning, landscaping, and architectural design services.

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

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR this the 7th day of July, 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 Hollingsworth made a motion to adopt the following resolution:

CITY OF CULLMAN

RESOLUTION NO. 2022 – 86

TO APPLY FOR ALABAMA HISTORICAL SITES GRANT

WHEREAS the City of Cullman desires to upgrade the elevator at the Cullman County Museum;

WHEREAS the City of Cullman proposes to submit an application to the Alabama Historical Sites Grant for grant assistance available through the 2023 Historic Sites Grant Program; and

WHEREAS, the estimated total project cost is \$97,437.30, the requested grant amount is \$75,000 for the mechanical system upgrade/repair; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Cullman will provide the required local cash match of \$23,000; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to file an application for these funds, and in the event a grant is awarded, the Cullman City Council understands that the Mayor will be required to sign certifications and assurances to comply with applicable Federal and State laws, rules and regulations.

READ AND APPROVED by the City of Council of Cullman, Alabama on this the 7th day of July 2022.

SIGNED FOR THE CITY OF CULLMAN:

/s/ Woody Jacobs, Mayor

Attest:

/s/ Wesley M. Moore, City Clerk

Council Member Smith 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 – 87

TO AWARD THE BID FOR WATER MATERIALS

WHEREAS, bids (R-01889) were opened on July 5th, 2022 at 2:00 p.m. for water materials for the City of Cullman,

WHEREAS, the following bids were opened:

Consolidated Pipe & Supply, Inc.	Decatur, AL	\$ 37,876.60
Core & Main LP	Pelham, AL	\$ 39,478.60
Eagle Wholesale Supply, Inc.	Athens, AL	No Bid
Empire Pipe & Supply Co., Inc.	Irondale, AL	No Bid
Ferguson Waterworks, Inc.	Pelham, AL	\$ 44,070.48
Fortiline Waterworks, Inc.	Birmingham, AL	No Bid
G & C Supply Co., Inc.	Atwood, TN	No Bid
Southern Pipe & Supply, Inc.	Birmingham, AL	\$ 36,500.00
Vellano Brothers, Inc.	Lincoln, AL	No Bid

WHEREAS, the low bidder for water materials inventory was Southern Pipe and Supply, Inc. located in Birmingham, Alabama; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Southern Pipe and Supply, Inc. is the lowest responsible bidder; and

BE IT RESOLVED by the Cullman City Council that the bid for water materials be awarded to Southern Pipe and Supply, Inc. in the amount of \$36,500.00

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

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

APPROVED BY THE MAYOR this the 7th day of July, 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 President Pro Tem Cook made a motion to suspend the rules to consider Ordinance Nos. 2022-22, 2022-23, 2022-24, 2022-25, 2022-26 and 2022-27. Council Member Moss seconded the motion to suspend the rules to consider Ordinance Nos. 2022-22, 2022-23, 2022-24, 2022-25, 2022-26 and 2022-27, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

Council President Jenny Folsom held the first reading of Ordinance No. 2022-22 to rezone Lot 465 and Lot 466 located on Third Avenue SE from M-1 Manufacturing District to CBD Central Business District, which received a favorable recommendation from the City of Cullman Planning Commission. Council Member Smith made a motion to adopt Ordinance No. 2022-22.

ORDINANCE NO. 2022 – 22

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 owners, the petitioners, the following describe the tract or parcel of land, to-wit:

Property Owner: Jeff Hill Development, LLC.

PPIN: 38547. Parcel No.: 17-05-15-2-025-001.000. Property Address: Lot 465 on 5th Street SE and 3rd Avenue SE. Legal Description: Commence at the Southeast corner of Lot No. 465 (as the same is indicated by the recorded plat of the City of Cullman, Alabama) of the City of Cullman, Alabama, and go North along the West edge of 3rd Avenue East 160 feet, then go at right angles West 132 feet, to West line of said Lot No. 465, then go at right angles South 160 feet, to South line of said Lot No. 465 (and the North edge of 5th Street East), then go East along the North edge of 5th Street East 132 feet to point of beginning.

