

**CULLMAN CITY COUNCIL MEETING  
MONDAY, DECEMBER 11, 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, December 11, 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 was City Clerk Wesley Moore. Absent were Mayor Woody Jacobs, and City Attorney Roy Williams.

Council President Jenny Folsom asked the Council to consider the minutes from December 4, 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: Aye. 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 December 4, 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 shared information of the upcoming repaving project on St. Joseph Street.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth reported the Christkindlmarkt is a nice event and has been drawing many out of town visitors.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom – No report.

**REPORT FROM THE MAYOR** - No report.

**COMMENTS FROM ANYONE NOT ON THE AGENDA**

Sandra Howlett, 1742 Sharpton Road, spoke regarding the traffic on Sharpton Road.

**PUBLIC HEARINGS**

Council President Folsom opened the public hearing at 7:07 p.m. for Ordinance No. 2024-04 to rezone Copper Horse Properties, LLC property located at Logan Street and Veigl Avenue SW from R-3 to R-4 Residential District which received a favorable recommendation from the Planning Commission. With no one wishing to speak for or against the proposed rezoning, Council President Folsom closed the public hearing at 7:08 p.m.

**REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER** - None.

**RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS**

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

**RESOLUTION NO. 2024 – 19**

**TO ESTABLISH THE CULLMAN CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2024**

WHEREAS, the Cullman City Council encourages the public to attend all Cullman City Council Meetings and has determined that the following dates and times listed below would be the most appropriate:

Thursday, January 4 <sup>th</sup> , 2024 at Noon	Monday, July 15 <sup>th</sup> , 2024 at 7:00 p.m.
Monday, January 22 <sup>nd</sup> , 2024 at 7:00 p.m.	Monday, July 22 <sup>nd</sup> , 2024 at 7:00 p.m.
Monday, February 12 <sup>th</sup> , 2024 at 7:00 p.m.	Monday, August 12 <sup>th</sup> , 2024 at 7:00 p.m.
Monday, February 19 <sup>th</sup> , 2024 at 7:00 p.m.	Monday, August 26 <sup>th</sup> , 2024 at 7:00 p.m.
Monday, March 4 <sup>th</sup> , 2024 at 7:00 p.m.	Monday, September 9 <sup>th</sup> , 2024 at 7:00 p.m.
Friday, March 15 <sup>th</sup> , 2024 at Noon	Monday, September 23 <sup>rd</sup> , 2024 at 7:00 p.m.
Monday, April 8 <sup>th</sup> , 2024 at 7:00 p.m.	Monday, October 21 <sup>st</sup> , 2024 at 7:00 p.m.
Monday, April 22 <sup>nd</sup> , 2024 at 7:00 p.m.	Monday, October 28 <sup>th</sup> , 2024 at 7:00 p.m.
Monday, May 6 <sup>th</sup> , 2024 at 7:00 p.m.	Monday, November 4 <sup>th</sup> , 2024 at 7:00 p.m.

Monday, May 13<sup>th</sup>, 2024 at 7:00 p.m.

Monday, November 18<sup>th</sup>, 2024 at 7:00 p.m.

Monday, June 3<sup>rd</sup>, 2024 at 7:00 p.m.

Monday, December 2<sup>nd</sup>, 2024 at 7:00 p.m.

Monday, June 24<sup>th</sup>, 2024 at 7:00 p.m.

Monday, December 9<sup>th</sup>, 2024 at 7:00 p.m.

THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman that the schedule of dates and times for the Cullman City Council Meetings are hereby adopted.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Pro Tem Cook made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 – 20**

**TO ACCEPT EVANS LANE, AUSTIN DRIVE AND BRANDON DRIVE AS A PART OF THE PUBLIC STREET SYSTEM**

**WHEREAS**, Developer DH North Ridge, LLC., has recorded a final plat of North Ridge Subdivision, Phase I, located in Cullman County Map Book 2021, Page 24; and

**WHEREAS**, said Plat shows public roads proposed for dedication to the City of Cullman; and

**WHEREAS**, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations, or 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 roads, the design intent has been achieved, and the roads are in acceptable condition and that the infrastructure work was constructed per the approved plans by the City; and

**WHEREAS**, the Mayor and Cullman City Council deem it in the best interest of the City of Cullman that the Letter of Dedication of the public roads Evans Lane, Austin Drive and Brandon Drive be accepted and the same become a part of the public street and thoroughfare system of the City of Cullman; and

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

25 feet evenly off either side of the centerline of Evans Lane, Austin Drive and Brandon Drive as shown by the Corrected Plat of North Ridge, Phase I, as shown by map or plat on file of record in Map Book 2021, Page 24, in the Probate Records of Cullman County, Alabama.

**Property Address: Reserve at North Ridge Subdivision, Phase I, Cullman, AL 35055**

*FOR SOURCE OF TITLE, SEE DEED BOOK 694, PAGE 44, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF CULLMAN COUNTY, ALABAMA.*

**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 roads of Evans Lane, Austin Drive and Brandon Drive as city streets.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Member Smith made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 – 21**

**TO ACCEPT BRANDON DRIVE, MISTY DRIVE AND DUSTIN DRIVE AS A PART OF THE PUBLIC STREET SYSTEM**

**WHEREAS**, Developer BC North Ridge, LLC., has recorded a final plat of North Ridge Subdivision, Phase II, located in Cullman County Map Book 2022, Page 40; and

**WHEREAS**, said Plat shows public roads proposed for dedication to the City of Cullman; and

**WHEREAS**, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations, or 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 roads, the design intent has been achieved, and the roads are in acceptable condition and that the infrastructure work was constructed per the approved plans by the City; and

**WHEREAS**, the Mayor and Cullman City Council deem it in the best interest of the City of Cullman that the Letter of Dedication of the public roads Brandon Drive, Misty Drive and Dustin Drive be accepted and the same become a part of the public street and thoroughfare system of the City of Cullman; and

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

25 feet evenly off either side of the centerline of Brandon Drive, Misty Drive and Dustin Drive as shown by the Final Plat of North Ridge Subdivision, Phase II, as shown by map or plat on file of record in Map Book 2022, Page 40, in the Probate Records of Cullman County, Alabama.

**Property Address: North Ridge Subdivision, Phase II, Cullman, AL 35055**

*FOR SOURCE OF TITLE, SEE DEED BOOK 717, PAGE 510, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF CULLMAN COUNTY, ALABAMA.*

**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 roads of Brandon Drive, Misty Drive and Dustin Drive as city streets.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Pro Tem Cook made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 – 22**

**TO ACCEPT ASHLAND DRIVE AS A PART OF THE PUBLIC STREET SYSTEM**

**WHEREAS**, Developer GCR DEVELOPMENT, LLC., has recorded a final plat of Highpoint Subdivision, Phases I/II, located in Cullman County Map Book 2021, Page 22, and Map Book 2022, Page 36; and

**WHEREAS**, said Plat shows public roads proposed for dedication to the City of Cullman; and

**WHEREAS**, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations, or 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 the road is in acceptable condition and that the infrastructure work was constructed per the approved plans by the City; and

**WHEREAS**, the Mayor and Cullman City Council deem it in the best interest of the City of Cullman that the Letter of Dedication of the public road, Ashland be accepted and the same become a part of the public street and thoroughfare 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:

25 feet off either side of the centerline of Ashland Drive as shown by the Plat of High Point, Phase I and Phase II, as shown by map or plat on file of record in Map Book 2021, Page 22, and Map Book 2022, Page 36, in the Probate Records of Cullman County, Alabama.

