

CULLMAN CITY COUNCIL MEETING ON JANUARY 16TH, 2016 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Garlan Gudger called the Cullman City Council Meeting to order at 7:05 o'clock p.m. on Monday, January 16th, 2016. Pastor Joe McNulty presented the invocation.

A roll call by Mr. Wesley Moore reflected the following: Present - Mayor Woody Jacobs, Council Member Andy Page, Council Member Johnny Cook, Council Member Clint Hollingsworth, Council President Pro Tem Jenny Folsom, and Council President Garlan Gudger. Absent: None. Also present were City Attorney Roy Williams and City Clerk Wesley Moore.

Council President Garlan Gudger asked the Council to consider the minutes from December 19th, 2016 and January 11th, 2017. Council Member Cook made a motion to suspend the rules to consider the minutes. Council Member Folsom 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 Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Cook made a motion to approve the minutes from December 19th, 2016 and January 11th, 2017 as written. Council Member Page 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 Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA - None.

REPORTS OF STANDING COMMITTEES

1. Public Safety Committee - Chairman Andy Page - No report.
2. Utilities Committee - Chairman Garlan Gudger stated that he was sad to announce that Martha Hayes, a lifetime community servant in Cullman, had passed away today.
3. Public Works Committee - Chairman Johnny Cook - No report.
4. Tourism Committee - Chairman Clint Hollingsworth - No report.
5. General Government Committee - Chairwoman Jenny Folsom - No report.

REPORT FROM THE MAYOR

Mayor Woody Jacobs informed everyone that industries and retail businesses in Cullman are continuing to grow. He also mentioned that he expected several new announcements in the coming weeks which would be very exciting for our community.

COMMENTS FROM ANYONE NOT ON THE AGENDA - None.

PUBLIC HEARINGS - None.

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

Council Member Page made a motion to approve the request from Mary Hovater and Martha Lawrence for a Little Free Pantry on private property for six months. Council Member Hollingsworth seconded the motion to approve the request, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Folsom made a motion to approve the request from Street Superintendent Scott Talley to purchase from a city bid list a 2017 4WD Crew Cab Chevrolet Pickup Truck from Mitch Smith Chevrolet, Inc. in the budgeted amount not to exceed \$39,000. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve the request from Garage Superintendent Mason Kugler to purchase a mentor touch scout from Mac Tools, Inc. in the budgeted amount not to exceed \$2,200. Council Member Cook seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve the request from Traffic Superintendent Jeff Adams to purchase from a city bid list a 2017 4WD Crew Cab Chevrolet Pickup Truck from Mitch Smith Chevrolet, Inc. in the budgeted amount not to exceed \$29,642. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Cook made a motion to approve the request from Traffic Superintendent Jeff Adams to bid ten preemption systems in the estimated amount of \$39,088. Council Member Folsom seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Folsom made a motion to approve the request from Traffic Superintendent Jeff Adams to bid the purchase of a 2010 or newer bucket truck with less than 110,000 miles in the estimated amount of \$30,000. Council Member Page seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Folsom made a motion to send the request for a variance from Anthony Smith to the Zoning Board of Adjustments with a favorable recommendation from the City Council. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

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

**RESOLUTION NO. 2017 – 36
TO ENTER INTO CONTRACT WITH TERRACON CONSULTANTS, INC.**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with Terracon Consultants, Inc. for testing services at the site of the new Street Facility in the budgeted amount not to exceed \$28,000;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter a contract with Terracon Consultants, Inc. for testing services at the site of the new Street Facility in the budgeted amount not to exceed \$28,000.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garlan E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

**RESOLUTION NO. 2017 – 37
TO ENTER INTO CONTRACT WITH TTL, INC.**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with TTL, Inc. for the testing and surveying of an industrial tract located near County Road 222 in the budgeted amount not to exceed \$7,860;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter a contract with TTL, Inc. for the testing and surveying of an industrial tract located near County Road 222 in the budgeted amount not to exceed \$7,860.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garlan E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 – 38

WHEREAS, City of Cullman has received a Community Development Block Grant (CDBG) and an Appalachian Region Commission (ARC) grant to implement a CDBG Economic Development Project for site improvements and construction of the Cullman Health Technology Center which upon completion will be occupied by Sequence Health; and

WHEREAS, this project will be administered by the City of Cullman and Industrial Development Board of the City of Cullman and both entities have determined it will be in their best interest to enter an Intergovernmental Agreement which outlines the responsibilities of each entity.