ALSO THE FOLLOWING PARCEL:

PARCEL I:

A tract or parcel of land in the City of Cullman, Alabama, being a part of Lot No. 465 of the City of Cullman, Alabama and particularly described as follows: Commence the Northeast corner of Lot 465 for the point of beginning of the land herein conveyed; thence South 26°58'12" East 5 feet, more or less to the Northeast corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence South 63°00'49" West 131.36 feet more or less to a point, said point being the Northwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence North 26°58'10" West 5 feet, more or less to the Northwest corner of Lot 465; thence North 63°01'48" East 131.36 feet more or less to the Northeast corner of Lot 465 and the point of beginning.

Source of Title: Deed Book 635, Page 87

Property Owner: Klein Properties, LLC.

PPIN: 59104. Parcel No.: 17-05-15-2-025-001.001. Property Address: Lot 466 on 4th Street SE and 3rd Avenue SE. Legal Description: Commence at the Northeast corner of Lot 466 (as the same is indicated by the recorded plat of the City of Cullman, Alabama) of the City of Cullman, Alabama, and go West along the North line of said lot (which is also the South edge of 4th Street East) 122 feet, then go at right angles South 160 feet, then go at right angles East 122 feet to the East line of said Lot No. 466 (which is the West edge of 3rd Avenue East), then go North along said East line 160 feet to the point of beginning.

ALSO THE FOLLOWING PARCELS:

PARCEL II.

A tract or parcel of land in the City of Cullman, Alabama, being a part of Lot No. 466 of the City of Cullman, Alabama and more particularly described as follows: Commence at the Southeast corner of Lot 466 for the point of beginning of the land herein conveyed, thence North 26°58'09" West 5 feet, more or less, to the Southeast corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence South 63°01'48" West 122.00 feet, more or less, to the Southwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence continue South 63°01'48" West 10 feet, more or less; thence South 26°58'10" East 5 feet, more or less to the Southwest corner of Lot 466, thence North 63°01'48" East 131.36 feet to the point of beginning.

PARCEL III.

A tract or parcel of land in the City of Cullman, Alabama, being a part of Lot No. 466 of the City of Cullman, Alabama and more particularly described as follows: Commence at the Northwest corner of Lot 466 for the point of beginning of the land herein conveyed, thence North 63°01'48" East 10 feet, more or less to the Northwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence South 26°58'09" East 160.00 feet to the Southwest corner of the property currently owned by Vincent Eric Quick and wife, Suzanne J. Quick; thence continue South 26°58'09" East 5 feet, more or less to the South line of Lot 466; thence South 63°01'48" West 10 feet, more or less to the Southwest corner of Lot 466; thence North 26°58'10" West 165.47 to the Northwest corner of Lot 466 and the point of beginning.

Source of Title: Deed Book 635, Page 90

VACATION OF EASEMENT:

Commence at the Northwest corner of Lot 466 of The City of Cullman, Alabama, of the Probate of Cullman County, Alabama, same being the point of beginning; thence run East 10' feet, more or less; thence run S 26 degrees 58'10"E 165.47 feet; thence run West 10' feet, more or less, to the Southwest corner of Lot 466; thence run North 26 degrees 58'09"W 165.47' feet, more or less to the point of beginning.

Vacation of Easement is pursuant to Ordinance No. 2020-04.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as M-1 Manufacturing District on the Zoning Map of the City of Cullman, Alabama, under Ordinances 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 M-1 Manufacturing District to CBD Central 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 7th day of July, 2022 at 7:00 o'clock 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 CITY COUNCIL, this the 7th day of July, 2022.

ATTEST:

/s/ Wesley Moore, City Clerk

/s/ Jenny Folsom, President of the City Council

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

/s/Mayor Woody Jacobs

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

Council President Jenny Folsom held the first reading of Ordinance No. 2022-23 to rezone properties located on 8th Street NE to B-2 Business District, which received a favorable recommendation from the Planning Commission. Council President Pro Tem Cook made a motion to adopt Ordinance No. 2022-23.

