

**CULLMAN CITY COUNCIL MEETING
MONDAY, OCTOBER 2, 2023, AT 7:00 P.M.
IN THE LUCILLE N. GALIN AUDITORIUM**

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:00 p.m. on Monday, October 2, 2023. 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 - Council President Jenny Folsom, Council President Pro Tem Johnny Cook, Council Member David Moss, Council Member Brad Smith, and Council Member Clint Hollingsworth. Also present were Mayor Woody Jacobs, City Attorney Roy Williams, and City Clerk Wesley Moore.

Council President Jenny Folsom asked the Council to consider the minutes from September 25, 2023. Council President Pro Tem Cook made a motion to suspend the rules to consider the minutes. Council Member Smith 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 Brad Smith: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from September 25, 2023, as written. Council Member Hollingsworth 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 Brad 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 reported the city and county are now joint owners of the landfill. Chairman Cook also read a letter from a third grader saying that the City of Cullman is better than any other city; stating that Cullman has better festivals, restaurants, schools and jobs.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth shared that Oktoberfest was a tremendous event with great vendors, food, and music; thanking everyone that worked so hard to make it such a memorable event.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom reported that the 2024 fiscal year began on October 1; and that financial reports will be given at the end of each quarter.

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

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

Council President Pro Tem Cook made a motion to approve a special event request from Greg Speegle of Cullman Moose Lodge for the Annual Turkey Shoots every Saturday morning in November and December. 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 approve a special event request from Amanda Garrison of Sonic Drive-In for Cruise-In's on Compass Way SW on October 13, November 10, and December 8, 2023. Council President Pro Tem Cook seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Smith made a motion to approve a special event request from The Link of Cullman for a Trunk or Treat with Community Meal on October 26th. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

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

RESOLUTION NO. 2024 – 01

WHEREAS, Chambers of Commerce strive to address the community's top challenges and greatest opportunities through bold leadership and innovative problem-solving; and

WHEREAS, chambers of commerce foster stronger, more vibrant communities by advocating for priorities to promote economic prosperity, boost quality of life and create access to meaningful employment and opportunity for all residents; and

WHEREAS, chambers of commerce are champions of communities, serving as a trusted resource for businesses, residents, and other stakeholders; and

WHEREAS, chambers of commerce create catalytic community partnerships to build resilient economies and promote community-wide prosperity; and

WHEREAS, Cullman Chamber embarks on 80 years of opening doors to opportunity and building our legacy based on the success of the businesses we serve; and

THEREFORE BE IT RESOLVED that October 18, 2023 is Support Your Local Chamber of Commerce Day and the City Council encourages the Cullman area residents to learn more about the chamber, its impact and support of local businesses.

ADOPTED BY THE CITY COUNCIL this the 2nd day of October, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 2nd day of October, 2023.

/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:

RESOLUTION NO. 2024 – 02
TO CONTINUE SUPPORTING OF THE CULLMAN CITY SCHOOL BOARD
TO ASSIST IN FUNDING THEIR ONGOING CAPITAL IMPROVEMENT PLAN

WHEREAS, the Cullman City Council has determined that continuing the support of the Cullman City School Board and their on-going capital improvement plan would service a public purpose by providing exceptional education opportunities in Cullman;

BE IT RESOLVED by the Cullman City Council that the City will hereby continue the support for the Cullman City School Board and their on-going capital improvement plan to provide exceptional education opportunities in Cullman, Alabama.

ADOPTED BY THE CITY COUNCIL this the 2nd day of October, 2023.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 2nd day of October, 2023.

/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 Jenny Folsom asked the Council to consider Ordinance Nos. 2024-01 and 2024-02. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance Nos. 2024-01 and 2024-02. Council Member Smith 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 Brad Smith: Aye. Council Member Hollingsworth: Aye.

Council President Jenny Folsom held the first reading of Ordinance No. 2024-01 to annex a vacant lot on County Road 1180, which received a favorable recommendation from the Planning Commission. Council President Cook made a motion to approve Ordinance No. 2024-01.

ORDINANCE NO. 2024-01
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, BCJT, 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 Owner: BCJT, LLC

PPIN: 40710. Parcel No. 09-09-31-0-001-004.005. Property Address: 0 County Road 1180, Cullman, Alabama.

Legal Description: Commencing at the center of the South Boundary of the SW 1/4 of Section 30, T9S, R3W, in Cullman County, Alabama; thence 87 degrees 31 minutes East 806 feet to an iron pin set and the point of beginning for the property herein described;

thence South 87 degrees 29 minutes 46 seconds East 224 feet to West Right-of-Way of County Road 1180; thence along the West boundary line of said County Road as it meanders Southerly a distance of 385 feet; thence leaving Right of Way of said road West 51 feet to an iron pin found; thence North 4 degrees 35 minutes 33 seconds West 383 feet to the point of beginning; containing 3/4 acre, more or less. Source of Title: Deed Book 424, Page 779.

SECTION 2. That the Council has before it a map showing the relationship of the properties 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 owner 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 tract or parcel 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 2nd day of October, 2023.

Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 2nd day of October, 2023.

/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 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. 2024-02 to annex County Road 702, which received a favorable recommendation from the Planning Commission. Council Member Moss made a motion to approve Ordinance No. 2024-02.

ORDINANCE NO. 2024-02

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, Seth Brock, 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:

PPIN: 78201. Parcel No. 17-06-24-0-001-025.010. Property Address: 970 County Road 702, Cullman, Alabama.

Legal Description: A tract or parcel of land containing 0.53 acres 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 northeast corner of said Northwest Quarter of the Southwest Quarter of said Section 24 and run South 00 degrees 31 minutes 56 seconds West (bearing based on AL. State Plane, West Zone, NAD 83 Grid) a distance of 887.74 feet; thence run North 88 degrees 35 minutes 00 seconds West, a distance of 398.37 feet to a found capped corner (Harris-5742) marking the southeast corner of the Lewis Tract as recorded in Deed Book 657, Page 458 in the Office of the Judge of Probate, Cullman County, Alabama, same being the point of beginning and having and Alabama State Plane, West Zone, NAD 83 Coordinate value of N. 1511296.27', E. 2177214.67' and being on the west right-of-way line of Highway No. 702; thence North 88 degrees 34 minutes 33 seconds West and run along the south line of said Lewis Tract a distance of 221.79 feet to a found capped corner (Harris-5742); thence South 16 degrees 44 minutes 52 seconds East, a distance of 111.85 feet to a found capped corner (Harris-5742) marking the northwest corner of the Knighten Tract as recorded in Deed Book 651, Page 56 in the Office of the Judge of Probate, Cullman County, Alabama; thence South 89 degrees 45 minutes 01 seconds East, a distance of 220.42 feet to a found capped corner (Harris-5742) marking the northeast corner of said Knighten Tract, same being on the West right-of-way line of Cullman County Road No. 702; thence North 16 degrees 46 minutes 54 seconds West and run along said right-of-way line a distance of 107.12 feet to the point of beginning. Subject to any rights-of-way and/or easements of record.

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 contingent upon the owner granting an easement up to but not exceeding an additional fifty (50) feet in width less any width of existing public road contiguous to said easement for a public road right-of-way including utilities for water, sewer, surface water, natural gas, electric, internet, cable or other public services provided by the City or its franchises.

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 2nd day of October, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 2nd day of October, 2023.

/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 Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Smith: 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 Smith seconded the motion, and the meeting was adjourned at 7:20 p.m. by a voice vote. Ayes: All. Nays: None.