

**CULLMAN CITY COUNCIL MEETING
MONDAY, OCTOBER 21, 2024 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 21, 2024. Police Chief Joey Duncan 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 Jenny Folsom, Council President Pro Tem Johnny Cook, Council Member David Moss, and Council Member Brad Smith and Council Member Clint Hollingsworth. City Clerk Wesley Moore and City Attorney Roy Williams was also present.

Council President Jenny Folsom asked the Council to consider the minutes from September 23, 2024. Council President Pro Tem Cook made a motion to approve the minutes from September 23, 2024, as written. Council Member Smith seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

ADDITIONS/DELETIONS TO AGENDA

Council Member Moss made a motion to delete agenda items Resolution No. 2022-02 and Resolution No. 2022-03 under X. Resolutions, Ordinances, Hearings, Appointments, and Other. Council Member Smith seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: 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 – No report.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom – No report.

REPORT FROM THE MAYOR

Mayor Woody Jacobs gave an update on the city's operations.

COMMENTS FROM ANYONE NOT ON THE AGENDA – None.

PUBLIC HEARINGS

Council President Folsom opened the public hearing at 7:05 p.m. for Ordinance No. 2024-23 to rezone property located at 916 Parker Avenue SW from R-3 to R-2 residential district which received a favorable recommendation from the Planning Commission. With no one wishing to speak for or against Ordinance No. 2024-23, Council President Folsom closed the public hearing at 7:06 p.m.

Council President Folsom opened the public hearing at 7:07 p.m. for Resolution 2025-01 to hear, consider, and act upon all objections or protests, if any, for the removal of an unsafe structure located at 1509 Bower Drive SE, Cullman, Alabama 35055. Mr. Leon Creel, 1521 Bower Drive SE, spoke in favor of the removal of the structure at 1509 Bower Drive SE. Mr. Brandon Lewis, Chief Building Official, spoke in favor of the removal of the structure, stating the failures and other dangers with the unsecured building. With no one else wishing to speak for or against Resolution No. 2025-01, Council President Folsom closed the public hearing at 7:10 p.m.

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

Council President Pro Tem Cook made a motion to approve a special event request from Adam Clark for the annual Police Department Trunk or Treat, and Movie at the Park on October 29, 2024, at the Police Department and Skate Depot. 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 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 Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to approve a special event request from Zachary Ivey of 1729 Churchill Lane SE for a tailgate party with live music at his residence on November 9th, 2024, from 1:00 p.m. to 6:30 p.m. 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 Jonathan Creekmore of The Link of Cullman County for a community trunk or treat at 708 9th Street SE on October 25, 2024. 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 approve a special event request from Tanya Carter for the Cullman Warehouse District to host Warehouse District Christmas Open House on 1st Ave NE on November 9, 2024, from 9:00 a.m. to 6:00 p.m. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, HEARINGS, APPOINTMENTS AND OTHER

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

CITY OF CULLMAN

RESOLUTION NO. 2025 – 01

WHEREAS, the Appropriate Municipal Official for the City of Cullman, Alabama, has inspected or caused to be inspected property situated at 1509 Bower Dr SE in Cullman, Alabama, and has determined that the structure, any and all accessory structures, is unsafe to the extent of being a public nuisance; and

WHEREAS, the Appropriate Municipal Official for the City of Cullman, Alabama, did on 05/20/2024, cause to be and issued to owner(s) of record of the property, Notice to Demolish Structure, a copy of which is attached hereto as Exhibit “A”, a copy of said document being permanently kept on file in the Office of the City Clerk of the City of Cullman, Alabama; and

WHEREAS, any structure located on said property has not been demolished as required by said notice, and no appeal having been taken therefrom as by law provided; and

WHEREAS, photographs showing the condition of the property are attached hereto as Exhibit B; and

WHEREAS, a copy of notice of the Public Hearing to hear, consider, and act upon all objections or protests, if any, for the removal of an unsafe structure located at 1509 Bower Drive SE, Cullman, Alabama 35055, on October 21st, 2024, at 7:00 p.m. in the Lucille N. Galin Auditorium of Cullman City Hall located at 204 Second Avenue NE, Cullman, Alabama 35055 along with Exhibit “A,” certified mail signature of receipt by the owner of Exhibit "A,” and a legal description of the property were, (i) recorded in the office of Probate Judge of Cullman County; (ii) provided to the Revenue Commissioner’s Office of Cullman County; (iii) sent certified to the record property owner; (iv) sent certified to all mortgagees of record, lienholders of record, and any person known to the clerk or the Appropriate Municipal Official, if any; (v) posted on the structure; and (vi) notice only of the hearing run in a paper of general circulation within Cullman County; and

