

**CULLMAN CITY COUNCIL MEETING
MONDAY, NOVEMBER 27, 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 7:01 p.m. on Monday, November 27, 2023. Police Chief David Nassetta 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, and City Clerk Wesley Moore. Absent was City Attorney Roy Williams.

Council President Jenny Folsom asked the Council to consider the minutes from November 13, 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 November 13, 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 – No report.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth reported that Christkindmarkt is open, and about 75% of the vendors being local businesses. The attendance was great for pyramid lighting and expect an even larger crowd for the parade and tree lighting on December 1st. The market is a wonderful experience; and it will be open each Thursday through Sunday until Christmas.
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

Emily Neizer Johnston, 220 Waterford Drive, announced her candidacy for Circuit Judge Place 2 in the upcoming election.

PUBLIC HEARINGS

Council President Folsom opened the public hearing at 7:10 p.m. for Ordinance 2024-03 to rezone N31, LLC property located at US Highway 31 and US Highway 157 to rezone properties from B-3 and M-1 to R-4 which received a favorable recommendation from the Planning Commission. Speaking against the rezoning was Patti Phillips, 2038 Peachtree Lane NW. Speaking in favor of the rezoning was Taylor Eidson, 1911 2nd Ave SW. Council President Folsom closed the public hearing at 7:17 p.m.

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

Council Member Smith made a motion to approve a request from 1 Stop Food & Fuel, of 1617 4th Street SW, for a retail table wine and beer off-premises alcohol license which received a favorable recommendation from the Alcohol Review Committee. 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. 2024-11

TO EXTEND THE BID FOR VARIOUS TYPES OF PIPE

WHEREAS, the recommendation from the Street Superintendent Scott Talley is to extend the current bid (R2022-1898) for various types of pipe with Bear Concrete Products, 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 various types of pipe with Bear Concrete Products, Inc. for the period of one year;

THEREFORE, BE IT RESOLVED by the Cullman City Council that the bid for various types of pipe, previously awarded to Bear Concrete Products, Inc., is hereby extended until November 30, 2024.

ADOPTED BY THE CITY COUNCIL this the 13th day of November, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 13th day of November, 2023.

/s/Mayor Woody Jacobs

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 adopt the following resolution:

**CITY OF CULLMAN
RESOLUTION NO. 2024-12**

WHEREAS, City of Cullman has applied for and received a \$800,000.00 FY2024 Transportation Alternatives Program Grant (TAP) Grant #:TAPAA-TA24(902) to rehabilitate and construct new handicapped accessible sidewalks south along 4th Avenue, SW from US Highway 278 to 4th Street SW and will extend west along 4th Street SW to the intersection of 5th Avenue SW in downtown Cullman.

WHEREAS, the City Council of Cullman recognizes that it is in the City's best interest to accept the above referenced grant funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Cullman City Council authorizes Woody Jacobs, Mayor to sign both the TAP Grant Agreement, certifications, assurances, and any other necessary documents associated with implementation of this grant project.

READ AND ADOPTED this the 27th day of November 2023.

Signed for the Cullman City Council:

By: /s/ Woody Jacobs, Mayor

Attest:

/s/ Wesley M. Moore, City Clerk

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:

**CITY OF CULLMAN
RESOLUTION NO. 2024-13**

BE IT RESOLVED, by the City of Cullman as follows:

That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

**Downtown streetscape improvements along 4th Ave SW from 3rd St SW to 4th St SW and along 4th St SW from 4th Ave SW to 5th Ave SW in the City of Cullman;
Project# TAPAA-TA24(902); CPMS Ref# 10077845.**

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Cler and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Cullman, Alabama, do hereby certified that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the 27th day of November, 2023, and that such resolution is on file in the City Clerk's Office.

ATTESTED: /s/ Wesley Moore, City Clerk

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2024 – 14

APPROVING CHANGE ORDERS NO. 1 AND NO. 2 FOR JIM COOPER CONSTRUCTION COMPANY, INC.

WHEREAS, the Cullman City Council awarded the bid for the new Civic Center Complex recently named "OmniPlex" to Jim Cooper Construction Company, Inc. in the amount of \$19,583,687.00;

WHEREAS, the City of Cullman wishes to approve Change Orders No. 1 and No. 2 to increase the project cost by \$4,511.99 for upgrading interior doors and by \$1,387.79 for adding floor electrical boxes to \$19,589,586.78; and

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is authorized to execute Change Orders No. 1 and No. 2 which will increase the total cost of the contract with Jim Cooper Construction Company, Inc. to \$19,589,586.78.

ADOPTED BY THE CITY COUNCIL this the 27th day of November, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 27th day of November, 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 Moss made a motion to adopt the following resolution:

**RESOLUTION NO. 2024-15
TO ENTER INTO A PROPERTY LEASE AGREEMENT**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to lease property located at 3040 County Road 703, which is owned by the City of Cullman; and

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 lease agreement with Sam Dillender for a building located at 3040 County Road 703.

ADOPTED BY THE CITY COUNCIL this the 27th day of November, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 27th day of November, 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 Smith made a motion to adopt the following resolution:

**RESOLUTION NO. 2024-16
AUTHORIZING THE MAYOR TO ENTER INTO A
RECOVERED RESOURCE REVENUE AGREEMENT**

BE IT RESOLVED by the City Council for the City of Cullman, that Mayor Woody Jacobs is hereby authorized to enter into a Recovered Resource Revenue Agreement with the Solid Waste Disposal Authority of the City and County of Cullman, Alabama.

ADOPTED BY THE CITY COUNCIL this the 27th day of November, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 27th day of November, 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 President Jenny Folsom held the first reading of Ordinance 2024-03 to rezone N31, LLC property located at US Highway 31 and US Highway 157 to rezone properties from B-3 and M-1 to R-4 which received a favorable recommendation from the Planning Commission.

Council President Jenny Folsom held the first reading of Ordinance 2024-05 to approve the Severe Weather Preparedness Sales Tax Holiday from February 23, 2024, until February 25, 2024, and on the last full weekend of February each year thereafter.

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 7:22 p.m. by a voice vote. Ayes: All. Nays: None.