ORDINANCE NO. 2022 – 23

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, TULU Properties, LLC, the following describe the tracts or parcels of land, to-wit:

Parcel: 17-02-10-2-042-003.000. PPIN: 22977.

Legal Description: Lots 30 and 31 of Cullman Realty Company's Second High School Addition to the City of Cullman, Alabama as shown and designated on the recorded plat or map within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-2 Business District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby B-2 Business District.

Parcel: 17-02-10-2-043-004.000. PPIN: 9151.

Legal Description: Lots 1 and 2 of the resurvey of Lots 32, 33, 34 and 35 of Cullman Realty Company's Second High School Addition to the City of Cullman, Alabama as recorded in Map Cabinet B, Slide 208A in the Office of the Judge of Probate, Cullman County, Alabama within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-1 Business District on the Zoning Map of the City of Cullman, Alabama, under

Ordinances 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 B-1 Business District to B-2 Business District.

Parcel: 17-02-10-2-043-002.000. PPIN: 49404.

Legal Description: Lot 36 as shown and known by the map of the Cullman Realty Company's Second High School Addition to Cullman Alabama, said map being recorded in the Office of the Judge of Probate of Cullman County, Alabama in Map Book No. 1 within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as R-3 Residential District on the Zoning Map of the City of Cullman, Alabama, under Ordinances 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-3 Residential District to B-2 Business District.

Parcel: 17-02-10-2-043-001.000. PPIN: 46005.

Legal Description: Lot No. 37 as shown and known by the Map of the Cullman Realty Company's Second High School Addition to Cullman, Alabama, said lot being 50 feet wide East and West and 140 feet long North and South within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-1 Business District on the Zoning Map of the City of Cullman, Alabama, under Ordinances 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 B-1 Business District to B-2 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 7th day of July, 2022 at 7:00 o'clock 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 CITY COUNCIL, this the 7th day of July, 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 July, 2022.

/s/ Mayor Woody Jacobs

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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

Council President Jenny Folsom held the first reading of Ordinance No. 2022-24 to annex property located at 984 County Road 702 as R-1 residential district, which received a favorable recommendation from the Planning Commission. Council Member Moss made a motion to adopt Ordinance No. 2022-24.

ORDINANCE NO. 2022 – 24

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, Christopher and Stefanie Wallace, 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 petitioners, be annexed into the City of Cullman:

PPIN: 86976. Parcel No.: 17-06-24-0-001-025.048. Property Address: 984 County Road 702, Cullman, AL 35055.

Legal Description: A tract or parcel of land containing 38,635 square feet of land, more or less and being a part of the Northwest Quarter of the Southwest Quarter of Section 24, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at the purported Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 24, having an Alabama State Plane, West Zone, NAD 83 Coordinate Value of N.1510877.00', E. 2176287 71' and run South 89 degrees 19 minutes 04 seconds East, a distance of 6663.88 feet to a found 1 inch pipe; thence South 89 degrees 41 minutes 16 seconds East, a distance of 172.12 feet to a found capped corner (CA-0259), thence North 16 degrees 46 minutes 25 seconds West, a distance of 124.74 Feet to a set rebar (Conn-17831) marking the point of beginning; thence North 16 degrees 46 minutes 25 seconds West, a distance of 217.09 feet to a set rebar (Conn-17831), thence North 89 degrees 42 minutes 41 seconds East, a distance of 136.06 feet to a set magnetic nail; thence South 87 degrees 48 minutes 51 seconds East, a distance of 29.84 feet to a set magnetic nail; thence South 81 degrees 51 minutes 00 seconds East, a distance of 39.39 feet to a set magnetic nail; thence North 79 degrees 21 minutes 26 seconds East, a distance of 16.37 feet to a set magnetic nail on the West right-of-way line of Cullman County Road No. 702; thence South 16 degrees 45 minutes 56 seconds East and run along the West right-of way line, a distance of 147.95 feet to set rebar (Conn-17831); thence South 72 degrees 32 minutes 53 seconds West, a distance of 210.67 feet to the point of beginning. Subject to any rights-of-ways and/ or easements of record. Description according to the survey of Joseph E. Conn, III AL. Reg No. 17831, dated September 22, 2021.