**Property Address: Highpoint Subdivision, Phases I/II, Cullman, AL 35055**

*FOR SOURCE OF TITLE, SEE DEED BOOK 2004, PAGE 21, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF CULLMAN COUNTY, ALABAMA.*

**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 Ashland Drive as a city street.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Member Moss made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 – 23**

**TO ACCEPT MCAFEE ROAD AND DAWSON LANE AS A PART OF THE PUBLIC STREET SYSTEM**

**WHEREAS**, Developer DH North Ridge, LLC., has recorded a final plat of Reserve at North Ridge Subdivision, Phase I, located in Cullman County Map Book 2022, Page 07; and

**WHEREAS**, said Plat shows public roads proposed for dedication to the City of Cullman; and

**WHEREAS**, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations, or 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 roads, the design intent has been achieved, and the roads are in acceptable condition and that the infrastructure work was constructed per the approved plans by the City; and

**WHEREAS**, the Mayor and Cullman City Council deem it in the best interest of the City of Cullman that the Letter of Dedication of the public roads, McAfee Road and Dawson Lane be accepted and the same become a part of the public street and thoroughfare 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:

25 feet evenly off either side of the centerline of McAfee Road and Dawson Lane as shown by the Final Plat of Reserve at North Ridge, Phase I, as shown by map or plat on file of record in Map Book 2022, Page 07, in the Probate Records of Cullman County, Alabama.

**Property Address: Reserve at North Ridge Subdivision, Phase I, Cullman, AL 35055**

*FOR SOURCE OF TITLE, SEE DEED BOOK 701, PAGE 525, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF CULLMAN COUNTY, ALABAMA.*

**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 roads of McAfee Road and Dawson Lane as city streets.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 2023.

/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 Smith made a motion to adopt the following resolution:

**CITY OF CULLMAN  
RESOLUTION NO. 2024 – 24  
TO AWARD THE BID FOR WOODLAND STREET WATER TANK REHABILITATION**

WHEREAS, bids (PW 2024-01) were opened on December 6, 2023, at 2:00 p.m. for the Woodland Street water tank rehabilitation project; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that G & L Tank Sandblasting and Coatings, LLC was the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the Woodland Street water tank rehabilitation be awarded to the lowest responsible bidder, G & L Tank Sandblasting and Coatings, LLC.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Member Moss made a motion to adopt the following resolution:

**CITY OF CULLMAN  
RESOLUTION NO. 2024 – 25  
TO AWARD AN EMERGENCY BID FOR BASE REPAIRS AND PAVEMENT ON ST. JOSEPH DRIVE NW**

WHEREAS, St. Joseph Drive NW has experienced rapid and unexpected deterioration to a section of road that has created unsafe driving conditions to the traveling public, causing the need to let an emergency bid for base repairs and pavement of this section of road; and

WHEREAS, emergency bids (EB 2024-01) were opened on December 8, 2023, for a full depth reclamation for base repairs and pavement on St. Joseph Drive NW; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Chilton Contractors, Inc. was the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for full depth reclamation for base repairs and pavement be awarded to the lowest responsible bidder, Chilton Contractors, Inc.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 2023.

/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 Smith made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 – 26**  
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CIVIC PLUS**  
**FOR SOCIAL MEDIA ARCHIVING SERVICES**

BE IT RESOLVED by the City Council for the City of Cullman, that Mayor Woody Jacobs is hereby authorized to enter into an agreement with CivicPlus for social media archiving services through ArchiveSocial.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Pro Tem Cook made a motion to adopt the following resolution:

**CITY OF CULLMAN**  
**RESOLUTION NO. 2024 – 27**

**BE IT HEREBY RESOLVED**, by the City Council of Cullman that the Council, hereby amends Resolution 2022-09 with the following revised and attached Cullman Fire Rescue FLSA Work Cycle Policy reflecting the 26-day cycle.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 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 Pro Tem Cook made a motion to adopt the following resolution:

**RESOLUTION NO. 2024 – 28**  
**AUTHORIZING THE MAYOR TO PURCHASE REAL PROPERTY**

WHEREAS, the City of Cullman has an opportunity to purchase property adjacent to Heritage Park for public and/or municipal use; and

WHEREAS, the Cullman City Council believes that it is in the best interest of the City to purchase property consisting of seven (7) acres, more or less, which is adjacent to Heritage Park, to be used for public and/or municipal use; and

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Cullman that Mayor Woody Jacobs is hereby authorized to purchase property for its fair market value under the terms and conditions as he deems just.