WHEREAS, the City through the Appropriate Municipal Official for the City of Cullman, Alabama, has determined that the cost of repair and rehabilitation is not economically feasible and is of the opinion that the structure(s) should be demolished, and has given a written statement to that effect along with supporting letters from the Fire Department and the Police Department, a copy of each which is attached hereto as Exhibit “C”; and

WHEREAS, in the judgment of the Appropriate Municipal Official for the City of Cullman, Alabama, the structure(s) in question cannot be reasonably repaired, and that demolition of the structure, including any and all accessory structures, and contents therein, if any, is necessary to protect the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cullman, Alabama, that upon the expiration of twenty (20) days from today's date should no appeal be taken to the Circuit Court within ten (10) days, Appropriate Municipal Official for the City of Cullman, Alabama, is authorized to proceed, pursuant to § 11-40-30 et seq., *Code of Alabama* (1975), to demolish and remove the structure(s) and contents, if any, at 1509 Bower Drive SE more particularly described as follows to-wit: Lot Number 19 of Arbor East Subdivision, a subdivision that lies in the Southeast Quarter of the Southeast Quarter of Section 14, Township 10, Range 3 West, in Cullman County, Alabama record in Map Book B-97-B, and to assess the reasonable costs for demolition and removal of debris against said property.

BE IT FURTHER RESOLVED, by the City Council of the City of Cullman, Alabama, that the Appropriate Municipal Official for the City of Cullman, Alabama, or his/her appointed designee, is hereby authorized to take all lawful and necessary actions to accomplish the foregoing.

ADOPTED BY THE CITY COUNCIL this the 21st day of October, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 21st day of October, 2024.

/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 Hollingsworth made a motion to adopt the following resolution:

CITY OF CULLMAN
RESOLUTION NO. 2025 – 04

WHEREAS, the City of Cullman has received a Transportation Alternatives Program (TAP) Grant from the Alabama Department of Transportation (ALDOT) 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 (Grant #: TAPAA-TA24(902)).

THEREFORE, in accordance with ALDOT regulations, the City of Cullman has solicited and received bids from qualified construction companies to construct the above referenced sidewalk improvement activities in accordance with the approved plans and specifications.

NOW, THEREFORE, be it resolved that the City Council and St. John and Associates, the City’s Consulting Engineer, has evaluated the bids received and has determined that Bulls Construction Group, LLC is the low bidder on the construction portion of this project; and

THAT, Woody Jacobs, Mayor, be and is hereby authorized to award a construction contract upon receipt of the approval of the Alabama Department of Transportation to Bulls Construction Group, LLC in the amount of \$1,086,846.00 to complete all sidewalk improvement activities associated with the above referenced project.

READ AND ADOPTED this the **21st** day of **October 2024**.

Signed for the Cullman City Council:

/s/ Woody Jacobs, Mayor

Attest:

/s/Wesley Moore, City Clerk

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

Council President Folsom held the first reading of Ordinance No. 2024-23 to rezone property located at 916 Parker Avenue SW from R-3 to R-2 residential district which received a favorable recommendation from the Planning Commission.

Council President Folsom held the first reading of Ordinance No. 2025-01 to annex Pioneer Land Acquisitions, LLC property located on Highway 31 and County Road 715 as B-2 Business District which received a favorable recommendation from the Planning Commission.

Council President Folsom held the first reading of Ordinance No. 2025-02 to adopt an electronic records management policy for the City of Cullman.

Council President Folsom held the first reading of Ordinance No. 2025-03 to vacate and surplus a portion of Lot 1 Block 5 Ratliff Hancock Subdivision Bauers Addition, which is owned by the city.

Council President Folsom held the first reading of Ordinance No. 2025-04 to confirm and ratify the levy of taxes for educational purposes in the City of Cullman.

BOARD APPOINTMENTS – None.

Council President Folsom asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council Member Moss seconded the motion, and the meeting was adjourned at 7:19 p.m. by a voice vote. Ayes: All. Nays: None.