NOW, THEREFORE, be it resolved that the Cullman City Council is authorizing the Mayor to enter the attached Intergovernmental Agreement with the Industrial Development Board of the City of Cullman; and

THAT, the Mayor is authorized to execute on behalf of the City of Cullman all documents related to the implementation of this project.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garlan E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 – 39

TO GRANT A TAX ABATEMENT FOR RELIANCE WORLDWIDE CORPORATION DBA CASH ACME

This Resolution is made this 16th day of January, 2017 (the Effective Date) by the City of Cullman, Alabama (the Granting Authority), to grant a tax abatement for Reliance Worldwide Corporation DBA Cash Acme (the Company).

WHEREAS, the Company has announced plans for a new project to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of all state and local non-educational ad valorem taxes, all construction related transaction taxes, except those constructions related transaction taxes levied for educational purposes or for capital improvements for education; and

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of \$2,500,000; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THERERFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of all state and local non-educational ad valorem taxes, all construction related transaction taxes, except those constructions related transaction taxes levied for educational purposes or for capital improvements for education as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the foregoing was duly adopted by the City of Cullman, Alabama of Alabama at a meeting held on the 16th day of January, 2017.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garland E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

**RESOLUTION NO. 2017 – 40
TO AWARD THE BID FOR SITE WORK AT AN INDUSTRIAL TRACT**

WHEREAS, bids were opened on December 13, 2016 at 2:00 p.m. for site work at an industrial tract,

WHEREAS, the following bids were opened:

Carcel & G Construction, LLC	Cullman, AL	\$ 374,247.00
Wiregrass Construction Company, Inc.	Guntersville, AL	\$ 329,987.18

BE IT RESOLVED by the Cullman City Council that the bid for site work at an industrial tract is hereby awarded to Wiregrass Construction Company, Inc., the lowest responsible bidder, in the budgeted amount of \$329,987.18.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garland E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

**RESOLUTION NO. 2017 – 41
TO AWARD THE BID FOR ONE OR MORE 4WD DOUBLE CAB TRUCKS**

WHEREAS, bids were opened on January 11, 2017 at 2:00 p.m. for one or more 4-wheel drive double cab trucks,

WHEREAS, the following bids were opened:

Bill Smith Buck GMC, Inc.	Cullman, AL	No Bid
Cullman Chrysler Dodge Jeep, Inc.	Cullman, AL	No Bid
Eckenrod Ford Lincoln of Cullman, Inc.	Cullman, AL	\$ 32,209.00
Mitch Smith Chevrolet, Inc.	Cullman, AL	\$ 29,641.50

BE IT RESOLVED by the Cullman City Council that the bid for one or more 4-wheel drive crew trucks is hereby awarded to Mitch Smith Chevrolet, Inc., the lowest responsible bidder, in the budgeted amount of \$29,641.50 per truck.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garlan E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 – 42
TO AWARD THE BID FOR ONE OR MORE 4WD REGULAR CAB TRUCKS

WHEREAS, bids were opened on January 11, 2017 at 2:00 p.m. for one or more 4-wheel drive regular cab trucks,

WHEREAS, the following bids were opened:

Bill Smith Buck GMC, Inc.	Cullman, AL	No Bid
Cullman Chrysler Dodge Jeep, Inc.	Cullman, AL	No Bid
Eckenrod Ford Lincoln of Cullman, Inc.	Cullman, AL	\$ 26,571
Mitch Smith Chevrolet, Inc.	Cullman, AL	\$ 27,200

BE IT RESOLVED by the Cullman City Council that the bid for one or more 4-wheel drive crew trucks is hereby awarded to Eckenrod Ford Lincoln of Cullman, Inc., the lowest responsible bidder, in the budgeted amount of \$26,571 per truck.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garlan E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 – 43
TO AUTHORIZE CHANGE ORDERS NO. 1 AND NO. 2 FOR LEE BUILDERS, INC.