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 July, 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 July, 2022.

/s/ Mayor Woody Jacobs

Council Member Smith 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

Council President Jenny Folsom held the first reading of Ordinance No. 2022-25 to annex property located at 230 County Road 482 as R-1 residential district, which received a favorable recommendation from the Planning Commission. Council President Pro Tem Cook made a motion to adopt Ordinance No. 2022-25.

ORDINANCE NO. 2022 – 25

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, Joel and Laura Wynn, 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 petitioners, be annexed into the City of Cullman:

PPIN: 63788. Parcel No.: 22-01-02-0-000-005.012. Property Address: 230 County Road 482, Hanceville, AL 35077.
Legal Description: Lot Twelve (12) of Southwood Estate Subdivision, as recorded on Plat B297 and revised Plat recorded in B343-A of the Probate Records of Cullman County, in the South Half of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 2, Township 11, Range 3 West, Cullman County, Alabama. For Source of Title, see Deed Book 551, Page 208.

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 July, 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 July, 2022.

/s/ Mayor Woody Jacobs

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

Council President Jenny Folsom held the first reading of Ordinance No. 2022-26 to annex property located at 231 County Road 1320 as R-1 residential district, which received a favorable recommendation from the Planning Commission. Council Member Moss made a motion to adopt Ordinance No. 2022-26.

ORDINANCE NO. 2022 – 26

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, Anthony and Terry Townson, 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 petitioners, be annexed into the City of Cullman:

PPIN: 32981. Parcel No.: 09-08-34-0-001-009.004. Property Address: 231 County Road 1320, Cullman, AL 35058.
Legal Description: Commence at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 34, Township 9 South, Range 3 West, and S-0°-27'E along the Section line a distance of 200 feet to a point; thence go S-85° -53' W along the South Right-of-Way line of a gravel road a distance of 521 feet to a point; thence S-77° -12' W along said R.O.W. a distance of 204.7 feet to a point; thence S-89°-30'W along said R.O.W. a distance of 363.42 feet to the true point of beginning; thence continue S-89°-30'W along said R.O.W. a distance of 583.4 feet to a point; thence S-0°-27'E a distance of 224 feet; thence N-89°-30'E a distance of 583.4 feet to a point; thence N-0°-27'W a distance of 224 feet to the point of beginning. Said land lying and being in the SE ¼ Ne ¼ Section 34, T-9-S, Range 3 West, containing 3.0 acres, more or less. Also, a 50 feet wide road to be used as access to the above described land West of the Cullman to Eva Road; beginning on the West R.O.W. line of the Eva Road and running parallel to the North boundary of the above described land. LESS AND EXCEPT: A part of the Southwest quarter of the Northeast quarter of Section 34 T9S R3W, more particularly described as follows: commencing at the purported Northeast corner of the Southeast quarter of the Northeast quarter of said Section 34; thence 50°27'00"E along the Section line a distance of 200.00 feet to the South right of way of