ADOPTED BY THE CITY COUNCIL this the 11<sup>th</sup> day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11<sup>th</sup> day of December, 2023.

/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 Jenny Folsom held the second reading of 2024-06 to annex a vacant lot located on County Road 1188 as AG-1 Agriculture District which received a favorable recommendation from the Planning Commission. Council Member Smith made a motion to approve Ordinance No. 2024-06.

**ORDINANCE NO. 2024 – 06**  
**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, City of Cullman, 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:

PIN: 4013. Parcel No.: 09-09-30-0-002-019.000. Property Address: 0 County Road 1188.

Legal Description: A tract or parcel of land containing 2.48 acres of land, more or less, and being a part of the Southwest Quarter of the Southwest Quarter of Section 30, Township 9 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Begin at found 5/8 inch rebar marking the accepted Northwest corner of said Southwest Quarter of the Southwest Quarter of Section 30, having an Alabama State Plane, West Zone, NAD 83 Coordinate value of N. 1537885.61', E. 2149961.06' and run thence South 00 degrees 28 Minutes 20 Seconds East (bearing based on Al. State Plane, West Zone, NAD 83, Grid) and run along the accepted West line a distance of 627.49 feet to a found 1/2" pipe; thence North 89 degrees 41 minutes 07 seconds East, a distance of 256.49 feet to a found 5/8 inch rebar; thence North 15 degrees 25 minutes 48 seconds West, a distance of 644.20 feet to a found 5/8 inch rebar on the accepted North line of said Quarter-Quarter; thence North 86 degrees 46 minutes 54 seconds West, a distance of 90.40 feet to the point of beginning. Subject to any rights of ways and/or easements of record. Description taken from the survey of Joseph E. Conn, III, AL. Reg. No. 17831, dated September 15, 2023.

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 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 tracts or parcels of land as AG-1 Agriculture 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 11th day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11th day of December, 2023.

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

Council President Jenny Folsom held the second reading of Ordinance No. 2024-07 to annex two parcels located on County Road 468 as AG-1 Agriculture District which received a favorable recommendation from the Planning Commission. Council Member Moss made a motion to approve Ordinance No. 2024-07.

#### **ORDINANCE NO. 2024 – 07**

#### **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, Wesley and Sherry Moore, 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:

PIN: 89001. PARCEL NUMBER: 22-01-11-0-000-016.001. PROPERTY ADDRESS: 0 County Road 468.

Parcel 3 - Part of the Southeast Quarter of the Northwest Quarter of Section 11, Township 11 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at a 5/8 inch rebar being accepted as the southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 11; thence run along the east line of said Quarter, Quarter North 00 degrees, 17 minutes, 53 seconds, West 747.19 feet to a 1/2 inch capped rebar on the south right-of-way of Cullman County Highway 468; thence continue along the west line of the Southeast Quarter of the Northwest Quarter of said Section 11 North 00 degrees, 08