WHEREAS, the Cullman City Council awarded the bid on November 14th, 2016 for the construction of the Water Facility on Eva Road to Lee Builders, Inc. in the amount of \$3,105,412;

WHEREAS, the Goodwyn, Mills & Cawood has recommended that Change Orders No. 1 and No. 2 be approved which will reduce the total cost of the project by \$24,096;

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 decrease the total cost of the contract with Lee Builders, Inc. to \$3,081,316.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garland E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 – 44

TO GRANT AN UTILITY EASEMENT ON THE FIRE STATION NO. 3 LOT

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to the citizens of the City of Cullman to grant a permanent utility easement on the Fire Station No. 3 lot described as follows:

A 20 FOOT WIDE SANITARY SEWER EASEMENT BEING A PART OF LOT 1B OF RESURVEY OF LOT 1, SMITH AND WALDROP'S SECOND ADDITION TO THE CITY OF CULLMAN, ALABAMA AS RECORDED IN MAP CAINET 2016, PAGE 3 IN THE OFFICE OF THE JUDGE OF PROBATE, CULLMAN COUNTY, ALABAMA, SAID EASEMENT BEING 10 FEET LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1B AND RUN NORTH 88 DEGREES 38 MINUTES 25 SECONDS WEST AND RUN ALONG THE SOUTH LINE OF SAID LOT 1B, A DISTANCE OF 86.96 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 31 MINUTES 46 SECONDS WEST, A DISTANCE OF 195.51 FEET; THENCE NORTH 71 DEGREES 45 MINUTES 32 SECONDS EAST, A DISTANCE OF 89.04 FEET; THENCE NORTH 00 DEGREES 20 MINUTES 03 SECONDS EAST, A DISTANCE OF 370.43 FEET TO A POINT ON THE NORTH LINE OF LOT 1B, SAME BEING THE ENDING POINT.

THEREFORE, BE IT RESOLVED by the Cullman City Council that Mayor is hereby authorized to execute a permanent utility easement on the lot of Fire Station No. 3 to the City of Cullman.

ADOPTED BY THE CITY COUNCIL this the 16th day of January, 2017.

/s/ Garland E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

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

Council Member Folsom made a motion to suspend the rules to consider the ordinance. Council Member Hollingsworth seconded the motion, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2017 – 09

TO ANNEX CERTAIN PROPERTY 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 Industrial Development Board of the 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, which property is owned by the petitioner, be annexed into the City of Cullman:

TRACT 1

A TRACT OR PARCEL OF LAND CONTAINING 81.79 ACRES OF LAND, MORE OR LESS AND BEING A PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 28, TOWNSHIP 10 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A FOUND CAPPED CORNER (CONN-17831) MARKING THE SOUTHWEST CORNER OF THE NORTHEAST

QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1505635.11',E.2161689.03' AND RUN THENCE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST (BEARING BASED ON AL. STATE PLANE, WEST ZONE, NAD 83, GRID), A DISTANCE OF 431.40 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST, A DISTANCE OF 2,001.05 FEET; THENCE NORTH 29 DEGREES 27 MINUTES 45 SECONDS EAST, A DISTANCE OF 862.30 FEET; THENCE SOUTH 83 DEGREES 30 MINUTES 50 SECONDS EAST, A DISTANCE OF 556.08 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 69 AND BEING IN A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 00 DEGREES 41 MINUTES 07 SECONDS, A RADIUS OF 11224.84 FEET, A CHORD BEARING OF NORTH 27 DEGREES 51 MINUTES 12 SECONDS EAST AND CHORD LENGTH OF 134.23 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 134.23 FEET TO A FOUND CAPPED CORNER (LS-19901) MARKING THE SOUTHEAST CORNER OF THE TRADITIONS BANK TRACT; THENCE NORTH 83 DEGREES 30 MINUTES 50 SECONDS WEST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 721.79 FEET TO A FOUND CAPPED CORNER (LS-19901) MARKING THE SOUTHWEST CORNER OF THE TRADITIONS BANK TRACT; THENCE NORTH 00 DEGREES 56 MINUTES 45 SECONDS WEST, A DISTANCE OF 432.20 FEET TO THE NORTHWEST CORNER OF SAID TRADITIONS BANK TRACT, SAME BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 20; MINUTES 52 SECONDS WEST, A DISTANCE OF 2,742.84 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 17 MINUTES 29 SECONDS WEST, A DISTANCE OF 664.68 FEET TO A FOUND CAPPED CORNER (CONN-17831); THENCE SOUTH 00 DEGREES 06 MINUTES 50 SECONDS WEST, A DISTANCE OF 263.30 FEET; THENCE SOUTH 46 DEGREES 57 MINUTES 23 SECONDS EAST, A DISTANCE OF 589.17 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD.

TRACT 2

A TRACT OR PARCEL OF LAND CONTAINING 9.79 ACRES OF LAND, MORE OR LESS AND BEING A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A FOUND CAPPED CORNER (CONN-17831) MARKING THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1505635.11, E. 2161689.03' AND RUN THENCE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST (BEARING BASED ON AL. STATE PLANE, WEST ZONE, NAD 83, GRID), A DISTANCE OF 431.40 FEET; THENCE CONTINUE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST, A DISTANCE OF 2,001.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 23 MINUTES 10 SECONDS EAST, A DISTANCE OF 590.76 FEET TO A FOUND CAPPED CORNER (HARRIS-5742) MARKING THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 69; THENCE NORTH 30 DEGREES 22 MINUTES 20 SECONDS EAST AND RUN ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 140.90 FEET; THENCE NORTH 59 DEGREES 37 MINUTES 40 SECONDS WEST AND RUN ALONG A TRANSITION IN SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 30 DEGREES 22 MINUTES 20 SECONDS EAST AND CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 226.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 02 DEGREES 10 MINUTES 35 SECONDS, A RADIUS OF 11224.84 FEET, A CHORD BEARING OF NORTH 29 DEGREES 17 MINUTES 02 SECONDS EAST AND CHORD LENGTH OF 426.33 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 426.36 FEET; THENCE NORTH 83 DEGREES 30 MINUTES 50 SECONDS WEST (DEPARTING SAID RIGHT-OF-WAY LINE) A DISTANCE OF 556.08 FEET; THENCE SOUTH 29 DEGREES 27 MINUTES 45 SECONDS WEST A DISTANCE OF 862.30 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 property: Tract 1 as M-1P Manufacturing District and Tract 2 as B-2 Business 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 16th day of January, 2017.

/s/ Garlan E. Gudger, Jr. - President of the City Council

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of January, 2017.

/s/ Woody Jacobs - Mayor

Council Member Folsom seconded the motion, and the ordinance was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye.

Council President Gudger asked for the City Council and Mayor to consider Board Appointments:

Council Member Page made a motion to reappoint Gary Hollingsworth to the City of Cullman Alcohol Review Committee. Council Member Cook seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Cook made a motion to reappoint Herbert Arnold, Beth Bownes Johnson, and Lona Heatherly to the City of Cullman Parks and Recreation Board. Council Member Folsom seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Gudger asked for a motion to adjourn. Council Member Page made a motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:28 p.m. by a voice vote. Ayes: All. Nays: None.