County Road 1320 (Friendship Lane); thence S 85°53'00"W along said right of way a distance of 521.00 feet; thence S 77°12'00"W a distance of 204.70 feet; thence S 89° 30'00"W a distance of 363.42 feet to a found "T" Post; thence continue S 89°30'00"W along right of way a distance of 339.48 feet to a set ½ inch rebar iron and the true point of beginning of the property herein described; thence from said true point of the beginning continue S 89°30'00"W along said right of way a distance of 244.00 feet to a found iron capped Conn; thence leaving said right of way, run S 0°30'52"E a distance of 223.73 feet to a found 5/8 inch rebar iron; thence N 89°26'49"E a distance of 244.00 feet; thence N 0°30'52"W, passing a ½ inch rebar iron set for reference at 0.06' a distance of 223.50feet to the true point of beginning and containing 1.25 acres more and less. Said property is subject to all right of way or easements of record ALSO LESS AND EXCEPT: A TRACT OR PARCEL OF LAND CONTAINING 0.31 ACRES OF LAND, MORE OR LESS AND BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING A PART OF THAT CERTAIN TRACT AS CONVEYED TO GLADYS M. SHARPTON BY DEED RECORDED IN DEED BOOK 585, PAGE 945 IN THE OFFICE OF THE JUDGE OF PROBATE, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE PUPORTED NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34 AND RUN SOUTH 00 DEGREES 21 MINUTES 24 SECONDS WEST (BEARING BASED ON AL. STATE PLANE, WEST ZONE, NAD 83, GRID), A DISTANCE OF 200.00 FEET; THENCE RUN SOUTH 86 DEGREES 41 MINUTES 24 SECONDS WEST, A DISTANCE OF 521.00 FEET; THNCE RUNSOUTH 78 DEGREES 00 MINUTES 24 SECONDS WEST, A DISTANCE OF 204.70 FEET; THENCE RUN NORTH 89 DEGREES 41 MINTUES 36 SECONDS WEST, A DISTANCE OF 642.92 FEET TO A SET REBAR IN THE SOUTH RIGHT-OF-WAY LINE OF CULLMAN COUNTY ROAD 1320, SAME BEING THE POINT OF BEGINNING AND HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N.1534371.52' , E. 2169818.93; THENCE CONTINUE NORTH 89 DEGREES 41 MINTUES 36 SECONDS WEST, AND RUN ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 59.98 FEET TO A FOUND CAPPED CORNER (HARRIS-5742) MARKING THE NORTHWEST CORNER OF SAID SHARPTON TRACT; THENCE SOUTH 00 DEGREES 21 MINTUES 36 SECONDS WEST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 223.64FEET TO A FOUND ½ INCH REBAR MARKING THE SOUTHWEST CORNER OF SAID SHARPTON TRACT; THENCE SOUTH 89 DEGREES 47 MINTUES 08 SECONDS EAST, A DISTANCE OF 60.35 FEETTO A SET REBAR; THENCE NORTH 00 DEGREES 16 MINTUES 01 SECONDS EAST, A DISTANCE OF 22.54 FEET TO THE OINT OF BEGINNING. SUBJECT TO ANY RIGHT-OF-WAY AND/OR EASEMENTS OF RECORDS.

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 July, 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 July, 2022.

/s/ Mayor Woody Jacobs

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

Council President Jenny Folsom held the first reading of Ordinance No. 2022-27 to vacate and surplus property located north of 604 5th Avenue SW, which received a favorable recommendation from the Planning Commission. Council Member Hollingsworth made a motion to adopt Ordinance No. 2022-27.

TO VACATE AND SURPLUS PROPERTY NOT NEEDED FOR ANY PUBLIC OR MUNICIPAL PURPOSE

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

1. The City of Cullman is the owner of property located off 5th Avenue SW, Cullman, Alabama 35055.
2. The Cullman City Council finds and determines that this property is not needed by the City of Cullman for public or municipal purposes and hereby vacates the property and declares it surplus.
3. The City Council hereby authorizes the Mayor to sell this property for its fair market value.
4. This ordinance shall become effective upon its passage and publication as required by law.

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

/s/ Mayor Woody Jacobs

Council Member Smith 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: Aye. Council Member Hollingsworth: Aye.

Council President Folsom shared that the community has lost a great leader; as former mayor Don Green has passed away. He made significant contributions as a member of the city council, as mayor, a teacher, leader and visionary.

BOARD APPOINTMENTS

Council President Pro Tem Cook made a motion to appoint Nathan Anderson to the CATS 55 TV board to replace Michael Sullins. Brad Smith 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 President Pro Tem Cook seconded the motion, and the meeting was adjourned at 7:20 p.m. by a voice vote. Ayes: All. Nays: None.