minutes, 04 seconds, West 72.70 feet to a calculated point on the curving north right-of-way of said Cullman County Highway 468, said point being the Point of Beginning, (said curve being to the left, having a radius of 329.55 feet, a delta angle of 10 degrees, 52 minutes, 24 seconds, and an arc length of 62.54 feet); thence run a chord bearing of North 53 degrees, 28 minutes, 50 seconds, West and along said curving north right-of-way for a chord distance of 62.45 feet to a ½ inch capped rebar (CA-965-LS); thence run North 00 degrees, 17 minutes, 04 seconds, West and parallel to the east line of the southeast Quarter of the Northwest Quarter of said Section 11 for a distance of 130.94 feet to a ½ inch capped rebar (CA-965-LS); thence run North 31 degrees, 50 minutes, 06 seconds, West 213.12 feet to a ½ inch capped rebar (CA-965-LS); thence run North 85 degrees, 31 minutes, 06 seconds, West 173.72 feet to a ½ inch iron pipe at an old fence corner; thence run North 01 degrees, 19 minutes, 49 seconds, West 144.32 feet to a ½ inch iron pipe on the north line of the Southeast Quarter of the Northwest Quarter of said Section 11; thence run along said north line South 88 degrees, 34 minutes, 02 seconds, East 337.42 feet to a ½ inch capped rebar and being accepted as the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 11; thence run along the accepted east line of the Southeast Quarter of the Northwest Quarter of said Section 11, South 00 degrees, 17 minutes, 04 seconds, East 498.58 feet to the Point of Beginning and passing thru a 5/8 inch capped rebar at 492.79 feet. Said parcel 3 contains 1.77 acres, more or less, less and except any easements and/or rights-of-way of record.

PPIN: 14727. PARCEL NUMBER: 22-01-11-0-000-016.000. PROPERTY ADDRESS: 521 County Road 468.

Parcel 4 - Part of the Southeast Quarter of the Northwest Quarter of Section 11, Township 11 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at a 5/8 inch rebar being accepted as the southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 11; thence run along the east line of said Quarter, Quarter North 00 degrees, 17 minutes, 53 seconds, West 747.19 feet to a ½ inch capped rebar on the south right-of-way of Cullman County Highway 468; thence continue along the west line of the Southeast Quarter of the Northwest Quarter of said Section 11 North 00 degrees, 08 minutes, 04 seconds, West 72.70 feet to a calculated point on the curving north right-of-way of said Cullman County Highway 468, (said curve being to the left, having a radius of 329.55 feet, a delta angle of 10 degrees, 52 minutes, 24 seconds, and an arc length of 62.54 feet); thence run a chord bearing of North 53 degrees, 28 minutes, 50 seconds, West and along said curving north right-of-way for a chord distance of 62.45 feet to a ½ inch capped rebar (CA-965-LS), said point being the Point of Beginning; thence run North 00 degrees, 17 minutes, 04 seconds, West and parallel to the east line of the southeast Quarter of the Northwest Quarter of said Section 11 for a distance of 130.94 feet to a ½ inch capped rebar (CA-965-LS); thence run North 31 degrees, 50 minutes, 06 seconds, West 213.12 feet to a ½ inch capped rebar (CA-965-LS); thence run North 85 degrees, 31 minutes, 06 seconds, West 44.29 feet to a ½ inch iron pipe; thence run South 02 degrees, 18 minutes, 24 seconds, East 269.22 feet to a ½ inch capped rebar (CA-965-LS) on the curving north right-of-way of said Cullman County Highway 468 (said curve being to the right, having a radius of 329.55 feet, a delta angle of 26 degrees, 57 minutes, 00 seconds, and an arc length of 155.01 feet); thence run a chord bearing of South 72 degrees, 23 minutes, 32 seconds, East and along said curving north right-of-way for a chord distance of 153.58 feet to the Point of Beginning. Said parcel 4 contains 0.75 acres, more or less, less and except any easements and/or rights-of-way of record.

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 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 AG-1 Agricultural District contingent upon the owners 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 11th day of December, 2023.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 11th day of December, 2023.

/s/Mayor Woody Jacobs

Council President Cook 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 Folsom held the first reading of Ordinance No. 2024-04 to rezone Copper Horse Properties, LLC property located at Logan Street SW and Veigl Avenue SW from R-3 to R-4 Residential District which received a favorable recommendation from the Planning Commission.



Council President Folsom held the first reading of Ordinance No. 2024-09 to vacate a storm sewer easement located at 1502 Warnke Road NW.

Council President Folsom held the first reading of Ordinance No. 2024-10 to update the building permit fee schedule for the Building Department.

**BOARD APPOINTMENTS** - None.

Council President Folsom asked for a motion to adjourn. Council Member Moss made the motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:20 p.m. by a voice vote. Ayes: All. Nays: None.